

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock on 23 March 2016.

Present:

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

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); Frank White, Head of Health and Community Care; Iain Maclean, Head of Environment (Planning, Economic Development and City Deal); Richard Greenwood, Principal Planner; Eamonn Daly, Democratic Services Manager; and Linda Hutchison, Senior Committee Services Officer.

BRUSSELS

1954. Prior to the start of the meeting, Provost Carmichael reported that, on behalf of the people of East Renfrewshire, he had written to the Honorary Consul to Belgium based in Edinburgh offering condolences and support to the people of Belgium and visitors to that country who had been affected by the tragic events in Brussels earlier in the week.

Councillor Buchanan and Councillor Grant, supported by other Members of the Council, also commented on the tragic events that had unfolded during which they expressed solidarity with those living, visiting and working in Brussels, including those involved with the European Committee of the Regions with which they were involved. They also made reference to the wide range of people who used the airport when travelling to Brussels on business and otherwise.

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DECLARATIONS OF INTEREST

1955. There were no declarations of interest intimated.

MINUTE OF PREVIOUS MEETING

1956. The Council considered and approved the Minute of the meeting held on 11 February 2016.

MINUTE OF SPECIAL MEETING

1957. The Council considered and approved the Minute of the special meeting held on 9 March 2016.

MINUTES OF MEETINGS OF COMMITTEES

1958. The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 1959 below:-

- (a) Cabinet – 18 February 2016;
- (b) Civic Hospitality Committee – 23 February 2016;
- (c) Cabinet (Police and Fire) – 25 February 2016;
- (d) Licensing Committee – 26 February 2016;
- (e) Audit and Scrutiny Committee – 3 March 2016;
- (f) Planning Applications Committee – 9 March 2016;
- (g) Local Review Body – 9 March 2016;
- (h) Licensing Committee – 15 March 2016; and
- (i) Appeals Committee – 21 March 2016.

CABINET – 18 FEBRUARY 2016 - TENANT AND PARTICIPATION ENGAGEMENT

1959. Under reference to the Minute of the meeting of the Cabinet of 18 February 2016 (Page 1795, Item 1916 refers), when the Cabinet had approved amendments to the Customer Engagement and Tenant Participation Strategy, Councillor Swift expressed the opinion that the Council seemed to be unable to consult properly on various issues in respect of which he cited examples, and commented that it would be helpful to understand why this was the case.

Councillor Devlin stated that consultation with tenants did take place, adding that a minority of tenants and residents associations and groups had raised concerns with the Scottish Housing Regulator.

The comments made were noted.

PROVOST'S ENGAGEMENTS

1960. 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.

STATEMENTS BY CONVENER

1961. The following statements were made:-

(i) **Barrhead High School**

Councillor Fletcher reported and welcomed that financial closure had been reached regarding the Barrhead High School project, confirming that the contractor was now on site and had commenced work. He clarified that it was hoped to achieve a hand over date of 8 August 2017. He thanked all officers involved in progressing the project thus far for their hard work, including those involved with the Scottish Futures Trust and the West Hub territory.

The Council noted the position.

(ii) **Glasgow Music Festival**

Councillor Green reported that the Council's Instrumental Music Service and a large number of individual schools and pupils had enjoyed considerable success at the recent Glasgow Music Festival, explaining that eight ensembles, choirs and orchestras comprising around 300 musicians and singers in total had won their classes on the main competition day at the Royal Concert Hall on 13 March. Having listed winning groups which included the senior and junior concert bands, she highlighted that the adjudicators had applauded the high standards achieved, the backing provided and the commitment of staff and pupils. Councillor Green also referred to a wide range of achievements by pupils on the other days of the Festival, citing a large number of winners, and commenting that this was a testament to the hard work of pupils and staff. On behalf of the Council, she congratulated all concerned.

The Council noted the position.

(iii) **Integration Joint Board**

Councillor Lafferty referred to issues to be considered at the forthcoming meeting of the Health and Social Care Partnership (HSCP) Integration Joint Board, which included an update on the Strategic Plan, progress on the Financial Strategy and a report on hospital discharge matters aimed at reducing incidences of unplanned readmissions.

Councillor Lafferty also reported that the HSCP had recently agreed to become one of three areas in Scotland to test a new transformation programme through which front line community health and social care and support services would be delivered from hubs working with and within local communities. He explained that outcomes of implementing such arrangements in England and Wales had included a reduction in bureaucracy, better outcomes for individuals, and increased efficiency and job satisfaction.

The Council noted the position.

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

1962. Provost Carmichael intimated that no statements had been received.

SCHEME OF MEMBERS' REMUNERATION AND EXPENSES

1963. The Council considered a report by the Deputy Chief Executive on the Scheme of Members' salaries and expenses 2016/17. A copy of the scheme for Members' remuneration and expenses 2016/17 was appended to the report.

Councillor Robertson commented that the 1% uplift proposed was not unreasonable, contrasting this with the 10% uplift for salaries of Members of Parliament (MPs) which he thought unreasonable. In response to Councillor Grant, Councillor McAlpine clarified that the rates for Members of the Scottish Parliament (MSPs) had been raised similarly. Councillor Swift commented that the determination of MPs' salaries had been passed to an independent body and that they had not therefore had an option to agree an alternative course of action.

The Council agreed to approve the Scheme of Members' Salaries and Expenses 2016/17.

LOCAL DEVELOPMENT PLAN "SUPPLEMENTARY PLANNING GUIDANCE" – RENEWABLE ENERGY

1964. Under reference to the Minute of the meeting of 24 June 2015 (Page 1521, Item 1629 refers), when it had been agreed to publish and consult on the Renewable Energy Supplementary Planning Guidance (SPG), the Council considered a report by the Director of Environment seeking approval to publish and consult further on the Renewable Energy SPG and complementary Strategic Environmental Assessment (SEA) Environmental Report.

The report explained that SPG provided detailed guidance on Local Development Plan (LDP) policies and proposals, was an important tool in the development management process and, when adopted, formed a statutory part of the LDP. A previous version of the Renewable Energy SPG had been assessed through the SEA process and approved for consultation in June 2015. However following further consideration, prior to consultation and on the advice of Scottish National Heritage (SNH), it had been considered prudent to check the process carried out by other local authorities. Through this it was determined that the revised SPG would benefit from a separate SEA given recent changes to Scottish planning policy and a decision was taken therefore to move directly to the scoping stage of the SEA process. It was clarified that a thorough assessment of the potential environmental impacts of the proposals contained within the guidance had been undertaken and informed the content of the SPG.

Following submission of a Scoping Report to the consultation authorities in November 2015 the three consultees (SNH, Historic Scotland and the Scottish Environmental Protection Agency) had agreed that a six week consultation period was acceptable. The SPG and SEA Environmental Report were attached to the report for consideration to allow this consultation to start as soon as practicable.

Having explained that following the adoption of the Renewable Energy SPG the Council would issue a post adoption statement for the SEA as required by legislation, further information on the SPG and SEA Environmental Report were provided.

It was concluded that SPG formed an important and statutory part of the LDP and provided an opportunity for the Council to provide detailed guidance on key matters that shape and influence the growth and change of East Renfrewshire up to 2025 and beyond. Furthermore the Renewable Energy SPG provided detailed guidance and a spatial framework for considering proposals for Renewable Energy schemes and the SEA Environmental Report had informed the details of the SPG and was a key part of the adoption process.

In reply to Councillor McCaskill who sought clarification on the impact on the historic environment section of the document of the Council's possible withdrawal from the West of Scotland Archaeology Service, the Head of Environment clarified that the withdrawal was to be considered at the next meeting of the Council and that, if agreed, archaeological services would be procured on an hoc basis as required. Referring to the recent discovery of Cadzow Village in South Lanarkshire and the cost of related archaeological work, Councillor McCaskill expressed reservations about withdrawing from the service, suggesting that delaying that decision could be merited to consider the potential financial consequences of any significant archaeological discovery locally. The Head of Environment clarified that the proposal before the Council was to consult on the SPG and that account could be taken of the Council's decision on the Archaeology Service as part of the outcome. Councillor Miller added that, even if a decision was taken to withdraw, the Council had to serve a two year notice period and so would still be able to use the services available during that time. In addition the Council had an option to rejoin within the notice period.

Councillor Green, supported by Councillor McCaskill, commented on the impact of wind farms and turbines in the Neilston and Uplawmoor area, enquiring if it was an option to indicate in the SPG that the area was unsuitable for further wind farm development. In reply the Principal Planner commented on related analysis and that an area there could be suitable for further such development, but referred also to the high level, indicative nature of the overview in the document and the need for any specific proposal to be dealt with through the detailed planning application process. Councillor Lafferty expressed concern regarding a potential national energy crisis linked to over-reliance on wind generated energy, referring also to the forthcoming closure of the coal-fired Longannet Power Station, the reliance on Torness Power Station in future and the viability of other forms of renewable energy to meet needs.

In reply to Councillor Grant who expressed concern regarding the reference in the section on biogas to the prospect of food being used as a potential source of biogas production, the Head of Environment confirmed that this view and any other expressed during the consultation would be considered when feedback was reviewed.

Councillor Wallace stated that he considered the spatial framework map and related wording in the key misleading. He suggested that the way the spatial framework group 2 area was presented suggested that the 'Areas of Significant Protection' depicted were unlikely to be ones where there would be further wind farm development. However he added that a review of the more detailed criteria to be fulfilled referred to issues such as world heritage sites and national nature reserves which were not features of the areas shown. He expressed hope that when the document was issued it was clear to residents what the detailed criteria were.

Councillor Swift supported Councillor Lafferty's comments on over-reliance on wind energy and Councillor Green's comments on wind farms and turbines, commenting that he understood it to be the case that East Renfrewshire already had the highest density of wind turbines in the United Kingdom and on the need for stricter and more appropriate criteria to govern their construction.

Councillor Buchanan referred to the six week consultation period that would ensue, highlighted that any specific wind farm and turbine development was subject to the full planning process, and that the comments made at the meeting would feed into the review as other responses would.

The Council agreed to:-

- (a) approve the Renewable Energy Supplementary Planning Guidance and SEA Environmental Report for formal publication and consultation; and
- (b) delegate to the Director of Environment authority to approve any minor inconsequential changes in the guidance prior to their publication for consultation.

PLANNING APPLICATION 2014/0372/TP – ERECTION OF RETIREMENT RESIDENTIAL COMMUNITY COMPRISING 320 APARTMENTS (IN TOTAL), 66 BED CARE HOME AND MULTIPURPOSE VILLAGE CENTRE THAT INCLUDES APARTMENTS AND RESIDENTIAL ROOMS WITH THE FORMATION OF A NEW ACCESS ROAD FROM AURS ROAD AT NETHERPLACE WORKS, 180 NETHERPLACE ROAD, NEWTON MEARNS BY WHITECRAIGS DEVELOPMENTS LIMITED

1965. Under reference to the Minute of the special meeting of the Council of 25 February 2015 (Page 1356, Item 1437 refers), when the Council had agreed that it was disposed to grant a planning application submitted by Whitecraigs Development Limited for the erection of a retirement community comprising 320 apartments (in total), 66 bed care home and multi-purpose village centre that includes apartments and residential rooms with the formation of a new access road from Aurs Road at Netherplace Works, 180 Netherplace Road, Newton Mearns subject to the conditions detailed in the report and the conclusion of a legal agreement(s) relating to the delivery of affordable housing and developer contributions, the Council considered a report by the Director of Environment seeking agreement to refuse the planning application because the developer had failed to conclude the legal agreement in accordance with the approved protocol in place. It was clarified that the final version of the agreement had been issued to the applicant's legal representatives in March 2015, that the applicant had around a year to conclude matters and sign it but had not done so, and that the period of time afforded to the applicant for this was considered reasonable.

Despite various communications with the applicant and their various representatives, neither an update nor explanation had been offered or given why the legal agreement had not been concluded, the agreement being required to ensure the development fully complied with the Council's policies on affordable housing and development contributions. Reference was also made to Scottish Ministers' expectation that all planning services pursue continuous improvement including the continuous reduction in the time taken to process planning applications, related monitoring by the Scottish Government, and the Council's agreed protocol for concluding obligations and related issues.

In reply to Councillor Robertson, the Head of Environment and Principal Planner confirmed that the site was still currently allocated in the LDP for employment generating purposes and that this allocation would remain at the present time in respect of any future applications. This allocation could be subject to review at the time of the next LDP review which would start in few months.

The Council agreed to refuse planning application reference 2014/0372/TP, for the reasons outlined in the report.

CALENDAR OF MEETINGS – AMENDMENTS TO 2016 CALENDAR

1966. The Council considered a report by the Deputy Chief Executive seeking approval to make further amendments to the 2016 meetings calendar.

The report reiterated that changes had already been made to the calendar to recognise the involvement of Committee Services officers in the organisation and delivery of electoral events, most notably the Scottish Parliamentary Elections in May 2016. Having made reference to the forthcoming referendum on the UK's membership of the European Union on 23 June, the report proposed rescheduling and relocating to Barrhead Council Offices the meetings of the Licensing Committee and Council that were to take place around that date to 14 and 15 June 2016 respectively. It was also proposed to schedule an additional meeting of the Cabinet on 16 June, also in Barrhead, to consider the strategic year end performance report, and a special meeting of the Council immediately following the Audit and Scrutiny Committee meeting on 29 September to seek approval of the Annual Accounts.

The Council approved the further amendments to the 2016 meetings calendar.

PROVOST

