

MINUTE VOLUME CONTENTS

Cabinet (already approved by Council on 31 October)	25 October 2018	579
Council	31 October 2018	585
Planning Applications Committee	7 November 2018	607
Local Review Body	7 November 2018	613
Licensing Committee	13 November 2018	615
Education Committee	15 November 2018	621
Appeals Committee	16 November 2018	625
Cabinet (Police & Fire)	22 November 2018	627
Audit & Scrutiny Committee	22 November 2018	631
Cabinet	29 November 2018	639
Planning Applications Committee	5 December 2018	643
Local Review Body	5 December 2018	649
Cabinet	6 December 2018	653
Licensing Committee	11 December 2018	657

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 25 October 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; Caroline Innes, Deputy Chief Executive; Andy Cahill, Director of Environment; Phil Daws, Head of Environment (Strategic Services); Murray Husband, Head of ICT and Digital Enablement; Gerry Mahon, Chief Officer – Legal and Procurement; Barbara Clark, Chief Accountant; Kofi Tordzro, Corporate Equality Manager; Robert Spencer, Principal Accountant (Revenue); Mark Waugh, Principal Accountant (Capital); and Paul O’Neil, Committee Services Officer.

DECLARATIONS OF INTEREST

638. There were no declarations of interest intimated.

ICT ASSET MANAGEMENT PLAN 2016-20

639. The Cabinet considered a report by the Deputy Chief Executive, seeking approval of the updated ICT Asset Management Plan 2016-20. A copy of the plan was appended to the report.

The report explained that the plan sought to provide a context for an overview of the scope, scale and current state of the Council’s ICT estate, identified future actions and potential risks and sought to provide a well-managed and cost effective ICT estate. Whilst noting that the context of the plan was informed by a range of legislation, policy, plans and strategies, the report highlighted that there were also a range of key drivers which served to shape the content of the plan and these were mainly development issues, performance measures and future activities.

Furthermore, the plan highlighted that ICT asset management and maintenance within the Council was effective, with significant work being undertaken with increased emphasis on improving processes and using modern technologies which would have beneficial effects in reducing the management burden of the ICT assets whilst increasing their effective lifespan.

The Cabinet approved the updated ICT Asset Management Plan 2016-20.

ANNUAL PROCUREMENT REPORT 2017/18

640. The Cabinet considered a report by the Chief Officer – Legal and Procurement, providing an update of regulated procurement activities during the period 1 January 2017 to 31 March 2018 and seeking approval of the Council's first Annual Procurement Report. A copy of the document was appended to the report.

The report explained that this was the Council's first annual procurement report to be published, providing greater transparency of regulated procurement activities within the Council to the benefit of both the Council's residents and suppliers. The inclusion of proposed procurement exercises being conducted over the two year period to April 2020 allowed the market place to prepare for subsequent tenders and encouraged early engagement to take place.

The Cabinet:-

- (a) approved the Annual Procurement Report 2017/18; and
- (b) otherwise noted the terms of the report.

EAST RENFREWSHIRE BRITISH SIGN LANGUAGE PLAN 2018-24

641. The Cabinet considered a report by the Deputy Chief Executive, seeking approval of the draft East Renfrewshire British Sign Language Plan 2018-24. A copy of the plan was appended to the report.

Whilst noting that the British Sign Language (Scotland) Act 2015 received Royal Assent on 22 October 2015, and that the aim of the Act was to promote the use of British Sign Language, BSL, the report explained that the Act required public bodies listed in the schedule of the Act, including local authorities, to prepare and publish their own BSL plans in connection with the exercise of their functions by October 2018 and to provide for the manner in which such plans were being prepared and for their review and updating.

The report also explained that the Council's British Sign Language Plan had been developed in partnership with British Sign Language users and relevant statutory partners and would act as a useful vehicle to improve the life chances of local deaf/deaf blind BSL users. Furthermore, it would contribute to the Scottish Government's ambition to make Scotland the best place in the world for BSL users to live, work and visit.

The Cabinet:-

- (a) noted the legal duty placed on listed public bodies in Scotland, including the Council, to prepare and publish British Sign Language Plans;
- (b) approved the East Renfrewshire British Sign Language Plan 2018-24; and
- (c) agreed that future updates on the implementation of the plan would be included in updates on the Council's Equality Mainstreaming and Outcomes reports.

ESTIMATED REVENUE BUDGET OUT-TURN 2018/19

642. 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 17 August 2018:-

- (i) Objective and Subjective Summaries;
- (ii) Education Department;
- (iii) Contribution to Integration Joint Board;
- (iv) Environment Department;
- (v) Environment Department – Support;
- (vi) Chief Executive's Office;
- (vii) Chief Executive's Office – Support;
- (viii) Corporate and Community Services Department – Community Resources;
- (ix) Corporate and Community Services Department – Support;
- (x) Other Expenditure and Income;
- (xi) Joint Boards;
- (xii) Contingency – Welfare;
- (xiii) Health and Social Care Partnership; and
- (xiv) Housing Revenue Account.

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

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

Furthermore, it was noted that a number of operational variances required management action to ensure that expenditure would be in line with budget at the end of the financial year. However, the report indicated that management action would lead to all overspends being recovered, that all underspends were consolidated wherever possible and that spending up to budget levels did not take place.

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

- (a) to approve the budget adjustments and virements in relation to current year pay pressures and proposed initiatives as set out in the report;
- (b) to note the proposals to reduce the 2018/19 Revenue Budget and increase the 2019/20 Revenue Budget by £826,000 and that **this be remitted to the Council for approval**;
- (c) that the service virements and operational adjustments as set out in the report be approved;
- (d) that management action be taken to remedy the forecast overspends; and

- (e) that all departments continue to closely monitor their probable out-turn position.

GENERAL FUND CAPITAL PROGRAMME 2018/19

643. The Cabinet considered a report by the Chief Financial Officer, monitoring expenditure as at 5 September 2018, against the approved General Fund Capital Programme 2018/19 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

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

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

The Cabinet agreed to:-

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

HOUSING CAPITAL PROGRAMME 2018/19

644. The Cabinet considered a joint report by the Chief Financial Officer and Director of Environment, monitoring expenditure as at 7 September 2018 against the approved Housing Capital Programme 2018/19 and recommending adjustments where necessary in light of the issues that had arisen since the programme had been approved.

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

The Cabinet agreed to:-

- (a) approve the transfer of £90,000 from the Communal Door Entry Systems project to Estate Works;
- (b) **recommend to the Council** that the movements within the Housing Capital Programme 2018/19 be approved; and
- (c) note that the shortfall of £85,000 would be managed and reported on a regular basis.

ANNUAL PERFORMANCE RETURN (SCOTTISH SOCIAL HOUSING CHARTER)

645. The Cabinet considered a report by the Director of Environment, advising of the Council's performance in the Annual Return on the Charter to the Scottish Housing Regulator (SHR) on the Scottish Social Housing Charter (SSHC). Details of the Council's performance against the indicators as set out by the Charter were appended to the report.

The report explained that the Scottish Social Housing Charter required each social landlord (councils and Housing Associations) to provide the SHR with details of performance against 37 performance indicators and information for 32 contextual indicators by 31 May each year which was known as the "Annual Return on the Charter" (ARC). The SHR used the information from the ARC and other sources to determine any key areas of risk identified in the Local Scrutiny Plan for each local authority.

The Council's performance and progress across key indicators including rent levels, arrears, tenant satisfaction, quality and maintenance of homes, housing maintenance, neighbourhood, access to housing and allocations was outlined in the report. In approximately 80% of the ARC indicators the Council had performed above the Scottish council average and also performed above the Scottish average for all landlords in key areas such as maintaining its homes, tackling anti-social behaviour and adaptations.

However, it was noted that in terms of overall tenant satisfaction the Council's performance was below the Scottish average. The reasons for this together with the action that the Council proposed to take to address this issue were outlined in the report.

The Cabinet noted the performance in the Annual Return on the Scottish Social Housing Charter.

SCOTTISH HOUSING REGULATOR

646. Under reference to the Minute of the meeting of 24 May 2018 (Page 408, Item 448 refers), when it was agreed to note amongst other things the areas in the Local Scrutiny Plan that would be subject to external monitoring in 2018/19 including housing and homelessness, the Cabinet considered a report by the Director of Environment, advising on the issues highlighted as concerns for Housing Services in the Local Scrutiny Plan for 2018/19.

The report explained that the Scottish Housing Regulator (SHR) undertook an annual risk assessment of the performance of all Scottish landlords and engaged with landlords to address areas of concern. Whilst noting that data was submitted by the Council on a quarterly basis to the Scottish Government on the delivery of homelessness duties through a national database, the report explained that the role of the SHR was to assess performance against previous years and against other landlords. Any risks or concerns identified were highlighted to the relevant authority and included in the Local Scrutiny Plan.

Whilst noting that the two areas of concern included the percentage of applicants sleeping rough and the percentage of "return to" households that had been assessed as intentionally homeless, the report advised that these two issues would be monitored by the SHR in 2018/19 and also that engagement with Registered Tenant Organisations would remain a focus for the SHR. Details of how the Council was performing in respect of these two issues together with the current and future actions that the Council would take to address these matters were also outlined in the report.

The Cabinet noted the issues raised in the Local Scrutiny Plan and the current performance levels.

STRATEGIC HOUSING INVESTMENT PLAN 2019-24

647. The Cabinet considered a report by the Director of Environment, seeking approval for the proposed Strategic Housing Investment Plan (SHIP) 2019/20 – 2023/24 for submission to the Scottish Government. A copy of the programme was appended to the report.

Whilst noting that following submission of the Council's SHIP programme to the Scottish Government, a Strategic Local Programme Agreement (SLPA) which would take into account the Council's proposed programme would be prepared, the report explained that the government would set out the final agreed programme of housing projects that would be funded in East Renfrewshire through the Affordable Housing Supply Programme over the next 3 years. It was noted that details of the SLPA would be brought forward to a future meeting of the Cabinet for consideration in due course.

The report summarised the investment proposals for the development of new affordable housing in the SHIP 2019/20 to 2023/24 and highlighted that historic challenges had been associated with delivering the SHIP programme, both in relation to project slippage and the ownership of sites, despite overprogramming. These risks would be mitigated as far as possible by ongoing monitoring of delivery of the agreed programme, as well as continuing to identify land and other projects going forward which could address the shortfall of affordable homes in East Renfrewshire.

The Cabinet:-

- (a) approved the East Renfrewshire Strategic Housing Investment Plan 2019/20 to 2023/24 for submission to the Scottish Government by 26 October 2018; and
- (b) noted that a further report would be submitted to a future meeting of the Cabinet in relation to the resulting Strategic Local Programme Agreement (SLPA) with the Scottish Government, which would confirm the programme of housing projects being funded locally over the next 3 years.

CHAIR

MINUTE
of
EAST RENFREWSHIRE COUNCIL

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

Present:

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

Provost Fletcher in the Chair

Attending:

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

SHOOTING IN PITTSBURGH

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

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

Thereafter a minute’s silence was observed.

REQUEST TO RECORD PROCEEDINGS

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

DECLARATIONS OF INTEREST

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

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

MINUTE OF PREVIOUS MEETING

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

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

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

MINUTE OF PREVIOUS MEETING

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

MINUTES OF MEETINGS OF COMMITTEES

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

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

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

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

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

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

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

The Council noted the information.

ESTIMATED REVENUE BUDGET OUT-TURN 2018-19

655. Under reference to the Minute of the meeting of the Cabinet of 25 October 2018 (Page 581, Item 642 refers), the Council considered a report by the Chief Financial Officer, detailing the projected revenue budget out-turn for 2018/19 and providing details of the expected year-end variances for each department, together with summary cost information for each of the undernoted services as at 17 August 2018:-

- (i) Objective and Subjective Summaries;
- (ii) Education Department;
- (iii) Contribution to Integration Joint Board;
- (iv) Environment Department;
- (v) Environment Department – Support;
- (vi) Chief Executive's Office;
- (vii) Chief Executive's Office – Support;
- (viii) Corporate and Community Services Department – Community Resources;
- (ix) Corporate and Community Services Department – Support;
- (x) Other Expenditure and Income;
- (xi) Joint Boards;
- (xii) Contingency – Welfare;
- (xiii) Health and Social Care Partnership; and
- (xiv) Housing Revenue Account.

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

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

Furthermore, it was noted that a number of operational variances required management action to ensure that expenditure would be in line with budget at the end of the financial year. However, the report indicated that management action would lead to all overspends being recovered, that all underspends were consolidated wherever possible and that spending up to budget levels did not take place.

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

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

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

GENERAL FUND CAPITAL PROGRAMME 2018/19

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

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

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

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

HOUSING CAPITAL PROGRAMME 2018/19

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

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

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

QUESTIONS TO CONVENERS

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

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

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

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

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

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

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

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

From Councillor Swift to Councillor Buchanan, Leader of the Council

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

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

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

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

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

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

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

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

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

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

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

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

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

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

From Councillor Miller to Councillor Buchanan, Leader of the Council

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

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

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

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

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

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

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

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

STATEMENTS BY CONVENERS/REPRESENTATIVES ON JOINT BOARDS/ COMMITTEES

659. The following statements were made:-

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

Councillor Bamforth reported on the business considered at the most recent meeting of the Integration Joint Board on 26 September 2018. This included the signing off of the Board's 2017/18 annual accounts; work to speed up access to occupational therapy equipment and work to improve the process for housing adaptations; and ongoing early intervention and prevention work.

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

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

The Council noted the statements.

PROVOST'S ENGAGEMENTS

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

STRATEGIC PLANNING

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

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

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

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

The Council noted:-

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

GLASGOW CITY REGION CITY DEAL UPDATE

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

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

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

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

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

The Council noted:-

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

Sederunt

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

BRAIDBAR QUARRY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Accordingly the Council:-

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

Sederunt

Deputy Provost Cunningham rejoined the meeting at this point.

LOCAL DEVELOPMENT PLAN 2 – IMPACT ON EDUCATION PROVISION

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

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

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

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

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

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

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

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

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

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

Having heard Councillor Ireland, the Council noted:-

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

ACCOMMODATION STRATEGY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Council noted:-

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

LEISURE CENTRE UPDATE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sederunt

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

CHIEF SOCIAL WORK OFFICER’S ANNUAL REPORT 2017/18

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

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

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

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

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

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

UNACCOMPANIED ASYLUM SEEKING CHILDREN – NATIONAL TRANSFER SCHEME

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

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

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

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

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

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

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

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

EAST RENFREWSHIRE CULTURE AND LEISURE TRUST BOARD APPOINTMENT

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

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

EAST RENFREWSHIRE LOCAL LICENSING FORUM – APPOINTMENT OF MEMBER

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

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

PROVOST

MINUTE

of

PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 7 November 2018.

Present:

Councillor Annette Ireland (Chair)
Councillor Angela Convery

Provost Jim Fletcher
Councillor Stewart Miller

Councillor Ireland in the Chair

Attending:

Sean McDaid, Principal Planner; and Ian Walker, Senior Planner, Development Management; Julie Nicol, Principal Strategy Officer (LDP Lead); and Paul O'Neil, Committee Services Officer.

Apologies:

Councillors Betty Cunningham, Jim McLean and Jim Swift.

DECLARATIONS OF INTEREST

671. There were no declarations of interest intimated.

NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS

672. The committee considered a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DPEA) of two new appeals, one of which related to the issue of a High Hedge Notice and the other one had been lodged against the refusal of prior approval. The report also provided details of the outcome of one appeal decision which was dismissed by the Reporter.

Whilst noting that in relation to the appeal decision, the Reporter had upheld the committee's decision to refuse the application for planning permission at its meeting on 14 March 2018, the committee expressed concern that the Scottish Government's Reporters' Unit had in the past overturned a number of other decisions that the committee had made.

In view of these concerns, the committee requested that an invitation be extended to the Scottish Government's Reporters' Unit for a representative to attend an informal meeting with the committee to explain how Reporters reached their decisions in respect of planning appeals that were submitted to them.

The committee agreed:-

- (a) that the Director of Environment write to the Directorate for Planning and Environmental Appeals (DPEA) extending an invitation for a representative to attend an informal meeting with the committee to explain how Reporters reach their decisions in respect of planning appeals submitted to the DPEA; and
- (b) to otherwise note the terms of the report.

APPLICATION FOR PLANNING PERMISSION

673. Under reference to the Minute of the meeting of 8 August 2018 (Page 469, Item 512(i)) when it was agreed to continue consideration of the application for planning permission (i.e. Ref No:- 2018/0065/TP), the committee resumed consideration of the report by the Director of Environment.

It was agreed that the application be determined as indicated as 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 300 metres north east of Greenhags, Ayr Road, Newton Mearns by the Greenhags Energy Company Limited

The Principal Planner referred to the three reasons why the committee had continued consideration of the application. He explained that consultation had now taken place with the Council's Environmental Health Service concerning the revised wording of condition 11 as detailed in the 'Report of Handling' appended to the report and that following further consideration the wording of the condition had been revised further by the Council's Planning Service to ensure that it was precise as to what could and could not be used in the process. Details of the revised wording were outlined in the report.

Whilst noting that the wording was now acceptable to both the applicant and the Council's Environmental Health Service, the Principal Planner commented that the applicant had also provided further information on the type of digestate that would be used in the process it being noted that it would be plant based materials and that no animal manures or slurries would be used.

Concluding his remarks, the Principal Planner referred to the site visit that members of the committee had carried out to an operational biogas plant in East Dunbartonshire on 15 October 2018.

Councillor Miller stated that he had been most impressed with the operation of the biogas plant in East Dunbartonshire in the course of which he emphasised that there were no odours coming from the plant during the course of the site visit and that he had no concerns about the proposal under consideration as it would be a similar operation.

Councillor Convery indicated that she was pleased that the digestate that would be used in the process would not involve slurry, in addition to which Provost Fletcher, whilst acknowledging the concerns that had been expressed by local residents about the proposal stated the he was now reassured about the materials that would be used in the process.

Councillor Ireland indicated that having visited the operational biogas plant she too was impressed by the operation emphasising that everything was self-contained at the site. Furthermore, she was pleased with the additional information provided by the applicant concerning the type of digestate that would be used and the revised wording of condition 11.

The committee agreed that the application be approved, subject to the:-

- (a) conditions detailed in the 'Report of Handling' that was appended to the report; and
- (b) wording of condition 11 being altered to the following:

"For the avoidance of doubt the biogas plant hereby approved shall only be supplied by agricultural feed stocks/crops and plant tissue based agricultural/horticultural residues and agricultural/horticultural by-products (residues and by-products to include wheat straw; misshapen, bruised and undersized fruit and vegetables; and the leaves, roots and toppings of fruit and vegetables. No other waste materials, including cattle slurry or animal slurry, household waste or commercial waste, shall be used at any time.

Reason: In the interests of residential amenity."

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 decided by the Planning Applications Committee
on 07.11.2018

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 Mearns, 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 - amended details have been submitted with digestate being used to start the anaerobic process rather than cattle slurry)

Decision: Approved Subject to Conditions

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 7 November 2018.

Present:

Councillor Annette Ireland (Chair)
Councillor Angela Convery

Provost Jim Fletcher
Councillor Stewart Miller

Councillor Ireland in the Chair

Attending:

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

674. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2018/20 – ERECTION OF TWO STOREY REAR EXTENSION AT 25 LOCHLIBO TERRACE, BARRHEAD (REF NO: 2018/0409/TP)

675. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr D Higgins, against the decision taken by officers to refuse planning permission in respect of the erection of a two storey rear extension a 25 Lochlibo Terrace, Barrhead.

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 24 August 2018 and grant planning permission.

NOTICE OF REVIEW – REVIEW 2018/21 – FORMATION OF DRIVEWAY INCORPORATING REDUCTION IN GROUND LEVELS AND ERECTION OF BOUNDARY WALL AT 29 EAST KILBRIDE ROAD, BUSBY (REF NO: 2018/0385/TP)

676. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Paolo Di Mambro against the decision taken by officers to refuse planning permission in respect of the formation of a driveway incorporating reduction in ground levels and erection of boundary wall at 29 East Kilbride Road, Busby.

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 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, Councillor Ireland, seconded by Provost Fletcher, moved to uphold the decision as set out in the decision notice of 17 September 2018 and refuse planning permission.

Councillor Miller, seconded by Councillor Convery, moved as an amendment that consideration of the review case be continued to allow consultation to take place with the Appointed Officer to establish whether in the event that the Local Review Body was to overturn the Appointed Officer's decision and grant planning permission, it would be competent to attach a condition requiring the applicant to improve the visibility splays at the site.

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

The motion was accordingly declared carried and it was agreed that the Local Review Body uphold the decision of the Appointed Officer as set out in the decision notice of 17 September 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 13 November 2018.

Present:

Councillor Angela Convery (Chair)
Councillor Alan Lafferty

Councillor Charlie Gilbert
Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; and Paul O'Neil, Committee Services Officer.

Also Attending:

Sergeant Scott Brown, Police Scotland.

Apology:

Councillor Betty Cunningham (Vice-Chair).

DECLARATIONS OF INTEREST

677. There were no declarations of interest intimated.

Variation in Order of Business

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

DISPOSAL OF APPLICATIONS – REPRESENTATIONS

678. The committee considered a report by the Chief Officer – Legal and Procurement, seeking delegated powers to be granted to the Chief Officer – Legal and Procurement and the Principal Solicitor to dispose of any applications for licences in terms of the Civic Government (Scotland) Act 1982 where a representation was received by the Council and for those officers to carry out the necessary administrative procedures required.

The committee, having noted that the delegation would avoid the need to convene a meeting of the committee to determine such applications and provide a more efficient and cost effective method of disposal, agreed that delegated powers be granted to the Chief Officer – Legal and Procurement and the Principal Solicitor to dispose of any applications for licences in terms of the Civic Government (Scotland) Act 1982 where a representation had been received by the Council and for them to carry out the necessary administrative procedures required.

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.

TAXI DRIVER'S LICENCE – APPLICATION FOR GRANT

679. The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Taxi Driver's Licence (Agenda Item 3 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.

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

The committee, having taken into account 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 one year, subject to standard terms and conditions.

PRIVATE HIRE CAR LICENCE – APPLICATION FOR GRANT

680. The committee considered a report by the Chief Officer - Legal and Procurement in relation to an application for the grant of a Private Hire Car Licence (Agenda Item 4 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.

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

The committee, having taken into account the submission made by the applicant, his previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be granted for a period of one year, subject to standard terms and conditions.

PRIVATE HIRE CAR LICENCE – APPLICATION FOR GRANT

681. The committee considered a report by the Chief Officer - Legal and Procurement in relation to an application for the grant of a Private Hire Car 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.

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

The committee, having taken into account the submission made by the applicant, his previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be granted for a period of one year, subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

Sergeant Brown, representing the Chief Constable who had made an objection 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 objection by the Chief Constable and its relevance to the type of licence being applied for.

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

The 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 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 granted for a period of one year, subject to standard terms and conditions.

Sederunt

Councillor Miller left the meeting at this stage.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

683. Under reference to the Minute of the meeting of 11 September 2018 (Page 523, Item 578 refers) when it had been agreed to defer consideration of an application to allow the applicant to seek clarification from Glasgow City Council on the status of the Private Hire Car Driver's Licence which he currently holds with them, the committee considered a report by the Chief Officer - Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 7 refers).

The applicant was not 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.

The committee noted that the applicant's solicitor, Patrick Campbell of Campbell & McCartney Solicitors had submitted a letter advising that his client was unable to attend the hearing and that Glasgow City Council had no issue with the applicant holding a Private Hire Car Driver's licence in a different local authority area.

The committee, having taken into account the clarification provided by the applicant's solicitor in relation to the holding of another Private Hire Car Driver's licence in a different local authority area, 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 one year, subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – CERTIFICATION OF DRIVING STANDARDS

684. Under reference to the Minute of the meeting of 12 June 2018 (Page 417, Item 453 refers) when it had been agreed that the application for a Private Hire Driver's Licence be granted for a period of one year, subject to the applicant undertaking and passing, at his own cost, a Driving Standards Assessment within 6 months, the committee considered a report by the Civic Government Enforcement Officer, explaining that the Driving and Vehicle Standards Agency (DVSA) no longer offered a Driving Standards Assessment of the type requested by the committee (Agenda Item 8 refers).

The applicant was present.

The report explained that the Council's Civic Government Enforcement Officer had agreed to conduct an assessment of the applicant's driving similar to that undertaken as part of the

combined Knowledge and Driving Assessment by applicants for a Taxi Driver's Licence in East Renfrewshire. A copy of the Civic Government Enforcement Officer's assessment was appended to the report.

The committee agreed that the applicant had fulfilled the additional condition imposed on him at the time his licence had been granted.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

685. Under reference to the Minute of the meeting of 16 October 2018 (Page 578, Item 637 refers) when it had been agreed to continue consideration of an application for the grant of a Private Hire Car Driver's Licence to allow the applicant to make a personal appearance, the committee considered a report by the Chief Officer - Legal and Procurement regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 9 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.

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

The committee, having taken into account 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 one year, subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE – REQUEST FOR FURTHER SUSPENSION

686. Under reference to the Minute of the meeting of 16 October 2018 (Page 577, Item 636 refers) when it had been agreed to continue consideration of the request for further suspension to allow the licence holder to make a personal appearance, the committee considered a report by the Chief Officer - Legal and Procurement, requesting the proposed continued suspension of a Private Hire Car Driver's Licence and Private Hire Car Licence under Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982 (Agenda Item 10 refers). The licences had originally been suspended in terms of Paragraph 12 of Schedule 1.

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

Sergeant Brown representing the Chief Constable who had originally requested the suspension, were present.

The report explained that the licence had previously been suspended by the Principal Solicitor under delegated powers in terms of Paragraph 12(i) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds that the carrying on of the activity to which the licence related was likely to cause a serious threat to public safety. The purpose of the

620

hearing was to allow the committee to consider whether, in view of the information set out, the suspension should be confirmed or lifted in terms of Paragraph 11(1) of Schedule 1 of the Act.

The committee agreed to the further suspension of both the licensee's Private Hire Car Driver's Licence and Private Hire Car Licence until both licences had expired.

CHAIR

MINUTE
of
EDUCATION COMMITTEE

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 15 November 2018.

Present:

Councillor Paul O’Kane (Chair)	Councillor Gordon Wallace
Councillor Colm Merrick (Vice Chair)	Dr Frank Angell
Councillor Caroline Bamforth	Ms Dorothy Graham
Councillor Danny Devlin	Ms Mary McIntyre
Councillor Charlie Gilbert	Mr Des Morris
Councillor Alan Lafferty	

Councillor O’Kane in the Chair

Attending:

Mhairi Shaw, Director of Education; Janice Collins, Head of Education Services (Equality and Equity); Fiona Morrison, Head of Education Services (Provision and Resources); Mark Ratter, Head of Education Services (Quality Improvement and Performance); Tracy Morton, Education Senior Manager and Ron Leitch, Committee Services Officer.

Apology:

Councillor Tony Buchanan (Leader).

DECLARATIONS OF INTEREST

687. There were no declarations of interest intimated.

SQA EXAMINATION RESULTS 2018

688. Under reference to the Minute of the meeting of 24 August 2018 (Page 498, Item 549 refers), when it had been noted that a full presentation on the performance of learners within East Renfrewshire’s schools would be made to a future meeting, Councillor O’Kane invited Dr Mark Ratter, Head of Education Services (Quality Improvement and Performance) to make a presentation to the committee.

Dr Ratter provided a comprehensive comparison of East Renfrewshire’s performance in 2018 against its Virtual Comparator schools highlighting that East Renfrewshire schools had once again performed very well and the quality of awards had increased at all stages. Pupils had once again achieved outstanding S4, S5 and S6 results achieving the very good results at 1+, 3+ Highers in S5 and best ever at 5 or more awards at Level 6 in S5 and 1 or more

awards at Level 7 in S6. Referring to the teacher judgements in the broad general education (BGE) phase of Curriculum for Excellence (CfE), he explained that the authority's schools had also achieved their best ever results at primary and S3 levels. He went on to advise that results for all East Renfrewshire young people, and particularly for the lowest performing 20%, had again improved, continuing the year on year trend over recent years and that young people from the most deprived backgrounds, as measured by the Scottish Index of Multiple Deprivation (SIMD) and/or Free (School) Meal Entitlement (FME), performed well above comparator groups nationally. The results provided clear evidence that East Renfrewshire had continued to raise the bar for all learners and also to focus on excellence and equity to ensure that the Department delivered on its vision of "*Everyone Attaining, Everyone Achieving through Excellent Experiences*".

Dr Ratter went on to explain that intervention and preventative measures would continue to be important as the department moved forward, along with a firm focus on tracking, data gathering, capacity building and sharing of best practice across all levels and all schools. Schools would continue to be ambitious, look for further improvement and work closely in clusters, all with a focus on ensuring the very highest level of attainment and the very best experiences for all learners in the knowledge that this would allow them to progress successfully to the next stage of their education and prepare them for success in life. He concluded by reiterating that there was much to celebrate in this year's results but that the department would not become complacent and would continue to seek ways to achieve even better results for the children and young people of East Renfrewshire.

Councillor Bamforth raised the issue of the high percentage of pupils at Woodfarm High School who lived outwith East Renfrewshire and expressed the view that these pupils often started from a considerably lower base line than pupils who had progressed through East Renfrewshire primary schools and that the "added value" in raising their attainment helped to demonstrate the calibre of teaching staff in East Renfrewshire schools.

Responding to a comment from Councillor Lafferty who expressed some surprise at the lack of breakdown of the figures in terms of gender or ethnicity, Dr Ratter explained that this had been constrained purely by the lack of time and that individual schools such as Mearns Castle High School were looking closely at such splits. He explained that, in general, pupils from ethnic minorities performed less well early on in the BGE but tended to improve by the time they reached the senior phase.

Dr Angell sought further information on the proportion of pupils who moved from S5 into further education (FE) as opposed to S6, in response to which Dr Ratter explained that many of the relatively small numbers of such pupils moved to take advantage of schemes such as graduate apprenticeships where the young person developed practical skills in the workplace but went on to complete a degree as a result of sponsorship by the employer thus considerably reducing their level of post-qualification debt.

Councillor Wallace commended Dr Ratter for a highly informative presentation and noted in particular the increase in science, technology, engineering and mathematics (STEM) results and the increase in vocational education offered to pupils. He referred to a recent news article quoting a leading surgeon who stated that newly qualified doctors often demonstrated excellent academic achievement but lacked basic manual dexterity and motor skills. He expressed the view that vocational education, coupled with schemes such as graduate apprenticeships, could help to address such perceived shortcomings. In response, Councillor O'Kane highlighted the belief that the current play-based curriculum at pre-school level would also help in this regard.

Mr Morris congratulated all of the young people of East Renfrewshire on another set of excellent results and commended highly the continuing efforts of teachers and all staff within

the Education Department in helping to achieve these results. He explained that the SQA results were the result of the cumulative efforts by all spanning P1 to S6. He particularly commended the improvement in the results achieved by students in SIMD deciles 1 to 3.

Thereafter, having heard Councillor O’Kane thank Dr Ratter for an interesting and informative presentation, the committee agreed to note the position and the comments made.

CHAIR

MINUTE
of
APPEALS COMMITTEE

Minute of Meeting held at 2.00pm in the Committee Room, Council Headquarters, Giffnock on 16 November 2018.

Present:

Councillor Angela Convery (Chair) Councillor Barbara Grant
Councillor Betty Cunningham (Vice Chair)

Councillor Convery in the Chair

Attending:

Apryl Chalmers, Senior Solicitor; Alison Findlay, Policy and Employment Law Adviser; and Paul O'Neil, Committee Services Officer.

Apology:

Councillor Annette Ireland.

DECLARATIONS OF INTEREST

689. 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 grounds 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 – ENVIRONMENT DEPARTMENT – 2/2018

690. The appellant, accompanied by his union representative, Mr Larkin, Unison, appeared, in connection with his appeal.

Mr Andy Cahill, Director of Environment and Ms Saima Nevin, HR Business Partner, appeared on behalf of management.

Both parties made their submissions to the committee and were heard in answer to questions on their submissions, during which, Mr Phil Daws, Head of Environment (Strategic

626

Services) entered the meeting as a witness for management and was heard in response to questions from both parties and elected Members, following which both parties withdrew from the meeting.

Following consideration, both parties were recalled and advised by the Chair that the committee had agreed that the grounds of the appeal had not been substantiated and that the appeal was not upheld.

CHAIR

MINUTE
of
CABINET
(POLICE AND FIRE)

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 22 November 2018.

Present:

Councillor Colm Merrick (Chair)	Councillor Barbara Grant
Councillor Paul O’Kane (Vice Chair)	Councillor Alan Lafferty
Councillor Caroline Bamforth	Councillor Stewart Miller

Councillor Merrick in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Murray Husband, Head of ICT and Digital Enablement; Claire Reid, Community Safety Manager; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Chief Superintendent Brian McNulty and Chief Inspector John McQuilter, Police Scotland; and Local Senior Officer Graeme Binning, and Station Manager David Fothergill, Scottish Fire and Rescue Service.

Apology:

Councillor Tony Buchanan (Leader).

DECLARATIONS OF INTEREST

691. There were no declarations of interest intimated.

POLICE SCOTLAND – PERFORMANCE REPORT FOR THE SECOND QUARTER OF FINANCIAL YEAR 2018/19

692. The Cabinet considered a report by the Divisional Commander, Police Scotland providing details of the performance of the police in East Renfrewshire over the second quarter of the financial year 2018/19. The report also provided statistical information on various categories of crimes and offences committed during the reported period.

Chief Superintendent McNulty advised that this was an excellent report in terms of the figures and narrative provided, which now included comparison data for the previous five years, where available. He referred to ongoing partnership working; significant reductions in housebreaking, violent crime and anti-social behaviour; and strong detection rates. He referred to the format of Scottish Fire and Rescue Service's performance report, which would be considered later in the meeting, and requested members' views on whether or not they would wish Police Scotland to move to a similar reporting format in future. At this stage, he invited Chief Inspector McQuilter to provide further details about the information contained in the performance report.

Whilst summarising the performance of the police over the reported period by reference to each of the local and national policing priorities, Chief Inspector McQuilter highlighted those priorities which had seen a reduction in the number of incidents and improvements in detection rates when compared to the statistics reported for the corresponding period the previous year and, where possible, over a 5 year average. In particular, housebreaking (including attempts) had fallen from 49 in the corresponding period in 2017 to 44 in the current year with detection rates improving from 22.4% in 2017 to 13.6% in 2018 with both figures showing considerable improvement over the preceding five years. He advised that the improved figures were due to increased police visibility within communities and better home security.

Chief Inspector McQuilter reported that anti-social behaviour and disorder continued to be a community priority and reported a significant decrease of 19.9% in complaints of disorder when compared to the corresponding period in 2017 (i.e. from 1560 to 1250). He also advised that Police Scotland continued to work in partnership with Community Safety, Housing, Scottish Fire and Rescue Service and campus officers to consider the adverse impact that anti-social behaviour had on local communities and ways to tackle this, and officers were regularly deployed to known areas of concern.

Whilst noting that overall the number of crimes of violence had reduced since the corresponding period in 2017, due to a reduction in common assaults and robbery, the number of serious assaults had increased. However, detection rates remained high and prevention would continue to be a priority. Reference was made to an incident at Overlee Park in August 2018 which had led to two males being arrested and reported to the Procurator Fiscal. He reported that the number of crimes of domestic violence had reduced, and a significant number of police officers were attending enhanced training on domestic abuse to provide officers with more guidance on dealing with victims. He also referred to a 47% increase in the number of people detected for the supply of controlled drugs when compared to the same period in 2017 an operation to target local dealers being a factor.

Chief Inspector McQuilter explained that in terms of child abuse and child sexual exploitation, campus officers continued to provide information and guidance within schools. He reported that the number of sexual crimes in 2018 had increased when compared to the corresponding period in 2017 as a result of victims having more confidence to come forward and report ongoing and historic crimes.

Chief Inspector McQuilter made reference to the work of the Roads Policing Unit who had worked in partnership with campus officers to promote safer driving outside local schools, and reported that there had been no roads related fatalities within East Renfrewshire this year. Concluding his remarks, he also referred to ongoing priorities in relation to counter terrorism and domestic extremism, including the Prevent Scheme which was being led by East Renfrewshire Council, and reported that an ongoing satisfaction survey had highlighted that most people were pleased with the service they received from Police Scotland.

There followed a short question and answer session in the course of which Chief Superintendent McNulty and Chief Inspector McQuilter responded to a number of questions and provided clarification on a range of operational issues within East Renfrewshire.

During discussion, it was noted that two people had been apprehended in connection with bin fires in Netherlee; the public would continue to be encouraged to report anti-social behaviour within their community at the earliest opportunity to allow local police to respond quickly; local problem solving teams would introduce measures to alleviate problems arising from repeat calls within communities; the role of campus officers would continually evolve and good practice would be shared between different local authority areas; and, in recognition of the change to a national force, all new police vehicles would receive branding in both English and Gaelic, in recognition of the rising number of Gaelic speakers in Scotland. Concluding the discussion, Chief Inspector McQuilter advised that he would contact appropriate colleagues within the Divisional Roads Policing Unit regarding concerns raised about the excessive speed of large vehicles on the M77, particularly near Junction 5, and the possible introduction of a permanent speed camera in Eaglesham.

The Cabinet noted the terms of the report.

SCOTTISH FIRE AND RESCUE SERVICE – PERFORMANCE REPORT FOR THE SECOND QUARTER OF 2018/19

693. The Cabinet considered a report by the Local Senior Officer, Scottish Fire and Rescue Services (SFRS), providing details of SFRS in East Renfrewshire during the second quarter of 2018/19. An analysis of the incidents in each of the Council's five wards during the reported period was outlined in the report.

Local Senior Officer Binning began by referring to the recent governance restructure within the Fire and Rescue Service as a result of which he had invited David Fothergill, Station Manager for Barrhead and Clarkston, to the meeting. Local Senior Officer Binning added that the recent bonfire night had been successful with few incidents and no attacks on fire crews in attendance, partly due to an improved partnership response with Police Scotland. He also referred to a new partnership which had been established with the Scottish Ambulance Service allowing an ambulance unit to be based at Clarkston Fire Station, and which may lead to a paramedic motorcyclist being based at Barrhead Fire Station in future. He added that discussions were ongoing to base a Community Firefighter within East Renfrewshire Council HQ one day a week to allow them to focus on East Renfrewshire issues and more easily liaise with the Police Scotland Community Support Officer and Council officers. He added that there were clear links between the reductions reported in the SFRS and Police Scotland reports which reflected the strong local partnerships in place. Concluding his remarks, he invited Station Manager Fothergill to provide further details about the performance of the SFRS over the reported period.

Station Manager Fothergill reported on a summary of the planned priorities and activity for the quarter advising that, in terms of performance, reductions had been recorded in the number of primary and secondary fires; special services; false alarms; and total number of incidents. However, it was highlighted that there had been an increase in the number of fire & non-fire casualties. He advised that cooking continued to be the most common source of accidental fires in houses but links with the telecare service had led to earlier warning and intervention leading to a reduction in casualties and severity of damage. Station Manager Fothergill referred to work which was ongoing in partnership with Police Scotland within schools to target areas of concern including a campaign during the summer to highlight safety in and around water. He advised that SFRS would continue to liaise with local

schools to raise areas of concern and a future topic would be deliberate fire setting. Concluding his remarks, he provided further details about each of the areas referred to within the report.

There followed a short question and answer session in the course of which Local Senior Officer Binning and Station Officer Fothergill responded to and provided clarification on a number of operational issues within East Renfrewshire.

During discussion, it was noted that, because the numbers of incidents being recorded in this area were relatively low, a small change could lead to a significant percentage increase or decrease from previous reports. Additional narrative was therefore provided within the reports for context.

The Chief Executive reported that she and Councillor Buchanan, had recently met with Alasdair Hay, Chief Fire Officer, during which he had highlighted an increased use of evidence and data within SFRS to inform future service delivery. She added that this had been an extremely positive meeting in the course of which Chief Fire Officer Hay had advised that he would retire from SFRS at the end of March 2019. No announcement of a replacement had yet been made. The Cabinet (Police and Fire) wished to record their thanks to Chief Fire Officer Hay for steering SFRS forward in recent years and wished him well for the future.

The Cabinet noted the terms of the report.

CHAIR

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 22 November 2018.

Present:

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

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; Linda Hutchison, Clerk to the Committee; and Jennifer Graham, Committee Services Officer.

Apologies:

Provost Jim Fletcher and Councillor Jim McLean.

REQUEST TO RECORD PROCEEDINGS

694. Council Miller intimated that a request had been received to audio record the meeting. The request was approved.

DECLARATIONS OF INTEREST

695. Councillor Grant declared a non-financial interest in relation to Item 699 by virtue of the fact that she was a member of the East Renfrewshire Culture and Leisure Trust Board.

CHAIR'S REPORT

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

(i) Specialisation Arrangements

Under reference to the Minute of the meeting of 21 June 2018 (Page 452, Item 481(ii) refers), when it had been noted that the committee's specialisation arrangements for dealing with internal and external audit reports and inspection reports were to be reviewed after their first full year of operation, the Chair reported that the Clerk had analysed the reports dealt with since May 2017, the findings being that some Members had dealt with

more reports than others. He proposed that Members' views be sought on the analysis and any preferences they might have in terms of their remits in future with a view to any changes being formally submitted to a future meeting for consideration.

(ii) Consultancy Costs

Under reference to the meeting of the Council held on 31 October 2018 when the Chair had expressed concern regarding the extent to which external consultants were being used by the Council, he suggested that it would be useful for the committee to investigate this matter further to ascertain how much each department had been spending on external consultants and feasibility studies and possibly legal advice over the past three years as well as the reasons for doing so. Having referred to some work concluded by the committee previously on this issue covering the financial years 2013/14 and 2014/15, he proposed that in the first instance the Clerk submit a report on the previous work completed to the next meeting and that it be discussed then how further work could be progressed.

The committee agreed:-

- (a) that the Clerk circulate and seek the views of Members of the committee on the analysis done on the number and type of internal and external audit reports, as well as inspection reports, each Member had dealt with since 2017; and also any preferences they might have on their remits in future with a view to any proposed changes being formally submitted to a future meeting for consideration; and
- (b) regarding consultancy costs:-
 - (i) to progress some work on the extent of departmental expenditure on external consultants and feasibility studies and possibly legal advice; the reasons for doing so; and which consultants had been used; and
 - (ii) in relation to (b)(i) above that, in the first instance, the Clerk submit a report to the next meeting on the committee's previous work on consultancy costs covering 2013/14 and 2014/15 to allow a discussion to take place then on how the committee might progress further work on this issue.

INTERIM TREASURY MANAGEMENT REPORT 2018/19

697. Under reference to the Minute of the meeting of 16 August 2018 (Page 489, Item 541 refers), when the committee had noted the Treasury Management Annual Report for 2017/18 and recommended to the Council that the organisations specified in that report for investment of surplus funds be approved, the committee considered a report by the Head of Accountancy (Chief Financial Officer) on treasury management activities for the first six months of 2018/19.

The report explained that, in line with the revised CIPFA Treasury Management Code of Practice 2011, the Audit and Scrutiny Committee was responsible for ensuring effective scrutiny of the Council's treasury management activities. In accordance with that requirement, the interim Treasury Management Report for 2018/19 was attached to the report for consideration.

The Head of Accountancy explained that the report reflected the debt position and movement in investments over the preceding 6 months, clarifying that during that period debt totalling £1.28 million had matured with the Public Works Loan Board. She also clarified that no changes were proposed to the list of organisations for the investment of surplus funds, and that the Council was operating in accordance with permitted arrangements agreed in March 2018. Commenting on reference within the report to new Regulations to be introduced by the Money Market Fund sector with effect from the start of 2019, she advised that this impacted on how issues were classified rather than on investments themselves.

Councillor Swift raised concerns regarding the management of the Council's funds, specifically future debt in relation to schools and the leisure centre and associated with house building; and the related revenue implications of such capital projects. The Head of Accountancy confirmed that specific funding for possible new schools and leisure facilities had not yet been included in the Capital Plan but that this and any associated revenue implications would be reviewed in preparation for the Council's budget meeting in 2019. She commented that it was expected that Government grants would be available to assist with school building projects and, whilst referring to housebuilding and the related demand for other facilities, commented on how developer contributions could help alleviate the cost of these. Whilst commenting on the Local Development Plan 2 (LDP2), the Head of Accountancy clarified that work on this had not yet reached the stage at which capital expenditure would be considered.

The committee agreed:-

- (a) to **recommend to the Council** that the organisations for investment of surplus funds be approved in accordance with Appendix 2 to the report;
- (b) to **recommend to the Council** the continuing use of Money Market Funds in light of the new Regulations coming into effect from early 2019; and
- (c) otherwise, to note the report and related comments made.

RATIONALISATION OF COUNCIL PROPERTIES

698. Under reference to the Minute of the meeting of 21 June 2018 (Page 452, Item 481(iii) refers), when it had been agreed that a report be sought on the rationalisation of Council property and buildings, the committee considered a report by the Director of Environment on work being undertaken on this issue.

Having referred to the Council's entire office accommodation portfolio both owned and rented, the classification of its 115 operational properties, and the extent to which they were educational, licenced to the Culture and Leisure Trust, depots or stores, the report focussed on the remaining 38 operational properties. It was highlighted that since the portfolio had been acquired over time, its usage had changed substantially including due to the authority's smaller workforce; technological changes; changing customer behaviour; and the creation of new buildings. Consequently some buildings were surplus to requirements including Lygates, the Dickie Building, Capelrig House, the McGuire Building and former Clarkston Social Work office.

Reference was made to efforts being made to dispose of or identify alternative uses for properties deemed surplus to requirements, following which the report provided details of actions taken to dispose of some or refurbish others to facilitate appropriate effective usage. Properties deemed significant in terms of their value or previous use were then commented on in detail.

The report also commented on a corporate approach to office accommodation adopted through which all non-education building property budgets would transfer to the Environment Department from April 2019 which would become responsible for furniture, costs, usage and monitoring. Key components of this corporate landlord approach were itemised which included moving away from the standard ratio of one desk per employee; and using modern technology to enable efficient, agile working.

Reference was also made to work undertaken in 2017 to develop options to be considered in developing an accommodation strategy detailing properties the Council wished to retain or dispose of, and how it wished to use them, this work having been commissioned to advise and inform the Director of Environment and CMT on the development of a strategy prior to the formulation of recommendations. Through this assessment it had been concluded that the Spiersbridge property required additional investment to facilitate more effective, agile working, the required work having been carried out since then.

Reference was made to work on the accommodation strategy to be progressed in 2019, and the specific terms of a related report the Director of Environment had submitted to the Council in October 2018 on options for such a strategy. Issues referred to within that report had included the consultants commissioned to prepare a Property Management/ Accommodation Strategy and action for 42 corporate buildings (excluding education and the Culture and Leisure Trust); and options provided by the consultants for the Council's office accommodation needs in 2020 and beyond. It was explained that the Director of Environment's report had concluded that the immediate priorities for his department were the delivery of the Early Years programme, leisure centre proposals for the Eastwood area, and addressing the emerging education requirements in relation to LDP2. The Council had noted the consultant's report and their recommendations and that the Director of Environment would consider all the issues and report back to the Council during 2019/20 regarding formal approval of the accommodation strategy.

The Head of Environment (Strategic Services) was heard in further explanation during which, in reply to Councillor Grant who commented that Capelrig House had been available for community use at one stage, he undertook to explore if it could be brought back into use in this way, adding however that community groups had not requested this. Also in reply to Councillor Grant, having heard the Head of Strategic Services undertake to check if revealing the annual cost of the Lygates building would be releasing commercially sensitive information, Councillor Swift quantified the approximate costs.

Following discussion on the ownership of the Dickie building and the land on which it was built, on the suggestion of Councillor Miller, the Head of Strategic Services undertook to explore if demolition and releasing the land for housing was an option, expressing some concern regarding access which was not ideal. In reply to Councillor Swift who enquired if Spiersbridge could be vacated in favour of officers using the Dickie building, he commented on the relative size of the two properties, clarifying that early release from the Spiersbridge lease could not be secured.

Having heard Councillor Miller welcome the introduction of the corporate landlord approach and Councillor Ireland welcome the proposed use of the McGuire building, in response to her, the Head of Environment commented that making the Clarkston Social Work Office available for community use could be explored as an option should the request from the NHS to lease it not proceed ultimately.

On an associated matter, Councillor Swift raised issues regarding consultants' reports, such as their neutrality, expressing the view that the conclusions seems pre-specified and predetermined at times, specifically citing the consultation on the leisure centre. He proposed that the Director of Environment be invited to a future meeting to enable related issues to be raised with him.

The committee, following discussion:-

- (a) noted that the Head of Environment (Strategic Services) would consider the comments and suggestions made at the meeting, such as regarding the future use of Capelrig House, the Dickie Building and the Clarkston Office;
- (b) agreed that the Director of Environment be asked to attend a future meeting of the committee to enable issues in relation to consultation reports commissioned and prepared on accommodation issues to be raised with him, specifically in relation to the leisure centre consultation but also any other issues regarding such reports raised by members of the Committee;
- (c) noted in relation to (b) above that the Clerk would seek further clarification from Members of the committee on the specific issues to be raised with the Director of Environment to allow these to be passed to him in advance to enable him to prepare for the meeting; and
- (d) otherwise, noted the report and associated comments made.

Sederunt

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

JOINT EAST RENFREWSHIRE CULTURE AND LEISURE TRUST ACTION PLAN IN RELATION TO INDEPENDENT FINANCE AND BUSINESS CASE REVIEW OF THE TRUST

699. Under reference to the Minute of the meeting of 16 August 2018 (Page 490, Item 543 refers), when it had been agreed that a copy of the joint Action Plan prepared by the East Renfrewshire Culture and Leisure Trust (ERCLT) and the Council be submitted to a future meeting, the committee considered a report by the Director of Education submitting the joint plan, a copy of which was appended to the report.

Having clarified that the plan had been prepared in response to an independent finance and business review of the Trust, it was clarified that the one submitted to the committee was the original one approved by the Trust Board in June 2018 and was overseen by it and a Steering Group comprising the Director of Education, the Chief Financial Officer and the Trust's Chief Executive. Progress on the Action Plan had been reviewed by the Steering Group and this was to be the subject of a report to the Board in December 2018 when the Elected Members who were members of the Board would be able to scrutinise it.

In response to comments, the Head of Accountancy referred to the Council's role to ensure the Trust provided Best Value, the scrutiny of the plan by the Trust Board, related liaison required, and meetings of the Steering Group when progress was reviewed. Having clarified that reports on progress would be submitted to the Trust Board over time, she also referred to the Trust's Business Plan and End of Year Report both of which were submitted to the Council annually providing opportunities for these to be considered.

In response to Councillor Miller, the Head of Accountancy referred to the role of Elected Members serving on the Trust Board, during which she referred to the duty that fell to them in that capacity to make decisions in its best interests. She added that it was in the Trust's interest to succeed and address issues identified in independent recommendations, and confirmed that the Board could make adjustments to the Action Plan if it chose to.

Councillor Swift expressed concern about the Trust's independence, referring to the grants and credit it received from the Council to discharge its functions. Having also expressed concern that Minutes of the Trust Board meetings were not published timeously and on lack of sufficient detail within them which the Head of Accountancy undertook to pass on to the Trust, he also expressed the view that this made scrutiny of its use of resources and efforts to address its deficit difficult. He expressed the view that the Council's Audit and Scrutiny Committee should be provided with regular updates on progress regarding the implementation of the Action Plan, suggesting that this be a standing item on the Agenda.

It was proposed that as the Board was due to consider the updated Action Plan at their forthcoming meeting, in the first instance, a further update on the outcome of any discussions on it or changes to it be provided to the Audit and Scrutiny Committee in January 2019 as far as it was possible to do so.

The committee, following discussion, agreed:-

- (a) that a further update on the Action Plan be submitted to the next meeting reflecting the update to be considered by the Joint ERCLT Board in December and the outcome of discussions on the Plan and related changes made to it at that Board meeting as far as it was possible to do so; and
- (b) otherwise, that the report and related comments made be noted.

Sederunt

Councillor Grant rejoined the meeting at this point.

NATIONAL EXTERNAL AUDIT REPORT – CHILDREN AND YOUNG PEOPLE'S MENTAL HEALTH

700. The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Children and Young People's Mental Health* which under the committee's specialisation arrangements had been sent to Provost Fletcher and Councillor Gilbert for review. The Head of Public Protection & Children's Services (Chief Social Work Officer) had been asked to provide comments and a copy of her feedback was attached to the report. It was explained that the report would also be considered by the Integrated Joint Board (IJB) Performance and Audit Committee on 28 November and was potentially of greater relevance to that committee given its oversight of both health and social care services.

Whilst reporting on key messages within the Audit Scotland report, the report referred to the significant public health challenge presented by mental health and wellbeing concerns, explaining that a clinical response was not always required and that a need for mental health provision to become equivalent to physical health service provision had been identified. Audit Scotland had commented that early intervention and preventative approaches to children and young people with mental health and emotional wellbeing concerns was inconsistent and exacerbated by increased demand. Recommendations made included having clear access to services; improved data and performance information; and better targeting of resources.

Information on current service provision in partnership with others in East Renfrewshire was provided, including on ongoing work with Child and Adolescent Mental Health Services (CAMHS), and on a pilot scheme developed in partnership with Children 1st to provide a Family Wellbeing Service from September 2017. Further information was provided on

planning for future demand, regarding which it was highlighted that CAMHS East Renfrewshire was participating in a quality improvement programme with teams across NHS Greater Glasgow & Clyde, an early action of that programme being to seek to address the reduction in the number of children seen within 18 weeks. Reference was also made to an external evaluation of the Family Wellbeing Service and related issues on the expansion of the service; and a review and redefinition of school nursing provision through a more integrated approach to addressing vulnerability and interventions. Related consultation, partnership working and the implications of various proposals were also commented on.

Councillor Ireland welcomed the approach adopted, including on resourcing family therapy on which feedback had been good. Having heard Councillor Miller comment on staff morale, and turnover which he considered high, Councillor Swift highlighted good work being done by the Health and Social Care Partnership on young people and mental health issues and earlier intervention, adding that the CAMHS system had been congested.

The committee agreed to note the report and related comments made.

INTERNAL AUDIT PLAN 2018/19

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

The Chief Auditor confirmed that, during the quarter, seven audit reports had been issued, one being for the Trust and therefore not for the Audit & Scrutiny Committee, and four being follow-up reports. She highlighted the changes made to the format of the progress report, reminding Members that they could contact her if they wished her to consider fine-tuning it further. Whilst commenting on the use made of contingency time, the Chief Auditor confirmed that one matter dealt with concerned a theft which had been referred to the Police, clarifying that the related audit report had not yet been issued and that further details would be provided in the next quarterly update.

In response to Councillor Swift who referred to the increase in nursery school provision and related payments for the service, the Chief Auditor commented on the parentpay system in place, expressing the opinion that it could probably cope with the increase in provision.

In response to Councillor Grant who expressed concern regarding the lack of a signed Service Level Agreement in place for the administration of Non Domestic Rates by Renfrewshire Council, the Chief Auditor confirmed that this issue had been raised before and that the recommendation made on this recently had been accepted by the Corporate and Community Services Department. Also in response to Councillor Grant who expressed the view that the issues raised on the roads job costing system seemed quite basic ones and voiced concern that they had not been dealt with thus far, the Chief Auditor commented that implementation of the recommendations as soon as possible would be welcomed.

Following discussion, the committee agreed:-

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

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 29 November 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; Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Andy Corry, Head of Environment (Operations); Phil Daws, Head of Environment (Strategic Services); Lesley Bairden, Chief Finance Officer (HSCP); Barbara Clark, Chief Accountant; Arlene Cassidy, Children’s Services Strategy Manager; Sarah Jane Hayes, Customer Service Manager; Brian Dunigan, Money Advice and Rights Team Manager; and Paul O’Neil, Committee Services Officer

DECLARATIONS OF INTEREST

702. Councillor Devlin declared a non-financial interest in Item 706 below by virtue of the fact he was a member of the Board of the Citizens Advice Bureau.

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.

CHARGING FOR SERVICES 2019/20

703. (a) Chief Executive’s Office – Licensing

The Cabinet agreed to:-

- (i) alter charges for 2019/20 in accordance with the table set out in Appendix 1 to the report it being noted that where an increase occurred, the increases were approximately 2.7% in line with inflation over the intervening period since the last increase except as below:-

- (a) harmonise charge rates for certain licences in line with the rates shown in Appendix 1 to the report and re-classify as Category 1, 2, 3 and 4 licences and apply standardised 5% and 10% discounts for 2 and 3 year licence applications; and
 - (b) apply no increases to fixing kit equipment.
- (b) Corporate and Community Services Department

The Cabinet agreed that the recommendations regarding fees and charges policies as proposed be approved.
- (c) Education Department

The Cabinet agreed that the recommendations regarding fees and charges policies as proposed be approved.
- (d) Environment Department

The Cabinet agreed that the recommendations regarding fees and charges policies as proposed be approved.
- (e) Health and Social Care Partnership

The Cabinet agreed that the:-

 - (i) recommendations regarding fees and charges policies as proposed be approved; and
 - (ii) Chief Officer – Health and Social Care Partnership/Chief Finance Officer be authorised to set the contribution level for the new approach for calculating individual budgets up to 10%.

KERBSIDE RECYCLING SERVICE – UPDATE REPORT

704. Under reference to the Minute of the meeting of 20 August 2015 (Page 1559, Item 1665 refers), when it was agreed to move to a 4 bin system of collection, subject to the Capital Programme Appraisal process, the Cabinet considered a report by the Director of Environment, providing an update on the Council's 4-wheeled bin service and progress towards improved recycling rates.

Whilst noting that the initial capital investment in the 4-wheeled bin service had resulted in the effective implementation, management and delivery of the new kerb-side collection service, the report explained that recycling rates published by the Scottish Environment Protection Agency (SEPA) highlighted that the Council was leading the way in Scotland with an overall recycling rate of 67.1%, compared to the national average of 45.6%, and was 5% better than the next best performing council.

Furthermore, the Council was assessed by SEPA as the top recycling council in Scotland for the second year running and that landfill had successfully been reduced by several thousand tonnes leading to considerable financial benefit to the Council.

The report also highlighted that the future disposal of council waste had been secured through the Clyde Valley Waste Partnership for 25 years, and would ensure that the Council was compliant with the landfill ban commencing on 1 January 2021.

The Cabinet noted:-

- (a) the current position regarding the increased recycling rate for the 2017 calendar year; and
- (b) that the 4-wheeled bin service had achieved and exceeded its aims in terms of financial savings and reduction in the amount of residential (household) waste going to landfill for the 2017 calendar year.

PROPOSED LEASE OF JAMES MCGUIRE BUILDING, MAIN STREET, BARRHEAD

705. The Cabinet considered a report by the Director of Environment, seeking approval of the lease of the James McGuire Building, Barrhead. A plan showing the location of the building was appended to the report.

The report explained that the Include Me 2 Club (IM2C) which was a registered local charity based in Barrhead, had approached the Council seeking to lease the James McGuire Building in Barrhead. It was noted that as an organisation it engaged with and inspired children, young people and adults with additional support needs with clubs, play, arts, activities and events involving all members of families.

Whilst noting that the IM2C had proposed a business plan supporting the proposal demonstrating its ability to fund the running of the property, the report highlighted that the Environment Department was supportive of the proposal as it provided a viable use for the building and created a much needed community facility for families who had members with additional support needs. Details of the terms and conditions of the proposed lease were outlined in the report.

The Cabinet agreed:-

- (a) to approve the lease of the James McGuire Building to the Include Me 2 Club; and
- (b) 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 lease.

Sederunt

Councillor Devlin left the meeting at this stage.

WELFARE CONTINGENCY FUND – CITIZENS ADVICE BUREAU: HELPING EAST RENFREWSHIRE ONLINE (HERO) PROJECT

706. Under reference to the Minute of the meeting of 21 June 2018 (Page 446, Item 473 refers), when it was agreed to note that £200,000 of welfare contingency funding had been made available in the revenue estimates for each of the next three years, the Cabinet considered a report by the Deputy Chief Executive, in relation to a bid to the Welfare Contingency Resources to fund a shortfall in external funding for East Renfrewshire Citizens Advice Bureau's (ERCAB) Helping East Renfrewshire Online (HERO) project in the next 12 months. A copy of the proposal detailing the work of the HERO project was appended to the report.

Whilst noting the details of the external funding that the ERCAB had now collated over 3 years, the report explained that approval was now being sought by the ERCAB to fund a shortfall of £22,288 in its HERO funding for the next 12 months only. Details of a directory of Universal Credit digital support in the local area which had been produced and publicised as part of arrangements for communicating the support arrangements in place for local residents dealing with the national roll out of UC was appended to the report.

The report explained that given the timing of the project starting midway through a financial year, it was recommended that any funding be split across 2018/19 and 2019/20 rather than all in 2018/19 as requested in the bid. This funding would be for this 12 month period only and did not seek to cover future years' funding gaps. Furthermore, there was potential for East Renfrewshire Citizens Advice Bureau's HERO project to augment various support arrangements that had been put in place and the Council would continue its close working relationship with ERCAB as the Council worked together in partnership to provide services for vulnerable residents.

The Cabinet agreed to approve the East Renfrewshire Citizens Advice Bureau's bid for £22,288 of welfare contingency funding over the next twelve months (split 50:50 in 2018/19 and 2019/20) to meet a shortfall in resources for helping East Renfrewshire Online (HERO) project).

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

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

Present:

Councillor Annette Ireland (Chair)
Councillor Betty Cunningham (Vice Chair)
Councillor Angela Convery

Councillor Jim McLean
Councillor Stewart Miller

Councillor Ireland in the Chair

Attending:

Sean McDaid, Principal Planner; and Derek Scott, Planner, Development Management; Graham Shankland, Principal Business Intelligence Officer, Business Intelligence Team; and Paul O'Neil, Committee Services Officer.

Apologies:

Provost Jim Fletcher and Councillor Jim Swift.

DECLARATIONS OF INTEREST

707. There were no declarations of interest intimated.

NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS

708. The committee considered and noted a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DPEA) of the outcome of one appeal decision in relation to an application for Advertisement Consent (Ref No:- 2018/0163/ADV) which the Reporter had upheld in part and had granted advertisement consent for one digital advertisement hoarding facing south west at land to the north of 30 Maple Avenue, Newton Mearns (and adjacent to the petrol station and health centre).

APPLICATIONS FOR PLANNING PERMISSION

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

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

- (i) 2018/0252/TP – Erection of agricultural worker’s dwellinghouse at site 180m north of Foretrees Farm House, Fereneze Road, Neilston by Mr Gordon Pollock

The Principal Planner summarised the assessment of the proposed development and indicated that officers were recommending that the application be approved, subject to the conditions detailed in the report.

Councillor Miller stated that in his opinion the representations submitted in support of the application were not relevant planning matters and that in addition, he did not accept the findings of the report prepared by the Scottish Agricultural College which stated that the proposed development was for an agricultural worker associated with the operation of Mossneuk Farm on the grounds of animal welfare and security. Given that the farm was a distance of 1.2 km to the west of the application site, he did not accept the reasons given in the report as a justification to approve the application.

Whilst noting the terms of condition 1 that would be attached to the planning permission which stated that the occupation of the dwelling would be limited to a person solely or mainly employed or last employed in agriculture, Councillor Miller sought clarification of what action would be taken in the event that the occupant did not comply with the terms of the condition.

In reply, the Principal Planner stated that the Council could take planning enforcement action which could result in the occupant being told to leave the property.

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

Councillor Miller, seconded by Councillor McLean, moved as an amendment that the application be refused on the grounds the report prepared by the Scottish Agricultural College was not sufficient justification to approve the development; that there already exists another dwellinghouse on the farm land for an agricultural worker where the existing occupant is not employed full-time on the farm; and that the proposed development could be built elsewhere on the farm.

On a vote being taken two Members voted for the motion and three Members voted for the amendment, the amendment was accordingly declared carried and the application was refused on the grounds that the report prepared by the Scottish Agricultural College was not sufficient justification to approve the development; that there already exists another dwellinghouse on the farm land for an agricultural worker where the occupant is not employed full-time on the farm; and that the proposed development could be built elsewhere on the farm.

- (ii) 2018/0550/TP – Erection of two storey dwellinghouse following demolition of existing dwellinghouse at 2 Newtonlea Avenue, Newton Mearns, by Mr and Mrs McGraddie

The Principal Planner summarised the assessment of the proposal in the course of which he indicated that the application under consideration was the same as an application previously submitted which had been withdrawn in 2018. He exhibited a location plan of the application site and explained the reasons for the recommended refusal of the application.

Councillor Ireland moved that the application be refused. In the absence of a seconder, her motion fell.

Thereafter, the committee agreed that the application be approved, subject to delegated powers being granted to the Head of Environment (Operations) in consultation with the Chair of the committee to attach appropriate conditions.

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
05.12.2018

Reference No: 2018/0252/TP

Ward: 1

Applicant:

Mr Gordon Pollock
Mossneuk Farm
Gleniffer Braes
By Neilston
Scotland
G78 3AL

Agent:

Iain Gardner
21
Church Street
Kilbarchan
Scotland
PA10 2JQ

Site: Site 180M North Of Foretrees Farm House Fereneze Road Neilston East Renfrewshire

Description: Erection of agricultural worker's dwellinghouse

Decision: Refused

Reference No: 2018/0550/TP

Ward: 5

Applicant:

Mr & Mrs McGraddie
C/O DTA Chartered Architect Ltd

Agent:

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

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

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

Decision: Approved Subject to Conditions

MINUTE
of
LOCAL REVIEW BODY

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

Present:

Councillor Annette Ireland (Chair)	Councillor Jim McLean
Councillor Betty Cunningham (Vice Chair)	Councillor Stewart Miller
Councillor Angela Convery	

Councillor Ireland in the Chair

Attending:

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

Apologies:

Provost Jim Fletcher and Councillor Jim Swift.

DECLARATIONS OF INTEREST

710. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2018/22 – ERECTION OF A ONE AND A HALF STOREY DETACHED DWELLINGHOUSE AT SITE ADJACENT TO 4 NETHERPLACE COTTAGES, NETHERPLACE ROAD, NEWTON MEARNES (REF NO: 2018/0336/TP)

711. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Kenneth Munro, against the decision taken by officers to refuse planning permission in respect of the erection of a one and a half storey detached dwellinghouse at site adjacent to 4 Netherplace Cottages, Netherplace Road, Newton Mearns.

The decision had been 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 that the decision of the Appointed Officer as detailed in the decision notice of 3 September 2018 be overturned and that planning permission be granted, subject to the following conditions:-

CONDITIONS

1. Prior to the commencement of any work on site, a site plan at a scale of 1:200 detailing the provision of a footpath along the frontage of the site matching the width of the adjacent footpath shall be submitted and approved in writing by the Planning Authority. Thereafter, the approved footpath shall be provided prior to the occupation of the dwelling.

Reason: In the interest of public road safety.

2. A visibility splay of 2 metres by 50 metres in the primary direction and 2 metres by 80 metres in the secondary direction shall be provided at the junction of the new access with the existing road prior to occupation of the dwelling hereby approved; and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

3. The proposed driveway shall be formed and surfaced such that no loose material is carried out or surface water discharges out onto the public road.

Reason: In the interest of public road safety.

4. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the planning authority. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

5. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

6. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

7. Development shall not commence until detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point have been submitted to and approved in writing by the planning authority. Thereafter the development shall be constructed in accordance with the approved levels, diagrams and sections.

Reason: To ensure that the levels are acceptable at this location.

8. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority. The starting up/warming up and shutting down of any construction machinery outwith these hours shall not be audible from the boundary of any noise sensitive property.

Reason: To prevent noise nuisance to the surrounding area.

NOTICE OF REVIEW – REVIEW 2018/23 – ERECTION OF SIDE AND REAR EXTENSION INCORPORATING RAISED PATIO AT REAR AT 16 CROSSLEES DRIVE, THORNLIEBANK (REF NO: 2018/0315/TP)

712. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Miss Joan Donnelly, against the decision taken by officers to refuse planning permission in respect of the erection of a side and rear extension incorporating raised patio at rear at 16 Crosslees Drive, Thornliebank.

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 2018, the Local Review Body 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 noting 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 detailed in the decision notice of 25 September 2018 be overturned and that planning permission be granted, subject to a standard condition relating to external materials being attached to the planning permission.

NOTICE OF REVIEW – REVIEW 2018/24 – ERECTION OF DETACHED DWELLINGHOUSE WITH DETACHED GARAGE AS MANAGER’S ACCOMMODATION TO MANAGE ADJOINING DOG KENNEL BOARDING BUSINESS AT MAINS OF BALGRAY, FINGALTON ROAD, NEWTON MEARNES (REF NO: 2018/0061/TP)

713. The Local Review Body considered a report by the Deputy Chief Executive, relative to a ‘Notice of Review’ submitted by Mr and Mrs Imrie, against the decision taken by officers to refuse planning permission in respect of the erection of a detached dwellinghouse with detached garage as manager’s accommodation to manage adjoining dog kennel boarding business at Mains of Balgray, Fingalton Road, Newton Mearns.

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

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

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

Following discussion, it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 14 August 2018 and refuse planning permission.

CHAIR

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 6 December 2018.

Present:

Councillor Paul O’Kane (Deputy Leader)
Councillor Caroline Bamforth
Councillor Danny Devlin

Councillor Alan Lafferty
Councillor Colm Merrick

Councillor O’Kane, Deputy Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Stuart Free, Principal Officer (Asset Management); Jamie Reid, Data and Information Manager; Kim Gear, Corporate Policy Officer; Louise Thompson, Partnership Support Officer; and Paul O’Neil, Committee Services Officer.

Apology:

Councillor Tony Buchanan, (Leader).

DECLARATIONS OF INTEREST

714. There were no declarations of interest intimated.

COMMUNITY LEARNING AND DEVELOPMENT PLAN 2018/21

715. The Cabinet considered a report by the Deputy Chief Executive, seeking approval of the East Renfrewshire Community Learning and Development (CLD) Plan 2018/21. A copy of the plan was appended to the report.

The report highlighted that CLD provided young people (aged 12-25) and adults (aged 16+) with skills for life, learning and work including addressing personal and social development and individual health and wellbeing issues. Furthermore, it included work with community groups to support them to be well-run, sustainable and independent and focussed on growing community-led groups and services that made communities more cohesive, sustainable and better able to overcome the challenges they faced. The current CLD Strategy 2015/18 was about to come to an end and a refreshed plan was now required.

The report highlighted that the Council had a statutory duty to have a CLD plan in place, and to refresh the plan every 3 years, in accordance with the provisions of the Community Learning and Development (Scotland) Regulations 2013. The regulations placed a legal obligation on local authorities to work with partners to assess the need for CLD within their authority area through consultation, and set out how needs would be addressed.

Whilst noting that to ensure that CLD directly contributed to East Renfrewshire's ambitions for residents across the area, the report indicated that the CLD plan had been organised under the 5 strategic outcomes of the Community Plan. This ensured that capacity building, learning and support for adults and young people was targeted to the strategic outcomes and the locality plan areas areas in Barrhead, Neilston and Thornliebank to increase the resilience of the communities and improve outcomes for residents.

The Cabinet:-

- (a) approved the Community Learning Development Plan 2018/21; and
- (b) agreed that delegated powers be granted to the Deputy Chief Executive to further refine and strengthen the plan over its lifetime without further recourse to the Cabinet.

STRATEGIC MID-YEAR COUNCIL PERFORMANCE REPORT 2018/19

716. The Cabinet considered a report by the Deputy Chief Executive, providing a summary of Council performance at mid-year 2018/19 based on performance indicators in the Outcome Delivery Plan (ODP) 2018/21. Details of the performance results, together with information on mid-year complaints appeared as appendices to the report.

The report summarised the performance of the Council at mid-year 2018/19 and highlighted that information presented showed performance was broadly on track at mid-year point, with excellent performance being noted in educational attainment and household recycling rates. Furthermore, the Council continued to work towards the aim of making people's lives better by delivering highly valued services and achieving positive outcomes for local communities.

The Cabinet:-

- (a) approved the report as a summary of the Council's performance at mid-year 2018/19; and
- (b) noted the mid-year Complaints Report that was appended as Annex 2 to the report.

GENERAL FUND CAPITAL PROGRAMME 2018/19

717. The Cabinet considered a report by the Chief Financial Officer, monitoring expenditure as at 12 October 2018 against the approved Capital Programme for 2018/19 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst noting the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues, the report indicated that the projected shortfall of £318,000, which represented 0.85% of the resources available, was within manageable limits.

The report highlighted that in light of the expenditure movements, the additional borrowing of £600,000 approved at the meeting of the Council on 27 June 2018 to support the increased level of expenditure on the Barrhead High School new build (ancillary works) project would not be required this financial year but would be required to support the expenditure transferred to 2019/20.

The Cabinet agreed to:-

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

HOUSING CAPITAL PROGRAMME 2018/19

718. The Cabinet considered a joint report by the Chief Financial Officer and Director of Environment, monitoring expenditure as at 12 October 2018 against the approved Housing Capital Programme 2018/19 and recommending adjustments where necessary in light of the issues that had arisen since the programme had been approved.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the projected shortfall of £85,000, which represented 0.88% of the resources available, was within manageable limits. In addition, approval was sought to approve the transfer of £50,000 from Purchase of Property to Aids and Adaptations to reflect the current levels of demand.

The Cabinet agreed to:-

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

WOODFARM EDUCATIONAL CENTRE

719. Under reference to the Minute of the meeting of 12 April 2012 (Page 2364, Item 1887 refers), when it was agreed to extend the lease of the Woodfarm Educational Centre from 20 years to a 125 year lease on the basis that the centre would automatically revert to the Woodfarm Educational Trust ownership at the end of the lease, the Cabinet considered a report by the Director of Environment, seeking approval to transfer ownership of the Woodfarm Educational Centre from the Council to the Woodfarm Educational Trust. A plan showing the location of the centre was appended to the report.

Whilst noting that at the meeting on 29 October 2009, the Cabinet had agreed to lease the former Woodfarm Sports Centre ("the Centre") to Woodfarm Educational Trust (WET) for a period of 20 years on the basis that there would be an option to extend the lease from 20 to

125 years, the report explained that in 2012, the Cabinet subsequently agreed to extend the lease as noted above and that in return the WET had made a payment of £170,000 to the Council.

Furthermore, the report highlighted that the existence of a lease (instead of outright ownership) was now, however, impacting upon WET's ability to raise funds for an extension to the property for which planning permission had been obtained. In view of this, the District Valuer had been requested to carry out a valuation report and considered that the Council's remaining landlord's interest at present if sold to the tenant with a standard security containing similar multicultural centre use restrictions as applied within the current lease was £20,000.

The report concluded by indicating that the Cabinet was being asked to approve the proposal to bring forward the date when ownership of Woodfarm Educational Centre would transfer from the Council to Woodfarm Educational Trust, subject to payment of the price and securing future continuing use as a multicultural centre.

The Cabinet agreed:-

- (a) to bring forward the date when ownership of the Woodfarm Educational Centre reverted to Woodfarm Educational Trust in exchange for the payment of £20,000 and a Standard Security to secure the future use of the premises as a multicultural centre and to secure an uplift in value which would become payable to the Council should there be a future change of use; and
- (b) that delegated powers be granted to the Director of Environment, in consultation with the Chief Officer – Legal and Procurement to make the necessary arrangements.

CHAIR

MINUTE
of
LICENSING COMMITTEE

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

Present:

Councillor Betty Cunningham (Vice-Chair)
Councillor Alan Lafferty

Councillor Charlie Gilbert
Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; and Jennifer Graham, Committee Services Officer.

Also Attending:

Inspector Brian McGeoch, Sergeant Marie Stewart and PC Natasha Mancini, Police Scotland.

Apology:

Councillor Angela Convery (Chair).

DECLARATIONS OF INTEREST

720. Councillor Miller declared a non-financial interest in Item 722 on the grounds that he knew the applicant.

Resolution to Exclude Press and Public

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

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

Inspector McGeoch, Sergeant Stewart and PC Mancini 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 Stewart was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

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

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

Sederunt

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

TAXI DRIVER'S LICENCE – APPLICATION FOR GRANT

722. The committee considered a report by the Chief Officer - Legal and Procurement in relation to an application for the grant of a Taxi Driver's Licence (Agenda Item 4 refers).

The applicant was present.

Inspector McGeoch, Sergeant Stewart and PC Mancini 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 Stewart was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

The Senior Solicitor read out a letter on behalf of the applicant. 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 applicant's 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 one year subject to standard conditions.

Sederunt

Councillor Miller rejoined the meeting at this point.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present together with his Solicitor, Mr Scullion.

Inspector McGeoch, Sergeant Stewart and PC Mancini representing the Chief Constable who had made an objection in respect of the application were also present.

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

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

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

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

On reconvening the committee, having taken into account the submission made by the applicant's solicitor, 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 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

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

The applicant was present, accompanied by his cousin.

Inspector McGeoch, Sergeant Stewart and PC Mancini 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 Stewart was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

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

660

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

On reconvening the committee, having taken into account 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 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.

CHAIR