

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 31 October 2018.

Present:

Provost Jim Fletcher	Councillor Annette Ireland
Deputy Provost Betty Cunningham	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

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); Kate Rocks, Chief Social Work Officer, Mark Ratter, Head of Education Services; Eamonn Daly, Democratic Services Manager; and Jennifer Graham, Committee Services Officer.

SHOOTING IN PITTSBURGH

648. Prior to the commencement of the meeting Provost Fletcher reported that he and a number of other councillors had attended a communal service at the Giffnock Synagogue to commemorate the recent tragic shootings in Pittsburgh.

He requested that as a mark of respect to those who lost their lives in the shooting, the Council observe a minute’s silence, and sought the permission of the Council to write to the mayor of Pittsburgh expressing condolences and support on behalf of the people of East Renfrewshire. This was agreed.

Thereafter a minute’s silence was observed.

REQUEST TO RECORD PROCEEDINGS

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

DECLARATIONS OF INTEREST

650. Deputy Provost Cunningham declared a non-financial interest in Item 663 on the grounds that she was friends with the family of the main director of Advanced Construction Group.

Councillors Devlin, Grant, Merrick and O’Kane declared non-financial interests in relation to Items 665 and 666 by virtue of the fact they were members of the East Renfrewshire Culture and Leisure Trust Board.

MINUTE OF PREVIOUS MEETING

651. The Council considered and approved the Minute of the meeting held on 12 September

Under reference to Item 597 – Eastwood Leisure Centre Consultation, Councillor Wallace referred to the comments that “there is a strong desire to see theatre provision retained or enhanced at Eastwood or included in any new facility” and questioned the number of consultation responses which had led to this statement.

Councillor Merrick having indicated that he did not have the information to hand, Councillor Wallace indicated that the number was 13.

MINUTE OF PREVIOUS MEETING

652. The Council considered and approved the Minute of the meeting held on 27 September 2018.

MINUTES OF MEETINGS OF COMMITTEES

653. The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 654 below:-

- (a) Teaching Staff Appeals Committee – 13 September 2018;
- (b) Cabinet (Police & Fire) – 20 September 2018;
- (c) Appeals Committee – 26 September 2018;
- (d) Audit and Scrutiny Committee – 27 September 2018;
- (e) Planning Applications Committee – 3 October 2018;
- (f) Local Review Body – 3 October 2018;
- (g) Education Committee – 4 October 2018;
- (h) Licensing Committee – 16 October 2018; and
- (i) Cabinet – 25 October 2018.

CABINET – 25 OCTOBER 2018 – ICT ASSET MANAGEMENT PLAN 2016-2020

654. Under reference to the Minute of the Meeting of the Cabinet of 25 October 2018, when the Cabinet had approved the updated ICT Asset Management Plan (Page 579, Item 639 refers), Councillor Swift intimated that he had enquired why the Council needed the levels of equipment referred to in the plan, taking account of the number of Council employees. He was awaiting details of a further breakdown on a departmental basis but questioned whether the amount of equipment represented best use of the Council’s resources.

In reply, Councillor Buchanan confirmed that the figures contained in the plan included all ICT equipment, not just that issued to staff, and so took into account equipment in schools, libraries and other community facilities.

In addition the Deputy Chief Executive, having confirmed that a reply to Councillor Swift's enquiry had been prepared and would be issued to him in the near future, explained that a lot of the numbers related to devices in schools for pupils.

Responding to a further question from Councillor Aitken on whether all pupils in schools had a personal laptop, the Director of Education confirmed that this was not the case.

The Council noted the information.

ESTIMATED REVENUE BUDGET OUT-TURN 2018-19

655. Under reference to the Minute of the meeting of the Cabinet of 25 October 2018 (Page 581, Item 642 refers), the Council 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 17 August 2018:-

- (i) Objective and Subjective Summaries;
- (ii) Education Department;
- (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 the Council's projected revenue out-turn position was reported as an operational underspend of £1,776,000 or 0.76% of the annual budget, the report highlighted that this was a smaller forecast underspend than in previous reports and reflected the efforts made to better align budgets to spending needs. However, the current position offered opportunities to use the underspend to address some current and future pressures.

The report set out proposals for budget transfers in the current year to address the 3% pay offer for local government staff, and to fund additional investment of £460,000 in school toilets, roads, mixed tenure works, defibrillators and the Council's Fairer East Ren plans. Furthermore, the report proposed that a further £826,000 of the underspend was earmarked to address anticipated pressures in 2019/20 and that all the proposals detailed in the report would reduce the forecast underspend to £490,000 or 0.21% of the Council's overall budget.

Furthermore, it was noted 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. However, the report indicated 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.

Referring to the proposals to realign budgets within the Education Department to address increased pay pressures within the department and the Culture and Leisure Trust, as well as the costs of the proposed toilet works, Councillor Swift questioned why no indicative costs had been provided.

In reply the Chief Financial Officer explained that the reference to the Culture and Leisure Trust was in respect of the provision the Council would need to make for the current year's pay award which had not been settled, although the offer that had been made was already higher than had been provided for in the current budget. The additional cost associated with this was £9,000.

The Council agreed to approve the proposals to reduce the 2018/19 Revenue Budget and increase the 2019/20 Revenue Budget by £826,000, all subject to agreement of the Council's 2019/20 Revenue Estimates in February 2019.

GENERAL FUND CAPITAL PROGRAMME 2018/19

656. Under reference to the Minute of the meeting of the Cabinet on 25 October 2018 (Page 582 Item 643 refers) the Council considered a report by the Chief Financial Officer, monitoring expenditure as at 5 September 2018, against the approved General Fund Capital Programme 2018/19 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst noting the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues, the report indicated that the projected shortfall of £318,000 which represented 0.8% of the resources available was within manageable limits.

The report highlighted that the Council had received an additional £1.264 million of grant funding from the Scottish Environmental Protection Agency (SEPA) for environmental improvements in Carlbar Park and Lavern Water area and that this would be spent over a number of years as schemes were developed. Detailed explanations and reasons for major movements within the programme were also set out in the report.

Noting that the shortfall of £318,000 would be managed and reported on a regular basis, the Council approved the movements within the 2018/19 General Fund Capital Programme.

HOUSING CAPITAL PROGRAMME 2018/19

657. Under reference to the Minute of the meeting of the Cabinet on 25 October 2018 (Page 582 Item 644 refers) The Council considered a joint report by the Chief Financial Officer and Director of Environment, monitoring expenditure as at 7 September 2018 against the approved Housing Capital Programme 2018/19 and recommending adjustments where necessary in light of the issues that had arisen since the programme had been approved.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the projected shortfall of £85,000 which represented 0.8% of the resources available was within manageable limits. The main movements within the programme related to the rephasing of planned Council house building projects, external structural works and renewal of central heating systems.

Noting that the shortfall of £85,000 would be managed and reported on a regular basis, the Council approved the movements within the 2018/19 Housing Capital Programme.

QUESTIONS TO CONVENERS

658. In accordance with Standing Order 24, the following questions were submitted

From Councillor Swift to Councillor Bamforth, Convener for Social Work and Health

There is a rumour going around that the proposed new leisure centre will also host a medical centre.

Can I ask the convenor for health and social care if there is any substance to this rumour?

In reply, Councillor Bamforth referred to the levels of housebuilding in Newton Mearns and to the associated increased demands on GPs and their teams. She explained that senior HSCP officers had been working with Newton Mearns GPs to identify any possible opportunities over the next few years to increase capacity by way of a new practice or branch surgery.

The request for a consideration of a medical centre to be included in any new leisure centre plans were it to be located in the Newton Mearns area had been made by the HSCP Chief Officer but it was further clarified that this was only 1 of a number of possible options being explored.

Thanking Councillor Bamforth for her reply, Councillor Swift referred to a posting by Councillor Bamforth on a social media site where she stated that there would be a medical centre in the new leisure centre which would be located in the Newton Mearns area. He questioned why Councillor Bamforth should make such a statement if the location for the new centre had not been finalised.

In reply, Councillor Bamforth explained that she had been quoting from the report prepared for the Council by consultants Turner Townsend, and it was the consultants who had suggested in that report that a medical centre could be incorporated in the new leisure centre were it to be located in Newton Mearns.

From Councillor Swift to Councillor Buchanan, Leader of the Council

How many people overall have left the Council in the last 6 months, in total and by department and how many have requested they be considered for early retirement or voluntary redundancy, in total and under 60 years of age?

In reply Councillor Buchanan provided the figures for the preceding 6 months breaking these down into total staff numbers and full-time equivalents; staff on permanent and temporary contracts, and by department.

He also provided figures in relation to the numbers of staff who had left either through voluntary redundancy (VR) or early retirement (ER) as well as providing further information about the processes to be followed in these instances. This included that as age was a protected characteristic and there was no longer a default retirement age, it could not be taken into consideration when decisions in relation to VR or ER were being made. Furthermore he referred to the 3 year payback period that had to be demonstrated in the business case to let staff go under VR or ER and that the average payback period associated with such departures which had to be within 3 years. The average payback period over the last 5 years was well within this figure. Thereafter he confirmed that of those staff leaving through VR or ER, 2 were over 60.

Welcoming the information, Councillor Swift referred to discussions with a member of staff who was leaving the Council shortly, and to his surprise at their enthusiasm to leave. He reported that since then he had spoken to a number of employees and that in many cases staff appeared to be unhappy and dissatisfied working for the authority. Furthermore, the figures reported by Councillor Buchanan suggested that there was unhappiness and a lack of motivation in the workforce. Thereafter he sought information on what the Council was doing to ensure that staff were well looked after and well-motivated.

In reply Councillor Buchanan firstly referred to the fact that a large proportion of those who had left over the preceding 6 months had been on temporary contracts that had come to an end. Thereafter he referred to the high calibre of staff in East Renfrewshire Council highlighting that many of those who had left were leaving to take up promoted positions in other authorities. He recognised that this often left the Council in a challenging position in terms of continued service delivery. He indicated that he was unaware of significant numbers of departures being due to staff dissatisfaction with their employment with the Council and that many of the comments he had received from staff was about how they enjoyed working for the Council and delivering services for residents. He acknowledged the pressures under which staff worked heightened by the difficult financial circumstances the Council had faced in recent years.

Councillor Buchanan also referred to the good employee engagement mechanisms in place and to the constructive working relationship between the Council and trade unions. He also highlighted that a particular challenge for some employees was the way in which they were treated both by some Elected Members and on social media.

From Councillor Wallace to Councillor O’Kane, Convener for Education and Equalities

Does the Convener for Education and Equalities think it would be appropriate for the Council to withdraw, if possible, from the tests for P1 pupils in East Renfrewshire schools, following concerns from teachers and parents and a vote in Holyrood for them to be scrapped?

In reply, Councillor O’Kane reminded the Council that standardised assessments had been used in East Renfrewshire Council schools since 1998, with P1 assessments being introduced locally in 2005-06. He explained that assessments were carried out on the advice of professional officers which was that testing was a key tool to help teachers identify the needs of the children they were teaching.

Councillor O’Kane also reminded Members that the new Scottish National Standardised Assessments had only been in operation for 1 school session, acknowledging that there had been a national debate as to their value, with a divergence of views on the issue.

He referred to the statement made the previous week by John Swinney MSP, that he had commissioned an independent review in light of the result of the vote on the issue in the Scottish Parliament. This review would consider the issue and make recommendations on the compatibility of the assessments with the play-based learning approach to early levels of Curriculum for Excellence, the usefulness of the data provided to teachers and the future of the assessments. This would include whether they should be modified or stopped.

Welcoming the review, Councillor O'Kane explained that East Renfrewshire schools had not made use of the new assessments in the current session, and that officers, staff and pupils would have the opportunity to contribute to the review process. Local impact would be reviewed through professional dialogue,

Councillor O'Kane further highlighted the importance of local authorities being empowered to make the right decisions for their communities welcoming the involvement of COSLA in the review, explaining that he would be working with local authority counterparts on the COSLA Children and Young People's Board for this empowerment.

Thanking Councillor O'Kane for his response, Councillor Wallace explained that his question was based on the significant investment by the Council in Early Years provision and that the new P1 assessment was in his view an inappropriate, unwanted and unnecessary measurement with no positive impact of value for the children concerned. He asked that the Convener take account of these views when taking forward the local review. In reply Councillor O'Kane confirmed that there would be further opportunity for Councillor Wallace to make his views known as part of the local discussions that would take place in relation to the national review commissioned by Mr Swinney.

From Councillor Miller to Councillor Buchanan, Leader of the Council

Can I ask if Councillor Buchanan agrees that the approach of giving East Renfrewshire Culture and Leisure Limited an open ended and unlimited line of credit until September next year in our letter of comfort could be improved by limiting our taxpayers exposure?

In reply, Councillor Buchanan firstly explained the background to the establishment of the Trust in 2015, the rules under which it operated and that the Council had a controlling interest.

Councillor Buchanan further explained that since then there had been a moral obligation on the Council to support the Trust to deliver those services it had been set up by the Council to deliver. He referred to the arrangements in place within the Council to monitor the work of the Trust. This included regular meetings with the Trust's Director of Finance with Council accountancy staff.

Councillor Buchanan went on to refer to the Trust's financial operations and that it had operated within budget in 2015/16 and 2016/17 with a forecast overspend in 2017/18. In addition the previous year the Council had commissioned an independent report into the Trust's finances to ensure there were adequate funding and processes in place to allow it to meet its agreed aims. The Council and the Trust were now working to implement the report's recommendations, which would be reflected in the Trust's 2019/20 Business Plan.

In conclusion Councillor Buchanan confirmed that he was happy there were appropriate mechanisms in place to ensure that due process was carried out and that the Trust operated in an appropriate manner in the delivery of services for residents.

Thanking Councillor Buchanan for the information provided Councillor Miller suggested that whilst of interest it did not answer his original question in relation to an open ended and unlimited line of credit.

In reply, Councillor Buchanan stated that in his view both the terms of the letter of comfort and the monitoring arrangements in place were satisfactory.

Responding to Councillor Buchanan, Council Miller referred to the Audit Scotland publication which stated that contributions should not be open ended.

STATEMENTS BY CONVENERS/REPRESENTATIVES ON JOINT BOARDS/ COMMITTEES

659. 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 26 September 2018. This included the signing off of the Board's 2017/18 annual accounts; work to speed up access to occupational therapy equipment and work to improve the process for housing adaptations; and ongoing early intervention and prevention work.

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

Councillor Merrick was heard on some of the projects being taken forward by the Culture and Leisure Trust to reflect its charitable objectives, which in turn made a contribution to the lives of many East Renfrewshire residents. This included working with Macmillan Cancer Partnership which had awarded the Trust £347,105 to run a project in libraries and leisure centres; working with Barrhead Housing Association to deliver a project to engage residents in Dunterlie to improve physical and mental health and life skills; and the Holiday Hunger Programme where a wide range of activities were provided and multi-sport and multi-activity camps.

The Council noted the statements.

PROVOST'S ENGAGEMENTS

660. 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.

STRATEGIC PLANNING

661. The Council considered a report by the Chief Executive providing a summary of the Council's main strategies, outlining how they guided the work of the Council, and demonstrating their strategic links. The report also proposed changes to streamline and simplify how the Council communicated its strategic plans.

Having referred to the diagram showing the links between various strategies considered by the Audit & Scrutiny Committee in August 2017, the report explained that since then the Council's Corporate Management Team had further developed the Council's approach to strategic development, focussing on longer term planning, clear links between strategies, and the clear communication of the direction of travel. A copy of the updated diagram accompanied the report.

The report then provided summary information in relation to the various long and medium terms strategies currently in place. In particular, with regards to long-term planning, the report explained that the Council's Corporate Statement and Vision for the Future would be

combined in the interests of efficiency and clarity and that an updated Vision for the Future document, reflecting the updated Community Plan and the long-term ambition of the Councils change programme, be finalised in the coming months. The final version of the document, covering a 10 year period, would be brought to the Council for approval, with a major review every 3 years in line with community planning reviews.

The Council noted:-

- (a) the relationship between the key strategies and plans that had been developed;
- (b) the timetable for updated strategies to be brought forward for consideration; and
- (c) that the Corporate Plan and Vision for the Future documents would be combined and updated in the coming months, with a revised Vision for the Future being brought back to the Council for approval.

GLASGOW CITY REGION CITY DEAL UPDATE

662. The Council considered a report by the Director of Environment providing an update in relation to progress with the delivery of the projects being taken forward in East Renfrewshire under the Glasgow City Region City Deal.

Having explained the background to the establishment of the Glasgow City Region City Deal and the Council's subsequent participation in the project, and having highlighted that within the overall £1.13bn of infrastructure projects the total of projects in East Renfrewshire was £44 million, the report listed and provided an update on the projects being taken forward in East Renfrewshire.

Whilst welcoming many of the projects being delivered Councillor Miller, referring to the Levern Valley Link Road Project, noted that consultants had been appointed to take the development of the proposals forward, and expressed concerns in general about the independence of studies carried out on behalf of the Council by consultants.

In support of Councillor Miller, Councillor Swift referred to the £11.5 million being spent on the design and realignment of Aurs Road, in light of which he suggested there was no real need for the Levern Valley Link Road which would in his opinion result in significant unnecessary expenditure.

Responding to the comments, Councillor Buchanan was heard on the significant infrastructure benefits being delivered in the area through the City Deal, and that the link road would see for the first time the creation of a high quality link across the authority from east to west. This would be of particular benefit to young people and help to increase employment opportunities across the area as travel became easier.

The Council noted:-

- (a) the progress made on the development and implementation of the East Renfrewshire City Deal projects; and
- (b) that the Director of Environment would submit regular progress reports to future meetings.

Sederunt

Having declared an interest in the following item Deputy Provost Cunningham left the meeting prior to its consideration and took no part in the discussions and decision.

BRAIDBAR QUARRY

663. The Council considered a report by the Director of Environment advising of proposals to work jointly with Advance Construction Group with a view to developing a remediation strategy/proposal for the ground at the site of the former Braidbar Quarry.

Having referred to the Council's policy position in relation to the site, the report outlined the history of work carried out by the Council to try and remediate the site, including a number of unsuccessful development proposals.

The report explained that since the withdrawal of interest in the site by McDonald Estates in 2011, there had until relatively recently been no active developer interest in the site. However, in 2016 Advance Construction Group had approached the Council expressing an interest in working jointly with the Council to remediate the site through the delivery of a residential led mixed-use development. Initial collaborative and positive discussions had taken place with the company, but no commitment had been given to them regarding any future relationship between the company and the Council, with any such relationship needing to be carefully considered within the context of State Aid rules, best value and procurement.

Notwithstanding, the company was seeking agreement in principle from the Council to work together to develop jointly a proposal to be considered by the Council on a basis to be determined. In this respect, the report outlined the various criteria that would need to be taken into account in developing any proposals and of which the company had been made aware.

In addition, the report highlighted various public safety issues at the site over recent years, referred to the steps that had already been taken by the Council to address these, and proposed that all of the land within the Council's title be fenced off with an extension of the current inspection and maintenance regime. The cost of the works would be approximately £120,000 to be funded, if approved, from the Repairs and Renewals Fund.

Welcoming the proposed expenditure on additional safety fencing, Councillor Merrick reported that he had been contacted by a number of residents who had raised concerns about the Council entering into discussions with Advanced Construction Group in light of past business practices. He sought assurances that all appropriate checks into the suitability of the company would be carried out.

In reply the Director of Environment confirmed that he was aware of the historic court case involving the company, but emphasised that at this stage permission was only being sought to have discussions with the company and that due diligence on the company would be carried out.

Welcoming the report, Councillor Lafferty referred to the long-standing nature of the issue. He highlighted that the fencing of the area was a public safety issue and that anything that could be done to achieve the remediation of the site should be investigated further.

Councillor Wallace was also heard on the report welcoming the assurances he had received from the Director of Environment about the future of Huntly Park. He was heard on the history of the site, on the variety of development proposals for the area over many years, and the fact that a number of houses were blighted due to the unstable nature of the ground. Councillor Wallace also referred to the toxic nature of some of the site, and expressed concern that the company with which it was proposed to have discussions had been involved in illegal dumping of toxic waste elsewhere. He suggested that due diligence into the company should start prior to entering into discussions with them.

Councillor Wallace also referred to the consultation that had taken place in 2004 at which time congestion issues had been acknowledged. There had been significant development in the area since then and traffic problems in the area had gotten worse and would be further exacerbated by and development on the site. Furthermore he highlighted that it was not clear whether the levels of support for remediation of the area that had been expressed in the past has been influenced by Huntly Park, and whether these views would change if the remediation proposals related solely to the Braidbar Quarry area.

Taking these factors into account, Councillor Wallace, seconded by Councillor Miller moved that recommendation (a) relating to the discussions with Advance Construction Group be deleted until the Council is clear on the levels of support for the proposals.

Councillor Buchanan, seconded by Councillor Lafferty moved as an amendment that the recommendations as contained in the report be approved.

Speaking in support of his amendment, Councillor Buchanan reminded Members that remediation of the area had been long-held Council position. He referred to the proposals for the area as set out in the Council's Local Development Plan, and how these had come out of extensive public consultation on the plan and the deliberations of the Member/Officer Working Group.

Councillor Buchanan referred to the 2011 agreement with Macdonald Estates to remediate and develop the site which the company had been unable to deliver and that there had been no further expressions of interest until the approach from the Advance Construction Group. He referred to the criteria as set out in the report that would apply in the development of any proposals.

In support of Councillor Buchanan, Councillor Lafferty commented on the condition of the site and that in his view the Council had a duty to investigate ways in which the site could be made safe. He acknowledged the challenges to be faced in delivering a satisfactory solution and looked forward to seeing detailed proposals in due course.

Councillor Swift was then heard on the proposals for Braidbar Quarry as set out in the Local Development Plan and that these had not been supported by the Conservative Group. He also referred to the paper to be discussed later at the meeting in relation to the impact on education provision of the new local development plan (LDP2) and that the schools in the Braidbar area were already operating almost at capacity. Development at the quarry site would require the Council to invest further in new school estate at significant cost.

In summing up, Councillor Wallace referred to the view of the Scottish Government Reporter in 2010 that the site should not be developed and retained as protected urban greenspace.

Thereafter, having heard Provost Fletcher on the role of the Reporter and how the views of the Reporter could often be at odds with the views of local Elected Members, on a vote being taken 8 Members voted for the motion and 9 Members voted for the amendment.

Accordingly the Council:-

- (a) authorised the Director of Environment to enter into discussions and negotiation with Advance Construction Group with regard to the remediation of Braidbar and that a further report would be submitted to the Council in due course; and
- (b) approved the proposed expenditure of £120,000 on fencing for safety purposes.

Sederunt

Deputy Provost Cunningham rejoined the meeting at this point.

LOCAL DEVELOPMENT PLAN 2 – IMPACT ON EDUCATION PROVISION

664. The Council took up consideration of a report by the Director of Environment providing an update on the results of recent analysis carried out to ensure that in terms of long-term planning there would be sufficient education provision for the resident population taking account of any future residential development planned in the Council's proposed Local Development Plan (LDP2).

Having referred to the Council's current Local Development Plan (LDP1) and outlined the work currently underway to review the current development plan, leading to the introduction of LDP2, the report referred to the requirement of Scottish Planning Policy for development plans to set out a settlement strategy. The purpose of such a strategy was to guide the distribution and timing of new homes jobs and services in an area and also consider the infrastructure needed to support development.

The report explained that the Main Issues Report (MIR), prepared by the Council as part of the development plan review process, had identified an increase in the Council's housing land requirements from 4,100 residential units to 4,350 residential units to be delivered between 2012 and 2029.

In addition to identifying a number of additional housing sites, meeting educational needs was also raised in the MIR as a key issue for LDP2, and to address this it was agreed by the Council in December 2017 to push back the timetable for LDP2 to allow further detailed needs analysis and forecasting to be carried out.

The report then provided further information in relation to the modelling work undertaken, commenting on the existing pressures, the research and analysis undertaken, and proposed mitigation measures, in particular the requirement for a new denominational primary school with early years nursery by August 2024; a new non-denominational primary school with early years nursery and additional needs support unit by August 2028; and a new denominational secondary school by August 2029. Details of the critical site exclusions were also explained it being noted that the propose mitigation did not fully deal with the education requirements arising from all the residential sites in the proposed LDP2 or take account of any potential residential development on the Braidbar Quarry site.

The report then discussed some of the locational considerations associated with the delivery of the schools proposals, highlighting that the Council had little or no suitable land within its ownership, with discussions at a strategic and collaborative level with developers and landowners currently ongoing.

Councillor Swift reminded the Council of his view some years ago that additional denominational primary and secondary schools would be required, and commended officers in the Education Department for their examination of the effects on schools of inward migration and the amendment of the Pupil Product Ratios to better reflect more recent trends. He was then heard on the significant costs to the Council associated with the delivery of additional schools, the need for these schools being driven in part by the requirements placed on the Council to permit additional housebuilding in the area. This did not take into account the other costs to the Council of increased demand generally for the services the Council provided.

Councillor Swift having been heard further on the implications for the Council, Councillor O'Kane highlighted the importance of the paper in that it set out the Council's long term strategy in respect of education provision in the area in the context of the LDP2.

He suggested that issues around potential sites and future funding would require further consideration with discussions around funding being required with both the Scottish Government, and housebuilders in terms of developer contribution policy. He reminded Members that LDP1 did contain reference to continual review of educational needs in the context of the development plan, and that the proposed development now being mentioned was being reviewed within the timescales as set out in LDP1.

Councillor Wallace was heard on the report in particular welcoming the proposals for a new denominational secondary school which would have a positive impact on both St Ninian's High School and Our Lady of the Missions Primary School.

Having heard Councillor Ireland, the Council noted:-

- (a) the work carried out to date and the approach taken towards meeting the education needs and provision for the proposed LDP2 given existing pressures on parts of the Education estate;
- (b) that further analysis may be required depending on any future Council decision in relation to potential new housing development at Braidbar Quarry;
- (c) that work was ongoing to identify suitable locations for new schools and that proposed safeguarded sites for education would be incorporated into the proposed LDP2 which would be reported to Council in early 2019; and
- (d) that the matter would be referred to the Local Development Plan Member/Officer Working Group for further consideration

ACCOMMODATION STRATEGY

665. The Council considered a report by the Director of Environment advising the Council on progress made in reviewing the Council's estate and medium to long-term planning in that regard.

The report referred to the Corporate Asset Management Plan (CAMP) approved in August 2017, the primary aim of which was to ensure that assets were delivered in the best way to meet the needs of the organisation and ensure the delivery of the Council's corporate goals and objectives.

Having set out the long-term objective for the Council in respect of its properties, the report explained that although current performance on property assets was identified in the CAMP as good, it also highlighted the aspiration to improve on this in the longer term.

Details of the Council's improvement plan for its properties were outlined and it was explained that the Council's Corporate Asset Service was currently under review with the intention of establishing a Corporate Landlord function with the Environment Department taking on responsibility for all non-school property to achieve a consistency of approach and to ensure property-related decisions were taken on a corporate and not a service basis. This would ensure resources were prioritised and directed where most needed, and that the Council's asset portfolio was aligned with the strategic objectives.

Details of those areas which should be focussed on in developing a Property Asset Management Plan in future having been outlined, the report explained that in 2017 consultants had been commissioned to prepare a Property Management/Accommodation Strategy and action plan for 42 corporate buildings owned/occupied by the Council. Education and Leisure Trust buildings had been excluded from the Strategy.

The consultant's report, the Executive Summary of which accompanied the report, provided the Council with options for its office accommodation needs in 2020 and beyond, and in particular identified that in the consultants' view, the best option would be to consider the demolition of the Council Headquarters building in Eastwood Park together with the more efficient use of other buildings and the relocation of the Civic Headquarters.

The report also referred to the comments made in Audit Scotland's 2017/18 Annual Report of the need for an accommodation strategy to be approved and actioned, and to the Council's response explaining that the strategy would follow on after the delivery of the Early Years programme and the review of the provision for leisure.

However, taking account of the review of educational requirements undertaken as part of the LDP2 process and the feasibility study in relation to the future of Eastwood Leisure Centre, it was considered important for the Council to be sighted on any options for change. This was particularly relevant in relation to any masterplanning exercise of Eastwood Park, which should take into account the option of demolition of the headquarters building to ensure the fullest possible range of options were considered.

Commenting on the report, Councillor Aitken referred to the suggestion made by Councillor Macdonald some months ago that a new leisure centre be built in the Eastwood campus, to include the demolition of the current Council headquarters. He stated that whilst this had been dismissed at the time the Council was now being asked to note a report in which the highest scoring option for the future of the Council's office accommodation included the demolition of the Eastwood Park offices. One of the key attributes of this option was that it provided the opportunity to master plan Eastwood Park and consider feasibility options and solutions to extend St Ninian's High School and address aspirations for a new Eastwood Leisure Centre. In light of these recommendations which suggested that demolition was a viable option he suggested that this should be considered as part of any further review of the building of a new leisure centre in the park. This would also accord with the original terms of the gifting of the park to the people of the area for leisure purposes.

Thereafter, Councillor Aitken highlighted that the consultants' report was dated July 2017, that it had not been made publicly available during the consultation on new leisure centre options despite recommending the demolition of the headquarters building, suggested that it might have been useful for the public and councillors to have been made aware of the report's recommendations at that time, and sought clarification why the report had not been made available.

Councillor Grant having been heard on the possible future reorganisation of local government and the associated implications in relation to local office accommodation that would be required thereafter, Councillor Swift sought clarification of how at this stage it could be calculated that the savings to be achieved by the demolition of the Council headquarters

would be in the region of £260k per annum when it did not appear that any account had been taken of the cost of relocating the civic elements of the building such as the Council Chamber. In reply the Director of Environment indicated that he would seek further information in relation to how the figure was arrived at and advise Councillor Swift.

Councillor Macdonald was also heard on the report welcoming that there was an acknowledgement that there was an opportunity to rationalise the Council's accommodation. He also welcomed that many of the points raised in the report were in accordance with the comments he had made some time ago, and that it appeared to him that there was an opportunity to both deliver on aspirations for a new leisure centre in the park as well as locating staff in a more cost effective manner.

Councillor Miller was heard on the repeated use by the Council of consultants, highlighting that there were 4 different items before the Council at this meeting where consultants had been engaged. He also reported that the continued use of consultants and the associated costs had been raised at recent meetings of the Joint Consultative Committee, whilst at the same time the Council was laying off staff who could potentially have undertaken the work consultants were being asked to carry out. He then enquired how much the Council had spent on consultants over the last 3 years.

The Chief Executive was then heard in response to Councillor Aitken's earlier question. She explained that the need for the Council to approve and action an accommodation strategy had been highlighted by Audit Scotland. She explained that it had been made clear to Audit Scotland that a lot of preparatory work had been done but that the Council's priority had been the delivery of the Early Years Programme, followed by the leisure centre provision and then the production of an accommodation strategy.

However she clarified that officers had been aware of the consultants' initial findings. Referring to Paragraph 23 of the paper on the agenda providing an update on the leisure centre, she highlighted that in looking at leisure centre options in Eastwood Park, the consultants had identified that the new centre be built in the park, on the large scale as proposed, relied on the Council headquarters not being in Eastwood Park. However even were the building to be demolished there were still constraints on delivering the large scale facility.

Responding to the Chief Executive, Councillor Aitken suggested that public opinion was that there was already a view within the Council that the leisure centre should be built outwith the park, and that consultant's view that a centre could be built in the park as part of an overall plan including the demolition of the offices should have been made available. The Chief Executive confirmed that the consultant's report had not been made public prior to the Council meeting.

The Council noted:-

- (a) the background with regard to accommodation issues within the Council;
- (b) the consultant's report on a proposed accommodation strategy; and
- (c) that the Director of Environment would be considering all the issues and reporting back to the Council during 2019/20 with an accommodation strategy for approval.

LEISURE CENTRE UPDATE

666. Under reference to the Minute of the previous meeting of 12 September 2018 (Page 533, Item 597 refers), when the Council had considered a report on the outcome on the consultation into future leisure provision in the Eastwood area, the Council considered a report by the Director of Environment providing details of future work plans for the development of a leisure centre to serve the Eastwood area.

The report reminded the Council of the results of the review carried out by consultants; the consultants' recommended option to develop a full feasibility study and business case for a new build facility at an alternative location; the subsequent decision taken by the Cabinet in relation to a public consultation exercise and commissioning of both a feasibility study and business case and master plan with options for the Eastwood Park campus in the future. Furthermore, the report referred to the decision of the Council at the previous meeting, that in addition to the above, the Director of Environment be instructed to include the consideration of the possibility of a new build leisure facility within Eastwood Park.

Thereafter the report explained that the feasibility study and business case had been completed. It was reported that the study, the Executive Summary of which accompanied the report, comprised 5 distinct case elements, that scoring criteria had been developed and a weighting given based on importance and criticality to the project.

The results of the scoring exercise were provided with details of the sites initially considered and the scores for each, along with the consultant's views on which sites remained as potential options. The reasons for Eastwood Park being ruled out by the consultants were also provided.

The report went on to explain that of the potential sites, the consultants had identified Shawwood Park as their preferred site for a new leisure centre, with the reason for this choice being outlined.

The report then referred to the masterplanning of Eastwood Park, linked to which was the ongoing analysis of sufficiency of places in educational establishments as a result of ongoing pressures and the potential impact of new housing developments arising from LDP2. This analysis had identified the likely need for a second denominational secondary school in the Eastwood area which may in turn lead to less pressure on the Eastwood Park campus. Furthermore the report referred to the potential demolition of the Council Headquarters building as outlined in the report on the accommodation strategy considered earlier (Item 665 refers). It stated that whilst at this stage no decision had been taken on either the development of a new denominational secondary school or the demolition of the headquarters building, it was considered prudent to analyse all the possible options for the new leisure centre as part of the masterplanning of the park. Accordingly, the report proposed to revisit options for a new build leisure centre in Eastwood Park and a wider masterplanning exercise for the Eastwood Park campus.

Having reported that he had already met with a number of local residents in relation to leisure centre proposals and planned to meet more going forward, Councillor Merrick expressed disappointment that despite the fact no final decision had been taken, Paul Masterton MP and Jackson Carlaw MSP had chosen to issue a communication that incorrectly stated that a decision on a final location for this had been taken, questioning their motives for the issue of their communication.

He commented on the recommendations in the report before the Council and stated that whilst the consultants' report would help to inform any decision that would be taken on the location of a new centre, as would the information provided by the Save Shawwood Greenspace campaign group, the final decision would be taken by the Council.

Councillor Miller was then heard on the report, noting that in terms of the scoring exercise that had been carried out, Overlee Playing Field was still in consideration. He explained that the field was a King George V playing field, and that whilst the Fields In Trust had acceded to a request from the Council to build a nursery on the site he understood that a leisure centre on the land would not be permitted. In view of this he requested that the site be removed from the list of those the Council was considering.

In reply, the Director of Environment, referring to the information in the report in relation to Overlee, explained that whilst the consultants had recommended that the site remain as an option, his view was that the site could not accommodate a facility of the scale that was being considered.

Commenting on the proposals, Councillor Macdonald referred to the levels of public opposition to building on any greenspace, and to the important role that such spaces played within their communities. He suggested it was important for Elected Members to take time in reaching any decision about the future location of any new centre, and that they give serious consideration to the views of the public in reaching that decision.

Councillor Bamforth welcomed the report and in particular that the feasibility of locating a new centre within Eastwood Park was being revisited. Having explained that she was aware of the strength of feeling around the issue and that views expressed would be taken into account as part of the decision-making process, she requested that an Environmental Impact Assessment be carried out for all sites under review. Thereafter she referred to the actions of some local and national politicians who in her view had no real concerns for the distress they were causing local residents by publishing inaccurate information.

Councillor Wallace was then heard on the report in the course of which he referred to the proposal discussed earlier in relation to the school estate, that there no longer appeared to be a need for the further extension of St Ninian's High School to be considered and that this provided a real opportunity to revisit the possibility of any new leisure centre being located in the park.

Thereafter Councillor Wallace, seconded by Councillor Swift moved that the Council:-

- (a) notes progress made in taking forward the actions from the report to Cabinet in December 2017;
- (b) notes the consultant's report on options for a new build leisure centre;
- (c) notes that the Director of Environment will now undertake the master planning of Eastwood Park and this will specifically explore the feasibility of a new build leisure centre within Eastwood Park based upon the latest information on Council property options for schools and office accommodation;
- (d) notes that the Director of Environment will report to Council with an options appraisal for the future provision of leisure facilities in the Eastwood area once this work has been completed; and
- (e) agrees that any new leisure centre in Eastwood will not be built on land designated as "protected urban greenspace" (as per designation on 31 October 2018) other than in Eastwood Park.

Speaking in support of the motion Councillor Swift explained at length why many people had been of the view that a decision on the future location of the leisure centre had already been made, as well as highlighting the lack of public transport around either of the 2 sites in Newton Mearns, as well as some of the other infrastructure issues around both sites.

Furthermore he went on to restate the local opposition to locating the centre on either of the 2 sites, criticised the scoring framework used by the consultants to arrive at their recommended sites, and similar to the comments made by Councillor Wallace suggested that the position in respect of the future of St Ninian's High School strengthened the case for building a leisure centre in Eastwood Park.

Councillor Buchanan, seconded by Councillor Lafferty moved as an amendment that the Council:-

- (a) notes progress made in taking forward the actions from the report to Cabinet in December 2017;
- (b) notes the consultant's report on options for a new build leisure centre;
- (c) notes that the Director of Environment will now undertake the master planning of Eastwood Park and this will specifically explore the feasibility of a new build leisure centre within Eastwood Park based upon the latest information on Council property options for schools and office accommodation;
- (d) notes that the Director of Environment will report to Council with an options appraisal for the future provision of leisure facilities in the Eastwood area once this work has been completed; and
- (e) agrees that this list is not exhaustive. Any sites which become available will be investigated.

Speaking in support of the amendment, Councillor Buchanan referred to the results of the consultation exercise highlighting that at the meeting of the Council in September 2018 it had been agreed that the Director of Environment examine the possibility of a new facility in Eastwood Park. This was in addition to the decision made by the Cabinet in December 2017 for a masterplan of the park to be compared.

Councillor Lafferty was then heard in the course of which he suggested it would be inappropriate at this stage to exclude any potential sites from consideration.

Councillor Aitken having been heard further on the terms of the motion from Councillor Wallace, Councillor Grant was heard to strongly support Eastwood Park as the location for any new centre as in her opinion this was where the centre was needed most, with this view having strong public support.

Councillor Convery was heard on the inappropriate treatment of a councillor on social media, which she suggested was due in large part to the misinformation about the potential location of any new centre that had been issued.

Councillor Macdonald spoke on the potential cost and anticipated lifespan of any new centre, and how the cost of building the new facility would be met by local residents, referring to the competitive market in which the new facility would operate and the challenges it would face to operate within budget.

Councillor Ireland reminded Members that the recommendations in the report before the Council were simply to note progress to date, and that the decision on the location of any new centre would be taken in the future. She suggested that the centre location issue was a diversionary tactic to deflect local attention from national issues. Notwithstanding, she recognised that residents did have genuine concerns but that these had been unnecessarily heightened by the inaccurate information that had been issued.

Deputy Provost Cunningham also reminded Members that the report that had been was simply a progress report for noting and that a full report covering all options, including Eastwood Park, would be presented to a future meeting at which time a decision could be made.

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

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

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

There being 8 votes for the motion and 10 votes for the amendment the amendment was declared carried and the Council:-

- (a) noted progress made in taking forward the actions from the report to Cabinet in December 2017;
- (b) noted the consultant’s report on options for a new build leisure centre;
- (c) noted that the Director of Environment will now undertake the master planning of Eastwood Park and this will specifically explore the feasibility of a new build leisure centre within Eastwood Park based upon the latest information on Council property options for schools and office accommodation;
- (d) noted that the Director of Environment will report to Council with an options appraisal for the future provision of leisure facilities in the Eastwood area once this work has been completed; and
- (e) agreed that this list is not exhaustive. Any sites which become available will be investigated.

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Councillors Devlin, Grant and Macdonald left the meeting at this point.

CHIEF SOCIAL WORK OFFICER’S ANNUAL REPORT 2017/18

667. The Council considered a report by the Chief Social Work Officer, providing details of her Annual Report for 2017/18 and seeking approval of the report for submission to the Office of the Chief Social Work Adviser, Scottish Government. A copy of the Annual Report was appended to the report.

The report, which had been submitted to the Integration Joint Board’s Clinical and Care Governance Committee earlier in the day, and was to be submitted to the Board on 28 November 2018, overviewed the professional activity for social work within East Renfrewshire for 2017-18 through the delivery of statutory functions and responsibilities held by the Chief Social Work Officer. Details of challenges and risks facing social work and the Council were outlined which included the continuing challenging financial climate and the uncertainty for all public services, the increasing expectations and demands from the public and stakeholders, the increasing cost of supporting vulnerable people, and the impact of policy and legislation, amongst others.

Commenting on her report, she explained that despite challenging circumstances there had been many significant improvements made over the year this delivery being helped by the shared belief and vision of staff in the service, and their efforts in delivering quality services.

Congratulating the Chief Social Work Officer on the report and the achievements over the year, Councillor Swift stated that the achievements were despite funding levels for the social work service being the lowest per capita in Scotland. He questioned what challenges the service faced as a result of funding levels, particularly in respect of elderly care.

In reply, the Chief Social Work Officer explained that she would need to consider that further. However she was clear that the commitment and vision of staff were major contributors to the quality services that were provided. She also referred to the high cost of residential care and how the vision of delivery quality community based services would not only deliver the aspirations of service users but also have a positive effect on the overall financial position of the service.

Having heard Councillors Buchanan and Bamforth on the report and on the importance of staff in the delivery of services, the Council approved the report for submission to the Office of the Chief Social Work Advisor.

UNACCOMPANIED ASYLUM SEEKING CHILDREN – NATIONAL TRANSFER SCHEME

668. The Council considered a report by the Chief Officer providing details of the National Transfer Scheme of unaccompanied asylum seeking children (UASC) as enacted by the 2016 Immigration Act, and seeking support for the proposals as set out in the report for East Renfrewshire to participate in the scheme.

The report referred to the significant increase in recent years in the number of unaccompanied young people reaching the UK and claiming asylum and explained that these young people became the responsibility of the local authority in which they presented. This had resulted in local authorities in the south of England supporting disproportionate numbers of these young people.

To ease the burden on these authorities a national transfer scheme had been introduced through the 2016 Immigration Act. The purpose of the scheme was to disperse UASC around the UK so that no local authority would be responsible for UASC over 0.07% of their child population.

The legislation governing the scheme had been extended to Scotland in February 2018 and it was further explained that whilst participation in the Scheme was voluntary, the legislation contained provision for the Home Office to compel participation.

Having set out the process for dealing with asylum claims by UASC; the support that could be provided by local authorities including when such support was required to be withdrawn, and further clarified that East Renfrewshire already participated in the Syrian Refugee Resettlement Scheme, the report proposed that East Renfrewshire participate in the National Transfer Scheme.

The report explained that based on the formula, the maximum number of children that could be looked after in East Renfrewshire in terms of the scheme was 14. However it was clarified that based on existing capacity, the maximum number would be 3. Full details of the financial implications of the proposal were set out.

It was noted that the matter had been considered by the Integration Joint Board at its meeting on 28 September, when the proposal had received unanimous support. However as the matter related to a Council function the decision whether or not to participate in the scheme lay with the Council.

The Council agreed to participate in the Unaccompanied Asylum Seeking Children National Transfer Scheme.

EAST RENFREWSHIRE CULTURE AND LEISURE TRUST BOARD APPOINTMENT

669. The Council considered a report by the Director of Education seeking the approval of the appointment of Mr Andrew Allan as the new independent Board member on the Board of the East Renfrewshire Culture and Leisure Trust, following the resignation of Mr Brian Davidson.

Having heard it clarified in response to Councillor Aitken that Mr Davidson had resigned from the board for personal reasons, the Council approved the appointment of Mr Allan.

EAST RENFREWSHIRE LOCAL LICENSING FORUM – APPOINTMENT OF MEMBER

670. The Council considered a report by the Deputy Chief Executive, seeking approval for the appointment of a new local resident Member to the one of the young person vacancies on the East Renfrewshire Local Licensing Forum.

The Council approved the appointment of Mr Niall Rachman to one of the young person vacancies on the East Renfrewshire Local Licensing Forum.

PROVOST

