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MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 21 June 2018.

Present:

Councillor Tony Buchanan (Leader)	Councillor Alan Lafferty
Councillor Paul O’Kane (Deputy Leader)	Councillor Colm Merrick
Councillor Danny Devlin	

Councillor Buchanan, Leader, in the Chair

Attending:

Caroline Innes, Deputy Chief Executive; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment (Strategic Services); Louise Pringle, Head of Business Change and Revenues; Sharon Dick, Head of HR, Customer and Communications; Brian Dunigan, Senior Welfare Rights Officer; and Jennifer Graham, Committee Services Officer.

Apology:

Councillor Caroline Bamforth.

DECLARATIONS OF INTEREST

471. There were no declarations of interest intimated.

Variation in Order of Business

In accordance with Standing Order 19, it was agreed to vary the order of business as printed on the agenda and supplementary agenda in order to facilitate the conduct of the meeting.

UPDATE ON MODERN, AMBITIOUS PROGRAMME (MAP) AND DIGITAL STRATEGY

472. The Cabinet considered a report by the Deputy Chief Executive, providing a high level update on the Modern, Ambitious Programme (MAP) including core systems, and seeking approval of the Digital Strategy. A copy of the strategy was appended to the report.

The report gave a flavour of the pace and scale of change across the Council, through the MAP, which had been focused this year principally towards furthering the Council’s digital agenda and gearing up for a significant change to the Council’s underpinning core systems.

The Head of Business Change and Revenues confirmed that tenders for the new finance/procurement and HR/payroll systems had been issued and it was expected that the contracts for these would be awarded in September. An overview of the key progress areas on digital were provided, setting out the building blocks for all work in this area, and it was reported that the Council was working closely with the Scottish Local Government Digital Partnership to take advantage of opportunities which had been tried and tested elsewhere. She added that a further report on the Annual Efficiency Statement for 2017/18 would be issued to Cabinet in August.

In response to questions, the Head of Business Change and Revenues advised that work to introduce online payment systems throughout the Council and Leisure Trust was ongoing and a new governance model would allow officers to determine if digital service scores were improving.

The Cabinet:-

- (a) noted the high level progress update on the core systems programme of work, including the high level road map taking the Council towards award of contract in September 2018;
- (b) noted that work was currently underway to develop and enhance the Council's approach to reporting on the Modern, Ambitious Programme;
- (c) approved the digital strategy which would run until 2019/20 noting the focus on user-centred design; agreeing the stated delivery principles; and noting that the strategy would be used to influence the development of other departmental digital strategies and projects at a more detailed level as part of the departmental change programme; and
- (d) agreed to **recommend to the Council** that the Convener remits be expanded to include the role of Advocates/Champions of Digital within each to enhance digital leadership in East Renfrewshire.

UNIVERSAL CREDIT IMPLEMENTATION

473. The Cabinet considered a report by the Deputy Chief Executive providing an update on the Council's preparations for the full roll-out of Universal Credit in East Renfrewshire in 2018 and seeking approval of a proposal for further use of welfare reform contingency funding to mitigate some of the impact for local residents.

The report explained that welfare benefits continued to be a complex landscape with a range of UK reserved benefits, digitally driven, and an emerging agenda for the new Scottish Social Security Agency, which was planning very much a face to face service. It was noted that the Council was very much at the mercy of nationally driven timelines on this and there had been significant UK slippage in the roll out of Universal Credit.

Whilst noting that the caseload seen by both the Council's Money Advice and Rights Team and the Citizens Advice Team continued to increase and both were delivering valued and vital services to vulnerable local residents, the report explained that the work linked closely to the wider poverty agenda which was being pursued both nationally and locally through the Fairer East Ren plan. Furthermore, it was noted that whilst the roll out of Universal Credit in East Renfrewshire was predicted to cause further hardship for some local residents, the Council could mitigate some of this through an organised approach, including good joined up

communication to signpost support from the various Council services and Citizens Advice and also provision of appropriate digital support and that the use of welfare reform contingency funding would be critical to support this work.

In response to questions, the Head of Environment (Strategic Services) advised that there may be a need to further increase staffing levels to facilitate increased face to face time with clients, particularly in the first two years of implementation.

The Cabinet:-

- (a) noted the update on the Universal Credit (UC) implementation in East Renfrewshire and the project approach being taken to prepare the Council and partner services for the September roll-out;
- (b) noted that £200,000 of welfare contingency funding had been made available in the revenue estimates for each of the next three years, with previous approval by the Cabinet for contributions of £40,000 in both 2018/19 and 2019/20 to East Renfrewshire Citizens Advice Bureau;
- (c) approved the Money Advice and Rights Team's bid for £69,251 of welfare contingency funding over the next two years for a project to build community capacity and resilience in the area of personal budgeting; and
- (d) approved the Scottish Welfare Fund Team's bid for £41,320 for an 18 month post to assist in dealing with project case load increases in Crisis and Community Care Grants.

EAST RENFREWSHIRE COUNCIL WORKFORCE PLAN 2018/21

474. The Cabinet considered a report by the Deputy Chief Executive providing details of the Council's Workforce Plan for 2018/21.

The report explained that the Council's Workforce Plan now took a longer term approach which was aligned with the Financial Plan and that by focusing on the critical activities identified this would ensure that there was an established workforce with the right employees with the correct skills, tools, environment and knowledge who were engaged and motivated and who supported digital transformation.

Having heard the Head of HR, Customer and Communications advise that further consideration would be given to automation of services and upskilling of staff in future, the Cabinet:-

- (a) noted the Workforce Plan for 2018/21 and the three intermediate outcomes identified to ensure the Council's workforce supported a forward thinking and high performing Council; and
- (b) noted the alignment of the financial plan with workforce planning over the period to better predict potential changes to workforce shape and size.

ASSESSMENT OF WINTER MAINTENANCE ARRANGEMENTS

475. The Cabinet considered a report by the Director of Environment providing details of the performance of the Council during the adverse weather conditions experienced in 2018 and advising on proposals to review the current winter maintenance regime.

The report explained that the weather experienced in East Renfrewshire in 2017/18 was the worst, from a perspective of freezing conditions and snow fall, for a number of years. Although the Council in the main coped well there were a number of areas for potential improvement that had been identified and these would be further explored in the coming months.

However, the report highlighted that it had to be noted that public expectations could sometimes exceed the practical and financial capacity of local authorities to deliver high volume services for a short period of time when these services were only infrequently required. It was noted that all the areas for review that had been identified would be reported back to a future meeting of the Cabinet.

In response to questions, the Director of Environment confirmed that options for the future winter maintenance regime would be presented to the Cabinet in due course, some of which may require consideration of additional resources. The Head of Accountancy (Chief Financial Officer) confirmed that additional resources for winter maintenance in 2017/18 had been provided through the Repairs and Renewal Fund.

Having heard the Leader report that the Winter Maintenance Team had been named as "Team of the Year" at the recent We Are East Ren Awards as recognition for their excellent service during the recent bad weather, the Cabinet noted:-

- (a) the successful outcomes for the Council during several periods of unusually extreme weather;
- (b) that a review of gritting routes was currently underway;
- (c) the proposal to implement digital technology which would permit the public to identify the location of gritters operating in their area;
- (d) the proposal to review the location and extent of grit bins and to assess whether this required to be changed;
- (e) the intention to review the manner in which the winter maintenance workforce was organised and deployed as part of the Environment Department's Change Programme; and
- (f) that a further report would be submitted to a future meeting of the Cabinet with regard to the review of gritting routes and grit bins.

PROPOSED PLANNING GUIDANCE – WASTE STRATEGY FOR NEW DEVELOPMENTS

476. The Cabinet considered a report by the Director of Environment seeking approval of proposed Planning Guidance – Waste Strategy for New Developments for publication and consultation. A copy of the guidance was appended to the report.

The report explained that the proposed Planning Guidance – Waste Strategy for New Developments, provided detailed information and guidance for considering planning applications and proposals. Furthermore, the Strategic Environmental Assessment screening process informed the details of the document and relevant details had been included in the proposed Planning Guidance.

The Cabinet approved the proposed Planning Guidance – Waste Strategy for New Developments, for formal publication and consultation with the development industry.

REVIEW OF HOUSING SERVICES ALLOCATION POLICY AND THE INTRODUCTION OF A CHOICE-BASED LETTING SCHEME

477. The Cabinet considered a report by the Director of Environment seeking approval of a new allocation policy and implementation of a Choice Based Letting (CBL) scheme.

The report explained that Housing Services proposed to introduce the new Allocations Policy and the CBL scheme in summer 2018 and that the proposed changes to the way in which Council homes were let had been the subject of public consultation. It was noted that over 80% of tenants and waiting list applicants who had responded to the consultation were in favour of the new policy and choice based letting. A copy of the new Allocations Policy was appended to the report.

The new Allocations Policy and CBL scheme would be easier for customers to understand, fairer and lettings outcomes more transparent and informative.

The report concluded by indicating that the implementation of the new Allocations Policy and CBL scheme was designed to embrace the Council's five capabilities, especially in relation to modernising how we work and digital. The expansion of online services was a key part of proposals for the development of the service.

Having heard the Head of Environment (Strategic Services) advise that he could meet with Elected Members, individually or in groups, if they required clarification on any aspects of the policy, the Cabinet approved the:-

- (a) new Housing Allocations Policy; and
- (b) introduction of a Choice Based Letting scheme.

FINANCIAL PERFORMANCE FOR YEAR-ENDED 31 MARCH 2018

478. The Cabinet considered a report by the Chief Financial Officer providing details of the financial results for 2017/18 and to compare the out-turn with a final budgetary control statement for that year which was submitted to the meeting of the Cabinet on 5 April 2018.

The report demonstrated the continuing excellent financial performance of the Council and that subject to audit, the financial results contained within the accounts were satisfactory. Whilst noting that the Council's financial affairs had again been managed within its operational budget, the report highlighted that an overall surplus for the financial year of £5,057,000 had been recorded in the accounts.

The report highlighted that after transfers to earmarked reserves, the Council's non-earmarked General Fund reserve had increased by £364,000 resulting in a balance of

£10,118,000 as at 31 March 2018. This represented 4.3% of the annual budgeted net revenue expenditure which complied with the Council's policy and included £681,000 in respect of Scottish Government grant received at the end of 2017/18 for use in 2018/19.

The report also provided details of transfers totalling £4,600,000 that had been made from the General Fund balance to the Capital Reserve, Modernisation Fund, Repairs and Renewals Fund, and Equalisation Reserve. Furthermore, the Housing Revenue Account recorded an operational surplus of £385,000 thus increasing accumulated surpluses brought forward on that account to £1,629,000.

The Cabinet:-

- (a) noted the out-turn position compared to the previous budgetary control report;
- (b) noted that the unaudited accounts were being reported to the meeting of the Audit and Scrutiny Committee later that day;
- (c) approved the transfers to be made from the General Fund to the Capital Reserve, Modernisation Fund, Repairs and Renewal Fund and Equalisation Reserve after the Audit and Scrutiny Committee's consideration; and
- (d) noted that once the audit had been completed the final accounts would be submitted to a future meeting of the Council along with the External Auditor's report.

Resolution to Exclude Press and Public

At this point in the meeting, on the motion of the Leader, the Cabinet unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 9 of Part I of Schedule 7A to the Act.

13 LOWNDES STREET, BARRHEAD

479. The Cabinet considered a report by the Director of Environment submitting for consideration the options regarding the future of the flatted property at 13 Lowndes Street, Barrhead.

The Cabinet:-

- (a) agreed to recommendation (a)(i) as outlined in the report; and
- (b) that delegated powers be granted to the Director of Environment, in consultation with the Chief Officer – Legal and Procurement to implement the chosen option.

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 21 June 2018.

Present:

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

Councillor Charlie Gilbert
Councillor Jim Swift

Councillor Miller in the Chair

Attending:

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment (Strategic Services); Michelle Blair, Chief Auditor; Barbara Clark, Chief Accountant; Kim Gear, Corporate Policy Officer; Linda Hutchison, Clerk to the Committee; and Jennifer Graham, Committee Services Officer.

Also Attending:

Gillian McConnachie, Audit and Risk Manager, East Dunbartonshire Council; and Elaine Barrowman and Morven Fraser, Audit Scotland.

Apologies:

Councillors Annette Ireland and Jim McLean.

DECLARATIONS OF INTEREST

480. There were no declarations of interest intimated.

CHAIR'S REPORT

481. The following matters were raised during the Chair's report:-

(i) Membership of Committee

Under reference to the Minute of the meeting of 19 April 2018 (Page 359, Item 386 refers), when it had been reported that Councillor Macdonald had resigned from the committee, Councillor Miller confirmed that Councillor McLean had been appointed to the vacant position.

(ii) Specialisation Arrangements for Dealing with External and Internal Audit Reports

Under reference to Item (i) above, having made reference to the committee's arrangements for dealing with external and internal audit reports, Councillor Miller proposed that Councillor McLean take over the remit Councillor Macdonald had held for Corporate and Community Services Department issues working with Councillor Swift. More generally, he confirmed it had already been agreed that the specialisation arrangements would be reviewed following their first full year of operation to determine if any refinements were considered required on which work would be progressed in due course.

(iii) Future Work

Under reference to the Minute of the meeting of 19 April 2018 (Page 359, Item 386 refers), when the committee's future work programme had been discussed, it was reported that Councillor Grant had suggested seeking an update on the rationalisation of Council property and buildings. He proposed that a report on this issue be requested for consideration in September regarding which he intended to ask the Clerk to seek clarification from all members of the committee on any specific issues they would want commented on within that report.

Referring to the feedback requested on potential topics for future work by the committee, Councillor Miller asked members to continue to consider this further and contact him or the Clerk regarding suggestions.

(iv) Self-Directed Support

Under reference to the Minute of the meeting of 25 January 2018 (Page 263, Item 295 refers), when it had been agreed that further statistical information on self-directed support within East Renfrewshire be sought, Councillor Miller confirmed that the Clerk had been pursuing this on the committee's behalf and had updated him periodically. He added that it had been clarified recently that the information would be sent to the Clerk shortly for circulation.

The committee agreed:-

- (a) regarding the specialisation arrangements for dealing with external and internal audit reports, that Councillor McLean lead on Corporate and Community Services Department issues with Councillor Swift;
- (b) to note that the specialisation arrangements were to be reviewed after their first full year of operation;
- (c) that a report be sought on the rationalisation of Council property and buildings regarding which the Clerk would seek clarification from members of the committee on any specific issues they would want commented on;
- (d) also regarding the committee's future work programme, that members of the committee consider further potential future topics for consideration and contact either him or the Clerk regarding suggestions; and
- (e) to note that the further statistical information requested on self-directed support within East Renfrewshire was to be sent to the Clerk shortly and would be circulated by her on receipt.

CODE OF CORPORATE GOVERNANCE

482. Under reference to the Minute of the meeting of 17 August 2017 (Page 89, Item 95 refers), when the Code of Corporate Governance updates and actions for 2017/18 had been approved, the committee considered a report by the Deputy Chief Executive on progress against improvement actions and seeking approval of a revised code for 2018/19.

The report reiterated the Council's responsibilities for the conduct of its business, defined what the Code of Corporate Governance was, and explained that the proposed updates took account of guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) and Society of Local Authority Chief Executives (SOLACE). The report referred to key requirements with which the Council had to comply and summarised progress on 2017/18 actions, highlighting that eight of the nine actions had been completed. It was clarified that the action on the web subscription tool had been postponed and would instead be linked to the wider implementation of a new Council website.

The updated Code of Corporate Governance for 2018/19, setting out arrangements which fulfilled the seven governance principles outlined in national guidance, was included as an appendix to the report. Self-assessment of the 2017/18 Code against nationally prescribed criteria had found the Council to be fully compliant across all principles with one exception under the principle of managing risks and performance through robust internal control and strong public financial management where there was considered to be partial compliance. Regarding this it was confirmed that action was being taken to update the Council's policies on information security and anti-money laundering and review its counter fraud and anti-corruption arrangements. All scores were reported to be supported by a positive external 2018/19 Local Scrutiny Plan prepared by a Local Area Network of external scrutiny bodies.

Having itemised actions to be taken in 2018/19 to further improve compliance and commented on the Annual Governance Statement to be published in the 2017/18 Annual Report, the report concluded that the Council continued to be governed by sound and effective management controls and to demonstrate compliance with the requirements of the CIPFA/SOLACE framework *Delivering Good Governance in Local Government*. Progress on planned actions for 2017/18 had been posted on the Council's website, as would the 2018/19 Code subject to it being approved by the committee.

The Corporate Policy Officer commented on the report during which she reiterated the key requirements with which the Council had to comply, and commented on the extent of the compliance against nationally prescribed criteria and the actions to be taken to further improve compliance with the Code in 2018/19.

In response to questions and comments regarding the section under Principle A, Sub-Principle 1 *Behaving with Integrity* which referred to 'ensuring members and officers behaved with integrity and led a culture where acting in the public interest was visibly and consistently demonstrated thereby protecting the reputation of the organisation' and regarding which there was considered to be full compliance, regarding the specific reference to the Code of Conduct for Members, the Corporate Policy Officer clarified that the evaluation score reflected that this Code was amongst documents in place rather than reflecting to what extent there was compliance with the content.

Regarding Sub-Principle 3, Councillor Swift questioned the full compliance score given on effective stakeholder engagement or listening. He cited an example of the outcome of consultation on the Local Development Plan which he stated reflected that local residents did not support building development on Broom Park but shortly after which that land had been referred to as a potential site of a new Leisure Centre. The Corporate Policy Officer

clarified that the evaluation was based on work carried out regarding the Community Plan, but that the evaluation score could be reviewed again to confirm if the score was deemed appropriate or not.

The committee:-

- (a) noted progress on the 2017/18 Code of Corporate Governance improvement actions; and
- (b) approved the Code of Corporate Governance updates and actions for 2018/19, subject to the evaluation on stakeholder engagement being rechecked on which feedback would be provided for circulation.

EAST RENFREWSHIRE COUNCIL COMPLIANCE WITH PUBLIC SECTOR INTERNAL AUDIT STANDARDS (PSIAS)

483. The committee considered a report by the Chief Auditor providing a summary of the outcome of an independent external assessment of the Council's Internal Audit service, a copy of which was attached to the report.

It was explained that the Internal Audit function required to adhere to the Public Sector Internal Audit Standards (PSIAS) to ensure quality and consistency across the public sector. Having specified that a related independent external assessment of this required to be carried out at least once every 5 years and outlined related arrangements developed to do so, the report referred to the outcome of a recent such assessment of the Council's Internal Audit service by the Audit and Risk Manager of East Dunbartonshire Council. This was based on reviews over 13 headings as specified within the PSIAS, the findings being that the service was fully compliant in 11 categories and generally compliant in the remaining 2. Having clarified that 4 recommendations that had been made had been accepted, the report referred to the related Action Plan to be implemented. The overall conclusion reached by the external assessor was that the service had sound documentation standards and reporting procedures in place and complied with the main requirements of PSIAS.

Councillor Miller welcomed the Audit and Risk Manager, East Dunbartonshire Council, to the meeting who commented further on the report, the assessment framework, the key findings, recommendations made and the related Action Plan prepared.

Having heard Councillor Miller, supported by other members of the committee, commend and congratulate the Internal Auditor and her team on the outcome of the assessment, the Chief Auditor confirmed that she considered the assessment to be fair. She clarified that all of the recommendations made would be implemented, such as the provision of additional information on internal audit findings which had been agreed beforehand also.

The committee noted the report and the proposed Action Plan.

UNAUDITED ANNUAL ACCOUNTS 2017/18

484. Under reference to the Minute of the meeting of 8 March 2018 (Page 313, Item 338 refers), when the 2017/18 Annual Audit Plan and timetable for the publication of related documents had been noted, the committee considered a report by the Head of Accountancy (Chief Financial Officer) on the unaudited Annual Accounts for 2017/18 which had been submitted to Audit Scotland and which were attached for consideration in line with the Local Authority Accounts (Scotland) Regulations 2014.

It was reported that the financial position of the Council remained satisfactory with an overall General Fund surplus for the financial year of £5,057k recorded in the Accounts. After transfers to earmarked reserves, the balance of the Council's non-earmarked General Fund at 31 March 2018 was £10,118k representing 4.3% of the annual budgeted net revenue expenditure which complied with Council policy. This took account of £681k in respect of Scottish Government grant received at the end of the financial year for use in 2018/19.

It was clarified that transfers totalling £4,600k had been made from the General Fund balance to the Capital Reserve, Modernisation Fund, Repairs and Renewal Fund, and Equalisation Reserve; and that capital expenditure of £53,207k had been invested. There had also been an operating surplus of £385k on the Housing Revenue Account which had increased the accumulated surplus balance to carry forward to £1,629k.

Whilst referring to key aspects of the report including on reserves, the Chief Accountant commented on the submission of the unaudited Accounts to the committee earlier than in previous years and the intention to do so in future. The Head of Accountancy commented on the volume of work involved in doing so, not only in the Accountancy Section but also across departments, following which she thanked colleagues for the work they had done to a high standard and the result achieved.

In response to Councillor Miller, the Head of Accountancy commented on the financial outcome for the year compared to that predicted earlier, referring to issues such as departmental underspends, Scottish Government grant issues and the use of reserves including to support the Capital Programme. She reiterated that a report on the Audited Accounts would be submitted to the committee in September.

Councillor Swift thanked those involved in preparing the Accounts and welcomed the result achieved, following which he stated he would welcome information on the valuation of surplus assets and confirmation on how long they had been held for sale in the report the committee had requested on the rationalisation of Council property and buildings. The Chief Accountant advised that information on this issue could be provided.

Also in reply to Councillor Swift who sought clarification on the Strathclyde Pension Fund deficit, the Chief Accountant referred to the organisation that provided information to the Council on this issue and a reduction in pension liabilities compared to the previous year.

The committee agreed:-

- (a) to note the content of the unaudited Annual Accounts for 2017/18 and that a report on the final Accounts and related documents would be submitted to the committee in September; and
- (b) that information on the valuation of surplus assets and how long they had been for sale should be amongst the specific information requested on the rationalisation of Council property and buildings.

ASSESSMENT OF WINTER MAINTENANCE ARRANGEMENTS

485. Under reference to the Minute of the meeting of 8 March 2018 (Page 309, Item 335 refers), when it had been confirmed that the report the committee had requested on the current position on gritting and how the service might be delivered in future would be submitted to this meeting, the committee considered a report by the Clerk summarising why the report had been requested, and confirming that a report by the Director of Environment on the same matter had been submitted to the Cabinet earlier in the day, a copy of which was therefore included as an appendix to the report.

The report by the Director of Environment provided details of the performance of the Council during the adverse weather conditions experienced in 2018 and advised on proposals to review the current winter maintenance regime.

The report explained that the weather experienced in East Renfrewshire in 2017/18 had been the worst, from a perspective of freezing conditions and snow fall, for a number of years. Although the Council in the main had coped well, a number of areas for potential improvement had been identified and these would be further explored in the coming months.

However, the report highlighted that it had to be noted that public expectations could sometimes exceed the practical and financial capacity of local authorities to deliver high volume services for a short period of time when these services were only infrequently required. It was clarified that all the areas for review that had been identified would be reported back to a future meeting of the Cabinet.

Whilst highlighting key aspects of the report and recommendations approved by the Cabinet earlier in the day, the Head of Environment (Strategic Services) commented that the severe weather conditions earlier in 2018 had been dealt with appropriately overall, clarified why the review had not begun until the weather conditions had eased, and outlined when various aspects of the winter maintenance service had last been reviewed and reasons for doing so now. Related considerations, including workforce related issues, were commented on.

Various Members advised that they had received many compliments about the Council's response to the extreme weather conditions, but also commented on various complaints they had received some of which related to the poor condition of footpaths, including near schools. They commented on the impact this could have, such as on vulnerable elderly residents walking to local facilities. The Head of Environment clarified the position on school paths and related support provided by school caretakers when they commenced duty in the morning. Members highlighted that increasing grit bins might ease the situation as residents could help clear footpaths and that there were problems accessing Patterson Station and children attending schools due to the conditions of some pavements during the heavy snow.

In response to further questions, the Head of Environment reported that it was not intended that the review would lead to a reduction in the routes currently gritted, but that it could increase the number treated which would have budgetary implications. Having added that the recent extreme winter conditions were not normal, he referred to the need to bear that in mind and carefully consider changes to the maintenance schedule to ensure that the workforce and operational procedures in place were effective and efficient. He referred to his intention to submit costed options on the way forward.

Having heard Provost Fletcher suggest that accessing good, long-range weather forecast models could be merited, the Head of Environment confirmed he would welcome any further comments from Members for consideration during the review. He added that one reason why regular updates had been provided to Members during the severe weather was because it was acknowledged they would receive related questions from constituents.

The committee noted:-

- (a) that any further comments Members had on the issues to be covered as part of the review of the winter maintenance arrangements could be submitted directly to the Head of Environment (Strategic Services) at any time during which it was ongoing; and
- (b) otherwise, the report and the outcome of the review thus far which would be the subject of a further report to the Cabinet in due course.

LOCAL EXTERNAL AUDIT REPORT – EAST RENFREWSHIRE COUNCIL MANAGEMENT REPORT 2017/18

486. The committee considered a report by the Clerk on the publication by the Council's External Auditor of a local report entitled *East Renfrewshire Council Management Report 2017/18* which under the committee's specialisation arrangements had been sent to Councillors Miller and Grant for review.

The report summarised key issues identified during the interim audit work carried out at the Council. This work included testing of key controls within financial systems to gain assurance over the processes and systems used in preparing the Annual Accounts, the results of which would be considered by the External Auditor during the audit of the 2017/18 Accounts. Having outlined the External Auditor's responsibilities, the report clarified that testing during 2017/18 covered key controls in a number of areas including bank reconciliations; payroll validation and exception reporting; authorisation of journals; change of supplier bank details; and IT access controls. Controls were also tested on budget monitoring and control; feeder system reconciliations; and controls for preventing and detecting fraud in areas such as taxations receipts, welfare benefits, grants and other claims.

No significant control weaknesses had been found but, as itemised and summarised in Exhibit 1 of the report, several areas had been identified where controls could have been strengthened on which limited additional work would be carried out to allow the External Auditor to take planned assurance for the audit of the 2017/18 financial statements.

Whilst reviewing and summarising the key findings and related action to be taken, Ms Fraser confirmed that it was clear that progress on improving procedures within creditors had been made but that further action was merited and would be taken. Issues identified and referred to in the associated action plan included procedures on recovering duplicate payments; segregation of duties within the creditors team; and changes to supplier bank details. Other issues commented on were matters relating to the main ledger and changes to the staff leavers process.

Having heard Councillor Grant refer to the importance of having effective procedures in place within creditors on an on-going basis, Councillor Swift asked if it was known if all the payroll overpayments referred to in the report had been recovered from staff leavers.

The committee agreed:-

- (a) that confirmation be sought and circulated on the extent to which the payroll overpayments to staff leavers referred to in the report had been recovered; and
- (b) otherwise, to note the report.

NATIONAL EXTERNAL AUDIT REPORT – EARLY LEARNING AND CHILDCARE

487. The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Early Learning and Childcare* (ELC) which under the committee's specialisation arrangements had been sent to Councillors Gilbert and Ireland for review. The Director of Education had been asked to provide comments and a copy of her feedback was attached to the report.

The report referred to key messages and recommendations set out for the Scottish Government and local authorities in the Audit Scotland report. Comments were provided by

the Director of Education on the findings and implications for East Renfrewshire's delivery of 600 hours of funded ELC which had been introduced in 2014 in East Renfrewshire and on which work had continued to introduce a range of options to build flexibility as new provision was introduced. It was clarified that a number of surveys had been carried out with parents to respond to family needs and that opening hours had been extended in East Renfrewshire facilities to introduce additional flexibility. Further information was provided on planning which was ongoing for the expansion to 1140 hours in East Renfrewshire. It was clarified that it was expected that the associated infrastructure would be in place by August 2020.

Provost Fletcher referred to the capital investment required to expand to 1140 hours and meet parental expectations, expressing concern that a lack of land and buildings in East Renfrewshire could impact on this. He expressed the view that creativity was needed on the use of buildings in the area, such as church halls if they were available, to ensure provision. He referred to the importance of certainty about related financial provision such as that provided by the Scottish Government. Councillor Swift referred to the lack of sufficient capital and revenue resources provided by the Scottish Government for the expansion and the need for flexible provision to meet the needs of families.

The Head of Accountancy (Chief Financial Officer) reported that an update on the associated capital allocation, which was more favourable than assumed at one stage, was to be submitted to the next meeting of the Council. Regarding the Revenue budget, she added that a need to lobby the Scottish Government further had been identified as the current settlement was not considered to take account sufficiently of needs and the quality of provision for example.

Councillor Swift referred to a lecture he and Councillor Miller had attended the previous day delivered by a Professor of Education, at which the Professor had referred to a lack of evidence in support of Early Years education. Councillor Swift added that what might be needed therefore was further childcare and supervision of play rather than having more teachers than might be necessary. Referring to the committee's request for information on surplus properties, Ms Barrowman commented that a review of buildings by the Council was a key enabler project for the ELC initiative. The Head of Accountancy added that the report requested by the committee was not just about properties that may be used for ELC and that the Director of Education had been considering the provision required for the expansion of ELC in the local area.

The committee:-

- (a) agreed that the comments made be relayed to the Director of Education for her information; and
- (b) otherwise, noted the report.

CHAIR

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock on 27 June 2018.

Present:

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

Provost Fletcher in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Julie Murray, Chief Officer – Health and Social Care Partnership; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Eamonn Daly, Democratic Services Manager; and Jennifer Graham, Committee Services Officer.

Apologies:

Deputy Provost Betty Cunningham; and Councillors Danny Devlin, Charlie Gilbert, and Jim McLean.

DECLARATIONS OF INTEREST

488. There were no declarations of interest intimated.

MINUTE OF MEETING – 9 MAY 2018

489. The Council considered and approved the Minute of the meeting held on 9 May 2018.

MINUTE OF MEETING – 14 JUNE 2018

490. The Council considered and approved the Minute of the meeting held on 14 June 2018.

MINUTES OF MEETINGS OF COMMITTEES

491. The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Items 492 to 497 below:-

- (a) Education Committee – 10 May 2018;
- (b) Licensing Committee – 15 May 2018;
- (c) Planning Applications Committee – 16 May 2018;
- (d) Local Review Body – 16 May 2018;
- (e) Cabinet (Police & Fire) – 24 May 2018;
- (f) Cabinet – 24 May 2018;
- (g) Licensing Committee – 12 June 2018;
- (h) Planning Applications Committee – 13 June 2018;
- (i) Local Review Body – 13 June 2018;
- (j) Education Committee – 14 June 2018;
- (k) Planning Applications Committee – 14 June 2018;
- (l) Cabinet – 21 June 2018; and
- (m) Audit & Scrutiny Committee – 21 June 2018.

PLANNING APPLICATIONS COMMITTEE – 16 MAY 2018 – REVISED POLICY FOR ONLINE PLANNING INFORMATION

492. Under reference to the Minute of the meeting of the Planning Applications Committee of 16 May 2018 (Page 397, Item 435 refers), when the committee had approved amongst other things the revised policy for online planning information, Councillor Ireland explained that she had been involved in the preparation of the report but that the Minute did not reflect her as a co-author, requesting that this be amended. In addition, referring to discussions which had taken place at the meeting on comments being included in the planning portal, she advised that the Principal Business Intelligence Officer had undertaken to make enquiries about the process but there was no reference to this in the Minute. In reply, the Democratic Services Manager explained that regardless of who had been involved in the preparation of a report, all reports ultimately came forward in the name of the relevant director. In addition he explained that regardless of the lack of reference in the Minute to the actions to be taken, action notes containing all actions to be taken were prepared following meetings and sent to all relevant officers.

The Council noted the comments made.

CABINET – 21 JUNE 2018 – UNIVERSAL CREDIT IMPLEMENTATION

493. Under reference to the Minute of the meeting of the Cabinet of 21 June 2018 (Page 446, Item 473 refers), when the Cabinet had noted amongst other things the update on Universal Credit implementation in East Renfrewshire, Councillor Convery expressed serious concerns about the rollout of Universal Credit and sought clarification on the Council's processes for dealing with this. In response, the Deputy Chief Executive reported that various work streams were being established to look at different aspects of the process including housing, homelessness and rent arrears.

The Council noted the comments made.

LOCAL REVIEW BODY – 13 JUNE 2018 – NOTICE OF REVIEW – REVIEW 2018/05 – ERECTION OF AGRICULTURAL BUILDING AT RIGLAW, ROEBANK ROAD, UPLAMoor (REF NO: 2018/0025/TP)

494. Under reference to the Minute of the meeting of the Local Review Body of 13 June 2018 (Page 427, Item 459 refers), the Democratic Services Manager advised that a Minute reference had been omitted from the Minute, which should read “Under reference to the Minute of the meeting of 16 May 2018 (Page 402, Item 439 refers)”.

The Council approved the Minute subject to the amendment.

PLANNING APPLICATIONS COMMITTEE – 13 JUNE 2018 – APPLICATIONS FOR PLANNING PERMISSION

495. Under reference to the Minute of the meeting of the Planning Applications Committee of 13 June 2018 (Page 419, Item 456 refers), Councillor Miller advised that comments he had made questioning whether by submitting a number of applications all below 50 units, developers were trying to circumvent the threshold for major developments with the associated requirements, had not been included in the Minute.

The Council noted Councillor Miller’s comments.

PLANNING APPLICATIONS COMMITTEE – 16 MAY 2018 – APPLICATIONS FOR PLANNING PERMISSION

496. Under reference to the Minute of the meeting of the Planning Applications Committee of 16 May 2018 (Page 399, Item 436 refers), Councillor Swift advised that he had sought clarification on whether pre-application meetings could be minuted to provide attendees with clarity on the decisions made, to protect both applicants and the Council, but that reference to his request had not been recorded. In response, the Director of Environment advised that he would consider this request and report back in due course.

The Council noted the comments made.

PLANNING APPLICATIONS COMMITTEE – 14 JUNE 2018 – PRE-DETERMINATION HEARING

497. Under reference to the Minute of the meeting of the Planning Applications Committee of 13 June 2018 (Page 439, Item 468 refers), Council Bamforth referred to comments she had made regarding the difficulties experienced in recruiting care home staff, she advised that the Minute had referred to Council operated care homes, but her comments had related to both private and public sector care homes. She requested that the Minute be amended accordingly.

The Council agreed that the Minute be amended accordingly.

OUTCOME DELIVERY PLAN 2018-2021

498. Under reference to the Minute of the meeting of the Cabinet of 24 May 2018 (Page 407, Item 447 refers), when it was agreed to recommend to the Council that the draft

Outcome Delivery Plan (ODP) 2018/21 be approved, the Council considered a report by the Chief Executive. A copy of the ODP 2018–2021 was appended to the report.

The report explained that the Community Plan set out the vision for all East Renfrewshire Communities and incorporated Fairer East Ren which was the name of the Local Outcome Improvement Plan. The ODP had been revised to take account of new outcomes and intermediate outcomes within the Community Plan to ensure there was an integrated approach across all plans. This was an important document as it set out the Council's key planned priorities for delivering better outcomes for all of East Renfrewshire's residents and communities, within its overall aim of making people's lives better. It was highlighted that the ODP was underpinned by service strategies and operational plans and a new set of outcomes and intermediate outcomes had been added to the ODP covering a number of areas including, early years and vulnerable young people; safe, supportive communities; and older people and people with long-term conditions.

The report concluded by indicating that the ODP set out the Council's clear strategic direction and demonstrated the Council's ultimate aim of making people's lives better in East Renfrewshire.

Responding to a comment, the Director of Environment clarified that housebuilding targets were set by the Housing Needs and Demand Assessment.

Thereafter, the Council agreed to approve the Outcome Delivery Plan 2018 – 2021.

UPDATE ON MODERN, AMBITIOUS PROGRAMME (MAP) AND DIGITAL STRATEGY

499. Under reference to the Minute of the meeting of the Cabinet of 21 June 2018 (Page 445, Item 472 refers), when it was agreed to recommend to the Council that the Convener's remit be expanded to include the role of Advocates/Champions of Digital within each to enhance digital leadership in East Renfrewshire, the Council considered a report by the Deputy Chief Executive.

The report explained that a range of enabler projects had been developed to assist with service redesign to release savings/efficiencies across the Council, Health and Social Care Partnership and Community and Leisure Trust. Further information was provided on the Core Systems programme which would support and drive cost savings and efficiencies and it was reported that the programme was progressing well. Digital technology was recognised as a key area for development and an updated Digital Strategy had been produced providing an update on progress since the Digital Strategy was approved in 2017 and headlining the Council's ambitions for a digital East Renfrewshire. It was reported that the three main pillars of the Digital Strategy were digital services; digital workforce; and digital citizens and further information was provided on the progress of each area including, digital transactions and communications with local parents; technology enabled care; end to end digital processing for planning and building standards; increased visits to the Council website; and introduction of an online system for managing employee absence. In addition, the digital foundations outcome supported delivery of the three digital outcomes by providing the enabling technology, including expansion of wifi access across buildings and public spaces. The report explained that leadership was a key component of the digital workforce and it was proposed that the remit of all Conveners be revised to include digital leadership/advocacy as key responsibilities in these roles.

It was reported that the Modern, Ambitious Programme (MAP) had focused on furthering the digital agenda this year and the complexity and underlying impact of this work could not be

underestimated. This was a fast moving area of work and planned improvements would ensure good visibility and scrutiny of the Council's progress to strive to deliver its vision of a "Modern, ambitious council creating a fairer future with all".

Councillor Wallace referring to the significant improvements in the digital user experience in relation to meeting papers, and paid tribute to Democratic Services Staff, in particular the Democratic Services Support Officer, for the development of the improvements, suggesting that there should be more uptake of digital papers by elected members, Councillor Swift sought clarification of what mechanisms would be put in place to ensure that any projects that were taken forward were fit for purpose, and delivered on time and on budget.

In response, the Chief Executive highlighted that large procurement contracts could be challenging but all possible steps would be taken to mitigate the risks and ensure projects were successful and costs kept within budget. She added that risk assessments were carried out for all projects and digital projects in particular would be managed in an agile way to take account of fast paced changes within this sector.

The Council agreed that the Convener remit be expanded to include the role of advocate/champions of digital within each Convener'ship, to enhance digital leadership in East Renfrewshire.

STATEMENTS BY CONVENERS/REPRESENTATIVES ON JOINT BOARDS/COMMITTEES

500. The following statements were made:-

(a) Integration Joint Board – Councillor Bamforth

Councillor Bamforth advised that at the last meeting of the Integration Joint Board on 27 June, Morag Brown, NHS non-executive board member had taken over from her as the Integration Joint Board Chair, as required by the Integration Scheme. Councillor Bamforth would now take on the role of Vice Chair and Chair of the Performance and Audit Committee.

The IJB had approved the Annual Performance Report, subject to some minor changes, and the report would be presented to a future Council meeting. The IJB Chief Financial Officer had presented the unaudited accounts for the IJB and a copy would be available shortly for the statutory inspection period and would be audited by Audit Scotland. It was also agreed that consultation on the Strategic Commissioning Plan would take place and this would include sharing information with the Council, other Integration Joint Boards and NHSGCC colleagues.

Concluding her remarks, Councillor Bamforth stated that the NHS would celebrate its 70th anniversary on 5 July providing an opportunity to look back and celebrate 70 years of achievement in Scotland and the difference the NHS had made to people's lives, and to reaffirm the ongoing commitment to the founding principles of the NHS. She added that tea parties for older people would be held on 14 September in Eastwood Health and Care Centre, and 28 September in Barrhead Health and Care Centre, and IJB and Elected Members would be invited to attend.

(b) **Convener for Community Services and Community Safety – Councillor Merrick.**

Councillor Merrick commented on the continued overall strong performance of East Renfrewshire Community and Leisure Trust (ERCLT) reporting that attendance at sports venues and Eastwood Theatre were at a 5 and 10 year high respectively; gym membership had increased; and sickness and absence levels amongst staff had reduced. He commended the ERCLT management team for their ambition to become the highest performing leisure trust in Scotland, highlighting that actions taken to further improve performance and delivery included, demand analysis; development of a People's Strategy; and improved joint working with the Council.

The Council noted the position.

EAST RENFREWSHIRE INTEGRATION JOINT BOARD – CONFIRMATION OF COUNCILLOR APPOINTMENTS

501. The Council considered a report by the Deputy Chief Executive seeking confirmation of elected member appointments to the East Renfrewshire Integration Joint Board. The report highlighted that a three year term of appointment had been accepted previously by both the Council and the Health Board and the terms of office of the Council's four nominated representatives was now coming to an end.

The Council confirmed the appointments of Councillors Bamforth, Buchanan, O'Kane and Swift on the East Renfrewshire Integration Joint Board until 26 June 2021.

EDUCATION COMMITTEE AND TEACHING STAFF APPEALS COMMITTEE – APPOINTMENT OF REPLACEMENT MEMBER

502. The Council considered a report by the Deputy Chief Executive, seeking the appointment of a replacement member on the Education Committee and the Teaching Staff Appeals Committee following the resignation of Councillor Swift.

The Council agreed that Councillor Wallace be appointed to the Education Committee and the Teaching Staff Appeals Committee.

STRATEGIC END YEAR PERFORMANCE REPORT 2017/18 – COMMUNITY PLANNING PARTNERSHIP AND COUNCIL PERFORMANCE

503. The Council received a presentation from the Deputy Chief Executive and the Head of Business Change and Revenues, which accompanied a report by the Deputy Chief Executive, providing a summary of the East Renfrewshire Community Planning Partnership (CPP) and Council year-end performance 2017/18 based on performance indicators in the Single Outcome Agreement (SOA) and Outcome Delivery Plan (ODP) 2017/20. The report highlighted areas of very good performance as well as those indicators that were off-target. Details of the improvement actions for the CPP arising from the meeting of the Performance and Accountability Review (PAR) held on 8 May 2018 appeared as Annex 3 to the report and a year-end complaints report appeared as Annex 4.

The report explained that the SOA had been superseded by a Community Plan encompassing the Local Outcome Improvement Plan known as Fairer East Ren, and the final performance report on the East Renfrewshire SOA was included.

It went on to explain that the Council continued to achieve excellent performance results across many areas including educational attainment; household waste recycling; and supporting people into employment. The Council also performed consistently well in other areas such as the number of awards received by young people; sustaining low levels of teenage pregnancy; supporting businesses through development programmes; and improving parks and greenspace. The target for the percentage of City Deal projects delivered on time had not been met and the programme was being reviewed for 2018/19. Overall, of the ODP indicators at year-end with targets set, the Council was meeting targets in over 71% of the indicators. In the remaining areas where there was scope for improvement there was a clear understanding of the reasons for those performance levels and departments were closely monitoring progress and taking appropriate action to improve.

The report concluded by explaining that all Scottish councils were required to assess and monitor their complaints handling performance against a number of high-level performance indicators identified by the Scottish Public Services Ombudsman (SPSO). A detailed report on the Council's performance against these indicators for 2017/18, including a comparison with 2016/17, was included. This provided details of the number of complaints received together with an overview of the complaints handling performance in terms of the Council's corporate complaints procedure. The number of complaints received had dropped in comparison to 2016/17 and the Council continued to respond to complaints well within the national target timescales.

Discussion followed, in the course of which a number of issues were clarified including that data relating to a drop in the percentage of pupils reporting that their school was helping them to become more confident was as a result of significantly fewer questionnaires being returned and pupils being unclear on what the questionnaire was asking them. In addition, data concerning violent crimes related to figures for the first half of the year as the figures to year end had not yet been received. It was noted that further information on the sample size of questionnaires could be provided in future, where possible, to allow improved comparisons to be made. Although only 26% of complainants had indicated that their complaint had been handled well, less than 18% of complainants had returned the survey as people who were satisfied with their complaint were less likely to respond. Further information was provided on the Participatory Budget process, which was directed at communities with the highest levels of deprivation, reporting that officers had worked closely with local community groups to submit bids for funding.

Councillor Buchanan expressed his thanks for a comprehensive presentation and report which showed a largely positive outcome.

The Council agreed to note:-

- (a) the summary of the Community Planning Partnership and Council year-end performance for 2017/18 and the comments made;
- (b) the Advice Note from the Performance and Accountability Review to the Community Planning Partnership in respect of the focus and priorities for 2018/19 following the meeting of 8 May 2018; and
- (c) the year-end complaints report.

PROVOST'S ENGAGEMENTS

504. 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 last meeting.

GENERAL FUND CAPITAL PROGRAMME

505. Under reference to the Minute of the meeting of 2 March 2018 (Page 299, Item 327 refers), when the General Capital Fund Programme 2018/19 had been approved, the Council considered a report by the Head of Accountancy (Chief Financial Officer) recommending adjustments to the programme resulting from finalisation of the previous year's programme and in light of subsequent information. 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 £313,000 represented approximately 0.8% of the resources available and was within manageable limits.

The Council:-

- (a) noted and approved the movements within the programme 2018/19; and
- (b) noted that the shortfall of £313,000 would be monitored and reported on a regular basis.

FINANCING THE NEW BARRHEAD HIGH SCHOOL

506. The Council considered a report by the Director of Environment, providing an update on funding for the replacement Barrhead High School project and seeking approval for increased funding within the General Fund Capital Programme. The report highlighted that a substantial amount of asbestos was discovered at the former Barrhead High School prior to demolition of the building and the Council carried the risk for unforeseen items under the conditions of contract. In order to remove the asbestos, an extension of time was granted to the contractor and additional consultant fees were incurred. Additional costs were also incurred as a result of external works resulting in a total increased cost to the Council of approximately £1.2m. However, it was anticipated that this would be offset by an underspend of £600,000 for the delivery of Crookfur Primary School and Faith Schools Joint Campus.

The Council:-

- (a) noted the current position on costs with regard to the revised estimated costs of the Barrhead High School project;
- (b) homologated the decision to instruct the additional works amounting to £1.2m; and
- (c) approved an increase of £600,000 within the General Fund Capital Programme with regard to the budgetary provision for the Barrhead High School project.

GENERAL FUND CAPITAL PLAN UPDATE – 2018/19 TO 2025/26

507. Under reference to the Minute of the meeting of 2 March 2018 (Page 299, Item 327 refers), when the General Fund Capital Plan 2018/19 had been approved, the Council considered a report by the Head of Accountancy (Chief Financial Officer), recommending revisions to the plan in view of the Scottish Government's confirmation of capital grant allocations for Early Learning and Childcare. The report highlighted that the capital allocation for 2018/19 to 2020/21 had been advised as £11.7m, an increase of £4.5m over the original assumption, which would reduce the borrowing requirement over the period of the plan, and further adjustments were required to take account of increased costs associated with demolition and ancillary works at the former Barrhead High School. It was reported that the plan would be reviewed again when the outcome of the public consultation on leisure facilities in the Eastwood area was known.

The Council:-

- (a) agreed the revised Capital Plan in the light of updated information relating to early learning and childcare funding and other project movements; and
- (b) noted that a further report reviewing the Capital Plan would be submitted after the summer break once the Eastwood Leisure public consultation was concluded.

HOUSING CAPITAL PROGRAMME

508. Under reference to the Minute of the meeting of 2 March 2018 (Page 301, Item 329 refers), when the Housing Capital Programme 2018/19 to 2022/23 had been approved, the Council considered a report by the Head of Accountancy (Chief Financial Officer) and Director of Environment recommending adjustments to the programme resulting from finalisation of the previous year's programme and in light of subsequent information. 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 represented approximately 0.7% of the resources available and was within manageable limits.

The Council:-

- (a) noted and approved the movements within the programme 2018/19; and
- (b) noted that the shortfall of £85,000 would be monitored and reported on a regular basis.

PROPOSED ACQUISITION OF LAND AT AURS ROAD, BARRHEAD

509. The Council considered a report by the Director of Environment, seeking approval for the proposed acquisition of land from Scottish Water and to enter into servitude agreements over land owned by Scottish Water adjacent to Aurs Road, between Newton Mearns and Barrhead.

The report explained that the acquisition was necessary to undertake the proposed upgrading and re-alignment of Aurs Road which formed part of ERC's Glasgow City Region

City Deal M77 Strategic Corridor Programme and would facilitate implementation of other nearby City Deal projects along with the Barrhead South and Maidenhill Strategic (residential) Development opportunities.

The Council agreed to:-

- (a) approve the acquisition of 720 sq.m of land from Scottish Water and enter into servitude agreements over an area of 2,839 sq.m from Scottish Water on/adjacent to Aurs Road at a cost of £2,000 (exc VAT); and
- (b) delegate authority to the Director of Environment, in consultation with the Chief Officer (Legal and Procurement), to progress and complete the acquisition and enter into the servitude agreement.

PROVOST

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 8 August 2018.

Present:

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

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Sean McDaid, Principal Planner and Ian Walker, Senior Planner, Development Management; Graham Shankland, Principal Business Intelligence Officer; and Paul O'Neil, Committee Services Officer.

Apologies:

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

DECLARATION OF INTEREST

510. Councillor Swift declared a non-financial interest in respect of application (Ref No 2018/0065/TP) on the grounds that he was a social member of East Renfrewshire Golf Club.

NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS

511. The committee considered and noted a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DEPA) of two new appeals that had been lodged against the committee's decision to refuse planning permission.

APPLICATIONS FOR PLANNING PERMISSION

512. The committee considered reports by the Director of Environment, on applications for planning permission requiring consideration by the committee.

It was agreed that the applications be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2018/0065/TP — Installation of anaerobic digestion biogas plant with alterations to vehicular access of 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 300m north east of Greenhags, Ayr Road, Newton Mearns by the Greenhags Energy Company Ltd

The Principal Planner referred to the assessment of the proposal in the course of which he advised that Scottish Government advice regarding Section 42 applications such as the one under consideration was that planning authorities should only consider the proposed amended condition and did not need to re-examine the entire original development proposal.

Whilst noting that further representations had been submitted by the applicant's agent requesting a modification to the wording of Condition 11 that was proposed to be attached to the consent, the Principal Planner reported that a definition of "plant-tissue derived agricultural wastes" had also been provided by the agent. Concluding his remarks, he read out the modification to the wording as proposed by the agent and indicated that the Council's Environmental Health service would require to be consulted on the agent's representations.

Following discussion, in the course of which the committee expressed concerns about the proposal, particularly the type and source of the 'digestate' that would be used in the process and that further information was required in this regard, agreed that;

- (a) consideration of the application be continued to allow consultation to take place with the Environmental Health service;
 - (b) further information be obtained from the applicant regarding the type and source of the 'digestate' that would be used in the process; and
 - (c) a site visit be arranged for those Members of the committee that were present at the meeting to visit an anaerobic digestion biogas plant that was currently operating.
- (ii) 2018/0237/CAC – Complete demolition of garage building (Conservation Area Consent) at Cross Garage, 45 Gilmour Street, Eaglesham by Mr and Mrs G Smith

The Principal Planner explained the reason for the application, provided details about the assessment and indicated that officers were recommending that Conservation Area Consent be granted.

Whilst noting that the objectors had indicated that no access would be granted to the site over ground in their ownership to allow the demolition to take place, Councillor Swift expressed the view that by granting consent this might result in the applicant accessing the site without first obtaining permission to do so.

Councillor Miller stated that Eaglesham had been designated a Conservation Area for a reason and that he did not support the application.

Councillor Ireland stated the existing building was not deemed to be a key building in the conservation area and highlighted that Historic Environment Scotland had offered no objection to the application.

At this stage, Councillor Ireland, seconded by Provost Fletcher, moved that the application be approved, subject to the conditions detailed in the report.

Councillor Miller, seconded by Councillor Swift, moved as an amendment that the application be refused on the grounds that the site was located within Eaglesham Conservation Area.

On a vote being taken 3 Members voted for the motion and 2 Members voted for the amendment. The motion was accordingly declared carried and it was agreed that the application be approved, subject to the conditions detailed in the report.

(iii) 2018/0238/TP – Erection of two storey restaurant following demolition of existing garage at Cross Garage, 45 Gilmour Street, Eaglesham by Mr and Mrs G Smith

The Principal Planner referred to the assessment of the proposal and indicated that officers were recommending that the application be approved, subject to conditions.

In response to a question by Councillor Ireland regarding the opening hours of the proposed restaurant, the Principal Planner stated that the premises would not open beyond 10.00pm each day and that this would be controlled by way of a condition.

Councillor Miller was concerned about the lack of off-street parking at the site in response to which the Principal Planner highlighted that the Council's Roads Service had offered no objection to the proposal.

Councillor Swift sought clarification as to why the applicant was not required to provide parking provision at the site. In reply, the Principal Planner stated the he relied on the advice of the Council's Roads Service regarding this matter and that whilst the service acknowledged there would be no off-street parking at the site it had indicated that parking would be available on adjacent or nearby streets to the site.

In response to the concerns expressed about no off-street parking at the site, Provost Fletcher emphasised that the majority of sites where restaurants were located did not have off-street parking for customers.

Councillor Swift suggested that the approach adopted by the Council regarding the provision of parking at development sites was somewhat inconsistent insofar as no parking provision was required for the application under consideration whereas other developments were required to provide parking.

In reply, the Principal Planner explained that there could be a variety of factors as to why parking was not needed at a particular development site.

At this stage, Councillor Ireland, seconded by Councillor Convery moved that the application be approved, subject to the conditions detailed in the report.

Councillor Swift, seconded by Councillor Miller, moved as an amendment that the application be refused on the grounds that there was no parking provision at the site.

On a vote being taken 3 Members voted for the motion and 2 Members voted for the amendment. The motion was accordingly declared carried and it was agreed that the application be approved, subject to the conditions detailed in the report.

- (iv) 2018/0340/TP – Erection of two storey detached dwellinghouse following demolition of existing dwellinghouse at 2 Newtonlea Avenue, Newton Mearns by Mr and Mrs McGraddie

The committee noted that the application had been withdrawn.

CHAIR

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

Index of applications under the above acts considered by Planning Applications Committee on
08.08.2018

Reference No: 2018/0065/TP

Ward: 2

Applicant:

The Greenhags Energy Company Limited
1 Rutland Court
Edinburgh
Scotland
EH3 8EY

Agent:

Alan Couper
Stevenson Farmhouse
Stevenson Farm
Peebles
Scotland
EH45 8PX

Site: Site 300M North East Of Greenhags Ayr Road Newton Means East Renfrewshire

Description: Installation of 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)

Decision: Continued

Reference No: 2018/0237/CAC

Ward: 5

Applicant:

Mr. & Mrs. G. Smith
Myers Lodge
Over Enoch Road
Eaglesham
East Renfrewshire
G76 0PW

Agent:

Jewitt & Wilkie Limited
38 New City Road
Glasgow
Scotland
G4 9JT

Site: Cross Garage 45 Gilmour Street Eaglesham East Renfrewshire G76 0AA

Description: Complete demolition of garage building (conservation area consent)

Decision: Approved Subject to Conditions

Reference No: 2018/0238/TP

Ward: 5

Applicant:

Mr. & Mrs. G. Smith
Myres Lodge
Over Enoch Road
Eaglesham
East Renfrewshire
G76 0PW

Agent:

Jewitt & Wilkie Limited
38 New City Road
Glasgow
Scotland
G4 9JT

Site: Cross Garage 45 Gilmour Street Eaglesham East Renfrewshire G76 0AA

Description: Erection of two storey restaurant following demolition of existing garage

Decision: Approved Subject to Conditions

474

Reference No: 2018/0340/TP

Ward: 5

Applicant:

Mr & Mrs McGraddie
C/o DTA Chartered Architects Ltd

Agent:

DTA Chartered Architects Ltd
9 Montgomery Street
The Village
East Kilbride
G74 4SS

Site: 2 Newtonlea Avenue Newton Mearns East Renfrewshire G77 5QA

Description: Erection of two storey detached dwellinghouse following demolition of existing dwellinghouse

Decision: Withdrawn

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 8 August 2018.

Present:

Councillor Annette Ireland (Chair)
Councillor Angela Convery

Provost Jim Fletcher
Councillor Stewart Miller

Councillor Ireland in the Chair

Attending:

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

Apologies:

Councillors Betty Cunningham (Vice-Chair); Jim McLean; and Jim Swift.

DECLARATIONS OF INTEREST

513. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2018/08 – ALTERATION TO ROOF TO FORM A ONE AND A HALF STOREY EXTENSION WITH GABLE END AT REAR, INSTALLATION OF HIPPED ROOF OVER EXISTING FRONT DORMER AND INSTALLATION OF DORMER WINDOWS AT SIDES AT 54 MELFORD AVENUE, GIFFNOCK (REF NO: 2017/0843/TP)

514. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Allan Shankland against the decision taken by officers to refuse planning permission in respect of the alteration to roof to form a one and a half storey extension with gable end at rear; installation of hipped roof over existing front dormer and installation of dormer windows at sides at 54 Melford Avenue, Giffnock.

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

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

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

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

Following discussion, it was agreed to overturn the decision of the Appointed Officer as detailed in the decision notice of 1 May 2018 and grant planning permission.

NOTICE OF REVIEW – REVIEW 2018/09 – ERECTION OF SINGLE STOREY SIDE EXTENSION AT 37 AYR ROAD, GIFFNOCK (REF NO: 2018/0036/TP)

515. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Paul Millar against the decision taken by officers to refuse planning permission in respect of the erection of a single storey side extension at 37 Ayr Road, Giffnock.

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

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

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

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

Following discussion, Councillor Ireland moved to uphold the decision as set out in the decision notice of 22 March 2018 and refuse planning permission. In the absence of a seconder her motion fell.

Thereafter, the Local Review Body agreed to overturn the decision of the Appointed Officer as detailed in the decision notice of 22 March 2018 and grant planning permission.

NOTICE OF REVIEW – REVIEW 2018/11 – ERECTION OF AGRICULTURAL SHED AT SITE 280m NORTH NORTH-WEST OF FLOAK BRIDGE, HIGHFIELD ROAD, EASTWOOD (REF NO: 2017/0584/TP)

516. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Andrew McCandlish against the decision taken by officers to refuse planning permission in respect of the erection of an agricultural shed at site 280m north north-west of Floak Bridge, Highfield Road, Eastwood.

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

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

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

Following discussion, it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 9 May 2018 and refuse planning permission.

NOTICE OF REVIEW – REVIEW 2018/12 – ERECTION OF ONE AND A HALF STOREY REAR EXTENSION AND INSTALLATION OF FRONT DORMER AT 76 EVAN DRIVE, GIFFNOCK (REF NO: 2018/0201/TP)

517. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr and Mrs Scott Yuill against the decision taken by officers to refuse planning permission in respect of the erection of a one and a half storey rear extension forming gable end with installation of dormer window at front at 76 Evan Drive, Giffnock.

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

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

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

Following discussion, it was agreed to overturn the decision of the Appointed Officer as detailed in the decision notice of 20 June 2018 and grant planning permission, subject to the undernoted condition being attached to the consent.

Condition:-

The materials to be used on all external surfaces of the building shall match the existing house.

Sederunt

Councillor Miller left the meeting at this stage.

The Principal Business Intelligence Officer (Planning Adviser) also left the meeting at this stage on the grounds that he was the line manager of the applicant's son.

NOTICE OF REVIEW – REVIEW 2018/10 – ERECTION OF TWO STOREY REAR EXTENSION WITH RAISED DECKING AT ‘ROUGHWOOD’, 17 NEILSTON ROAD, UPLAWMOOR (REF NO: 2018/0105/TP)

518. The Local Review Body considered a report by the Deputy Chief Executive, relative to a ‘Notice of Review’ submitted by Mr and Mrs Adam Caldwell against the decision taken by officers to refuse planning permission in respect of the erection of a two storey rear extension with raised decking at ‘Roughwood’, 17 Neilston Road, Uplawmoor.

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

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

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

Following discussion, it was agreed to uphold the decision as set out in the decision notice of 9 May 2018 and refuse planning permission.

CHAIR

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 14 August 2018.

Present:

Councillor Angela Convery (Chair)
Councillor Stewart Miller

Councillor Charlie Gilbert

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Jillian McGrain, Principal Housing Officer (Private Sector); Brian Kilpatrick, Civic Government Enforcement Officer; and Ron Leitch, Committee Services Officer.

Also Attending:

Inspector Bryan McGeoch and Sergeant Scott Brown, Police Scotland.

Apologies:

Councillors Betty Cunningham (Vice-Chair) and Alan Lafferty.

DECLARATIONS OF INTEREST

519. There were no declarations of interest intimated.

Resolution to Exclude Press and Public

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

PRIVATE LANDLORD REGISTRATION

520. The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial

Behaviour etc. (Scotland) Act 2004, as amended (Agenda Item 3 refers). The applicant was present. The Principal Housing Officer (Private Sector) was also present.

The Principal Housing Officer (Private Sector) was heard in respect of the application and in response to questions from Members.

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

Following brief discussion the committee agreed that the application for inclusion on the Register of Private Landlords be approved.

PRIVATE LANDLORD REGISTRATION

521. The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended (Agenda Item 4 refers). The applicant was represented by Ms Shona McLellan of Douglas Dickson Property Services who acted as managing agents for the applicant. The Principal Housing Officer (Private Sector) was also present.

The Principal Housing Officer (Private Sector) was heard in respect of the application and in response to questions from Members.

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

Following brief discussion the committee agreed that the application for inclusion on the Register of Private Landlords be approved.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

522. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 5 refers). The applicant was present accompanied by a companion. Inspector McGeoch and Sergeant Brown, representing the Chief Constable who had made a representation in respect of the application, were also present.

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

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

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

Following brief discussion the committee, having taken account of the submission made by the applicant, his previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be granted for a period of 12 months subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

523. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 6 refers). The applicant was present. Inspector McGeoch and Sergeant Brown, representing the Chief Constable, who had made a late objection in respect of the application, were also present.

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

Following brief discussion, the committee agreed to consider the late objection and copies were provided for Members and the applicant.

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

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

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

On reconvening, the committee, having taken account of the submission made by the applicant, his previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence by virtue of his previous conviction, the pattern of behaviour as outlined in the letter of objection from the Chief Constable, and his manner at the meeting which the committee considered reinforced the views expressed by the Chief Constable, all of which demonstrated to Members a lack of concern for public safety.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL

524. Under reference to the Minute of the Meeting of 15 May 2018 (Page 394, Item 431 refers) when it had been agreed to defer consideration of an application for the renewal of a Private Hire Car Driver's Licence to enable the outcome of the applicant's outstanding court case to be determined, the committee considered a further report by the Chief Officer (Legal & Procurement) regarding the application (Agenda Item 7 refers). The applicant, having been invited to attend, was not present. Inspector McGeoch and Sergeant Brown, representing the Chief Constable who had made a representation in respect of the application, were present.

Sergeant Brown informed the committee that the court case had been adjourned until 25 October 2018.

Following brief discussion and in light of the new court date being outwith the statutory period for the application to be determined, the committee agreed to grant the application subject to the applicant being advised that under the terms and conditions of the licence he was obliged to notify the Council of the outcome of the pending court case as soon as it had been determined.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL AND NOTICE OF SEQUESTRATION

525. The Senior Solicitor explained that following representation by the applicant's legal representative, consideration of the application (Agenda Item No.8 refers) had been deferred to the next meeting of the committee in order to allow the applicant's legal representative time to prepare a case on behalf of their client.

Following brief discussion the committee noted the position.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

526. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 9 refers). The applicant, having been invited to attend, was not present. Inspector McGeoch and Sergeant Brown, representing the Chief Constable who had made an objection in respect of the application, were present.

Following brief discussion the committee agreed to continue consideration of the application to the next meeting to allow the applicant to make a personal appearance, it also being agreed that should the applicant again fail to appear or be represented the committee would proceed to determine the application in his absence.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

527. The Senior Solicitor explained that following representation by the applicant's legal representative, consideration of the application (Agenda Item No.10 refers) had been deferred to the next meeting of the committee in order to allow the applicant's legal representative time to prepare a case on behalf of their client.

Following brief discussion the committee noted the position.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

528. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 11 refers). The applicant, having been invited to attend, was not present. Inspector McGeoch and Sergeant Brown, representing the Chief Constable who had made an objection in respect of the application, were present.

Following brief discussion the committee agreed to continue consideration of the application to the next meeting to allow the applicant to make a personal appearance, it also being agreed that should the applicant again fail to appear or be represented the committee would proceed to determine the application in his absence.

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 16 August 2018.

Present:

Councillor Tony Buchanan (Leader)
Councillor Danny Devlin

Councillor Colm Merrick
Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Andy Cahill, Director of Environment; Louise Pringle, Head of Business Change and Revenues; Andy Corry, Head of Environment (Operations); Gerry Mahon, Chief Officer – Legal and Procurement; Barbara Clark, Chief Accountant; Stuart Free, Principal Officer (Asset Management); and Paul O’Neil, Committee Services Officer.

Also Attending:

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

Apologies:

Councillors Caroline Bamforth and Alan Lafferty.

DECLARATIONS OF INTEREST

529. Councillors Devlin, Merrick and O’Kane declared a non-financial interest in relation to Item 533 – East Renfrewshire Culture and Leisure – End-Year Performance Report 2017/18 on the grounds that they were members of the Board of East Renfrewshire Culture and Leisure Trust.

At this stage, the Leader proposed that the report be continued to the next meeting of the Cabinet on 30 August 2018 to allow Councillors Bamforth and Lafferty who were not members of the East Renfrewshire Culture and Leisure Trust Board to give consideration to the report. This was agreed.

ANNUAL EFFICIENCY STATEMENT 2017/18

530. The Cabinet considered a report by the Deputy Chief Executive, providing details of the Council's Annual Efficiency Statement for 2017/18. A copy of the statement was appended to the report.

Whilst noting that councils were required to provide annual efficiency statements to COSLA each year and that thereafter a summary statement was developed for the Scottish Government, the report highlighted the ways in which efficiencies could arise such as savings being generated through the Council's Modern Ambitious Programme (MAP) and work on the Council's 5 capabilities which had resulted in cash-releasing savings of £4,604,735 in 2017/18.

The Cabinet approved the Annual Efficiency Statement 2017/18 for submission to COSLA.

ANTI-MONEY LAUNDERING POLICY

531. The Cabinet considered a report by the Chief Financial Officer, seeking approval of an Anti-Money Laundering Policy to assist the Council in maintaining an anti-fraud culture and upholding high ethical standards in its administration of public funds. A copy of the policy was appended to the report.

The report explained that whilst the Council had an Anti-Fraud and Bribery Strategy which outlined the Council's zero tolerance approach to fraudulent or corrupt activity the strategy did not specifically include actions to be taken to detect or prevent money laundering. Whilst noting that local authorities did not have a statutory duty to comply with the Money Laundering Regulations 2007, the report advised that it was considered best practice for the Council to put in place measures to comply in order to protect its services from being used for potential money laundering activities. In this connection, it was proposed to limit the level of cash accepted for one transaction to £3,000 and that larger payments would have to be made by bank transfer, card or cheque in future.

The Cabinet approved the adoption of the Anti-Money Laundering Policy.

END-YEAR PERFORMANCE REPORTS 2017/18

532. The Cabinet considered reports by the Chief Executive and Deputy Chief Executive in relation to the End-Year Performance Report 2017/18 for their respective departments, details of which were outlined in the appendices to the reports.

The Cabinet approved the reports as summaries of the Chief Executive's Office and Corporate and Community Services Department End-Year Performance for 2017/18.

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

533. The Cabinet agreed that consideration of the report be continued to the next meeting on 30 August 2018.

LEGAL STANDING OF LOCAL GOVERNMENT

534. The Cabinet considered a joint report by the Deputy Chief Executive and Chief Officer – Legal and Procurement, advising of a draft proposal for a Members’ Bill being brought before the Scottish Parliament seeking to put the European Charter of Local Self Government (“the Charter”) into law in Scotland. The report also sought approval to submit a summary response which supported that principle.

The report explained that the proposed Members’ Bill provided an opportunity to formalise and protect the role of Local Government in the governance of Scotland and that participation in the current consultation would assist in influencing the terms of any Bill going forward.

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

PROPOSED DISPOSAL OF AMENITY LAND ADJACENT TO CRAIGHEAD STREET, BARRHEAD

535. The Cabinet considered a report by the Director of Environment, seeking approval of the sale of a small area of amenity ground adjacent to Craighead Street, Barrhead. A copy of a location plan showing the area of ground to be sold was appended to the report.

The report explained that St Andrew’s Church had approached the Council seeking to acquire an area of Council owned land extending to approximately to 200 metres square in order to assist with its development of a church hall proposed to be built within the existing church grounds. It was noted that the hall would be used by the church and the wider community.

The report explained that in the absence of a requirement for the Council to retain the ground for any foreseeable alternative development potential, negotiations had been progressed with the church for its proposed sale. Details of the terms and conditions associated with the proposed sale of the land were outlined in the report.

The Cabinet:-

- (a) approved the sale of a small piece of amenity ground held on the Housing Revenue Account to the adjoining St Andrew’s Church; and
- (b) agreed that delegated powers be granted to the Director of Environment, in consultation with the Chief Officer – Legal and Procurement, to finalise negotiations and conclude the disposal.

FLEET ASSET MANAGEMENT PLAN 2018/20

536. The Cabinet considered a report by the Director of Environment, advising on the updated Fleet Asset Management Plan 2018/20. A copy of the Plan was appended to the report.

The report explained that the Plan sought to provide a policy context for an overview of the scope, existing uses and current activities of the Council’s fleet. In addition, it identified future actions and potential risks and sought to provide a well-managed environmental friendly fleet of vehicles.

The Plan also highlighted that fleet management and maintenance within the East Renfrewshire area was progressive with significant work being undertaken with an increased emphasis on improving processes and using modern technologies which would have beneficial effects in reducing the environmental impact of the Council's fleet.

The Cabinet approved the Fleet Asset Management Plan 2018/20.

NHS GREATER GLASGOW AND CLYDE JOINT HEALTH PROTECTION PLAN 2018/20

537. The Cabinet considered a report by the Director of Environment, advising of the contents of the NHS Greater Glasgow and Clyde Joint Health Protection Plan 2018/20 and seeking approval for the Council to be a signatory to the agreement to promote the aims and implementation of the Plan. A copy of the work plan associated with the Plan was appended to the report.

By way of background, the report explained that the Public Health Oversight Board was leading on the creation of a new Scottish national public health body in 2019 with the new local joint public health partnerships thereafter. In the interim the Public Health (Health Protection) Liaison Working Group membership of which was drawn from Greater Glasgow and Clyde NHS, the Environmental Health Services of the 6 councils within the Board's area and other organisations with a specific responsibility for public health matters had prepared a draft Joint Health Protection Plan (JHPP) following the requirements set out in the Public Health etc (Scotland) Act 2008.

Whilst noting the purpose of the Joint Health Protection Plan (JHPP), the topics covered in the Plan, details of which were listed in the report, and the process by which the JHPP would be reviewed and updated, the report explained that as Scotland moved towards the creation of a new national health body in 2019, public health provision and protection would remain high on the agenda and strengthened partnership working at this stage would be beneficial as new local arrangements were developed.

The report indicated that the JHPP would assist with this and provided a sound basis to move forward and therefore continued support from the Council for the Public Health (Health Protection) Liaison Working Group to progress and implement the JHPP Work Plan should remain one of the Council's priorities.

The Cabinet:-

- (a) noted the Environmental Health Service's participation on the Public Health (Health Protection) Liaison Working Group;
- (b) noted the work plan of the draft NHS Greater Glasgow and Clyde Joint Health Protection Plan 2018/20; and
- (c) agreed that the Council be a signatory to the plan and that delegated powers be granted to the Director of Environment to act as signatory on behalf of the Council.

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 16 August 2018.

Present:

Councillor Stewart Miller (Chair)	Councillor Annette Ireland
Councillor Barbara Grant (Vice Chair)	Councillor Jim McLean
Provost Jim Fletcher	Councillor Jim Swift
Councillor Charlie Gilbert	

Councillor Miller in the Chair

Attending:

Gerry Mahon, Chief Officer, Legal and Procurement; Michelle Blair, Chief Auditor; Barbara Clark, Chief Accountant; Gill Darbyshire, Chief Executive's Business Manager; Linda Hutchison, Clerk to the Committee; and Jennifer Graham, Committee Services Officer.

DECLARATIONS OF INTEREST

538. Councillor Grant declared a non-financial interest in Item 543 - National External Audit Report – Councils' Use of Arm's Length Organisations on the grounds that she was a member of the Board of the East Renfrewshire Culture and Leisure Trust.

CHAIR'S REPORT

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

REVIEW OF STRATEGIC RISK REGISTER AND RISK MANAGEMENT PROGRESS

540. Under reference to the Minute of the meeting of 8 March 2018 (Page 310, Item 336 refers), when the position on the Strategic Risk Register (SRR) and progress with risk management across the Council had been noted, the committee considered a report by the Chief Executive regarding the most recent biannual update of the Register and general progress on risk management.

The SRR, a copy of which was appended to the report, itemised key risks that required to be considered and associated actions put in place to manage these. Having referred to related operational risk registers in place, the report confirmed that several strategic risks had been amended to include additional control measures and rescored for significance, clarifying that a thorough review of all the strategic risks had been undertaken by the Corporate Management Team (CMT). In total there were now 30 strategic risks, 11 of which were

evaluated as high and 19 as medium. Risks evaluated as low had been removed from the SRR and would be monitored within departmental or operational registers as appropriate. Relevant significant risks which could impact on achieving the Council's outcomes regarding the work of the Integration Joint Board and Culture and Leisure Trust had been considered.

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

Having heard the Business Manager highlight key aspects of the report, Councillor Miller referred to the risk on the outcome of the EU referendum, expressing concern that a further risk, even a low one, associated with a potential further Scottish independence referendum was not specified and suggesting this be considered. Councillor Ireland reminded Members that the committee had raised this in March 2018, in response to which it had been clarified that the CMT had not considered it necessary then. She added that the position on such a referendum remained unchanged and that a review could be requested if the position altered.

Councillor Grant suggested that some of the strategic risks itemised were out with the Council's direct control, questioning their inclusion and citing the example of the risk of an operational or financial failure of a key provider. The Business Manager referred to the importance of considering, in a wide sense, risks facing the authority and preparing adequately to deal with issues that could arise, referring to mitigating actions considered appropriate regarding the example Councillor Grant had raised.

Regarding risk 3.8 on poor environmental performance on implementing climate change mitigation and adaptation measures, Provost Fletcher requested that clarification be sought on why it had been deemed necessary now to add this to the SRR and what specifically the authority was being asked to do, or was not doing, that could impact on climate change. During related discussion, including on the spectrum of opinions expressed on global warming, Councillor Swift acknowledged the range of views that existed on this, cited examples of local factors that might be relevant such as approaches adopted on water drainage, but concurred that the use of more specific wording about the risk might be helpful. Councillor Ireland expressed support for the current wording, adding that the weight of current evidence supported the existence of global warming.

During discussion on risk 4.2, Provost Fletcher commented that violence elsewhere did not necessarily mean it would occur locally. Councillor Swift considered the likelihood of this risk low and the action documented weak. More generally, Councillor Miller questioned if risk likelihood would actually decrease in some cases as suggested through implementation of risk control measures, citing the example of the risk on the reduction of central government funding.

The committee agreed:-

- (a) that feedback be provided to appropriate senior officers on comments made by members of the committee at the meeting on the SRR for consideration;
- (b) that the Business Manager seek and provide further clarification to the Clerk for circulation to members of the committee on the specific nature of the risk added to the register on poor environmental performance in implementing

climate change mitigation adaptation measures; why it was considered necessary to add it; what specifically the authority was being asked to do to impact on climate change; and why the wording used was not more specific; and

- (c) otherwise, to note the development of the SRR; that it was considered to be a live document; and that it would be updated and amended by the CMT.

ANNUAL TREASURY MANAGEMENT REPORT FOR 2017/18

541. Under reference to the Minute of the meeting of 19 February 2018 (Page 277, Item 307 refers), when it had been agreed to note and recommend to the Council that the Treasury Strategy Statement Report 2018/19 be approved, the committee considered a report by the Head of Accountancy (Chief Financial Officer) providing details of the Council's treasury management activities for the year ending 31 March 2018 and seeking approval to recommend to the Council that a list of organisations for the investment of surplus funds be approved.

The report referred to a well-managed treasury function within the Council and related issues, commenting that the Council continued to adopt a prudent approach to treasury management and that stability in borrowing assisted the Council to respond to current, national economic pressures. The submission of the report to the committee, prior to its submission to the Council, was in line with the CIPFA Code of Practice on Treasury Management.

The committee, having heard the Chief Accountant, agreed to:-

- (a) note the Treasury Management Annual Report for 2017/18; and
- (b) **recommend to the Council** that the organisations specified in the report for investment of surplus funds be approved.

NATIONAL EXTERNAL AUDIT REPORT – LOCAL GOVERNMENT IN SCOTLAND – CHALLENGES AND PERFORMANCE 2018

542. The committee considered a report by the Clerk on the publication by the Accounts Commission of a report entitled *Local Government in Scotland – Challenges and Performance 2018* which under the committee's specialisation arrangements had been sent to Councillors Miller and Grant for review. The Head of Business Change and Revenue Services, Head of Accountancy (Chief Financial Officer), and Head of HR, Customer and Communications had been asked to provide comments and a copy of their feedback was attached to the report.

The report explained that the Accounts Commission report gave a good overview of the performance issues and key challenges facing local government which the Council recognised and was working to address. It was commented that councils were being encouraged to develop their understanding of changing landscapes affecting their operation; develop long-term financial and scenario planning; and consider the impact on services and users. Further information was provided on data sharing; the new Community Plan, which included the Local Outcome Improvement Plan known as Fairer East Ren; and the Our Vision for the Future Strategy which underpinned work being undertaken and included the Council's headline strategic outcomes, organisational capabilities, and core values.

The Council's long-term approach to financial planning was highlighted, with reference included to the Financial Planning 2018-2024 document approved by the Council earlier in the year. It was further reported that medium-term financial planning was carried out on a 3-year cycle with estimates for the forthcoming year updated annually. Further information was also included such as on plans to achieve the Council's Vision for the Future, the Outcome Delivery Plan and the Council's recently approved ambitious new digital strategy.

The report also highlighted ongoing work within communities and the delivery of priority outcomes, including the establishment of new arrangements to meet legislative requirements of the Community Empowerment (Scotland) Act 2015; the establishment of robust change strategies, planning transformation of services, and support for change; and continuous improvement through ongoing evaluation and reporting.

Regarding references in the report to the Community Plan and working with communities on identifying residents' local priorities and solutions, Councillor Swift commented on a recent meeting he had attended in Newton Mearns at which it had been evident to him that the local community concerned felt that the Council was not listening to or addressing their concerns and was making their lives worse. He expressed the view that the Council was not always acting in a way that reflected quite a few of its communities' views and had, at times, disregarded or acted in a way that opposed them, citing related examples. Thereafter he referred to related discussions he had just held with the Chief Executive, expressing hope that on the basis of these she would create a team to listen to the views of Newton Mearns residents to resolve in a meaningful way issues they had raised. Supported by Councillor Grant, he stated that he hoped to hear more about this in due course.

The committee noted the report and related comments made, including those made by Councillor Swift on the issues he had raised with the Chief Executive on consultation with residents in Newton Mearns on various issues and how some related issues might be taken forward.

NATIONAL EXTERNAL AUDIT REPORT – COUNCILS' USE OF ARM'S-LENGTH ORGANISATIONS

543. The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Councils' Use of Arm's-Length Organisations* which under the committee's specialisation arrangements had been sent to Councillors Miller and Grant for review. The Director of Education and Head of Accountancy (Chief Financial Officer) had been asked to provide comments and a copy of their feedback was attached to the report.

The report referred to key messages and recommendations for councils on their use of arm's-length organisations (ALEOs) and considered the findings and implications for East Renfrewshire Council's only ALEO, the East Renfrewshire Culture and Leisure Trust (ERCLT). Although the audit report mainly concerned the establishment of future ALEOs, it had provided an opportunity to revisit systems already in place with ERCLT. Regarding seven key messages specified in the audit report, responses were provided on aspects pertinent to East Renfrewshire.

The report referred to the establishment of ERCLT in December 2014, related financial and operational benefits identified then, and the benefit accrued from the experiences of other local authorities which had established ALEOs. Further information was provided on processes and procedures put in place in the context of the Trust and, where appropriate, suggested next steps. It was clarified that ERCLT's business plan and budget required to be approved by the Council annually and that the Director of Education currently reported on

whether or not best value was being delivered. It was suggested that stronger arrangements were required to review service agreements and explained that the Director of Education had agreed to include this in her annual report on ERCLT in future.

Other issues commented on included setting clear criteria for reviewing ALEOs; considering risks, performance and how it fits with Council priorities; oversight of the performance, financial position and risks associated with ALEOs; the appointment of councillors and officers to boards and related issues; training, support and advice; managing potential conflicts of interest and the relationship with ALEOs; and ensuring funding and performance information are clear and publicly available.

Regarding achievements, reference was made to performance improvements made by the ERCLT since its establishment which included a 5-year high in terms of leisure centre attendances; increased gym membership; and improved customer satisfaction rates. It was concluded that ERCLT was performing well, improving customer experiences, meeting its charitable objectives, and contributing to the health and wellbeing of residents. It was clarified that recommendations outlined in the report to improve support to the Trust and the evaluation of its performance in reporting on best value would be taken forward through an action plan that was being finalised.

Councillor Miller commented on the reference to the Barclay Review through which it had been recommended that business rates relief for ALEOs should end, this recommendation having been subsequently reduced to apply to new ALEOs and new facilities, with any difference in new rateable values of replacement buildings being ineligible for rates relief. Referring to the consultation on the new Eastwood Leisure Centre, he expressed the opinion that information on this issue should have been provided to residents and elected Members. Having referred to the Trust's largest assets and additional funds sought by it over two financial years, he questioned if the Trust had a future if a new build facility was pursued in an alternative location to the current Eastwood site.

The Chief Accountant stated that it was her understanding now that, under the current Barclay Review recommendations, the current level of business rates relief would continue if a new building was for the same purpose, but that any difference between the level of business rates for the current building and the new one would be payable. Councillor Grant commented on her understanding of the position, and that she was anticipating that further clarification would be provided at a forthcoming Trust related meeting she was attending. Councillor Miller added that the Barclay Review recommendations remained to be approved.

During discussion, Councillor Swift commented that any decision on a new leisure centre should be influenced by legislative implications, adding that the Council should not build a new facility then find itself punished by related consequences. He added that he held misgivings about the Trust such as on transparency, regarding which he referred to the accessibility of Board Minutes, and about the interests the Trust served which he argued did not include residents of his Ward who did not support a new centre being built in Broom Park. Councillor Swift also expressed the view that siting a new centre where it was not easily accessible by public transport, including by those living in socially deprived areas it was meant to serve, was contrary to the authority's aims of improving health and reducing inequalities. Other issues he commented on regarding the Trust included financial and budget management matters.

Having heard Councillor Ireland refer to the Trust's achievements as specified in the report, she asked if the action plan under development referred to in the report would be submitted to the committee. Councillor Fletcher referred to discussions with the Trust on adhering to budget and outlined general advantages and disadvantages of Trust led versus Council led services.

The committee agreed:-

- (a) that a copy of the action plan being prepared by the Director of Education, Chief Financial Officer and Chief Executive of the Trust be submitted to a future meeting of the committee; and
- (b) otherwise, to note the report.

INTERNAL AUDIT ANNUAL REPORT 2017/18

544. The committee considered a report by the Chief Auditor regarding the annual report on the activities of internal audit during 2017/18, and providing an independent annual opinion on the adequacy and effectiveness of the Council's governance, risk management and internal controls based on work undertaken in 2017/18.

Councillor Miller highlighted reference in the report to an on-going employee disciplinary investigation and the possible identification of the individual concerned, due to which there was a limit to how much information could be provided on the related matter referred to in the report at present. He emphasised that due to the potential involvement of Councillor Grant, Councillor Ireland and him in any future disciplinary process and/or appeals process as members of the Council's Appeals Committee, it would be inappropriate for the committee to have any detailed discussions on this matter at this time.

Whilst commenting on the successful implementation of the Plan, the Chief Auditor reported that all planned audits had been carried out, except two which had been deferred to 2018/19 on which she clarified the position, and that satisfactory responses had been received to all audits except one where the response date had not yet passed. Having commented on seven internal audit reports regarding which some recommendations had not been fully accepted and the related associated risks and reasons provided by management which had been accepted, she summarised the position on various potential fraud and contingency related issues. She also referred to the excellent working relationship that her section had with External Audit.

Regarding the annual statement on the adequacy and effectiveness of the Council's governance, risk management and internal controls, she confirmed that, based on the information available and work carried out, her opinion was that reasonable assurance could be placed upon the adequacy and effectiveness of these controls in the year to 31 March 2018 except regarding four issues. Whilst itemising and commenting on these further, she explained that all related recommendations had been accepted and that follow-up audit work on these would be carried out in due course. Reference was also made to internal audit performance indicators.

In response to questions, the Chief Auditor reported on stock taking work carried out in relation to the housing maintenance service and a Housing Repairs Audit due to be completed in 2018/19, in relation to which the views of a sample of around 30 residents on the service would be amongst work carried out. More generally she clarified that all audit samples were selected by Internal Audit and not a service under review. She added that Members could contact her if they wished to discuss issues regarding the scope of any audit. Councillor Grant referred to the value of Members taking a direct interest in the scrutiny of services provided by the authority, such as by visiting locations where work is carried out as she had done in the past on occasion.

In response to Councillor Ireland, the Chief Auditor confirmed that follow up work on the contract spend audit would be undertaken in due course on which a report would be

prepared, and that access to any audit report could be provided to Members of the committee on request.

The committee agreed:-

- (a) to approve the statement on the adequacy and effectiveness of the Council's governance, risk management and internal control systems and submit it to the Council; and
- (b) otherwise, to note the internal audit annual report 2017/18.

INTERNAL AUDIT PLAN 2018/19

545. The committee considered a report by the Chief Auditor regarding progress made on the implementation of the 2018/19 Internal Audit Plan from 1 April to 30 June 2018. The report confirmed the number of reports issued during the quarter and that all recommendations had been accepted. Reference was also made to the quarterly performance indicators (PIs) for the section.

Whilst presenting her report, the Chief Auditor highlighted changes to the format arising from the implementation of recommendations made by the External Auditor following the annual review of internal audit and linked to the external assessment of compliance with Public Sector Internal Audit Standards (PSIAS). She clarified that the report now included details of the number of high, medium and low recommendations arising from each audit; the number of recommendations which were not accepted; and a summary of the findings in each case. She invited Members to advise her if they wished her to consider fine-tuning the format further.

The Chief Auditor confirmed that during the quarter some work had been done on completing 2017/18 audits and that four new audits reports had been issued, two of which had not had any recommendations and one of which related to the Trust. She clarified that Trust related audit reports were submitted to the Trust not this committee.

The committee, having heard Councillor Miller reiterate that copies of audit reports could be requested from the Chief Auditor via the Clerk and that it was an option to submit them to the committee for further discussion, agreed:-

- (a) not to seek any of the reports issued in the quarter at this stage; and
- (b) otherwise, to note the report and related comments made.

CHAIR

MINUTE
of
EDUCATION COMMITTEE

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 23 August 2018.

Present:

Councillor Paul O’Kane (Chair)	Councillor Charlie Gilbert
Councillor Colm Merrick (Vice Chair)	Councillor Gordon Wallace
Councillor Caroline Bamforth	Ms Dorothy Graham
Councillor Tony Buchanan (Leader)	Mr Des Morris
Councillor Danny Devlin	

Councillor O’Kane in the Chair

Attending:

Mhairi Shaw, Director of Education; Janice Collins, Head of Education Services (Equality and Equity); Mark Ratter, Head of Education Services (Quality Improvement and Performance); Tracy Morton, Education Senior Manager; Eamonn Daly, Democratic Services Manager; and Liona Allison, Democratic Services Support Officer.

Also attending:

Sarah Clark, Head Teacher; Ursula Scrimgeour, Depute Head Teacher; and Lynn O’Brien, teacher; Beth Brady, Head Girl; Alex Oliphant, Head Boy; Amber Weizig and Musa Choudhry, pupils, Isobel Mair School; and Ruairdh Edgar and Rachael Lafferty, pupils, Woodfarm High School; and Rob Lawson, Head Teacher, Giffnock Primary School.

Apologies:

Councillor Alan Lafferty; Dr Frank Angell and Ms Mary McIntyre.

DECLARATIONS OF INTEREST

546. There were no declarations of interest intimated.

DREAMS COME TRUE WEEKEND 2018

547. Councillor O’Kane welcomed staff and pupils from Isobel Mair School and pupils from Woodfarm High School who had attended the recent Dreams Come True Weekend at Lochgoilhead Outdoor Centre.

Having highlighted that the 2018 event had been combined with Bronze and Silver Duke of Edinburgh Award expeditions, the Head of Education Services (Equality and Equity) explained that a number of young people with additional support needs from Isobel Mair School and some from mainstream secondary schools had attended the event. As in previous years, each young person had been partnered with a senior pupil from S5 who had volunteered to be a “buddy” to that young person over the weekend, although this year had for the first time also seen a senior pupil from Isobel Mair acting as a “buddy” to a younger pupil from the school.

Details of some of the activities in which the pupils had been involved were provided. These included sailing, canoeing climbing and orienteering, as well as more social events including a talent show and disco.

The young people then presented a number of photographs to members of the committee demonstrating the range of exciting activities in which they had taken part over the weekend and explained what they had gained from attending the event. The “buddies” from Woodfarm High School explained how they had made new friends and increased their own self-confidence and also commented on the positive relationships which had developed between themselves and the pupils from Isobel Mair School.

Councillor O’Kane, supported by other members, commended the valuable experience gained by all of the participants. On behalf of the committee he congratulated all of the young people who had taken part in the event both from Isobel Mair School and their “buddies” and also thanked those members of staff who had worked so hard and given up their weekend to ensure that the event had been such a success.

GIFFNOCK PRIMARY SCHOOL AND NURSERY CLASS - EDUCATION SCOTLAND INSPECTION REPORT

548. The committee considered a report by the Director of Education advising of the findings of the Education Scotland inspection of Giffnock Primary School and Nursery Class carried out in January 2018, published in June 2018, and providing details of the action plan that had been prepared to address the agreed areas for improvement. A copy of the inspection report and action plan accompanied the report.

The report explained that this was only the second East Renfrewshire establishment to be inspected under the new inspection framework under which Education Scotland evaluated 4 quality indicators and thereafter produced a short report detailing strengths and areas for improvement.

The report further explained that in assessing the quality indicators in the school, Education Scotland had evaluated 2 aspects of the work, leadership of change; and learning, teaching and assessment, to be “good”, whilst the other 2 aspects, raising attainment and achievement; and ensuring wellbeing, equality and inclusion, had been evaluated as “very good”. In terms of the nursery class 3 aspects of work, leadership of change; learning, teaching and assessment; and securing children’s progress, had been evaluated as “good”, whilst the fourth, ensuring wellbeing, equality and inclusion was evaluated as “very good”.

Having highlighted the high quality of the inspection report it was explained that two areas for improvement had been identified. The first action related to increased staff focus on a smaller number of key priorities over the year with all initiatives across the school being directed towards raising attainment and achievement for all learners. The second related to improvements in approaches to planning learning, teaching and assessment to ensure consistently high quality experiences with staff making sure all children were appropriately challenged with children being more involved in leading their learning.

An action plan to address the agreed areas for improvement had been drawn up and the Quality Improvement Service (QIS) would work closely with the school and leadership team to support its implementation.

Education Scotland would make no further reports in connection with the inspection of Giffnock Primary School and Nursery Class. However the QIS would revisit the school within 2 years to review the impact of the school's improvement plan and to provide a progress report to parents and Elected Members.

Whilst welcoming the report, Councillor Wallace noted the high incidence of "good" evaluations. Recognising that there may have been changes to the inspection regime since his time as a member of the Education Committee some years ago, he suggested that the inspection reports that were presented to committee at that time contained many more evaluations of "very good" and "excellent".

In reply the Head of Education Services (Quality Improvement and Performance) confirmed that there had been a change in the inspection regime with national standards being driven up, and explained that of the 173 inspections carried out under the new arrangements only 11 evaluations of "excellent" or "very good" had been achieved. He reported that whilst the report was positive, there was still an ambition to better the evaluation ratings that had been obtained, and the action plan that had been prepared would help in this.

In addition, the Director highlighted that in many cases the school was delivering very good and excellent practice with the challenge being to do so on a consistent basis. Taking into account the new national context she stated that she was delighted with the report.

Councillor Merrick welcomed the report, referred to the evaluations obtained in the context of the 6-point grading scale in use and noted that the committee would hear in due course on how the action plan was being delivered and the changes it was making.

Councillor Gilbert recognised the ambition of pupils and teachers to do as well as possible and the support provided by the directorate to help this be achieved.

Councillor O'Kane then welcomed to the meeting Mr Rob Lawson, Head Teacher.

Mr Lawson paid tribute to the work of all those involved in achieving such a positive inspection report; staff and pupils, officers in the department, and Elected Members. Referring to the report's findings he welcomed the report's comments recognising how the children were able to articulate their learning, that the report's findings aligned with the issues identified by the school in its own self-evaluation, and that the report was being seen very much as a platform for future development.

Councillor O'Kane on behalf of the committee offered congratulations to the school for the report.

The committee:-

- (a) noted the report; and
- (b) approved the action plan.

OVERVIEW OF 2018 SQA EXAMINATION RESULTS

549. Councillor O’Kane invited Dr Mark Ratter, Head of Education Services (Quality Improvement and Performance), to give a brief overview of attainment in Scottish Qualifications Authority (SQA) examinations in East Renfrewshire schools in 2018.

Dr Ratter explained that the 2018 results were outstanding across all the key measures. He also explained that the achievements of young people in East Renfrewshire had rightly attracted much publicity and that the Education Department was delighted with the results across its secondary schools, with young people managing to outperform the previous best ever S5 and S6 results.

Before commenting further Dr Ratter acknowledged that the high standards achieved were as a result of the learning that took place throughout the broad general education and senior phase in conjunction with the hard work of pupils and support of staff and parents.

Thereafter he highlighted a number of particular achievements. These included, amongst others, continuing strong performance of young people in S4 with 75% of the year group achieving 5 or more qualifications at level 5 or better, similar to the previous year; 283 pupils (21% of the year group) achieving 8 or more grade A passes at National 5 up from 20% the previous year; and an increase in the number of pupils on the original S4 roll achieving 5 or more Highers. He also highlighted that Barrhead and Williamwood High Schools had achieved their best ever S5 results; best ever performance across the authority at Advanced higher level in S6 with 41% of the original S4 group achieving 1 or more Advanced Highers, an increase of 2% from 2017; and St Luke’s and St Ninian’s High Schools achieving their best ever results for the proportion of S6 pupils achieving 1 or more Advanced Highers with an increase of almost 5% in the case of St Ninian’s High School.

Dr Ratter concluded by saying that the improvements at S4, S5 and S6 in the 2018 SQA results provided further clear evidence that the department had raised the bar for all pupils and was delivering on its vision of *Everyone Attaining, Everyone Achieving through Excellent Experiences*.

In response to questions from Councillor Wallace on the reduction of pupils being presented for examination in science, technology, engineering and maths (STEM) subjects, Dr Ratter explained that whilst this may be the picture nationally, this trend was not reflected locally with the number of presentations in these subjects, particularly mathematics, going up. He also highlighted the department’s STEM Strategy as part of which a broad curriculum was maintained through S3 and S4, helping to maximise opportunities for pupils.

Councillor Buchanan then congratulated the Director and her team on another set of impressive results. He referred to the challenge of maintaining such high levels and how the results achieved suggested that the department was delivering on its aim of improving consistency of learning across the authority.

Councillor Bamforth welcomed the report and how the figure of 45% achieving 5 or more Highers compared extremely well against the national average of 16%.

Councillor O’Kane having also welcomed the very positive results, and having reminded members that the results were not an end in themselves but a means to opening up opportunities for the young people of East Renfrewshire, the committee noted the information provided and that a more detailed presentation would be submitted to a future meeting.

HEALTH, SAFETY AND SECURITY – REVIEW OF 2017/18 AND PRIORITIES FOR 2018/19

550. Under reference to the Minute of the meeting of 24 August 2017 (Page 100, Item 108 refers), when it had been agreed that a further report would be provided at the end of session 2017/18, the committee considered a report by the Director of Education reviewing progress in achieving the key objectives in health, safety and security in 2017/18. The report also looked forward to the forthcoming year noting that the department remained committed to health, safety and security issues and setting further goals for 2018/19. A copy of the Education Department Annual Health, Safety and Security Report accompanied the report.

The Head of Education Services (Provision and Resources) reported that the department remained committed to maintaining and improving its standards in health, safety and security and this was evidenced by the work undertaken in 2017/18 details of which were contained in the report, and the planned activity for 2018/19. Priority areas for 2018/19 included, amongst others, the completion of fire warden training and safe use of ladders training for 20% of schools; the completion of evacuation chair training, and conclusion of a review of Standard Circular 8(b) – Incidents of Anti-Social Behaviour and Violence towards Staff; and a review of Standard Circular 33 – Safety in Outdoor Education – A Code of Practice.

Commenting further on the report the Head of Education Services (Provision and Resources) highlighted the significant decrease in the number of incidents of violence to staff from 359 to 262 (27%). She clarified that as in the past, the incidents tended to involve a small number of children with identified additional support needs.

Mr Morris having welcomed the reduction and the fact that it reversed a trend over recent years, Councillor Merrick sought clarification of a number of matters in relation to fire safety.

In reply the Head of Education Services (Provision and Resources) confirmed that fire warden training was conducted on a cyclical basis but that training was not restricted and staff from schools outwith those that had been identified were not excluded if training was required. She further explained the reasons for the rating of the Fire Risk Assessment in relation to St Joseph's Primary School remaining at "High" and the steps that were being taken to address this. In addition, she confirmed that the assessments in relation to Barrhead High School were in relation to both the old and the new schools, that the assessment on the new school was conducted during the transition period, and that the risk assessment rating was now "low". Concluding she commented on the descriptors of incident type associated with the accident and incident figures that were reported.

Thereafter, the committee agreed to:-

- (a) note the progress made in 2017/18 in achieving the Education Department's agreed health, safety and security objectives;
- (b) approve the health, safety and security objectives recommended for 2018/19; and
- (c) instruct the Director of Education to provide a further report at the end of session 2018/19.

EDUCATION DEPARTMENT YEAR END REPORT 2017/18

551. The committee considered a report by the Director of Education informing members of the year end performance of the Education Department based on performance indicators

in the Outcome Delivery Plan (ODP) 2017 -20. A copy of the Education Department Year End Report 2017/18 accompanied the report.

The Head of Education Services (Quality Improvement and Performance) reported that progress against the performance indicators and activities in the ODP was reviewed on a six-monthly basis and the report set out a high level summary of the performance of the Education Department throughout 2017/18 under the headings of; Outcomes, Customers, Efficiency and People. A number of key highlights under each heading were included along with areas where further improvement was necessary. He went on to explain that the information presented in the report represented a very positive picture overall.

Welcoming the report, Councillor Wallace queried whether there had been any negative impacts associated with the implementation of the new admin and clerical structure. In reply, the Director explained that the new structure had been designed to work in tandem with, for example, the introduction of digital processes such as ParentPay, which reduced the amount of time that needed to be spent on cash handling tasks by school staff.

She confirmed that some further development was still required to maximise the digital opportunities which would become available, and that the structure would be kept under review.

Councillor Buchanan having welcomed the report and highlighted the challenges facing the council as an already high-performing authority, the committee approved the report as a summary of the Education Department's year end performance for 2017/18.

NATIONAL IMPROVEMENT NETWORK

552. The committee considered a report by the Director of Education providing an update on the department's progress in implementing priorities associated with the National Improvement Framework for Scottish Education (NIF). A copy of the evidence report submitted to Education Scotland accompanied the report.

The report referred to the introduction of the NIF which was intended to drive both excellence and equity in Scottish education, to the planning and reporting duties that underpinned the NIF, and how it mirrored the Council's aspirations as set out in various plans and strategies including the departmental strategy *Advancing Excellence and Equity in Education in East Renfrewshire*.

In addition, the report explained that the annual Standards and Quality Report produced by the department provided evidence of how the bar had been raised for all learners, whilst at the same time the inequalities of outcome experienced by the more disadvantaged children and young people in the area had been reduced. This was in addition to setting out progress that had been made towards the NIF's 4 national priorities, details of which were outlined.

Thereafter, having provided brief details of the department's annual evaluation process, the report outlined the sources from which the information contained in the evidence report had been drawn as well as highlighting that the evidence report contained a high level summary of the progress being made locally in delivering the 4 NIF priorities, with a number of examples being listed including very strong and improving SQA results in S4, S5 and S6, and improvements in the proportion of children and young people in the most deprived 20% achieving the expected levels of reading at P4 and P7; and numeracy across all stages.

The report also listed a number of examples of local drivers for improvement including the recently approved Leadership Strategy and Parental Engagement Strategy amongst others. The report noted that the implementation of priorities would be monitored on an ongoing basis and reported to the committee annually through yearly presentations on attainment and Standards and Quality Reports.

Councillor Wallace having welcomed the increasing number of pupils attaining vocational qualifications at SCQF Level 5 or 6, the Council's performance being significantly better than the national average, Dr Ratter highlighted the outstanding range of vocational opportunities available to East Renfrewshire young people, delivered in a variety of settings, which help to make them well placed for future working life.

The committee noted the report.

CHAIR

MINUTE
of
CIVIC HOSPITALITY COMMITTEE

Minute of Meeting held at 10.30am in the Council Chamber, Council Headquarters, Giffnock, on 28 August 2018.

Present:

Provost Jim Fletcher (Chair)
Councillor Barbara Grant

Councillor Annette Ireland
Councillor Stewart Miller

Provost Fletcher in the Chair

Attending:

Margaret Pettigrew, Members Services Officer; Ron Leitch, Committee Services Officer; and Liona Allison, Democratic Services Support Officer.

Apology:

Deputy Provost Betty Cunningham (Vice Chair)

DECLARATIONS OF INTEREST

553. There were no declarations of interest intimated.

**REQUEST FOR CIVIC HOSPITALITY – NEILSTON AND UPLAWMOOR
COMMUNITY FIRST RESPONDERS – PRESENTATION OF QUEEN’S AWARD
FOR VOLUNTARY SERVICE**

554. The committee considered a report by the Deputy Chief Executive seeking consideration of a request for the Council to host a civic reception at which the Queen’s Award for Voluntary Service (QAVS) would be presented to Neilston and Uplawmoor Community First Responders. Full details of the request accompanied the report.

The committee, following discussion, agreed that the request to host a civic reception at which the Queen’s Award for Voluntary Service (QAVS) would be presented to Neilston and Uplawmoor Community First Responders be approved.

CHAIR

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 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.

Sederunt

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.

MINUTE
of
TEACHING STAFF APPEALS COMMITTEE

Minute of Meeting held at 10.00am in the Committee Room, Council Headquarters, Giffnock on 31 August 2018.

Present:

Councillor Colm Merrick (Vice Chair)
Councillor Alan Lafferty

Councillor Jim McLean
Councillor Gordon Wallace

Councillor Merrick in the Chair

Attending:

Katherine Robb, Senior Solicitor; Alison Findlay, Policy and Employment Law Adviser; and Jennifer Graham, Committee Services Officer.

Apology:

Councillor Paul O’Kane (Chair).

DECLARATIONS OF INTEREST

565. There were no declarations of interest intimated.

Resolution to Exclude Press and Public

At this point in the meeting, on the motion of the Chair, the Committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following item of business on the ground that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act.

DISMISSAL APPEAL – EDUCATION DEPARTMENT – 1/2018

566. The appellant was accompanied by a family member in connection with his appeal.

Ms Tracy Morton, Education Senior Manager, appeared on behalf of management.

The management representative made her submission to the committee and was heard in answer to questions on her submission. Ms Mhairi Shaw, Director of Education, Mr John Docherty, Head Teacher, Ms Marion Carlton, Head Teacher, and Ruth Baillie, HR Business

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Partner entered the meeting as witnesses and were heard in response to questions from both parties and Elected Members. Ms Carlton was accompanied by her trade union representative, Ms Diane Henderson.

Following completion of the management submission, and following discussion with both parties, the committee agreed that the meeting be adjourned to a date to be confirmed.

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 5 September 2018.

Present:

Councillor Annette Ireland (Chair)
 Councillor Betty Cunningham (Vice Chair)
 Provost Jim Fletcher

Councillor Stewart Miller
 Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Sean McDaid, Principal Planner, and Ian Walker, Senior Planner, Development Management; Graham Shankland, Principal Business Intelligence Officer; and Paul O'Neil, Committee Services Officer.

Apologies:

Councillors Angela Convery; and Jim McLean.

DECLARATIONS OF INTEREST

567. There were no declarations of interest intimated.

APPLICATION FOR PLANNING PERMISSION

568. The committee considered a report by the Director of Environment on an application for planning permission requiring consideration by the committee.

It was agreed that the application be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

2017/0482/TP — Proposed erection of units for use as office and storage space at site to rear of 17 Eaglesham Road, Clarkston, by Byrne Home Improvements Limited

The Senior Planner outlined the proposal to the committee in the course of which in response to a question he clarified that the design of unit 5 had been amended to remove the roller shutter/vehicular access arrangement and as a consequence it would not conflict with the existing footpath running immediately in front of the unit.

Councillor Miller expressed concerns about the access to the site; that the road was not adopted by the Council and in his opinion it was not suitable for use as commercial units.

Whilst noting that the Council's Roads service had offered no objections to the proposal on the grounds that it would have no impact on the public network, Councillor Miller stressed that in his opinion the access road was dangerous insofar as it was narrow and cars parked on either side of it.

At this stage, the committee agreed that consideration of the application be continued to allow site visit to take place.

CHAIR

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

Index of applications under the above acts considered by Planning Applications Committee on
05.09.2018

Reference No: 2017/0482/TP

Ward: 4

Applicant:

Byrne Home Improvements Ltd
Mr. Joe Byrne
311 Clarkston Road
Glasgow
G44 3EJ

Agent:

Robert Thompson Designs
Robert Thompson
5 Queen Square
Glasgow
G41 2BG

Site: Site to Rear of 17 Eaglesham Road Clarkston East Renfrewshire

Description: Erection of units for use as office and storage space.

Decision: Continued

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 5 September 2018.

Present:

Councillor Annette Ireland (Chair)
Councillor Betty Cunningham (Vice Chair)
Provost Jim Fletcher

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

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

Apologies:

Councillors Angela Convery; and Jim McLean.

DECLARATIONS OF INTEREST

569. Provost Fletcher declared a non-financial interest in relation Item 571 on the grounds that the applicants were friends and also his neighbours and Councillor Swift declared a non-financial interest in relation to Item 572 on the grounds that he had received representations from both the applicant and the objector and had submitted written representations in relation to the review case.

NOTICE OF REVIEW – REVIEW 2018/13 – ERECTION OF UPPER STOREY EXTENSION AT REAR AND ERECTION OF SINGLE STOREY REAR EXTENSION AT 32 MOORBURN AVENUE, GIFFNOCK (REF NO: 2018/0059/TP)

570. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mrs Musroof Begum against the decision taken by officers to refuse planning permission in respect of the erection of an upper storey extension at rear and erection of single storey rear extension at 32 Moorburn Avenue, Giffnock.

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

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

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

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

Following discussion, it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 26 April 2018 and refuse planning permission.

Sederunt

Provost Fletcher left the meeting before consideration of the following item.

NOTICE OF REVIEW – REVIEW 2018/14 – ERECTION OF SINGLE STOREY REAR EXTENSION AND ENLARGEMENT OF SINGLE STOREY EXTENSION/PORCH AT FRONT AT 48 ABERCORN ROAD, NEWTON MEARNS (REF NO: 2018/0133/TP)

571. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr and Mrs William Lithgow against the decision taken by officers to refuse planning permission in respect of the proposed erection of a single storey rear extension; enlargement of single storey extension/porch at front at 48 Abercorn Road, Newton Mearns.

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

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

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

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

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 10 May 2018 be overturned and that planning permission be granted.

Sederunt

Provost Fletcher re-entered the meeting at this stage and Councillor Swift left the meeting prior to the consideration of the following item.

NOTICE OF REVIEW – REVIEW 2018/15 – ERECTION OF SINGLE STOREY REAR EXTENSION WITH PATIO; INSTALLATION OF DORMER WINDOWS AT REAR AND ENLARGEMENT OF DORMER WINDOWS AT FRONT (AMENDMENT TO PREVIOUS PLANNING PERMISSION 2017/0398/TP) TO ENLARGE DORMER WINDOWS AND INSTALL WINDOWS IN GABLES (IN RETROSPECT) AT 3 KIRKVALE DRIVE, NEWTON MEARNS (REF NO: 2018/0066/TP)

572. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Paul Allan against the decision taken by officers to refuse planning permission in respect of the proposed erection of a single storey rear extension with patio; installation of dormer windows at rear and enlargement of dormer windows at front (amendment to previous planning permission 2017/0398/TP) to enlarge dormer windows and install windows in gables (in retrospect) at 3 Kirkvale Drive, Newton Mearns.

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

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

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

Following discussion, it was agreed to uphold the decision of the Appointed Officer as detailed in the decision notice of 15 May 2018 and refuse planning permission.

Sederunt

Councillor Swift re-entered the meeting at this stage.

NOTICE OF REVIEW – REVIEW 2018/16 – ERECTION OF SINGLE STOREY REAR EXTENSION AT THE CEDARS, 26A BELMONT DRIVE, GIFFNOCK (REF NO: 2018/0209/TP)

573. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Gordon Thompson against the decision taken by officers to grant planning permission, subject to a condition in respect of the proposed erection of a single storey rear extension at The Cedars, 26A Belmont Drive, Giffnock.

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

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

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

520

Following discussion, it was agreed to that the decision of the Appointed Officer as set out in the decision notice of 30 May 2018 be overturned and that planning permission be granted without condition.

CHAIR

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 11 September 2018.

Present:

Councillor Angela Convery (Chair)	Councillor Alan Lafferty
Councillor Betty Cunningham (Vice Chair)	Councillor Stewart Miller
Councillor Charlie Gilbert	

Councillor Convery in the Chair

Attending:

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

Also Attending:

Sergeant Scott Brown, Police Scotland.

DECLARATIONS OF INTEREST

574. There were no declarations of interest intimated.

Resolution to Exclude Press and Public

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for Items 575 to 579 below on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

575. Under reference to the Minute of the meeting of 14 August 2018 (Page 482, Item 526 refers) when it had been agreed to defer consideration of an application to allow the applicant to make a personal appearance, failing which the committee would determine the application in his absence, the committee considered a report by the Chief Officer (Legal &

Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 3 refers). The applicant, having again been invited to attend was not present. Sergeant Brown, representing the Chief Constable, who had made an objection in respect of the application, was present.

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

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

Following brief discussion the committee, having taken account of the applicant's previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not considered a fit and proper person to be the holder of such a licence by virtue of his previous conviction.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

576. Under reference to the Minute of the meeting of 14 August 2018 (Page 482, Item 528 refers) when it had been agreed to defer consideration of an application to allow the applicant to make a personal appearance, failing which the committee would determine the application in his absence, the committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 4 refers). The applicant, having again been invited to attend, was not present. Sergeant Brown, representing the Chief Constable, who had made an objection in respect of the application, was present.

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

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

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

TAXI DRIVER'S LICENCE – APPLICATION FOR RENEWAL

577. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the renewal of a Taxi Driver's Licence (Agenda Item 5 refers). The applicant was present. Sergeant Brown, representing the Chief Constable, who had made a representation in respect of the application, was also present.

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

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

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

Following brief discussion the committee, having taken account of the submission made by the applicant, and also having taken account of the representation by the Chief Constable, agreed to grant the application subject to the applicant being advised that under the terms and conditions of the licence he was obliged to notify the Council of the outcome of any future pending court case as soon as it had been determined.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

578. Under reference to the Minute of the meeting of 14 August 2018 (Page 482, Item 527 refers) when it had been agreed to defer consideration of an application to allow the applicant's legal representative time to time to prepare a case on behalf of their client, the committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 6 refers). The applicant was present accompanied by his solicitor, Patrick Campbell of Campbell & McCartney Solicitors. Sergeant Brown, representing the Chief Constable, who had made a representation in respect of the application, was also present.

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

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

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

Following brief discussion the committee agreed to continue consideration to the next meeting in order to allow the applicant to seek clarification from Glasgow City Council in respect of the status of the Private Hire Car Driver's Licence which he currently holds with them.

TAXI AND PRIVATE HIRE CAR DRIVER'S LICENCES – APPLICATION FOR RENEWAL AND NOTICE OF SEQUESTRATION

579. Under reference to the Minute of the meeting of 14 August 2018 (Page 482, Item 525 refers) when it had been agreed to defer consideration of an application to allow the applicant's legal representative time to time to prepare a case on behalf of their client, the committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the renewal of four Private Hire Car Driver's Licences and one Taxi Driver's Licence. (Agenda Item 7 refers). The applicant was present accompanied by his solicitor, Scott Banks of Banks, Devlin & Co Solicitors.

The applicant's solicitor was heard in respect of the applications for the renewal of the five licences in the course of which he expressed the view that the application was a completely separate issue from the matter of the applicant's sequestration which was a matter for the Accountant in Bankruptcy and the appointed trustee to pursue independently of the Council.

The applicant's solicitor was then heard in response to questions from Members.

Following brief discussion the committee agreed to grant the applications for a period of 1 year subject to standard terms and conditions.

Sederunt

The meeting was opened to the press and public at this point.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – SECTION 9 RESOLUTION UPDATE – PUBLIC ENTERTAINMENT LICENCES

580. The committee considered a report by the Chief Officer (Legal & Procurement) regarding activities on premises or types of premises that should be included in the requirement for a public entertainment licence.

The report explained that under the terms of Section 9 of the Civic Government (Scotland) Act 1982 a variety of licences, including public entertainment licences, were considered to be optional, it being for each local authority to determine what activities on premises or types of premises should be licensed.

The report went on to outline the present categories of premises requiring a public entertainment licence. It explained that the Council had carried out a public consultation on possible changes early in 2018 but that no responses had been received. Police Scotland had indicated that they would prefer that larger events required to be licensed as this would allow them to comment on such events during the consultation period. For example, Glasgow City Council had a requirement that any event likely to attract more than 500 participants or spectators at any one time would require a licence.

A list of suggested premises and events which could require a licence and which could form the basis of a revised Section 9 resolution on public entertainment licences was appended as Appendix 1 to the report.

The committee agreed:-

- (a) that activities on premises that require the premises to obtain a Public Entertainment Licence as proposed in Appendix 1 to the report be approved;
- (b) that the list of exemptions as proposed in Appendix 1 to the report be approved; and
- (c) to authorise the Chief Officer (Legal & Procurement) to carry out the necessary administrative procedures including further statutory consultation.

CHAIR