

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of meeting held at 5.00pm in the Council Chamber, Council Headquarters, Giffnock on 13 September 2023.

Present:

Councillor Andrew Anderson	Councillor Chris Lunday
Councillor Caroline Bamforth	Councillor David Macdonald (*)
Councillor Tony Buchanan	Councillor Jim McLean
Councillor 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

(*) indicates remote attendance.

Attending:

Steven Quinn, Chief Executive; Caitriona McAuley, Director of Environment; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Margaret McCrossan, Chief Financial Officer (*); Anthony McReavy, Chief Executive, Culture and Leisure Trust (*); Barbara Clark, Chief Accountant; Andy Corrie, Head of Environment (Operations); Siobhan McColgan, Head of Education Services (Equality and Equity); Raymond Prior, Head of Children's Services and Criminal Justice; Arlene Cassidy, Children's Services Strategy Manager; Elaine Rodger, City Deal and Infrastructure Delivery Manager; Graeme Smith, Communications Manager; Colin Sweeney, Democratic Services Manager; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance.

DECLARATIONS OF INTEREST

570. There were no declarations of interest intimated.

MINUTE OF MEETING OF COUNCIL – 28 JUNE 2023

571. The Council considered and approved the Minute of the meeting held on 28 June 2023.

MINUTE OF SPECIAL MEETING OF COUNCIL – 17 AUGUST 2023

572. The Council considered and approved the Minute of the special meeting held on 17 August 2023.

MINUTES OF MEETINGS OF COMMITTEES

573. The Council considered and approved the Minutes of meetings of the undernoted.

- (a) Local Review Body – 9 August 2023;
- (b) Audit and Scrutiny Committee – 10 August 2023;
- (c) Education Committee – 17 August 2023;
- (d) Appointments Committee – 23 August 2023;
- (e) Cabinet – 24 August 2023;
- (f) Licensing Committee – 5 September 2023; and
- (g) Cabinet – 7 September 2023.

ANNUAL TREASURY MANAGEMENT REPORT FOR 2022-23

574. Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 10 August 2023 (Page 580, Item 529 refers), the Council considered a report by the Head of Accountancy seeking approval for the investment of surplus funds to the organisations listed in Appendix 8.

The Council: -

- (a) noted the Treasury Management Annual Report for 2022/23; and
- (b) approved the list of organisations at Appendix 8 for investment of surplus funds.

Variation in Order of Business

In accordance with Standing Order 20, and with a view to making the most effective use of officers' time, Provost Montague agreed to consider Motions (Item 7) at the end of substantive business.

STATEMENTS BY CONVENERS AND REPRESENTATIVES ON JOINT BOARDS AND COMMITTEES

575. Three statements had been received and summarised as follows:

(a) Councillor Pragnell – Convener for Social Work and Health

Councillor Pragnell reported on the recent meeting of the Integration Joint Board held on 16 August 2023 when, amongst other things, the content of the Children and Young People's Services Plan for 2023-2026 had been noted prior to submission to today's Council meeting for approval. She advised that a significant amount of work and collaboration with other agencies had gone into production of the plan and that other matters of interest discussed at the meeting had included publication of the

Local Child Poverty Action Report; changes to remuneration in relation to the fostering and kinship scheme, bringing rates in line with neighbouring authorities; Inspection of Adult Support and Protection Services; and the identification of significant cost pressures in the Revenue Budget Monitoring report. She added that the Chief Officer – Health and Social Care Partnership and her team were identifying actions to reduce costs further including exploration of additional charging for services.

(b) Councillor Anderson – Convener for Education, Culture and Leisure

Councillor Anderson referred to a recent verbal update on the 2023 SQA results, which had been provided at the meeting of the Education Committee on 17 August 2023. He advised that a number of performance improvements had been achieved and East Renfrewshire had recorded the highest rate for positive leaver destinations in Scotland. He congratulated all of the young people, staff and families for the excellent results achieved. Referring to the Summer Holiday Camp Programme, he advised that this had been well-attended and over 100 free places had been offered to children and young people from low-income families. Children and Young People with additional support needs had also been included in the summer programme, which had offered children a full programme of events and a healthy lunch each day. He also advised that over 1500 children had taken part in the Summer Reading Challenge and commended the hard work and enthusiasm of library staff and volunteers for making this a success.

(c) Councillor O'Donnell – Leader

Councillor O'Donnell referred to recent news stories about the discovery of Reinforced Autoclaved Aerated Concrete (RAAC) in some public buildings across the UK. He advised that, following publication of guidance in 2022, the Council had undertaken a survey of properties, which could possibly require further inspection for RAAC. Having followed the Government guidance, officers were comfortable that RAAC was not present in any ERC properties and this investigative work would be double-checked for accuracy by an independent organisation.

The Council noted the statements.

PROVOST'S ENGAGEMENTS

576. Council considered a report by the Director of Business Operations and Partnerships, which provided details of civic engagements attended, and civic duties performed by Provost Montague since the meeting of the Council held on 28 June 2023.

Council noted the report.

EAST RENFREWSHIRE'S CHILDREN AND YOUNG PEOPLE'S SERVICE PLAN 2023-2026

577. Council considered a report by the Head of Public Protection and Children's Services, which presented for consideration *At Our Heart*, the East Renfrewshire Children and Young People's Services Plan 2023-2026, a copy of which accompanied the report.

The report referred to the obligations placed on local authorities, in conjunction with their relevant health board, to jointly prepare a three-year Children's Services Plan for the local authority area, as well as the requirement on the local authority and health board to jointly publish an annual report detailing how the provision of children's services and related services in the area had been provided in accordance with the Plan.

Referring to the Plan, the report explained that in accordance with the statutory guidance, the Plan had been framed within the national *Getting it Right for Every Child* well-being framework and a locally agreed approach, which included a new suite of key priorities and success criteria. The report provided details of the consultation and partnership working that had taken place in the development of the Plan. In particular, the overarching role of the Improving Outcomes for Children and Young People Partnership was outlined.

The report concluded by confirming that the purpose of the Plan was to set out the vision for East Renfrewshire's children, young people and their families, and to demonstrate the commitment to achieving the best possible outcomes for them especially in these challenging and uncertain times.

In response to questions, the Director of Education advised that the pandemic had affected disadvantaged learners more but that the Shared Strategic Equity Fund Plan provided schools with additional support for those who needed it most and targeted funding for those in receipt of free school meals had been introduced through Pupil Equity Funding.

Having heard the Leader of the Council, on behalf of the Council, commend all officers involved in preparation of the report, Council agreed to:

- (a) acknowledge the new duties of the Children and Young People Act 2014 as they related to Part 3 Children's Services Planning; and
- (b) approve the content of the Children and Young People's Services Plan 2023–2026 prior to its submission to the Scottish Government.

COUNCIL TAX CONSULTATION

578. Council considered a report by the Director of Business Operations and Partnerships, which provided an update on the current Scottish Government and COSLA Council Tax consultation, anticipated implications for East Renfrewshire Council and residents, and seeking agreement of the Council's response.

The report referred to the Council's statutory duty to bill and collect Council Tax, reporting that the Council budgeted for a 98% collection rate, with debt pursued beyond the financial year. It was further reported that Council Tax income provided 18.3% of the funding required to run the Council with the remainder received from the Scottish Government.

The ongoing consultation sought views on plans to increase the amount paid by households in the highest value properties, with the proposal to increase council tax rates in bands E to H based on implementing a fairer system, which was more reflective of property values. Further information was provided on the impact in East Renfrewshire, with both the Money Advice and Rights Team (MART) and Citizen's Advice Bureau (CAB) expressing concern that a large council tax increase above inflation rates would be unsustainable for a number of residents. Although additional income would be generated, it was thought that this would not fully benefit local residents and services within East Renfrewshire and may lead to additional demand for support from Council and external services.

Thereafter, the Director of Business Operations and Partnerships confirmed that information was provided on Council Tax bills in relation to where residents could access support if they experienced difficulty in paying their bills.

Council agreed to:

- (a) note the ongoing consultation on changes to Council Tax proposed by Scottish Government and COSLA and the expected impact for East Renfrewshire Council and residents; and
- (b) approve the Council's draft response to this consultation as outlined in Annex 1 to the report.

OUTCOME DELIVERY PLAN (ODP) 2023-24 UPDATE

579. Under reference to the Minute of the meeting of 26 April 2023 (Page 486, Item 425 refers), when Council approved the content of the ODP 2023-24, Council considered a report by the Director of Business Operations and Partnerships, which sought approval of the Council's updated ODP 2023-24, including updated narrative context, targets and financial information, which was not available in April.

The report highlighted the inclusion of additional context for each outcome and that three-year targets had been set for the majority of indicators. A set of graphs for indicators had also been included showing trend data and targets. The report concluded that the one-year operational ODP would ensure that the vital work of the Council continued to drive forward while allowing a focused period of longer-term strategic planning.

Council agreed to:

- (a) approve the content of the updated Outcome Delivery Plan 2023-2024; and
- (b) note that this was a one-year operational plan to allow the Council to undertake a focused period of longer-term strategic planning.

AURS ROAD PROJECT FUNDING

580. Under reference to the minute of the Cabinet of 23 March 2023 (Page 450, Item 384 refers), when progress on City Deal projects was noted, the Council considered a report by the Director of Environment, which provided an update on various funding matters that related to the City Deal funded Aurs Road Realignment Project.

The report referred to approval by the Council in 2015 of a programme of ambitious projects, entitled the M77 Strategic Corridor Programme, to stimulate economic growth, improve transport links, and increase leisure opportunities, amongst other things. This programme included the Aurs Road improvement project, which would improve local connections between Newton Mearns and Barrhead and enable visitor facilities at the Country Park.

It was reported that this project was now at a crucial stage with the approval of a tender and appointment of a contractor imminent. However, due to third party delays and changes to Sustrans funding, there was a £3 million shortfall, which required to be underwritten by the Council. It was expected that this funding would be recouped through future grant funding but this could not be guaranteed. Without this additional sum being invested by the Council,

the contract for the Aurs Road City Deal project could not be delivered and would result in the loss of significant associated benefits for local residents.

In response to questions, officers confirmed that both council officers and Scottish Water had carried out risk assessments at the Country Park and there would be additional signage and patrols following a recent incident. Additional risk assessments would also be carried out as required when further changes were made to the area. Members were also advised that additional grant funding had already been applied for and it was hoped that a decision on this would be provided by March/April 2024 at the latest.

Council agreed to:

- (a) note the progress and strategic importance of the Aurs Road City Deal Project;
- (b) note the changes to Sustrans financial grant funding awards for 2023/24 and the application for £3 million of grant funding in 2024/25;
- (c) approve the allocation of £3 million in Council funds to the Aurs Road Project in 2024/25 to cover the shortfall should the grant application for completion of works in 2024/25 not be approved;
- (d) approve the use of a contingency allowance of approximately 10% of the contract sum funded from the overall project budget; and
- (e) note the submission of the Full Business Case for the Aurs Road Realignment Projects to the Glasgow City Region Programme Management Office.

LEASE AND SERVITUDES RELATED TO AURS ROAD REALIGNMENT

581. Council considered a report by the Director of Environment, which sought approval to enter into the Lease, Licence to Occupy Agreement, and Servitudes required for use of Scottish Water owned land in relation to the Aurs Road Realignment City Deal Project.

Further information was provided on the terms of the lease, licence to occupy, servitudes, and risk management and it was reported that the proposed acquisition would enable the tender to construct to be progressed and a site start made to provide better connectivity between Barrhead and Newton Mearns.

Council agreed to approve entering into:

- (a) a 120 year Lease with Scottish Water to allow the construction of a promenade;
- (b) a Licence to Occupy Scottish Water land outwith the Lease required to construct the promenade; and
- (c) the seven servitudes required for the use of land in Scottish Water ownership for future access and maintenance.

CHANGES TO ORGANISATION STRUCTURE – EDUCATION

582. Council considered a report by the Director of Business Operations and Partnerships, which sought approval for a proposed restructure of Head of Service Remits within the Education Department.

It was reported that the changes would ensure an ongoing focus on service delivery and support the Education Department to continue to deliver the highest quality education for all children and young people.

Council agreed to:

- (a) approve the changes to the Head of Service remits within the management structure in the Education Department; and
- (b) delegate to the Head of HR and Corporate Services, in consultation with the Director of Education, the making of the necessary arrangements.

ERCL TRUST BOARD APPOINTMENT

583. Council considered a report by the Director of Education, which recommended for approval by the Council the nomination of a new independent board member for the Culture and Leisure Trust Board following a recent resignation.

Council agreed to endorse the recommendation of the East Renfrewshire Culture and Leisure Trust Board and approve the appointment to the Board of Ms Susie Malcolm in accordance with the Trust's Articles of Association and Board Charter.

CALENDAR OF MEETINGS 2024 - AMENDMENT

584. Under reference to the Minute of the meeting of 28 June 2023 (Page 573, Item 519 refers), when the calendar of meetings for 2024 was approved, Council considered a report by the Director of Business Operations and Partnerships seeking approval of a change to the calendar of meetings.

The report requested that the meeting of the Education Committee scheduled for 7 November 2024 be moved to 14 November 2024 to avoid a clash with the Council's Cabinet which was due to meet on the same day.

Council agreed to amend the 2024 calendar of meetings as outlined within the report.

APPOINTMENT OF RETURNING OFFICER

585. Council considered a report by the Director of Business Operations and Partnerships in relation to the appointment of a Returning Officer following the retirement of the former Chief Executive on 7 July 2003.

The Council agreed to appoint Steven Quinn, Chief Executive, as Returning Officer with effect from 13 September 2023.

Council then considered the following motions, on notice, which were listed at Agenda Item No.7.

MOTIONS ON NOTICE

586. In accordance with Standing Order 27, the following motions had been received on notice.

Use of Pesticides and Herbicides

East Renfrewshire Council notes:

- a) *The increasing public concern about the use of pesticides and herbicides, particularly those containing glyphosate, in weed control and the potential damage to health and to biodiversity.*
- b) *Scottish Government guidance, which informs councils to avoid blanket treatment with pesticides and herbicides, except with invasive species.*
- c) *Several Scottish Local Authorities have, or are currently, looking at alternatives to pesticide and herbicide usage.*

East Renfrewshire Council agrees:

1. *To identify and audit the extent of the Council's spending on herbicides.*
2. *To develop a herbicide policy stating for public information the current uses made of herbicides by the Council and their locations.*
3. *To consider and report on alternatives to herbicide weed control and the potential for reducing longer term costs.*
4. *To pilot alternative methods of weed control and herbicide free zones in partnership with local groups where appropriate.*
5. *To commit to the aim of a herbicide-free Council (joining numerous other local authorities across Scotland, England, Wales and Northern Ireland and in other countries) and to set a timetable for the phased elimination of herbicide use by Council resources and their contractors".*
6. *To recognise how important insect pollinators, such as the bee population is to the future of our survival and for the survival of the planet. To that end, East Renfrewshire commits itself to becoming a "pollinator friendly" local authority and recognises the harm being caused to pollinator populations by herbicides such as Glyphosate.*

Proposed: Councillor Macdonald

Seconded: Councillor Ireland

By way of an amendment, Councillor O'Donnell, seconded by Councillor Devlin, submitted the following:

Glyphosate Amendment

East Renfrewshire Council notes:

- a) *The increasing public concern about the use of pesticides and herbicides, particularly those containing glyphosate, in weed control and the potential damage to health and to biodiversity.*
- b) *Scottish Government guidance, which informs councils to avoid blanket treatment with pesticides and herbicides, except with invasive species. And further notes that this Council uses herbicides in a targeted manner and not through blanket weed spraying.*
- c) *Several Scottish and UK Local Authorities have, or are currently, looking at alternatives to pesticide and herbicide usage but are struggling to find alternatives which are cost effective, less labour and equipment intensive and have better customer and quality outcomes.*
- d) *Notes that trials of herbicide alternatives in Cardiff City Council showed that Glyphosate remained the most effective and sustainable technique, was significantly more cost effective, had lowest environmental impact due to lower labour and equipment costs and had highest customer satisfaction and quality scores.*

East Renfrewshire Council agrees:

1. *To publicise the Council's herbicide policy stating for public information the current uses made of herbicides by the Council and their locations. And to improve public awareness of what residents can do to help prevent damage from weeds to their property.*
2. *To pilot alternative methods of weed control if funding becomes available, whilst noting that Rouken Glen Park is already a herbicide free zone.*
3. *To commit to review progress and learnings from other Councils across the UK in reducing herbicide use in a cost effective manner, which minimises environmental, customer and quality impacts and report back to Cabinet by the end of 2024.*
4. *To consider within its biodiversity planning requirements under NPF4 means of encouraging natural wildlife and sustainability of bee populations and to incorporate within the Council's biodiversity plans due to be delivered in 2024.*

Council debated the motion and amendment. On a vote being taken by roll call:

- a) Councillors Bamforth, Buchanan, Ireland, Lunday, Macdonald and Merrick voted for the motion;
- b) Councillors Anderson, Campbell, Cunningham, Devlin, Edlin, McLean, Provost Montague, Morrison, O'Donnell, Pragnell and Wallace voted for the amendment.

Accordingly, the **AMENDMENT** was declared **CARRIED**.

(ii) Foodbanks, Food Larders and Baby Bank Collections

Council:

1. *Notes, that the use of food banks has risen sharply since 2010, with demand this year higher than ever before.*
2. *Notes and thanks the many volunteers and organisations across East Renfrewshire that run and manage food banks/larders to help those in need.*
3. *Expresses great concern that Foodbanks, Food Larders and Baby Banks are facing high levels of demand from adults and children in need of vital help at this time.*
4. *Council therefore agrees to follow other local authorities and facilitate a regular food donation collection within both the Barrhead and Eastwood Council buildings to help local Foodbanks and Food Larders meet the increased need.*

Proposed: Councillor Ireland
Seconded: Councillor Lunday

By way of an amendment, Provost Montague, seconded by Councillor Pragnell, submitted the following:

(Delete last paragraph and insert)...That the Council applauds the work of staff in their charitable work re foodbanks and that they will continue to do as they are. Staff involved will feedback the success of the initiative in the Spring to Councillors.

Councillor Ireland, as mover of the motion, accepted the amendment. Accordingly, the **MOTION**, as amended, was declared **CARRIED**.

(iii) Public Access Defibrillators (PADS)

At the Full meeting of the Council on 26 October 2022 (Page 263, Item 201 refers), it had been agreed that officers be instructed to formulate a Council-wide strategy for the deployment and maintenance of public access defibrillators (PADs), and to lobby the Scottish Government to provide additional funding to allow it to partner with voluntary, charity, and community groups to implement this policy.

In addition, Council considered a report by the Chief Executive on the deployment and maintenance of Public Access Defibrillators (PADs), including the current position, current costs involved and the options of funding to support it.

Council:

- a) *Welcomes the work currently underway to identify the locations of defibrillations within our communities.*

- b) *Notes, however, in the past 8 months from the council meeting of 26 October 2022 there have been no new defibrillators installed, or planned, in East Renfrewshire. Furthermore no money has been forthcoming from the fund set up by the Provost for this express purpose.*
- c) *Notes, in addition, as a consequence of this paper, this has led to an unfortunate loss of potential match funding and funding for ongoing defibrillator costs for local community groups who wish to install their own defibrillators.*

Due to this inaction, Council:

1. *Notes that every year, over 3,000 people in Scotland, including children and young people, experience an out-of-hospital cardiac arrest (OHCA).*
2. *Notes that, unfortunately, only 1 in 10 people survive such an event. Automated External Defibrillators (AEDs) can play a significant role in saving the lives of people who suffer heart attacks in public. It is estimated that a shock from an AED, alongside Cardiac Pulmonary Resuscitation (CPR) treatment, increases survival rates to 75-80%.*
3. *Notes that, although there are public defibrillators in various places across East Renfrewshire including some council premises and assets, there are gaps, especially in the provision of publicly accessible AEDs within or at our local schools. Therefore, Council agrees to bring a report to Full Council no later than December 2023, detailing a plan to roll out more publicly accessible AEDs at all our primary and secondary schools.*

Proposed: Councillor Bamforth

Seconded: Councillor Lunday

By way of an amendment, Councillor Pragnell, seconded by Councillor Anderson, submitted the following:

At the Full meeting of the Council on 26 October 2022 (page 263, Item 201 refers), it had been agreed that officers be instructed to formulate a Council-wide strategy for the deployment and maintenance of Public Access Defibrillators (PADs), and to lobby the Scottish Government to provide additional funding to allow it to partner with voluntary, charity and community groups to implement this policy.

In addition, Council considered a report by the Chief Executive on the deployment and maintenance of PADs, including the current position, costs involved and funding options.

In addition, Council confirmed the Provost as Community Defibrillator Champion.

Council:

- a) *Notes that two new defibrillators have been purchased and will be installed at Kirkhill and Maidenhill primary schools in the immediate future thanks to the collaboration between the Provost and their Parent Councils.*

- b) *Welcomes various recently completed or imminent installations in communities by other organisations.*
- c) *This will increase the number of defibrillators at council-owned buildings to 28 and increases the number of defibrillators across East Renfrewshire on the British Heart Foundation database known as The Circuit to 82.*
- d) *Welcomes the work currently underway to identify the location of defibrillators in our communities, understanding that locations may include further primary and secondary schools but not necessarily all, as other locations may be more suitable for 24-hour access.*
- e) *Notes the council is conducting an ongoing live survey locally to identify the locations of any further defibrillators in East Renfrewshire.*
- f) *Notes that 'Save a Life Scotland' has cited East Renfrewshire Council's strategy as an example of good practice and have signposted the work to other local authorities in enhancing defibrillator provision.*
- g) *Notes that working with local community groups to provide the appropriate legal, insurance and procurement standards takes time to ensure long-term sustainable provision and maintenance of PADs.*
- h) *Thanks the providers of a very generous donation of £9,000 to help start the 'Provost's Community Defibrillator Fund'. This fund has been set up to allow donations and funding for PADs to be collected and to raise awareness of life-saving skills including CPR and how to use a defibrillator.*
- i) *Notes that this fund will be formally launched on Tuesday 19 September.*
- j) *Thanks the numerous community groups and charities who have worked with the Provost to deliver a sustainable solution for the people of East Renfrewshire.*
- k) *Notes that officers will submit a final report to the December meeting of Full Council on the work that has been undertaken on this strategy and which will include information on the costs of this programme going forward.*

Council debated the motion and amendment. On a vote being taken by roll call:

- a) Councillors Bamforth, Buchanan, Ireland, Lunday and Macdonald voted for the motion;
- b) Councillors Anderson, Campbell, Devlin, Edlin, McLean, Provost Montague, Morrison, O'Donnell, Pragnell and Wallace voted for the amendment.

Accordingly, the **AMENDMENT** was declared **CARRIED**.