

## **MINUTE VOLUME**

**27 APRIL 2022**

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

**Minute of virtual meeting held at 10.00am on 3 March 2022.**

**Present:**

Provost Jim Fletcher	Councillor Annette Ireland
Deputy Provost Betty Cunningham	Councillor Alan Lafferty
Councillor Paul Aitken	Councillor David Macdonald
Councillor Caroline Bamforth	Councillor Jim McLean
Councillor Tony Buchanan (Leader)	Councillor Colm Merrick
Councillor Angela Convery	Councillor Stewart Miller
Councillor Danny Devlin	Councillor Paul O’Kane
Councillor Charlie Gilbert	Councillor Gordon Wallace
Councillor Barbara Grant	

Provost Fletcher in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, 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); Anthony McReavy, Chief Executive, East Renfrewshire Leisure and Culture Trust; Phil Daws, Head of Environment (Strategic Services); Sharon Dick, Head of HR and Corporate Services; Murray Husband, Head of Digital and Community Safety; Joe McCaig, Head of Education Services (Performance and Provision); Siobhan McColgan, Head of Education Services (Equality and Equity); Gillian McCarney, Head of Environment; (Planning Officer) Barbara Clark, Chief Accountant; Graeme Smith, Communications Manager; Colin Hutton, Senior Communications Officer; Mary Docherty, Quality Improvement Officer; Eamonn Daly, Democratic Services Manager; John Burke, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

**Introductory Remarks**

Provost Fletcher welcomed everyone to the meeting and intimated that an emergency motion relating to the Russian invasion of Ukraine had been included as item 6(b) on the agenda. He indicated that an event had been planned to raise the Ukrainian flag at the Council Headquarters at 3.30pm on 4 March 2022. Any elected member who wished to be present at the raising of the Ukrainian flag was welcome to attend.

**Apologies:**

Councillor Jim Swift.

## **DECLARATIONS OF INTEREST**

**1896.** There were no declarations of interest intimated.

## **MINUTE OF MEETING OF THE COUNCIL HELD ON 15 DECEMBER 2021**

**1897.** The Council considered and approved the Minute of the meeting held on 15 December 2021.

## **MINUTES OF MEETINGS OF COMMITTEES**

**1898.** The Council considered and approved the Minutes of the meetings of the undernoted:-

- (a) Licensing Committee – 18 January 2022;
- (b) Planning Applications Committee – 19 January 2022;
- (c) Local Review Body – 19 January 2022;
- (d) Audit and Scrutiny Committee – 20 January 2022;
- (e) Cabinet – 27 January 2022;
- (f) Education Committee – 3 February 2022;
- (g) Licensing Committee – 15 February 2022;
- (h) Planning Applications Committee – 16 February 2022;
- (i) Local Review Body – 16 February 2022;
- (j) Cabinet (Police & Fire) – 17 February 2022; and
- (k) Audit and Scrutiny Committee – 17 February 2022

## **CABINET – 27 JANUARY 2022 – COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 – COMMUNITY ASSET TRANSFER**

**1899.** Under reference to the Minute of the meeting of the Cabinet of 27 January 2022 (Pages 1760 - 1761, Item 1872 refers), when it had been agreed to remit to the Council consideration of a Community Transfer Asset Review Panel, its terms of reference and membership, the Council considered a report by the Director of Environment seeking approval to amend the Council's policy for Community Asset Transfers (CAT) as governed by the Community Empowerment (Scotland) Act 2015.

Councillor Buchanan outlined that the remit of the panel was to review requests for the transfer of community assets where the decision of Cabinet had been to refuse the request, or grant subject to conditions. Applicants had the right to request a review of such decisions within a set timescale. He indicated that the proposed panel would comprise of Provost Fletcher and Councillors Aitken, Macdonald, O'Kane and Wallace. In the event that any member of the Panel was unavailable, or was unable to participate due to having expressed an interest in the CAT being reviewed, it was proposed that the Director of Business Operations and Partnerships be authorised to identify a suitable replacement, taking account of any involvement in the original Cabinet decision or any subsequent call-in to the Audit and Scrutiny Committee.

Councillor Ireland welcomed the establishment of the Panel and particularly welcomed the inclusion of Councillors Aitken and Macdonald following their earlier resignations from all committees. She asked if the members of the Panel, before any review meeting, would be asked to declare any interest in the CAT being reviewed. The Democratic Services Manager pointed out that, in terms of the establishment of the process it was clear that any member of Cabinet who ruled on the initial application and any Member who had made a statement in

public with regard to the application would be expected to declare an interest and not take part in any decision. With that in mind, Provost Fletcher reminded Members to have care to the public statements they make with regard to these sorts of applications, similar to statements they might make in relation to planning applications.

Councillor Miller asked for assurance to be given that any group taking on a Council property in this way be made aware of their full responsibilities. He referred to the specific case of the former police station in Clarkston at 60 Busby Road, indicating that there had been issues around the leasing of that property that had led to disputes between Council departments around responsibility for various issues around the property. He stressed that anyone taking on ownership of buildings or other property should be made aware of their responsibility for the upkeep of the property. In reply, the Director of Environment indicated that the policy was to help facilitate the process but it would be made clear to groups during the process what was involved in taking on a property.

In response to Councillor Ireland's earlier point, Councillor Aitken reminded Members that he had e-mailed them indicating that he was happy to take on committee work, however it was his opinion that the main parties did not want independent voices on committees.

Councillor Wallace also noted that the chair of Audit and Scrutiny Committee was an independent councillor.

Councillor Macdonald then clarified the reasons he had resigned from the 2 committees to which he had been appointed. He stressed that he had been willing to serve on other committees but had not been considered when any vacancies had arisen. He further remarked that the independent councillor who Chaired the Audit and Scrutiny Committee had been a Conservative councillor at the time of his appointment.

The Council agreed:-

- (a) to establish a Community Asset Transfer Review Panel;-
- (b) that the Panel's terms of reference be to review requests for the transfer of a community asset in terms of the Community Empowerment (Scotland) Act 2015 where the decision of the Cabinet was to refuse the transfer request or to grant the request subject to different conditions to those on the transfer request, and the applicant has within the prescribed timescale asked that the Council review the request;
- (c) that membership of the Panel comprise Provost Fletcher, and Councillors Aitken, Macdonald, O'Kane and Wallace; and
- (d) that in the event of any of the members of the Panel being unavailable to attend, the Director of Business Operations and Partnerships be authorised to identify a suitable replacement, taking account of any members involved in the original Cabinet decision or any possible subsequent call-in.

#### **AUDIT AND SCRUTINY COMMITTEE – 17 FEBRUARY 2022 – TREASURY MANAGEMENT STRATEGY REPORT FOR 2022/23**

**1900.** Under reference to the Minute of the meeting of Audit and Scrutiny Committee of 17 February 2022 (Page 1791, Item 1893 refers) , when it had been agreed to recommend to the Council that the Treasury Management Strategy for 2022/23 be approved, including the

amended list of organisations for investment of surplus funds in accordance with Annex F to the report, and that the policy on the repayment of Loans Fund advances as specified in Section 3.4 of the report be approved, and the forms of investment instruments for use as permitted investments in accordance with Annex D to the report be approved, the Council considered a report by the Chief Financial Officer, reporting on the Treasury Management Strategy for the financial year 2022/23.

Councillor Miller clarified that, in accordance with the CIPFA Treasury Management Code of Practice, the Audit and Scrutiny Committee was responsible for ensuring effective scrutiny of the Strategy, including the approved list of investors and the policy on the repayment of Loans Fund advances. He reported that clarification on various matters had been provided, highlighted that the report set out the parameters within which the treasury function operated, highlighted that the strategy explained various fiscal flexibilities available to the Council to help address COVID-19 pressures, and confirmed that related mid-year and annual reports would be submitted to the committee in due course.

The Council agreed:-

- (a) that the Treasury Management Strategy for 2021/21 be approved, including the amended list of organisations for investment of surplus funds in accordance with Annex F to the report; and
- (b) to approve the policy on the repayment of loans fund advances as specified in Section 3.4 of the report.
- (c) to approve the forms of investment instruments for use as permitted investments in accordance with Annex D to the report.

## **NOTICE OF MOTION – SCOTTISH GOVERNMENT 2021/22 HEALTH AND WELL-BEING SCHOOL CENSUS**

**1901.** In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor Wallace, seconded by Councillor McLean.

*This motion requests that East Renfrewshire Council does not participate in the Scottish Government's 2021/22 Health and Well-being School Census without the proposed final version being presented to councillors at a full council meeting and its suitability for use in East Renfrewshire determined thereafter by way of a vote.*

Councillor Buchanan, seconded by Councillor Lafferty, moved an amendment in the following terms:-

That the full wording of the motion be deleted and the following be inserted instead:-

*Councillors have now had the opportunity to view the final version of the proposed Census. Education Department have addressed many of the concerns such as anonymity, timing and parental consent. We are satisfied that the Education Department can now proceed with the Census.*

Provost Fletcher invited Councillor Wallace to speak in terms of the motion.

Councillor Wallace referred to a recent Education Committee meeting where members were advised that 90 to 95% of questions included in the Census were similar to ones already asked through other different forums. He indicated that it was the remaining 5 to 10% that had caused understandable unrest and concern. He referred to the proposed "named

persons" policy and stated that, having lost the argument on that policy, the Scottish Government was now attempting to find a route to undermine the role of the parent in family life. In relation to the amendment, he pointed out that the questionnaire had arrived at the same time as a 602 page Council agenda, and for 3 days of that time there was no access to the Council's e-mail system. He stated that he believed Members should be allowed time to scrutinise such important matters and vote on them.

In seconding the motion, Councillor McLean stated that he fully endorsed Councillor Wallace's comments. He stated that he could see no problem with allowing further time for Members to scrutinise the Census and for the matter to be brought back to the Council for a decision.

Councillor Buchanan was heard in support of his amendment, agreeing with Councillor Wallace in that 90 to 95% of the Census was normal information gathered routinely. He noted that the areas of concern were particularly around anonymity, the nature of the questions and around parental consent. He felt that these concerns had been addressed by the key changes made by the Education Department. In particular, the scheme was now opt-in and children could opt out of answering questions if they wished, both the pupil and school would have complete anonymity in terms of the answers given, and the timing of the Census in relation to exams had also been addressed. Councillor Buchanan felt that the concerns had been listened to and addressed and the Council was now in the position to allow the Education Department to move ahead to gather the information to help future service delivery and the needs of children.

In seconding the amendment, Councillor Lafferty reiterated his opposition to the motion and his hope that the Council adopt the amendment. He stated that East Renfrewshire Council had emerged as the leading authority in education in Scotland and its schools were among the most effective and committed to continuous improvement. He noted that issues around parents and children were very important and was pleased to note the changes made, to the Census referred to by Councillor Buchanan. In particular, where children would have the choice to answer questions in whole, in part, or not at all, depending on their preference. He believed that the Census would allow the Education Department to collect valuable information on the children and young people in East Renfrewshire.

Councillor Merrick then commented. He noted that the Census had initially been developed by the Scottish Government, and the Education Department had then consulted with various partners and stakeholders, including children's services partners, head teachers, parents and the Diocese of Paisley as well as taking account of comments by other local authorities to address any concerns, and had adapted the Census appropriately. He noted the most important changes made were that the Scottish Candidate Number was no longer required as part of the Census so it was completely anonymous, the process to participate was opt-in so children and parents could refuse to participate if they wished, and surveys would be made available to parents prior to completion of the opt-in process. He mentioned that the most contentious questions had been around the sexual health section for S4 to S6 pupils, noting that the emphasis of the Census was in identifying coercive behaviour which had been identified as a priority in partnership working. He stated that 2 surveys were now being offered to S4 to S6 pupils, one of which did not include the sexual health questions. He stressed that, in his opinion, there was no untoward motive in conducting the Census.

Councillor Ireland noted that she had attended a number of Parent Council meetings and that the Census had been raised a number of times. She noted that staff from the Education Department had held a meeting with all Parent Council Chairs and was pleased that the Education Department had listened to the concerns raised and made changes. She felt it was incredibly important to gather this information to allow the Council to plan services and understand the needs of children and young people. She further noted that it would be

displayed on the survey that, at the commencement of submissions, should pupils wish to discuss any of the matters raised, they should speak to a trusted adult or member of staff, with educational psychologists available. She asked if the Director of Education could confirm that pupils who found the questions difficult would be offered support and what form that support would take, and also why the survey was required and what the information would be used for.

Councillor Miller stated that he and all Members had seen the e-mail from the Director of Education providing the revised Census, and most of the questions were fairly innocuous. However, he expressed concern that some of the questions asked were questions that he would not consider should be asked of adults, let alone children. He expressed his disgust that children should be asked if they had sexual relationships. He remarked that children may collaborate to give certain answers to the Census and so skew the data, making it not particularly useful. He asked why this information would improve schools and which services it would improve.

Councillor Macdonald stated that such a material change and sensitive matter should be put before Members for discussion and he would be supporting the motion on that basis. He stated that the content of the Census should be circulated to parents and guardians first. He believed that they were the filter who should be making the decision on whether or not children participate in the Census. He remarked that while young people were being given the choice to participate or not, this would be an impossible decision as they had not seen the content to know if they should participate. He remarked that the content was extremely sensitive and had the potential to embarrass and cause stress. He noted that while anonymity was helpful, the main concern was about how it would affect participants when they realised that it was something they didn't want to participate in.

Councillor Aitken also expressed his support of the motion. He said he was not assured that teenagers being given these very sensitive questions would be given the option to opt-out. He questioned the usefulness of the information provided if only a small number of pupils completed the survey.

In relation to the issues raised by Councillor Macdonald, Councillor Bamforth noted that parents would be given access to the survey prior to the opt-in process. She noted that there were no explicit questions in the Census as those had been removed.

The Director of Education, in responding to questions asked by Members during the debate, explained there would be clear guidance setting out the support required for each child completing the Census. Pupil support staff, trusted adults and educational psychologists would all be available depending on the support required. He further noted that there would be no follow up or analysis of individual responses. He stated that the reason for asking for this information was that the Education Department had a duty to provide and plan services that supported health and wellbeing of young people, more so than ever given COVID-19. Planning those services appropriately and monitoring the impact of those services going forward required data gathering to take place.

The Head of Education (Equality and Equity) further clarified the position. She stated that the Education Department had worked closely with children's services partners and had lengthy discussions with Parent Councils and other partners on the content of the Census. She noted a growing national concern around gender based violence and coercive behaviour and the need for further information to be gathered on these topics. By asking questions focused on those issues, the Council could identify where resources needed to be targeted, such as at certain age groups or ethnic groups. If so, interventions could be put in place where required. She noted that information had come to the Education Department that



children as young as 12 were asking questions regarding risky behaviours around drugs, alcohol, smoking and sexual behaviour and it was important to target resources to support young people in that regard.

At this stage, Provost Fletcher invited Councillor Wallace to sum up.

Councillor Wallace noted that certain questions had been removed. He asked if nobody was at all worried that they had been asked in the first place. He expressed his concern on what would have happened if it had not been an election year. In terms of coercive behaviour, he felt that the remarks made amounted to a sort of “thought police”. He shared the concerns of other councillors on gender based violence, however, he felt that all the Census did was bring violence against family life. He stated that the direction of travel was bad and that this Census would simply be the thin end of the wedge.

The Democratic Services Manager clarified that in light of current circumstances voting would be by roll call vote.

On the roll being called, Councillors Aitken, Grant, Macdonald, McLean, Miller and Wallace voted for the motion. Provost Fletcher and Councillors Bamforth, Buchanan, Convery, Cunningham, Devlin, Gilbert, Ireland, Lafferty, Merrick and O’Kane voted for the amendment.

There being 6 votes for the motion and 11 for the amendment, the amendment was declared carried.

## **NOTICE OF MOTION – RUSSIAN INVASION OF UKRAINE**

**1902.** In accordance with Standing Order 18(d), Provost Fletcher agreed to accept as a matter of urgency the following notice of motion been submitted by Councillor Buchanan, seconded by Councillor Cunningham.

*East Renfrewshire is appalled at the invasion of Ukraine by Russia, noting that the waging of aggressive war is a criminal act under both international law and the Russian constitution. The Council joins with the civilised world in condemning the actions of President Putin in initiating the war which is taking an increasing toll on military personnel and non-combatant civilians alike. The Council fully backs the UK Government in partnership with other nations’ allies in deploying measures aimed at ending the illegal Russian invasion and supporting the government and people of Ukraine in the defence of their country and the lives and liberties of their people. The Council stands ready to assist in all appropriate ways with humanitarian support and refuge to the people of Ukraine in this ordeal. East Renfrewshire is reminded that peace, stability and democracy cannot be taken for granted, even in Europe, and stresses the value and importance of international institutions including the United Nations, the European Union and NATO in continuing to safeguard and advance liberal democracy, mutual security and economic prosperity in Europe and beyond. The Council requests the Chief Executive to write to Andrey Yakolev, Consul General of the Russian Federation in Scotland, conveying the Council’s condemnation of the actions of his government.*

No amendment was proposed to the motion and Provost Fletcher opened the floor to discussion and debate.

Councillor Macdonald stated his support for the motion and asked that the Local Government Pension Scheme be looked at to ensure there was no investment in the Russian Federation in any way.

Councillor Miller remarked that the scenes witnessed via the media were very emotional for all and expressed his gratitude that the Council was unanimous in supporting this motion. He praised the work of Clarkston Scouts in gathering materials to send to Ukraine. Their appeal had been oversubscribed and he asked that if any other local groups were doing similar work they be notified to allow them to be work with the Scouts to maximise the amount of materials that could be sent to Ukraine.

Councillor Ireland added her thanks to the 121<sup>st</sup> Scouts and remarked that so much support had come that they had to suspend donations. She noted that everyone was appalled at what was happening in Ukraine, and men and women were dying defending democracy. She remarked upon the large campaign of misinformation being orchestrated by Russia on social media, however, the indefensible nature of their actions was clear. She raised the publishing by Amnesty International of a full list of international law violations and expressed her disgust at the situation and her pride at what was taking place locally to support those affected by the war.

Councillor Convery echoed the other comments made and noted that the amount of children who had died was tragic, with young adults being used as cannon fodder on the pretence of a training exercise.

Councillor McLean also offered his support to the motion and remarked upon his horror at the situation. He expressed his pleasure at the fact that politicians from all sides joined together when situations like this arose.

Councillor Merrick reflected upon how lucky people in East Renfrewshire were to live in a democracy. He stated that in Russia a megalomaniac had disregarded democracy to start a war where people were being slaughtered. He further stated that if raising a flag and passing this motion offered even a small degree of succour and support to people facing the Russian onslaught then it was worth it.

Councillor Bamforth also expressed her support for the motion and was pleased to see cross party agreement. She remarked that the long-term damage to the people of Ukraine would be unimaginable. She noted her work with asylum seeking families and stressed that the psychological damage done to people in these situations goes on for years after with Post Traumatic Stress Disorder among other issues. She asked that Members always remember the Ukrainians, even after the conflict.

Provost Fletcher, in closing the discussion, thanked everyone for their contributions and was delighted to see that the motion had been passed unanimously. He reminded members of the raising of the Ukrainian flag which would take place on 4 March 2022 at 3.30pm at the Council Headquarters.

**STATEMENTS BY CONVENERS/REPRESENTATIVES ON JOINT BODIES/COMMITTEES**

**1903.** The following statement was made:-

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

Councillor Bamforth explained that the agenda at the last Integration Joint Board (IJB) had been shorter than usual due to COVID-19 pressures. However, the Chief Officer had provided an overview of the current state of play on the pandemic and had noted that it was an ever changing picture. The NHS was focused on recovery prior to the onset of the Omicron variant and had shifted their response to address the difficult winter period.

She indicated that the Pandemic Management Team were meeting 3 days a week to help coordinate the response to the developing situation. The IJB was pleased to note the situation was improving following real capacity worries over the festive period. Board members had recognised the commitment of staff over the period to address the serious issues that arose. However, she noted that the impact on residents was becoming apparent with increased demand for services and increase in complex needs cases as many services were paused during the lockdown period. Neurodiversity was a big challenge for children's services due to the pressure on families and carers and the Health and Social Care Partnership (HSCP) was supporting both throughout the pandemic in bespoke ways. HSCP were inviting unpaid carers to their local unscheduled Care Planning Group and it had been recognised that individual budgets had made a real difference to carers.

A revenue update had been provided by the Chief Financial Officer which noted that the HSCP was assuming full spend of the £2.84m winter funding with any unused monies earmarked to support growth in demand in line with Scottish Government advice. The costs of nursing and residential care had reduced, however, this was more than offset with increased activity in the care at home service and the long-term trends were unclear at this time. The IJB had approved the use of reserves to fund the family wellbeing service for a further 2 years following the cessation of the Robertson Trust funding, which would end in May 2022. This service had supported a number of children during the pandemic, as well as exceeding the success criteria agreed at the outset to reduce repeat presentations at GP practices, contact 90% of families within 2 weeks of referral and work with a minimum of 178 children and young people per year.

The Council noted the statement.

## **PROVOST'S ENGAGEMENTS**

**1904.** The Council considered a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Fletcher since the meeting on 15 December 2021.

The Council noted the report.

## **EAST RENFREWSHIRE CULTURE AND LEISURE TRUST 2022-23 BUSINESS PLAN**

**1905.** The Council considered a report by the Director of Education, seeking approval for the East Renfrewshire Culture and Leisure Trust (ERCL) 2022-23 Business Plan.

Provost Fletcher noted that the Business Plan had been approved by the ERCL Board, but that if the Council's proposed budget was not approved later at the meeting it could impact upon the Business Plan. Following this, he opened the floor for debate and discussion.

Councillor Miller remarked that he understood why the ERCL needed to be financially viable. However, he understood that East Renfrewshire now had the most expensive facilities in the west of Scotland. He noted that amateur youth groups had found the increased costs unbearable and were now using facilities in neighbouring authorities at a third of the cost. He believed that ERCL should nurture local youth groups.

Provost Fletcher replied that, as an ERCL Board member, this was not the information he had been given and the Trust didn't make any money from the types of performances mentioned by Councillor Miller. He stated that he would welcome any investigation into that situation and would be happy to discuss with the Trust's Chief Executive outside of the meeting.

Thereafter, the Council approved the proposed East Renfrewshire Culture and Leisure Trust 2022-23 Business Plan subject to the confirmation of the Council budget.

## **FINANCIAL PLANNING 2022 – 2028**

**1906.** The Council considered a report by the Head of Accountancy (Chief Financial Officer), on the updated Outline Revenue Financial Plan for 2022 – 2028.

The Council agreed:-

- (a) that the continuing budget pressures anticipated in the next 6 years and mitigating actions proposed be noted; and
- (b) that the Outline Revenue Financial Plan 2022 – 2028 be approved.

## **EAST RENFREWSHIRE COUNCIL REVENUE ESTIMATES 2022-23**

**1907.** The Council considered a report by the Head of Accountancy (Chief Financial Officer) on the outline revenue estimates of income and expenditure as the basis for the Council Tax declaration for 2022-23. A copy of the Revenue Estimates 2022-23 was appended to the report.

The report outlined the revenue budget process, commented on the Scottish Government's Grant Funding for 2022-23, and explained that in determining the grant distribution the Scottish Government had again put in place the "Floors" arrangement to ensure year-on-year grant stability at individual council level. Under this arrangement, the Council would contribute £3.271m by way of deduction from Aggregate External Finance (AEF) grants in 2022-23. This was £1.472m higher than in the current year and reflected the high level of support distributed to a small number of other councils.

Having commented on Non-Domestic Rates income, the report referred to the financial outlook and the practice in recent years of setting multi-year budgets. Given the ongoing financial outlook, it was proposed that the Council continued to adopt a longer-term financial planning approach, but as multi-year Scottish and UK Government settlements were not available, it was proposed to agree plans only for 2022-23. Officers would continue to model departmental figures for 2022-23 to 2024-25 and update figures as set out in the Council's report on Financial Planning 2022-28 for longer-term planning purposes. It was anticipated that a further 3-year budget would be set in February 2023 once multi-year figures had been announced by the Scottish Government.

Taking account of a range of matters, the report referred to a total initial budget shortfall of £9.533m for the coming year. After applying the assumed 3% increase in Council Tax income used in budget planning, this left a budget gap of £7.729m. This was around £0.4m higher than initial budget planning figures and was the result of the higher than forecast grant support being more than offset by new unfunded pressures, in particular the new National Insurance levy. The position was, however, still subject to change as further inflation and interest rate pressures may arise during the year with consequential detrimental impacts on the Council's finances and service provision.

The report explained that the 2022-23 settlement did not include restrictions on Council Tax levels and that the Council's published forecasts had been based on an assumed 3% Council Tax increase. However, with inflation running at 5.4% and the Scottish Government settlement close to flat cash, this would require difficult service reductions to be introduced.

Consequently it was being recommended that the Council agree to a Council Tax increase of 3.5%. This would increase income by £2.104m per year and reduce the budget gap to £7.429m.

It was explained that budgets were closely monitored throughout the year and the latest monitoring had forecast a non-COVID related underspend of £1.507m by the year-end. It was also expected that the year-end position would confirm a further increase in underspend as Cabinet on 27 January 2022 had instructed Directors to avoid all non-essential expenditure for the remainder of the financial year. This had been taken into account when considering the scope for a draw on reserves. As set out in the report, the general reserve was forecast to be at least £9.427m at 31 March 2022. It was therefore considered that a further £5.253m of the outstanding 2022-23 savings requirement could be deferred on a short-term basis by a drawdown from unallocated general reserve funds, whilst still observing the Council's minimum Reserves Policy of around 2%. As a result, the budget shortfall for 2022/23 could be reduced to £2.176m. Annex B accompanying the report set out proposed departmental savings to close the remaining gap.

It was highlighted that whilst the Council continued to make every effort to minimise impact on front line services, the cumulative impact of successive real terms cuts in grant settlements meant that the scope for further efficiencies to be identified was significantly reducing. Nevertheless, £0.376m (16%) of the Council's savings proposals for 2022-23 related to efficiencies or to the Council's Modern Ambitious Programme and the focus on the Council's 5 capabilities.

The report then summarised total proposed departmental budgets for 2022-23. Reference was also made to the continuing impact of Welfare Reform on council services. As these changes, particularly Universal Credit, were still being rolled out, the budget for 2022-23 included contingency provision to help the Council make the necessary investment to support the changes and to progress measures to mitigate their impact on the public. As the financial impact of the changes was clarified in future years, the contingency provision would continue to be allocated to appropriate service areas.

Reference was also made to the assumed Council Tax collection rate of 98% for 2022-23 and reserves and balances issues, particularly the General, Modernisation, Insurance, Equalisation, and Repairs and Renewal Funds, Capital Reserve and Devolved School Management Reserve. Having referred to efficiency issues and the equality impact assessment carried out on the budget saving measures, the report concluded by indicating that the Revenue Estimates appended to the report were based on a Council Tax Band D level of £1,335.11 being set for 2022-23, representing a Council Tax increase of 3.5% compared to 2021-22.

Provost Fletcher then invited Councillor Buchanan to speak on the proposals outlined in the report.

Councillor Buchanan gave a presentation to Members to accompany the report and highlight the key points for consideration. He noted the life changing challenges of COVID-19 and the impact the extra services the Council had been asked to provide had made on the work of the Council.

He thanked all staff and members of the Council for their work in ensuring that, despite the many additional responsibilities, vital services had continued to be delivered to a very high standard for the people of East Renfrewshire. This was a remarkable achievement against the backdrop of a global pandemic.

The Council had also been able to continue planning for the future, with tenants moving into the latest batch of new council houses in the immediate future, and new schools and a new leisure centre in Eastwood to be delivered in the next few years.

Councillor Buchanan went on to remark upon the Council's role in spearheading the recovery from COVID in East Renfrewshire, referring to the significant challenges to be faced, not least of which would be financial. He had shared the disappointment of others in local government when he was informed of the initial funding settlement before Christmas 2021. He had since met with Kate Forbes, Scottish Government Finance Secretary, and others as part of constructive discussions to increase funding for local services. He was pleased at the announcement of an additional £120m for councils, which meant that £2m of the most severe savings required could be removed from the proposed budget. Whilst the funding position remained challenging, the Council remained committed to protecting the services relied upon by the most vulnerable in the community.

Councillor Buchanan referred to the public consultation launched in October 2021, seeking the views of residents on what the spending priorities should be. Along with the results of 2 other public consultations carried out earlier in the year, this informed the proposals outlined in the report.

He highlighted that the Scottish Government grant settlement remained the largest source of funding, accounting for the majority of income and, by contrast, Council Tax payments amounted to 20% of spending on key services. He noted that, increasingly, the settlement came with conditions as to what the money could be spent on. For that reason, 60% of the Council's budget was effectively ring-fenced for Scottish Government initiatives and priorities. While the Council was happy to support these, it meant that the Council had far less flexibility on where to make savings. This meant that unprotected services such as services for the homeless, money advice, roads and refuse collection faced increasing pressure.

Councillor Buchanan noted that the Scottish Government grant of £207.696m did not include provision for inflation or other core pressures faced by the Council. However, it was £2.2m more than the initial grant announced. He welcomed the extra funding, but noted that this would not close the gap in the Council's budget. He also stressed that this settlement was for one year only and so prevented further financial planning at this stage.

As a result of this settlement, the Council was required to make savings and had little choice but to look at options which would have a direct impact on services. It was proposed to address the budget shortfall of £9.5m, by savings of £2.2m, a 3.5% increase in Council Tax and a significant use of the Council's reserves of £5.2m. This reduced the Council's reserve balance to 1.53% of budget, close to the minimum limit of the Council's reserves policy. While this reduced the amount available in future years, it would protect the services on which the people of East Renfrewshire relied most. Contributions would also be made to the Integrated Joint Board and East Renfrewshire Culture and Leisure Trust to allow those organisations to plan their spending for the year ahead.

Councillor Buchanan explained that the proposed increase to Council Tax was not being proposed lightly, particularly in light of increasing cost of living pressures. However, if the Council did not opt to raise Council Tax it would require to make further cuts to vital services. The proposals made amounted to an increase of £45 annually for a Band D house in East

Renfrewshire, Councillor Buchanan highlighting that the most vulnerable would be protected by Council Tax reduction schemes. He noted that Council Tax bands in East Renfrewshire had been below the Scottish average and would remain around average for the coming year.

He also referred to the 18,000 households in East Renfrewshire, amounting to 45% of households in the area, who would receive a £150 cost of living payment.

Councillor Buchanan then stated that despite these pressures, the Council continued to invest in its communities and remained committed to delivering a range of ambitious projects to improve the lives of all in East Renfrewshire. In particular, he remarked upon the Overlee Family Centre which had opened in August 2021, 5,000 healthy lunches a week being served to nursery-aged children, and the upgrading of dining facilities at existing centres.

It was noted that, despite challenging circumstances, there had been another year of record breaking SQA exam results in East Renfrewshire, with vocational qualifications at double the national average. Councillor Buchanan referred to the two new primary schools planned to be built in Neilston and the new state-of-the-art leisure centre and theatre in Eastwood Park which had just received planning approval. Work on the centre would begin in January 2023.

It was further announced that all new buildings would meet or exceed energy targets in a bid to help tackle climate change, with the Council declaring a climate change emergency in October 2021. In response, 11,000 trees had been planted in 25 new small woods as the Council's COP26 legacy project. The Council's "Get to Zero" plan would be published later in 2022 to help the Council reduce its own emissions and £1m had been spent upgrading the Council's parks to make them more attractive to visitors and residents.

An ambitious City Deal project had been undertaken to create a new promenade in Dams to Darnley Park. Walkers, cyclists and motorists would all benefit from a new link between Barrhead and Newton Mearns. In addition, the Council was also on track to complete 128 roads projects using the £15m capital investment announced in 2019 to fund resurfacing.

Turning to COVID-19 recovery, Councillor Buchanan announced that £22.3m in grants to local businesses and self-employed people had been disbursed, encouraging people to shop, dine and take part in activities in East Renfrewshire.

In relation to the Council's house building and renovation programme, Councillor Buchanan indicated that 130 new homes in Barrhead and Newton Mearns had been constructed and, in the coming year, 200 new kitchens would be installed and 180 new boilers and central heating upgrades would be delivered.

Councillor Buchanan praised the work of the Health and Social Care Partnership on their front line delivery over the course of the pandemic. He thanked them for the work they had done and continued to do. It was noted that 63 new Home Carers had been recruited and 1,225 people had been supported to return home from hospital, with 93% of those discharged without delay. Furthermore, 650 new high-tech telecare alarms had been fitted allowing the most vulnerable to continue to live at home.

In conclusion, Councillor Buchanan thanked the efforts of all Council staff and expressed his confidence that many residents would continue to benefit from their hard work. He praised the constructive approach of Trades Unions in discussions around the savings and indicated that a commitment to no compulsory redundancies remained in place. However, 36 full time equivalent posts could be affected by the proposals made. He remarked on the significant financial challenges at the same time as many extra COVID services had been established. He stressed his commitment to continue to push for increased funding for local government. He asked for approval of the revenue estimates at Annex A of the report, approval of the

recommended level and use of reserves, approval of the Council Tax Band D level for 2022/23 to be set at £1,335.11 and that the Council note that management of the Council's finances and service plans would continue to be undertaken on a longer-term basis.

Councillor Lafferty seconded Councillor Buchanan's motion and commended the proposals. He stated that this was a demonstration of a responsible Council being prepared to take the necessary decisions, but prioritise service delivery. He recognised the impact of COVID-19 on the most vulnerable and stated that the Council was doing all it could to focus its support. At the same time, the Council continued to deliver on planned investments in Early Learning and Childcare and in schools, as well as the major regeneration plans in the City Deal schemes. He indicated his pleasure at the continued excellent attainment by children and young people in East Renfrewshire in their education. In conclusion, he stated that the budget demonstrated a Council that prioritised the limited resources to address significant challenges.

It having been confirmed that in accordance with Standing Order 28 Councillor Wallace had submitted his proposed amendment to the Chief Financial Officer in advance of the meeting, Provost Fletcher then asked Councillor Wallace if he wished to propose an amendment, Councillor Wallace indicated that he did and seconded by Councillor McLean moved the following amendment:-

*The Council's staff absence rates have historically been above average. An increased focus on the Council's staff absence levels could generate further efficiencies. By recruiting two additional HR staff at an estimated total cost of £110k, annual absence rates could be reduced by 1 day per employee, saving £315k each year. This would produce a net annual efficiency of £205k. £15k for lowland reserve cadets at Woodfarm, £190k to take the proposed £583k reduction in the education budget for the lowest attaining 20% down to £393k. After applying the new Scottish Attainment Challenge funding of £135k which we expect to receive in 2022/23, the net saving on the lowest 20% budget would be reduced to £258k. This smaller reduction should be easier for Head Teachers to manage, particularly as they have access to devolved school management reserves of over £3.5m.*

Speaking in support of his amendment, Councillor Wallace stated that the proposed budget put a huge draw on reserves and a further demand on local taxpayers while also indicating huge cuts. In particular he referred to £580,000 in cuts to education funding for the lowest 20% attaining children. He stated his belief that this would not sit well with any councillor. He noted that it was Council policy, in February 2021, to aim for the non-earmarked reserve to be 4% of net budgeted revenue. The proposals made it clear that, unless there were exceptional circumstances, the Council would aim for this reserve to be a minimum of 2% of the net budgeted revenue expenditure. He noted that the administration was proposing to reduce the reserves to 1.53%, well below that minimum level, thus declaring that the Council was in exceptional circumstances.

Councillor Wallace noted that the UK Government's autumn budget created £3.5 billion in additional consequentials and the Scottish Government, none of which had been passed on to councils. Despite reductions in funding to councils by the SNP Government, he quoted the 1999 SNP manifesto as stating that underfunding local authorities had led to huge increases in Council Tax. In agreeing with this statement, he noted that there had been a 20% real terms reduction in Council funding alongside a 35 to 40% increase in Council Tax. This was reflected in a reduction in satisfaction levels in the Citizens' Panel survey results.

Councillor Wallace then stated that the £9.5m budget shortfall represented a real terms reduction in funding to East Renfrewshire Council from the Scottish Government. He pointed



out reductions of £8.5m in 2021, £16.2m in 2020, £14.4m in 2019, £7.4m in 2018 and £11.3m in 2017. He stated that these budget reductions had led to a cumulative £58m cut in funding over 6 years.

Councillor Wallace noted that non-administration opposition members had received their first sight of the proposed budget as part of a 602 page pack of papers for the meeting which was received on 25 February 2022, the previous Friday. This, he said, left them only 4 days in which to scrutinise the proposals and submit amendments, during 3 of which the Council's e-mail system was out of operation. For that reason, his amendment focused on the removal of £583,000 of funding from the lowest 20% attaining pupils. He noted that absenteeism in East Renfrewshire was in the lowest quartile of all local authorities in Scotland, with the last set of figures finding an average of 11 days FTE, and East Renfrewshire Council recording 13 days in the same year, leaving them 26<sup>th</sup> out of 32. He further noted that in 2017-18 the Council was 8<sup>th</sup> in the same measure. He suggested this was due in some measure to the Human Resources team being depleted that year as part of the £11m of cuts in the budget. The cuts particularly affected staff with specific duties to monitor and manage absenteeism. The amendment he proposed would put the Human Resources Department back on an even keel with 2 members of staff brought in with a remit to reduce absenteeism by 1 day. This would provide efficiencies as stated in the amendment.

Councillor Wallace then proposed that the savings realised should be spent as proposed in the amendment. He remarked on his work as the Council's representative on the Lowland Reserve Forces and Cadets Association. He noted a presentation given in January where members of the Association were informed of the benefits of participation in the Cadet Expansion Programme, intended to make the Cadet experience more accessible to a greater number of young people between 12 and 18 years old. This would bring awards at SQA levels 4, 5 and 6. A proof of concept model had been agreed with Broxburn Academy and Hawick. Both schools had noted significant benefits. Councillor Wallace noted that Woodfarm High School's Head Teacher, Gillian Boyle, was an enthusiastic advocate of the programme and was looking to introduce it to S2 and S3 pupils. This required recruitment of a Cadet Officer, with the army subsidising the cost at £5,000 per cohort. With the investment of £15,000, there would be 5 cohorts within 3 years, meaning the army would fully subsidise the post by that time. Additionally, there would be savings to the public purse due to the benefits of the scheme.

Councillor Wallace stressed that this was not an army recruitment scheme and, in the schools where this programme was in place, there had been no increase in army recruitment among pupils leaving the school.

The additional funding being directed to reduce the reduction in funding to the lowest 20% attaining pupils would allow, combined with funding from the Scottish Attainment Challenge, a significant reduction in the proposed cut. Councillor Wallace believed that more could be achieved, and additional funding redistributed. In particular he mentioned directing additional funding to addressing loneliness in East Renfrewshire.

In closing, Councillor Wallace thanked the Head of Accountancy (Chief Financial Officer) and Chief Accountant for their assistance in providing him with information relative to his amendment.

Speaking in support, Councillor McLean fully endorsed the amendment. He also commented on the proposed new leisure centre. He acknowledged that he had endorsed the project at the Planning Applications Committee, however, he had some concerns over the deliverability of the project. He was not convinced that an Olympic sized pool was required. He noted that the project had initially been mooted as costing £26 to £30m, and had now risen to £50m to

£60m. This could increase further with inflation. He remarked that he would prefer to see a renovation of the existing facility rather than a new facility and he would like to see money borrowed put into revenue projects to fund refuse collection and roads repair instead.

Provost Fletcher then invited comments from other Members.

Councillor Aitken stated that he shared Councillor McLean's concerns about the cost of the new leisure centre. He referred to plans to spend significant funds on projects such as this whilst at the same time introducing charges for other services such as brown bin collection. He stated that in his view the bin collection scheme was a very regressive form of taxation with all residents paying the same regardless of household income, and so it hit the poorest hardest. He stated that he could not support the budget as it rested upon this standard charge and Barrhead would not benefit from a £60m new facility in Giffnock. Further, he stated that the increase in Council Tax was a concern. While recognising the offsetting measures for the very poorest, he stated that this would not support people who were currently just getting by, on top of increasing inflation and increased cost of living.

Councillor Bamforth commented that the new leisure centre was a capital project and so was not included in the revenue estimates. She also noted that the Council could not borrow to increase revenue spending. Furthermore, she stated that UK Government funding for English councils had fallen by 41.6% in 6 years adjusted for inflation. She particularly remarked on councils in England that had declared bankruptcy and faced massive cuts. She felt that criticism of the Scottish Government was unfair when it was happening throughout the UK. Finally, she noted that Council Tax in Scotland was £400 less on average than in England and it would be even more so when new tax changes came into force.

Councillor Ireland supported Councillor Bamforth's comments. She welcomed the comments by Councillor Buchanan and the importance of protecting front line services. In particular, she highlighted the role of Council staff in taking on additional responsibilities and dealing with COVID. In light of that, she was disappointed to see Councillor Wallace focus on absence management, proposing to spend £110,000 on that. Councillor Ireland pointed out that the figures on days lost to absence was now 10.4 days, compared to the 13 quoted. In her opinion, those figures decreasing during COVID was remarkable.

Councillor Macdonald referred to the proposed saving of £5,000 in relation to the redesign of the Isobel Mair School extended school day service and asked the Director of Education to clarify how this would be realised.

Responding to Councillor Bamforth's comments, Councillor Miller stated that he would prefer to concentrate on East Renfrewshire. He stated that he had sympathy for SNP councillors as they must be aware that the cuts proposed were the fault of the Scottish Government. He remarked that Council Tax had risen by 14.5% over the life of the current administration. He acknowledged that staff were finding it difficult to find savings but had done tremendously well. However, he expressed concern at how the cuts would work in practice. He highlighted the £0.5m cut to winter roads maintenance as the most ill-considered of all. He noted free bus travel being put in place for under 22s by the Scottish Government while school bus services were being reduced in East Renfrewshire. He also noted that the school meal charges would disappear when the Scottish Government would move to fund those also. Referring to Councillor Macdonald's question regarding Isobel Mair School, he remarked upon the Audit and Scrutiny Committee's visit to the school. Members of the committee were extremely impressed by the work being done by the staff there with the most disadvantaged children in society, this made a £5,000 saving there very concerning. His biggest concern remained the winter roads maintenance reduction. He noted that the Roads Service staffing levels were already extremely stretched. Given that, he was interested to know where these additional cuts would be made as they had the potential to cost lives. He stated that he had

expected the Scottish Government to move to support their local councillors in the run up to an election, however it seemed to him that the Scottish Government did not care about local government.

Responding to Councillor Macdonald, the Director of Education then explained the background to the proposed £5,000 saving at Isobel Mair School.

Councillor Buchanan then summed up and addressed some of the points raised over the course of the debate. In particular, he stated that while Councillor Aitken had mentioned what he disliked about the proposals, he had provided no detail on what he would do differently. On Councillor Miller's comments, he stated that all decisions taken by the Council were material and, despite the papers being issued on the previous Friday, he had only received Councillor Wallace's amendments to the proposal at this meeting. In terms of the political points made, he noted that the only ones making political points were the Conservative Group who, in his view, blamed the SNP for all of the Council's issues. Councillor Buchanan believed that the Council was in a good position, unfortunately, there was a Conservative government in Westminster. He highlighted how the Council had faced significant funding challenges in the past and continued to deliver effective services. In considering the amendment, he noted that the first part of the amendment was trying to get more out of staff who had worked incredibly long and hard over the past few years and turned their hand to various new responsibilities to help the people of East Renfrewshire. He felt that Councillor Wallace's quoted figures were inaccurate and an attack on staff. He further noted that a huge amount of money would go to tackling the attainment gap, with further money from the Scottish Government coming to deal with this specific issue and devolved school budgets in a good position. In conclusion, he stated that he saw nothing in the amendment proposed that could even be considered to be taken forward and so he was happy to continue with his motion as proposed.

On the roll being called, Provost Fletcher and Councillors Bamforth, Buchanan, Cunningham, Convery, Devlin, Ireland, Lafferty, Merrick and O'Kane voted for the motion and Councillors Aitken, Gilbert, Grant, Macdonald, McLean, Miller and Wallace voted for the amendment.

There being 10 votes for the motion and 7 votes for the amendment, the motion was declared carried and the Council:-

- (a) approves the revenue estimates for 2022-23;
- (b) approved the recommended level and utilisation of reserves;
- (c) determined the Council Tax Band D level for 2022/23 at £1,335.11; and
- (d) noted that management of the Council's finances and service plans would continue to be undertaken on a longer term basis.

It was noted that in the course of the vote, Councillors Cunningham and Devlin had been initially unable to cast their vote due to technical issues. Provost Fletcher stated that it was essential that all Members should be able to cast a vote in Council, and that appropriate safeguards should be put in place to prevent a recurrence.

### **Sederunt**

Councillor Aitken left the meeting at this point.

## **CAPITAL INVESTMENT STRATEGY**

**1908.** Under reference to the Minute of the meeting of 15 March 2021 (Page 1471, Item 1580 refers), when an update to the Capital Investment Strategy had been approved, the Council considered a report by the Head of Accountancy (Chief Financial Officer) seeking approval of a new Capital Investment Strategy.

Taken together with the Treasury Management Strategy report, it provided background information on the scale, objectives, affordability and risks associated with the Council's capital plans. A copy of the revised Strategy, which all councils were required to prepare, was appended to the report specifying the long-term capital ambitions of the Council and associated resource implications and risks, having been compiled with regard to these requirements, the Prudential Code 2017 and the Treasury Management Code of Practice 2017.

Having clarified that the Strategy adopted a corporate approach to long-term capital planning beyond the span of the Council's current capital plans, taking direction from the Outcome Delivery Plan and other key plans and strategies, the report confirmed that Council-determined objectives within the strategy would be driven forward by the Corporate Management Team working with partner organisations and local communities to ensure investment aligned to strategies, and that performance was measured against expected outcomes. A long-term strategic and financial view was considered essential for resilience in uncertain times and the strategy would be updated as required. A prudent approach to affordability and risk would continue to be taken with delivery of projects being closely monitored at officer and Elected Member level. Against the background of the Council's significant capital investment ambitions, the strategy, together with the Treasury Management Strategy, Capital Plan and Revenue Estimates and financial planning reports, set out how these would be funded and managed.

Councillor Ireland noted that Carolside and Cross Arthurlie Primary Schools were currently the buildings with highest priority in terms of investment. She also noted the Council was intent on addressing this but there was a question around when the 3<sup>rd</sup> phase funding would come forward.

In reply, the Director of Education clarified that the funding had been announced and would progress over 2022 with bids or submissions expected in the summer.

Thereafter, the Council agreed to approve the updated Capital Investment Strategy.

## **GENERAL FUND CAPITAL PLAN 2022-23 – 2031-32**

**1909.** The Council considered a report by the Head of Accountancy (Chief Financial Officer) seeking approval of the General Fund Capital Plan covering the 10 years from 2022/23 to 2031/32. A copy of the plan, prepared in line with the approach within the Capital Investment Strategy, accompanied the report.

Provost Fletcher noted that Councillor Wallace had submitted proposals under Standing Order 28 and could submit an amendment if he so wished.

Having heard Councillor Buchanan move the report, and Councillor Lafferty second the report, stating that there was a need to grow the local economy and focus on recovery from the pandemic, Councillor Wallace, seconded by Councillor Macdonald proposed an amendment in the following terms:

*Instead of the £55m proposed new leisure centre in Eastwood Park, the existing facilities could be refreshed and upgraded at a lower cost of £20m, saving £35m of capital expenditure over the next 2 years. £10m of this saving could be used to refresh and upgrade a number of local community hubs, including providing mini gyms. This would be in keeping with the Council's 20 minute neighbourhood aims and, by encouraging local residents to submit bids or proposals for their area, could also contribute to participatory budgeting. A further £15m could be invested in restructuring local roads infrastructure to provide separate bike lanes and safer walking routes. This leaves a total net reduction in planned capital spend of £10m over the next 2 years and this would reduce loan charges by more than £200,000, so reducing pressure on future years' revenue budgets.*

Speaking in support of his amendment, Councillor Wallace, stated that just under 10 years prior he had delivered a budget amendment to the Council highlighting concerns about the state of repair of the Eastwood Leisure Centre and earmarked a refurbishment fund to tackle the primary maintenance problems that were being overlooked at that time. The Council having ignored that amendment, it was now being proposed to demolish the existing building and replace it with a £55m facility that had no place in East Renfrewshire and presented significant problems in terms of climate change. He noted that there were references to the benefits of outdoor learning, but it was being proposed to spend a large amount of money to attract more people indoors. Furthermore, it would only be available to those with ready access to transport. He highlighted the 20 minute neighbourhoods policy that was, in his opinion, a post-pandemic necessity as it promoted the concept of community. The policy was as important to business as it was to residents as it encouraged people to stay local when accessing services and to buy from local businesses. Having made reference to the Scottish Government providing money to install bollards on roads in East Renfrewshire to create cycle lanes, he remarked that had it not been for pressure from local groups they would have become a permanent feature. He stated that these were pet projects dreamed up by Holyrood but of little use to local people. However he acknowledged that officers not making any effort to obtain some of the funding made available for these projects would face criticism. He proposed that instead of earmarking the £55m for the new leisure centre, the existing facilities be upgraded, saving £35m over 2 years. Having outlined the spending of that saving, as outlined in his amendment, and the saving to loans fund charges, Councillor Wallace stated that local decision making on health and social care was about to be removed from councils. With education provision tied up in bureaucracy and ring fencing, control over environment was all that was left to councils. He stated that the Council should set itself on the right course while it still had the power to do so. He concluded by thanking the Head of Accountancy (Chief Financial Officer) and the Chief Accountant for their assistance.

Councillor Macdonald added that he supported the amendment as it was logical and smart going forward in terms of what could be used in the existing estate.

Provost Fletcher then invited comments from other Members.

Councillor Cunningham stated that an initial proposal had been made to relocate the leisure centre, but a new build in Eastwood Park had been the preferred option. All the work in relation to relocation had been abandoned. Councillor Wallace was now suggesting that a new build was not suitable and so the work to plan that would need to be scrapped and officers would have to return to the drawing board. She acknowledged that £55m was a significant amount, but the Council had made a decision.

Councillor McLean, stated that in the current climate, things had changed quite considerably. He stated that the fact a new or refurbished leisure centre was required was not in question. However the money could be far better used on a number of other projects.

Councillor Bamforth commended Councillor Wallace for agreeing that there was a climate emergency after voting against the motion at Council declaring it. She referred to the road bollards stating that these were a temporary measure and had never been intended to be permanent. She highlighted that similar schemes had been introduced by councils across the UK, including in England, with funding for such schemes provided by both the Scottish and UK Governments. She noted that Councillor Wallace was a member of the Member/Officer Working Group on the new Leisure Centre and asked if his concerns had been raised there as it had never come up in Council until now. Given the current centre, which was a 50 year old facility that provided an income keeping services such as libraries going, she questioned what would occur if the centre was to become unusable.

Councillor Grant indicated that she was a member of the East Renfrewshire Culture and Leisure Trust Board and was in favour of localism. However, she felt that as she was about to retire as a councillor and was a member of the Board, it would not be appropriate for her to participate in the decision.

Councillor Ireland reiterated that the bollards referred to by Councillor Wallace were temporary and this had been the position from the outset. She noted that she had chaired the Planning Applications Committee meeting where the application for the new leisure centre had been unanimously approved, and she welcomed work starting on it. In her opinion, new cultural facilities were desperately needed in the area.

Councillor Miller referred to the comments made by Councillor Bamforth regarding schemes introduced by English councils and stated that he was only interested in East Renfrewshire. He noted that in the past he had had discussions with Councillor Wallace about Eastwood Swimming Pool not being fit for purpose. He stated at that time he supported proposals to demolish the existing centre and build a new one. Councillor Miller suggested that a refurbishment of the existing facility still had the potential for further, more costly repairs to be required in future years. In relation to the decision taken by the Planning Applications Committee, he confirmed that Councillor McLean was present and did approve, but did state at the time that he had reservations. Having supported the planning application, Councillor Miller felt that he could not support the amendment.

Councillor Merrick stated that in his view, Councillor Wallace's amendment was out and out electioneering. He asked why people in East Renfrewshire should not have the very best facilities available and why councillors wouldn't want the very best for their residents.

Councillor Buchanan, in summing up, stated that the Council was there to deliver for the people of East Renfrewshire and had done that at all times. He believed that the new leisure centre would be a huge asset in the toolbox that the Council had to deliver for residents. Not only would it provide additional space and capacity, but also first class services for residents that would be enjoyed for years to come. He stated that East Renfrewshire was leading on recovery and renewal and this project would continue to do that.

On the roll being called, Provost Fletcher and Councillors Bamforth, Buchanan, Convery, Cunningham, Devlin, Ireland, Lafferty, Merrick and O'Kane voted for the motion, Councillors Gilbert, Macdonald, McLean and Wallace voted for the amendment. Councillors Grant and Miller abstained.

There being 10 votes for the motion and 4 for the amendment, with 2 abstentions, the motion was declared carried and the Council:-

- (a) approved the programme for 2022-23 and authorised officers to progress the projects contained therein; and

- (b) agreed to earmark any capital receipts secured by 31 March 2022 for use in addressing ongoing COVID pressures, noting that if these are not required for this purpose they will be returned to the capital reserve on 31 March 2023

### **HOUSING REVENUE ACCOUNT BUDGET 2022-23**

**1910.** Under reference to the Minute of the meeting of 25 February 2021 (Page 1431, Item 1545 refers), when the Council had approved the Housing Revenue Account (HRA) budget for 2021-22 and an increase in rents for both 2021-22 and 2022-23, the Council considered a report by the Director of Environment to seek approval for the proposed Housing Revenue Account (HRA) budget for 2022-23.

Provost Fletcher indicated at this point that no proposals under Standing Order 28 had been received and so, should any amendment be proposed, it would require a suspension of the Standing Orders which required a two thirds majority of members to agree.

Having referred to the fact that the presentation of the HRA budget was normally accompanied by a proposal to approve a rent increase, the report clarified that it would not be required to do so as the Council had approved a 1% increase for 2022-23 in its previous report. However, approval was still required for the proposed HRA budget for the year.

The proposed budget for 2022-23 was appended to the report and would provide an additional £384,000 in 2022-23. The report went on to highlight the main issues of: staffing; property costs; supplies and services; loan charges; modernisation; and income.

Having heard from Councillor Devlin, Convener for Housing and Maintenance Services, the Council agreed that the Housing Revenue Account budget for 2022-23 be approved.

### **HOUSING CAPITAL PROGRAMME 2022-23 to 2031-32**

**1911.** The Council considered a report by the Director of Environment, seeking approval of the proposed 10-year Housing Capital Programme for 2022-23 to 2031-32.

Provost Fletcher indicated that no proposals under Standing Order 28 had been received and so, should any amendment be proposed, it would require a suspension of the Standing Orders which required a two thirds majority of members to agree.

The report clarified the position on various matters, including how the programme had been focused on the need to meet the Scottish Housing Quality Standard (SHQS) and the Energy Efficiency Standard for Social Housing (EESH). The majority of expenditure for the housing capital programme during 2022-23 and beyond related to the need for housing to continue to meet SHQS and the new target for EESH2. 95% of housing stock had already been brought up to meet the standard with a target of 99% by March 2022. The remaining 1% would be temporarily exempt because of the building types it included and excessive costs required to achieve the standard. This would be continually reviewed with advances in technology and funding streams and legal parameters impacting on the compliance standard.

Planned improvements which were being implemented included upgrading heating and telecare systems in sheltered housing accommodation and the commitment to provide 370 new Council homes. To date, 84 had been built and 14 purchased from the open market with 104 new homes under construction, 77 of which were due to be completed in the first half of 2022. It was further noted that a further 160 were in development for future years.

Having heard from Councillor Devlin, Convener for Housing and Maintenance Services the Council approved the proposed Housing Capital Programme for 2022-23 to 2031-32 and authorised the Director of Environment to progress the projects listed within 2022-23.

#### **DRAFT NATIONAL PLANNING FRAMEWORK 4**

**1912.** The Council considered a report by the Director of Environment on the publication for consultation by the Scottish Government of the Draft National Planning Framework 4 (NPF4) and the Council's formal response.

The report noted that the planning system in Scotland was undergoing a substantial transformation and the context for preparing the next Local Development Plan (LDP3) had changed significantly. LDP3 would be prepared under the Planning (Scotland) Act 2019, which introduced a new statutory process for local authorities in preparing local development plans together with enhanced status for the National Planning Framework. This would require future LDPs to be reviewed every 10 years rather than 5, under the current system. NPF4 was a long-term plan that would run until 2045 and which set out where development and infrastructure was needed. It would guide spatial development, set out national planning policies, designate national developments and highlight regional spatial priorities.

The 4 parts of the NPF4 were outlined in the report and the Council's response to it was attached as an appendix to the report.

Councillor Grant stated that she was concerned about national frameworks and preferred a local approach. She asked if the Council would still be able to deal with local issues without referring to a national body. She also asked for clarification on the idea of 20 minute neighbourhoods.

In reply the Director of Environment clarified that national planning policies had been in place in the past and weren't totally proscriptive in terms of what the Council wished to develop. He noted that LDP3 would remain the main document. On 20 minute neighbourhoods, he stated that it referred to the ability for people to be able to access services and facilities by walking or cycling for 20 minutes. This was to ensure locality of services. The Head of Environment (Chief Planning Officer) further added that there had always been a national policy, the Scottish Planning Policy, which had been replaced by the National Framework. There was a regional framework below this and then the LDP3. This approach had been in place for a number of years. The main change brought about by the new legislation was that the LDP3 would remain in place for 10 years instead of 5. In response to other questions the Head of Environment (Chief Planning Officer) confirmed that the new process would not disadvantage the Council when compared to current arrangements.

Councillor Ireland welcomed the paper and stated that there were many good policies in the framework, especially around climate change and biodiversity.

Councillor Miller stated that this was just another step on the road to the nationalisation of councils. Whereas before there were regional development authorities, now it was a national framework. He agreed that there were good policies in the framework, but East Renfrewshire faced challenges as most brownfield sites had already been developed. He expressed concern that developers would turn their eyes to greenfield sites to fill mandatory quotas. He remarked upon the lack of infrastructure, need for more secondary school places, also the lack of doctors, dentists and pharmacies. He stated that the 3 main areas of carbon capture were peatland, woodland and grassland and those should not be destroyed.



Thereafter, the Council agreed:-

- (a) that the publication of the draft NPF4 and its consultation timeline be noted; and
- (b) that the formal response to the draft NPF4, as set out in Appendix A to the report, be approved and submitted to the Scottish Government.

## **STRATEGIC PLANNING**

**1913.** The Council considered a report by the Chief Executive on strategic planning within East Renfrewshire Council, specifically with a focus on the impact of the pandemic and the outlook for a refresh of “Vision for the Future” later in 2022.

Having confirmed that “Vision for the Future” was published in September 2015 and gave a forward direction for the Council over a timeline of 10 years, the report confirmed that the Council had approved an updated version of the document in February 2020. It provided a platform and context to deliver the Community Plan, Local Outcome Improvement Plan and the wider family of strategies that guided the work of the Council and partner services.

Further updates were given in the report on the pandemic response and recovery, highlighting the next steps to be taken in that regard in terms of the priorities highlighted in “Vision for the Future”. It was noted that, despite the pandemic, the key outcomes remain as relevant as ever and, arguably, the theme of “connections” had been moved forward due to the pandemic. There was an opportunity to build on that in future.

Councillor Wallace referred to the Council’s “Get to Zero” proposals as outlined at paragraph 42 of the report stating that in his view that everything that was suggested was rejected by the Council when it voted against his amendment to the proposals on the Eastwood Leisure Centre.

Thereafter, the Council agreed to:

- (a) note the background to the development of “Vision for the Future”; its purpose and ambitions; that the pandemic would have cross-cutting short, medium and long term impacts; and to recommit to refreshing “Vision for the Future” to take account of those challenges as well as the opportunities that lay ahead as it worked alongside partners and communities to shape and progress East Renfrewshire’s post-pandemic recovery and renewal; and
- (b) approve the use of outputs of the budget engagement, Citizens’ Panel and Humanitarian research to inform future strategic planning, including “Vision for the Future”.

## **SCHEME OF DELEGATED FUNCTIONS**

**1914.** The Council considered a report by the Director of Business Operations and Partnerships on proposed amendments to the Scheme of Delegated Functions that had been prepared in the light of the creation of the Business Operations and Partnerships Department.

It was further noted that the amended Scheme also included a number of proposed additional delegated powers across Council departments to increase resilience within services, for which approval was sought.

1820

The amended Scheme was attached as Appendix 1 to the report, with the additional powers outline in paragraph 9 of the report.

Councillor Grant suggested that, looking at the number of delegated functions, there was little need for councillors.

Thereafter, the Council agreed:

- (a) that the alterations that had been made to the Scheme of Delegated Functions to reflect the changes to departmental structures and designations and which had been approved under existing delegated powers be noted; and
- (b) that the delegated powers in respect of those new matters as outlined in paragraph 9 of the report be approved.

### **SCHEME FOR MEMBERS' REMUNERATION AND EXPENSES 2022-23**

**1915.** The Council considered a report by the Director of Business Operations and Partnerships on the Scheme of Members' Remuneration and Expenses for 2022/23. A copy of the Scheme was appended to the report.

The report explained that the Scheme provided details of the levels of basic salary payable to all councillors, and the increased salaries paid to the Leader and Civic Head (Provost), these amounts being prescribed in legislation. The Scheme also provided details of those positions in the Council that had been identified as Senior Councillor positions for the purpose of the regulations, and the levels of salary to be paid to each post holder. In addition, the Scheme provided details of those other categories in respect of which Elected Members were entitled to claim expenses, such as the performance of approved duties, travelling expenses, and subsistence allowances.

The Council agreed to approve the Scheme of Members' Remuneration and Expenses for 2022-23

PROVOST

**MINUTE**  
**of**  
**CABINET**

**Minute of virtual meeting held at 10.00am on 10 March 2022.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth

Councillor Alan Lafferty  
Councillor Colm Merrick

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Barbara Clark, Chief Accountant; Joe McCaig, Head of Educations Services (Performance and Provision); Mary Docherty, Education Resources Senior Manager; Alison Ballingall, Senior Revenues Manager; Graham Smith, Communications Manager; Colin Hutton, Senior Communications Officer; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham and Danny Devlin.

**DECLARATIONS OF INTEREST**

**1916.** There were no declarations of interest intimated.

**REVENUE BUDGET MONITORING (OUTTURN)**

**1917.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the estimated projected revenue budget out-turn for 2021/22 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 31 December 2021 and subsequent assessment of pressures arising from COVID-19.

- (i) Education Department;
- (ii) Contribution to Integration Joint Board;
- (iii) Environment Department;
- (iv) Environment Department – Support;
- (v) Chief Executive’s Office;
- (vi) Chief Executive’s Office – Support;
- (vii) Business Operations and Partnerships Department;

- (viii) Business Operations and Partnerships Department – Support;
- (ix) Other Expenditure and Income;
- (x) Joint Boards;
- (xi) Contingency – Welfare;
- (xii) Health and Social Care Partnership; and
- (xiii) Housing Revenue Account.

The Head of Accountancy (Chief Financial Officer) advised that on the basis of the information, and taking account of forecast Council Tax collection, a year end operational underspend of £1.751m or 0.6% of the annual budget was forecast on General Fund services. The reasons for departmental variances were set out in the report. She outlined that any such operational underspend at this year-end would assist the Council in meeting future years' budget challenges.

It was noted that the above figures reflected that £2.361m of forecast COVID pressures would be covered by drawing on the Council's COVID grant resources and as a result did not impact on the operational budget position.

It was clarified that the figures outlined in the report reflected the impact of the Local Government Employee Pay Award for 2021/22, which was only recently settled, and the 2021/22 government grant redeterminations confirmed just before the Christmas break.

It was noted that the forecast outturn position could still be subject to significant change, for example if COVID pressures increased again or if the current year teachers' pay award was settled at a higher level than anticipated. Conversely, it was hoped that management action to avoid any non-essential expenditure would increase the underspend at year end.

In addition, the report sought approval for a number of service virements and operational budget adjustments, details of which were outlined. In view of the very challenging financial outlook for 2022-23 and beyond, the report sought approval for Directors to take action to avoid all non-essential expenditure for the remainder of the year.

Councillor Bamforth asked why the Council tax collection was lower than budgeted, in response to which the Head of Accountancy (Chief Financial Officer) advised that all Councils were reporting that in-year collections were reduced as a result of the financial pressures of COVID on residents and also because payment reminder letters were suspended during this time. Additionally the Council was transitioning to a new Council tax system and resulting from this there has been a slight delay to restarting follow up actions. This had now started and it was expected that the Council would return to anticipated collection levels of approximately 98%, current levels being approximately 97%.

Responding to a question from Councillor Bamforth on the overspend of £0.163m in the Chief Executive's Office, the Head of Accountancy (Chief Financial Officer) advised that this was the result of interest rates currently being at a historic low. When surplus cash had been deposited, in accordance with the treasury management policy through various institutions, the short term interest received on these deposits had been significantly reduced. She advised that the Council continued to work with Treasury Advisers to establish the safest and best returns on investment.

Councillor Bamforth further enquired as to why the parks operational income was under recovered by £0.1m. The Director of Environment outlined that there were several reasons including that cemetery income may be reduced due to capacity and that recharging to departments and external organisations was impacted by a focus on core services during the pandemic. He noted that this amount was offset by reduced expenditure in other areas such as waste management.

Councillor Bamforth also asked if there were any implications resulting from the current situation in Ukraine on gas and electricity pricing in response to which the Head of Accountancy (Chief Financial Officer) advised that approximately 80% of the Council's gas and electricity for next year had already been purchased at uninflated rates through Scotland Excel.

Having heard further from the Head of Accountancy (Chief Financial Officer), the Cabinet: -

- (a) noted the continued financial pressures on operational services arising from the COVID-19 pandemic and that it is anticipated to be met from accumulated COVID grant funding.
- (b) noted the forecast underlying General Fund operational underspend of £1,751k.
- (c) approved service virements and operational adjustments as set out in the notes to the tables on pages 14 to 30 and note the reported probable out-turn position.
- (d) noted all departments continue to closely monitor and manage their budgets and ensure that spending up to operational budget levels does not take place.
- (e) approved in view of the challenging financial outlook for 2022-23 and beyond, Directors take action to avoid all non-essential expenditure for the remainder of the year.

## **TRADING UNDER BEST VALUE**

**1918.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) which outlined that under the Local Government in Scotland Act 2003, the Council was required to consider its trading operations and on an annual basis determine those which should be regarded as significant.

The Chief Accountant outlined that the report reviewed the activities for the financial year 2021/22. She advised that to be classed as significant, the trading operation can only apply to external trading and to those activities that are not statutory. In addition the service had to be provided in a competitive environment and the recharge had to be on a basis other than a straight forward recharge of cost. In reviewing an operation's classification, further tests of significance required to be taken into account, using financial and non-financial criteria. Having considered these conditions the result of the review was that, in line with last year, the Council had no significant trading operations in the current year.

Having heard from the Chief Accountant, the Cabinet approved that there were no trading services operated by the Council that should be classified as "significant".

## **FINANCIAL MANAGEMENT CODE**

**1919.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) which outlined that under the terms of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Financial Management Code, the current year was the first year that the Council was required to demonstrate compliance with the Codes six principles.

The Chief Accountant outlined that the code emphasised that compliance with the Financial Management code was a collective responsibility of elected members, the Chief Financial Officer and the Corporate Management Team to ensure the standard of financial management was as to be expected. Having considered each of the code's principles and the supporting specific standards, the report demonstrated that the Council was providing good practice and sound financial management and was fully compliant.

The Chief Accountant advised that the Cabinet was invited to note that the Council was compliant with the code during the current financial year and that future compliance reviews would be reported as part of the Annual Governance Statement within the Annual Accounts. Having heard from the Chief Accountant, the Cabinet noted compliance with the Financial Management Code.

### **DEBT MANAGEMENT FOR COUNCIL TAX, NON DOMESTIC RATES, SUNDRY DEBT INCOME AND HOUSING BENEFIT OVERPAYMENTS AND ARRANGEMENTS FOR ADMINISTRATION OF NON DOMESTIC RATES**

**1920.** The Cabinet considered a report by the Director of Business Operations and Partnerships which sought approval to write-off as irrecoverable sums associated with Council tax, Non Domestic rates, Sundry debt income and Housing Benefit overpayments and for Cabinet to note that discussions regarding the administration of Non Domestic rates were ongoing. The debts recommended for write off had previously been included in bad debt provision and therefore the write off had no net impact on the revenue accounts of the Council.

The Senior Revenues Manager advised that every effort had been made to recover these sums and the decision to seek write-off was not taken lightly or without due cause. Should any future avenue become available by which to recover these monies, any decision taken by the Cabinet would not prevent any such opportunities being pursued, hence the recommendation of write-offs "up to" said amounts.

The Senior Revenues Manager outlined the proposed write-off sums and advised that these were in accordance with the Cabinet approved Debt Recovery Policy.

Having heard from the Senior Revenues Manager in response to a question from Councillor Bamforth on any potential future request by Scottish Water for repayment of the water and sewerage charges being written off, she confirmed that Scottish Water were aware that there was no longer a legal avenue available for the Council to pursue these funds and that there would be no future reimbursement from the Council, the Cabinet: -

- (a) approved the write off of the following sums, totalling up to £709,029.39 without prejudice to subsequent recovery procedure:
  - Council Tax arrears totalling up to £399,098.87
  - Non Domestic rates arrears totalling up to £124,821.66
  - Sundry debt income totalling up to £74,471.68
  - Housing Benefit Overpayments totalling up to £110,637.18
- (b) noted that the write-off of these sums would have no net impact on the Council's accounts as provision had been made for the debt, in full, in previous years;
- (c) noted that Water and Sewerage charges totalling up to £127,607.42 were also being written off in discussion with Scottish Water; and

- (d) noted that discussions with Renfrewshire Council were ongoing in relation to the current public services agreement in place for the delivery of the Non Domestic Rates service.

## **DEBT MANAGEMENT OF IRRECOVERABLE FORMER TENANT RENTS AND COURT EXPENSES**

**1921.** The Cabinet considered a report by the Director of Environment which sought approval to write-off former tenant rent and court expenses debt that could not be recovered through the debt collection process.

The Director of Environment outlined the proposed write-off sums and that the debts recommended for write off had previously been included in bad debt provision and therefore the write off had no net impact on the revenue accounts of the Council. He acknowledged that these could be pursued and recovered in future if additional information and opportunities arose.

Having heard from the Director of Environment, the Cabinet: -

- (a) approved the write-off sum up to the value of £134,773.12 of former tenant irrecoverable rents and court expenses whilst acknowledging these can be pursued and recovered in future should additional information and opportunities arise;
- (b) noted that £114,368.62 of this amount is written off against the Housing Revenue Account (HRA) and the remaining £20,404.50 is written off against the Non HRA as this was accrued by homeless households placed in temporary accommodation; and
- (c) noted that the write-off of these historic unrecoverable debts will have no net impact on the Council's accounts as provision has been made for the debt, in full, in previous years.

## **PLACE BASED INVESTMENT PROGRAMME 2021-22**

**1922.** Under reference to the Minute of the meeting of the Cabinet of 25 November 2021 (Page 1705, Item 1815 refers), when the Cabinet approved the projects outlined for 2021/22; delegated to the Director of Environment to make adjustments to the proposals depending upon the detailed costs of projects becoming available; and noted that further reports would be submitted to the Cabinet in due course seeking approval for projects in future years, the Cabinet considered a report by the Director of Environment which outlined the progress made with the Placed Based Investment Programme (PBIP) and notified members of a change to the approved list of schemes for 2021/22.

The Director of Environment advised that a requirement of the grant of £0.635m for the financial year 2021/22 was that any works contracted should be signed by 31 March 2022. The Placed Based Green Hall project, submitted by East Renfrewshire Culture and Leisure Trust (ERCL), had been awarded £0.77m at the Cabinet meeting of 25 November 2021. In further discussions with ERCL and procurement colleagues, it had become apparent that the project would be unlikely to have work contracts signed by 31 March 2022. Consequently there was a risk that the £0.77m funding required to be returned to the Scottish Government. In order to mitigate the loss, the Council's Economic Development team had been in discussion with Young Enterprise Scotland who were seeking funding of £60,180.

It was explained that the Young Enterprise Scotland project was seeking capital funding to pay for four units that would provide business start-up space for young people in East Renfrewshire, located in the Young Enterprise Scotland premises at the Rouken Glen Park Training Centre.

The project and was in alignment the PBIP criteria, with no planning issues and the ability to have contracts signed by the 31 March 2022 deadline. It was noted that ERCL would be invited to resubmit their Placed Based Green Hall proposal in 2022/23 for consideration for implementation in 2023/24.

Cabinet members welcomed the project and commended the work of Young Enterprise Scotland.

Having heard from the Director of Environment, the Cabinet: -

- (a) noted the progress made to date on the implementation of the programme to date; and
- (b) noted the decision to approve the substitution of the Place Based Green Hall Project with the project from Young Enterprise Scotland as outlined in the report.

## **SCHEME OF DEVOLVED SCHOOL MANAGEMENT**

**1923.** Under reference to the Minute of the meeting of the Education Committee of 3 February 2022 (Page 1771, Item 1880 refers) when the Education Committee agreed to note that the Devolved School Management (DSM) Scheme would be presented to Cabinet for approval in due course; and the publication of the Education Department's Devolved School Management Scheme, in accordance with national guidance, the Cabinet considered a report by the Director of Education which advised of the collation and publication of the Education Department's DSM Scheme and sought approval of a proposed change to the DSM Scheme with regards to carry forward from underspend of an establishment's devolved budget.

The Head of Education Services (Performance and Provision) advised that the DSM was introduced in 1993 and required councils to allocate 80% of school budgets to Head Teachers, in order to enhance and improve the use of financial resources by providing Head Teachers with the autonomy to make decisions on the use of devolved finances. Decisions were therefore made closest to the children and communities by Head Teachers and took into consideration the unique local circumstances, albeit with consideration of wider local and national priorities.

Over the years, the DSM scheme, guidance and policies had evolved to reflect the changing landscape within which schools operate. The most recent change took place on 25 January 2018, when Cabinet approved the introduction of a carry forward facility allowing Head Teachers to carry forward any underspend of the DSM budget from one financial year to the next, up to a maximum level of 2% of the school's DSM budget net expenditure.

The introduction of the carry forward facility allowed Head Teachers to plan longer term for school improvement activities, to bridge the mismatch in school academic years and financial years and allowed for longer term budgetary planning, including planning for future budget savings.



It was noted that the Council's carry forward facilities were broadly similar to local authorities across Scotland. Nationally, DSM guidance had been revisited and updated on several occasions over the decades. The Scottish Government consulted on DSM changes as part of wider "Fair Funding to Achieve Excellence and Equity in Education" in 2017. This resulted in publication of updated guidelines in 2019 by COSLA and the Scottish Government, which clearly stated that all Local Authorities must publish DSM schemes by 1 April 2021. However, this was extended to 1 April 2022 as a consequence of COVID.

A common framework was published which Local Authorities were recommended to work within to align how Local Authorities published their DSM. In preparing their DSM schemes, Local Authorities must consult on scheme processes and policies with relevant stakeholders in order to consider how effective and appropriate the scheme was, and to consider any suggested improvements. The Education Department convened a consultative group consisting of relevant stakeholders to consider the aspects of the current DSM as outlined in the report. The DSM Scheme would be formally reviewed and published every three years as required by the 2019 guidance, with the process of consultation being ongoing and iterative.

A copy of the proposed DSM scheme accompanied the report and included the DSM policies, processes and practises currently in place.

Following consultation one amendment was proposed to the current DSM scheme relating to the carry forward process of unspent allocated DSM budget from one financial year to the next. The report provided details of the proposed change, which would continue to broadly align with the current policy and simplify the policy, reducing the associated administrative burden.

Councillor Buchanan welcomed the proposals and Councillor Lafferty commended the proposed DSM Scheme and the work undertaken to produce it.

Having heard from the Head of Education Services (Performance and Provision), the Cabinet: -

- (a) approved the proposed change to the carry forward mechanism of the Devolved School Management Scheme; and
- (b) noted the publication of the Council's Devolved School Management Scheme.

CHAIR



**MINUTE**  
**of**  
**LICENSING COMMITTEE**

**Minute of virtual meeting held at 10.00am on 15 March 2022.**

**Present:**

Councillor Angela Convery (Chair)  
Councillor Charlie Gilbert

Councillor Annette Ireland  
Councillor Stewart Miller

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Betty Cunningham (Vice Chair).

**DECLARATIONS OF INTEREST**

**1924.** There were no declarations of interest intimated.

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARES REVIEW**

**1925.** Under reference to the Minute of the meeting of 18 January 2022 (Page 1739, Item 1854 refers), when it had been agreed to approve new scales for the hire of taxis in East Renfrewshire and all other charges in connection with the hire of a taxi or with the arrangements of its hire, the committee considered a report by the Chief Officer – Legal and Procurement seeking a further review of taxi fares following consultation with stakeholders.

The report outlined that, before fixing fares and other charges, the licensing authority must review the scales in accordance with Section 17 (4A) of the Civic Government (Scotland) Act 1982 (the Act). Following publication of a public notice outlining the changes, responses had been received from representatives of the taxi and private hire licensed trade with their views in relation to what they considered appropriate fees and charges, attached as Appendix 2 to the report. It was outlined that the proposed changes outlined at Appendix 1 to the report were maximum fares and it was possible for taxi operators to charge less than that rate if they wished to. Also, the tariff applied to taxis and not private hire cars.

Councillors Miller, Ireland and Convery all expressed their support for the proposal put forward by the taxi operators, indicating that as the people working in that sector, they would have the best knowledge of what was reasonable to charge.

The committee agreed to approve the proposed new scales for the hire of taxis in East Renfrewshire and all other charges in connection with the hire of a taxi or with the arrangements of its hire as referred to in Appendix 2 (page 8) of the report, as proposed by East Renfrewshire operators.

### **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 remaining item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL**

**1926.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the renewal of a Private Hire Driver's Licence (Agenda Item 4 refers).

The licence holder was present.

Chief Inspector Gray and Constable Walker 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.

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

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

The committee, having taken account of the objection by the Chief Constable, agreed that the application be approved and the licence be renewed for a period of 1 year, subject to standard conditions.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL**

**1927.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the renewal of a Private Hire Driver's Licence (Agenda Item 5 refers).

The licence holder was present.

Chief Inspector Gray and Constable Walker 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.

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

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

The committee, having taken account of the objection by the Chief Constable, agreed that the application be approved and the licence be renewed for a period of 1 year, subject to standard conditions.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1928.** The committee considered a report by the Chief Officer – Legal and 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 in terms of Paragraph 11(2)(a) of Schedule 1 of the Act by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 6 refers).

The licence holder, having been invited to attend, was not present.

Chief Inspector Gray and Constable Walker representing the Chief Constable, who had requested the suspension, 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 request for suspension by the Chief Constable.

Following discussion, the committee agreed to suspend the licence in terms of Paragraph 12(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

### **VALEDICTORY – CHIEF INSPECTOR ALAN GRAY**

**1929.** Councillor Convery remarked on the news that Chief Inspector Gray was receiving a promotion and would no longer be working with the committee. On behalf of the committee, she thanked Chief Inspector Gray for his support in the work of the committee and wished him all the best in his future career.

Chief Inspector Gray responded in suitable terms.

CHAIR



**MINUTE**  
**of**  
**PLANNING APPLICATIONS COMMITTEE**

**Minute of virtual meeting held at 2.00pm on 16 March 2022.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery  
Provost Jim Fletcher

Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); John Drugan, Senior Planner; Derek Scott, Planner; Siobhan Wilson, Legal Adviser; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham and Jim McLean.

**DECLARATIONS OF INTEREST**

**1930.** No declarations of interest were intimated.

**APPLICATIONS FOR PLANNING PERMISSION**

**1931.** The committee considered reports by the Director of Environment on the following applications for planning permission requiring consideration by the committee.

The applications were determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2021/0566/TP The re-engineering of Lavern Water including new river channel, replacement banking, landscaping providing greenspace, seating and path links. The modification of The Weir at Carlibar, a replacement footbridge to the rear of The Foundry and improvements to the ramp connecting Carlibar to Main Street at Walton Street, Barrhead, East Renfrewshire.

The Principal Planner (Development Management) advised that the application required to be determined by the committee as it constituted a Major Development under the terms of the Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009, the Senior Planner confirming the size of the application as approximately 2.4 hectares. Having summarised the application, he advised that the

principal aims of the proposal were to improve the quality of the water, and to improve the green space and walkways within the area. A small change in reducing the level of flood risk to the properties adjacent to Church Road and Glen Street would also result.

He advised that no representations had been received and that there had been no objection from statutory consultees. He outlined that the applicant had submitted a Flood Risk Assessment (FRA), Ecological Impact Assessment (EclA) and Invasive Species Assessment and Management Plan. The EclAs carried out included surveys for protected species and had found evidence of otters. Consequently, a further survey would be undertaken immediately before the commencement of the works, as outlined in the proposed conditions, to ensure there would be no significant impact on any protected species. Japanese Knotweed, an Invasive Non-Native Species (INNS), was present at the site and therefore targeted action within the affected areas was proposed to facilitate works.

Thereafter, the Senior Planner provided a detailed presentation that outlined the location plan and the landscape plans. He reported that since the production of the meeting papers the applicant had submitted an updated drawing and he outlined the update proposed by the applicant following their site investigations.

Councillor Convery intimated that she was wholeheartedly in support of the development and noted that the site had been derelict for a significant period and was prone to anti-social behaviour and fly-tipping. She welcomed that an EclA had been carried out in February of this year following the original survey in 2020, and that a further survey would be undertaken before commencement of the works. She then posed questions in relation to the allocation of housing on the location plan; and whether the proposed works would have a negative impact on the level of flood risk downstream, noting current flooding issues at the take-away establishments. She also sought further information on some of the site details.

In reply, the Senior Planner provided further detail on the site and advised that housing was no longer allocated within the red boundary of the location plan due to the possibility of flood risk. He advised that the FRA did not show substantial improvements although the works would slow down the flow rate of the water which in turn may reduce the flood risk downstream.

Councillor Miller posed questions in relation to the removal process of the Japanese Knotweed; if it was intended for fencing to be installed along the riverside for health and safety reasons given the nearby vicinity of the school and the Barrhead walkway; and whether there would be land available for future housing at the site.

Councillor Convery having advised that a fence was not currently located at the site, Councillor Miller acknowledged this but that he had enquired about the possible erection of a fence for health and safety reasons.

The Planning and Building Standards Manager then confirmed that the housing site allocated in the adopted plan had been removed. However the Baking factory site was still allocated in the adopted plan, this site lying out with the red boundary outlined on the location plan.

Provost Fletcher noted the current amenity of the site and was supportive of the proposals inclusive of flood control, the removal of INNS and landscaping. He enquired as to whether residents should anticipate improved amenity at the site following the works proposed.



In reply, the Planning and Building Standards Manager advised that the works were to increase the naturalisation of the Levern Water, remove engineering works to alleviate the flood risk, to slow the water course down whilst increase the biodiversity value, and introduce more natural features. She advised that funding for the application was from the Scottish Environment Protection Agency and the Scottish Government's Vacant and Derelict Land Fund.

In response to Councillor Miller's earlier questions, the Senior Planner advised that the INNS would be controlled and require licencing from SEPA prior to removal. He advised that there was no proposal for fencing as the engineering works would provide a gradual change in gradient to the water.

In response to Provost Fletcher, the Senior Planner advised that the amenity of the site should be improved with the work proposed to the path networks and bridges, in addition to the landscaping scheme.

Responding to a further question from Councillor Convery on phasing to ensure that access was not restricted to residents, the Senior Planner advised that there was not a condition on phasing although the EclA outlined the proposed schedule for development. He advised that a phasing approach could be included by condition if the committee was so minded.

Councillor Ireland was in agreement with Councillor Convery for the inclusion of phasing within the conditions associated with the application.

Councillor Swift welcomed the proposed improvement to the urban green space through SEPA and the Scottish Government and enquired as to the current flood risk position at the site. The Senior Planner referred to the FRA to advise of the current baseline results for Annual Exceedance Probability (AEP) events. Councillor Convery confirmed that at the Glasgow Road side flooding did occur around the final two bridges and the housing located there.

The Principal Planner (Development Management) advised that SEPA were the Flood Risk Authority and they also had a remit for river management. He outlined that the primary purpose of the application was for the naturalisation of the river, including environmental and biodiversity benefits which then encompassed landscape and community benefits. He noted that flood management was a positive outcome although not the primary purpose of the application and that as the Planning Authority, the Council was satisfied with the proposals given the involvement of SEPA. In respect of the inclusion of phasing within the conditions for the application, he advised that this could be included within condition 4 to detail that 'Development shall not commence until construction related works and phasing is provided'.

Councillor Ireland enquired as to whether the conditions included mitigation for otters, as they were outlined as a protected species present at the site within the report. In reply, the Senior Planner confirmed that condition two covered the mitigation for otters and the EclA covered the impact of fish in the river.

Having heard from the Principal Planner (Development Management), Senior Planner and the Planning and Building Standards Manager, the committee agreed that the application for planning permission be approved subject to the conditions listed in the report and inclusive of an update to condition 4 to include that development shall not commence until information on the phasing of development is provided: -

4. *Development shall not commence until details of associated works of the development such as the locations of site office(s), compounds including position of power generators, storage and parking areas, flood lighting and information on the phasing of development have been submitted in writing for the approval of the Planning Authority. Thereafter, the scheme of associated works shall be implemented in accordance with the approved scheme.*

- (ii) 2021/1010/TP – Single storey extension to side of dwelling at 8 Beechwood Avenue, Clarkston.

Councillor Miller noted that although the application was a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009; in accordance with the Council's Planning Scheme of Delegated Functions it was being reported to the Planning Applications Committee for determination because the applicant was an employee in the Planning and Building Standards Service. He also noted that the recommendation in the report was to approve the application subject to the condition listed in the report and that had the applicant not been an employee in the Planning and Building Standards Service, the application would have been approved under delegated authority.

Councillor Ireland having also noted the reasoning, the committee agreed that the application for planning permission be granted subject to the condition listed 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 considered by Planning Applications Committee on  
16.03.2022

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**Reference No:** 2021/0566/TP

**Ward:** 1

**Applicant:**

Mr Mark Brand  
2 Spiersbridge Way  
Thornliebank  
Scotland  
G46 8NG

**Agent:**

**Site:** Walton Street Barrhead East Renfrewshire

**Description:** The re-engineering of Levern Water including new river channel, replacement banking, landscaping providing greenspace, seating and path links. The modification of The Weir at Carlibar, a replacement footbridge to the rear of The Foundry and improvements to the ramp connecting Carlibar to Main Street

**Decision:** Approved subject to the conditions listed in the report and inclusive of an update to condition 4 to include that development shall not commence until information on the phasing of development is provided: -

4. *Development shall not commence until details of associated works of the development such as the locations of site office(s), compounds including position of power generators, storage and parking areas, flood lighting and information on the phasing of development have been submitted in writing for the approval of the Planning Authority. Thereafter, the scheme of associated works shall be implemented in accordance with the approved scheme.*
- 

**Reference No:** 2021/1010/TP

**Ward:** 4

**Applicant:**

Miss Jacquelyn McGhee  
8 Beechwood Avenue  
Clarkston  
Glasgow  
East Renfrewshire  
G76 7UY

**Agent:**

**Site:** 8 Beechwood Avenue Clarkston East Renfrewshire G76 7UY

**Description:** Single storey extension to side of dwelling.

**Decision:** Approved subject to the condition listed in the report.

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**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of virtual meeting held at 2.36pm on 16 March 2022.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery

Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Andrew Bennie, Planning Adviser; Siobhan Wilson, Solicitor (Legal Adviser); Sharon McIntyre, Committee Services Officer (Clerk) and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham, Jim McLean, Jim Swift and Provost Jim Fletcher.

**DECLARATIONS OF INTEREST**

**1932.** There were no declarations of interest intimated.

The Chair advised that an unaccompanied site visit had been held prior to the meeting.

**NOTICE OF REVIEW – REVIEW 2022/02 – ERECTION OF SINGLE STOREY EXTENSION. 58 PRIMROSE AVENUE, NEWTON MEARN, EAST RENFREWSHIRE, G77 6FS. (REF NO:- 2021/0550/TP)**

**1933.** The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Mrs Carol Heaton against the decision taken by officers to refuse planning permission in respect of the erection of a single storey extension at 58 Primrose 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.

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

The Planning Adviser outlined the planning application and reasons for refusal as outlined by the Appointed Officer in the decision notice. The Planning Adviser further outlined that

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should Elected Members be minded to grant planning permission a suggested additional condition would be that:-

*'No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.'*

Having heard the Planning Adviser and following discussion, the Local Review Body agreed that the Appointed Officer's decision as set out in the decision notice of 1 November 2021 be overturned and planning permission approved subject to the standard delegated conditions and the following additional condition:-

*'No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.'*

CHAIR

**MINUTE**  
**of**  
**CABINET**

**Minute of virtual meeting held at 10.00am on 24 March 2022.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth

Councillor Danny Devlin  
Councillor Colm Merrick

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Andy Cahill, Director of Environment; Barbara Clark, Chief Accountant; Mark Waugh, Principal Accountant – Capital; Gerry Mahon, Chief Officer – Legal and Procurement; Gillian McCarney, Head of Environment (Chief Planning Officer); Murray Husband, Head of Digital and Community Safety; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham and Alan Lafferty.

**DECLARATIONS OF INTEREST**

**1934.** There were no declarations of interest intimated.

**GENERAL FUND CAPITAL PROGRAMME 2021/22**

**1935.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), monitoring expenditure against the approved General Fund Capital Programme as at 31 December 2021, and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

The Chief Accountant advised that the report indicated a shortfall in resource of £0.443m representing 1.7% of the resources available, which varied slightly from the 1.06% stated in the report, however the 1.7% was still within manageable limits.

The report reflected the updated project positions as reported to Council on 3 March 2022 and advised of a number of movements in the current year's Capital Programme which the Cabinet was invited to approve. These related mainly to the timing of projects, and reflected shortages of materials and labour as well as backlogs in tendering and site starts as COVID-19 restrictions had been lifted. This had resulted in significant slippage of £16m in capital

expenditure from that last reported in November 2021, as projects took longer to complete with some projects running on into the following year.

It was advised that an increase in construction costs was affecting many projects due to shortages and market saturation. Officers would continue to monitor the position and submit reports to future Cabinet meetings should costs exceed budgeted levels for projects. In particular, a report would be submitted to Cabinet on 7 April 2022 regarding increased tender prices in respect of Mearns Castle High School sports pitch. Detailed explanations of reasons for major movements within the programme were set out in the report.

Councillor Buchanan noted the issues regarding construction costs, materials and availability of construction workers and that these were Europe-wide issues.

Councillor Bamforth enquired as to whether the Council was able to increase borrowing while rates were low for later use. In response, the Chief Accountant outlined that there was a cost of carrying borrowing until the cost was incurred in capital. The Council therefore did not borrow for each project but instead has a strategy for when it will borrow to ensure that a return will be received. She advised that borrowing was limited by the treasury strategy therefore the Council was not able to borrow in advance when rates are low.

Having heard from the Chief Accountant, the Cabinet agreed to:-

- (a) note and approve the movements within the programme;
- (b) note the shortfall of £0.443m, and that income and expenditure on the programme will be managed and reported on a regular basis; and
- (c) **recommend to the Council** that the movements within the programme be approved.

## **HOUSING CAPITAL PROGRAMME 2021/22**

**1936.** The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring expenditure as at 31 December 2021 against the approved Housing Capital Programme 2021/22.

The Chief Accountant advised that there was a shortfall in the programme of £0.160m representing 1.25% of available resources but this was within manageable limits. The report reflected the revised total project costs approved by Council on 3 March 2022.

There had been a number of movements in the programme. These related mainly to timing delays due to the significant impact of COVID-19 on both existing and new housing projects. The report outlined slippage of £2.6m in capital expenditure from that last reported in November 2021 due to projects taking longer to complete, with full details provided in sections five and six of the report.

Increased construction cost pressures were also impacting on the Housing Capital programme. It was advised that officers would continue to monitor this position and provide updates in future reports to Cabinet if costs cannot be contained.

Having heard from the Chief Accountant, the Cabinet agreed to:-

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



- (b) note the shortfall of £0.160m and that income and expenditure on the programme will be managed and reported on a regular basis; and
- (c) **recommend to the Council** that the movements within the programme be approved.

### **CHARGING FOR SERVICES 2022/23: CHIEF EXECUTIVE'S OFFICE – LICENSING**

**1937.** The Cabinet considered a report by the Chief Officer – Legal and Procurement, submitting for approval the proposed licensing fees and charges for 2022/23.

The Chief Officer – Legal and Procurement, outlined that the licensing service must recover all the costs of providing the service through the fees charged although total licensing income was not permitted to exceed the total cost of the service. The impact of COVID-19 had been considered during the setting of the fees and charges to mitigate the impact to licence holders. Where an increase had occurred, the increases were approximately 3.7% this being the inflation rate advised by the Chief Accountant. It was noted from Appendix 1 accompanying the report that charges under £5 were rounded to the next 10 pence, charges under £20 were rounded to the next 50p and charges over £20 were rounded to nearest pound.

Councillor Bamforth enquired as to why there was a theatre licence which was available for one year and then no longer available. The Chief Officer – Legal and Procurement advised that the Council processed the licences requested and therefore this may no longer be a requirement from a group. He outlined that should this licence be required in the future, a proposed theatre licence fee would be brought to Cabinet for approval.

Following hearing from the Chief Officer – Legal and Procurement, the Cabinet altered charges for 2022/23 in accordance with the table in Appendix 1, noting that where an increase had occurred, the increases were approximately 3.7% being the inflation rate advised by the Chief Accountant.

### **ROADS RESURFACING WORKS PROGRAMME 2022/23**

**1938.** The Cabinet considered a report by the Director of Environment, which advised of the major additional Roads Works Programme in relation to Carriageway and Footway Resurfacing for 2022/23.

The Director of Environment advised that the report provided an update on the third year of the programme and outlined the achievements to date. The report advised that the 2022/23 proposed roads works programme would use the additional capital resources of £3 million made available to improve the roads condition across the authority. The majority of the additional funding would be directed towards C class and unclassified roads. A proposed Roads Resurfacing Works Programme covering major carriageway and footway resurfacing accompanied the report.

Councillor Buchanan supported by Councillor Bamforth welcomed the improvements through the programme of works, following which Councillor Merrick enquired regarding the impact of inflationary pressures on the delivery of these works. The Head of Environment (Chief Planning Officer) advised that at present the materials for road resurfacing had been minimally affected.

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Having heard from the Director of Environment and Head of Environment (Chief Planning Officer), the Cabinet approved the roads resurfacing works programme.

CHAIR

**MINUTE**  
**of**  
**EDUCATION COMMITTEE**

**Minute of virtual meeting held at 10.00am on 31 March 2022.**

**Present:**

Councillor Caroline Bamforth  
Councillor Tony Buchanan (Leader)  
Provost Jim Fletcher  
Councillor Charlie Gilbert  
Councillor Colm Merrick (Vice Chair)

Councillor Gordon Wallace  
Dr Frank Angell  
Ms Dorothy Graham  
Mr Des Morris  
Mrs Mary McIntyre

Councillor Merrick in the Chair

**Attending:**

Mark Ratter, Director of Education; Janice Collins, Head of Education Services (Quality Improvement); Joe McCaig, Head of Education Services (Performance and Provision); Siobhan McColgan, Head of Education Services (Equality and Equity); Tracy Morton, Education Senior Manager (Developing People); Graeme Hay, Education Senior Manager (Leading Business Change); Leanne Knox, Business Support Supervisor; Nick Smiley, Principal Educational Psychologist; Frances Robertson, Recovery and Service Development Coordinator; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillor Alan Lafferty (Chair).

**DECLARATIONS OF INTEREST**

**1939.** There were no declarations of interest intimated.

**IMPROVING OUTCOMES THROUGH SCOTTISH ATTAINMENT CHALLENGE FUNDING**

**1940.** The committee considered a report by the Director of Education on allocation of additional funds in the form of the Scottish Attainment Challenge.

The report noted that the Scottish Attainment Challenge (SAC) had been launched by the First Minister in February 2015 and included the £750 million Attainment Scotland Fund. It aimed to achieve equity in education by ensuring every child had the same opportunity to succeed, with a particular focus on closing the poverty related attainment gap. It had initially identified 7, and later extended to 9, local authorities to become "Challenge Authorities". They received additional resources to support the closing of the poverty related attainment gap.

On 23 November 2021, the Scottish Government's plans for the next phase of SAC had been set out by the Cabinet Secretary and agreed by COSLA Leaders. This announcement confirmed that the funding in SAC would be redistributed between all 32 local authorities and the amount of funding coming to East Renfrewshire Council each year from 2022/23 to 2025/26 was included in the report, it being noted that Pupil Equity Funding (PEF) would remain in place alongside this funding.

The report explained that the Education Department intended to continue to take a universal approach to improving outcomes, with clear intent in raising the bar for all. However, targeted approaches would be employed to support specific equity groups and schools with a larger proportion of children and young people living in poverty. A plan would be devised detailing the supports and interventions in place across the 4 years of funding and it would be shared with the committee prior to implementation and progress and impact reported through both the annual Standards and Quality Report and separate reports to the committee.

Councillor Bamforth stated that she was particularly pleased that the lowest 20% of children was mentioned, given that it was picked up in the budget process without the full facts being available. She welcomed that more money was being put toward those pupils as the impacts of the pandemic had been hardest on them.

Councillor Wallace stated that he had been alarmed at the previous Council budget announcement with funding being removed in this area. However, he was encouraged to see that some of it had been replaced. He asked if there was any benchmarking taking place that allowed East Renfrewshire to compare its progress in this area with other authorities.

In reply, the Head of Education Services (Quality Improvement) stated that the impact of the last 2 years had seen a reverse in many of the measures that showed the Council was closing the attainment gap and, as Councillor Bamforth had alluded to, the most vulnerable children had suffered most from the COVID-19 pandemic. National measures were reported around teacher judgements and national assessments. Although East Renfrewshire continued to be the highest performing in a range of measures, the department wanted to measure against itself in an attempt to continually improve and raise the bar for all pupils. There was still room to make significant improvements and support young people.

In response, Councillor Wallace asked what East Renfrewshire Council could be doing better and where could money be best spent to improve performance. In response, the Head of Education Services (Quality Improvement) indicated that the three main themes were children and young people's wellbeing; literacy and numeracy; and learning and teaching. It was clear that young people's wellbeing had suffered as a result of the pandemic. There had to be an understanding that poverty was not always visible. It was important to know the children, know their attainment and to plan the interventions to make sure the difference was made.

It was noted that officers from Education Scotland and other local authorities were invited to be involved in a scrutiny exercise on what was being done to reduce the attainment gap in numeracy and mathematics. Whilst the exercise had identified that the Council had all the appropriate tools to make a difference, the impact of the pandemic had been massive. Interventions such as reading recovery, the use of research and data, and upskilling staff were all taking place. It was important to continue those projects.

The Director of Education added that as part of the national approach to the SAC, stretch aims had been put in place. These were measures which were assessed locally and nationally. Those that had been agreed were literacy and numeracy and the percentage of school leavers attaining awards at level 5 and 6. In the latter metric, East Renfrewshire Council set a higher benchmark as the metric looked for 1 award at those levels, whereas the Council's looked for 5 awards at level 6. There were also participation measures that looked at children and young

people going on to positive destinations where the Council was one of the strongest performing authorities. While evidence had shown that the attainment gap in East Renfrewshire was lower than other areas, it had still increased over the period of the pandemic. In summary, he stated that the Council's ambition was not just to have the smallest gap, but to reduce it as much as possible. Whilst 97% of school leavers in positive destinations was strong performance, the target would always be 100%.

Councillor Merrick remarked that the report was very positive and it was good to have additional funding in place. He was interested to see how it was used in East Renfrewshire. It was also welcome to hear how the Council fitted into the wider context. He stressed the need for sustainability in the use of the funding and that it be used as wisely as possible.

Councillor Wallace further stated that it was important to recognise the challenge that the Education Department had. It was encouraging to see additional funding, but there would be significant challenges over the coming months and years.

Thereafter the committee agreed to:-

- (a) note the additional resource available to the department; and
- (b) ask the Director of Education to regularly share implementation plans and impact and progress reports.

## **MENTAL HEALTH AND WELLBEING IN CHILDREN'S SERVICES**

**1941.** The committee considered a report by the Director of Education providing an overview of the range of mental and emotional wellbeing services being offered to children and young people of East Renfrewshire, and the demand on those services over the past year.

Having stated that supporting children and young people's mental health was a high priority for East Renfrewshire Council as it looked to provide support to those impacted by the COVID-19 pandemic and, at the same time, address the significant needs that existed prior to it, the report noted that the tier two, multi-disciplinary recovery service, Healthier Minds, had been established in November 2020 in response to the rapidly increasing demands around mental health and wellbeing.

Healthier Minds adopted a collaborative approach to identifying opportunities to strengthen mental wellbeing with a team comprising of a mixture of multi-agency professionals from the Health and Social Care Partnership, Education and third sector workers who had been recruited, seconded or aligned to the recovery model.

From the first meeting of the Screening Hub on 25 November 2020 up to 29 January 2022, 490 children and young people had been supported, including 68 children and young people with a diagnosis of Autistic Spectrum Disorder. The report identified the three main reasons for referral as: anxiety/stress; low mood (including suicidal ideation and depression); and emotional regulation.

Comments were shared from young people who had accessed the service to demonstrate how successful it had been in assisting those young people in need.

Funding had been agreed to continue the service for at least another 2 years. The newly commissioned Children 1<sup>st</sup> service would begin in April 2022 with 5.6 FTE Project Workers and 1 FTE Team Manager being appointed.

It was noted that as funding from the Robertson Trust was coming to an end in June 2022, reserves accrued from the Scottish Government Access to Counselling in Schools Grant and Scottish Government Children and Young People's Mental Health and Wellbeing Supports and Services Network Grant would be used to continue to fund the Family Wellbeing Service. It would be fully aligned with the Healthier Minds Screening Hub in order to establish a single referral pathway for all children and young people's mental health and wellbeing services other than CAMHS.

Councillor Merrick then introduced Nick Smiley, Principal Educational Psychologist, and Frances Robertson, Recovery and Service Development Coordinator, to provide a presentation on the service.

Mr Smiley started by providing additional detail on the service and its impact. A coproduction event had taken place in November 2019 and the key principles that underpinned Healthier Minds were agreed there. Those were: whole school approaches; promotion of positive relationships; nurturing and supportive ethos; awareness raising; building and coping skills; staff training; parent and carer training; trauma informed; appropriate resources; signposting; a range of interventions specific to each child or young person; and the child or young person's active involvement.

An overview of the organisational structure was provided, showing that Healthier Minds had inputs from teachers, psychologists, support workers, nurses and project workers. Education, Children 1<sup>st</sup> and the Health and Social Care Partnership were the 3 key organisations in Healthier Minds.

The Screening Hub included participants from the Healthier Minds Team, East Renfrewshire Health and Social Care Partnership, Children 1<sup>st</sup>, East Renfrewshire Council Educational Psychology Service, Recovery Across Mental Health (RAMH), CAMHS, Specialist Children's Services (SCS), and Community Learning and Development. Deputy Head Teachers from schools had also had the opportunity to participate in the Hub.

The pathway for referral was primarily via schools. However, a young person could contact Healthier Minds directly via their website and self-refer for services, which would be followed up by a member of the team. It was stressed that the voice of the young person was absolutely essential to the decision making in the hub and confidentiality was taken very seriously. The hub had a range of possible supports it could offer which could be tailored to best suit the needs of the individual. The Screening Hub also allowed effective signposting to ensure that the best placed organisation was alerted to provide the required support. This followed the spirit of *Getting It Right For Every Child* in terms of there being "no wrong door" for entry to services. The response time from the hub was also very good and response to the referrer took no more than one week.

Ms Robertson noted that in 16 months of operation, 576 young people had been referred with 54 being re-referrals. Some had been requested to come back following a period of support. 163 of those had been supported by the Healthier Minds Team, 233 by the Youth Counselling Service, 16 parents/carers had been supported by Children 1<sup>st</sup> Parentline, 26 had continued support with the existing Family Wellbeing Service and there had been 11 referrals to CAMHS.

Quotes from young people, parents and carers were provided, highlighting the positive feedback that had been received about the service. Quotes were also provided from members of staff who had built up relationships with the people working in the service and had seen the positive outcomes for children and young people in their care.

An overview was provided of the Teacher Network Sessions, which was being renamed as the Staff Network, as it was considered that all school staff should be involved rather than just

teachers. These were one and a half hour briefing sessions with topics taken from reasons for referral to the hub. This allowed staff to understand and respond to young people better. A new plan was in place for the coming year to organise the next round of sessions.

In terms of the future of the service, Healthier Minds would be in place until at least March 2023. The new Children 1<sup>st</sup> Healthier Minds service with the 5.6 FTE staff being recruited mentioned earlier, would be implemented in Spring 2022. A new self-harm training course was being developed to run in partnership with the educational psychology team. Further development of the staff network sessions would follow, as well as more offers of group support for children and young people. Meetings were taking place with schools in order to build capacity and get an idea of where training can be facilitated. Finally, despite being hindered by COVID restrictions, it was hoped that peer support training for young people could begin.

A link to the Healthier Minds Website for members' information was provided.

Councillor Buchanan then commented on the report, stating that in conjunction with the previous report, it highlighted the excellent work being carried out to provide continuous improvement and support to children and young people. He felt that these services were particularly vital in the current situation. He registered concerns that, given the incoming cost of living crisis and increasing levels of poverty, it was likely to impact on a lot of families and this would cause greater pressure on families and young people and, subsequently, resources like Healthier Minds.

Echoing Councillor Buchanan's comments. Councillor Bamforth remarked on the excellent collaborative work taking place. She was delighted to see that the counselling included primary schools and covered school holidays. She also noted that staff wellbeing was being supported and was pleased to see that teachers were participating in counselling skills. She asked if the systemic individual and family support was an extension of the Family Wellbeing Service and if people could be referred to this through the hub or through their GP. In reply, the Head of Educational Services (Equality and Equity) stated that a single referral pathway was being looked at. GPs would be able to refer to the hub and it would see which support was required to meet the individual needs on a case by case basis. Mr Smiley noted that there were "pre-hub" meetings that took place to see what supports would be required. This would ensure that the access to the Family Wellbeing Service would still be through GPs but there would be a link to the hub to ensure that things that weren't appropriate for the Family Wellbeing Service were filtered into the hub and vice versa where the support of the service was required.

Councillor Merrick welcomed the report and presentation. He referred to the positive partnership working and that more was always achieved through partnership. He commended the success of the Family Wellbeing Service. Young people were under more pressure than ever and the pandemic had exacerbated that. He noted that it was reassuring to see the efforts being made to improve the mental wellbeing of children and young people and gave his thanks to all who contributed.

Thereafter, the committee agreed to note the:-

- (a) content of the report;
- (b) range of different provisions available to meet varying presenting needs of children and young people; and
- (c) challenges and response of services to the COVID-19 pandemic.

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### **VALEDICTORY – FINAL MEETING PRIOR TO COUNCIL ELECTIONS**

**1942.** Councillor Merrick referred to the fact that this would be the last meeting of the Education Committee of the current term and offered his thanks, on behalf of all members, to those who had contributed to the work of the committee. He referred to departing Councillors, Lafferty, O’Kane, Gilbert and Provost Fletcher.

Finally, Councillor Merrick referred to Mary McIntyre who had announced that she would be leaving the committee after many years’ service. On behalf of the committee he thanked her for all of her hard work and contribution and wished her all the best for the future.

CHAIR



**MINUTE**  
**of**  
**CABINET**

**Minute of virtual meeting held at 10.00am on 7 April 2022.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth

Councillor Alan Lafferty  
Councillor Colm Merrick

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Claire Coburn, Strategic Services Lead Officer; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham and Danny Devlin.

**DECLARATIONS OF INTEREST**

**1943.** There were no declarations of interest intimated.

**JOINT CONSULTATIVE COMMITTEE (FIRST TIER) - MINUTE OF MEETING OF 10 FEBRUARY 2022**

**1944.** The Cabinet considered and noted the Joint Consultative Committee (First Tier) Minute of Meeting of 10 February 2022.

**REVENUE BUDGET MONITORING (OUTTURN)**

**1945.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the projected revenue budget out-turn for 2021/22 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 31 January 2022 and subsequent assessment of pressures arising from COVID-19.

- (i) Education Department;
- (ii) Contribution to Integration Joint Board;
- (iii) Environment Department;

- (iv) Environment Department – Support;
- (v) Chief Executive's Office;
- (vi) Chief Executive's Office – Support;
- (vii) Business Operations and Partnerships
- (viii) Business Operations and Partnerships – Support;
- (ix) Other Expenditure and Income;
- (x) Joint Boards;
- (xi) Contingency – Welfare;
- (xii) Health and Social Care Partnership; and
- (xiii) Housing Revenue Account.

The Head of Accountancy (Chief Financial Officer) advised that on the basis of the information, and taking account of forecast Council Tax collection, a year end operational underspend of £1.788m or 0.6% of the annual budget was forecast on General Fund services. This represented a slight improvement on the position reported the previous month and the reasons for departmental variances were set out in the report. Any such operational underspend at year-end would assist the Council in meeting future years' budget challenges.

It was noted that the above figures reflected that £2.465m of forecast COVID pressures would be covered by drawing on the Council's COVID grant resources and as a result did not impact on the operational budget position.

It was clarified that the figures outlined in the report had not yet been adjusted to reflect the impact of the teachers' pay award for 2021/22, which was only recently settled, however adequate budget provision had been made for this.

It was further noted that the forecast outturn position could still be subject to significant change, for example if pressures experienced in February and March varied from predicted levels or if the Devolved School Management balances from schools at year end were different from those forecast. In addition, it was hoped that management action to avoid any non-essential expenditure would increase the underspend at year end.

In addition, the report sought approval for a number of service virements and operational budget adjustments, details of which were outlined. The Head of Accountancy (Chief Financial Officer) advised that an update on the unaudited year end position would be issued to Elected Members in June.

Councillor Bamforth enquired if there was any reason behind the under-recovery of income in relation to the recharge of Pupil Support Assistants (PSA) to other local authorities totalling £56k across Primary Education (£44k) and Secondary Education (£12k). In reply, the Head of Accountancy (Chief Financial Officer) advised that teacher funding was based on the number of pupils in schools although other funding was based on the number of school aged pupils in East Renfrewshire and therefore other councils were recharged for these costs. In addition, the Director of Education advised he would look into the under-recovery of income in relation to the recharge of Pupil Support Assistants (PSA) to other local authorities and provide an update to Councillor Bamforth.

Having heard further from the Head of Accountancy (Chief Financial Officer), the Cabinet: -

- (a) noted the continued financial pressures on operational services arising from the COVID-19 pandemic and that it is expected to cover these from accumulated COVID grant funding;

- (b) noted the forecast underlying General Fund operational underspend of £1,788k;
- (c) approved service virements and operational adjustments as set out in the report and noted the reported probable out-turn position;
- (d) noted all departments continued to closely monitor and manage their budgets and ensure that spending up to operational budget levels did not take place;
- (e) approved in view of the challenging financial outlook for 2022-23 and beyond, that Directors take action to avoid all non-essential expenditure for the remainder of the year.

### **FLEXIBLE LOCAL AUTHORITY COVID ECONOMIC RECOVERY FUND**

**1946.** The Cabinet considered a joint report by the Director of Business Operations and Partnerships and the Director of Environment, which shared an overview of the forthcoming Flexible Local Authority COVID Economic Recovery Fund and provided the Cabinet the opportunity to shape the approach to this funding in East Renfrewshire.

The Director of Business Operations and Partnerships advised that COSLA Leaders and the Scottish Government had agreed a local COVID Economic Recovery Fund of £80M to be provided to councils. The funding would be available for use on a one-off basis from the end of 2021/22 and could carry into 2022/23. At this time, the exact allocation to the Council had not been confirmed although early indications from the Head of Accountancy (Chief Financial Officer) suggested this could be in the region of £1.48m.

It was explained that the intent of the funding was to support local economic recovery and cost of living impacts on low-income households. As outlined in the report, in February 2022 COSLA Leaders agreed principles to guide spend. A three-tiered approach to the spending of this fund was proposed to provide support to businesses who were linked to low-income households and support to businesses and low income households who had been most adversely affected by the pandemic.

Two temporary officer posts, the COVID Compliance Officer and the Fuel Poverty Officer, were recommended for extension from the funding. Consideration would also be given to the resources required to manage the fund and whether any further temporary resource was required. A further report on the confirmed funding received and the use of the fund would be provided in due course to Cabinet.

Councillor Buchanan welcomed the funding and referenced the extreme difficulties facing those most in need given the impact of the increasing cost of living and the pandemic.

Councillor Bamforth was appreciative of the forward planning to ensure that the funding would be made available as soon as possible. She enquired as to how local businesses would be identified over larger companies, how the individuals most in need would be identified, and if consideration had been given to the use of fuel vouchers. She also welcomed the continuation of the COVID Compliance Officer and Fuel Poverty Officer posts to provide ongoing assistance to businesses.

In response the Director of Environment confirmed that local businesses within East Renfrewshire would be targeted in relation to this funding. He was grateful for the comments regarding the extension of the COVID Compliance Officer and Fuel Poverty Officer posts.

The Director of Business Operations and Partnerships advised that a partnership approach would be taken to identify those most in need and to identify a pathway for assistance. It was confirmed that fuel vouchers had been used in the past as a form of support in addition to humanitarian funds. Ongoing analysis was taking place to identify the benefits available to people and identify those whose eligibility for particular funding may be being affected, to ensure that support was available.

Councillor Merrick enquired regarding the support provided to businesses already in difficulty, in response to which the Director of Environment advised that through the Business Improvement Districts and the local employability partnerships the Council was working to identify why businesses were struggling to then be able to provide assistance. He outlined forthcoming initiatives which may be of assistance to businesses. These included the Scottish towns partnership (STP) introduction of a local gift card; expansion of the shop local marketing campaign; a pre-employment trades training fund; becoming living wage accredited; and supporting businesses to make energy efficiencies in their transition to net zero, or through business incubator programmes such as that at Greenlaw, with assistance from the University of the West of Scotland. Additionally support could be provided to diversify products/services or to enable the transition of businesses to provide services through online mediums. Sustainable business functionality and growth was the aim of the support provided.

Councillor Buchanan having noted the multifaceted approach required to assist businesses in the current economic climate, the Cabinet: -

- (a) considered and approved the three-tiered approach detailed in this paper for use of the Local Authority COVID Economic Recovery Fund;
- (b) agreed, in principle, the funding allocation for the posts of COVID Compliance Officer and Fuel Poverty Officer and that consideration would be given to any further temporary resource required to manage this fund; and
- (c) delegated to the Director of Business Operations and Partnerships and the Director of Environment to make initial commitments within the spirit of the national guidance and to bring a further update to Cabinet once the specific allocation was known and more detailed proposals had been developed.

## **MEARNS CASTLE HIGH SCHOOL SPORTS FACILITY**

**1947.** The Cabinet considered a report by the Director of Education, requesting approval of a revenue contribution to the Council's General Capital Fund plan for the amount of £193,000 from the Education Department's 2021-22 revenue budget underspend, to ensure the capital costs of the development of an all-weather athletics track and sports pitch for Mearns Castle High School could be met.

The Director of Education reminded Members that the Council's General Fund Capital Plan 2022/23 to 2031/32, approved by the Council on 3 March 2022, included £1.73 million to be invested to provide a new all-weather pitch and running track for Mearns Castle High School.

He advised that the Council's Property and Technical Services team had scoped the project in 2019 and determined that a budget of £1.73 million would be required. However, since 2019 there had been a significant increase in the cost of capital projects as a result of the pandemic. The project had recently been tendered with the preferred bidder's tender

returning higher than the budgeted amount. The department had carried out value engineering, but the required capital for the project was still £1.94 million, which was above the allocated capital budget. The proposed revenue contribution could be met from the Education Department's estimated revenue budget underspend in 2021-22. In order to meet the remaining shortfall between the budgeted amount and preferred tender following value engineering and the revenue contribution, the Education Department would vire £24k from the Education IT refresh capital programme.

Councillor Bamforth sought clarification on the value engineering process and how costs could be reduced by approximately £60,000 without impacting on the functionality of the project. She also sought confirmation that the Education IT refresh capital programme would not be adversely affected. In reply, the Director of Education and Director of Environment advised that the review undertaken had been considered carefully to ensure that the functionality of the project was not compromised whilst reducing costs. The Director of Education also confirmed that there would not be a negative impact on the Education IT refresh capital programme.

Councillor Buchanan advised that the value engineering process ensured that the Council was receiving the best prices for the services delivered without compromising on the delivery of the projects.

Having heard from the Director of Education and the Director of Environment, the Cabinet: -

- (a) increased the capital allocation for Mearns Castle High School's sports facility from £1.73m to £1.94m; and
- (b) approved a revenue transfer of £193,000 from the Education budget in financial year 21/22 to help manage school related projects in the 21/22 capital plan, therefore ensuring adequate funding in the capital plan for the increased costs of Mearns Castle High School's sports facility.

## **AFGHAN RELOCATION AND RESETTLEMENT SCHEMES**

**1948.** The Cabinet considered a report by the Director of Environment, which provided an update in relation to the UK Government Afghan relocation and resettlement schemes following the emergency situation in Afghanistan, and sought approval for the Council to be involved in the resettlement of Afghan refugees in East Renfrewshire.

The Director of Environment outlined that the Home Office had created two mechanisms of support through the Afghan Relocations and Assistance Policy (ARAP) and the Afghan Citizens' Resettlement Scheme (ACRS). The UK Government had confirmed that the same funding package would be available under both of the schemes to ensure comparable support and that the funding would be for three years. He outlined the challenges presented given the demand on the Council's housing stock and therefore the most suitable proposal was using private rented accommodation. Given current resources and demand for services across the Council and from the HSCP, it was proposed that the Council would be able to support six families in total, four through private rented accommodation and two through Barrhead Housing Association (BHA) properties.

Members noted the difficulties outlined by the Director of Environment.

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Councillor Bamforth enquired as to the longer term status of those involved in the Afghan Relocation and Resettlement Schemes and whether this would be as asylum seekers or refugees. The Director of Environment advised he would refer to the guidance and respond to Councillor Bamforth to confirm the position.

The Cabinet: -

- (a) noted the situation resulting in the need for Afghan families to be resettled; and
- (b) approved the Council's involvement in the UK Government's Afghan relocation and resettlement schemes.

### **GRANTING OF COMMERCIAL LEASES POLICY AND PROCEDURES**

**1949.** The Cabinet considered a report by the Director of Environment, which sought approval for a revised Council policy concerning granting of commercial leases or licences of Council assets to prospective tenants. It was noted that this was distinct from potential Community Asset Transfers. A copy of the revised policy accompanied the report.

The Director of Environment advised that it was intended the revised policy would enhance and clarify the existing procedure and would make the process of granting a commercial lease more transparent to business and third sector organisations, as well as give clear guidance to officers. He advised that there were three stages proposed prior to engagement with the Council and these were marketing & inspection, granting of a lease or licence and termination. It was proposed the full policy document would be made available on the Council's website to help give prospective tenants a clear understanding of the process and how decisions were reached.

Councillor Buchanan noted the complexities in this area following which the Cabinet: -

- (a) approved the Policy and Procedures for Granting of Commercial Leases; and
- (b) supported the upgrading to the ERC webpage to add a page for Council Commercial Assets, and promote the Council's policy on leasing these assets to help businesses and communities understand the procedures required to let a commercial council asset.

CHAIR

**MINUTE**  
**of**  
**AUDIT & SCRUTINY COMMITTEE**

**Minute of virtual meeting held at 2.00pm on 7 April 2022.**

**Present:**

Councillor Stewart Miller (Chair)	Councillor Annette Ireland
Councillor Barbara Grant (Vice Chair)	Councillor Jim McLean
Councillor Charlie Gilbert	Councillor Jim Swift

Councillor Miller in the Chair

**Attending:**

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Michelle Blair, Chief Auditor; Gill Darbyshire, Chief Executive's Business Manager; Linda Hutchison, Clerk to the Committee; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Also Attending:**

John Cornett and Louisa Yule, Audit Scotland.

**DECLARATIONS OF INTEREST**

**1950.** There were no declarations of interest intimated.

**CHAIR'S REPORT**

**1951.** Councillor Miller reported, and it was noted, that there were no issues which he wished to bring to the committee's attention at this time.

**EAST RENFREWSHIRE COUNCIL – ANNUAL AUDIT PLAN 2021/22**

**1952.** The committee considered a report by the External Auditor regarding the 2021/22 Annual Audit Plan. Having itemised the main elements of the Plan for the audit of the Council, the report highlighted the significant impact of COVID-19 on public services and finances which would be felt well into the future. It was reported that the Auditor General for Scotland, the Accounts Commission and Audit Scotland were continuing to assess the risks from COVID-19 across the full range of their audit work, that changes to their approach could be necessary, and that this could impact on annual audits and require revisions to the Audit Plan to be made.

The report explained how the External Auditor aimed to add value to the Council through external audit work, summarising the respective responsibilities of the auditor and the Council. Having confirmed that external audit appointments were usually for five years duration but had been extended to six due to COVID-19, and that 2021/22 was the final year of the current appointment, the report confirmed that liaison with the current team's successors would be undertaken to ensure a well-managed transition.

Regarding financial statements audit planning, reference was made to the performance and planning materiality levels set, and the reporting threshold level established above which reports on unadjusted misstatements would be submitted to those charged with governance. Other issues commented on included a significant risk of material misstatement, and the planned audit response to this and related issues, regarding which it was confirmed that no specific work had been incorporated into the Plan over and above standard audit procedures. In relation to other areas of audit focus, there was not considered to be significant risks in relation to the valuation and measurement of land and buildings or measurement and judgements applied to the valuation of pension liabilities, but these areas would be kept under review. Management and others charged with governance would be advised of any change of approach by the External Auditor on these as the audit progressed. Other issues commented on included the audit of the various Trusts, and the audit risk assessment process.

In addition, the report highlighted risks of a wider dimensional nature, making reference to financial management; financial sustainability; governance and transparency; and value for money. One financial sustainability issue linked to the significant financial pressures on funding and increasing demand on services facing the Council was specified. In relation to Best Value, it was explained that, for 2021/22, work would focus on the Council's arrangements for partnership working and empowering communities, and also following up findings reported in the Best Value Assurance Report for the Council published in November 2017 to assess progress on the pace and depth of continuous improvement. The findings on both would be reported through the Annual Audit Report.

Further matters commented on included the audit fee, reporting arrangements, and the target dates for publishing, and consideration by the committee, of various reports, some of which remained to be confirmed. It was highlighted that the External Auditor aimed to issue the independent auditor's report by the statutory deadline of 31 October, which it was acknowledged would be challenging due to ongoing pressures and uncertainties caused by COVID-19. It was confirmed that the External Auditor did not plan to place formal reliance on Internal Audit's work for their financial statements responsibilities, and that Internal Audit reports would be reviewed to consider what, if any, impact they had on planned External Audit work. Finally the External Auditor's independence and objectivity and quality control issues were commented on.

Whilst commenting on key aspects of the report, Mr Cornett confirmed that the significant risk of material misstatement referred to in Exhibit 2 of the report was a standard one and not specific to East Renfrewshire. He explained that both the valuation and measurement of land and buildings, and measurement and judgements applied to the valuation of pension liabilities, involved a degree of subjectivity and assumption based on which some audit focus was appropriate. Again this was not specific to the Council.

Regarding the issue of the independent auditor's report by the statutory deadline of 31 October, as things stood at present, Mr Cornett anticipated the deadline being met. He confirmed that External Audit would work with the Head of Accountancy (Chief Financial Officer) and her team to achieve this, requesting that the committee appointed following the local elections in May provide flexibility if necessary. Regarding financial sustainability, Mr Cornett referred to the financial outlook as challenging. Having acknowledged that the Council had responded to the position, and referred to further work to be undertaken on this matter, he clarified that External Audit work would focus on the Council's actions and plans.



In response to Councillor Ireland, Mr Cornett confirmed that External Audit aimed to complete all of its work on the 2021/22 audit by 31 October, including the submission of the Annual Audit Report to the Council. He clarified that the new External Auditor would work with the Council following the conclusion of that work.

Also in response to Councillor Ireland, the Head of Accountancy (Chief Financial Officer) referred to a range of asset management plans maintained by the Council and the role of the Corporate Asset Management Group. She confirmed that the Group was awaiting the submission of the Corporate Asset Management Plan which she was pursuing, and referred to various issues that were impacting on its completion.

Mr Cornett referred to a need identified, to ask members of the committee annually to confirm if they were aware of any actual, suspected or alleged frauds that Internal Audit or management were not necessarily aware of yet. He confirmed this was only about requesting information on these, not about imposing sanctions. In response, none of the Members reported being aware of any such issues. The Head of Accountancy referred to the extent to which the committee was alerted to fraud related issues, such as by the Chief Auditor and through reports such as on the National Fraud Initiative.

The committee, having heard the Senior Committee Services Officer and Head of Accountancy (Chief Financial Officer) confirm, in response Councillor Grant, that the first meeting of the committee following the elections was scheduled to take place on 23 June, noted the 2021/22 Annual Audit Plan and current timetable for the publication of related documents, including the Annual Audit Report for 2021/22.

## **STRATEGIC RISK REGISTER AND RISK MANAGEMENT PROGRESS – BIENNIAL REPORT**

**1953.** Under reference to the Minute of the meeting of 23 September 2021 (Page 1651, Item 1765 refers), when the position on the Strategic Risk Register (SRR) and progress with risk management across the Council had been noted, the committee considered a report by the Chief Executive regarding the most recent biennial update of the register and general progress on risk management.

The SRR, a copy of which was appended to the report, itemised key risks that required to be considered and associated actions put in place to manage these. Having referred to related operational risk registers in place, the report confirmed that several strategic risks had been amended to include additional control measures and rescored for significance, clarifying that a thorough review of all the strategic risks had been undertaken by the Corporate Management Team (CMT). In total there were now 41 strategic risks, the level of 11 of which had been evaluated as high and 30 as medium. Risks evaluated as low had been removed from the SRR and would be monitored within departmental or operational registers as appropriate. Relevant significant risks which could impact on achieving the Council's outcomes regarding the work of the IJB and the Culture and Leisure Trust had been considered.

In addition to referring to risks added to the SRR, information was provided on risks that had been removed; risk scores that remained high; risks that had been rescored from high to medium or medium to high; and those that retained the same score but where the risk descriptions had been amended to reflect the current position or provide further clarity. It was confirmed that although reports on the SRR were submitted to the committee every 6 months and the Cabinet annually, the register was considered to be a live document and updated continually.

Having heard the Chief Executive's Business Manager comment further on various aspects of the report, Councillor Swift referred to the First Minister's wish to hold a Scottish independence referendum in 2023, and expressed the view that reference to related risks should be included in the SRR. The Head of Accountancy (Chief Financial Officer) commented that such an issue had been raised on a previous occasion, acknowledged the need to consider an amendment to the SRR if the plan to hold a referendum crystallised, but reminded the committee that the SRR was reviewed weekly by the CMT.

Mr Cornett referred to a practice established in some other authorities of including some narrative in SRR reports based on horizon scanning through which risks, such as those that may need to be considered further in the near future, could be referenced. He suggested that this could be considered and provide the type of assurance that was being sought.

The committee:-

- (a) agreed that feedback be provided to appropriate senior officers on comments made at the meeting on the SRR for consideration; and
- (b) otherwise, noted the development of the SRR; that it was considered to be a live document; and that it would be updated and amended by the CMT.

#### **IMPLEMENTATION OF 2021/22 WORK PLAN, OUTCOME OF SELF-EVALUATION AND WORK COMPLETED SINCE 2017**

**1954.** Under reference to the Minute of the meeting of 17 February 2022 (Page 1791, Item 1891 refers), when it had been noted that discussions on the committee's self-assessment were ongoing, the committee considered a report by the Clerk providing an update on the implementation of the 2021/22 Audit and Scrutiny Committee Work Plan and related issues; seeking approval of the observations and recommendations made by the committee arising from its self-evaluation; and also seeking approval of the report reviewing its activities from 2017 to 2022.

The report explained that the 2021/22 plan had been a live document, development of which had continued throughout the year, and included reference to recurring reports considered every year, such as on treasury management, Internal Audit work and risk management. An updated version of the 2021/22 plan was attached as Appendix 1 to the report, referring to progress on various issues and related matters, including the position on various national and local external audit reports published during the financial year. It was confirmed that where there had not been sufficient time for feedback to be sought and prepared on some external audit reports published recently, reference would be made to them in the 2022/23 work plan. In view of the local government elections in May 2022, and as the committee's meeting on 7 April 2022 was its final one of the current Administration, reference was also included to the items considered at the meeting.

Having commented on previous reports overviewing the committee's work, the report explained that in April 2021 it had been agreed to prepare a further short report of this type covering 2017 to 2022, a copy of which was attached as Appendix 2 to the report for consideration.

The report also referred to the further self-evaluation on its own effectiveness the committee had completed commenting on associated issues, including the value of such exercises; and the approach adopted and questionnaires used recently by the committee. On the basis of the outcome, a list of observations and recommendations on matters where the committee

considered there to be room to improve had been prepared, a copy of which was attached as Appendix 3 to the report for consideration, to pass on to those appointed to the committee after the elections and others as appropriate.

Whilst commenting further, the Clerk referred to the update on the Work Plan and the draft overview of the committee's past work, the main aim of the latter being to make the summary available to those elected in May, particularly those appointed to the committee. She clarified that the Chair, with whom she was liaising, had agreed to prepare a foreword and that the communications team would prepare the final format for publication.

The Clerk also referred to and invited comments on the proposed list of observations and recommendations made arising from the self-evaluation to pass on to those appointed to the committee after the elections and others as appropriate for consideration.

Having thanked the Clerk for the work she had done on the review, Councillor Ireland welcomed in particular the observations and recommendations made on the importance of the committee adopting an apolitical approach and scrutinising issues objectively; on bringing forward the scrutiny training which would be very helpful; on surveying officers on the extent to which the role and purpose of the committee was understood and accepted by officers across the Council; and ensuring that all members of the committee were fully aware, and became familiar with, the Scheme of Administration and Scheme of Delegated Functions.

Councillor Ireland thanked the Chair for his work with the committee, indicating that she had enjoyed her time as a member of it.

Councillor Miller emphasised that the past five years had been a busy time for the committee, and thanked all members who had served on it for their individual contributions. Having welcomed the additional funding secured for a Scrutiny and Evaluation Officer for one year, he thanked the former officer who had held that post for his support on the two investigations completed in recent years, and Mr Cornett for his insight on and contribution to discussions held on the one regarding income generation and commercialisation.

Supported by other members of the committee, Councillor Miller also expressed his gratitude to various officers for their support during the past 5 years. He thanked all those who had served on the External Audit team, amongst others the Chief Executive's Business Manager and Resilience Coordinator who had attended regularly, and the Head of Accountancy (Chief Financial Officer) and Chief Accountant who had also attended many meetings for their support and the clarification they had provided on wide range of issues. He also thanked the Chief Auditor and her team for the support they had provided, including during the past few years which had been difficult for various reasons. Finally, Councillor Miller thanked the Clerk for the wide range of work she had done to support the committee and the related guidance she had provided.

The committee agreed to:-

- (a) note performance against the committee's 2021/22 Annual Work Plan;
- (b) approve the content of the report reviewing the committee's activities from 2017 to 2022 and authorise the Clerk, in liaison with the Chair, to fine-tune and finalise the report during the forthcoming weeks prior to the local government Elections and arrange publication;
- (c) approve the list of observations and recommendations arising from the self-evaluation to be made available to the new committee for consideration and others as considered appropriate; and

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- (d) note that reports on the committee's 2022/23 Work Plan would be submitted to future meetings of the committee following the forthcoming local government Elections.

CHAIR

**MINUTE**  
**of**  
**LICENSING COMMITTEE**

**Minute of virtual meeting held at 10.00am on 19 April 2022.**

**Present:**

Councillor Angela Convery (Chair)  
Councillor Charlie Gilbert

Councillor Annette Ireland  
Councillor Stewart Miller

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; Jillian McGrain, Senior Officer (Private Sector); John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Betty Cunningham (Vice Chair).

**DECLARATIONS OF INTEREST**

**1955.** 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 remaining item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act as appropriate.

**PRIVATE LANDLORD REGISTRATION**

**1956.** The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. (Agenda item 3 refers). The landlord, having been invited to the meeting, was present.

The landlord and Senior Officer (Private Sector) were heard in respect of the application and in response to questions from Members.

Following discussion the committee agreed that the application for inclusion on the Register of Social Landlords be approved.

### **PRIVATE LANDLORD REGISTRATION**

**1957.** The committee were advised by the Senior Officer (Private Sector) that the Director of Environment's report in respect of this landlord had been withdrawn following notification that they had complied with the requirements of registration.

### **PRIVATE LANDLORD REGISTRATION**

**1958.** The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. (Agenda item 5 refers). The landlord, having been invited to the meeting, was not present and the report was considered by the committee in their absence.

The Senior Officer (Private Sector) was heard in respect of the application and in response to questions from Members.

Following discussion the committee agreed that the application for inclusion on the Register of Social Landlords be approved, subject to compliance with the requirements for registration and confirmation of their landlord agent within 6 weeks of the date of the committee, failing which it would be refused.

### **PRIVATE LANDLORD REGISTRATION**

**1959.** The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. (Agenda item 6 refers). The landlord, having been invited to the meeting, was present.

The landlord and Senior Officer (Private Sector) were heard in respect of the application and in response to questions from Members.

Following discussion the committee agreed that the application for inclusion on the Register of Social Landlords be approved, subject to compliance with the requirements for registration within 4 weeks of the date of the committee, failing which it would be refused.

### **PRIVATE LANDLORD REGISTRATION**

**1960.** The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. (Agenda item 7 refers). The landlord, having been invited to the meeting, was not present and the report was considered by the committee in their absence.

The Senior Officer (Private Sector) was heard in respect of the application and in response to questions from Members.

Following discussion the committee agreed that the application for inclusion on the Register of Social Landlords be approved, subject to compliance with the requirements for registration within 4 weeks of the date of the committee, failing which it would be refused.

### **PRIVATE LANDLORD REGISTRATION**

**1961.** The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. (Agenda item 8 refers). The landlord, having been invited to the meeting, was present.

The landlord and Senior Officer (Private Sector) were heard in respect of the application and in response to questions from Members.

Following discussion the committee agreed that the application for inclusion on the Register of Social Landlords be approved, subject to compliance with the requirements for registration within 4 weeks of the date of the committee, failing which it would be refused.

### **PRIVATE LANDLORD REGISTRATION**

**1962.** The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. (Agenda item 9 refers). The landlord, having been invited to the meeting, was not present and statements from the landlord were considered by the committee in their absence.

The Senior Officer (Private Sector) was heard in respect of the application and in response to questions from Members.

Following discussion the committee agreed that the application for inclusion on the Register of Social Landlords be approved, subject to compliance with the requirements for registration within 4 weeks of the date of the committee, failing which it would be refused.

### **PRIVATE LANDLORD REGISTRATION**

**1963.** The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. (Agenda item 10 refers). The landlord, having been invited to the meeting, was not present and the report was considered by the committee in their absence.

The Senior Officer (Private Sector) was heard in respect of the application and in response to questions from Members.

Following discussion the committee agreed that the application for inclusion on the Register of Social Landlords be approved, subject to compliance with the requirements for registration within 4 weeks of the date of the committee, failing which it would be refused.

### **VALEDICTORY – FINAL COMMITTEE OF THE COUNCIL TERM**

**1964.** Having confirmed that this was the final committee of the current Council term, Councillor Convery took a moment to express her thanks to all of the Members and officers working with the Licensing Committee for their hard work over the term and wished them all the best for the future, both for those Members seeking re-election and those retiring.





**MINUTE**  
**of**  
**PLANNING APPLICATIONS COMMITTEE**

**Minute of virtual meeting held at 2.06pm on 20 April 2022.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery  
Provost Jim Fletcher

Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Gillian McCarney, Head of Environment (Chief Planning Officer); Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); John Drugan, Senior Planner; John Marley, East Renfrewshire Council Roads Department; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham and Jim McLean.

**DECLARATIONS OF INTEREST**

**1965.** No declarations of interest were intimated.

**PLANNING PERFORMANCE FRAMEWORK (PPF)**

**1966.** The committee considered a report by the Director of Environment advising the committee about the Council's Planning Performance Framework and the Scottish Government Feedback report.

Councillor Ireland noted her thanks to the Planning and Building Standards Service given the number of applications processed during the pandemic and the finalisation of the Local Development Plan 2.

The Planning and Building Standards Manager provided a background to the report and advised that of the 13 markers applicable to the Council, 7 of these had been given a green rating, 3 an amber rating and 3 a red rating. The impact of the pandemic and staff turnover was highlighted during this period. However a high workload had been delivered although at a slower rate.

Provost Fletcher offered thanks to the Planning and Building Standards Service for the work that had been undertaken delivered during an extremely difficult period emphasising it was important that the structure and level of staffing was right to enable the department to run as effectively as possible.

The Head of Environment (Chief Planning Officer) outlined the restructure which took place in 2016/17 although advised that there had been a turnover of staff recently. She also outlined that the Planning (Scotland) Act 2019 introduced 62 new duties which was of a matter of concern given current staffing levels.

It was acknowledged that it was important that the incoming Planning Applications Committee Chair should be made aware of the current resourcing/structure of the Planning and Building Standards Service and the requirement for this to be resourced appropriately to deliver the 62 new duties resulting from the Planning (Scotland) Act 2019.

Councillor Miller having noted the importance of the Planning and Building Standards Service as a frontline service and the necessity for it to be properly resourced, Councillor Convery echoed the comments from other councillors and praised the team for the achievement of the green markers which outweigh the red markers.

Councillor Ireland also noted that the Local Development Plan 2 had now been adopted and therefore this marker had been addressed.

Councillor Swift highlighted that the difficult circumstances of the last two years required to be recognised. He also noted that additional funds needed to be provided by the Scottish Government to finance additional duties resulting from the Planning (Scotland) Act 2019.

The Head of Environment (Chief Planning Officer) advised that an increase in planning fees would result in additional income. However the amount of additional income generated would be dependent on the type of application submitted.

Following discussion, the committee noted the Planning Performance Framework and the Scottish Government's feedback.

## **APPLICATION FOR PLANNING PERMISSION**

**1967.** The committee considered a report by the Director of Environment on the following application for planning permission requiring consideration by the committee.

2019/0788/TP Erection of residential development (comprising 80 dwellinghouses and 10 flats) with associated access roads, landscaping and SUDS. Land At Kirkton Road, Neilston, East Renfrewshire.

Councillor Ireland outlined a number of concerns in relation to the application. These were summarised as: no detailed information submitted in relation to the electric vehicle charging points, no mitigation measures proposed in relation to the noise from the railway affecting 37 houses with levels exceeding the World Health Organisation (WHO) guideline value of 45dB(A) at approximately 60dB(A) at night; substantial land raising including the result of a 70 degree slope as detailed in condition seven; overlooking albeit mitigated with planting; flooding and the connection to sewers; safety in the car parks behind the flats; the visibility splays allowing access to

the proposed development and that development of the site would reduce the speed of traffic into the area although this may not be the case. Councillor Ireland therefore suggested that the committee should carry out a site visit prior to the determination of the application.

Councillor Convery supported the suggested site visit. She noted the issues of noise as outlined in the noise and vibration impact assessment; the archaeological report being inconclusive on whether the standing stone was prehistoric or modern; the substantial land raising; and that 1039 representations had been received at the time of the publication of the report.

Councillor Miller noted the loss of green space and productive land; the levels of noise affecting the 37 houses; the substantial land raising; the requirement for the pavement to be erected and possibly widened; that a bridge over the railway would allow for a pedestrian route to the school; and no clarification being provided on whether the standing stone was prehistoric or modern. He did note that the site had been designated in the Local Development Plan for housing since 2015. He noted that 2,500 houses were required to be built by 2030 as outlined by Scottish Government and that there were an inadequate number of suitable brownfield sites in East Renfrewshire. In conclusion he supported the suggestion for a site visit.

Provost Fletcher supported as valid the points raised by fellow councillors. He also noted that the site was designated for housing in the Local Development Plan although given the level of objection received to the application, a site visit would be appropriate to ensure that the site was thoroughly examined.

Councillor Swift referenced the Maidenhill development with regards to the issues of noise and land raising and as a site which was designated for housing within the Local Development Plan. He noted the objection to clear and obvious development of internal green space instead of along the green belt. He was in agreement with a site visit being held although noted that this would be a delay in the process and that the site was ultimately included for development.

The Planning and Building Standards Manager advised that the applicant would be advised of the concerns raised by the committee and the outcome of the decision of the meeting.

The committee agreed to continue the determination of the planning application until after a site visit had been held.

CHAIR



**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of virtual meeting held at 3:05pm on 20 April 2022.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Andrew Bennie, Planning Adviser; Jacqui McCusker, Solicitor (Legal Adviser); Sharon McIntyre, Committee Services Officer (Clerk) and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham, Jim McLean, Jim Swift.

**DECLARATIONS OF INTEREST**

**1968.** There were no declarations of interest intimated.

The Chair advised that unaccompanied site visits had been held prior to the meeting.

**NOTICE OF REVIEW – REVIEW 2022/01 – PROPOSED CHANGE OF USE OF EXISTING OFFICES TO FORM RESTAURANT WITH TAKEAWAY FACILITY INCLUDING ERECTION OF FLUE TO REAR, FORMATION OF NEW SHOPFRONT AND EXTERNAL SEATING. JAMES DAVIS INSURANCE, 203 FENWICK ROAD, GIFFNOCK. (REF NO:- 2021/0592/TP).**

**1969.** The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Fenwick Investments Limited against the decision taken by officers to refuse planning permission in respect of a proposed change of use of existing offices to form restaurant with takeaway facility including erection of flue to rear, formation of new shopfront and external seating, at James Davis Insurance, 203 Fenwick Road, 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.

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

The Planning Adviser outlined the planning application and reasons for refusal as outlined by the Appointed Officer in the decision notice. The Planning Adviser further outlined that should Elected Members be minded to grant planning permission, two suggested additional conditions would be that:-

- 1: *Development shall not commence until exact details and specification of the proposed ventilation system, together with details of the proposed maintenance arrangements, to serve the premises have been submitted to and approved in writing by the planning authority. Thereafter the approved details shall be fully implemented prior to the premises opening for the first time and this ventilation system shall be maintained in accordance with the approved details in perpetuity.*

*Reason: To protect local residents from nuisance from cooking odours.*

- 2: *Development shall not commence until details of the proposed waste storage facilities have been submitted to and approved in writing by the planning authority.*

*Reason: To ensure that the proposed waste storage facilities are acceptable.*

Having heard from the Planning Adviser and following discussion, the Local Review Body agreed to uphold the Appointed Officer's decision to refuse planning permission as set out in the decision notice of 14 January 2022.

**NOTICE OF REVIEW – REVIEW 2022/03 – ERECTION OF TWO STOREY EXTENSION TO FRONT OF DWELLING. 92 GLEN SHEE AVENUE, NEILSTON. (REF NO:- 2021/0847/TP).**

**1970.** The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Mr Lee Hamilton against the decision taken by officers to refuse planning permission in respect of the erection of a two storey extension to the front of a dwelling at 92 Glen Shee Avenue, Neilston, East Renfrewshire.

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.

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

The Planning Adviser outlined the planning application and reasons for refusal as outlined by the Appointed Officer in the decision notice. The Planning Adviser further outlined that should Elected Members be minded to grant planning permission a suggested additional condition would be that:-

*No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.*

*Reason: To ensure the development is acceptable in appearance.*

Councillor Convery noted a similar and larger development in the same area and welcomed that this was in the same render to minimise impact and therefore requested that this should

be included in the condition regarding the external finishing materials to be used on the property. Provost Fletcher was in agreement with the proposal of the same render to lessen the visual impact, should the Local Review Body be minded to overturn the Appointed Officer's decision.

Having heard the Planning Adviser and following discussion, the Local Review Body agreed that the Appointed Officer's decision as set out in the decision notice of 17 February 2022 be overturned and planning permission approved subject to the standard delegated conditions and the following additional condition:-

*No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority inclusive of render. Thereafter the development shall be implemented in accordance with the approved details.*

*Reason: To ensure the development is acceptable in appearance.*

CHAIR

