

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of Meeting held at 7.00pm in the Council Offices, Main Street, Barrhead, on 14 May 2014.

Present:

Provost Alastair Carmichael	Councillor Gordon McCaskill
Deputy Provost Betty Cunningham	Councillor Stewart Miller
Councillor Tony Buchanan	Councillor Mary Montague
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 Alan Lafferty	Councillor Vincent Waters
Councillor Ian McAlpine	

Provost Carmichael in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Julie Murray, Director of Community Health and Care Partnership; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Jim Sneddon, Head of Democratic and Partnership Services; Eamonn Daly, Democratic Services Manager; and Ron Leitch, Committee Services Officer.

Apology:

Councillor Kenny Hay.

DECLARATIONS OF INTEREST

1053. There were no declarations of interest intimated.

MINUTE OF PREVIOUS MEETING

1054. The Council considered the Minute of the meeting held on 26 March 2014.

Councillor Gilbert sought clarification on the dispute between the Council and the Friends of Cowan Park group regarding the siting of the proposed replacement Barrhead High School which had led to the matter being referred to the Court of Session for determination. In response, the Director of Environment explained that the judge at the Court of Session had

declined to issue a judgement following an initial Hearing but had appointed a Reporter to draft a full report on the matter for consideration by the Court at a later date. It was expected that this report would be submitted to the Court by the end of May 2014 but that as yet no date had been set for a further Hearing.

Responding to Councillor Swift who sought clarification regarding the decision to site the replacement school on a site which he understood to be Common Good ground, the Chief Executive explained that a full report would be submitted to Cabinet following receipt of the Reporter's submission to the Court.

Following further brief discussion the Council approved the minute of the meeting held on 26 March 2014.

MINUTE OF SPECIAL MEETING

1055. The Council considered and approved the Minute of the special meeting held on 30 April 2014.

MINUTES OF MEETINGS OF COMMITTEES

1056. The Council considered the Minutes of the meetings of the undernoted:-

- (a) Cabinet – 27 March 2014;
- (b) Planning Applications Committee – 2 April 2014;
- (c) Local Review Body – 2 April 2014;
- (d) Cabinet – 10 April 2014;
- (e) Audit & Scrutiny Committee – 10 April 2014;
- (f) Education Committee – 24 April 2014;
- (g) Planning Applications Committee – 30 April 2014;
- (h) Local Review Body – 30 April 2014;
- (i) Special Planning Applications Committee – 30 April 2014;
- (j) Special Council – 30 April 2014;
- (k) Cabinet – 1 May 2014;
- (l) Licensing Committee – 1 May 2014; and
- (m) Appeals Committee – 6 May 2014.

The Council approved the Minutes, except insofar as referred to in Items 1057 and 1058 below.

CABINET – 27 MARCH 2014 – WRITE OFF OF IRRECOVERABLE RENT AND COURT EXPENSES

1057. Under reference to the Minute of the meeting of the Cabinet of 27 March 2014 (Page 943, Item 1000 refers), Councillor McCaskill expressed the view that the Council's performance on debt recovery was not good and sought assurances regarding what steps would be taken in future to prevent further write-offs including the possibility of transferring responsibility for pursuing rent arrears to the Housing Service. In response Councillor McAlpine explained that every effort was made to pursue rent arrears but that there came a point at which it was considered uneconomic and impractical to continue and that the decision to write-off debt was always taken as a last resort.

The Council noted the information.

CABINET – 27 MARCH 2014 – GIFFNOCK AND THORNLIEBANK, NETHERLEE, STAMPERLAND AND WILLIAMWOOD AREA FORUM

1058. Under reference to the Minute of the meeting of Giffnock and Thornliebank, Netherlee, Stamperland and Williamwood Area Forum, which formed Appendix 2 to the Minute of the meeting of the Cabinet of 27 March 2014 (Page 949 refers) Councillor Montague, supported by Councillor Robertson, paid tribute to Bernard Fishman of Eastwood Crime Prevention Panel who had died recently. Councillor Montague highlighted Mr Fishman's enthusiastic and positive contribution to community life and expressed the view that his presence would be sadly missed by the local community.

The Council noted with sadness the death of Mr Fishman.

GENERAL FUND CAPITAL PROGRAMME

1059. Under reference to the Minute of the meeting of 7 February 2013 (Page 392, Item 409 refers), when the programme for 2013/14 had been approved, the Council considered a report by the Director of Finance monitoring expenditure as at 28 February 2014 against the approved Capital Programme for 2013/14 and recommending adjustments to the 2013/14 General Fund Capital Programme where necessary. Details of the revised expenditure and resources available were appended to the report.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and indicated that the projected shortfall of £56,000 represented approximately 0.6% of the resources available and was within manageable limits.

The Council agreed to:-

- (a) note and approve the movements within the programme; and
- (b) note the shortfall of £117,000 and that this would be managed and reported within the final accounts for the year.

HOUSING CAPITAL PROGRAMME

1060. Under reference to the Minute of the meeting of 7 February 2013 (Page 393, Item 410 refers), when a new five year Housing Capital Programme for the period 2013/14 to 2017/18 had been approved, the Council considered a report by the Director of Finance monitoring expenditure as at 28 February 2014 against the approved Capital Programme for 2013/14 and recommending adjustments to the 2013/14 Housing Capital Programme where necessary. Details of the revised expenditure and resources available were appended to the report.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and indicated that the projected shortfall of £65,000 represented approximately 2.1% of the resources available and was within manageable limits.

The Council agreed to:-

- (a) note and approve the movements within the programme; and

- (b) note the shortfall of £65,000 and that this would be managed and reported within the final accounts for the year.

DRAFT OUTCOME DELIVERY PLAN

1061. Under reference to the Minute of the meeting of the Cabinet of 1 May 2014 (Page 1007, Item 1035 refers), when it had been agreed to recommend to the council that the draft Outcome Delivery Plan (ODP) 2014/17 be approved, the Council considered a report by the Chief Executive relative to the plan, a copy of which accompanied the report.

The report explained that since the draft ODP 2014/17 had been considered by the Cabinet further information had been received relating to grant settlement figures and that these had been included in the draft plan.

Councillor Swift questioned why a number of targets for educational attainment appeared to have been set at levels which were below or only very slightly above current achievement and also requested that figures be quoted in a consistent format either in terms of percentages or absolute numbers and not as a mixture of the two as this made it difficult to make meaningful comparisons. In response the Chief Executive explained that she would ask the Director of Education to respond directly to Councillor Swift with regard to the issue of target setting and that the format of information being presented would be reviewed.

Councillor Grant suggested that the wording associated with the proposed outcomes as outlined in the ODP which states "What the Council will achieve" was overly restrictive and put undue pressure on the Council and should be amended to read "What the Council will aim to achieve". The Chief Executive explained that targets were always set to be stretching but achievable but subject to agreement undertook to change the wording as suggested by Councillor Grant.

The Council agreed to:-

- (a) note the covering report that had been presented to Cabinet on 1 May 2014; and
- (b) approve the draft Outcome Delivery Plan 2014/17 subject to the minor change of wording as detailed above.

COMMUNITY HEALTH AND CARE PARTNERSHIP COMMITTEE

1062. The Council considered and noted the Minute of the meeting of the East Renfrewshire Community Health and Care Partnership Committee of 16 April 2014.

PROVOST'S ENGAGEMENTS

1063. The Council considered and noted a report by the Deputy Chief Executive, providing details of the civic engagements attended by and civic duties performed by Provost Carmichael since the last meeting.

STATEMENTS BY CONVENER

1064. Provost Carmichael intimated that no statements had been received.

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

1065. Provost Carmichael intimated that no statements had been received.

POST OF HEAD OF HEALTH AND COMMUNITY CARE

1066. Under reference to the Minute of the meeting of 26 March 2014 (Page 928, Item 977 refers), the Council considered a report by the Deputy Chief Executive seeking agreement to a change in the composition of the Appointments Committee established to shortlist and interview for the post of Head of Health and Community Care.

The report outlined the reasons for the request following which the Council agreed that the replacement of Councillor Swift on the Appointments Committee by Councillor Grant be homologated.

DRAFT SINGLE OUTCOME AGREEMENT UPDATE 2014/15

1067. The Council considered a report by the Chief Executive submitting for consideration the draft 2014/15 update to the East Renfrewshire Community Planning Partnership's (CPP) Single Outcome Agreement (SOA), a copy of which accompanied the report.

The report explained that for 2014/15 a light refresh of the SOA had been carried out but that the strategic focus of the SOA and the five high level outcomes and intermediate outcomes had remained consistent.

Councillor McCaskill questioned the use of the age range 16–64 to describe the working age population in light of the proposed increase in the national retirement age. In response, the Deputy Chief Executive explained that the age range quoted was that used in a range of national statistical returns but undertook to seek clarification for future updates of the SOA and to respond directly to Councillor McCaskill.

The Council agreed to:-

- (a) approve the content of the draft SOA Update 2014/15: and
- (b) submit the draft SOA to the CPP Board for final approval on 10 June 2014.

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND: FIFTH REVIEW OF ELECTORAL ARRANGEMENTS

1068. The Council considered a report by the Chief Executive seeking homologation of a response to the Local Government Boundary Commission for Scotland regarding their proposals to reduce the number of Elected Members for the Council.

The report explained that as the first stage of the latest review of local government electoral arrangements, the Commission had announced its proposals for councillor numbers across the country. For East Renfrewshire the proposal was that the number be reduced from the current 20 councillors to 18 councillors. It went on to explain the methodology used by the Commission including the use of the Scottish Index of Multiple Deprivation (SIMD) as a method of categorising councils which was a change from current practice where council areas had been categorised by density and distribution of population. It also highlighted the proposal to use September 2013 electorate numbers to determine councillor numbers in 2017 as opposed to the proposed future electorate numbers at that time. It was noted that representatives of the Commission had met with Provost Carmichael and Councillors Fletcher, McCaskill and Robertson along with officers on 6 March.

The report concluded by explaining in detail the Council's response to the review highlighting inconsistencies in the Commission's approach noting that the Council supported the retention of the existing categorisation and ratios and that if that view was not accepted it would support the use of projected rather than current electorate numbers for determining councillor numbers.

The Council agreed to homologate the response to the Local Government Commission for Scotland Review of Electoral Arrangements.

SCHEME OF MEMBERS' REMUNERATION AND EXPENSES

1069. The Council considered a report by the Deputy Chief Executive seeking approval for a scheme of Members remuneration and expenses for 2014/15.

The report explained that Scottish Statutory Instrument No. 351 (2013), the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2013 had come into force on 18 February 2014 and that these regulation amended salaries for the Leader, Provost, and other Councillors by applying an increase of 1% for 2013/14 and a further 1% for 2014/15.

The Scheme of Members Remuneration and Expenses for 2014/15 which accompanied the report incorporated amendments included in these regulations into the Council's previous Scheme of Members' Salaries and Expenses which had been updated for 2014/15.

The Council approved the Scheme of Members Remuneration and Expenses 2014/15.

EAST RENFREWSHIRE LOCAL LICENSING FORUM – APPOINTMENT OF FORUM MEMBER

1070. The Council considered a report by the Deputy Chief Executive seeking approval to appoint a licensed trade representative to East Renfrewshire Local Licensing Forum following the recent resignation of a member. An application had been received from John Morton, a local licensee involved in the Grape and Berry, Cross Arthurlie Street, Barrhead.

The Council approved the appointment of John Morton the East Renfrewshire Local Licensing Forum, with the appointment to last until the local government elections in 2017.

THE EAST RENFREWSHIRE COUNCIL, ARTHUR STREET, CLARKSTON (ONE WAY) ORDER

1071. The Council considered a report by the Director of Environment seeking approval for the making and confirmation of The East Renfrewshire Council, Arthur Street, Clarkston (One way) Order 2014 which would have the effect of maintaining Arthur Street one-way from a point 31 metres or thereby east of the extended eastern kerbline of Eaglesham Road to the extended southwest kerbline of Busby Road, Clarkston.

The report explained that as part of the ongoing review of the Clarkston and Busby area Traffic Regulation Orders it had transpired the Order that legalising the current one-way operation of Arthur Street required to be re-established.

The Council approved the making and confirmation of the East Renfrewshire Council, Arthur Street, Clarkston (One Way) Order 2014.

THE EAST RENFREWSHIRE COUNCIL, GREENLAW WAY, NEWTON MEARNES (REDETERMINATION OF MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE) ORDER

1072. The Council considered a report by the Director of Environment seeking approval for the making and confirmation of The East Renfrewshire Council Greenlaw Way, Newton Mearns (Redetermination of Means of Exercise of Public Right of Passage) Order 2014.

The report explained that following the decision by a Reporter appointed by the Scottish Ministers to allow an appeal and grant planning permission in respect of a development site west of Stewarton Road, Newton Mearns, a planning condition had been attached requiring that Greenlaw Way, Newton Mearns be closed to through traffic in the interests of road safety. In order to comply with this planning condition a Redetermination Order required to be introduced on Greenlaw Way from a point 150 metres or thereby north of its junction with Crookfur Road extending northwards for a distance of 55 metres or thereby. The effect of the Order would be such that the road, at present a carriageway, would become a cycle track and footpath, the right of passage being exercisable on pedal cycle and foot only. This would restrict any vehicular traffic on Greenlaw Way in the interests of road safety.

The Council approved the making and confirmation of The East Renfrewshire Council, Greenlaw Way, Newton Mearns (Redetermination of Means of Exercise of Public Right of Passage) Order 2014.

THE EAST RENFREWSHIRE COUNCIL, NEILSTON ROAD, NEILSTON AND NEILSTON ROAD & KELBURN STREET BARRHEAD (REDETERMINATION OF MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE) ORDER

1073. The Council considered a report by the Director of Environment seeking approval for the making and confirmation of The East Renfrewshire Council, Neilston Road, Neilston & Kelburn Street, Barrhead (Redetermination of Means of Exercise of Public Right of Passage) Order 2014.

The report explained that, following an assessment by the Council's Roads Service, it was considered appropriate to make the above redetermination order to facilitate the safe passage of cyclists along the footway to which the order relates. It was therefore considered necessary to re-determine sections of the road to permit shared use by pedestrians and cyclists.

The Council approved the making and confirmation of the East Renfrewshire Council, Neilston Road, Neilston and Neilston Road & Kelburn Street, Barrhead (Redetermination of Means of Exercise of Public Right of Passage) Order 2014.

THE SALIX ENERGY EFFICIENCY LOANS SCHEME

1074. The Council considered a report by the Director of Environment seeking approval to enter into a loan agreement with Salix in relation to proposed energy improvements at Thornliebank Depot.

The report explained that Salix was an independent, public funded company, dedicated to providing the public sector with 100% interest-free capital finance funding for energy efficient projects. The Environment Department had commissioned an energy efficiency audit of Thornliebank Depot to identify possible opportunities and recommendations from the audit had been used to inform a bid for £66,500 to fund implementation of a number of measures including lighting improvements, insulation and draughtproofing.

Energy usage was expected to reduce resulting in anticipated savings of £12,916 per annum equating to a payback period of 6 years and with a carbon benefit to the Council of 62.59 tonnes of CO₂ per annum.

Councillor Miller requested confirmation that the type of light fittings proposed would not lead to eyesight problems for staff and visitors to the depot. In response, the Director of Environment undertook to investigate this issue and respond to Councillor Miller.

Thereafter, the Council agreed to grant authority to the Director of Environment, in consultation with the Head of Accountancy (Chief Financial Officer), to enter into a loan agreement with Salix for £66,500.

PROVOST