

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 26 January 2017.

Present:

Councillor Jim Fletcher (Leader)	Councillor Alan Lafferty
Councillor Tony Buchanan (Deputy Leader)	Councillor Ian McAlpine
Councillor Danny Devlin	Councillor Mary Montague
Councillor Elaine Green	

Councillor Fletcher, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes; Deputy Chief Executive; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Jim Sneddon, Head of Democratic and Partnership Services; Andy Corry, Head of Environment (Operations); Phil Daws, Head of Environment (Strategic Services); Tracy Butler, Community Planning Manager; Shona Fraser, Environmental Services Manager; Steven Skelly, Revenues and Business Support Manager; John Wilson, Senior Estates Surveyor; Ian Conway, Senior Regeneration Officer; Anne McAleer, Senior Project Officer (Affordable Housing); and Paul O'Neil, Committee Services Officer.

Apology:

Councillor Vincent Waters.

DEVELOPMENT OF THE LOCAL OUTCOME IMPROVEMENT PLAN AND LOCALITY PLANS

2355. The Cabinet considered a report by the Deputy Chief Executive, setting out the process for the development of East Renfrewshire Community Planning Partnership's Local Outcome Improvement Plan (LOIP) and Locality Plans as required by the Community Empowerment (Scotland) Act 2015. Copies of maps showing the two initial communities that would have locality plans developed for them in terms of the Act were appended to the report.

Whilst noting that the development of a Local Outcome Improvement Plan (LOIP) and Locality Plans were just two of the requirements of the Act, the report also highlighted that there were also provisions in the Act about how public bodies would work together and work with the community to plan, resource and deliver services which would improve local outcomes.

The report explained that a LOIP would replace the current Single Outcome Agreement (SOA) it being noted that it was required to have a narrower focus than the SOA and must evidence how priorities were being resourced. The Act also required that Locality Plans be developed for those areas within East Renfrewshire that experienced poorer outcomes compared to the rest of the authority or when compared to the rest of Scotland.

It was noted that data at both a local and national level showed that the two initial communities for locality plan development would be in (a) Auchenback; and (b) Arthurlie, Dunterlie and Dovecothall. Given that there was no requirement in terms of the Act for every community to have a locality plan, the report proposed that a phased approach to locality planning be implemented.

Whilst noting that both the LOIP and initial phase of locality plans were required to be in place by 1 October 2017, the report highlighted that given the timeline for the LOIP and locality plans, the report proposed that the Board meeting of the Community Planning Partnership in June 2017, be brought forward and held in February/March with a view to agreeing the strategic direction of the LOIP and the approach to locality planning.

The Cabinet agreed:-

- (a) the approach for the Council regarding the development of the Local Outcome Improvement Plan (LOIP);
- (b) to a phased development of locality plans with the initial communities having locality plans being developed in (i) Auchenback and (ii) Arthurlie, Dunterlie and Dovecothall; and
- (c) to change the timing of the Community Planning Partnership Board meeting from June 2017 to a date in either February/March 2017.

DISCRETIONARY HOUSING PAYMENTS AND IMPACT OF CHANGES TO THE BENEFIT CAP

2356. The Cabinet considered a report by the Deputy Chief Executive, providing an update on Housing Benefit changes through the benefit cap levels, which had been reduced in November 2016.

Whilst noting that the Council had been using Discretionary Housing Payments (DHP) mainly to mitigate the effects of the spare room subsidy and to provide other discretionary support on a 13 week basis, the report highlighted that to date all DHP awarded by the Council had been covered by funding from the Scottish Government and the Department for Work and Pensions (DWP).

The report indicated that with effect from April 2013, the UK Government had introduced a cap on the total amount of certain benefits that working-age people could receive and that 32 households in East Renfrewshire had been adversely affected by the changes to the benefit cap. Details of the various approaches being adopted by councils across Scotland in relation to this matter were outlined in the report.

A number of options for consideration were listed in the report and it was proposed that the preferred option was for the Council to agree to award 100% relief for a shorter period of time – 13 weeks (i.e. in line with usual Discretionary Housing Payments for each case). In addition, it was proposed to approve the drawdown of related funds from the welfare reform contingency resources to cover the costs associated with the option.

Furthermore, it was proposed that it be agreed in principle, to carry this policy choice into 2017/18, subject to sufficient funds being made available from the welfare reform contingency resources, based on costs outlined in the report.

The Cabinet:-

- (a) agreed to mitigate some of the effects of the benefit cap;
- (b) agreed to award 100% relief for a shorter period of time – 13 weeks (i.e. in line with usual discretionary housing payments for each case);
- (c) approve the drawdown of related funds from the welfare reform contingency resources to cover the costs associated with the selected option;
- (d) agreed in principle, to carry this policy choice into 2017/18, subject to sufficient funds being made available from the welfare reform contingency resources, based on costs outlined in the report; and
- (e) noted that a further report would be submitted to a future meeting of the Cabinet in the event of any significant changes to national funding or case load levels.

ESTIMATED REVENUE BUDGET OUT-TURN 2016/17

2357. The Cabinet considered a report by the Chief Financial Officer, detailing the estimated projected revenue out-turn for 2016/17 and providing details of the expected variances, together with summary cost information for each of the undernoted services as at 11 November 2016:-

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

Whilst noting that the estimated projected revenue out-turn position was reported as an operational underspend of £2,296,900 or 1.03% of the annual budget and that for General Fund services an underspend of £2,322,200 was projected, the report highlighted that the main reason for the increased underspend was that lower interest rates and revised timings within the Capital Programme had allowed the Council to forecast a lower level of loan charge costs. The report also indicated 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.

Furthermore, the report explained that it was expected that management action would lead to all overspends being recovered, that all underspends would be consolidated wherever possible and that spending up to budget levels would not take place.

The report also explained that the provisions of the Local Government in Scotland Act 2003 placed a statutory requirement on Significant Trading Operations to achieve a breakeven position over a rolling three year period. However, it was noted that none of the Council's services fell within the definition of a Significant Trading Operation.

The Cabinet, having noted the reported probable out-turn position of the Revenue Budget 2016/17, agreed that:-

- (a) all departments currently on target to remain within budget be required to monitor and maintain this position to the year-end;
- (b) those departments currently forecasting a year-end overspend position be required to take action to bring net expenditure back within budget; and
- (c) all service departments ensure that effective control and measurement of agreed operational efficiencies were undertaken on a continuous basis.

DRAINAGE WORKS AT WOODFARM PLAYING FIELDS

2358. Under reference to the Minute of the meeting of the Council of 12 February 2015 (Page 1337, Item 1416 refers) when it was agreed, that as part of the Capital Programme for 2015/16, the Council would undertake drainage works to Woodfarm Playing Fields at a cost of £40,000, the Cabinet considered a report by the Director of Environment, seeking approval to implement the previous decision of the Council to undertake drainage works to Woodfarm playing fields at a cost of £40,000. A copy of the proposed lease of the grass football pitches at Woodfarm was appended to the report.

Whilst noting that following the decision of the Council, it was agreed at the meeting of the Cabinet on 4 June 2015 to lease the pitches at Woodfarm to East Renfrewshire Cricket Club, the report indicated that it had been anticipated that the cricket club would secure external funding to improve the drainage within the site although this never materialised.

Given that the playing fields were still a Council owned asset and were available to the public as a park outwith the time the site was used for cricket club activities, and that any drainage works would improve the facility and offer wider benefits to the public, the report proposed as originally envisaged that the drainage work be carried out by the Council at a cost of £40,000.

The Cabinet agreed to confirm the previous decision of the Council to undertake drainage works to Woodfarm playing fields at a cost of £40,000.

FUNDING FOR ARTHURLIE FAMILY CENTRE

2359. The Cabinet considered a report by the Director of Environment, advising of the decision to allocate an additional £398,000 funding for the new Auchenback Community Hub (Arthurlie Family Centre).

The report explained that following the demolition of the old school buildings in 2016, the Council was advised by the project civil engineers in April 2016 that contaminants had been discovered in the soil analysis that had been undertaken following the demolition. As a result, tender documentation had been amended to reflect the additional work to excavate and take off site any contaminated material which resulted in the cost of the project being increased by the sum of £398,000 above the available budget of £4.88 million.

It was noted that to avoid a delay in approving the contract, Councillors Green and Lafferty had given their approval to award the contract in accordance with the provisions of Clause 10.1 of the Council's Financial Regulations. Details of the facilities that would be provided in the Family Centre were outlined the report.

The Cabinet noted the decision to allocate an additional £398,000 funding for the new Auchenback Community Hub (Arthurlie Family Centre), subject to the adjustment being reflected in the 2017/18 Capital Plan.

LEASE FOR CONNOR ROAD SUPPORTED ACCOMMODATION

2360. The Cabinet considered a report by the Director of Environment, seeking approval for a new lease for Connor Road Supported Accommodation with Barrhead Housing Association.

The report explained that the current leasing arrangement with Barrhead Housing Association for Connor Road Supported Accommodation operated successfully and there had been no issues to date in respect of either party to the lease meeting their obligations. It was considered appropriate to agree to Barrhead Housing Association's request for a new 3-year lease being signed.

The Cabinet agreed to a new lease of the 12 properties at 19 Connor Road, Barrhead on the terms proposed or with such minor amendments as may be agreed by the Director of Environment, in consultation with the Chief Officer – Legal and Procurement.

RENT ARREARS AND FORMER RENT ARREARS WRITE-OFF POLICY

2361. The Cabinet considered a report by the Director of Environment, seeking approval of a new Rent Arrears and Former Arrears Write-Off Policy. A copy of the proposed policy was appended to the report.

The report explained that the objective of the policy was to prevent rent arrears wherever possible by providing appropriate support and assistance at the earliest stage. It was noted that the Council's performance in relation to rent arrears was improving through debt write off and early intervention.

The key changes to the existing policy included debts over 2 years being considered for write-off which at present sat at 5 years; debts being assessed twice a year compared to only once at present; and small balances under £75.00 being written off compared to the current figure of £20.00.

The report explained that the policy ensured effective early intervention to prevent arrears from occurring and where they did occur support and advice mechanisms were provided to ensure tenancy sustainment where possible. The policy also ensured effective recovery procedures were in place and the efficient management of recoverable debt.

The Cabinet approved the Rent Arrears and Former Rent Arrears Write-Off Policy.

RENTED OFF THE SHELF (ROTS) CAPITAL ARRANGEMENTS

2362. The Cabinet considered a report by the Director of Environment advising of the decision to purchase, on the open market and by 31 March 2017, up to 10 "Rented Off The Shelf" (ROTS) dwellings at an appropriate gross cost of £900,000.

The report explained that the late offer of grant from the Scottish Government to part fund the purchase of one and three bedrooed dwellings for Council housing was an opportunity to add to the social housing stock within East Renfrewshire and would assist in meeting the outstanding need for affordable housing at a relatively low cost to the Council.

It was noted that in accordance with the provisions of Clause 10.1 of the Council's Financial Regulations, Councillors Fletcher and Devlin had given their approval to purchase the properties, subject to the matter being reported to the Cabinet.

The Cabinet noted the decision to purchase, on the open market and by 31 March 2017, up to 10 "Rented Off The Shelf" (ROTS) dwellings at an appropriate gross cost of £900,000, using a combination of Scottish Government grant, commuted sums/Council Tax discount and HRA borrowing, and to amend the 2016/17 Housing Revenue Account (HRA) Capital Programme by creating a £150,000 "Rented Of The Shelf" (ROTS) budget.

INTRODUCTION OF OFF STREET PARKING CHARGES

2363. Under reference to the Minute of the meeting of the Council on 26 October 2016 (Page 2085, Item 2242 refers) when it was agreed amongst other things to implement parking charges and controlling regulations in a number of car parks and throughout East Renfrewshire, the Cabinet considered a report by the Director of Environment, advising of the results of the statutory consultation carried out in connection with the proposed introduction of off street car park parking charges and controlling regulations. The proposed charging levy was appended to the report.

Whilst noting that the consultation period associated with the draft order closed on 2 December 2016, the report provided details of the representations that had been received and highlighted that all the objections related to the introduction of the parking charges whereas no representations had been received in relation to the proposed regulations.

Having given consideration to the representations and the alternative suggestions put forward, the report highlighted that following an option appraisal exercise the preferred option for the Council was not to proceed with the introduction of off street parking charges and that a further report be submitted to a future meeting of the Council to progress the controlling regulations.

The report concluded by outlining the aims of the off street parking charges and emphasised that the outcome of the consultation had demonstrated that the introduction of parking charges as proposed at the meeting of the Council on 26 October 2016 would not achieve the desired outcomes of all residents and businesses.

The Cabinet agreed to **recommend to the Council** that the:

- (a) Council do not proceed with the introduction of off street parking charges; and
- (b) Director of Environment submit a report to the Council to make and confirm the East Renfrewshire (Off-Street Parking Places) Order in part, to bring into force the off street car park controlling regulations.

Resolution to Exclude Press and Public

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

PROPOSALS TO RETAIN FORMER LOCK UP SITE AT FENWICK DRIVE, BARRHEAD FOR COUNCIL HOUSE BUILDING

2364. Under reference to the Minute of the meeting of 20 August 2015 (Page 1560, Item 1668 refers) when it was agreed to sell the former lock-up site at Fenwick Drive, Barrhead, the Cabinet considered a report by the Director of Environment, seeking approval to reverse the previous decision by the Cabinet to sell the site, in order that the site could now be used for the purposes of building council housing.

The Cabinet agreed to reverse its previous decision to sell the former lock up site at Fenwick Drive, Barrhead, in order that it could be used for the purposes of council house building.

PROPOSED RE-DEVELOPMENT OF SHANKS INDUSTRIAL ESTATE, BARRHEAD

2365. The Cabinet considered a report by the Director of Environment, providing an update on progress on the re-development of the Shanks Industrial Estate and seeking approval to enter into a conditional legal agreement with the developer referred to in the report to dispose of the Council's ownership interest in order to facilitate implementation of the re-development of the site.

The Cabinet agreed that delegated powers be granted to the Director of Environment, in consultation with the Chief Officer – Legal and Procurement, to negotiate and conclude a legal agreement with the developer referred to in the report to dispose of the Council's property ownership interest within Shanks Industrial Estate at a figure to be determined by the District Valuer.

RETAIL COMMERCIAL DEVELOPMENT – FORMER NESTLE SITE, GLASGOW ROAD, BARRHEAD

2366. The Cabinet considered a report by the Director of Environment, seeking approval to progress the disposal of 7.64 acres of part of the former Nestle site at Glasgow Road, Barrhead to the developer referred to in the report.

The Cabinet agreed that delegated powers be granted to the Director of Environment, in consultation with the Chief Officer – Legal and Procurement to progress and complete the disposal of 7.64 acres forming part of the former Nestle site at Glasgow Road, Barrhead for the development of a retail discount park to the developer referred to in the report.

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