

MINUTE VOLUME

26 APRIL 2023

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MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 1 March 2023.

Present:

Councillor Andrew Anderson	Councillor Chris Lunday
Councillor Caroline Bamforth	Councillor David Macdonald (*)
Councillor Tony Buchanan	Councillor Jim McLean
Deputy Provost Kate Campbell	Councillor Colm Merrick
Councillor Angela Convery	Provost Mary Montague
Councillor Betty Cunningham	Councillor Andrew Morrison
Councillor Danny Devlin	Councillor Owen O'Donnell (Leader)
Councillor Paul Edlin	Councillor Katie Pragnell
Councillor Annette Ireland	Councillor Gordon Wallace (*)

Provost Montague in the Chair

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Caitriona McAuley, 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 Culture and Leisure Trust; Andy Corry, Head of Environment (Operations); Phil Daws, Head of Environment (Strategic Services) (*); Gillian McCarney, Head of Environment (Chief Planning Officer) (*); Sharon Dick, Head of HR and Corporate Services; Siobhan McColgan, Head of Education Services (Equality and Equity); Barbara Clark, Chief Accountant; Graeme Smith, Communications Manager; Eamonn Daly, Democratic Services Manager; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Chief Superintendent Mark Sutherland, and Chief Inspector Graeme Gallie, Police Scotland.

(*) indicates remote attendance.

INTRODUCTORY REMARKS

343. Referring to the forthcoming retirement of the Democratic Services Manager, Provost Montague referred to the high regard in which he was held, thanking him for his contribution to the Council's work over many years. She confirmed there would be a further opportunity for Elected Members to make their own remarks to him following the meeting.

DECLARATIONS OF INTEREST

344. There were no declarations of interest intimated.

MINUTE OF MEETING OF THE COUNCIL HELD ON 14 DECEMBER 2022

345. The Council considered and approved the Minute of the meeting held on 14 December 2022.

MINUTE OF SPECIAL MEETING OF THE COUNCIL HELD ON 14 DECEMBER 2022

346. The Council considered and approved the Minute of the special meeting held on 14 December 2022.

MINUTES OF MEETINGS OF COMMITTEES

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

- (a) Audit and Scrutiny Committee – 19 January 2023;
- (b) Cabinet – 26 January 2023;
- (c) Planning Applications Committee – 30 January 2023;
- (d) Education Committee – 2 February 2023;
- (e) Special Audit and Scrutiny Committee – 8 February 2023;
- (f) Cabinet (Police and Fire) – 9 February 2023
- (g) Licensing Committee – 14 February 2023;
- (h) Planning Applications Committee – 15 February 2023;
- (i) Local Review Body – 15 February 2023;
- (j) Cabinet – 23 February 2023; and
- (k) Audit and Scrutiny Committee – 23 February 2023

CABINET (POLICE and FIRE) – 9 FEBRUARY 2023 – EAST RENFREWSHIRE LOCAL POLICING PLAN 2023-2026

348. Under reference to the Minute of the meeting of the Cabinet (Police and Fire) of 9 February 2023 (Page 387, Item 319 refers), when it had been agreed to remit to the Council the Local Policing Plan 2023-2026 for consideration, the Council considered the Plan, which set out local policing priorities for East Renfrewshire over that period.

Having heard Chief Superintendent Sutherland praise the strong partnership approach in East Renfrewshire, the Council approved the East Renfrewshire Local Policing Plan 2023-26.

CABINET – 23 FEBRUARY 2023 – ADDITION TO CHARGING FOR SERVICES 2023/24: OUTCOME OF CALL-IN DISCUSSIONS

349. Under reference to the Minute of the meeting of the Cabinet of 23 February 2023 (Page 399, Item 333 refers), when it had been agreed to recommend to the Council that the charge for the Garden Waste Permit 2023/24 be increased from £40 to £50, and that the system for setting the garden waste charge in future not be subject to review outside the existing arrangement for reviewing service charges, the Council considered a report by the Director of Business Operations and Partnerships on the outcome of the deliberations of the

Audit and Scrutiny Committee on the Cabinet's decision regarding an *Addition to Charging for Services 2023/24*.

The Council agreed that:-

- (a) the charge for the Garden Waste Permit 2023/2024 be increased from £40 to £50; and
- (b) the system for setting the garden waste charges in future not be subject to review outside of the existing arrangements for reviewing service charges.

AUDIT AND SCRUTINY COMMITTEE – 23 FEBRUARY 2023 – TREASURY MANAGEMENT STRATEGY REPORT FOR 2023/24

350. Under reference to the Minute of the meeting of Audit and Scrutiny Committee of 23 February 2023 (Page 406, Item 340 refers), when it had been agreed to recommend to the Council that the Treasury Management Strategy for 2023/24 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 2023/24.

Councillor Morrison 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 highlighted that the report set out the parameters within which the treasury function operated, highlighted that the strategy included policy on environmental, social and governance factors and showed outstanding loan debt, 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 2023/24 be approved, including the amended list of organisations for investment of surplus funds in accordance with Annex F to the report;
- (b) to approve the policy on the repayment of loans fund advances as specified in Section 3.4 of the report; and
- (c) to approve the forms of investment instruments for use as permitted investments in accordance with Annex D to the report.

STATEMENTS BY CONVENERS AND REPRESENTATIVES ON JOINT BODIES AND COMMITTEES

351. The following statement was made:-

- (a) **Councillor Anderson – Convener for Education and Equalities**

Councillor Anderson referred to the Scottish Government's summary statistics for attainment and leaver destinations in 2020/21, which had been published the previous day, highlighting that 98.5% of East Renfrewshire school leavers went on to a positive destination, the highest figure recorded, and which was

above the national average of 95.7%. He added that Barrhead High School had achieved 100% positive destinations, with St. Luke's High School just behind at 99%. Although these figures were excellent, he added that East Renfrewshire Council continued to strive for sustained, positive school leaver destinations for all young people and would continue to work in partnership with Skills Development Scotland, HSCP and Work East Ren in this regard. He advised that a follow up report would be issued in June and wished to congratulate all those involved in supporting this achievement.

The Council noted the statement.

PROVOST'S ENGAGEMENTS

352. The Council considered a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Montague since the meeting on 14 December 2022.

The Council noted the report.

APPOINTMENT TO EAST RENFREWSHIRE CULTURE AND LEISURE TRUST BOARD

353. The Council considered a report by the Director of Education recommending for approval the nomination of a new independent board member for the Trust following a recent resignation.

The Council approved the appointment to the Board of Mr Darvil Johan in accordance with the Trust Articles of Association and Board Charter.

EAST RENFREWSHIRE CULTURE AND LEISURE TRUST 2023-24 BUSINESS PLAN

354. The Council considered a report by the Director of Education, seeking approval for the East Renfrewshire Culture and Leisure Trust (ERCL) 2023-24 Business Plan.

It was 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.

The Business Plan identified the projected resources and/or expenditure of the Trust; the Trust's People Strategy; a list of strengths, weaknesses, opportunities and threats identified; and a proposal for the next Annual Service Payment. The Business Plan had been developed through consultation with staff, board members and stakeholders to strategically plan how the Trust would deliver quality services whilst taking account of key issues, and a number of strategic aims had been identified.

The Business Plan gave clear strategic direction in accordance with the Council's strategies and took account of the continued ongoing impact of the Covid-19 pandemic and the current financial pressures across the Council. It was supported by detailed operational plans to deliver the Council's objectives under the Community Plan, Fairer East Ren Plan and Outcome Delivery Plan and to support recovering and renewal within communities.

In response to questions, the Chief Executive of East Renfrewshire Culture and Leisure Trust confirmed that there were no plans to close any libraries or community facilities in 2023/24 and any change to that policy would be included in future Business Plans for consideration.

In relation to risk management of older buildings, he reported that mechanisms were in place to cover the financial cost of any unplanned building closures and the Trust liaised regularly with the Council regarding ongoing building maintenance.

Having heard the Chief Executive confirm that all Trust buildings remained in the Council's ownership and any proposed closure would require Council approval, the Council approved the proposed East Renfrewshire Culture and Leisure Trust 2023-24 Business Plan, subject to confirmation of the Council budget.

SERVICE CONCESSION ARRANGEMENTS

355. The Council considered a report by the Head of Accountancy (Chief Financial Officer) seeking approval to apply additional flexibility to the accounting treatment for Private Finance and similar contracts (referred to as Service Concession Agreements (SCAs)) that were in place before 1 April 2022, in line with the Local Government circular 10/2022.

The report explained that the Local Government circular 10/2022 permitted the option for Scottish Councils to apply flexibility to the accounting treatment for SCAs in place before 1 April 2022. The Council's budget currently provided for the repayment of the debt element of such schemes over the 25 to 30 year contract period but the new flexibility would allow the debt to be written off over the life of the asset (typically 50 years). Reference was made to the five schemes which could be considered under this new flexibility including the St Ninian's HS/Mearns PS PFI scheme; the Williamwood HS/Mearns Castle HS/Woodfarm HS/Carlibar PS PPP scheme; the Barrhead HS hub scheme; the M77/GSO Roads Scheme; and the Clyde Valley Waste Recycling Plant Scheme. It was reported that the adopted approach would apply to all such arrangements going forward, in line with the key accounting principle of consistency. Further information was provided on the financial implications of this flexibility which the Chief Financial Officer considered to be affordable; prudent and sustainable.

Having heard the Chief Financial Officer explain that this new flexibility had been granted to all Scottish Councils and that East Renfrewshire would limit the debt liability to the expected life of the asset, following consultation with advisors, the Council agreed:-

- (a) to approve the application, in the current financial year, to write off the liability held in the Council's balance sheet for its five Service Concession Arrangements (SCAs) over the lives of the assets instead of the lives of the contracts, in line with the Local Government finance circular 10/2022; and
- (b) to note the longer term implications of implementing this flexibility, including the affordability assessment outlined in paragraph 13 of the report.

FINANCIAL PLANNING 2023-2029

356. The Council considered a report by the Head of Accountancy (Chief Financial Officer), on the updated Outline Revenue Financial Plan for 2023-2029.

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 2023-2029 be approved.

STRATEGIC IMPACT OF THE FINANCIAL SETTLEMENT

357. The Council considered a report by the Chief Executive analysing the key factors affecting the Council's financial situation, considering the impact on the Council's future strategic direction and the Council's capacity as an organisation.

It was reported that the Council faced significant financial challenges, in addition to the pressures of the COVID response and Cost of Living increases, and a review of the *Vision for the Future* Strategy was required in order to be realistic about what could be delivered within the next 3 years without losing the long-term vision and ambition for East Renfrewshire. Factors contributing to reductions in funding for services were outlined, including underfunding of Grant Aided Expenditure and the "Floors" Mechanism; higher than average numbers of children in schools; additional services; and funding of statutory services and legislation.

Investment in training, capital and digital technology would be required to ensure the long term future of our services and it was important to be honest with residents, staff and partners about the challenges ahead and to continue to include them in the development and prioritisation of plans. It was also important to ensure that any cuts did not fall disproportionately onto the working conditions of staff which could result in a loss of the best and most committed staff to other organisations where training, pay and the working environment were significantly better, leading ultimately to poorer services.

In response to questions the Chief Executive confirmed that savings had already been made through the shared Civic Contingency Service; additional joint working was taking place through the City Deal; and discussions were ongoing at a regional level to consider if more joint working could be introduced. She added that any future plans for joint working would be submitted to the Council for consideration.

Thereafter, the Council agreed:-

- (a) to note that our growing population was not adequately reflected in our share of the Scottish Government grant and if addressed would have provided £4.2m of additional funding for 23/24;
- (b) to note that the impact of the high number of children educated in East Renfrewshire puts increasing pressures on the budgets for other services;
- (c) to note that an updated strategy document, Vision for the Future, would be brought to Council in June and whilst seeking to be ambitious in the longer term, would have to reflect the very challenging financial circumstances and a reduced level of ambition in the short term;
- (d) to note that both today's budget and the updated Vision for the Future would require a high level of prioritisation of services;
- (e) to note the importance of continued investment in our organisational capabilities capital, technology and our staff; and
- (f) to encourage Cosla to lobby for:-
 - a change in the way the funding for additional services (new burdens) was calculated with an allowance for support services and a guaranteed inflationary rise;
 - Scottish Government to assess the value of new services against existing services to ensure that priorities continue to be funded; and

- A change to the way that the Floors Mechanism was operated to ensure that it acted as a smoothing mechanism for reducing budgets, rather than a protection mechanism.

EAST RENFREWSHIRE COUNCIL REVENUE ESTIMATES 2023-24

358. 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 2023-24. A copy of the Revenue Estimates 2023-24 was appended to the report.

The report outlined the revenue budget process, commented on the Scottish Government's Grant Funding for 2023-24, 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 £3.595m by way of deduction from Aggregate External Finance (AEF) grants in 2023-24. This was £0.324m 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 2023-24. Officers would continue to model departmental figures for 2023-24 to 2025-26 and update figures as set out in the Council's report on Financial Planning 2023-29 for longer-term planning purposes. It was anticipated that a further multi-year budget would be set in February/March 2024 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 £18.134m for the coming year. After applying the assumed 3% increase in Council Tax income used in budget planning, this would reduce the budget shortfall to £16.237m. Referring to the May 2022 Scottish Spending Review figures, flat cash settlements were forecast for 2023/24 to 2025/26 producing ongoing shortfalls for the next five years.

The report explained that the 2023-24 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 10.1% 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 5%. This would increase income by £1.264m per year and reduce the budget gap to £14.973m.

It was explained that budgets were closely monitored throughout the year and the latest monitoring had forecast a non-COVID related underspend of £1.440m by the year-end. As set out in the report, the general reserve was forecast to be at least £7.959m at 31 March 2023. This represented 2.76% of the Council's annual revenue budget and, as the Council's policy was to hold a minimum level of this reserve of "around 2%" there was limited scope for utilisation of this reserve. However, as a result of the Scottish Government permitting Councils a new fiscal flexibility in relation to accounting for debt on PFI/PPP style service concession projects over a longer period, as agreed earlier in the meeting (Paragraph 355 above refers), the Council would receive a one-off benefit of £14.812m as at 31 March 2023. This money would be added to the general reserve to mitigate the impact of expected flat cash settlements over the next three years.

It was explained that a further £7.531m of the outstanding 2023/24 savings requirement could be deferred on a short term basis by a drawdown from the new fiscal flexibility resources reducing the budget shortfall to £7.442m. The remaining fiscal flexibility resource could be utilised to assist with budget pressures in 2024/25 and 2025/26. In addition, application of the fiscal flexibility would produce a recurring revenue benefit further reducing the budget shortfall to £4.742m.

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, £0.652m (14%) of the Council's savings proposals for 2023-24 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 2023-24. 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 2023-24 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 2023-24 and reserves and balances issues, particularly the General, Modernisation, Insurance, Equalisation, and Repairs and Renewal Funds, Capital Reserve, Devolved School Management Reserve and unspent Covid-19 Grants 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 £1,401.87 being set for 2023-24, representing a Council Tax increase of 5% compared to 2022-23.

Provost Montague then invited Councillor O'Donnell to speak on the proposals outlined in the report.

Councillor O'Donnell stated that it was a privilege to be presenting his first budget and he took no pleasure in outlining the cuts to services which were required to fund the £30million shortfall over the next 3 years, as a result of the unfair settlement received by the Scottish Government. He added that the Council also faced the challenges presented by the cost of living crisis but would continue to plan for a better future for all residents including by building more schools and housing. Residents and staff had been asked for their input throughout the budget setting process and more than 1700 people had shared their views. Residents were rightly concerned about what any additional Council Tax would be spent on, but he emphasised that Council Tax income only accounted for 18% of council funding. He advised that the settlement received by the Scottish Government equated to a flat cash settlement, and much of the budget had been ring-fenced to fund national priorities, denying councils the ability to make decisions according to local need. In addition, years of underfunding had left councils in a perilous position leading to cuts to services and jobs. In order to bridge the funding gap for 2023/24, it was proposed to increase Council Tax, increase some service costs, and utilise a one-off benefit from reserves. He added that the council would continue to support those on lower incomes, some of whom would not be required to pay the full Council Tax increase depending on their circumstances, with the most vulnerable being offered direct financial assistance to protect them from the Council Tax increase. He added that Council Tax bands in East Renfrewshire would remain around the Scottish average, even with the proposed 6% increase. However, in order to further reduce the funding gap, difficult decisions were required, including cutting or reducing some services, and it was expected that this would continue to be the case in future years without additional funding from the Scottish Government.

Referring to a number of projects which were planned, ongoing or had been completed, including Cross Arthurlie Primary School Nursery Class; a new Neilston learning campus; an Additional Support Needs (ASN) unit at Carolside Primary School; additional council housing in Barrhead and Maidenhill; support for local employers; and City Deal projects, Councillor O'Donnell added that the Capital Investment Programme would include an additional £3million for roads resurfacing. Although the extra investment received for roads projects was due to finish in 2023/24, the Council planned to continue the programme for another 5 years to further upgrade roads and pavements. Whilst reporting that the Council had delivered a cost of living package to support the most vulnerable residents, helping with food bills and boosting local trade; and a fund had been established to allow local groups to heat their premises and offer services to vulnerable local people, including many elderly residents who could not afford to heat their homes, he added that the HSCP continued to provide excellent care in the local community through the care at home team, nurses and GPs who were at the front line of health care. In addition, the Council continued to prioritise the protection of vulnerable members of the community and he reported that staff often went above and beyond their basic duties to provide services and support to those in need. In order to reduce spending, it was expected that approximately 550 Council jobs could be at risk over the next 3 years, but fewer than 50 posts would be affected during the next financial year, with no compulsory redundancies being linked to next year's savings.

In conclusion, Councillor O'Donnell highlighted that East Renfrewshire was a well-run Council which had been praised by Audit Scotland; provided some of the best schools in the country; remained at the top of the recycling charts; and continued to provide financial and practical support for the most vulnerable within the community. He advised that a letter had been sent to the First Minister expressing concern about the far reaching consequences of the inadequate Local Government settlement and the damaging impact of ring fencing so much of the budget for national priorities, but no response had yet been received. In moving the revenue estimates, he reported that account had been taken of concerns raised by residents and the protection of vital services including retention of the mixed tenure service; Barrhead recycling centre; teacher and pupil support assistance numbers; the school week; and providing new investment to support children with complex needs.

He asked for approval of the revenue estimates as outlined below, which included some amendments to the estimates proposed in the report, approval of the recommended level and use of reserves, approval of the Council Tax Band D level for 2023/24 to be set at £1,415.22, 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:-

- (i) Notes that the revenue estimates for 2023/24 (Annex A to the report) have been prepared on the basis of a 5% Council Tax increase, the utilisation of £10.231m of new resources made available through fiscal flexibilities agreed by the Scottish Government and savings proposals of £4.742m (Annex B to the report);
- (ii) Notes that £0.281m of the listed 2023/24 savings, together with those relating to the increased charges for garden waste, have already been determined by Council;
- (iii) Notes that a 1% change to the level of Council Tax set would produce an adjustment of £0.632m to the level of savings required;
- (iv) Notes that savings for 2024/25 and 2025/26 have been estimated at £9.2m and £9.8m respectively, based on the full utilisation of the remaining fiscal flexibilities and Council Tax increases of 3% for these years;
- (v) Agrees that the management of the Council's finances and services will continue to be undertaken on a longer term basis;

- (vi) that the Council Tax Band D level for 2023/24 will be set at £1415.22 which is a 6% rise;
- (vii) that £10.228m of fiscal flexibilities will be utilised and approves a number of savings for implementation in 2023/24 to a value of £4.173m as shown in Appendix B to the report, amended as in the following tables, as shown below.

Savings items reversed and new investments. The new investment is to create a £60,000 participatory budgeting fund to support children with Additional Support Needs in Isobel Mair School, Carlibar Communication Centre, Williamwood ASN unit and the Carolside ASN unit.

<u>Ref</u>	<u>Description</u>	<u>2023/24 Proposed £'000s</u>	<u>2024/25 FY Impacts/ Advance Approval £'000s</u>
EDU 2.2	Reduce behaviour support PSAs who support pupils across secondary schools	166	104
EDU 2.4	Removal of funding for Dreams Come True, Specialist Therapies and KAOS Club	41	0
NEW	Participatory Budgeting Fund for ASN pupils in Isobel Mair, Carlibar Communication Centre, Williamwood - ASN Unit and Carolside - ASN unit	60	
EDU 3.15	Remove funding for Campus Police Officers	48	0
ENV 3.4	Reduction in Private Sector Housing Grant (Care and Repair)	23	
ENV 7.6	Charges for Food/Garden Waste at £50	230	0
ENV 7.7	3000 Additional Bins at £50	30	0

- (viii) Approves savings of £2.026m for implementation in 2024/25 to permit preparatory work to be undertaken, as shown in Annex B to the report, with the exception of those savings reversals identified in (vii) and with the exception of the items listed below.

Requests that work is undertaken on the following proposed savings and a report brought back to Council in October prior to implementation.

<u>Ref</u>	<u>Description</u>	<u>2023/24 Proposed £'000s</u>	<u>2024/25 FY Impacts/ Advance Approval £'000s</u>
EDU 3.5	Reduction in Janitorial Service (ELC & Schools)	16	197
EDU 3.7	Reduction in Cleaning Service (ELC & Schools)	15	527

EDU 3.3	Reduction in Psychological Services	0	188
ENV 2.5	Reduction in School Crossing Patrollers	0	170
ENV 3.1	Redesign of Mixed Tenure	0	100
ENV 3.2	Close Connor Road Young Persons' Supported Accommodation	0	170

Councillor Anderson seconded Councillor O'Donnell's motion and commended the proposals. He stated that the budget delivered the best choices to be made in the current circumstances whilst mitigating against financial constraints and ensuring fiscal planning for the future. He added that decisions made now would ensure that difficult decisions for the future would be made against sound planning. He referred to the ongoing conflict between CoSLA and the Scottish Government with regard to the financial settlement and the uncertainty about the teacher's pay dispute which had led to pupils being off school for additional periods of time. In conclusion, he referred to the significant effort and volume of work undertaken by the Budget Strategy Group, and expressed thanks to officers for the high level of advice provided to elected members during this long and arduous process.

Provost Montague then asked Councillor Buchanan to propose his amendment which had been submitted in advance of the meeting. Councillor Buchanan, seconded by Councillor Bamforth, moved the following amendment:-

- (i) Notes that the revenue estimates for 2023/24 (Annex A to the report) have been prepared on the basis of a 5% Council Tax increase, the utilisation of £10.231m of new resources made available through fiscal flexibilities agreed by the Scottish Government and savings proposals of £4.742m (Annex B to the report);
- (ii) Notes that £0.281m of the listed 2023/24 savings, together with those relating to the increased charges for garden waste, have already been determined by Council;
- (iii) Notes that a 1% change to the level of Council Tax set would produce an adjustment of £0.632m to the level of savings required;
- (iv) Notes that savings for 2024/25 and 2025/26 have been estimated at £9.2m and £9.8m respectively, based on the full utilisation of the remaining fiscal flexibilities and Council Tax increases of 3% for these years;
- (v) Agrees that the management of the Council's finances and services will continue to be undertaken on a longer term basis;
- (vi) Determines that the Council Tax Band D level for 2023/24 will be set at £1,408.54 which is a 5.5% rise;
- (vii) Determines that £10.731m of fiscal flexibilities will be utilised and approves a number of savings for implementation in 2023/24 to a value of £3.083m as shown in Appendix B to the report, excluding those listed in the table below, together with additional investment of £100k to support pupils with additional support needs. This is based on our share of the recently announced additional £100m of Scottish Government funding for the current 2023/24 pay offers, providing us with sufficient leeway of at least £0.943m to allow us to step back from some of the original savings options in Annex B to the report.

- (viii) Does not approve any of the savings identified in Annex B to the report for implementation in 2024/25 to permit preparatory work to be undertaken. Instead proposed that, following the outcome of the UK and Scottish budgets in the coming months, a further report is brought back to Council to seek approval for any such preparatory work.

<u>Ref</u>	<u>Saving to be rejected/New investment proposed</u>	<u>£'000</u>
Education		
ED 2.2	Reduce behaviour support PSAs who support pupils across secondary schools	166
ED 2.3	Reduction in other staff groups (excluding teachers) based in ELC/Schools	211
ED 2.4	Removal of funding for Dreams Come True, Specialist Therapies and KAOS Club	41
ED 3.1	Reduction in centrally based business support and budget teams	44
ED 3.2	Reduction in Centrally Based Support Posts	56
ED 3.4	Removal of Early Intervention and Prevention Resource	135
ED 3.15	Remove funding for Campus Police Officers	48
ED 3.19	Reduce Adult Learning Staffing	18
Investment	Create Additional Support Needs Wellbeing Fund	100
Environment		
ENV 1.1	Increase Burial Charges	50
ENV 2.2	Reduce Roads Network management	300
ENV 7.6/7.7	Adjusted increase re Garden Waste collections	260
BO&P		
BOP 1.2	Customer First: Reductions in staff & service	72.8
BOP 2.2	Community Learning & Development: Staff & service reductions	89.2
BOP 4.1	Water Direct: Introduce deductions	33.0
SS 1.1	ICT: Education Technicians reductions	28.2
SS 1.2	ICT: Staff reductions	43.8

SS 1.6	Strategic Services: Staff reductions	63.1
	TOTAL REDUCTION IN SAVINGS/INCREASED INVESTMENT	1,759.1

Speaking in support of his amendment, Councillor Buchanan expressed surprise that the administration had not taken responsibility for the budget which had been proposed by officers, but had instead submitted their own amendment. He agreed that councils needed great flexibility and freedom in order to carry out their job and deliver the best outcomes for residents and he had argued previously about the need to reduce the amount of ring fenced funding which came with the Scottish Government settlement. He highlighted that many of the projects commended by Councillor O'Donnell had commenced or been commissioned by the previous Council administration and would have been completed earlier if not for delays caused by the Covid-19 pandemic. He added that this amendment included additional support for the Environment Department, including roads improvements; no compulsory redundancies; no staff cuts; protection of non-teaching staff groups; continuation of the Dreams Come True Weekend; protection of the Campus Police officers; and continued support for Adult Learning services. Although some aspects of his amendment were similar to the amendment proposed by the administration, he highlighted that it was important not to burden residents with additional costs during the cost of living crisis, including in relation to increased burial charges, which were already the highest in the country. In addition, he referred to the need to protect the Customer 1st Team, which was a vital first point of contact for residents and members of the public, and to provide additional investment for pupils with additional support needs.

In closing, Councillor Buchanan advised that some decisions in relation to proposed service cuts should be delayed to take account of any additional funding which may be forthcoming following publication of the UK and Scottish Government budgets.

Speaking in support of the amendment, Councillor Bamforth expressed disbelief that the administration had also submitted an amendment and were taking credit for many of the projects started by the previous administration. Referring to the lack of funding for councils which was being experienced across the UK, as a result of reduced funding from the UK Government, she reported that the Scottish Government continued to fund councils, whilst keeping within their own limited budget, and had provided funds to support the most vulnerable in society through national initiatives, including the Scottish Child Payment. She added that the proposed amendment would retain a number of important local services including school crossing patrollers; library services; and campus cops.

Provost Montague then invited comments from other Members.

Councillor Wallace welcomed his involvement in the Budget Strategy Group which allowed the concerns of residents to be taken into account when proposing the budget, pointing out that this invitation had not been accepted by all members or political parties.

He added that the proposed Council Tax increase of 6% was necessary to protect education in general, and the most vulnerable pupils in particular, and his key concern with the proposed amendment was the need for officers to seek permission from the Council to operate their services. He thanked officers for their assistance during the budget setting process and indicated his support for the motion.

Councillor Morrison advised that the proposed motion set the groundwork to retain services for the future, including vital education services, which would allow high standards within local schools to be maintained and to help bridge the attainment gap. He advised that the amendment did not include any sustainable long term planning options and the Council's

financial circumstances would continue to be challenging without additional funding from the Scottish Government.

Councillor Ireland stated that she was not surprised by the administration's need to blame the Scottish Government entirely for the lack of funding to local authorities, even though high inflation driven by UK Government decisions had led to the Scottish Government budget being significantly reduced. She found it deeply concerning that school library services would be adversely affected by the proposed motion, adding that SNP Councillors would continue to try to protect local jobs and services, despite being in opposition.

Councillor Lunday expressed his support for the amendment which proposed a lower Council Tax rise; retention of a number of school based services, including library services; lower burial charges; and no compulsory redundancies.

Councillor Merrick thanked officers for their hard work in compiling the budget and commended the amendment which he believed demonstrated a fair, socially democratic budget.

Councillor Pragnell was heard in support of the motion, advising that this had been a most challenging budget as the Scottish Government settlement did not take account of the growing population in East Renfrewshire. She added that previous Council Tax freezes had led to local government being severely underfunded and the Scottish Government should allow local authorities to make decisions based on local need as opposed to national priorities.

Councillor Macdonald expressed surprise that the conservative group had chosen not to submit their own amendment to the budget but instead were supporting the Labour administration motion.

Councillor Edlin reminded colleagues that they were here to serve the residents of East Renfrewshire and commended the leader for producing a credible budget.

In response to comments made, Councillor O'Donnell clarified that saving ED 2.3 would not lead to the complete removal of school librarians, bilingual services and technicians as these services would be redesigned and retained at a lower level, with staff reductions taking place through retirement and voluntary redundancy, providing a partial cost saving. As part of the budget setting process, many residents had recognised the need for Council Tax to rise in order to protect services, and this had been taken into account when finalising the budget. New investment to support the most vulnerable children in our community had been included, together with future investment in schools and roads. The administration had been mindful of the serious financial challenges facing the Council in future years and reserves had been used to ensure fewer cuts to services in 2023/24. In conclusion, he invited members to support the motion which provided a prudent, measured and considered budget.

On the roll being called, Councillors Anderson, Campbell, Cunningham, Devlin, Edlin, McLean, Provost Montague, Councillors Morrison, O'Donnell, Pragnell, and Wallace voted for the motion and Councillors Bamforth, Buchanan, Convery, Ireland, Lunday, Macdonald, and Merrick voted for the amendment.

There being 11 votes for the motion and 7 votes for the amendment, the motion was declared carried and the Council:-

- (a) noted that the revenue estimates for 2023/24 (Annex A to the report) had been prepared on the basis of a 5% Council Tax increase, the utilisation of £10.231m of new resources made available through fiscal flexibilities agreed by the Scottish Government and savings proposals of £4.742m (Annex B to the report);

- (b) noted that £0.281m of the listed 2023/24 savings, together with those relating to the increased charges for garden waste, had already been determined by Council;
- (c) noted that a 1% change to the level of Council Tax set would produce an adjustment of £0.632m to the level of savings required;
- (d) noted that savings for 2024/25 and 2025/26 had been estimated at £9.2m and £9.8m respectively, based on the full utilisation of the remaining fiscal flexibilities and Council Tax increases of 3% for these years;
- (e) noted that the management of the Council's finances and services would continue to be undertaken on a longer term basis;
- (f) agreed that the Council Tax Band D level for 2023/24 would be set at £1415.22 which was a 6% rise;
- (g) agreed that £10.228m of fiscal flexibilities would be utilised and approved a number of savings for implementation in 2023/24 to a value of £4.173m as shown in Appendix B to the report, amended as in the tables included at Appendix 1 to the minute; and
- (h) approved savings of £2.026m for implementation in 2024/25 to permit preparatory work to be undertaken, as shown in Annex B to the report, with the exception of those savings reversals identified in Appendix 1 to the minute and with the exception of the items listed at Appendix 2 to the minute.

CAPITAL INVESTMENT STRATEGY

359. Under reference to the Minute of the meeting of 3 March 2022 (Page 1814, Item 1908 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.

The Council agreed to approve the updated Capital Investment Strategy.

GENERAL FUND CAPITAL PLAN 2023-24 – 2032-33

360. 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 2023/24 to 2032/33. A copy of the plan, prepared in line with the approach within the Capital Investment Strategy, accompanied the report.

It was reported that substantial borrowing had been planned over the next three years to support the capital plan and the revenue consequences had been factored in to the Council's revenue budget. The expenditure plan for subsequent years would continue to be subject to review in light of progress on capital receipts and the levels of funding provided by the Scottish Government

Referring to the fact that construction costs were rising faster than inflation, Councillor Ireland sought clarification on whether this would have an impact on the anticipated costs for the new Eastwood Leisure Centre project which had recently been delayed. In response, the Chief Executive advised that a figure of £55m had been set aside in the Capital Plan for this project and if a smaller scheme was agreed, the cost could decrease. She advised that rising construction cost rates were expected to decrease in the near future and costs for the redesigned project would be submitted for consideration in due course. The Chief Financial Officer added that inflation, which was monitored through the Corporate Asset Management Group, was not expected to get any worse and improvements to the rate were predicted.

In response to Councillor O'Donnell, the Chief Executive confirmed that she expected the 2019 estimate for improvements to Capelrig House, a listed building, to increase and, if so, an updated estimate would be submitted for consideration in due course.

The Council approved the programme for 2023-24 – 2032-33 and authorised officers to progress the projects contained therein.

HOUSING REVENUE ACCOUNT – RENT SETTING 2023-24

361. Under reference to the Minute of the meeting of 3 March 2022 (Page 1817, Item 1910 refers), when the Council had approved the Housing Revenue Account (HRA) budget for 2022-23, the Council considered a report by the Director of Environment making recommendations in relation to proposed rent and service charge increases for Council housing in 2023/24.

Having referred to the need to review legislative requirements, local priorities, related costs and what would be sustainable, affordable and acceptable to tenants when determining the level of rent increase required, the report clarified that a key legislative challenge for the Council in recent years had been meeting and maintaining the Scottish Housing Quality Standard (SHQS), in addition to which sustainability improvements to the energy efficiency rating of its housing stock under the Energy Efficiency Standard for Social Housing (ESSH) had been required by 2020. Despite COVID-19 restrictions, 98% of the Council housing stock had been brought up to meet the standard required. In addition, two new milestones known as ESSH2 had been introduced which expected that no social housing should be below Energy Performance Certificate (EPC) C by 2025; and no social housing should be below EPC D by December 2032. It was anticipated that these two targets would be

challenging due in part to construction and maintenance inflation and rising energy bills. These challenges were in addition to addressing routine requirements such as “Right to Repair” commitments; planned maintenance; managing the housing waiting list; and enforcing tenancy conditions in relation to estate management and anti-social behaviour.

The report explained that approval of the proposed rent increase of 5% for 2023/24 effective from April 2023 broadly met the COSLA statement of intent to keep rent increases to an average of no more than £5 a week. The small number of properties expected to experience a rent rise of more than £5 per week due to the proposed 5% increase would have their rent increase capped at £5 per week. The report commented on a range of related matters further, including sheltered housing service charges, warden service, heating charges, staffing, cost pressures, loan charges and contribution from reserves. It was reported that pressures on the business plan for 2023/24 could require the service to draw up to £824k from reserves, although it was anticipated that this figure could be much lower, and the business plan would be reviewed in the first quarter of 2023/24.

Councillor Devlin was heard in support of the proposals during which he referred to the need to increase rents in order to meet legislative standards and confirmed that the authority remained the most affordable housing provider in the area.

The Council agreed that:-

- (a) a 5% increase be applied from April 2023;
- (b) a 5% increased be applied to the sheltered housing warden charge;
- (c) a 25% increase be applied to communal heating and laundry charges;
- (d) up to £824k from HRA reserves be available to support 2023/24 revenues; and
- (e) a further report be brought to Cabinet following a review of the Business Plan.

HOUSING CAPITAL PROGRAMME 2023-24 to 2032-33

362. Under reference to the Minute of the meeting of 3 March 2022 (Page 1817, Item 1911 refers), when the Council had approved the Housing Capital Programme 2022-23 to 2031-32, the Council considered a report by the Director of Environment, seeking approval of the proposed 10-year Housing Capital Programme for 2023-24 to 2032-33.

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 2023-24 and beyond related to the need for housing to continue to meet SHQS and deliver energy efficiency measures to help reduce running costs in tenants' homes.

Planned improvements which were being implemented included investment in central heating, electrical re-wiring, replacement of fire alarm detectors and external structure projects and the commitment to provide an additional 171 new Council homes over the next four years. To date, 181 homes had already been built and 14 purchased from the open market.

Having heard from Councillor Devlin, Convener for Housing and Maintenance Services, the Council agreed to approve the proposed Housing Capital Programme for 2023-24 to 2032-33 and authorised the Director of Environment to progress the projects listed within 2023-24.

POST OF CHIEF EXECUTIVE

363. The Council considered a report by the Head of HR & Corporate Services seeking approval to convene an Appointments Committee for the Chief Executive post.

It was reported that the Chief Executive had intimated that she would retire with effect from 30 July 2023 and it was proposed that an Appointments Committee be established immediately to recruit a new Chief Executive. Membership of the committee had been proposed, following discussion with Elected Members, together with a timetable for the appointment to the post.

The Council agreed:-

- (a) to note the retirement of the Chief Executive with effect from 30 July 2023;
- (b) to approve the recruitment procedure as detailed and to the appointment of a professional specialist advisor and support of a professional advisor from Aspen People Ltd;
- (c) to approve the Job Description and Person Specification for the post subject to any minor inconsequential modifications agreed by the Appointments Committee;
- (d) to confirm the appointments of Councillor O'Donnell (Chair), Councillor Anderson, Councillor Buchanan, Provost Montague and Councillor Wallace to the Appointments Committee;
- (e) to delegate to the Head of HR and Corporate Services to make the necessary arrangements; and
- (f) to authorise the Appointments Committee supported by the Head of HR and Corporate Services to put in place interim management arrangements for the Council if required.

WORKFORCE MANAGEMENT

364. The Council considered a report by the Director of Business Operations and Partnerships seeking approval on the level of discretionary enhanced compensatory payments made to employees who leave the organisation via means of redundancy or an early retirement efficiency.

The report explained that when making decisions about redundancy and early retirement, the Council had discretion to amend policy and practice relating to the compensatory lump sum and added years for pension purposes. It was highlighted that strain on the fund costs were set in pension legislation and could not be amended by the Council. The discretionary payments had been reviewed for affordability and were subject to a benchmarking exercise with other local authorities, following which a number of changes had been proposed to reduce the enhanced compensation redundancy payment from up to 78 weeks to up to 52 weeks, and to reduce the added years element from up to 6 2/3 added years to up to 2 added years. It was further reported that the Trade Unions were not supportive of all the proposed changes.

Following discussion, Councillor O'Donnell seconded by Councillor Anderson, moved that the recommendations contained within the report be approved.

Councillor Buchanan seconded by Councillor Ireland, moved as an amendment that the enhanced compensation redundancy payment should be reduced to up to 66 weeks, which had been the figure suggested by the Trade Unions.

On the roll being called, Councillors Anderson, Campbell, Cunningham, Devlin, Edlin, McLean, Provost Montague, Councillors Morrison, O'Donnell, Pragnell and Wallace voted for the motion and Councillors Bamforth, Buchanan, Convery, Ireland, Lunday, Macdonald and Merrick voted for the amendment.

There being 11 votes for the motion and 7 votes for the amendment, the motion was declared carried and the Council:-

- (a) agreed to approve the reduction in discretionary enhanced compensatory package, setting the compensatory lump sum at up to 52 weeks and the number of added years to 2 added years; and
- (b) noted that these changes would take effect with implementation of the budget savings for 2023/24 and apply thereafter.

SCHEME FOR MEMBERS' REMUNERATION AND EXPENSES 2023-24

365. The Council considered a report by the Director of Business Operations and Partnerships on the Scheme of Members' Remuneration and Expenses for 2023/24. 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 2023-24.

PROVOST

Savings items reversed and new investments. The new investment is to create a £60,000 participatory budgeting fund to support children with Additional Support Needs in Isobel Mair School, Carlibar Communication Centre, Williamwood ASN unit and the Carolside ASN unit.

<u>Ref</u>	<u>Description</u>	<u>2023/24 Proposed £'000s</u>	<u>2024/25 FY Impacts/ Advance Approval £'000s</u>
EDU 2.2	Reduce behaviour support PSAs who support pupils across secondary schools	166	104
EDU 2.4	Removal of funding for Dreams Come True, Specialist Therapies and KAOS Club	41	0
NEW	Participatory Budgeting Fund for ASN pupils in Isobel Mair, Carlibar Communication Centre, Williamwood - ASN Unit and Carolside - ASN unit	60	
EDU 3.15	Remove funding for Campus Police Officers	48	0
ENV 3.4	Reduction in Private Sector Housing Grant (Care and Repair)	23	
ENV 7.6	Charges for Food/Garden Waste at £50	230	0
ENV 7.7	3000 Additional Bins at £50	30	0

Requests that work is undertaken on the following proposed savings and a report brought back to Council in October prior to implementation.

Ref	Description	2023/24 Proposed £'000s	2024/25 FY Impacts/ Advance Approval £'000s
EDU 3.5	Reduction in Janitorial Service (ELC & Schools)	16	197
EDU 3.7	Reduction in Cleaning Service (ELC & Schools)	15	527
EDU 3.3	Reduction in Psychological Services	0	188
ENV 2.5	Reduction in School Crossing Patrollers	0	170
ENV 3.1	Redesign of Mixed Tenure	0	100
ENV 3.2	Close Connor Road Young Persons' Supported Accommodation	0	170

MINUTE
of
CABINET

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 2 March 2023.

Present:

Councillor Owen O'Donnell (Leader)	Councillor Danny Devlin
Councillor Andrew Anderson	Councillor Katie Pragnell

Councillor Owen O'Donnell, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caitriona McAuley, Director of Environment; Barbara Clark, Chief Accountant; Suzanne Conlin, Senior Housing Manager; Paul Parsons, Principal Accountant; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

DECLARATIONS OF INTEREST

366. There were no declarations of interest intimated.

ESTIMATED REVENUE BUDGET OUT-TURN 2022/23

367. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the estimated projected revenue budget out-turn for 2022/23 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 31 December 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 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 Chief Accountant advised that on the basis of the information, and taking account of forecast Council Tax collection, a year end operational underspend of £1.440m 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 £5.528m of forecast COVID-related 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 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 could 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 2023-24 and beyond, the report sought approval for directors to take action to avoid all non-essential expenditure for the remainder of the year.

Following a brief discussion, where it was confirmed that funding for free school meals was a statutory requirement but was not ring-fenced in the Council's budget, the Cabinet agreed:

- (a) to note the continued financial pressures on operational services arising from the COVID-19 pandemic and that it was expected to cover those from the COVID grant reserve;
- (b) to note the forecast underlying General Fund operational underspend of 1.440m together with the HRA operational overspend of £123k;
- (c) to approve service virements and operational adjustments as set out in the notes to the tables on pages 14 to 31 and note the reported probable out-turn position; and
- (d) that all departments continue to closely monitor and manage their budgets, ensuring that spending up to operational budget levels did not take place.

GENERAL FUND CAPITAL PROGRAMME

368. 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 2022, 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 £0.272m, which was within manageable limits.

The report reflected the updated project positions as reported to Cabinet on 1 December 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. This had resulted in significant slippage of £7.810m in capital expenditure from that last reported on 1 December 2022.

Officers would continue to monitor the position and submit reports to future Cabinet meetings should costs exceed budgeted levels for projects. Detailed explanations of reasons for major movements within the programme were set out in the report.

Following a discussion where it was agreed that the Environment Department work with Finance to ensure robust financial planning of projects took place, the Cabinet **recommended that the Council:-**

- (a) note and approve the movements within the Programme; and
- (b) note the shortfall of £0.272m and that this would be managed and reported within the final accounts for the year.

HOUSING CAPITAL PROGRAMME

369. The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring expenditure as at 31 December 2022 against the approved Housing Capital Programme 2022/23.

The Chief Accountant advised that there was a shortfall in the programme of £0.103m, which was within manageable limits. The report 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 impact of COVID-19 on both existing and new housing projects. The report outlined slippage of £2.054m in capital expenditure from the figure reported on 1 December 2022 due to projects taking longer to complete, with full details provided in 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.

Following a brief discussion on specific projects, the Cabinet **recommended that the Council:-**

- (a) note and approve the current movements within the programme; and
- (b) note the shortfall of £0.103m and that this would be managed and reported within the final accounts for the year.

CHAIR

MINUTE
of
APPOINTMENTS COMMITTEE

Minute of meeting held at 4.00pm in the Council Chamber, Council Headquarters, Giffnock on 2 March 2023.

Present:

Councillor Andrew Anderson
Councillor Tony Buchanan
Provost Mary Montague

Councillor Gordon Wallace (*)
Councillor Owen O'Donnell

Councillor O'Donnell in the Chair

(*) indicates remote attendance

Attending:

Sharon Dick, Head of HR and Corporate Services; and Liona Allison, Assistant Committee Services Officer.

DECLARATIONS OF INTEREST

370. There were no declarations of interest intimated.

CHIEF EXECUTIVE

371. Under reference to the Minute of the meeting of the Council of 1 March 2023 (Page 430, Item 363 refers) when, amongst other things, the Council had approved the job description and person specification for the post of Chief Executive, subject to any minor inconsequential modifications the Committee would wish to make, the Committee took up consideration of the job description and person specification to be used in the recruitment exercise for the post of Chief Executive.

Following discussion, the Committee approved without further modification, the job description and person specification as approved by the Council.

CHAIR

MINUTE
of
CIVIC HOSPITALITY COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 8 March 2023.

Present:

Provost Mary Montague
Deputy Provost Kate Campbell

Councillor Caroline Bamforth

Provost Montague in the Chair

Attending:

Linda Hutchison, Senior Committee Services Officer; Pamela Watson, Members Services Officer; and Liona Allison, Committee Services Assistant.

Apology:

Councillor Paul Edlin.

DECLARATIONS OF INTEREST

372. There were no declarations of interest intimated.

CIVIC HOSPITALITY COSTS AND USE OF COUNCIL ACCOMMODATION

373. The Committee considered a report by the Director of Business Operations and Partnerships confirming the position on civic hospitality costs for various recurring events in 2022/23, the current estimated level of funding available for new events in both 2022/23 and 2023/24, and the extent to which in terms of delegated powers permission had been given to outside bodies to use Council accommodation for meetings and functions where responsibility for this fell out with the letting arrangements managed by other departments.

Having heard the Senior Committee Services Officer highlight key aspects of the report, in response to Councillor Bamforth, she confirmed that any unused budget from 2022/23 would not be carried forward to the following financial year, and that it was expected that the costs of events organised in 2023/24 would be met from the Committee's budget for that financial year.

The Committee noted the report.

REQUEST FOR CIVIC HOSPITALITY – WORKERS’ MEMORIAL DAY

374. Under reference to the Minute of meeting of the Council of 7 September (Page 152, Item 112 refers), when it had been agreed that it be remitted to this committee to consider the merits and options for commemorating Workers’ Memorial Day (WMD) annually on 28 April and to consider a permanent memorial in East Renfrewshire, the Committee considered a report by the Director of Business Operations and Partnerships, requesting that the Committee consider marking WMD annually and related proposals.

Having referred to the discussions at the Council meeting, the role and establishment of the Committee and the budget available for new civic hospitality proposals, the report summarised the WMD arrangements in place in other Scottish local authority areas. In the first instance, the Committee was invited to consider if WMD should be commemorated annually, taking account of the general support for this expressed at the Council meeting and if so, and taking account of arrangements in place elsewhere and budget considerations, a proposed way forward to mark the day in 2023. Related issues were commented on.

Regarding consideration of a permanent memorial, it was explained that investigations thus far had suggested the associated costs could be high, possibly several thousand pounds in the case of a cairn. Having commented on related issues, including budgetary matters and that it was understood that permanent memorials in some areas had been funded on a joint basis, such as between the local authority concerned and the Trade Unions, the report proposed, subject to the views of the Committee on whether or not a more permanent memorial should be considered, that further time be taken to consider what form that could take; the detailed financial implications which remained to be fully and accurately quantified; and if any other funding could be sourced to help meet the associated costs.

Members of the Committee supported WMD being commemorated annually. During discussion on a permanent memorial, reference was made to those in place in some other areas and related issues. Support was expressed for considering if one could be established locally using a proportion of the funds available within the civic hospitality budget. In response to questions, the Senior Committee Services Officer clarified that the costs involved would depend on the size and type of memorial chosen, citing examples of the approximate costs of various options to the extent this had been explored thus far. In response to the Provost, she explained further what it was proposed to do to mark WMD 2023.

The Committee agreed:-

- (a) that Workers’ Memorial Day be commemorated annually by the Council;
- (b) to approve the proposals as set out in the report to mark the day in 2023; and
- (c) that proposals for a more permanent memorial be explored further as outlined in the report, in respect of which, a further report would be submitted to the Committee in due course.

PROVOST

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 14 March 2023.

Present:

Councillor Angela Convery (Vice-Chair) Councillor David Macdonald
Provost Mary Montague

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Chief Inspector Graeme Gallie and Constable Gavin Walker, Police Scotland.

Apologies:

Councillors Paul Edlin (Chair) and Andrew Morrison.

DECLARATIONS OF INTEREST

375. 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

376. Under reference to the Minute of the meeting of 14 February 2023 (Page 392, Item 325 refers), when it was agreed to continue consideration of the application to the next meeting to allow the applicant to make a personal appearance, the Committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Driver's Licence (Agenda Item 3 refers).

The applicant was present.

Chief Inspector Gallie and Constable Walker representing the Chief Constable, who had made an out of time 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 if it wished to consider the out of time objection submitted by the Chief Constable and, if so, what weight it wished to attach to the objection and its relevance to the type of licence being applied for.

Having heard the applicant agree that the late objection could be considered, and following a short adjournment, the Committee agreed to consider the out of time objection and copies were provided to Members.

Constable Walker was heard in respect of the objection by the Chief Constable.

The applicant was then heard in respect of the application.

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

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

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant, having been invited to the meeting, was not present.

Chief Inspector Gallie and Constable Walker representing the Chief Constable, who had made an out of time objection in respect of the application, were present.

The Committee agreed to continue consideration of the application to the next meeting to allow the applicant to attend.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

Chief Inspector Gallie and Constable Walker representing the Chief Constable, who had made an objection in respect of the application, were also present.

Constable Walker was heard in respect of the objection submitted by the Chief Constable.

The applicant was then heard in respect of the application.

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

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

CHAIR

MINUTE
of
CABINET

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 23 March 2023.

Present:

Councillor Owen O'Donnell (Leader) Councillor Danny Devlin
Councillor Andrew Anderson

Councillor Owen O'Donnell, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caitriona McAuley, Director of Environment; Louise Pringle, Director of Business Operations and Partnerships; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Barbara Clark, Chief Accountant; Phil Daws, Head of Environment (Strategic Services); Gillian McCarney, Head of Environment (Chief Planning Officer); Alison Ballingall, Senior Revenues Manager; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apology:

Councillor Katie Pragnell.

DECLARATIONS OF INTEREST

379. There were no declarations of interest intimated.

NON-DOMESTIC RATES – EMPTY PROPERTY POLICY

380. The Cabinet considered a report by the Director of Business Operations and Partnerships providing an update on Non-Domestic Rates and devolution of Empty Property Relief (EPR) to Local Authorities, and submitting a new EPR Policy for approval.

The report explained that the Non-Domestic Rate framework in Scotland had been devolved to the Scottish Parliament and Scottish Government and a number of reliefs were available, some of which were mandatory and some discretionary. EPR was currently mandatory and all Scottish local authorities followed the same regulations. However, from 1st April 2023, EPR would be devolved to local authorities allowing them to decide in what circumstances and for how long EPR would be awarded.

Further information was provided on the rationale for change and the two key policy options available to East Renfrewshire Council, advising that discussion had taken place with officers from Renfrewshire Council who administered NDR on behalf of East Renfrewshire Council. In order to limit scope for error and minimise the cost to each Council, it would be preferable for both Councils to have the same policy.

Given the short timescales for preparation and engagement, it was being recommended that the EPRs currently in place in East Renfrewshire would transition across with no change effective from 1st April 2023, and any future changes following a review of the Policy would be subject to consultation and submitted to Cabinet for consideration in due course.

The Cabinet:-

- (a) noted the changes introduced by the Scottish Government to devolve the setting of EPR to Local Authorities from 1st April 2023;
- (b) approved the Non-Domestic Rates – Empty Property Relief Policy at Appendix 1 to the report, which retained the “status quo” for the 2023/24 year; and
- (c) approved a review of reliefs in 2023, including consultation on potential change to reliefs, which would be brought back for Cabinet approval and take effect in the 2024/25 year.

DEBT RECOVERY POLICY

381. The Cabinet considered a report by the Director of Business Operations and Partnerships providing an update on debt recovery and seeking approval of an updated debt recovery policy for charges administered by the Revenue Service.

The report explained that East Renfrewshire Council had a statutory duty to collect debts owed, but the collection of debt was a complex area with various frameworks outlining the Council’s approach to debt recovery. As councils continued to face considerable cost challenges and gaps in funding, it was critical to maximise the recovery of debt through the application of a clear and effective policy, supported by underlying procedures. The updated policy would provide a clear, fair and transparent framework for recovery whilst recognising that each debt case required to be looked at and considered on an individual basis.

Some of the key elements of the revised policy were highlighted including, an emphasis on the need to work and collaborate in particular with Money Advice and Rights Team (MART) and Citizens Advice Bureau (CAB) to ensure the necessary support, guidance and advice to customers was available; ensuring that the policy incorporated clear aims and principles which must be adhered to throughout the recovery process; and setting out the Debt Remedies which were available, while ensuring both Statutory and Legal requirements were adhered to, amongst other things. It was further reported that much of the policy was set out in statute and legal obligation, and the main change to the policy was to align debt recovery procedures with supporting actions that could be taken in extenuating circumstances to support people experiencing severe financial hardship.

In response to questions, the Director of Business Operations and Partnerships confirmed that the Council held very sensitive information on clients but this was controlled appropriately and not shared with debt collection agencies. Information was shared between the Council and the National Fraud Initiative as required.

Thereafter, the Cabinet approved the revised Debt Recovery Policy for Council Tax, Non Domestic Rates, Sundry Debt charges, ERCLT charges and Housing Benefit overpayments.

TRADING UNDER BEST VALUE

382. Under reference to the Minute of the meeting of 10 March 2022 (Page 1823, Item 1918 refers) when the Cabinet approved that there were no trading services operated by the Council that should be classified as “significant”, 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 2022/23. She advised that to be classed as significant, the trading operation could only apply to external trading and to those activities that were 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”.

PROPOSED LEASE, FORMER COWAN PARK GATE LODGE, DARNLEY ROAD, BARRHEAD

383. The Cabinet considered a report by the Director of Environment seeking approval of the proposed lease of the former gate lodge at Cowan Park, Barrhead to the charity Include Me 2 Club.

The report provided information on the establishment of an officer working group and a community engagement steering group which, following community consultation and engagement, had led to Include Me 2 Club being identified as the preferred occupier of the former gate lodge in October 2019. The proposal had received funding from the Scottish Government’s Regeneration Capital Grant Fund (RCGF) together with a contribution from East Renfrewshire Council’s General Fund Capital Programme, and a temporary licence to occupy the site was issued to Include Me 2 Club in early March 2023. It was explained that the project would regenerate a derelict property and deliver a new Enterprise and Community Hub in Barrhead providing a range of services including a café; toilets; enterprise and community spaces for hire; hot-desking and meeting spaces for hire; cycling hub, bike hire and maintenance; and skills development, training and improving employability prospects.

The Head of Environment (Strategic Services) explained that in order to improve the viability of the community hub, and in accordance with permissions granted under Court approval, Include Me 2 Club had requested to lease the building at a peppercorn rent of £1 per annum for 30 years. He further advised that a temporary disposal of the “Common Good” status of Cowan Park Gate Lodge had been requested for the full term of the lease. The Head of Environment (Strategic Services) confirmed that a number of terms and conditions had been added to the lease, including in relation to services to be provided and opening hours, but he was unsure if a “break clause” had been included and would seek clarification in this regard.

In response to questions, the Chief Executive confirmed that legal considerations in relation to Common Good land required to be dealt with on a case by case basis, as the process to be followed would depend on how the land had been gifted and what restrictions had been put in place at that time. She added that the court case in relation to this application had been delayed due to a backlog of court cases during the Covid-19 pandemic.

The Cabinet:-

- (a) noted the Court's approval of the Council's application to remove the Cowan Park Gate Lodge from the Barrhead Common Good Fund for a term of 30 years to facilitate the development of a new social enterprise and community hub;
- (b) approved the proposed lease of the former Cowan Park Gate Lodge to the charity Include Me 2 Club;
- (c) approved the proposed terms of the lease at a peppercorn rent of £1 per annum for 30 years;
- (d) agreed to delegate to the Director of Environment, in consultation with the Chief Officer (Legal and Procurement), to finalise negotiations and conclude the proposed lease; and
- (e) noted that the Head of Environment (Strategic Services) would provide further information regarding whether or not a "break clause" had been included in the lease agreement.

EAST RENFREWSHIRE COUNCIL CITY DEAL PROGRAMME UPDATE

384. The Cabinet considered a report by the Director of Environment providing an update on the progress of East Renfrewshire Council's Glasgow City Region City Deal funded M77 Strategic Corridor Programme.

The report explained that East Renfrewshire Council had benefitted from a £44 million investment package to provide a programme of ambitious projects, entitled the M77 Strategic Corridor Programme, and an update was provided on three projects which had already been completed, Lavern Works; Greenlaw Business Centre; and Balgraystone Road Improvement.

The Head of Environment (Chief Planning Officer) provided an update on delivery of a new railway station at Barrhead, and Aurs Road improvements which were both in progress, and a future project to create visitor facilities at Dams to Darnley Country Park. Referring to the new railway station at Barrhead, she advised that Network Rail had outlined design options for the station, which had been endorsed by Transport Scotland, and it was anticipated that building work would begin in the next 12-18 months.

In response to questions, the Head of Environment (Chief Planning Officer) confirmed that discussions would take place with local bus companies to provide a bus interchange at the train station in due course, and she would seek clarification regarding the reason for dissolution of the former Dams to Darnley Country Park Joint Committee. Thereafter, the Chief Executive commended the high level of partnership working which had taken place to get to this stage and encouraged elected members and officers to keep working on aspirational projects which could be considered for future funding.

The Cabinet:

- (a) noted the success of the three completed City Deal projects;
- (b) noted the progress of the remaining three City Deal projects;
- (c) agreed to delegate authority to the Director of Environment for the submission of two Business Cases to Glasgow City Region Programme Management Office for approval and release of the next phase of project funds:

- (i) Aurs Road Improvement Full Business Case to be submitted to Glasgow City Region Cabinet; and
 - (ii) New Rail Station in Barrhead South Outline Business Case to be submitted to Glasgow City Region Cabinet;
- (d) noted that the Cabinet would receive further updates on progress; and
- (e) noted that the Head of Environment (Chief Planning Officer) would provide clarification on the former Dams to Darnley Country Park Joint Committee, and in particular the reason for dissolution of that committee.

CHAIR

MINUTE
of
AUDIT and SCRUTINY COMMITTEE

Minute of meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 30 March 2023.

Present:

Councillor Andrew Morrison (Chair)	Councillor David Macdonald (*)
Councillor Tony Buchanan (Vice-Chair)	Provost Mary Montague
Councillor Paul Edlin	Councillor Gordon Wallace

Councillor Morrison in the Chair

(*) indicates remote attendance

Attending:

Louise Pringle, Director of Business Operations and Partnerships; Barbara Clark, Chief Accountant; Michelle Blair, Chief Auditor; Gill Darbyshire, Chief Executive's Business Manager; Kath McCormack, HR Manager; Linda Hutchison, Clerk to the Committee; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Rob Jones and Grace Scanlin, Ernst and Young.

Apology:

Councillor Annette Ireland.

DECLARATIONS OF INTEREST

385. There were no declarations of interest intimated.

CHAIR'S REPORT

386. Under reference to the Minute of the meeting of 23 February (Page 405, Item 339(i) refers), when it had been noted that a short training, familiarisation and development session was being arranged between members of the Committee and the External Auditor, Councillor Morrison reported that this useful session had taken place earlier in the day, and highlighted that topics covered included CIPFA guidance on the role of audit committees, audit priorities for 2023 and proposed legislative requirements for fraud risk management. On behalf of the Committee, he thanked the External Auditor for the session at which constructive dialogue had taken place, and indicated that further such sessions would be welcomed in future.

The Committee noted the report.

STRATEGIC RISK REGISTER AND RISK MANAGEMENT PROGRESS

387. Under reference to the Minute of the meeting of 29 September 2022 (Page 209, Item 151 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 biannual update of the register and general progress on risk management.

The SRR, a copy of which was appended to the report, itemised key strategic 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 37 strategic risks, 11 of which had been evaluated as high risk and 26 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 Integration Joint Board (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 where the level of risk remained unchanged 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 six months and the Cabinet annually, the register was considered to be a live document and updated continually.

Other issues referred to included the revised Risk Management Strategy 2023-26, considered earlier in the year, risk management training recently delivered to elected Members, and a high level overview of issues, which were under consideration but had not yet resulted in a risk being added to the SRR.

Having heard the Chief Executive's Business Manager comment further on various aspects of the report, in response to Councillor Morrison, the Director of Business Operations and Partnerships provided an update on discussions and work underway to ensure services, such as telecare services, which supported vulnerable residents, would not be disrupted when analogue telephone lines were disconnected as part of Ofcom's retirement of analogue telephone networks by the end of 2025. Having outlined progress thus far and the next phases of work, she referred to a related Working Group established, and indicated that the level of risk currently attributed to this issue was unlikely to reduce for some time until there was confidence that all relevant issues, including any unanticipated ones that could emerge, had been addressed. Examples of various analogue related phone services for which new arrangements had to be put in place were provided.

Referring to the covering report under consideration, Provost Montague suggested that it would be helpful to include the number of the relevant sub-paragraph, as well as the main risk number of various items, when they were referred to. Councillor Wallace commended the Chief Executive's Business Manager on the format of the report, particularly the clear way the rewording of various risks was presented.

The Committee agreed:-

- (a) that feedback be provided to appropriate senior officers on comments made at the meeting on the SRR for consideration; and
- (b) to note 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.

WOMEN'S HEALTH RELATED MATTERS

388. Under reference to the Minute of the meeting of 29 September 2022 (Page 205, Item 148 refers), when it had been agreed that the HR Manager would make a presentation to a future meeting on women's health related matters, Councillor Morrison welcomed her to the meeting for this item.

The HR Manager provided an overview of the support provided for employees in the Council, placing a focus on Women's health and wellbeing, but highlighting that the range available benefited all employees regardless of their gender. Having itemised the top three reasons for absence across the full workforce, she clarified how the rank order of these differed slightly for males and females, citing examples of factors that impacted on this. Whilst providing statistical information on the gender identification split and average age of the Council's workforce, she clarified when perimenopause and menopause generally commenced, and reported that in 2021/22 pregnancy related and gynaecological related absences had been ranked 17th and 18th respectively out of 35 reasons for absence.

Referring to the wide range of support available to employees, the HR Manager confirmed that this included policies on areas such as menopause and domestic violence which had either been, or were in the process of being, implemented. She highlighted the Council's commitment to the Miscarriage Association's Pregnancy Loss Charter and that the Council considered pregnancy loss as bereavement, confirming that if this occurred after 24 weeks maternity leave applied and that it was acknowledged that this circumstance was extremely challenging for all those affected by it, including partners of those experiencing such loss. She clarified the terms of the related policy on bereavement leave.

It was explained that a further area of focus was working with Women's Aid to pilot on-line training for employees, including on gender equality, sexual violence and domestic abuse. Other issues referred to in support of health and well-being included a specific strategy on this, in relation to which a staff survey was to be conducted in April and May 2023. The HR Manager referred to other support available to employees such as on occupational health, employee assistance and financial wellbeing. She also itemised various initiatives to which the Council was accredited, which included carer positive and living wage accreditation.

Having welcomed the information provided and indicated the intention to review it further, Provost Montague sought clarification if perimenopause and menopause applied only to women. The HR Manager confirmed it could apply to anyone affected by these, including individuals who transitioned gender. Provost Montague referred to its impact on biological females, expressing hope that the term women would not be replaced by gender neutral ones when an issue definitely related to females.

In response to Councillor Wallace and Councillor Morrison, the HR Manager confirmed that, to the best of her knowledge, the gender balance of the Council's workforce had remained fairly consistent for a long time and similar to that in other authorities. Having cited examples of posts which had tended to be held more by females, she confirmed that the Council continually reviewed its recruitment policies and processes to help promote vacancies to all genders.

In response to Councillor Edlin, she confirmed that the annual managing absence report submitted to the Committee included statistics and information on a range of absence issues, including absence rates linked to emergence from COVID-19, short-term absence, and initiatives aimed at addressing absenteeism.

The Committee noted the presentation and related comments made.

NATIONAL EXTERNAL AUDIT REPORT – TACKLING CHILD POVERTY

389. The Committee considered a report by the Clerk on the publication by Audit Scotland of a briefing report entitled *Tackling Child Poverty* published in September 2022, regarding which, under the Committee's specialisation arrangements, Councillor Buchanan was leading the review of this report. The Director of Business Operations and Partnerships had been asked to provide comments and a copy of her feedback was appended to the report.

High level comments were provided on the Council's position on issues raised in the Audit Scotland report, including on each of the report's recommendations, with clarification provided that a fuller update on child poverty was being prepared for consideration by the full Council in June when a report on the Local Child Poverty Action Plan (LCPAP) would be submitted. The comments provided included reference to the Scottish Government's second child poverty delivery plan *Best Start, Bright Futures*; the Council's strategic aims to address child poverty; information sharing partnerships and network related issues; and information on data, evidence and context.

Appended to the report was information on key planned activities in East Renfrewshire as part of the Council's FAIRER initiative and LCPAP. Other issues referred to included proposals approved on a range of initiatives by the Cabinet in October 2022 using the COVID reserve, many of which had a direct link to child poverty, such as supporting the *Back to School Bank Charity*. A further update on the reserve was to be provided to the Cabinet, including new expenditure proposals.

The report concluded that through the Child Poverty Oversight Group and LCPAP, East Renfrewshire Council, the Health and Social Care Partnership (HSCP) and other partners were committed to tackling the increasing challenge of child poverty. While East Renfrewshire had the lowest rate of child poverty in Scotland, there was a keen awareness of the gap between the area's most affluent families and most vulnerable ones. The potential for the area's poverty profile to change over time was acknowledged, with concerns remaining on the impact of the cost of living on people and the outlook on future public sector finances which made it increasingly hard to deliver commitments to prevention and early intervention. Meantime, the Council and its partners were working closely together, making best use of the resources available, and doing some innovative work on data to inform and drive future strategic planning.

Councillor Buchanan welcomed the report, the action being taken on child poverty and related progress. Whilst commenting on the wish to reduce child poverty further, he highlighted related challenges linked to the cost of living and fuel poverty for example, which could lead to the current position changing further. The Director of Business Operations and Partnerships referred to a range of on-going work to tackle child poverty, which including innovative work with the Chief Officer, HSCP and Director of Education to reduce the cost of the school day on which analysis was being done, the intention being to refer to this work in the report being submitted to the Council in June. She stressed the importance of examining and understanding related data, such as on spending to identify patterns, highlighting the importance of continuing to monitor where poverty was encountered and related developments.

In response to Councillor Morrison, the Director Business Operations and Partnerships reported that it was difficult to know the full and exact impact of the £4.4m announced from the humanitarian package from the Local Authority COVID Economic Recovery Fund. She clarified that, as part of the work being done to submit further COVID reserve proposals to the Cabinet, the impact of funds already allocated would be assessed, confirming that the report under consideration by the Committee cited examples of work supported by such funding thus far. She added that many of these measures had had a short-term focus, such as to extend family bridging payments until March 2023, with funding sustainability remaining an issue. Informal feedback from some families who had received financial support reflected it had made a significant difference to them.

Councillor Macdonald, supported by Councillor Wallace, expressed concern that the Council had missed out on levelling up funding and also on the related adjudication of proposals, highlighting levels of poverty in some parts of East Renfrewshire, related hardship and the importance of targeting resources. In response to Councillor Morrison, the Director of Business Operations and Partnerships commented on community and related participatory budgeting issues including capacity building, related officer training, development work on projects which could be proposed when funding became available, and related challenges.

Whilst welcoming progress made and that discussions on child poverty were progressing locally and nationally, Provost Montague referred to such hardship in various local areas, but highlighted also, supported by Councillor Macdonald, that some families could struggle in more affluent areas. Commenting further, she referred to the importance of listening to what children themselves were saying about their experiences of poverty, and also of making available a summary of the support and resources available to help alleviate it. The Director of Business Operations and Partnerships undertook to relay comments made during the discussion to the Child Poverty Oversight Group, following which Councillor Buchanan cited examples of good and successful partnership working with children, such as through the Champions Board. He also welcomed the contributions the Money Advice and Rights Team and Citizens Advice Bureau were making to supporting people; highlighted the value of participatory budgeting and sharing best practice; and stressed the importance of continuing to make progress on addressing child poverty, including through schools accessing all possible sources of funding.

The Committee noted:-

- (a) that feedback on comments made at the meeting would be provided to the Child Poverty Oversight Group; and
- (b) otherwise, the report and related comments made.

EAST RENFREWSHIRE COUNCIL – PROVISIONAL ANNUAL AUDIT PLAN FOR YEAR ENDED 31 MARCH 2023

390. The Committee considered a report by the External Auditor regarding the provisional Annual Audit Plan for the year ended 31 March 2023, which referred to the purpose of the Plan, the scope of and responsibilities associated with it, and related issues.

Whilst commenting on the financial statements audit, the report made reference to issues on which an opinion would be offered, such as if the statements gave a true and fair view in accordance with applicable law and the 2022/23 Code of Audit Practice. It was clarified that the audit would include a review on the consistency of the other information prepared and published along with the financial statements; and determine with reasonable confidence whether the financial statements were free from material misstatement. With regard to the latter, reference was made to performance and planning materiality levels set, and the

reporting threshold level established above which the External Auditor would report errors to the Committee.

A summary was provided regarding four significant risks impacting on the audit of the financial statements, these being the risks of fraud in revenue and expenditure; of misstatement due to fraud and error; in relation to the valuation of property, plant and equipment; and in relation to the valuation of PPP/PFI liabilities. Information was also provided on two inherent risks impacting on the audit of these statements which related to opening balances and the valuation of pension assets and liabilities.

Amongst other things, the report highlighted areas of audit focus in relation to the wider scope dimensions, making reference to financial sustainability; cybersecurity in terms of vision, leadership and governance; and climate change reporting in terms of the use of resources. In addition, as part of revised Best Value arrangements, the Accounts Commission had asked External Auditors to consider the thematic review of leadership and strategic priorities as part of their Best Value considerations. This work would focus on the clarity of the Council's vision and priorities; how effectively community views had been reflected; the alignment of financial, workforce, asset and digital plans; and how strategic priorities reflected the need to reduce inequalities and address climate change.

Other issues commented on were key developments in the sector within which local authorities operated to inform the audit approach taken, which included the position on local government finances, the publication of the National Care Service Bill, the Scottish Government budget, and financial flexibilities for local government. Required communications and the related timescales for these, and the 2022/23 audit fees and related issues, were amongst other issues referred to.

Mr Jones commented on key aspects of the Plan in advance of the approval of the financial statements later in the year, referring to the executive summary and more detailed information provided. He highlighted the sector context which had impacted on audit planning; the significant risks referred to within the Plan to be considered; and the new International Standard on Auditing (ISA) 315 which focussed on assessing the risk of material misstatement and required significant additional audit work to be done on financial systems and other systems which could impact on the financial statements. Whilst highlighting further issues, Mr Jones confirmed that control issues and findings identified, if any, would be reported to the committee in due course; the audit materiality applied to the audit of the financial statements and the related thresholds and reporting levels set; where a lower level of materiality was applied on the testing of remuneration disclosures and related party transactions which required to be disclosed in the financial statements; and where there were considered to be higher inherent audit risks, such as on the risk of fraud in revenue and expenditure recognition and misstatement due to fraud and error which were regarded as presumed audit risks.

In the first year of the new External Auditor's appointment, there was a specific requirement to consider opening balances as well as year-end procedures, work on which was well underway. Mr Jones also referred to work on the Council's share of its involvement in the local government pension assets and liabilities, related actuarial judgements, and disclosures in the financial statements around going concerns in the context of the financial challenges facing the Council. Finally he specified the wider scope audit dimensions that would be considered and which, in addition to the aforementioned work, would be factored into the assessment of the Council's arrangements to secure Best Value, and the work to be done on vision, leadership and governance.

In response to Councillor Morrison, Mr Jones confirmed the practical implications of the introduction of ISA 315, referring to the extension of the auditors' responsibilities and work that would be done to gain a greater understanding of systems controls in place. Also in response to Councillor Morrison, he commented on the potential impact of Get to Zero targets on the depreciation of some assets, such as vehicles, confirming that changes to their useful lifespan, related risks and the period of time until they became obsolete were examples of issues that would be considered.

The Chief Accountant reported that the Director of Environment was intending to submit a report to the Cabinet during the forthcoming months on a policy on moving fleet in relation to Get to Zero; and that it was anticipated that the replacement of vehicles with electric ones would dovetail with the 5-year rolling provision for these in the Capital Programme. Councillor Wallace referred to other issues that would be impacted in terms of Get to Zero.

In response to Councillor Edlin, Mr Jones explained how Ernst and Young had been appointed as External Auditor to the Council for a period of 5 years, how the associated fee for the audit work to be done was determined, and the approximate number of hours of work involved. He confirmed that external firms were appointed to do such work in Scotland to complement Audit Scotland's own audit capacity to ensure there was sufficient capacity in the public sector as a whole.

The Committee noted the provisional Annual Audit Plan for year ending 31 March 2023 and timetable for the publication of related documents, including the Annual Audit Report for 2022/23.

INTERNAL AUDIT STRATEGIC PLAN 2023/24 – 2027/28

391. The Committee considered a report by the Chief Auditor on the Internal Audit Strategic Plan for 2023/24 to 2027/28, which included the proposed Annual Audit Plan for 2023/24. It was clarified that the Internal Audit function operated in accordance with Public Sector Internal Audit Standards (PSIAS).

The report explained that the Plan had been prepared following consultation with key partners, referred to risk related issues, and clarified, amongst other things, that the consultation process and risk assessment used to prepare the Plan sometimes resulted in new audits being added to the audit universe or being removed or rescheduled for review in a different year, such as the payroll application audit. Similarly, some audits had been deleted from the universe, such as if they were no longer applicable, had low risk assessments or had been merged with other audits, such as in relation to the Pupil Equity Fund.

It was clarified that 20 audit days had been included in the Plan for providing an internal audit service to the East Renfrewshire Culture and Leisure Trust, with the scope of audits to be carried out using these days to be agreed with the management of the Trust and members of its Finance, Audit and Risk Committee. Resulting audit reports would be issued directly to the Trust's Chief Executive.

Referring to audit needs compared to resources available, the report explained that over the 5-year period of the Plan there was a projected shortfall of 40 audit days, which was considered manageable but would be kept under review. The current staffing levels of the Internal Audit section were considered adequate at the time of writing the report, subject to two vacant posts being filled by the end of the first quarter of 2023/24, which had been assumed when calculating the number of audit days available, but would be kept under review.

In line with good practice, the Plan would be reviewed on a regular basis throughout the year and could be adjusted in response to changes in the Council's business, risks, systems and controls. Any such changes would be drawn to the Committee's attention as part of the quarterly reporting mechanism already in place.

The Chief Auditor provided further clarification on how the Plan was formulated from the audit universe, during which she confirmed that on the basis of consultation and known changes, some topics had been merged within the audit universe and, similarly, several topics had been removed from it. She highlighted that some items in the Plan did not necessarily result in a report being issued to management, such as when grant certification work was done, and that as appropriate reports prepared were submitted to the Trust or IJB.

It was confirmed that 100 days had been set for contingency, and explained why it was difficult to estimate how much provision for this would be needed.

In response to questions, the Chief Auditor confirmed that she considered the number of days allocated for work on the City Deal sufficient, and what grant certification work involved. In response to Councillor Wallace, she commented that when audit work had been done on COVID grants to businesses, it had been determined that the Environment Department which had led this work had complied with the government guidance provided on this, which was all that could be checked through the audit. During related discussion, in further response to him regarding the extent to which the government guidance provided on COVID business grants had enabled sufficient scrutiny to be undertaken on applications in the interests of addressing potential fraud, Councillor Morrison suggested it could be helpful to recirculate a report considered by the Committee on COVID-19 issues in 2022 in which some information on this had been provided.

The Committee:-

- (a) agreed to approve the Internal Audit Strategic Plan for 2023/24 to 2027/28; and
- (b) noted, in response to issues raised at the meeting on COVID-19 grants, that the Clerk would recirculate information on this that had been provided to the Committee previously.

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 5th April 2023.

Present:

Councillor Paul Edlin
Councillor Annette Ireland(*)
Councillor Chris Lunday (*)

Provost Mary Montague(*)
Councillor Andrew Morrison

Attending:

Julie Nicol, Planning and Building Standards Manager; John Marley, Principal Traffic Officer (*); Alan Pepler, Principal Planner (Development Management); Derek Scott, Planner; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance.

Apologies:

Councillors Betty Cunningham (Chair) and Jim McLean (Vice-Chair).

APPOINTMENT OF CHAIR

392. In accordance with Standing Order No.16, the Committee was required to appoint a chair for this meeting from those Members present.

Accordingly, Councillor Morrison proposed that Councillor Edlin be appointed Chair. This proposal was accepted unanimously.

Councillor Edlin in the Chair

DECLARATIONS OF INTEREST

393. There were no declarations of interest intimated.

APPLICATION FOR PLANNING PERMISSION

394. The Committee considered a report by the Director of Environment, on application 2021/0130/TP, seeking permission for the erection of 5 dwellinghouses and the formation of accesses and other associated works at land adjacent south of 30 Broompark Drive, Newton Mearns, East Renfrewshire.

The Principal Planner (Development Management) was heard further on the report, in the course of which he summarised the 15 objections that had been received, with particular emphasis on an objection received from the Scottish Environmental Protection Agency (SEPA) on principle on the grounds of flood risk. Details of proposed engineering measures that could be taken to mitigate the risk were outlined.

He provided further information on the relevant planning policies and assessments and stated that the proposal was considered to generally comply with the terms of the development plan, including NPF4 and LDP2. The proposal did not fully comply with Policy 22 of NPF4, due to SEPA's objection to the proposal, however, the mitigation measures detailed in the proposals were considered to be of sufficient weight to justify granting planning permission without full compliance with this policy.

In the course of discussion, concern was expressed regarding the SEPA objection and further details were provided on the mitigation measures proposed. Concerns were also raised about the felling of trees and the impact this may have on the biodiversity in the area. It was also clarified that the proposal would be required to go before Scottish Ministers for approval.

The Principal Traffic Officer also clarified that new drawings had been received, which were considered to meet the parking needs outlined in the report.

Thereafter, the Committee agreed to approve planning permission, subject to the conditions identified in the report and the approval of Scottish Ministers.

CHAIR

MINUTE
of
LOCAL REVIEW BODY

Minute of meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 5 April 2023.

Present:

Councillor Paul Edlin
Councillor Chris Lunday(*)

Provost Mary Montague(*)

(*) indicates remote attendance

Attending:

Mark Brand, Planning Adviser; Gerry Mahon, Chief Officer (Legal and Procurement); John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Jim McLean (Vice-Chair).

APPOINTMENT OF CHAIR

395. In accordance with Standing Order No.16, the Committee was required to appoint a chair for this meeting from those Members present.

Thereafter, Councillor Edlin proposed that he be appointed Chair. This proposal was accepted unanimously.

Councillor Edlin in the Chair

DECLARATIONS OF INTEREST

396. There were no declarations of interest intimated.

Councillor Edlin advised that site visits had been held prior to the previous meeting, as the proposal under consideration had been continued from the previous meeting.

NOTICE OF REVIEW – REVIEW 2023/01 – EXTERNAL ALTERATIONS AND CHANGE OF USE OF FORMER SOCIAL CLUB TO COMMERCIAL UNITS COMPRISING A RETAIL UNIT (CLASS 1) 2 HOT FOOD TAKEAWAY UNITS (SUI GENERIS) AND A CLASS 2 UNIT. ALTERATIONS TO CAR PARKING LAYOUT AND ACCESS. THE COLUMBA CLUB, 69 DARNLEY ROAD, BARRHEAD, G78 1TA (REF NO:- 2021/0911/TP).

397. The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Mr Zubair Malik against the decision taken by officers to refuse planning permission in respect external alterations and change of use of former social club to commercial units comprising a retail unit (class 1 2 hot food takeaway units (sui generis) and a class 2 unit, alterations to car parking layout and access at the Columba Club, 69 Darnley Road, Barrhead.

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 determined by the Appointed Officer in the decision notice and the grounds for review.

The Planning Adviser further outlined proposed additional conditions to be attached to any consent in the event the Local Review Body overturned the decision of the Appointed Officer and granted planning permission. He noted that two new conditions had been added in respect of the visibility splay at the road entrance to the site and the creation of a landscape plan to monitor the felling of trees on the site, at the request of members.

Full discussion followed. In particular, in relation to the conditions suggested by the Planning Adviser, and whether these conditions met the requirements for the proposal to be considered.

Provost Montague, having moved against the proposal, but being unable to find a seconder, asked that her dissent be noted.

Following the discussion, and having heard from both the Planning Adviser and the Chief Officer (Legal and Procurement), the Local Review Body agreed that the Appointed Officer's decision, as set out in the decision notice of 29 August 2022 be overturned and planning permission approved, subject to the conditions outlined in the report.

CHAIR

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 11 April 2023.

Present:

Councillor Edlin (Chair)	Councillor David Macdonald
Councillor Angela Convery (Vice-Chair)	Councillor Andrew Morrison

Councillor Edlin in the Chair

Attending:

Gerry Mahon, Chief Officer (Legal and Procurement); Jennifer Graham, Committee Services Officer; and John Burke, Committee Services Officer.

Also Attending:

Inspector Gareth Griffiths, Police Scotland.

Apology:

Provost Mary Montague.

DECLARATIONS OF INTEREST

398. 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

399. The Committee considered a report by the Chief Officer – Legal and Procurement, in relation to an application for the grant of a Private Hire Driver's Licence (Agenda Item 3 refers).

The applicant was present together with his wife.

Inspector Griffiths representing the Chief Constable, who had made a representation in respect of the application, was also present.

Inspector Griffiths was heard in respect of the representation submitted by the Chief Constable.

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

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

On reconvening, the Committee, having taken account of the submission made by the applicant, his previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence by virtue of his previous conviction.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

Inspector Griffiths representing the Chief Constable, who had made an out of time objection in respect of the application, was also present.

The report explained that in determining the application, it would be for the Committee to decide if it wished to consider the out of time objection submitted by the Chief Constable and, if so, what weight it wished to attach to the objection and its relevance to the type of licence being applied for.

Having heard the applicant agree that the late objection could be considered, the Committee agreed to consider the out of time objection and copies were provided to Members.

Inspector Griffiths was heard in respect of the objection submitted by the Chief Constable.

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

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

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

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

Inspector Griffiths representing the Chief Constable, who had made an objection in respect of the application, was also present.

Inspector Griffiths was heard in respect of the objection submitted by the Chief Constable.

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

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

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

CHAIR

MINUTE
of
CABINET

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 13 April 2023.

Present:

Councillor Andrew Anderson Councillor Katie Pragnell
Councillor Danny Devlin

Councillor Anderson in the Chair

Attending:

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Jane Corrie, Roads Senior Manager; Debbie Hill, Chief Procurement Officer; Colin Sweeney, Democratic Services Manager; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apology:

Councillor Owen O'Donnell (Leader)

DECLARATIONS OF INTEREST

402. There were no declarations of interest intimated.

JOINT CONSULTATIVE COMMITTEE (FIRST TIER) – NOTE OF MEETING OF 16 FEBRUARY 2023

403. The Cabinet considered and noted the Joint Consultative Committee (First Tier) Note of Meeting of 16 February 2023.

ESTIMATED REVENUE BUDGET OUTTURN 2022/23

404. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the projected revenue budget out-turn for 2022/23 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 31 January 2023 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) Business Operations and Partnerships;
- (vi) Business Operations and Partnerships – Support;

- (vii) Chief Executive's Office;
- (viii) Chief Executive's Office – Support;
- (ix) Other Expenditure and Income;
- (x) Joint Boards;
- (xi) Corporate Contingency;
- (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 into account of forecast Council Tax collection, a year end operational underspend of £2.341m, or 0.8% of the annual budget, was forecast on General Fund services. After adjusting for the HRA, the underlying position on departmental budgets was a forecast underspend of £2.474m. Further, it was expected that higher than forecast new build property completions during the year would result in an over-recovery against projected Council Tax figures. This would bring the overall forecast out-turn General Fund underspend to £2.624m.

This represented an improvement on the position reported the previous month of £1.184m 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 £6.6m 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 all pay awards relevant to the 2022/23 financial year had been included in the figures and no further adjustments would be required in respect of those.

It was further noted that the forecast out-turn position could still be subject to significant change as the year-end Council Tax recovery position was finalised and any miscellaneous expenditure was taken into consideration. The Head of Accountancy (Chief Financial Officer) confirmed she would write to all members with the draft position and also report to Audit and Scrutiny Committee prior to submitting the draft accounts to external audit, prior to the statutory deadline of 30 June 2023.

Cabinet thanked the Head of Accountancy (Chief Financial Officer) and her team for a thorough report and for delivering a strong financial performance in a difficult environment.

Thereafter, the Cabinet:-

- (a) noted the continued financial pressures on operational services arising from the COVID-19 pandemic and that it was expected to cover those from the COVID grant reserve;
- (b) noted the forecast underlying General Fund operational underspend of £2.624m together with the HRA operational overspend of £0.133m; and
- (c) approved service virements and operational adjustments as set out in the notes to the tables on pages 14 to 31 of the papers, and noted the reported probable outturn position.

PROCUREMENT STRATEGY 2023-26

405. The Cabinet considered a report by the Chief Procurement Officer on the new Procurement Strategy 2023-26.

The Chief Procurement Officer explained that the Procurement Reform (Scotland) Act 2014 required the Council to develop a Procurement Strategy and review it annually. The new strategy would ensure that procurement supported Council services to deliver efficiently and effectively.

It was explained that the Strategy set out 5 procurement capabilities which would help to deliver operational and strategic procurement outcomes for the Council. These were: Legal Compliance and Governance; Economic Growth, Environmental, Social and Sustainability; Strategic Procurement to Deliver Best Value and Continuous Improvement; Performance Reporting to Drive Performance and Support Savings Delivery; and Contract and Supplier management.

A detailed action plan was in place to track and report progress against its objectives.

The Chief Procurement Officer responded to questions from cabinet on the proposed Strategy, in particular around compliance with tax payments for prospective contractors and links to the Standing Orders for Contracts.

Thereafter, the Cabinet approved the Procurement Strategy, as detailed in Appendix 1 to the report.

ROADS RESURFACING WORKS PROGRAMME 2023/24

406. The Cabinet considered a report by the Director of Environment advising on the major additional Road Works Programme in relation to Carriageway and Footway Resurfacing for 2023/24.

The Roads Senior Manager provided detail on the Programme and responded to members' questions, particularly around the consideration of disabled access where works were being carried out. It was confirmed that access for disabled people was taken into consideration when any works were being undertaken.

Thereafter, the Cabinet approved the Roads Resurfacing Works Programme for 2023/24, as detailed in Appendix A to the report.

THE EAST RENFREWSHIRE COUNCIL (SCHOOLS STREETS)(GIFFNOCK PRIMARY SCHOOL)(PROHIBITION OF VEHICLES)(TRAFFIC REGULATION) ORDER 2023

407. The Cabinet considered a report by the Director of Environment seeking approval for the making and confirmation of the East Renfrewshire Council (Schools Streets)(Giffnock Primary School)(Prohibition of Vehicles)(Traffic Regulation) Order 2023.

The Roads Senior Manager clarified the position in terms of effective signage in place to inform road users of the restrictions put in place as a result of the order and confirmed that the signage in place was compliant with regulations.

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Thereafter, the Cabinet noted the content of the report, approved and confirmed the making of the East Renfrewshire Council (Schools Streets)(Giffnock Primary School)(Prohibition of Vehicles)(Traffic Regulation) Order 2023 and delegated to the Director of Environment the implementation of the Order in accordance with the associated statutory procedures.

CHAIR

MINUTE
of
EDUCATION COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 20 April 2023.

Present:

Councillor Andrew Anderson (Chair)
Councillor Tony Buchanan
Councillor Kate Campbell
Councillor Colm Merrick(*)

Dr Frank Angell
Ms Fiona Gilchrist
Ms Dorothy Graham
Mr Des Morris

Councillor Anderson in the Chair

(*) indicates remote attendance

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); Graeme Hay, Education Senior Manager (Leading Business Change); Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Danny Devlin, Owen O'Donnell and Gordon Wallace.

DECLARATIONS OF INTEREST

408. There were no declarations of interest intimated.

PROMOTING POSITIVE RELATIONSHIPS AND BEHAVIOUR IN EAST RENFREWSHIRE EARLY LEARNING AND CHILDCARE SETTINGS AND SCHOOLS

409. Under reference to the Minute of the meeting of 3 February 2022 (Page 1770, Item 1879 refers), when the Additional Support for Learning Action Plan, which included an action to update the Promoting Positive Behaviour Policy, was approved, the Committee considered a report by the Director of Education seeking approval of the revised Standard Circular 21 Promoting Positive Relationships and Behaviour in East Renfrewshire Early Learning and Childcare (ELC) settings and schools. A copy of the updated circular was appended to the report.

The Head of Education Services (Equality and Equity) explained that the circular had been revised in light of updated policy advice and taking cognisance of current legislation and guidance in the area of support for pupils. The policy included a range of strategies to support staff in schools to recognise the needs of pupils and respond appropriately in order to meet the needs of all learners and ensure successful outcomes including, school nurture provision and authority enhanced nurture base; outreach services; Behaviour Support Strategies (BSS); and solution oriented approaches.

The Head of Education Services (Equality and Equity) introduced Kate Sinclair, Head Teacher, Eastwood High School and pupils Adam Fergus and Adam Smith, who provided further information on how their school promoted positive relationships and behaviour.

Ms Sinclair advised that, when she was appointed as Head Teacher two years ago, she had worked closely with parents, pupils and staff to update the vision and values of the school and to create a positive ethos. She had encouraged pupils to become involved in the wider community and extra-curricular activities, and all pupils had access to a pastoral support teacher to provide advice and guidance. During a recent HMIE thematic inspection, the school's adoption of preventative rather than reactive measures had been praised, together with the ongoing partnership working and bespoke supports which had been put in place for pupils who often struggled with mainstream schooling. HMIE had asked the school to develop a case study to be shared with other schools.

Adam Fergus provided further information on his role as a Healthier Minds Champion, providing support to younger pupils, particularly those in S1 who were adjusting to the transition from Primary to Secondary School. Adam Smith had trained as an Anti-Bullying Ambassador and had given talks to pupils and parents about this role and the support provided to everyone in the school community in relation to bullying prevention.

In response to questions, the Head of Education Services (Equality and Equity) explained that consultation on the document had taken place in a number of ways including through questionnaires, focus groups and working groups, and the circular, if approved, would apply to all educational establishments and settings.

Having heard Members welcome the report and thank Kate Sinclair, Adam Fergus and Adam Smith for providing further information on promoting positive relationships and behaviour at Eastwood High School, the Committee agreed:-

- (a) to approve the updated Standard Circular Promoting Positive Relationships and Behaviour in East Renfrewshire settings and schools; and
- (b) to request that the Director of Education take appropriate steps to ensure its implementation in all schools and early learning and childcare settings.

EDUCATION SCOTLAND REPORT ON HAZELDENE FAMILY CENTRE

410. The Committee considered a report by the Director of Education informing members of the report produced by Education Scotland following its inspection of Hazeldene Family Centre. A copy of the inspection report accompanied the report.

The inspection had been carried out in January 2023 and Education Scotland had evaluated four quality indicators and provided a report which detailed the strengths and areas for improvement.

The Head of Education Services (Quality Improvement) provided further information in relation to the inspection process, reporting that an action plan had been developed to address the actions for improvement, and introduced Justin Hardie, Head Teacher, Hazeldene Family Centre, who provided further information on the inspection.

Mr Hardie was pleased that the key strengths of the Centre had been highlighted during the inspection and had affirmed the approach that children's voices were at the heart of the learning environment. He expressed his pride in the children who attended the family centre and referred to the close partnership working with parents and families which was an extremely important part of the Centre's approach to learning. He thanked all staff and partners for their enthusiasm and commitment which had led to such a positive report, adding that staff were well placed to take forward the areas for improvement highlighted. He also thanked the Education Leadership Team and the Education Committee for their continued support and encouragement.

Having heard members commend the report, the Committee agreed:-

- (a) to note the content of the Education Scotland report on Hazeldene Family Centre; and
- (b) to approve the action plan to address the agreed areas for improvement.

EDUCATION SCOTLAND REPORT ON CROOKFUR PRIMARY SCHOOL AND FAMILY CENTRE

411. The Committee considered a report by the Director of Education informing members of the report produced by Education Scotland following its inspection of Crookfur Primary School and Family Centre. A copy of the inspection report accompanied the report.

The inspection had been carried out in December 2022 and Education Scotland had evaluated two quality indicators and provided a short report which detailed the strengths and areas for improvement.

The Head of Education Services (Quality Improvement) provided further information in relation to the inspection process, reporting that an action plan had been developed to address the actions for improvement, and introduced Sheena McGuigan, Head Teacher, Crookfur Primary School and Family Centre, who provided further information on the inspection.

Ms McGuigan reported that, although the short model inspection had been used on this occasion, she was confident that based on their own self-evaluation the Quality Indicators not included in the inspection were also of a similarly high quality. She was pleased with the content of the report which had highlighted the strong sense of community within the School and Family Centre, and that all staff had played their part in creating a positive and safe learning environment, including catering, office and janitorial staff. She added that, despite the difficulties experienced over the past few years during the Covid-19 pandemic, the children continued to flourish and often exceeded the expected levels of learning. She thanked all school and family centre staff for their ongoing commitment and also thanked the Education Leadership and Quality Improvement teams for their continued support.

Having heard members commend the report, the Committee agreed:-

- (a) to note the content of the Education Scotland report on Crookfur Primary School and Family Centre; and

- (b) to approve the action plan to address the agreed areas for improvement.

DRAFT HOME TO SCHOOL TRANSPORT POLICY

412. The Committee considered a report by the Director of Education providing an update on the draft Home to School Transport Policy and seeking approval to undertake a non-statutory consultation with stakeholders. A copy of the draft policy was appended to the report.

The Education Senior Manager (Leading Business Change) explained that the current policy did not cover the wide range of circumstances which could influence whether school transport was to be provided, and the draft policy sought to streamline existing transport provision, ensuring greater consistency across all schools in East Renfrewshire. Although introduction of the policy did not require a consultation to be undertaken, it was proposed that a non-statutory consultation should be undertaken with relevant stakeholders which would run from 24 April to 19 May 2023. Thereafter, the results would be collated and a further report submitted to the Education Committee on 8 June 2023.

The Committee agreed:-

- (a) to note the draft Home to School Transport Policy;
- (b) that the Director of Education proceed with a non-statutory consultation on the draft Home to School Transport policy; and
- (c) to request the Director of Education to report on the non-statutory consultation at the Education Committee on 8 June 2023.

EARLY LEARNING AND CHILDCARE ANNUAL REPORT

413. The Committee considered a report by the Director of Education advising on the approaches taken to develop Early Learning and Childcare (ELC) services. The report outlined the steps taken to improve the quality, flexibility, accessibility and affordability of provision and experiences for young children.

The report explained that the Scottish Government had set a transformational agenda for ELC, including the expansion of entitlement to free ELC provision from 600 to 1140 hours. In September 2017, the Education Committee had approved the Council's expansion plan to achieve the targets set.

In March 2020, the Scottish Government delayed the statutory duty on education authorities to make 1140 hours of ELC available to each child from August 2020. However, in June 2020, following consultation with officers, the Education Committee approved the department's proposal to continue to progress with plans to deliver 1140 hours of ELC for all eligible 2, 3 and 4 year old children from August 2020, albeit in limited fashion, and full implementation, which included the provision of food at lunchtime, had been ongoing since August 2021.

The Head of Education Services (Quality Improvement) explained that quality was at the heart of funded ELC delivery, East Renfrewshire establishments continued to attain good and very good evaluations which compared favourably nationally, and there had been a steady increase in the percentage of children achieving their developmental milestones within the least affluent communities. She explained that, following lockdown, there had been a significant reversal in the previous reduction in the achievement gap between the most affluent and least affluent which had reached 20%. However, in the following two years the gap had reduced to 14%

and, although the figures had not yet returned to pre-pandemic levels, recovery was expected to continue.

The Head of Education Services (Quality Improvement) further explained that the number of parents wishing to access provision from 9am-3pm each day had increased and provision continued to be monitored to ensure that models could meet the choice and flexibility needs of children and families. To further support this flexibility, it was proposed that Calderwood Lodge Nursery Class would change to a family centre to offer full year provision to families to the west of Newton Mearns and provision would also be expanded in Barrhead and Neilston.

Having heard the Head of Education Services (Performance and Provision) confirm that performance was assessed across a number of measures throughout the year and shared with ELC establishments to identify areas for improvement, the Committee noted the continued progress of the delivery of 1140 hours of Early Learning and Childcare.

BEYOND EQUALITY: A SOCIAL JUSTICE FRAMEWORK FOR EDUCATION IN EAST RENFREWSHIRE

414. The Committee considered a report by the Director of Education providing an update on the development of East Renfrewshire's Social Justice Framework "Beyond Equity: A Social Justice Framework for Education in East Renfrewshire Council and Social Justice Strategy 2023-26. Copies of the framework and strategy were appended to the report.

The Head of Education Services (Equality and Equity) explained that the framework had been developed to ensure that East Renfrewshire settings and schools were supported in reviewing and developing their approaches to social justice. The framework highlighted three dimensions of social justice and that improvement of the dimensions could be achieved by focussing on a number of key areas including use of resources; learning, teaching and assessment; and curriculum design. A driver diagram had been developed to demonstrate key commitments targeted at improving social justice including improved representation of diverse children, young people, families and staff in the life and work of settings and schools; and reducing barriers which limited the involvement and engagement of specific groups. She advised that much of the social justice information was already available within education settings but this framework would bring everything together in one place to align and make it easier for staff to refer to and use. The framework was accompanied by a Social Justice Strategy which outlined the ways in which the Education Department intended to improve social justice through education over the next three years.

The Committee agreed:-

- (a) to note the documents Beyond Equity: A Social Justice Framework for Education in East Renfrewshire Council and Social Justice Strategy 2023-26;
- (b) to approve the key priorities identified in the driver diagram; and
- (c) to request that the Director of Education take appropriate steps to ensure they were implemented in all school and early learning and childcare settings.

MINUTE
of
APPOINTMENTS COMMITTEE

Minute of meeting held at 1.00pm in the Council Chamber, Council Headquarters, Giffnock on 25 April 2023.

Present:

Councillor Andrew Anderson
Councillor Tony Buchanan
Provost Mary Montague

Councillor Gordon Wallace (*)
Councillor Owen O'Donnell

Councillor O'Donnell in the Chair

(*) indicates remote attendance

Attending:

Sharon Dick, Head of HR and Corporate Services; Annemarie O'Donnell, Chief Executive (Glasgow City Council); Catriona Mackie, Specialist Advisor (Aspen People Ltd); and Liona Allison, Assistant Committee Services Officer.

DECLARATIONS OF INTEREST

415. 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 following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

CHIEF EXECUTIVE

416. Under reference to the Minute of the meeting of 2 March 2023 (Page 439, Item 371 refers), the committee took up consideration of applications for the post of Chief Executive.

Following full consideration the committee agreed that 6 candidates be shortlisted for assessment.

CHAIR

