

**MINUTE**  
**of**  
**EAST RENFREWSHIRE COUNCIL**

**Minute of Meeting held at 7.00pm in the Council Offices, Main Street, Barrhead on 15 June 2016.**

**Present:**

Provost Alastair Carmichael	Councillor Ian McAlpine
Depute Provost Betty Cunningham	Councillor Gordon McCaskill
Councillor Danny Devlin	Councillor Paul O’Kane
Councillor Jim Fletcher (Leader)	Councillor Tommy Reilly
Councillor Charlie Gilbert	Councillor Ralph Robertson
Councillor Barbara Grant	Councillor Jim Swift
Councillor Elaine Green	Councillor Gordon Wallace
Councillor Kenny Hay	Councillor Vincent Waters
Councillor Alan Lafferty	

Provost Carmichael in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Jim Sneddon, Head of Democratic and Partnership Services; Candy Millard, Head of Strategic Services; Jamie Reid, Community Resources Manager; Shona Fraser, Environmental Services Manager; Eamonn Daly, Democratic Services Manager; and Paul O’Neil, Committee Services Officer.

**Apologies:**

Councillors Tony Buchanan; Stewart Miller; and Mary Montague.

**DECLARATIONS OF INTEREST**

**2079.** There were no declarations of interest intimated.

**OPENING REMARKS - ORLANDO**

**2080.** Provost Carmichael advised the Council that following the recent atrocities in Orlando, Florida, he had written on behalf of the Council and as a resident of East Renfrewshire to Mr Buddy Dyer, Mayor of Orlando to extend the Council’s deepest sympathies to the City of Orlando.

## **MINUTE OF PREVIOUS MEETING**

**2081.** The Council considered and approved the Minute of the meeting held on 20 April 2016.

## **MINUTES OF MEETINGS OF COMMITTEES**

**2082.** The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 2083 below:-

- (a) Cabinet – 21 April 2016;
- (b) Audit and Scrutiny Committee – 21 April 2016;
- (c) Teaching Staff Appeals Committee – 27 April 2016;
- (d) Teaching Staff Appeals Committee – 11 May 2016;
- (e) Cabinet (Police and Fire) – 26 May 2016;
- (f) Appeals Committee – 31 May 2016;
- (g) Cabinet – 2 June 2016;
- (h) Audit and Scrutiny Committee – 2 June 2016;
- (i) Planning Applications Committee – 8 June 2016;
- (j) Local Review Body – 8 June 2016;
- (k) Education Committee – 9 June 2016; and
- (k) Licensing Committee – 14 June 2016.

## **EDUCATION COMMITTEE – 9 JUNE 2016 - DENOMINATIONAL (CATHOLIC) SCHOOL PLACES IN THE EAST OF THE AUTHORITY AREA**

**2083.** Under reference to the Minute of the meeting of the Education Committee of 9 June 2016 (Page 1949, Item 2073 refers), when the committee agreed amongst other things to instruct the Director of Education to bring a further report to the committee in August 2016 to consider options for the management of denominational places, including, where necessary, the need to carry out a formal education consultation, Councillor Swift sought clarification whether in the event of a delay to the opening of the new joint faith campus in Newton Mearns the Council would support transporting Catholic school children to Catholic schools in other parts of the Council area or whether it would accept that these children could be educated at non-denominational schools.

In reply, the Director of Education stated that the Council had no plans such as those suggested by Councillor Swift in the course of which Councillor Fletcher suggested that the Council should await the outcome of the decision on the further report the Director of Education would be submitting to the meeting of the Education Committee in August 2016.

The Council noted the position.

## **OUTCOME DELIVERY PLAN 2016/19**

**2084.** Under reference to the Minute of the meeting of the Cabinet of 21 April 2016 (Page 1904, Item 2024 refers), when it was agreed amongst other things to approve the content of the draft Outcome Delivery Plan 2016/19, subject to final amendments being made to the draft Plan; and to recommend to the Council that the draft Outcome Delivery Plan 2016/19 be approved, the Council considered a report by the Chief Executive, providing details of the Council's draft Outcome Delivery Plan (ODP) 2016/19. A copy of the Plan was appended to the report.

The report explained that in the current year there had been a reviewed approach to developing the ODP which demonstrated, through the use of more diagrams and a streamlined set of key strategic indicators, that the Council had a clear sense of strategic direction and was integrated with the Community Planning Partnership's Single Outcome Agreement (SOA). Although the ODP had used diagrams to illustrate content in the current year, there had been no change to the overall structure of the ODP as it still contained three sections. Section 1: Single Outcome Agreement Outcomes; Section 2: Customer, Efficiency and People organisational outcomes; and Section 3: Finance Information – Spending Plans.

It was noted that Council services had been working to develop their diagrams for the new ODP and to ensure that performance measures were robust and demonstrated what the Council was trying to achieve to make peoples' lives better in East Renfrewshire.

Councillor Fletcher stated that there had been a number of minor amendments to the draft Plan since it had been considered at the meeting of the Cabinet on 21 April 2016, and that apart from some refinement to the wording and additional targets being set, additional indicators had also been included in the draft Plan, details of which were outlined in the report.

Councillor Wallace noted that 2 additional data zones had been added to the Scottish Index of Multiple Deprivation (SIMD) data zones since 2012, covering parts of Auchenback, Dunterlie and Arthurlie in Barrhead as well as parts of West Neilston and Uplawmoor and suggested that this was evidence that the Council was not making progress in tackling the problems of deprivation in East Renfrewshire.

In reply, Councillor Fletcher stated that the Council was making progress albeit in a challenging financial environment particularly in light of the cuts being imposed by central government.

Councillor McCaskill stated that in his opinion, the preparation of the Plan was a futile exercise given that it would be replaced by the Local Outcome Improvement Plan (LOIP) by October 2017, in the course of which the Deputy Chief Executive explained that the Plan was a rolling 3-year Plan which was updated annually to communicate the Council's priorities on how it would deliver on its Single Outcome Agreement. Furthermore, the Chief Executive clarified that the Plan under consideration was the ODP and not the Single Outcome Agreement and that it was latter document that would be replaced by the Local Outcome Improvement Plan (LOIP) in 2017.

Councillor Grant sought clarification how the Council could budget for a 3-year Plan when funding from the Scottish Government was made to local government on an annual basis due to its budgetary arrangements. She enquired whether representations had been made to the Scottish Government about this matter. In reply, Councillor Fletcher stated that there was regular dialogue between COSLA and the Scottish Government about such issues and these were ongoing.

Councillor Wallace whilst noting the terms of the section entitled 'People: We have engaged employees who are well supported and motivated to deliver our outcomes', sought clarification why the Council had such high levels of absenteeism.

In reply, Councillor McAlpine stated that the level of absenteeism within the Council was falling in the course of which the Deputy Chief Executive explained that measures were being taken to improve levels of absenteeism highlighting that during the financial year 2014/15, the average level of absenteeism per employee had fallen from 11.2 days to 9.8 days.

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The Council:-

- (a) approved the draft Outcome Delivery Plan 2016/19; and
- (b) noted that the East Renfrewshire Local Outcome Improvement Plan (LOIP) formerly known as the Single Outcome Agreement (SOA) should be in place by October 2017.

## **GENERAL FUND CAPITAL PROGRAMME**

**2085.** The Council considered a report by the Chief Financial Officer, recommending adjustments to the 2016/17 General Fund Capital Programme which had been approved at the meeting on 9 March 2016, resulting from the finalisation of the previous year's programme and in light of subsequent information.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the projected shortfall of £246,000 representing 0.5% of the resources available was within manageable limits.

Councillor Swift noted that there was a project listed in the programme involving roof improvements to the Isobel Mair School and sought clarification why the Council was having to carry out such works when the school was a new building.

In reply, the Director of Environment explained that whilst the project was listed in the programme, the Council was in dispute with contractor who had built the school regarding the remedial works that were required.

The Council:-

- (a) approved the movements within the programme; and
- (b) noted that the shortfall of £246,000 would be managed and reported on a regular basis.

## **HOUSING CAPITAL PROGRAMME**

**2086.** The Council considered a report by the Chief Executive and Director of Environment, recommending adjustments to the 2016/17 Housing Capital Programme, approved at the meeting on 9 March 2016, resulting from the finalisation of the previous year's programme and in light of subsequent information.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the projected shortfall of £36,000 representing 0.7% of the resources available was within manageable limits.

The Council:-

- (a) noted and approved the movements within the programme; and
- (b) noted that the shortfall of £36,000 would be managed and reported on a regular basis.

## **QUESTIONS TO CONVENERS**

**2087.** Provost Carmichael intimated that no questions had been submitted.

## **STATEMENTS BY CONVENERS**

**2088.** Provost Carmichael intimated that the Convener for Social Work and Health wished to make a statement to the Council on certain matters that had been discussed at the meeting of the Health and Social Care Partnership Integration Joint Board on 1 June 2016.

Councillor Lafferty stated that at that meeting consideration had been given to a report on 'Corporate Parenting Activity in East Renfrewshire' which provided details about the work underway across the Council and Community Planning Partnership to prepare the Council for its new duties. He also highlighted that he had been privileged to co-host the 'Keep Calm and be a Corporate Parent' event on 13 June 2016 with Simone, one of the Council's Looked After Young People the event having been organised by them. He advised that one of the responsibilities of the Health and Social Care Partnership Integration Joint Board was to develop a Strategic Plan and that a number of updates to the Plan had been approved at the above meeting, details of which would be submitted to the next meeting of the Council. In addition, the Council would receive an end year performance report which would cover the work of the Community Health and Care Partnership and the Health and Social Care Partnership.

Concluding his remarks, he advised that the Council had taken receipt of the keys for the new Eastwood Health and Social Care Centre which should be operational by 8 August 2016.

The Council noted the position.

## **STATEMENTS BY REPRESENTATIVES ON JOINT BOARDS/COMMITTEES AND COMMUNITY JUSTICE AUTHORITY**

**2089.** Provost Carmichael intimated that no statements had been received.

## **PROVOST'S ENGAGEMENTS**

**2090.** The Council considered and noted a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Carmichael since the last meeting.

## **FIFTH STATUTORY REVIEW OF ELECTORAL ARRANGEMENTS - LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND**

**2091.** The Cabinet considered a report by the Chief Executive, seeking approval of the Council's response to the final recommendations of the Local Boundary Commission for Scotland (The Commission) in relation to the Fifth Statutory Review of Electoral Arrangements. A copy of the Commission's report was appended to the report.

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Whilst noting that on 26 May 2016, the Council had received the final recommendations from the Local Government Boundary Commission for Scotland in relation to the Fifth Statutory Review of Electoral Arrangements, the report explained that despite repeated attempts to reiterate the Council's fundamental opposition to the application of a flawed, untested methodology for the fifth review, the final recommendations failed to address any of the Council's concerns. In particular, it was noted that the Council was concerned about the way in which ward boundaries had been redrawn and that the changes in elector to councillor ratios would have an adverse impact on communities.

The report explained that the Council had a 6 week fixed period to express its views to Scottish Ministers. A view was sought on whether to submit a formal response to Scottish Ministers to reiterate the Council's fundamental opposition to the ward redesign proposals and thereafter depending upon the decision of Scottish Ministers and level of interest from other councils, to proceed with legal action to defend the Council's position in the interests of effective and convenient local government.

In reply to a question by Councillor McCaskill about the Council's proposal to proceed with legal action, the Chief Executive explained that this would be dependent on the decision of the Scottish Ministers and the level of interest from other Scottish councils as this would dictate whether the Council would proceed to seek a Judicial Review on the recommendations of the Local Government Boundary Commission. Furthermore, should the Council proceed with legal action this might delay the implementation of the recommendations.

The Council agreed:-

- (a) to submit a formal response within the 6 week consultation period to Scottish Ministers to reiterate the Council's fundamental opposition to the ward redesign proposals which were the result of the application of a flawed methodology; and
- (b) that subject to the decision taken by Scottish Ministers and the level of interest from other councils, to proceed with legal action to defend the Council's position in the interest of effective and convenient local government.

## **CONSULTATION ON THE GUIDANCE FOR THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015**

**2092.** The Council considered a report by the Deputy Chief Executive, seeking approval for the joint East Renfrewshire Community Planning Partnership (CPP) response to the secondary legislation issued to accompany the Community Empowerment (Scotland) Act 2015. A copy of the CPP response was appended to the report.

The report explained that the Community Empowerment (Scotland) Act 2015 was enacted in July 2015 and the Scottish Government had published draft guidance and regulations for consultation in March 2016. It was noted that the response had been compiled on behalf of the East Renfrewshire Community Planning Partnership (CPP) which body allowed key partner organisations to come together to plan and deliver services for local communities with a focus upon reducing inequality.

Whilst noting that the response incorporated the views from partners in the East Renfrewshire Community Planning Partnership and had also been informed by discussions with Scottish Government officials, the report highlighted that the intention of the response was to highlight ways in which the clarity of the guidance could be improved, to help ensure the implementation of the Act was as smooth as possible.

Councillor Wallace whilst noting that there were provisions in the Act whereby community groups would have the right to buy assets such as land, enquired whether this would relate to Council owned land.

In reply, the Community Resources Manager stated that community groups would not be permitted to buy Council owned land in the course of which Councillor Wallace expressed concern about the ability of community groups to acquire areas of land in terms of the Act when they did not have adequate resources to maintain such assets in the long term. The Head of Democratic and Partnership Services explained that community groups would have to satisfy a range of criteria before an asset was passed over to them.

Whilst noting the comments by the Head of Democratic and Partnership Services, Councillor Wallace emphasised that the Council's existing arrangements were not working and cited as an example the issue of the boundary wall at the Eastwood Nursery Allotments where the community group had leased the site from the Council and was now unable to address problems associated with the boundary wall.

The Council approved the East Renfrewshire Community Planning Partnership CPP response to the consultation on the Community Empowerment (Scotland) Act 2015 guidance.

## **COMMUNITY PLANNING AND PARTNERSHIP BOARD MEMBERSHIP**

**2093.** The Council considered a report by the Deputy Chief Executive, seeking approval of the revised representation on the East Renfrewshire Community Planning Partnership (CPP) Board in light of the Community Empowerment (Scotland) Act 2015 and the accompanying statutory guidance.

The Council approved the revised membership of the Board as outlined in the report.

## **WELFARE REFORM CONTINGENCY FUND AND UPDATE ON WELFARE REFORM**

**2094.** The Council considered a report by the Deputy Chief Executive, seeking approval to mainstream key posts to support East Renfrewshire's most vulnerable residents through the ongoing and significant changes brought about through Welfare Reform.

The report provided background details about the establishment of the Welfare Reform Contingency Fund and the how the funding was being used in terms of the Scottish Welfare Fund; Money Advice and Rights; Housing Advice; Flexible Support Project; and the Citizens Advice Bureau. Details of the number of households who had benefited from the Scottish Welfare Fund (SWF) since it was set up in April 2013 were outlined in the report.

The report highlighted that in April 2016, councils were given statutory responsibility for providing the SWF and that in light of the new statutory duty, a review of the SWF had recently been completed within the Council. Arising from this review, the report proposed the mainstreaming of the SWF and provided in Annex 2 to the report, details of posts that should be funded from the provision.

The report also provided an update on Universal Credit and the Money Advice and Rights Team highlighting that the first tranche of Universal Credit had been launched in East Renfrewshire on 15 February 2016 and that between the launch and mid-May 2016, there had been 120 applicants which was 74% higher than initial Department for Work and

Pensions (DWP) estimates for East Renfrewshire. Furthermore, DWP estimated that there could be an increased impact from applications from school/college/university leavers over the summer months and that as a result this would place further strain on Council resources to cope with this new demand and would also impact on partners such as the Citizens Advice Bureau.

The Council's MART had been formed by bringing together the three services of Money Advice, Income Maximisation and Welfare Rights. MART was heavily involved in supporting the implementation of Universal Credit and had seen an increase in the number of referrals for personal budgeting support from Job Centres. Details of the next stages of Universal Credit were also outlined in the report. In addition to Universal Credit, other reform measures were providing a more immediate impact and would continue to have a profound effect on residents and the capacity of MART. Welfare Reform had brought the migration of Disability Living Allowance (DLA) to Personal Independence Allowance (PIP).

The report sought approval to mainstream up to £303,327 of Welfare Reform contingency provision for 2017/18 for key posts required to maintain the Scottish Welfare Fund; and continue supporting the Council's most vulnerable customers with the challenges of welfare reform via Customer First/Money Advice and Rights Team and Housing.

In addition, approval was sought to use resources from the Welfare Reform contingency provision to extend the funding for the Flexible Support Project to September 2017 and to continue provision of additional grant funding of £40,000 in 2017/18 to support East Renfrewshire Citizens Advice Bureau (CAB) in its work towards mitigating the impacts of Welfare Reform.

In reply to a question by Councillor Swift regarding the increase in Universal Credit claimants, the Head of Business Change and Revenues explained that between the launch of Universal Credit in February 2016 and the middle of May 2016 there had been 120 applicants which equated to 23 claims a month and this was 74% higher than the estimates by the Department of Work and Pensions.

Councillor McCaskill whilst noting the proposal to mainstream up to £303,327 of Welfare Reform contingency provision for 2017/18, expressed the view that this funding should be provided by government. In reply, Councillor McAlpine explained that the Council had been advised by both the Scottish Government and the Department for Work and Pensions that there was no additional funding available and that as a result the Council was proposing the additional funding to deal with the challenges of Welfare Reform.

The Council:-

- (a) noted the continued progress which had been made in mitigating and preparing for the impact of Welfare Reform, including the commencement of Universal Credit in East Renfrewshire in February 2016;
- (b) noted the improved and increasing uptake levels of the Scottish Welfare Fund (SWF) for 2015/16;
- (c) approved the mainstreaming of up to £303,327 of Welfare Reform contingency provision for 2017/18 for key posts required to maintain the Scottish Welfare Fund; and continue supporting the Council's most vulnerable customers with the challenges of welfare reform via Customer First/Money Advice and Rights Team and Housing;



- (d) approved the proposal to use resources from the Welfare Reform contingency provision to extend the funding for the flexible support project to September 2017; and
- (e) agreed to continue provision of additional grant funding of £40,000 in 2017/18 to support East Renfrewshire Citizens Advice Bureau (CAB) in its work towards mitigating the impact of Welfare Reform.

#### **THE EAST RENFREWSHIRE COUNCIL (ORCHARD PARK, GIFFNOCK)(ONE WAY) ORDER 2016**

**2095.** The Council considered a report by the Director of Environment, seeking approval of the making and confirmation of the “The East Renfrewshire Council (Orchard Park, Giffnock) (One Way) Order 2016”. A plan showing the proposed area that would be covered by the Order was appended to the report.

The Council:

- (a) approved the making and confirmation of the “The East Renfrewshire Council (Orchard Park, Giffnock)(One Way) Order 2016”; and
- (b) agreed that delegated authority be granted to the Director of Environment to make arrangements for the implementation of the Order in accordance with the associated statutory procedures.

#### **THE EAST RENFREWSHIRE COUNCIL (GIFFNOCK)(ON-STREET)(WAITING AND LOADING) ORDER 2016**

**2096.** The Council considered a report by the Director of Environment seeking approval of the making and confirmation of the “The East Renfrewshire Council (Giffnock)(On- Street) (Waiting and Loading) Order 2016”. A summary of the key proposals of the Order was appended to the report.

The report explained that the “The East Renfrewshire Council (Giffnock)(On- Street) (Waiting and Loading) Order 2016” by introducing new on-street waiting and loading restrictions in Giffnock, would balance the demands on the transport network taking into consideration changes to road layouts, increased volumes of vehicular and pedestrian traffic and associated road safety issues.

The Council:

- (a) approved the making and confirmation of the “The East Renfrewshire Council (Giffnock)(On-Street)(Waiting and Loading) Order 2016”; and
- (b) agreed that delegated authority be granted to the Director of Environment to implement the Order in accordance with the accordance with the statutory procedures.

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