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MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 24 October 2019.

Present:

Councillor Tony Buchanan (Leader)
Councillor Caroline Bamforth
Councillor Alan Lafferty

Councillor Colm Merrick
Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment (Strategic Services); Robert Spencer, Principal Accountant (Revenue); Gerry Mahon, Chief Officer – Legal and Procurement; and Paul O’Neil, Committee Services Officer.

Apology:

Councillor Danny Devlin.

DECLARATIONS OF INTEREST

1065. There were no declarations of interest intimated.

ESTIMATED REVENUE BUDGET OUT-TURN 2019/20

1066. The Cabinet considered a report by the Chief Financial Officer, detailing the projected revenue budget out-turn for 2019/20 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 31 August 2019:-

- (i) Objective and Subjective Summaries;
- (ii) Education;
- (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 as at 31 August 2019, the estimated year-end position showed a net favourable variance on net expenditure of £782,000 based on current information, the report highlighted that for General Fund services the projected underspend was £842,000. Details of a number of service virements and operational adjustments for which approval was sought were also outlined in the report.

The report concluded by highlighting 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. At this time, it was expected that management action would lead to all overspends being recovered, that all underspends were consolidated wherever possible and that spending up to budget levels did not take place.

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

- (a) to approve the service virements and operational adjustments set out in the notes in the report;
- (b) that management action be taken to remedy any forecast overspends; and
- (c) that all departments continue to closely monitor their probable out-turn position.

HOUSING SERVICES PERFORMANCE REPORT 2018/19 AND ANNUAL ASSURANCE STATEMENT (SCOTTISH SOCIAL HOUSING CHARTER)

1067. The Cabinet considered a report by the Director of Environment, advising of the Council's performance in respect of the Annual Return on the Scottish Social Housing Charter (SSHC) or "the Charter" to the Scottish Housing Regulator (SHR), in relation to performance in 2018/19. The report also sought approval for the Annual Assurance Statement which outlined Housing Services' compliance with the Charter standards and the Council's statutory obligations, and was a new annual requirement introduced this year by the SHR. A copy of Housing Services' annual performance report was appended to the report.

The report explained that the Scottish Social Housing Charter (SSHC) required each landlord to provide the SHR with details of performance against 37 performance indicators and information for 32 contextual indicators by 31 May each year. This was known as the "Annual Return on the Charter" (ARC). The SHR used the information to produce a summary landlord report for every social landlord in Scotland and this information was published on the regulator's website by the end of August each year. Furthermore, the regulator also produced an Engagement Plan for each landlord, which outlined the areas of scrutiny they would focus on based on the previous year's reported performance.

Whilst noting that the Council had performed above the Scottish Council average in approximately 70% of the performance indicators measured by the SSHC, the report highlighted that the Council performed above the Scottish average for all landlords in key areas such as maintaining its homes, completing adaptations and tenancies sustained. A number of improvement areas had been identified and an Assurance Statement which

addressed the areas required for improvement was also appended to the report, it being noted that in terms of improving performance the Council would focus on void property repairs and standards together with the provision of emergency homeless accommodation.

The Cabinet:-

- (a) noted the performance for 2018/19 as outlined in the Annual Return on the Charter (ARC) submitted to the SHR, which would be published via the Council's Housing Services annual performance report as outlined in the report; and
- (b) approved the Annual Assurance Statement prepared by the Council's Housing Services self-evaluation detailing compliance with the Charter's standards and with the Council's statutory obligations for submission to the SHR by 31 October 2019.

STRATEGIC HOUSING INVESTMENT PLAN 2020-25 AND COUNCIL NEW BUILD PROGRAMME

1068. The Cabinet considered a report by the Director of Environment, seeking approval for the proposed Strategic Housing Investment Plan 2020/21 to 2024/25 for submission to the Scottish Government. The report also provided an update on the Council's new build housing programme. A copy of the Strategic Housing Investment Programme (SHIP) was appended to the report.

The report explained that the Scottish Government required councils to supplement their Local Housing Strategy with an annual review of the SHIP setting out their affordable housing priorities for the next 5 years. It was noted that the SHIP was a 5 year plan, which would take the Council beyond the Resource Planning Assumption announced in 2019. Details of the subsidies both the Council and Registered Social Landlords received for each property that was built was outlined in the report.

Whilst noting that the proposed SHIP detailed how the Council intended to spend its resource planning allocation from the Scottish Government, the report explained that demand for new social rented housing, especially new Council housing, continued to exceed supply. To address this, the proposed SHIP could deliver 561 units of social rented housing and 50 'Rent off the Shelf' purchases across the 5 year period of the programme.

Furthermore, the need to identify available sites was an ongoing challenge and to assist with this, additional staffing resources had been made available. However, it was noted that private ownership of a number of sites meant that development timescales could not always be controlled by the Council.

The Cabinet:-

- (a) approved the Strategic Housing Investment Plan 2020/21 to 2024/25 for submission to the Scottish Government;
- (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 with the Scottish Government, which would confirm the programme of housing projects being funded locally over the next 2 years; and

- (c) noted the progress made to date with the Council house new build programme, the proposals for future developments and the significant challenges in delivery.

WRITE-OFF OF IRRECOVERABLE FORMER TENANT RENT AND COURT EXPENSES

1069. Under reference to the Minute of the meeting of the Cabinet of 26 January 2017 (Page 2197, Item 2361 refers), when the new rent arrears policy had been approved, the Cabinet considered a report by the Director of Environment, seeking approval to write-off former tenant rent and court expenses which could not be recovered through the debt collection process.

The Cabinet agreed to:-

- (a) write-off the sum up to the value of £54,316.90 of irrecoverable former tenant rent and court expenses, whilst acknowledging that the sums could be pursued and recovered in future should additional information and opportunities arise;
- (b) note that £36,765.81 of this amount was written-off against the Housing Revenue Account (HRA) with the remaining £17,551.09 being written-off against the Non-HRA as this was accrued by homeless households placed in temporary accommodation; and
- (c) note that the write-off of these historic unrecoverable debts would have no net impact on the Council's accounts as provision had been made for the debt, in full, in previous years.

REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000

1070. The Cabinet considered a report by the Chief Officer – Legal and Procurement, seeking approval to the amendment of the Council's procedure on covert surveillance to reflect the addition of a further authorising officer and to report on surveillance activity undertaken by the Council during the period 2017-19. A copy of the revised procedure on covert surveillance was appended to the report.

The report explained that the Regulation of Investigatory Powers (Scotland) Act 2000 (referred to as RIPSAs) came into effect on 2 October 2000 the purpose of which was to ensure that public authorities made only lawful use of directed surveillance and covert human intelligence sources. The Act regulated these activities by requiring that surveillance operations be justified and authorised by a senior officer of the authority.

Whilst noting that as a result of staff changes it was now considered prudent to add a further authorising officer to the list of those able to fulfil this function so as to ensure adequate availability and minimise delay to planned surveillance activities, the report proposed that in accordance with the terms of the Regulation of Investigatory Powers (Prescription of Offices) etc and Specification of Public Authorities (Scotland) Order 2010, that the Data and Information Manager be added to the list.

The report also provided details of the use of directed surveillance and Covert Human Intelligence Sources (CHIS) during the preceding 3-year period which highlighted an upward trend in the use of direct surveillance which was accounted for by the involvement of Trading

Standards (Scotland) (TSS) who were delegated as East Renfrewshire Council Officers for trading standards purposes. It was noted that the surveillance activities focussed on national operations around the online sale of counterfeit goods.

The Cabinet:-

- (a) noted the use of directed surveillance and Covert Human Intelligence Sources (CHIS) during the period 2017-19; and
- (b) approved the revised Procedure on Covert Surveillance which was appended to the report.

CHAIR

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 30 October 2019.

Present:

Provost Jim Fletcher	Councillor Annette Ireland
Councillor Paul Aitken	Councillor Alan Lafferty
Councillor Caroline Bamforth	Councillor David Macdonald
Councillor Tony Buchanan (Leader)	Councillor Colm Merrick
Councillor Danny Devlin	Councillor Stewart Miller
Councillor Charlie Gilbert	Councillor Paul O’Kane
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; Eamonn Daly, Democratic Services Manager; and Ron Leitch, Committee Services Officer.

Apologies:

Deputy Provost Betty Cunningham, Councillors Angela Convery, Jim McLean, and Jim Swift.

REQUEST TO RECORD PROCEEDINGS

1071. Provost Fletcher intimated that a request had been received to audio record the meeting.

Referring to the regular receipt of such requests, Provost Fletcher proposed that permission be given to audio record all future meetings of the full Council.

The Council:-

- (a) approved the request to audio record the meeting; and
- (b) agreed that audio recording of all future meetings of the full Council be permitted.

DECLARATIONS OF INTEREST

1072. There were no declarations of interest intimated

MINUTES OF PREVIOUS MEETINGS

1073. The Council considered and approved the Minutes of the meetings held on 11 and 26 September 2019.

MINUTES OF MEETINGS OF COMMITTEES

1074. The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 1075 below:-

- (a) Cabinet – 12 September 2019;
- (b) Cabinet (Police & Fire) – 19 September 2019;
- (c) Audit & Scrutiny Committee – 26 September 2019;
- (d) Local Review Body – 2 October 2019;
- (e) Education Committee – 3 October 2019;
- (f) Licensing Committee – 15 October 2019; and
- (g) Cabinet – 24 October 2019.

CABINET – 24 OCTOBER 2019 – HOUSING SERVICES PERFORMANCE REPORT 2018/19 AND ANNUAL ASSURANCE STATEMENT (SCOTTISH SOCIAL HOUSING CHARTER)

1075. Under reference to the Minute of the meeting of the Cabinet of 24 October 2019 (Page 986, Item 1067 refers) Councillor Wallace questioned why the average time to re-let properties in East Renfrewshire was 42 days compared to the Scottish average of 32 days. In response, Councillor Devlin, Convener for Housing and Maintenance Services, explained that he had discussed this matter with the Director of Environment and Head of Environment (Strategic Services). He explained that there had been a high turnover of voids recently but action had been taken that should reduce the turnaround time to under 31 days within the following few months.

Councillor Buchanan explained that the matter had been discussed at the meeting of the Cabinet when it had been reported that there had been an issue with staffing available to prepare void properties for occupation. Given the high standards set by the Council and the need to ensure that properties were fully fit for occupation, both of which had to be factored in, the time taken had extended beyond the national average figure. However, the department was working to redress the situation and to ensure that void properties were made fit for occupation as quickly as possible.

The Council noted the information.

STATEMENTS BY CONVENER/REPRESENTATIVES ON JOINT BOARDS/ COMMITTEES

1076. The following statements were made:-

(a) **Councillor O’Kane – Mearns Primary School Fire**

Councillor O’Kane extended his thanks and those of all Elected Members to Council services and external partners who had reacted to the fire at Mearns Primary School on Monday 21 October. Quick work by the fire service and police had ensured that the fire had not spread further and caused greater damage with the impact that would have had on the school community.

He went on to commend the work carried out by Council services including Education, Environment and Facilities Management, as well as by the school’s facilities management external partner Bellrock, to ensure that the school was able to reopen the following day with the nursery class following on Wednesday 23 October. He thanked the Head Teacher at the school for her calm manner and for keeping the school community informed about the situation, and also thanked the Head Teacher of Maidenhill Primary School for hosting the staff of Mearns Primary during their In Service day on the day of the fire.

He concluded by reporting that he had spoken to the parent of a pupil at Mearns Primary School who told him that her daughter had visited Clarkston Community Fire Station to present firefighters with a card and sweets “*for saving my school*”.

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

Councillor Bamforth referred to business considered at the most recent meeting of the Health and Social Care Partnership Integration Joint Board (IJB) at which the main focus had been a series of annual governance reports for scrutiny by the Board. The Audited Annual Accounts had been approved and the Board had been pleased to note that these had been unqualified and demonstrated sound financial governance. Copies were available via the IJB papers or from the IJB Chief Finance Officer.

The Chief Social Work Officer had shared with the Board her annual report to the Council. The report was to be considered by the Council later in the meeting at which time Elected Members would have the opportunity for full scrutiny of social work activity over the past year. The HSCP Annual Clinical and Care Governance report which reflected the progress made in improving the quality of clinical care had also been considered and copies were available via the IJB papers.

Councillor Bamforth went on to report that the IJB continued to monitor the improvement plan for the Care at Home Service. While there had been progress with the initial improvement actions, further work was required to ensure that care planning and delivery was fully person-centred and to support staff in their day-to-day practice. The Head of Adult Health and Care Localities had informed the Board that the Care Inspectorate had recently carried out a full inspection of the service and their report was awaited.

It was confirmed that the next meeting of the IJB was scheduled to take place on 27 November.

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

Councillor Merrick explained that the Council was a signatory to the Renfrewshire Armed Forces Covenant and he was pleased to report that East Renfrewshire Culture and Leisure Trust (ERCLT) had become the first Trust in Scotland to provide a free and all-inclusive gym membership for armed forces veterans through a dedicated health and wellbeing programme. The ERCLT *Health for Heroes* programme provided free gym membership to veterans and a family member so that they were better able to reintegrate into society after their service and through which any health and fitness issues could be addressed. Eligibility for inclusion on the programme was assessed in partnership with the Council's Veterans Support Officer with an initial consultation being conducted with one of the Trust's Physical Activity and Health Advisors. A personal fitness programme was then drawn up for each veteran based on their individual circumstances and they were fully introduced to the gym, swim, fitness class, and health suite environments.

He went on the report that he had been pleased to have attended ERCLT's Sports Coach and Volunteers awards ceremony in Carmichael Hall on 4 October. The event had celebrated the work of the army of volunteer coaches, officials and administrators who worked tirelessly in community sports clubs across East Renfrewshire. It had been inspirational to hear stories from young and older individuals who had given 50 years of service in one instance for the love of their sport and their dedication to young people. He expressed his gratitude to the multitude of coaches, officials and administrators across East Renfrewshire without whom East Renfrewshire would not have the sporting landscape that was often taken for granted.

Councillor Merrick concluded by referring to previous statements he had made in respect of the excellent work done by the Trust in the development of the performing arts at Eastwood Park Theatre. The previous week had seen a milestone for the theatre with two sell-out shows in one week with the National Theatre Live production of "Flea Bag" followed by Scotland's own Janey Godley with her one-woman show. This had been a welcome reflection of ERCLT's dedication and determination to deliver quality professional performances and productions at Eastwood Park Theatre.

The Council noted the statements.

PROVOST'S ENGAGEMENTS

1077. 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.

CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2018/19

1078. The Council considered a report by the Chief Social Work Officer, providing details of her Annual Report for 2018/19 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 provided a brief narrative on the local authority to set the delivery of social work services in context. It described partnership structures and governance arrangements as well as the social services landscape and presented an overview of the professional activity for social work within East Renfrewshire in 2018/19 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, including 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; the impact of the Living Wage; the redesign of services to ensure that savings were delivered throughout 2018/19; and the management of increased service demand at a time of diminishing resources.

In February 2019 the Care Inspectorate had carried out a full inspection of the Care at Home Service. The outcome of the inspection was that the service had been judged to be poorer than the Council would wish to see with 9 requirements and 1 recommendation requiring to be met. A robust improvement plan had been put in place to address the shortcomings which had been identified.

Concluding her report, the Chief Social Work Officer explained that despite challenging circumstances there had been many significant improvements made over the year and that this delivery had been helped by the shared belief and vision of staff in the service; their efforts in delivering quality services; and strong partnership working.

Councillor Aitken sought clarification on what was required to meet the improvements required as a result of the Care Inspectorate's report. In response the Chief Social Work Officer explained that the quality of assessments and the timescales to implement them, especially within Adult Services, as well as better understanding of the demand for the service, had been identified as areas to be addressed.

Councillor O'Kane welcomed the report and the opportunity to question the Chief Social Work Officer on the report. He went on to reiterate the strong partnership working between the HSCP and the Education Department, especially in the field of children's services. He expressed the view that the model used within East Renfrewshire which involved less formal integration between education and social work services but relied more on strong partnership working, should be commended and continued to provide the best outcomes for children and young people with special emphasis on children who were care-experienced, looked after, and those who found themselves in vulnerable situations.

Welcoming the report and congratulating the Chief Social Work Officer and her team on the achievements over the year, Councillor Buchanan, whilst recognising that improvements were required within the Care at Home Service as a result of the Care Inspectorate report and that these were being monitored and managed, reiterated the importance of strong partnership working across the entire Council in achieving excellent results.

Responding to Councillor Wallace who sought clarification of the reasons for the increase in a number of the reasons leading to an Initial Referral Discussion, the Chief Social Work Officer explained that as a result of the strong partnership working across the Council as mentioned earlier, referrals were received by the Social Work Service earlier than in many other councils. With reference to the category of sexual abuse she explained that this was primarily as a result of increased online activity. With reference to the categories of parental alcohol misuse, parental substance abuse, and parental mental health, she commented that, although the figures were increasing across East Renfrewshire, they were still comparatively low in number and were increasing much more slowly than in other local authority areas, especially those councils with large areas of deprivation.

Councillor Miller welcomed the imminent refurbishment and reconfiguration of Bonnyton House and looked forward to viewing the refurbished facility in due course. He also welcomed the fact that the Council had previously been prevented from disposing of Bonnyton House in order to achieve a budget saving.

Council Bamforth reminded Councillor Miller that it had been the Conservative Group that had first proposed the closure of Bonnyton House in 2012. She went on to say that East Renfrewshire HSCP was regarded by COSLA as an exemplar in many areas with a good reputation for the innovative work which it carried out with particular reference to the Family Wellbeing Service which had been the subject of a number of enquiries for detailed information from other HSCPs. She went on to highlight the role of Mental Health Officers, particularly in supporting adults with incapacity, which had been discussed at a recent meeting of the Board of NHS Greater Glasgow and Clyde when it had been noted that there was a nationwide shortage of suitable trained staff to fill these positions.

Councillor Lafferty highlighted the substantial challenges facing the HSCP and the actions being taken to address these. He also commended the level of partnership working across the Council with particular reference to the Family Firm and the Environment Department which currently had a number of care-experienced young people employed as trainees.

Having heard Provost Fletcher thank the Chief Social Work Officer for a comprehensive and informative report, the Council approved the content of the Chief Social Work Officer's Annual Report for submission to the Office of The Chief Social Work Advisor, Scottish Government.

SCOTTISH ELECTIONS (REFORM) BILL

1079. The Council considered a report by the Chief Executive seeking approval of comments in relation to The Scottish Elections (Reform) Bill.

The report explained that The Scottish Elections (Reform) Bill had been introduced in the Scottish Parliament on 2 September. The Parliament's Standards, Procedures and Public Appointments Committee was the Bill's lead committee and on 18 September it had issued a call for views on the Bill. The deadline for comments to be submitted to the committee was 7 November.

The report explained that the Scottish Government was proposing a number of changes to the law governing elections in Scotland. A summary of the proposed changes contained in the Bill was set out in the report.

Councillor O'Kane supported the views expressed on behalf of the Council and expressed the view that there was a degree of unity across the Council, particularly with respect to the issue of councillor numbers. He went on to express the view that 18 councillors was too low a number for East Renfrewshire which, although it was a small council, had a growing population and the same demands placed on councillors as larger councils. He welcomed the proposal within the Bill to introduce a new process in the Scottish Parliament to scrutinise future proposals with regard to boundaries and councillor numbers rather than such decisions being taken by Ministers as at present. He concluded by expressing his thanks to the Chief Executive and the Democratic Services Manager for their work in producing the report.

Responding to Councillor Macdonald who sought clarification on how it was possible for an individual to be registered to vote in more than one local authority area, the Democratic Services Manager explained that the current legislation did allow for an individual to be on the electoral register in more than one area. The proposal contained in the Bill was designed to remove this anomaly.

Councillor Buchanan added his thanks to the officers involved in producing the report which he recommended for approval by the Council. He reiterated Councillor O’Kane’s view that 18 councillors was too low for East Renfrewshire and expressed the view, as put forward at the time of the last boundary changes, that a more realistic number would be 22 in order to meet the needs of residents. He welcomed the proposal within the Bill to introduce a new process within the Scottish Parliament to scrutinise future proposals which would go some way to ensuring that the voice of local people and their elected representatives was heard. This proposal, if implemented, would go some way to restoring the situation and put the Council in a better position to represent the interests of local residents.

Thereafter, having heard Provost Fletcher explain that the Council had unanimously opposed the Boundary Commission’s previous proposals and express the hope that the Bill would go some way towards preventing a similar situation from arising in future, the Council agreed that the proposed comments be approved and submitted to the Scottish Parliament’s Standards, Procedures and Public Appointments Committee.

PROVOST

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 6 November 2019.

Present:

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

Provost Jim Fletcher
Councillor Stewart Miller

Councillor Ireland in the Chair

Attending:

Sean McDaid, Principal Planner; Fiona Morrison, Graduate Planner, Development Management; Graham Shankland (Principal Strategy Officer (Regulatory and Strategy); and Paul O'Neil, Committee Services Officer.

Apologies:

Councillors Jim McLean and Jim Swift.

DECLARATIONS OF INTEREST

1080. There were no declarations of interest intimated.

APPLICATION FOR PLANNING PERMISSION

1081. The committee considered a report by the Director of Environment, on an application for planning permission by Mr Andrew Fulcher for the erection of a one and a half storey side extension, upper storey rear extension and single storey side and rear extensions at 99 East Kilbride Road, Busby, requiring consideration by the committee.

The Principal Planner explained that the application was a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009 and that as more than 10 objections have been received, in terms of the Council's Planning Scheme of Delegation the application had to be presented to the committee for determination. He provided an overview of the proposal and the assessment that had been carried out and explained that arising from the assessment officers were recommending approval of the application, subject to conditions.

Whilst stating that in his opinion the proposed development did not conform with the characteristics of Busby Conservation Area, Councillor Miller also expressed concern about the access/egress to/from the application site onto East Kilbride Road which was the main road through Busby and that a significant amount of traffic used this road on a daily basis.

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Concluding his remarks, he stated that in his opinion, the design and scale of the proposed development was not in keeping with the character of the area and that he could not support the application.

The Principal Planner stated that the fact that the proposed development was in a conservation area did not preclude development taking place. He further explained in response to a question by Provost Fletcher that the reference to the intended use of the extended property being used by a religious group had been submitted by objectors. He indicated that if a material change occurred regarding the use of the property then this would represent a breach in planning control and the Council would investigate and might take enforcement action if considered appropriate.

Given that some members of the committee were not familiar with the application site, it was suggested that consideration of the application be continued for a site visit. In addition, Provost Fletcher suggested that the committee should seek further information from the applicant regarding the existing use of the house for religious gatherings.

At this stage, the committee agreed that:-

- (a) consideration of the application be continued to allow a site visit to take place; and
- (b) the applicant be asked to provide further information regarding the existing use of the house for religious gatherings.

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 determined by the Planning Applications Committee on
6th November 2019

Reference No: 2019/0295/TP

Ward: 4

Applicant:

Mr Andrew Fulcher
99 East Kilbride Road
Busby
G76 8JE

Agent:

George Buchanan Architects Ltd
Maryhill Burgh Halls
10-24 Gairbraid Avenue
Glasgow
G20 8YE

Site: 99 East Kilbride Road, Busby, East Renfrewshire, G78 8JE

Description: Erection of one and a half storey side extension, upper storey rear extension and single storey side and rear extensions

Decision: Continued for a site visit

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 6 November 2019.

Present:

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

Councillor Ireland in the Chair

Attending:

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

Apologies:

Councillors Jim McLean and Jim Swift.

DECLARATIONS OF INTEREST

1082. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2019/15 – ERECTION OF TWO NEW RETAIL/BUSINESS UNITS INCLUDING PROVISION FOR HOT FOOD TAKEAWAY PLUS EXTERNAL ALTERATIONS TO EXISTING BUILDINGS AND NEW PARKING AREA AT 157 BURNFIELD ROAD, GIFFNOCK (REF NO: 2019/0185/TP)

1083. Under reference to the Minute of meeting of 2 October (Page 977, Item 1057 refers), when it was agreed to continue consideration of the review case to allow the case officer to prepare a review statement and for the applicant to be given an opportunity to submit comments in response, the Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by A12 Properties, against the non-determination of an application in respect of the erection of two new retail/business units including provision for hot food takeaway plus external alterations to existing buildings and new parking area at 157 Burnfield Road, Giffnock.

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 that the application for planning permission dated 22 March 2019 be refused.

NOTICE OF REVIEW – REVIEW 2019/17 – ERECTION OF SINGLE STOREY REAR EXTENSION; INSTALLATION OF DORMER WINDOWS AT FRONT AND REAR AT 11 FORRES AVENUE, GIFFNOCK (REF NO: 2019/0251/TP)

1084. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Rachel and Callum Johnson, against the decision taken by officers to refuse planning permission in respect of the erection of a single storey rear extension; installation of dormer windows at front and rear at 11 Forres Avenue, Giffnock.

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

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

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

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

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 19 June 2019 be overturned and that planning permission be granted.

NOTICE OF REVIEW – REVIEW 2019/18 – ALTERATIONS TO AND REPLACE ROOF TO FORM EXTENDED UPPER FLOOR ACCOMMODATION WITH INSTALLATION OF DORMER WINDOWS AT FRONT AND SIDE; ERECTION OF RAISED DECKING AT REAR AT 79 BEECH AVENUE, NEWTON MEARNES (REF NO: 2019/0331/TP)

1085. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Ms Laura Cunningham, against the decision taken by officers to refuse planning permission in respect of alterations to and replace roof to form extended upper floor accommodation with installation of dormer windows at front and side; erection of raised decking at rear at 79 Beech Avenue, 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 that the decision of the Appointed Officer as set out in the decision notice of 14 August 2019 be overturned and that planning permission be granted.

CHAIR

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 12 November 2019.

Present:

Councillor Angela Convery (Chair)
Councillor Charlie Gilbert

Councillor Alan Lafferty

Councillor Convery in the Chair

Attending:

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

Also Attending:

Inspector Bryan McGeoch and Constable Simon Roy, Police Scotland.

Apology

Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

1086. There were no declarations of interest intimated.

Resolution to Exclude Press and Public

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

Variation in Order of Business

In accordance with Standing Order 20, Councillor Convery agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1087. The committee considered a report by the Chief Officer (Legal & 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 and Constable Roy 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.

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

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

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

On reconvening, the committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, agreed that the application be granted for a period of 1 year subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL

1088. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the renewal of a Private Hire Car Driver's Licence (Agenda Item 4 refers).

The applicant was present.

Inspector McGeoch and Constable Roy 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.

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

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

The committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, agreed that the application be granted and the licence renewed for a period of 3 years subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1089. The committee considered a report by the Chief Officer (Legal & 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 and accompanied by his solicitor Mr Campbell.

Inspector McGeoch and Constable Roy 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.

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

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

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1090. The committee considered a report by the Chief Officer (Legal & 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.

The Senior Solicitor was heard in explanation of the implications of there being no Certificate of Good Conduct available.

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 agreed that the application be granted for a period of 1 year subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION

1091. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for the suspension of a Private Hire Car Driver's Licence on the grounds

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that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined by the Civic Government Enforcement Officer (Agenda Item 8 refers).

The licence holder was present and accompanied by his solicitor Mr Mitchell.

The Civic Government Enforcement Officer was heard in respect of the request and in response to questions from Members.

Mr Mitchell, the licence holder's solicitor, was then heard in respect of the report by the Civic Government Enforcement Officer and in response to questions from Members.

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

On reconvening, the committee agreed not to suspend the licence in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982. However, the licence holder would be issued with a final written warning as to his future conduct.

PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION

1092. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for the suspension of a Private Hire Car Driver's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 10 refers).

The licence holder was present.

Inspector McGeoch and Constable Roy, representing the Chief Constable who had made the request, were also present.

Constable Roy was heard in respect of the request submitted by the Chief Constable and in response to questions from Members.

The licence holder was then heard in respect of the request and in response to questions from Members.

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

On reconvening, the committee agreed not to suspend the licence in terms of Paragraph 12(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1093. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 11 refers).

The applicant was present and accompanied by his solicitor Mr Mitchell.

Inspector McGeoch and Constable Roy 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.

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

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

The committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be granted for a period of 1 year subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1094. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 12 refers).

The applicant was present.

Inspector McGeoch and Constable Roy 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.

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

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

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

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

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1095. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 7 refers).

The applicant, having been invited to attend, was not present and the committee proceeded to determine the application in his absence.

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Inspector McGeoch and Constable Roy representing the Chief Constable, who had made a representation in respect of the application, were 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.

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

The committee, having taken account of the applicant's previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not 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

1096. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 9 refers).

The applicant, having been invited to attend, was not present and the committee proceeded to determine the application in his absence.

Inspector McGeoch and Constable Roy representing the Chief Constable, who had made an objection in respect of the application, were 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.

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

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

CHAIR

MINUTE
of
EDUCATION COMMITTEE

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 14 November 2019.

Present:

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

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); and Ron Leitch, Committee Services Officer.

Also Attending:

Anna Bree, Former Pupil, St Ninian’s High School; and Heather Spooner, Pupil, St Ninian’s High School.

Apology:

Councillor Gordon Wallace.

DECLARATIONS OF INTEREST

1097. There were no declarations of interest intimated.

PRESENTATION

1098. Councillor O’Kane advised the committee that Anna Bree, a former pupil at St Ninian’s High School had gained the highest marks of any candidate in this year’s SQA Advanced Higher examinations in Biology and Chemistry and that Heather Spooner, a current pupil at the school, had gained the highest mark of any candidate in Higher Human Biology.

On behalf of the committee he commended both on their outstanding achievements and presented them with a small token of congratulation and wished them well in their future endeavours.

SQA EXAMINATION RESULTS 2019

1099. Under reference to the Minute of the meeting of 22 August 2019 (Page 901, Item 978 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 performance in 2019 against 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 achieved outstanding Curriculum for Excellence (CfE) and S4, S5 and S6 results and best ever results at S3 CfE (Fourth Level), at 5 or more awards at Level 5 in S4, and at 1 or more awards at Level 6 in Vocational Qualifications. Referring to the teacher judgements in the broad general education (BGE) phase of CfE, he explained that the authority's schools had also achieved excellent 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 levels of attainment for young people from the most deprived backgrounds as measured by the Scottish Index of Multiple Deprivation (SIMD) and/or Free (School) Meal Entitlement (FME), had increased at a faster rate than the overall cohort, and that this group had 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 Angell welcomed the excellent report and questioned if there was a direct correlation between the improvement in achievement of pupils in SIMD deciles 1 and 2 and those in the FME group. In response, Dr Ratter explained that there was no direct correlation between living in the most deprived areas as defined as SIMD 1 and 2 and entitlement to Free School Meals with only about 1/3 of children falling into both groups. Dr Ratter also pointed out that it would be possible to look at other factors such as gender and ethnicity when making comparisons between groups of learners.

Councillor Bamforth raised the issue of the limited range of subjects that could be retaken in S5 if a young person had been unsuccessful in achieving an SQA qualification in S4. In response, Dr Ratter, supported by the Director, explained that the number of courses in S5 and S6 had increased considerably over recent years and that the department and schools continually examined the range of options to ensure that there were suitable pathways through the senior phase, including consortium arrangements for sharing resources between schools, in order to accommodate the needs of every pupil. He went on to explain that individual schools knew their own pupils best and that Head Teachers went to considerable lengths to accommodate and help their pupils.

Councillor Lafferty raised the issue of the difference in performance between the two high schools covering the Barrhead and Neilston areas and asked if the provision of a new building at Barrhead High School had played any part in this. The Director, supported by Councillor O'Kane, explained that although the new building had played a part, the outstanding leadership of the Head Teacher at Barrhead High School had been a very important factor in that school's increased level of attainment.

Councillor Buchanan, supported by Councillor Merrick, welcomed the presentation and highlighted the success in closing the attainment gap for the most disadvantaged young people. They also welcomed the excellent achievements of East Renfrewshire schools in relation to their virtual comparators as well as the depth and breadth of achievement by the young people of East Renfrewshire. They concluded by congratulating all the staff and young people across the authority.

Mr Morris welcomed the presentation and expressed the view that the increase in vocational options had opened up new pathways for the young people of East Renfrewshire. He concluded by adding his congratulations to all the teaching and support staff within the department for their contribution towards another successful year.

Thereafter, having heard Councillor O'Kane thank Dr Ratter for an interesting and informative presentation and echo the Director's comment on the Head Teacher at Barrhead High School, who was due to retire in the very near future, the committee agreed to note the position and the comments made.

CHAIR

MINUTE
of
CABINET
(POLICE AND FIRE)

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 21 November 2019.

Present:

Councillor Colm Merrick (Chair)	Councillor Barbara Grant
Councillor Caroline Bamforth	Councillor Alan Lafferty
Councillor Tony Buchanan (Leader)	Councillor Stewart Miller

Councillor Merrick, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Murray Husband, Head of Digital and Community Safety; and Paul O'Neil, Committee Services Officer.

Also Attending:

Chief Superintendent Hazel Hendren and Chief Inspector John McQuilter, Police Scotland, and Group Commander Mark Gallacher and Station Commander David Fothergill, Scottish Fire and Rescue Service.

Apology:

Councillor Paul O'Kane (Vice Chair).

DECLARATIONS OF INTEREST

1100. There were no declarations of interest intimated.

POLICE SCOTLAND – PERFORMANCE REPORT OVER SECOND QUARTER OF FINANCIAL YEAR OF 2019/20

1101. The Cabinet considered a report by the Divisional Commander, Police Scotland, providing details of the performance of the police over the second quarter of the 2019/20 financial year. The report also provided statistical information in relation to various categories of crimes and offences committed during the reported period together with comparative statistics for the corresponding period in 2018/19.

Chief Superintendent Hendren reported that preparations were being made for the annual festive safety campaign; and the General Election being held on 12 December 2019. She also made reference to the introduction of the Contact Assessment Model which had gone live in October and that as reported at the last meeting officers were being issued with mobile smart devices to assist them in undertaking their daily duties. Concluding her remarks, she advised that the 3-year Local Policing Plan was due to be renewed and was at present the subject of a consultation exercise which would end on 31 December 2019. At this stage, she invited Chief Inspector McQuilter to report further on the information contained in the performance report.

Chief Inspector McQuilter reported on the performance of the police against the 5 local policing priorities contained in the Local Policing Plan 2017-20, details of which were outlined in the report. Whilst emphasising the good partnership working that existed within East Renfrewshire which contributed to the positive performance being reported, he highlighted that in terms Acquisitive Crime, the number of victims of homes being broken into had fallen by 9% compared to the corresponding period the preceeding year and that the detection rate for this type of crime had increased by 29%. Whilst noting that in terms of Violent Crime, serious assaults had fallen by 29% compared to the corresponding period the previous year, he explained that overall crimes of violence had increased by 11% compared to the corresponding period for 2018/19. Furthermore, there had been a reduction in the number of robberies from 6 to 3, although the number of common assaults had increased from 190 to 224.

Whilst noting that in terms of Public Protection, that there had been an 8% decrease in sexual/cyber crimes with 75 victims coming forward compared to 82 in the corresponding period the previous year, Chief Inspector McQuilter also reported that there had been a reduction in anti-social behaviour which was down by 11% in terms of the number of calls (i.e. 136 fewer calls) compared to the corresponding period in 2018/19 and that similar reductions had been recorded in terms of acts of vandalism which were down by 2% compared to the corresponding period the previous year and 17% against the 5-year average. He reported that the number of cases being submitted to the Procurator Fiscal for persons involved in the supply, production and cultivation of drugs had decreased from 16 to 8 compared to the corresponding period in 2018/19.

Concluding his remarks, he highlighted that Constable Jacqueline Petrie, the Local Authority Liaison Officer, had recently received an award from the Scottish Women's Development Forum for her contribution to the 'I AM ME' initiative.

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

The Cabinet noted the position.

SCOTTISH FIRE AND RESCUE SERVICE (SFRS) – PERFORMANCE REPORT FOR THE SECOND QUARTER OF 2019/20

1102. The Cabinet considered a report by the Local Senior Officer, Scottish Fire and Rescue Service (SFRS), providing details of the performance of the SFRS in East Renfrewshire during the second quarter of 2019/20. An analysis of the incidents identified in the six areas for demand reduction that had taken place in each of the Council's five wards during the reported period was outlined in the report.

Group Commander Gallacher began by emphasising the positive results contained in the report and the good partnership working that existed in East Renfrewshire among all agencies such as the Council and Police Scotland. He referred to significant events that had taken place within East Renfrewshire in recent weeks, particularly the fire at Mearns Primary School and to the fact that there had been no acts of violence against fire crews in East Renfrewshire on bonfire night on 5 November. At this stage, he invited Station Commander Fothergill to comment further on the terms of the performance report.

Station Commander Fothergill stated that of the six areas for demand reduction in the Local Fire and Rescue Plan, a downward trend had been witnessed in four of them. Referring to the summary of activity that had taken place during the reported period, he highlighted that reductions had been recorded in all activities. Whilst noting that 73% of the incidents of accidental dwelling fires required no firefighting action, he emphasised that cooking was the main cause of this type of fire. It was noted that during the reported period a multi-agency event had taken place in the Auchenback area together with open days at Barrhead and Clarkston Fire Stations. Furthermore, a total of 382 Home Fire Safety Visits had taken place during the reported period, with no accidental dwelling fire casualties being recorded.

Whilst noting that there had been a decrease in the number of incidents of deliberate fire setting both year on year and against the 3 year average indicators, Station Commander Fothergill emphasised that a high percentage of deliberate fires were secondary in nature, involving refuse and these incidents had predominantly occurred within the Barrhead, Liboside and Uplawmoor ward between the hours of 5.00pm and 10.00pm. Similarly, there had been a significant decrease in Non-Domestic Fires compared to the corresponding period the previous year. He highlighted that the three incidents that were recorded were all in the one ward and involved a variety of premises type. It was noted that there had been an increase in the number of Unwanted Fire Alarm Signals (UFAS) incidents compared to the corresponding period the previous year albeit there had been a slight decrease as against the 3 year average.

There followed a short question and answer session in the course of which Group Commander Gallacher and Station Commander Fothergill provided clarification on a range of operational issues within East Renfrewshire.

The Cabinet noted the position.

CHAIR

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 21 November 2019.

Present:

Councillor Stewart Miller (Chair)
Councillor Barbara Grant (Vice Chair)

Councillor Charlie Gilbert
Councillor Jim Swift

Councillor Miller in the Chair

Attending:

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Michelle Blair, Chief Auditor; Sarah Janes Hayes, Customer Services Manager; Colin McMenemy, Education Admissions and Development Manager; Linda Hutchison, Clerk to the Committee; Charles Leleux, Scrutiny and Evaluation Officer; and Ron Leitch, Committee Services Officer.

Apologies:

Provost Jim Fletcher and Councillor Annette Ireland.

DECLARATION OF INTEREST

1103. Councillor Grant declared a non-financial interest in relation to Item 1110 by virtue of the fact that she was a member of the East Renfrewshire Culture and Leisure Trust Board.

CHAIR'S REPORT

1104. The Chair reported that Elaine Barrowman, who had been Audit Scotland's Senior Audit Manager for the Council for approximately 3 years, was leaving her current External Audit position to take up a new post within Audit Scotland. He took the opportunity to put on record his personal thanks and those of the committee to her for all the work she had done for the Council and, in particular, the support she had provided to him, the Vice-Chair and other members of the committee, wishing her well for the future. It was clarified that Ms Barrowman's successor remained to be appointed

The committee noted the position and that either the Chair or the Clerk would confirm to the committee in due course who had been appointed to succeed Ms Barrowman.

INTERIM TREASURY MANAGEMENT REPORT 2019/20

1105. Under reference to the Minute of the meeting of 15 August 2019 (Page 901, Item 972 refers), when the committee had noted the Treasury Management Annual Report for 2018/19 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 2019/20.

The report explained that, in line with the CIPFA Code of Practice on Treasury Management 2017, 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 2019/20 was attached to the report for consideration.

Regarding the investment of surplus funds, the Head of Accountancy confirmed that the Council was operating in accordance with permitted arrangements agreed in February 2019. Having referred to the period covered by the report, she highlighted new borrowing by the Council of £20m from the Public Works Loan Board (PWLB) and the extent to which other loans had been repaid. She added that, unexpectedly, on 9 October 2019 the Treasury and PWLB had announced an immediate increase in the PWLB interest rate of 1%, confirming that the Council had secured the £20m of planned borrowing at the previous, lower rate prior to that. Like all other local authorities, the Council now had to reassess its longer term borrowing and capital investment plans to reflect this change, but the current PWLB interest rate remained favourable.

It was confirmed that COSLA was making representations to the Treasury on the potential impact of the recent interest rate increase, and that the Council would also take advice from its treasury advisers on any alternative, cheaper sources of borrowing. Members would be kept updated as the position evolved.

In response to Councillor Grant who sought clarification on the period of the new PWLB loan, the Head of Accountancy confirmed it was approximately 45 years during which time the rate of interest would remain fixed.

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 note the unexpected increase in the cost of borrowing from the Public Works Loan Board; and
- (c) otherwise, to note the report and related comments made.

INTERNAL AUDIT PLAN 2019/20

1106. The committee considered a report by the Chief Auditor regarding progress made on the implementation of the 2019/20 Internal Audit Plan from 1 April to 30 June 2019. It was confirmed that during the quarter nine audit reports relating to planned 2019/20 audit work had been issued, that the management response to one of them had yet to be received, and that details of one report issued in 2018/19 had been included, the management response to which had not been received when the previous progress report was considered. Reference was also made to the quarterly performance indicators (PIs) for the section, and four new requests for assistance dealt with using contingency time.

The report proposed that the planned audit of Council Tax recovery and enforcement; and work in relation to the National Fraud Initiative be deleted from the 2019/20 Audit Plan.

The Chief Auditor confirmed why the proposed changes to the Plan were being recommended. Regarding the four requests for assistance dealt with using contingency time, she confirmed that two related to theft of assets from Council premises, both of which had been reported to the police. A review of data migration from the old finance system to the new system had also been carried out using contingency time.

In response to Councillor Swift who asked if Internal Audit offered any security recommendations such as to departments which had been victims of the theft of assets, the Chief Auditor reported that this was provided in appropriate circumstances.

The committee agreed:-

- (a) not to seek any of the reports issued in the quarter at this stage;
- (b) to approve the deletion of the council tax recovery and enforcement audit and work in relation to the NFI from the 2019/20 Audit Plan on the basis proposed; and
- (c) otherwise, to note the report and related comments made.

SCHOOLS ADMISSION POLICY AND EDUCATION APPEALS SYSTEM

1107. Under reference to the Minute of the meeting of 15 August 2019 (Page 904, Item 975 refers), when it had been agreed that the Education Appeals system was a low priority issue for detailed scrutiny for the time being, to revisit the issue in 2021/22, and in the interim to invite appropriate officers to make a presentation to the committee, for information, on the schools admission policy and Education Appeals system, Councillor Miller welcomed Colin McMenemy, Education Admissions and Development Manager, and Sarah Jane Hayes, Customer Services Manager, to the meeting.

The Education Admissions and Development Manager outlined various statutory obligations placed on the Council with regards to school admissions and placing requests. He made particular reference to the Education (Scotland) Act 1981 which placed duties on local authorities in respect of placing requests; and the Education (Scotland) Act 1980 which required authorities to secure adequate and efficient provision for school education in their area. It was clarified that local authorities were not expected to employ extra teachers or extend buildings to meet placing requests.

The Education Admissions and Development Manager referred to policies the Council had in place in respect of the admission to, and transfer of pupils from, the primary to secondary sector; to deal with the submission of applications from East Renfrewshire parents and carers for places for pupils in school catchment areas; and also to deal with the submission of placing requests by either East Renfrewshire parents and carers seeking a place at a non-catchment school or by residents outwith East Renfrewshire. Having clarified that the catchment area and placing request application processes ran in parallel, he outlined the sequence of events regarding each one and related timescales. With regards to placing requests, he referred to the criteria used to allocate places in the event of an oversubscription of requests by catchment and non-catchment areas. Some recent policy changes were referred to, including limiting parents to making one appeal per annum.

It was emphasised that the right for a parent/carer to send their child to a publicly funded school by means of a placing request and for any applicant to appeal if their placing request was refused were enshrined in law and therefore outwith the control of the Education Department. The Education Admissions and Development Manager confirmed that local authorities had a legal responsibility to grant placing requests, except when statutory grounds for refusal existed. The Appeal Committee was the route an appellant could take if they were not satisfied that a statutory ground for refusal existed. When the decision was upheld, the appellant could appeal to the Sheriff Court.

Statistics were provided on the number of catchment area applications made for Primary 1 and Secondary 1 for those seeking places in August 2019. In respect of both 2017/18 and 2018/19, statistics were also provided on the significant numbers of placing requests received and appeals made. The Education Admissions and Development Manager concluded by referring to the extent the Council prioritised placing requests from East Renfrewshire residents.

The Customer Services Manager gave an overview of the involvement of Customer First in discharging the role of Clerk to the Education Appeals Committee during which she outlined the overall appeals process and related timescales. She highlighted the extent to which liaison was required between Customer First, the Education Department, the Corporate and Community Services Department's Business Support Unit and Legal Services on the planning and operation of the committee. It was confirmed that the committee comprised two Elected Members and one lay person, considered both statutory and discretionary elements of cases, and heard the cases submitted by both the Education Department and the appellant in support of their case. It then made its decision without representatives of Education being present, with the decision being confirmed in writing within 7 days.

During a widespread discussion, Councillor Grant asked if it was possible to highlight to parents more clearly from the outset when there were no surplus places available at particular schools, arguing that this could reduce the number of appeals submitted. The Education Admissions and Development Manager explained that under current legislation parents had a right to submit an application for a place at any school, even if no surplus places were available. He also referred to the importance of acting in a way that upheld parents' rights and of not prejudging appeals, despite few being successful. Councillor Grant added that she was not suggesting that people should be told not to appeal, just that information could make the position on schools clearer which might impact on the number of appeals submitted. The Education Admissions and Development Manager undertook to consider the position.

Councillor Miller raised the issue of the "Balfron Rule" under which local education authorities were entitled to reserve a reasonable number of places for children moving into each school's catchment area, and asked if there was any merit in increasing the number of places reserved. The Education Admissions and Development Manager explained that the Education Department regularly reviewed the number of reserved places to ensure they met any reasonable unforeseen demand, but that it would be difficult to defend reserving too many. He clarified that in the case of St Ninian's High School, the Council had had to implement its oversubscription policy. The challenges linked to the placing request deadline predating the end of March when it would be known how many pupils had applied to each school was commented on.

Councillor Miller argued that there could be merit in levying a charge for submitting a placing request which could be refunded in the event of it being successful, but acknowledged that this was not currently permissible in law. He asked if officers felt such a scheme would result in a reduction in the number of speculative placing requests made. The Customer Services Manager expressed the view that there was no reason to suggest that this would be the

case. Reference was made to the fact that some appellants failed to attend appeal hearings when they pursued appeals, this being an issue that was hard to overcome but which impacted on both officer and Elected Members' time.

In response to Councillor Grant who expressed concern regarding the proposal under consideration by the Scottish Government to transfer administration of the Education Appeals system from local authority control to the Scottish Tribunals system, the Education Admissions and Development Manager explained that this proposal had been put forward to address a view that the current system was not parent friendly and also took account of another independent appeals tribunal which dealt with appeals concerning service provision for children with additional support needs (ASN). The proposal to extend the model to encompass Education Appeals from 2021 had been the subject of consultation. Reference was made to concerns expressed on the proposals, and issues raised about the ability of such a system to cope with the volume of appeals concerned. It was understood that, at least for the time being, the proposal was not being actively pursued.

In response to Councillor Swift who referred to concerns he held regarding the current placing request criteria which was impacting on some local parents who were no longer necessarily able to secure places for all of their children at the one school following changes to catchment areas, the Education Admissions and Development Manager explained that legislation specifically prevented a local education authority from discriminating between catchment and non-catchment area children who had siblings in a school already.

The committee, having heard Councillor Miller thank the Education Admissions and Development Manager and the Customer Services Manager for an interesting and informative presentation, noted the position and the committee's intention to revisit the issue of Education Appeals in 2021/22 as agreed in August.

INVESTIGATION ON INCOME GENERATION AND COMMERCIALISATION – FINAL DRAFT REPORT

1108. Under reference to the Minute of the meeting of 26 September 2019 (Page 972, Item 1050 refers), when it had been agreed to note progress on the committee's investigation on income generation and commercialisation opportunities within the Council, the committee considered a report by the Chief Executive on the final draft report on the investigation.

Having referred to the aims and objectives of the investigation which had been undertaken between July and October 2019, and the submission of interim progress reports to the committee in August and September 2019, it was clarified that members of the committee had been actively involved in the review which included convening meetings between the committee and Council departments at which a range of common themes had been discussed. Consideration had also been given to various briefing papers compiled containing guidance from national organisations; comments on existing areas of income generation and potential areas for generating new income streams; and examples of good practice from other councils both in Scotland and England. A final informal meeting of the committee had been convened in October to determine what the committee wished to comment and make recommendations on.

The recommendations arising from the review were set out in Appendix 1 to the committee's report, the main proposal being that a policy on income generation and commercialisation for the Council should be developed supported by a cross-departmental team to implement the policy and an associated action plan. It was argued that such an approach, which was already in operation within the Environment Department and commonly used by other councils, placed greater focus on income generation and a culture of commercialisation.

The Scrutiny and Evaluation Officer was heard in respect of the report during which he asked if any final amendments to the report were proposed. No amendments were suggested, but comments were made on related issues.

Councillor Grant commented that the Environment Department was the most likely one to pursue income generation, making reference to parking charges at car parks near railway stations and the potential to generate income from advertising near cycle lanes.

Councillor Swift referred to the Charging for Services reports submitted by departments to the Cabinet annually, expressing the view that it would be helpful if they provided clearer information on the extent to which the Council subsidised costs of services. The Head of Accountancy (Chief Financial Officer) explained that departments were now expected to explain the reasons for charges, such as if they were linked to a statutory requirement or to fully or partially recover costs. Other issues commented on by Councillor Swift included that he did not fully agree with a view held by the Education Department to the effect that Easter Schools could widen the attainment gap between pupils from disadvantaged areas and those from more affluent ones on the basis of ability to pay; that there could be opportunities for income from factoring linked to new-build housing developments aimed at reducing the responsibility the Council had to maintain green spaces; and that wind turbines were a potential source of income.

With regard to grounds maintenance, the Chief Auditor explained that an audit report covering this issue would be finalised shortly and be commented on further in her next quarterly progress report. She added that the report would include comments on a number of areas which were not in the Council's ownership but which were maintained by it.

The committee agreed:-

- (a) to approve the final draft report on its investigation on income generation and commercialisation opportunities within the Council as submitted, including related recommendations in accordance with Appendix 1 to the report, for submission to the Cabinet;
- (b) that in due course a progress report on the implementation of those recommendations on income generation and commercialisation which were accepted by the Cabinet be requested and submitted to the committee; and
- (c) that officers be made aware of the other comments made at the meeting on various issues as appropriate.

INVESTIGATION ON CLIMATE CHANGE

1109. Under reference to the Minute of the meeting of 26 September 2019 (Page 971, Item 1049 refers), when it had been agreed that climate change would be the next high priority issue to be the subject of a scrutiny and evaluation review by the committee subject to further discussion, the committee considered a report by the Chief Executive on the proposed scope and timeline of the investigation.

Having highlighted that climate change had the potential to be a very broad subject area, the report proposed that the committee provide advice on some specific issues to feed in to activity already underway to refresh the Council's Environmental Sustainability Strategy and Action Plan 2015 – 2018. In terms of background to the review, issues commented on included that the Environment Department was participating with Glasgow City Region partners through the Climate Ready Clyde consortium to prepare for climate change and its

impacts; that there was increased publicity on climate change on various issues including the declaration of a national climate emergency by the First Minister of Scotland in April 2019 and the setting of a target of 2045 for Scotland to have net zero carbon emissions; and carbon neutral and climate emergency declarations made by various local authorities. Reference was made to work that would be required if the Council was to become carbon neutral in terms of policy initiatives and coordination of various activities. It was commented that climate change was a cross-departmental issue and that, while the Environment Department was taking a lead role, the subject matter impacted on all departments. Engagement and participation of citizens and businesses in the public debate on climate change was also regarded as critical to the success of the new strategy.

The proposed scope of the review was specified in the report. Amongst other things, it was proposed that the review focus on assessing the level of awareness within departments of the importance of addressing climate change; if there was a need to review governance arrangements within the authority associated with addressing climate change issues to ensure this was pursued effectively; the extent to which adequate targets have been set and are being considered and developed further to address climate change; and assessing the level of existing capacity and expertise to enable climate change issues and related targets to be pursued.

The committee, having heard the Scrutiny and Evaluation Officer in respect of the proposal and following a brief discussion, approved the proposed scope and timeline of the investigation on climate change, which would be carried out in support of the refreshed Environmental Sustainability Strategy and Action Plan.

EAST RENFREWSHIRE CULTURE AND LEISURE TRUST – BEST VALUE-TYPE REVIEW

1110. Under reference to the Minute of the meeting of 15 August 2019 (Page 904, Item 974 refers), when it had been agreed to approve the deletion of the audit of the operation of the Culture and Leisure Trust from the 2019/20 Internal Audit Plan and noted that the Scrutiny and Evaluation Officer would instead progress a Best Value-type review on the Trust the findings of which would be reported to the committee in due course, the committee considered a report by the Chief Executive regarding the scope and timeline of the review, a copy of which was appended to the report.

It was explained that both had already been agreed by the Council's Chief Executive, the Director of Education and the Chief Executive of the Trust, the purpose being to look at what had worked well since the Trust had been established in 2015 as well as what could be improved for the future.

In response to Councillor Grant who commented on a backlog of maintenance and repairs at Trust-managed properties which led to users seeing some properties in a poor state of repair, the Head of Accountancy (Chief Financial Officer) advised that this matter had been discussed at a recent meeting of the Trust Board and also at a meeting of the Corporate Asset Management Group as a result of which steps were being taken to address the situation.

The committee noted the scope and timeline of the Best Value-type review of East Renfrewshire Culture and Leisure Trust, the findings of which would be reported to the committee in due course.

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Offices, Main Street, Barrhead on 28 November 2019.

Present:

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

Councillor Buchanan, Leader, in the Chair

Attending:

Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Mark Ratter, Head of Education Services (Quality Improvement and Performance); Lesley Bairden, Chief Finance Officer (HSCP); Barbara Clark, Chief Accountant; Gerry Mahon, Chief Officer – Legal and Procurement; Sarah Jane Hayes, Customer Service Manager; Mark Waugh, Principal Accountant (Capital); and Paul O’Neil, Committee Services Officer.

DECLARATIONS OF INTEREST

1111. There were no declarations of interest intimated.

CHARGING FOR SERVICES 2020/21

1112. The Cabinet considered the undernoted reports by the appropriate Directors regarding the outcome of the charging for services exercises carried out in each of the departments and recommending proposed fees and charges for 2020/21.

The reports referred to the range of services reviewed within each department, the outcome of the reviews, proposed changes and associated resource implications:-

- (i) Chief Executive’s Office – Licensing;
- (ii) Corporate and Community Services Department;
- (iii) Education Department;
- (iv) Environment Department; and
- (v) Health and Social Care Partnership

The Cabinet agreed:-

- (a) Chief Executive’s Office – Licensing
 - (i) the recommendations regarding fees and charges policies as proposed be approved; and

- (ii) to introduce new charges for temporary Public Entertainment Licences for the purpose of large events.

(b) Corporate and Community Services Department

The Cabinet agreed to:-

- (i) note that the statutory fees were set by the National Records of Scotland (NRS) in November each year; and
- (ii) increase all non-statutory fees and charges by 2.6% in line with inflation for 2020/21.

(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 recommendations regarding fees and charges policies as proposed be approved.

EAST RENFREWSHIRE CULTURE AND LEISURE PUBLIC LIBRARY STRATEGY 2019-22

1113. The Cabinet considered a report by the Director of Education, seeking approval of the Public Library Strategy 2019-22. A copy of the proposed strategy was appended to the report.

Whilst noting that the Public Library Strategy 2019-22 replaced the previous library strategy and set out the vision and strategic direction for the library service over the next 4 years, the report explained that in the period since the approval of the previous strategy and the development of the new strategy, the management and operation of public library services had been transferred to East Renfrewshire Culture and Leisure.

The new Strategy reflected the six key themes of the national strategy for public libraries and how they would be applied at a local level. Furthermore, it identified the library services contribution to the relevant outcomes of the Community Plan, Outcome Delivery Plan and Fairer EastRen.

The Cabinet approved the East Renfrewshire Culture and Leisure Public Library Strategy for 2019-22.

OPTIONS FOR CLEANING SERVICES IN PRIVATE FINANCE INITIATIVE (PFI) SCHOOLS

1114. The Cabinet considered a report by the Director of Education, providing details of the current cleaning services at the Private Finance Initiative (PFI) schools at St Ninian's High School and Mearns Primary School which were provided as part of the PFI contract, and on negotiations surrounding the cleaning service review.

The report explained that the Council had a contract with East Ren School Services Limited (ProjectCo) for the provision of services under the Private Finance Initiative (PFI) for Mearns Primary School and St Ninian's High School. It was noted that as part of the PFI agreement between the Council and ProjectCo (i.e. the provider Bellrock (formerly Jarvis)), there was provision for a service review to be undertaken by ProjectCo for cleaning services for the whole of both schools at 5 yearly intervals throughout the contract.

Whilst noting that a service review was essentially a benchmarking exercise which reviewed the price of the service offered against other comparably sized PFI projects covering similar floor area, school types and number of pupils, the report indicated that whilst Bellrock could increase the current contract price to the benchmark price following the service review, if the price was in excess of 105% of what the Council was currently being charged, the Council was entitled to delete cleaning services from the facilities management requirement delivered by Bellrock.

The outcome of the most recent benchmarking exercise had in effect triggered an option appraisal for the Council to consider either accepting the benchmark price as the new current price going forward and retain the Bellrock managed cleaning service, or seek to better the price if possible by delivering cleaning in-house and delete this service from the PFI contract. The benchmarking exercise, details of which were outlined in the report, resulted in a revised price that was greater than 105% of the current price (i.e. an increase of more than 5%) and therefore as the revised price was above the 5% threshold in the PFI contract there was provision for the cleaning contract to be removed and taken in-house.

Furthermore, the report also highlighted that the standards of cleaning at the two PFI schools had been inadequate over the years and there was now an opportunity following the result of the contractual benchmarking exercise to cease the current service and undertake the cleaning through the Council's Education Facilities Management Services at a lower cost than that proposed by ProjectCo (i.e. Bellrock).

The Cabinet approved the option to use the contractual provision within the PFI contract to bring cleaning services in-house at Mearns Primary School and St Ninian's High School.

PROPOSED SALE OF LAND AT VICTORIA ROAD, BARRHEAD

1115. The Cabinet considered a report by the Director of Environment, seeking approval of the proposed sale of Council owned ground adjacent to Victoria Road, Barrhead, to an adjoining owner, Mr Jason McEnhill.

The report explained that the proposed sale of the land would secure a capital receipt and avoid a potential long-term Council maintenance liability by the land being combined with the adjoining residential land to enlarge the back garden of one of the houses within the proposed development. Details of the proposed provisional terms and conditions associated with the sale of the ground were outlined in the report.

The Cabinet:-

- (a) approved the proposed sale of Council owned ground, extending to approximately 182sqm or thereby, to Mr Jason McEnhill as adjoining owner; and
- (b) agreed that delegated powers be granted to the Director of Environment, in consultation with the Chief Officer – Legal and Procurement, to finalise negotiations and conclude the sale.

TOWN CENTRE CAPITAL FUND

1116. The Cabinet considered a report by the Director of Environment, providing details of the Council's allocation of the Scottish Government's Town Centre Capital Fund and seeking approval to allocate the available funds to the projects detailed in the report. A list of the proposed projects was appended to the report.

Whilst noting the background and objectives of the Scottish Government's Town Centre Capital Fund and having noted that the Council had received an allocation of £981,000 for capital expenditure on town centre projects, the report explained that the grant should not be used as a substitute for existing spend. In addition, in the event that the grant was not used in the financial year 2019-20 it had to be repaid to the Scottish Government. A further requirement of the grant fund was that contracts should be signed within 2019-20 and payment completed by September 2020.

The report indicated that the Scottish Government had advised that investments should be based on local priorities and should extend to localities with a population of 1,000 or more, and provided details of the sort of activity and projects that could create economic improvements. Furthermore, to ensure a collaborative approach, an initial "Call for Ideas" had been issued to key stakeholders within East Renfrewshire town and neighbourhood centres to give partners the opportunity to help shape the plans. Arising from this exercise, a number of proposals were considered before a shortlist was drawn up. Details of the key projects which were considered to deliver most benefit to a spread of areas in compliance with the terms of the Scottish Government grant offer were outlined in Appendix 1 to the report.

The report concluded by highlighting that the Scottish Government's Town Centre Capital Fund provided an excellent opportunity to deliver significant investment to key areas of East Renfrewshire and had been a catalyst for stakeholder engagement which would help provide direction for future investment and collaborative working.

The Cabinet:-

- (a) noted the background and objectives of the Scottish Government's Town Centre Capital Fund; and
- (b) approved the projects outlined in Appendix 1 to the report.

GENERAL FUND CAPITAL PROGRAMME 2019/20

1117. The Cabinet considered a report by the Chief Financial Officer, monitoring expenditure as at 30 September 2019 against the approved General Fund Capital Programme 2019/20 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst noting that 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 £425,000 which represented 0.9% of the resources available was within manageable limits.

The Cabinet agreed to:-

- (a) **recommend to the Council** that the movements within the General Fund Capital Programme 2019/20 be approved; and
- (b) note that the shortfall of £425,000 would be managed and reported on a regular basis.

HOUSING CAPITAL PROGRAMME 2019/20

1118. The Cabinet considered a joint report by the Chief Financial Officer and Director of Environment, monitoring expenditure as at 30 September 2019 against the approved Housing Capital Programme 2019/20 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst noting that 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 £88,000 which represented 0.9% of the resources available was within manageable limits.

The Cabinet agreed to:-

- (a) **recommend to the Council** that the movements within the Housing Capital Programme 2019/20 be approved; and
- (b) note that the shortfall of £88,000 would be managed and reported on a regular basis.

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Offices, Main Street, Barrhead, on 4 December 2019.

Present:

Councillor Annette Ireland (Chair)
Councillor Angela Convery

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Sean McDaid, Principal Planner; Derek Scott, Planner; and Fiona, Morrison, Graduate Planner, Development Management; Graham Shankland, Principal Strategy Officer (Regulatory and Strategy); and Paul O'Neil, Committee Services Officer.

Apologies:

Provost Jim Fletcher and Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

1119. There were no declarations of interest intimated.

APPLICATIONS FOR PLANNING PERMISSION

1120. The committee considered reports by the Director of Environment, on applications for planning permission requiring consideration by the committee, one of which had been continued from the meeting on 6 November 2019.

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

- (i) 2019/0295/TP – Erection of one and a half storey side extension, upper storey rear extension and single storey side and rear extensions at 99 East Kilbride Road, Busby by Mr Andrew Fulcher

Under reference to the minute of the meeting of 6 November 2019 (Page 999, Item 1081 refers), when it was agreed that consideration of the application be continued to allow a site visit to take place and for the applicant to provide further information regarding the existing use of the house for religious gatherings, the committee resumed consideration of the application.

The site visit had taken place immediately prior to the meeting.

The Principal Planner referred to the additional information which the applicant had provided as requested at the last meeting of the committee, details of which were outlined in the covering report to the 'Report of Handling'.

It was noted that the applicant had confirmed that once or twice a month the property was used to host Sunday dinner/entertaining friends and no religious activity or worship occurred during these occasions. Furthermore, there were no plans for the property to be used for other purposes such as a B&B, nursing home or to operate a business.

Councillor Convery stated that in her opinion, the proposed development would be too overbearing and would not be in keeping with the surrounding area given that the application site was in Busby Conservation Area.

Councillor Miller noted that between 14 and 16 visitors would be visiting the property once or twice a month and that the visitors would be parking their cars in the applicant's driveway and not on the main road. He was concerned about the vehicles having to enter and leave the application site, from/onto East Kilbride Road, Busby which was an extremely busy main road. In addition, he also had concerns about the impact the proposed development would have on the Busby Conservation Area.

Councillor Ireland stated that having visited the application site, she acknowledged the concerns expressed by Councillor Miller about vehicles having to manoeuvre into/leave the application site from/onto East Kilbride Road. Concluding her remarks, she expressed concern about the massing of the proposed development.

At this stage, the committee agreed that the application be refused on the grounds that the proposed development was contrary to Policy D1(2) and Policy D11 of the adopted East Renfrewshire Local Development Plan as a result of the size and scale of the extensions.

Sederunt

Councillor Swift entered the meeting at this stage.

- (ii) 2019/0442/TP – Erection of 14 flats, formation of access, parking and associated landscaping at land at Williamwood Golf Club (South of 730 Clarkston Road), Clarkston Road, Clarkston, by Williamwood Golf Club and Mactaggart and Mickel Homes.

The Principal Planner summarised the assessment of the proposed development and advised that officers were recommending that the application be refused for the reasons outlined in the report. He also updated the committee that in the event the application was approved, the applicants had indicated that they would agree to conditions being attached to the planning permission relating to golf ball mitigation and screening of the upper level balcony on the north facing elevation or altering the north facing window at the upper floor level on the north facing elevation.

Councillors Miller and Convery expressed concerns about the scale and massing of the proposed development, particularly the height of the proposed block of flats which was to be 5 storeys high stating that in view of this, in their opinion, the application should be refused.

Furthermore, Councillor Convery highlighted that 41 objections had been submitted to the application which in her opinion indicated that there was a significant number of local residents who were against the proposal.

Councillor Swift was heard in support of the proposal in the course of which he highlighted that the Council's Roads and Transportation Service had offered no objections to the application and emphasised that the proposed development would help secure the long term future of Williamwood Golf Club.

At this stage, the committee agreed that the application be refused for the reasons stated in the report.

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 determined by the Planning Applications Committee on
4th December 2019

Reference No: 2019/0295/TP

Ward: 4

Applicant:

Mr Andrew Fulcher
99 East Kilbride Road
Busby
G76 8JE

Agent:

George Buchanan Architects Ltd
Maryhill Burgh Halls
10-24 Gairbraid Avenue
Glasgow
G20 8YE

Site: 99 East Kilbride Road, Busby, East Renfrewshire, G78 8JE

Description: Erection of one and a half storey side extension, upper storey rear extension and single storey side and rear extensions

Decision: Refused

Reference No: 2019/0442/TP

Ward: 4

Applicant:

Williamwood Golf Club and Mactaggart and Mickel Homes Ltd
(c/o Mactaggart & Mickel)
Atlantic Quay
1 Robertson Street
Glasgow
G2 8JB

Agent:

North Planning and Development Ltd
Tay House
300 Bath Street
Glasgow
Scotland
G2 4LH

Site: Land at Williamwood Golf Club (south of 730 Clarkston Road), Clarkston Road, Clarkston, East Renfrewshire G44 3YR

Description: Erection of 14 flats, formation of access, parking and associated landscaping

Decision: Refused

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.30pm in the Council Offices, Main Street, Barrhead, on 4 December 2019.

Present:

Councillor Annette Ireland (Chair)
Councillor Angela Convery

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

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

Apologies:

Provost Jim Fletcher and Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

1121. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2019/20 – ERECTION OF UPPER FLOOR SIDE EXTENSION AND TWO STOREY REAR EXTENSION AT 93 CUNNINGHAM DRIVE, GIFFNOCK (REF NO: 2019/0272/TP)

1122. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Joseph Madden, against the decision taken by officers to refuse planning permission in respect of the erection of an upper floor side extension and two storey rear extension at 93 Cunningham Drive, Giffnock.

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

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body 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 26 July 2019 and refuse planning permission

NOTICE OF REVIEW – REVIEW 2019/22 – INSTALLATION OF DORMER WINDOW AT SIDE; ENLARGEMENT AND LINKING OF EXISTING SIDE AND REAR DORMER WINDOWS AT 51 NETHERHILL AVENUE, NETHERLEE (REF NO: 2019/0404/TP)

1123. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Scott Macleod, against the decision taken by officers to refuse planning permission in respect of the installation of a dormer window at side, enlargement and linking of existing side and rear dormer windows at 51 Netherhill Avenue, Netherlee.

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

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

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

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

Following discussion, Councillor Ireland moved to uphold the decision of the Appointed Officer as set out in the decision notice of 11 September 2019 and refuse planning permission. In the absence of a seconder, the motion fell.

Thereafter, the Local Review Body agreed that the decision of the Appointed Officer as set out in the decision notice of 11 September 2019 be overturned and that planning permission be granted.

CHAIR

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Offices, Main Street, Barrhead, on 5 December 2019.

Present:

Councillor Paul O’Kane (Depute Leader)	Councillor Danny Devlin
Councillor Caroline Bamforth	Councillor Alan Lafferty

Councillor O’Kane, Depute Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Mhairi Shaw, Director of Education; Louise Pringle, Head of Communities, Revenues and Change; Sharon Dick, Head of HR & Corporate Services; Gerry Mahon, Chief Officer – Legal and Procurement; Lesley Bairden, Chief Finance Officer (HSCP); Jamie Reid, Strategic Insight and Communities Senior Manager; Debbie Hill, Procurement Manager Core Systems; Stephen Reid, Policy, Planning and Performance Manager; Kim Gear, Corporate Policy Officer; Charlie Leleux, Scrutiny and Evaluation Officer; and Paul O’Neil, Committee Services Officer.

Apologies:

Councillors Tony Buchanan (Leader) and Colm Merrick.

DECLARATIONS OF INTEREST

1124. There were no declarations of interest intimated.

AUDIT AND SCRUTINY COMMITTEE INVESTIGATION ON INCOME GENERATION AND COMMERCIALISATION

1125. Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 20 June 2019 (Page 868, Item 924), refers, when it was agreed amongst other things to carry out an investigation into income generation and commercialisation, the Cabinet considered a report by the Chief Executive, providing details of the Audit and Scrutiny Committee’s investigation into the matter.

Councillor Grant, Vice Chair of the Audit and Scrutiny Committee, highlighted that one of the key recommendations arising from the investigation was that a policy on income generation and commercialisation should be developed, supported by a cross-departmental team (with commercialisation skills and experience), to implement the key recommendations of the policy and an associated action plan.

Councillor O’Kane on behalf of the Cabinet thanked Councillors Miller and Grant as Chair and Vice Chair of the Audit and Scrutiny Committee and the other members of the committee for their work in the preparation of the report.

The Cabinet, having noting the recommendations arising from the Audit and Scrutiny Committee’s investigation on income generation and commercialisation, agreed to support the recommendations in principle and that a response to the committee’s report be submitted to the Cabinet in 6 months.

STRATEGIC MID-YEAR COUNCIL PERFORMANCE REPORT 2019/20

1126. The Cabinet considered a report by the Deputy Chief Executive, providing a summary of Council performance at mid-year 2019/20 based on performance indicators in the Outcome Delivery Plan (ODP) 2019/22. Details of the performance results, together with information on mid-year complaints appeared as appendices to the report.

Noting that the Council continued to achieve excellent performance results across many areas including educational attainment and household recycling, the report highlighted that the number of awards achieved by young people participating in school and community based targeted programmes reached an all-time high with 2038 awards achieved in the 2018-19 academic year with a steady year on year increase. In addition, household waste recycling rates were confirmed at 66.2% for 2018-19, ranking top in Scotland on this measure for the last 3 consecutive years.

The report concluded by stating that the information presented showed performance was broadly on track at mid-year point and the Council continued to work towards the aim of making people’s lives better by delivering highly valued services and achieving positive outcomes for its communities.

The Cabinet:-

- (a) approved the report as a summary of the Council’s performance at mid-year 2019/20; and
- (b) noted the mid-year complaints report that was appended to the report.

ANNUAL PROCUREMENT REPORT 2018/19 AND CORPORATE PROCUREMENT STRATEGY 2019/22

1127. The Cabinet considered a report by the Chief Officer – Legal and Procurement, seeking approval of the Annual Procurement Report 2018/19 and the new Corporate Procurement Strategy 2019/22. Copies of the documents were appended to the report.

The report explained that the Annual Procurement Report 2018/19 and the new Corporate Procurement Strategy 2019/22 provided an update of annual activities whilst ensuring the strategic direction of Corporate Procurement was set to meet the current and future needs of the Council. Publication of the Annual Report and Strategy would also ensure the Council’s compliance with duties under the Procurement Reform (Scotland) Act 2014.

The Cabinet approved the Annual Procurement Report 2018/19 and the Corporate Procurement Strategy 2019/22 as detailed in Appendices 1 and 2 to the report.

EXEMPTION FROM THE COUNCIL'S STANDING ORDERS RELATING TO CONTRACTS

1128. The Cabinet considered a report by the Deputy Chief Executive, seeking an exemption from tendering in accordance with the provisions of Contract Standing Order 15(iii) in relation to the award of a contract to Zellis UK Limited for the provision of a read-only archiving licence for the HR and Payroll system – Resourcelink.

The report explained that approval of the exemption and subsequent award of the contract of a read-only licence to Zellis UK Limited would ensure that the Council remained compliant with all data protection legislative requirements.

The Cabinet agreed in accordance with the provisions of Contract Standing Order 15(iii) to approve an exemption from tendering procedures to allow a contract to be negotiated with Zellis UK Limited, for the provision of a read-only archiving licence for the 7 year period 1 April 2020 until 31 March 2027, at a cost of £134,400.

CHAIR

