

MINUTE VOLUME

3 MARCH 2022

Council	15 December 2021.....	1727
Licensing Committee	18 January 2022	1739
Planning Applications Committee	19 January 2022	1743
Local Review Body	19 January 2022	1747
Audit & Scrutiny Committee	20 January 2022	1751
Cabinet	27 January 2022	1757
Education Committee	3 February 2022.....	1763
Licensing Committee	15 February 2022.....	1773
Planning Applications Committee	16 February 2022.....	1775
Local Review Body	16 February 2022.....	1781
Cabinet (Police & Fire)	17 February 2022.....	1785
Audit & Scrutiny Committee	17 February 2022.....	1791

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of virtual meeting held at 7.00pm on 15 December 2021.

Present:

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

Provost Fletcher in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mark Ratter, Director of Education; Andy Cahill, Director of Environment; Julie Murray, Chief Officer - Health and Social Care Partnership; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Sharon Dick, Head of HR and Corporate Services; Louise Pringle, Head of Communities, Revenues & Change; Alison Tait, Executive Assistant to Chief Executive; Colin Hutton, Senior Communications Officer; Eamonn Daly, Democratic Services Manager; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Introductory Remarks

Provost Fletcher welcomed everyone to the meeting and intimated that this would be the last Council meeting attended by Caroline Innes, Deputy Chief Executive, prior to her retirement in January 2022. Time would be taken at the end of the meeting to look back on her career and give Elected Members the opportunity to thank her for her time with the Council and in public service.

Apologies:

Councillors Caroline Bamforth, Danny Devlin and Jim Swift.

DECLARATIONS OF INTEREST

1837. There were no declarations of interest intimated.

1730

MINUTE OF MEETING OF THE COUNCIL HELD ON 27 OCTOBER 2021

1838. Under reference to the Minute of the meeting of the Council of 27 October 2021 (Page 1678, Item 1787 refers), Councillor Wallace requested that the Minute be approved subject to the following amendments:-

First Paragraph, line 3

That the words “the Council had done a good job in the area of recycling” be replaced with the words “it was thanks to the awareness and work of residents that the Council had been seen to do a good job in recycling”.

First Paragraph, line 7

That the words “which had destroyed” be replaced with the words “which would destroy”.

The Council approved the Minute subject to the foregoing amendments.

MINUTE OF MEETING OF THE COUNCIL HELD ON 25 NOVEMBER 2021

1839. The Council considered and approved the Minute of the meeting held on 25 November 2021.

MINUTES OF MEETINGS OF COMMITTEES

1840. The Council considered and approved the Minutes of the meetings of the undernoted except as otherwise referred to in items 1841 and 1842 below:-

- (a) Planning Applications Committee – 3 November 2021;
- (b) Local Review Body – 3 November 2021;
- (c) Appointments Committee – 9 November 2021;
- (d) Education Committee – 11 November 2021;
- (e) Cabinet – 18 November 2021;
- (f) Cabinet – 25 November 2021;
- (g) Audit & Scrutiny Committee – 25 November 2021;
- (h) Cabinet (Police & Fire) – 2 December 2021; and
- (i) Licensing Committee – 7 December 2021

CABINET – 25 NOVEMBER 2021 - GENERAL FUND CAPITAL PROGRAMME 2021-22

1841. Under reference to the Minute of the meeting of the Cabinet of 25 November 2021 (Pages 1702 - 1703, Item 1811 refers), Councillor Wallace sought clarification that the percentage figure detailed in the first paragraph of page 1703, was in fact 1.06% and not 1.6%, the latter figure having been quoted at the meeting.

The Democratic Services Manager having requested the opportunity to check this figure in the Minute and update it if required, the Head of Accountancy confirmed that the 1.06% as detailed in the Minute was accurate.

CABINET – 25 NOVEMBER 2021 - A RISK-BASED APPROACH TO ROAD ASSET SAFETY INSPECTIONS

1842. Under reference to the Minute of the meeting of the Cabinet of 25 November 2021 (Page 1706, Item 1816 refers), Councillor Wallace acknowledged that this proposed new approach should minimise the exposure of danger or serious inconvenience to road users of the network or wider community (i.e. non-East Renfrewshire residents using main roads). However, the Minute did not record any of the discussion that took place around speed of travel being one of the factors on which repair prioritisation would be based, and that a consequence of this would be that repairs to side roads which would normally have been repaired based on the pothole dimensions would now be left unattended for unspecified periods of time.

Referring back to the risk-based approach to road asset safety inspections, Councillor Buchanan noted that this was to improve the service and to ensure that the Council tackled any dangerous potholes quicker. It was not suggesting that potholes would be left unidentified or unrepaired, it was simply prioritising them. Councillor Buchanan noted the recent significant investment in side roads to bring these up to a high specification. The new approach was simply prioritising the potholes with the most significant risk but still attending to all road repairs as quickly as possible albeit with a different process of prioritisation.

Councillor Merrick agreed with the position as set out by Councillor Buchanan. He advised that he had sought clarification on this point at the meeting regarding work on side roads and that this was a method of prioritisation and not an approach to ignore side roads or less used roads.

Councillor Wallace again commented that no time limit was given on the timescale for the repair of potholes in side roads, with priority given to main roads and those potholes that could potentially cause an accident. He noted the question was asked at the meeting as to what would happen to the side roads and that these would be left unattended for an unspecified period of time with the prioritisation on the main roads. He noted the Environment Department was not prepared to put a time limit on filling potholes in side roads.

The Democratic Services Manager reminded Members that Minutes were not a verbatim record of meetings, but a summary of discussion that took place. However Councillor Wallace's comments and the further discussion which had taken place at this meeting would be recorded in the Minute.

GENERAL FUND CAPITAL PROGRAMME 2021/22

1843. Under reference to the Minute of the meeting of the Cabinet of 25 November 2021 (Page 1702, Item 1811 refers), when it had been agreed to recommend to the Council that the proposed adjustments to the General Fund Capital Programme 2021/22 be approved, the Council considered a report by the Head of Accountancy (Chief Financial Officer), recommending adjustments to the 2021/22 General Fund Capital Programme as at 30 September 2021 in light of developments that had arisen since the programme had been approved.

Councillor Wallace noted the mention of the City Deal, which arose from £500 million from the UK Government, match funded by the Scottish Government, referred to a number of other UK Government funding streams available totalling over £5B for Scottish Local Authorities to access, and enquired as to the Council's position regarding these funds.

Also referring to the programme, Councillor Miller noted that £0.046m to support installation of electric vehicle charger points would be prioritised for Council fleet. He reported that he had received some complaints from residents about broken charging points, such as at the Eastwood Health and Care Centre, and questioned if there was any action the Council could take in relation to individuals leaving their vehicles attached to charging points overnight restricting their use by other users.

In response, the Director of Environment advised that the Council was currently investigating The Levelling Up Fund in particular. Government guidance on the fund was expected soon. It was anticipated that bids for funding would need to be submitted between April and June and any proposals would be the subject of a report to Cabinet.

In relation to charging points, the Director confirmed that the Council did receive Scottish Government funding. There were some dated charging points across the area which broke down frequently and officers were addressing this. In relation to overnight charging, the Director advised that he was not aware of anything the Council could do to prevent this.

Councillor Buchanan noted that he was aware of the issues regarding the charging points and a work order for repairs had been issued a number of weeks ago. He also referred to the theft of one of the charging points. Reviewing the infrastructure of charging points and their maintenance would be essential moving forward, especially given the increase in electric vehicles across the area. In this regard, Provost Fletcher noted a presentation from Scottish Futures Trust to the Association of Public Sector Excellence (APSE) members on the ambitious roll out of charging point facilities, and highlighted the level of thought at a senior level to the delivery of this with a view to provide an infrastructure similar to Norway with charging points throughout the country.

Councillor Wallace thanked the Director of Environment for his earlier response although raised that the Council, designated as a Priority Two Local Authority in the Community Renewal Fund did not receive any funding whilst nine other Local Authorities in this category had received funding. The Council was therefore one of three local authorities who did not receive any funding. He hoped lessons would be learned when applying for the £4.8B Levelling Up Fund and the £150m Community Ownership Fund.

Councillor Buchanan advised that these Funds fell well below the levels of European funding previously available and were slow in being brought forward, with concerns having been expressed by local authorities across the UK with regard to levelling up processes. The lack of regional assistance programmes and maps highlighting areas which would be able to access the European Regional Development Fund (ERDF) or European Structural and Investment Funds (ESIF) were no longer in existence or were not being used, and this gave rise to concern as to the criteria that would be used to allocate funding from the new Funds.

Councillor Aitken having commented on the overall funding provided to the European Union in relation to levels of European grant funding that had been available, Councillor Wallace reiterated there was funding available and he was simply encouraging that the Council learn from the previous approaches when attempting to access it, as failure to obtain this funding would have a detrimental impact on the Council's overall financial position.

The Council:-

- (a) noted and approved the movements within the programme; and
- (b) noted the shortfall of £0.443m and that income and expenditure on the programme will be managed and reported on a regular basis.

HOUSING CAPITAL PROGRAMME 2021/22

1844. Under reference to the Minute of the meeting of the Cabinet of 25 November 2021 (Page 1703, Item 1812 refers), when it had been agreed to recommend to the Council that the proposed adjustments to the Housing Capital Programme 2021/22 be approved, the Council considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring expenditure as at 30 September 2021 against the approved Housing Capital Programme 2021/22.

The Council:-

- (a) noted and approved the current movements within the programme;
- (b) noted the shortfall of £0.160m and that income and expenditure on the programme will be managed and reported on a regular basis.

INTERIM TREASURY MANAGEMENT REPORT 2021-22

1845. Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 25 November 2021 (Page 1714 - 1715, Item 1824 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) providing details of the Council's treasury management activities for the period 1 April to 30 September 2021 and seeking approval of the use of the organisations specified in the report for the investment of surplus funds.

The Council:-

- (a) noted the interim Treasury Management Report 2021/22; and
- (b) approved the use of the organisations listed at Appendix II of the report for the investment of surplus funds.

STATEMENTS BY CONVENER/REPRESENTATIVE ON JOINT BOARDS/ COMMITTEES

1846. The following statement was made:-

- (a) **Councillor Merrick – Convener of Community Services & Community Safety**

Councillor Merrick provided an update on East Renfrewshire Culture and Leisure Trust recovery during the pandemic. He explained that in relation to sports and physical activity, swimming lessons had almost 2000 participants, which was 77% of pre-Covid levels. He noted that both Barrhead Foundry and Neilston had recovered to 100% of pre-Covid numbers.

Gym membership was at 1875 members, which was 75% of the March 2019 figure. Finally, following the resumption of out-of-hours bookings in schools in November, Community Sports classes now had over 900 participants, which was 64% of pre-Covid levels.

He advised that mass vaccination continued at Eastwood Park and the vaccination centre would continue at Carmichael Hall until at least March, with some classes relocated to Clarkston Hall and Netherlee during this period.

He further advised that bookings were now in place in all of the Council's Community Halls, and out-of-hours bookings in schools were now restored for clubs and groups.

Councillor Merrick then provided an update on library and information services, advising that following the completion of works to Busby Library, the Council had turned its attention to repairs to Mearns Library, with these works expected to be completed in mid-January.

Eastwood Theatre had also recovered its services, with the Trust's annual pantomime, despite being produced at short notice following the permission to reopen coming in only August, breaking all records. 15,000 tickets had so far been sold 4,000 more than the previous record. This continued the Trust's successful turnaround of the theatre from one which made a regular £100,000 annual loss, to one which now generated a sustained profit.

The Council noted the statement.

PROVOST'S ENGAGEMENTS

1847. The Council considered a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Fletcher since the meeting on 27 October 2021.

Having heard Provost Fletcher report that in addition to the events detailed in the report, on 11 December he attended the Young Enterprise Scotland Fair in Rouken Glen Centre, the Council noted the report.

COVID-19 RECOVERY UPDATE

1848. The Council considered a report by the Chief Executive, providing Elected Members with a further update on response, recovery and renewal work taking place across the Council and the Trust.

Councillor Buchanan noted the significant challenges posed by the Omicron variant of COVID-19 and thanked staff for their hard work and dedication throughout a challenging year. He advised that a COSLA meeting had taken place earlier in the day with all local authorities and the Deputy First Minister, and he was present at this meeting with the Chief Executive.

The Chief Executive then outlined a number of changes that had occurred since the report was written. These related to advice on reducing socialising; changes to isolation requirements; identification by local authorities of suitable premises for mass vaccinations; additional pressures on the HSCP, increasing levels of staff absence and the impact on critical services; and the anticipated requirement for further isolation support to be provided.

In support of the Chief Executive, Councillor Buchanan outlined that further disruption to Council services was anticipated as a result of the spread of the new variant at a time when residents would be looking to the Council and other public sector bodies for support. As part of this the Council, along with local partners, would continue to support the increased vaccination programme and humanitarian support.

Councillor Macdonald commented on the report stating that he was seeing a tangible difference in the willingness of the public to comply with restrictions in the community, especially in light of the news reports of the possible disregard within the UK Government to some of the restrictions in place.

Councillor Aitken concurred with the comments made by Councillor Macdonald and noted the initial evidence that suggested the Omicron variant was less harmful than previous variants of the virus. As such he suggested that both the UK and Scottish Governments had been unnecessarily heavy handed with some of the restrictions that had been introduced. He then referred to a recent report in the Barrhead News that 1,027 complaints had been made to the Council during 2020/21, a 43% increase in complaints in comparison to the previous year, and requested a breakdown of these complaints.

The Chief Executive advised that a breakdown of complaints received across all of the complaints categories would be provided to Councillor Aitken. However she noted that organisations across the public and private sectors had not been able to deliver services to the levels they would normally do in light of COVID-19 and through requiring to support critical services and the NHS.

The Chief Executive advised that some of the information from the Scottish Government was in the form of guidance rather than legislation and a balance was trying to be struck by the Scottish Government between public health and the economy. She outlined that the Council would continue to follow the guidance and information provided by the UK and Scottish Governments and noted at this stage the transmissibility of the Omicron variant appeared greater with the severity of symptoms less severe. However this was still to be confirmed. Members were also referred to information previously circulated by the Chief Executive on the analysis of the Omicron variant.

Councillor Buchanan highlighted the close link between the Scottish Government and COSLA throughout the pandemic and that briefings had taken place as early as possible. He noted the increased transmissibility of the Omicron variant, and that Omicron was likely to be the dominant variant in Scotland shortly. This gave an insight into the expected increase in infection levels and the resulting hospitalisations and impact on staffing levels in all areas of business. He referred to the population difference in South Africa with 5% of the population over 60 in contrast with 30% over 60 in the UK and noted that the severity of the symptomatic outcomes was unclear, therefore a preventative approach was appropriate to protect lives. He encouraged people to think of others and receive their booster. He noted that this was a sobering situation and the current spread of the Omicron variant in London and its impact on services provided an insight to what may happen across the rest of the country.

Councillor Macdonald highlighted that whilst increasing levels of vaccination of the population was to be welcomed, it had the effect of hiding symptoms and so regular lateral flow device (LFD) testing was a key part in the fight against the virus, and it was important that the Council continued to highlight to local residents the importance of testing.

In reply, Councillor Merrick confirmed that the Council was emphasising all COVID-19 measures including LFD tests, vaccination, and the relevant guidance and legislation. In response to Councillor Aitken's comments on restrictions he advised that responsible governments require to respond swiftly and highlighted that without appropriate restrictions in place one person with Omicron could infect up to a thousand people. He also noted that the severity of the Omicron variant was not clear at this stage and highlighted the pressures on the NHS and its staff.

Noting Councillor Merrick's comments Councillor Aitken highlighted the adverse impact that focusing on the pandemic was having on the treatment of other illnesses such as cancer and heart disease where many treatments had been postponed, and that in the longer term this cessation of other treatments may result in more lives being lost than the number saved from COVID. He also stated that at this stage it was not possible to say with any certainty whether the increased transmission of the virus would lead to increased hospitalisations.

Referring to Councillor Macdonald's comments on LFD testing the Chief Executive highlighted that guidance had been updated to the effect that a test should be taken whenever going to meet with others instead of twice a week which it was previously.

This approach was supported by Councillor Macdonald. He recognised that many people were uncomfortable about raising the issue of testing with friends and family and encouraged the Council to spread the testing message as widely as possible through all available channels. He also highlighted that constituents were struggling to access test kits.

In conclusion, Councillor Buchanan outlined that the Council had been active in informing constituents to take LFD tests regularly, particularly if socialising with others. He also noted pharmacies should be able to provide LFD tests if there were difficulties with ordering these online and that kits could also be obtained from mobile test facilities in the area.

The Council noted:-

- (a) the ongoing work on response, recovery and renewal;
- (b) that ongoing service delivery levels were still affected by staff involvement in response and recovery activities as well as the less efficient operating practices required to meet Coronavirus protocols; and
- (b) the continued additional workload of many staff.

DESIGNATION OF MONITORING OFFICER

1849. The Council considered a report by the Chief Executive, proposing that the Chief Officer – Legal and Procurement should be designated the Council's Monitoring Officer in terms of Section 5 of the Local Government and Housing Act 1989 (the 1989 Act).

The report outlined that following the retirement of the Solicitor to the Council in 2010, Caroline Innes, Deputy Chief Executive, had been appointed as the Council's Monitoring Officer. Given her retirement in January 2022, it was now necessary to designate another senior officer to perform this role.

The report explained that In terms of Section 5(7) of the 1989 Act, the Monitoring Officer may appoint a deputy to act in their absence. Ms Innes had appointed Mr Gerry Mahon, Chief Officer - Legal and Procurement, as her deputy. During her time as Monitoring Officer, Ms Innes had relied on the advice and support of Mr Mahon, who she had worked with closely.

The Council agreed to designate Gerry Mahon - Chief Officer – Legal and Procurement, as Monitoring Officer in terms of Section 5 of the Local Government and Housing Act 1989 from the end of January 2022.

VALEDICTORY – CAROLINE INNES, DEPUTY CHIEF EXECUTIVE

1850. Provost Fletcher advised that this would be the last Council meeting attended by Caroline Innes, Deputy Chief Executive, who was due to retire in January 2022 after 37 years of public service. On behalf of the Council he thanked the Deputy Chief Executive for her involvement in East Renfrewshire Council over the years and wished her a long and happy retirement. This was echoed further in individual tributes from Councillor Buchanan as the Leader of the Council, Councillor Merrick, Councillor Wallace, Councillor Aitken, Councillor Lafferty and by all Members of the Council. The Deputy Chief Executive responded in suitable terms.

PROVOST'S AWARD - CITIZEN OF THE YEAR AWARD 2021

1851. The Provost announced that the recipient of this year's Citizen of the Year Award was Oonagh McKinnon. He advised that Ms McKinnon was integral to the start-up of the East Renfrewshire Additional Support Needs Parents Action Group, which supported young people who have autism and their parents. As chairperson of the Barrhead-based group, Ms McKinnon helped young people and their families become more confident in feeling part of the community and had continued this vital work throughout the pandemic. He noted he would be meeting her next week to present her with the award and thanked her for her hard work in the community which made a positive impact on the lives of so many families in the area. All Members offered their congratulations.

SEASON'S GREETINGS

1852. This being the last meeting of the Council prior to Christmas Provost Fletcher wished all councillors the compliments of the season.

PROVOST

MINUTE
of
LICENSING COMMITTEE

Minute of virtual meeting held at 10.00am on 18 January 2022.

Present:

Councillor Angela Convery (Chair)
Councillor Charlie Gilbert

Councillor Annette Ireland
Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Chief Inspector Alan Gray and Sergeant Lisa Campbell, Police Scotland.

Apology:

Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

1853. There were no declarations of interest intimated.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARES REVIEW

1854. Under reference to the Minute of the meeting of 7 December 2021 (Page 1728, Item 1836 refers), when it was noted that the report would be continued to a future meeting, the committee considered a report by the Chief Officer – Legal and Procurement (Agenda Item 3 refers) seeking a review of taxi fares and a change of policy on the maximum age of private hire and taxi vehicles.

The report outlined that, before fixing fares and other charges, the licensing authority must review the scales in accordance with Section 17 (4A) of the Civic Government (Scotland) Act 1982 (the Act), in consultation with appropriate parties. Thereafter, the proposed scales would be published and any representations considered by the licensing authority prior to being finalised. The last review of taxi fares had taken place in 2015.

The views of taxi licence holders and best practice guidance issued by the Scottish Government were taken into account when reviewing the fares, and amendments to the tariffs, which were set out in Appendix I to the report, had been proposed. It was explained that East Renfrewshire was currently below the national and Scottish averages for taxi fares and proposed that an increase be considered.

The Senior Solicitor highlighted key aspects of the report advising that, in addition to the proposed tariff changes, consideration was being sought for a temporary change to the current policy on the maximum age of vehicles being licensed for the first time, to take account of a sharp rise in second hand vehicle prices.

In response to questions from Members, the Senior Solicitor confirmed that the tariffs agreed by the committee would be advertised and any representations brought back to the committee for consideration in due course.

Following discussion, Members proposed that the soiling charge be increased to £60, and the weekend tariff extended to 6am.

Having heard the Civic Government Enforcement Officer confirm that all taxi/private hire vehicles were subject to a rigorous inspection process, the committee agreed:-

- (a) to approve the proposed new scales for the hire of taxis in East Renfrewshire and all other charges in connection with the hire of a taxi or with the arrangements of its hire as referred to in Appendix 1 of the report, except in relation to (b) and (c) below;
- (b) that the Soiling Charge be increased to £60;
- (c) that Tariff 3 should relate to journeys beginning on Friday and Saturday nights after midnight until 6.00am;
- (d) to authorise the Chief Officer – Legal and Procurement to publish the proposed scales in a newspaper circulating in East Renfrewshire, and make associated arrangements in that regard, including the preparation of a further report on any representations received by the Council for the consideration of the Licensing Committee, if required;
- (e) to authorise the Chief Officer – Legal and Procurement to make amendments in respect of any other changes; and
- (f) to amend the present policy on maximum age of vehicles being licensed for the first time as new or substitute taxis or private hire vehicles from five to six years old from first registration date for a temporary two year period from the date of this meeting.

Resolution to Exclude Press and Public

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the remaining item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR RENEWAL

1855. The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the renewal of a Private Hire Driver's Licence (Agenda Item 4 refers).

The licence holder was present.

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

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the objection by the Chief Constable.

Sergeant Campbell was heard in respect of the objection by the Chief Constable and in response to questions from Members. She clarified that two of the items referred to in the Police report were now "spent" and no longer relevant to the application under consideration.

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

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

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of virtual meeting held at 2.00pm on 19 January 2022.

Present:

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

Councillor Stewart Miller
Councillor Jim McLean
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Gillian McCarney, Head of Environment (Chief Planning Officer); Julie Nicol, Planning and Building Standards Manager; Graeme Smith, Communications Manager; Alan Pepler, Principal Planner (Development Management); John Marley, Transportation Coordinator, East Renfrewshire Council Roads Department; Siobhan Wilson, Legal Adviser; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Apology:

Councillor Betty Cunningham.

DECLARATIONS OF INTEREST

1856. Provost Fletcher declared a non-financial interest in relation to Item 1857 - on the grounds that he was a member of the Board of East Renfrewshire Culture and Leisure Trust.

NOTIFICATION OF A PLANNING APPEAL AND AN APPEAL DECISION

1857. The committee considered a report by the Director of Environment, which explained that an appeal to the Directorate for Planning and Environmental Appeals (DPEA) regarding the decision of the Council to refuse planning permission for 2021/0183/TP - the erection of a single storey flat roof extension to rear, single storey front extension and installation of flue at 4 Wigton Avenue, Newton Mearns had been allowed by the Reporter and planning permission had been granted.

It was outlined that since the submission of the appeal to DPEA, planning permission had been granted by the Council for the proposed rear extension without any amendments to its design and for a revised front/side extension in August 2021. In relation to the outstanding matters of the single storey front extension and installation of flue, the Reporter found the proposed front extension to be of an appropriate scale and design. He concluded that it would not result in the houses having an unbroken or terraced appearance.

The committee noted the report.

APPLICATION FOR PLANNING PERMISSION

1858. The committee considered a report by the Director of Environment on the following application for planning permission.

2021/0694/TP - Proposed leisure centre, theatre, library, cultural facilities and ancillary spaces with associated parking and landscaping works including demolition of existing leisure centre and theatre building (Major) at Eastwood Recreation Centre, 6 Eastwood Park, Rouken Glen Road, Giffnock, East Renfrewshire.

The Principal Planner (Development Management) advised that the application had to be determined by the committee as it constituted as a Major Development under the terms of the Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009. He further advised that no objections had been received from statutory consultees, and that 12 representations had been received, consideration of which was outlined in the assessment section of the report.

Reference was made to the main areas of concern being the need for the development, the financial cost to the Council, loss of green space and trees, the sustainability of demolition and new build, the design including energy efficiency, loss of parking and impact on people safety and impact on Giffnock Library.

Thereafter the Principal Planner (Development Management) provided a detailed presentation that outlined the development site, provided details of the proposal and referred to the proposed landscaping, access, traffic management and parking.

Following the presentation and in response to Councillor Ireland, the Principal Planner confirmed that a total of 12 representations had been received. These included a number of objections. He also confirmed that there were no objections from statutory consultees.

Councillor Miller then suggested that the design of the glass roof may cause issues with regard to heating in winter. In reply, the Principal Planner advised that the amount of glass within the leisure centre had been addressed in the planning and design statement and energy statement submitted with the proposed application. Also in response to Councillor Miller, it was explained that at this stage the number of lanes that the swimming pool would provide could not be confirmed.

Referring to the representations received, Councillor Miller noted that on the whole they related to non-material planning considerations and that the pupils of St. Ninian's High School would be the main beneficiaries of the proposed development. Thereafter, Councillor Miller expressed his support for the proposed development.

Provost Fletcher advised of the full consideration given to all user groups in the development of the proposed application and noted that although alternative sites were suggested, given the use of the site currently, the continuation of a similar facility at the site was welcomed. He noted the request for priority use from St. Ninian's High School and that this request, along with all others, would be considered by the East Renfrewshire Culture and Leisure Trust. He noted that the cost of the proposed development would be discussed further at Council as this was not a material planning consideration. He advised that the facilities offered by the proposed development would be welcomed by residents and that he would support it.

Councillor Convery noted that she was pleased to see that the nearby allotments were not included in the plans and that the representations received were addressed as far as possible in the report. She could not see a reason to refuse the application and suggested that the proposed development would be an asset to East Renfrewshire.

Councillor Swift advised that the proposed development was not sought in the area of Newton Mearns and concurred that the cost of the proposed development was not a material planning consideration. He questioned the aspiration for an Olympic sized swimming pool and requested that the trees used in planting would be inclusive of broadleaf deciduous trees local to the area. He acknowledged that this would be a fabulous facility although he questioned its affordability.

Councillor Ireland then stated that in relation to the tree planting scheme she would welcome the planting of mature trees and not saplings.

In response, the Principal Planner advised that a tree planting strategy and planting strategy had been submitted and that trees of diameters of 15cm were included in the strategies as well as broadleaf deciduous trees local to the area.

Councillor McLean advised that he was in agreement with the proposals and that Eastwood Park was the preferred location for the proposed development. He sought confirmation of timelines should the application be approved. The Head of Environment (Chief Planning Officer) advised that an approved planning consent would be in place for 5 years although a start date for construction would be dependent on the financial position of the project.

Referring to Councillor Convery's earlier comments, Councillor Ireland advised that she was also pleased to see that the allotments were not included in the plans and was excited by the proposals which would be an asset to the community.

Having heard from the Principal Planner, the committee agreed that the application for planning permission be approved subject to the conditions listed in the report.

CHAIR

MINUTE
of
LOCAL REVIEW BODY

Minute of virtual meeting held at 2.45pm on 19 January 2022.

Present:

Councillor Annette Ireland (Chair)
Provost Jim Fletcher

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

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

Apologies:

Councillors Betty Cunningham, Angela Convery and Jim McLean.

DECLARATIONS OF INTEREST

1859. There were no declarations of interest intimated.

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

VARIATION IN ORDER OF BUSINESS

1860. Councillor Ireland advised that in accordance with Standing Order 20 agenda item 4 would be considered before agenda item 3 in order to facilitate the conduct of the meeting.

NOTICE OF REVIEW – REVIEW 2021/12 – ERECTION OF TWO STOREY SIDE EXTENSION. 6 PRIORWOOD ROAD, NEWTON MEARNES (REF NO: 2021/0077/TP)

1861 The Local Review Body considered a report by the Deputy Chief Executive relative to a 'Notice of Review' submitted by Mr Ross Williams against the decision taken by officers to refuse planning permission in respect of the erection of a two storey side extension at 6 Priorwood Road, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

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

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

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

Having heard the Planning Adviser and following discussion, the Local Review Body agreed that the Appointed Officer's decision as set out in the decision notice of 21 September 2021 be overturned and planning permission approved subject to the standard delegated conditions and the following additional condition:-

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

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Councillor Swift left the meeting at this point.

NOTICE OF REVIEW – REVIEW 2021/11 – CHANGE OF USE OF GROUND TO GARDEN GROUND AND ERECTION OF TWO STOREY SIDE EXTENSION AND BOUNDARY FENCE. 17 INVEREWE WAY, NEWTON MEARNS (REF NO:- 2021/0174/TP)

1862. The Local Review Body considered a report by the Deputy Chief Executive relative to a 'Notice of Review' submitted by Mr and Mrs Mark and Gillian Kelly against the decision taken by officers to refuse planning permission in respect of the change of use of ground to garden ground and erection of two storey side extension and boundary fence at 17 Inverewe Way, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

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

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

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

In addition, Elected Members intimated that they would wish to include a further condition to ensure the reinstatement of landscaping to run parallel with the new boundary fence. The Planning Adviser confirmed a condition could be included to outline no development shall commence until a landscaping plan to run parallel with the new boundary fence has been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Having heard the Planning Adviser and following discussion, the Local Review Body agreed that the Appointed Officer's decision as set out in the decision notice of 24 August 2021 be overturned and planning permission approved subject to the standard delegated conditions and the following two additional conditions:-

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

'No development shall commence until a landscaping plan to run parallel with the new boundary fence has been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.'

CHAIR

1750

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of virtual meeting held at 2.00pm on 20 January 2022.

Present:

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

Councillor Miller in the Chair

Attending:

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment (Strategic Services); Gill Darbyshire, Chief Executive's Business Manager; Fiona Muir, Senior Auditor; Linda Hutchison, Clerk to the Committee; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Louisa Yule and Emma-Rose Drummond, Audit Scotland.

Apology:

Councillor Jim McLean.

DECLARATIONS OF INTEREST

1863. There were no declarations of interest intimated.

CHAIR'S REPORT

1864. Councillor Miller reported, and it was noted, that there were no issues which he wished to bring to the committee's attention at this time.

AUDIT AND SCRUTINY COMMITTEE'S INVESTIGATION ON INCOME GENERATION AND COMMERCIALISATION – UPDATE ON IMPLEMENTATION OF RECOMMENDATIONS ACCEPTED BY CABINET

1865. Under reference to the Minute of the meeting 26 November 2020 (Page 1338, Item 1445 refers), when the Cabinet's response to the committee's investigation on income

generation and commercialisation had been noted, and it had been agreed that an update be submitted in a year's time on implementation of the recommendations that had been accepted, the committee considered a report by the Chief Executive on the progress made on each.

The report referred to the investigation's potential to generate new income streams, to contribute to the Council achieving future savings targets, to help the Council meet the strategic priority areas in the Community Plan, and to help deliver the Council's corporate plan, "*Vision for the Future*". Having made reference to the 12 recommendations made by the committee all of which had been accepted by the Cabinet, and which included that the Council establish a new policy on commercialisation supported by a cross-departmental team with expertise to implement the key recommendations of the policy and associated action plan, the report provided an update on implementation of each recommendations. Despite the challenges of dealing with the COVID-19 pandemic, work had started in many of these areas with future work planned in due course.

The Chief Executive's Business Manager highlighted key aspects of the report. Specifically in relation to Recommendation 7 on further development of the links between schools, the business community and other partners to create further opportunities for young persons in relation to training, assistance with technology and other benefits, she clarified that the 97.2% of 16 to 19 year olds reported to be participating in these education, employment or training opportunities equated to 5,060 individuals.

Councillor Miller thanked the former Scrutiny and Evaluation Officer for the work he had done to assist the committee with the investigation.

Further in relation to Recommendation 7, in response to Councillor Grant, the Chief Executive's Business Manager undertook to seek additional feedback from the Education Department on the positive outcomes for those who had participated in the education, employment or training offered.

In response to a further request for clarification from Councillor Grant, the Head of Accountancy (Chief Financial Officer) confirmed that additional funding for the provision of the core 1140 hours of free early learning and childcare was being provided by the Scottish Government, in relation to which teaching and other staffing resources were in place. However, she explained that this funding did not meet any additional costs to be met associated with additional wraparound hours requested over and above core hours.

Regarding the electric car charging points provided by the Council for public use, the number of which was increasing and which vehicle owners could currently use free of charge, also in response to Councillor Grant, the Head of Accountancy (Chief Financial Officer) confirmed that this arrangement was to encourage electric vehicle ownership and that the Council currently paid for the electricity used. However, the position may change in future. Having heard Councillor Grant comment that she considered it unacceptable that the Council had to meet the electricity costs in future, the Head of Environment (Strategic Services) confirmed that a review of this policy across the Glasgow Region City Deal area was underway, the outcome of which would be reported in due course.

Councillor Ireland posed various questions relating to the recommendations. She sought confirmation when the new policy prepared on commercialisation (Recommendation 1 refers) would be considered by the Corporate Management Team (CMT) and be available; when an invitation, which had been put on hold, would be extended to representatives of other councils with successfully developed approaches to commercialisation to address Elected Members and officers (Recommendation 2 refers); and on progress made attracting high quality commercial events to East Renfrewshire in relation to which she also asked if the Playground

Festival for 2022 had been confirmed (Recommendation 3 refers). She also sought further clarification on progress made on the new digital telecare system and the completion of outstanding work on this (Recommendation 4 refers); the maximisation of the use of local companies through procurement and purchasing activities and in terms of community wealth building (Recommendation 6 refers); and on strengthening links with Young Enterprise Scotland based in Rouken Glen Park and other similar organisations (Recommendation 7 refers). Clarification was also sought by Councillor Ireland on when an update would be available on the remaining options to generate new income or maximise income itemised under Recommendation 10; and on progress made on the option to introduce a public car parking policy (Recommendation 11 refers).

In support of views expressed by Councillor Grant earlier in the meeting, Councillor Swift commented that many private organisations charged for the use of their electric charging points, expressing the view that local taxpayers should not have to subsidise such costs. He also commented on the importance of influencing the way forward on this issue, and consequences for the Exchequer associated with the switch to electric vehicles.

Regarding asset management, Councillor Swift stated that involvement in the commercial property market had been a low risk option until the market crashed, but this was no longer the case, arguing that the Council should no longer be involved in this provision. Having heard Councillor Miller in support of this view and refer to related discussions with the External Auditor during the investigation, the Head of Accountancy (Chief Financial Officer) and Head of Environment (Strategic Services) confirmed that involvement in this sector tended to be to assist with economic regeneration or when the local market was not considered to be operating satisfactorily. Councillor Grant commended the new facility at Greenlaw Works, but referred to the pandemic's impact on its use.

The Chief Executive's Business Manager undertook to seek additional feedback following the meeting on the various issues raised, members of the committee having confirmed that the provision of clarification by correspondence was adequate.

The committee agreed:-

- (a) that the Chief Executive's Business Manager seek and provide further clarification to the Clerk for circulation to members of the committee on the issues raised at the meeting in relation to Recommendations 1, 2, 3, 4, 6, 7, 10 and 11 of the report on income generation and commercialisation; and
- (b) otherwise, to note the report and related comments made.

AUDIT AND SCRUTINY COMMITTEE'S INVESTIGATION ON CLIMATE CHANGE – UPDATE ON IMPLEMENTATION OF RECOMMENDATIONS ACCEPTED BY CABINET

1866. Under reference to the Minute of the meeting 26 November 2020 (Page 1338, Item 1445 refers), when the Cabinet's response to the committee's investigation on climate change had been noted and it was agreed that an update be submitted in a year's time on implementation of the recommendations that had been accepted, the committee considered a report by the Head of Environment (Strategic Services) on the progress made thus far and future plans for delivery against statutory climate change targets.

The report explained that the investigation had made 24 recommendations in total and summarised progress made to date on each. It was concluded that much had changed since the committee had finished its investigation just days before the first COVID-19

lockdown. It was reported that public awareness of climate change was much greater than it was 22 months ago, but progress and preparation against the necessary targets had slowed due to the activities associated with the pandemic. The targets were reported to be challenging, both in terms of the solutions and their affordability, this being the picture across Scotland rather than being unique to East Renfrewshire. The report confirmed that the Council had put in place some of the key foundations necessary to deliver effective change and had plans for further foundations.

The Head of Environment (Strategic Services) highlighted some key aspects of the report, including the recruitment of a Climate Change Officer in 2020; the organisation of workshops, entitled "What does good look like?" around the 7 key themes that the Council was involved in (planning, transportation, waste, fleet, housing, estates and procurement); the work of the Get to Zero Senior Officers' Working Group; and the "Get to Zero" Strategy approved by the Cabinet in November. He also referred to a report on the Council's carbon emissions which was scheduled to be considered by the Cabinet on 27 January 2022; the reference to positive and negative effects for sustainability of capital projects that was now included in the capital project appraisal form and which would be included in a forthcoming update to Cabinet on the Capital Investment Strategy; and a proposed climate change impact assessment for policies, plans and operations which was expected to be the subject of a report to the Council in April.

Councillor Miller, supported by Ireland, thanked officers involved in the preparation of the committee's report and the associated responses.

Councillor Ireland expressed disappointment regarding the lack of progress thus far on reviewing the approach taken on public transport to ensure it was sustainable and tailored to residents' needs (Recommendation 19 refers). More specifically, she sought clarification on what work had been done to look at gaps in public transport provision across the authority and on active travel routes, also making reference to limited cycle lanes in some Wards to help access the new Eastwood Leisure Complex. Making reference to Recommendation 20, she asked what environmental measures would be installed in the new Complex, what its CO2 emissions would be, and if there would be a net increase or reduction compared to the current facility. Having highlighted the delays reported on establishing the Member/Officer Working Group on Climate Change and the Climate Change Partnership Group, both until after the local government elections in May 2022, she asked if, given the climate emergency, there could be more urgency attached to moving this forward.

Councillor Miller referred work to establish trial bus routes to the Queen Elizabeth University Hospital he had been involved in establishing, which had ultimately been abandoned as they were not being used, and challenges that had not been overcome to establish a bus route between Netherlee and Williamwood High School.

The Head of Environment (Strategic Services) undertook to seek and provide clarification on the emissions issues raised regarding the new Leisure Complex. He stated that the delay to establishing the Member/Officer Working Group on Climate Change and Climate Change Partnership Group was being revisited to explore if this could be done prior to the May elections.

The committee agreed:-

- (a) that the Head of Environment (Strategic Services) seek and provide further clarification to the Clerk for circulation to members of the Committee on the issues raised at the meeting on public transport and the environmental measures to be installed in the new Eastwood Leisure Complex and what its carbon dioxide emissions would be compared to the current facility; and
- (b) otherwise, to note the report and related comments made.

NATIONAL EXTERNAL AUDIT REPORT – IMPACT OF COVID-19 ON SCOTTISH COUNCILS’ BENEFIT SERVICES

1867. The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Impact of COVID-19 on Scottish Councils’ Benefit Services: A Thematic Study*, which under the committee’s specialisation arrangements had been sent to Councillors McLean and Swift for review. The Head of Communities, Revenues and Change had provided comments on the report and a copy of those comments was attached as Appendix A to the report.

The report referred to the annual caseload and planning for the eventual phasing out of Housing Benefit (HB) as a result of the implementation of Universal Credit (UC) and related issues, the national delay in the implementation of UC having been challenging.

In relation to work undertaken to address the implications of COVID-19, the External Audit report highlighted that the Council was a positive example of an authority where a swift response had been taken by the ICT service in providing laptops to enable homeworking, and training provided on information security and data protection to ensure staff were aware of their responsibilities.

Whilst providing a more general update on progress, the report explained that although the Council had experienced a decline in processing times, this had been impacted by the implementation of a new benefits ICT system during the pandemic, which was a significant challenge. Despite this, implementation of the new system had been achieved on time in December 2020, with Council Tax bills issued using the new system in March 2021, and financial year-end procedures completed successfully.

Although good progress made on HB performance indicators had stalled in 2020/21, this had been expected, due to the implementation of and familiarisation with the new system as well as rising caseloads, statistics on which were provided. It was confirmed that the Council was now ranked 25th in Scotland for new HB/Council Tax reduction claims and 16th for dealing with changes of circumstance, with the outcome of a related review by the Department of Work and Pensions (DWP) during autumn 2021 expected shortly. The Council would continue to work with the DWP to seek to implement the recommendations arising from the review. Actions taken to mitigate the impact of the rising caseloads on customers were outlined, including overtime working and support from other Council teams, to ensure the processing of claims was brought up to date during 2021. It was confirmed that there would continue to be a focus placed on performance locally.

Other issues commented on included HB overpayment recovery, and the suspension of debt recovery from March to July 2020 due to the COVID-19 pandemic. It was highlighted that management had taken issues identified seriously and made significant efforts to recover backlogs, implement recovery, bring in income to the Council, and improve performance. The picture was similar across the country, with East Renfrewshire’s situation having being exacerbated by the implementation of the new ICT system which, once fully embedded, would provide a platform to drive service improvement into the future.

The committee agreed to note the report.

AUDIT AND SCRUTINY COMMITTEE WORKPLAN 2021/22

1868. Under reference to the Minute of the meeting of 29 April 2021 (Page 1519, Item 1635 refers), when it had been noted that progress on delivering the committee’s 2021/22 workplan would be reviewed in due course and be the subject of a further report to a future meeting, the committee considered a report by the Clerk providing an update on the workplan.

The report explained that the 2021/22 plan was a live document, development of which continued throughout the year, and included reference to recurring reports considered every year, such as on treasury management, Internal Audit work and risk management. An updated version of the 2021/22 plan was attached as Appendix 1 to the report, referring to progress thus far on various issues and related matters, including the position on national and local external audit reports which had been or were to be published during the financial year, to the extent the position on this was known. It was commented that if there was not sufficient time for feedback to be sought and prepared on some external audit reports to be published relatively soon, reference would be made to them in the 2022/23 workplan.

Reference was made to potential review areas identified, on which there had been plans to pursue some work in due course, but on which it had not been agreed to progress any specific work thus far. Reference was also included to the Audit Scotland COVID-19 Scrutiny Guide for Audit and Risk Committees published in August 2019, which the committee had received comments on at one point. It was highlighted that it remained an option for Members to request an update on issues raised in that Guide by exception, should they wish to do so.

In view of the local government elections in May 2022, and as it was anticipated that the committee's meeting of 7 April 2022 would be the final one during the current Administration, reference had been included in the report to items it was proposed to consider at that meeting to the extent that was known.

The committee, having heard the Clerk highlight key aspects of the report:-

- (a) noted performance against the 2021/22 Annual Workplan thus far;
- (b) agreed that development and implementation of the 2021/22 Workplan continue, and that a further report on performance against it be submitted to the final meeting of the Committee prior to the local government elections in May 2022; and
- (c) noted that reports on the 2022/23 Workplan would be submitted to future meetings of the committee following the local government elections.

CHAIR

MINUTE
of
CABINET

Minute of virtual meeting held at 10.00am on 27 January 2022.

Present:

Councillor Tony Buchanan (Leader)
Councillor Caroline Bamforth
Councillor Danny Devlin

Councillor Alan Lafferty
Councillor Colm Merrick

Councillor Buchanan, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment (Strategic Services); Graham Smith, Communications Manager; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Apology:

Councillor Betty Cunningham.

DECLARATIONS OF INTEREST

1869. There were no declarations of interest intimated.

REVENUE BUDGET MONITORING

1870. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the projected revenue budget out-turn for 2021/22 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 31 October 2021 and subsequent assessment of pressures arising from COVID-19.

- (i) Education Department;
- (ii) Contribution to Integration Joint Board;
- (iii) Environment Department;
- (iv) Environment Department – Support;
- (v) Chief Executive's Office;
- (vi) Chief Executive's Office – Support;
- (vii) Corporate and Community Services Department – Community Resources;
- (viii) Corporate and Community Services Department – Support;
- (ix) Other Expenditure and Income;
- (x) Joint Boards;

- (xi) Contingency – Welfare;
- (xii) Health and Social Care Partnership; and
- (xiii) Housing Revenue Account.

The Head of Accountancy (Chief Financial Officer) advised that on the basis of the information, and taking account of forecast Council Tax collection, a year end operational underspend of £0.679m or 0.2% of the annual budget was forecast on General Fund services. The reasons for departmental variances were set out in the report. She outlined that any such operational underspend at this year-end would assist the Council in meeting future years' budget challenges.

It was noted that the above figures reflected that £2.645m of forecast COVID pressures would be covered by drawing on the Council's COVID grant resources and as a result did not impact on the operational budget position.

It was clarified that the figures outlined in the report had not yet been adjusted to reflect the impact of the Local Government Employee Pay Award for 2021/22, which was only recently settled, and the 2021/22 government grant redeterminations confirmed just before the Christmas break.

These factors would be taken into account in the next monitoring report and were expected to produce an increased underspend, all things being equal.

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.

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 challenging financial outlook for 2022-23 and beyond, the report sought approval for Directors to take action to avoid all non-essential expenditure for the remainder of the year.

Discussion took place regarding the COVID-19 pressure funding. In response to a request from Councillor Devlin on the levels of COVID-19 pressure funding remaining, the Head of Accountancy (Chief Financial Officer) advised that she would arrange for this information to be provided to him.

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

- (a) noted the continued financial pressures on operational services arising from the COVID-19 pandemic and that it was anticipated to be met from accumulated COVID grant funding.
- (b) noted the forecast underlying General Fund operational underspend of £679k.
- (c) approved service virements and operational adjustments as set out in the notes to the tables accompanying the report and noted the reported probable out-turn position;
- (d) noted all departments continued to closely monitor and manage their budgets and ensured that spending up to operational budget levels did not take place.
- (e) approved, in view of the challenging financial outlook for 2022-23 and beyond, that Directors take action to avoid all non-essential expenditure for the remainder of the year.

CARBON EMISSIONS REPORTING (2019/20 AND 2020/21)

1871. The Cabinet considered a report by the Director of Environment, which provided an update with the results of the 2019/20 & 2020/21 carbon emissions from the Council's operations, and outlined how these results would inform the Get to Zero Action Plan. A copy of the Carbon Baseline: East Renfrewshire Council Final Report, dated January 2022, accompanied the report.

The Director of Environment outlined that the report advised of the carbon baseline exercise that was commissioned in the Spring of 2021 to help understand the current performance and the areas of Council operations that could yield the greatest reductions in carbon. He drew Members' attention to paragraph 7 of the report which outlined the standard methodology and scope of emissions covered in relation to the Council's operations and spending.

The report outlined that the greatest source of Council carbon emissions was from procurement (or supply chain emissions).

The Head of Environment (Strategic Services) advised that it was recommended that to account for the impact of the pandemic 2019/20 data was used as the Council's reference year. He outlined that Scottish Government's statutory requirement was to achieve net zero carbon emissions by 2045, with the Council aiming to achieve this through its climate emergency declaration, Get to Zero ambition statement and Get to Zero action plan. He confirmed that the carbon baseline was for the Council only and did not include the carbon emissions emitted by local residents.

He outlined that Scope 3 emissions as outlined in the report were not currently required to be reported. However it was considered to be best practise and it was anticipated that Scope 3 reporting would be required to be reported by public bodies in the future. The Council's greenhouse gas (GHG) emissions for the financial year 2019/2020 were estimated to be 70.2 ktCO₂e, equivalent to all ninety-five-thousand residents in East Renfrewshire taking a round-the-world flight. He advised that it was intended that a carbon climate change impact assessment would be brought to Cabinet in due course to ensure that the carbon impacts of key Council decisions were understood and how these would impact on the Council's Get to Zero ambition.

Elected Members confirmed support for the use of the 2019/20 data as the reference data and the inclusion of Scope 3 and noted the surprising outcome of procurement (or supply chain emissions) as the greatest source of Council emissions.

Councillor Bamforth sought clarification of how a reduction in emissions through the Council's procurement (or supply chain emissions) would be achieved, and when the Climate Change Partnership Group raised as part of the Climate Change Motion at the 27 October 2021 Council meeting would take place.

In response the Head of Environment (Strategic Services) advised that following the establishment of the Climate Change Partnership Group being raised at the 20 January 2022 Audit & Scrutiny Committee he was looking into this matter and advised that procurement opportunities would require analysis of emissions and consideration of carbon impacts in procurement and contracting.

Councillor Merrick highlighted the challenge of reducing emissions through procurement (or supply chain emissions) and the possibility of increased costs. In response, the Head of Environment (Strategic Services) advised that the Council would require to identify products on the market with reduced carbon emissions or buy fewer products with higher levels of carbon emissions.

Councillors Lafferty and Buchanan raised the issue of limited electric car charging point facilities and that a number of the electric car charging points in place were out of service. In response the Head of Environment (Strategic Services) advised that the provision and maintenance of electric car charging points was currently a topic under discussion at a national level and that he would follow up on the repair of out of service electric charging point facilities.

Having heard from the Head of Environment (Strategic Services), the Cabinet noted the: -

- (a) results of the 2019/20 and 2020/21 carbon baseline report; and
- (b) implications of the report, which required improvements to data and further analysis of Council procurement spend.

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 - COMMUNITY ASSET TRANSFER

1872. The Cabinet considered a report by the Director of Environment, seeking approval to amend the Council's policy for Community Asset Transfers as governed by the Community Empowerment (Scotland) Act 2015.

The Head of Environment (Strategic Services) outlined that the report outlined that the Community Empowerment (Scotland) Act 2015 allowed for community bodies to make a request to local authorities for any land or building that the community body felt it could make better use of, either through ownership or leasing. The proposed update policy outlined set out a transparent policy and process for an applicant as it provided an updated framework for managing and assessing applications, as well as setting out an appeals process and governance in terms of the Council procedures.

He outlined that the Community Empowerment (Scotland) Act 2015 was silent on the monetary value the Council should accept for the transfer of an asset. After considering the approach taken by other councils across Scotland, it was proposed up to a maximum discount of up to 25% of the Market Value would be accepted for a transfer via an outright sale, all subject to any legal tests or restrictions on disposals imposed on the Council by law. For leased premises, the same percentage discounts would also apply although further discounts for leased premises may be agreed on a case by case basis and dependent upon the community benefits which could be derived from an organisation's occupation of the leased premises, all subject to any legal tests or restrictions on disposals imposed on the Council by law.

Councillors welcomed the report and the processes outlined. Councillor Merrick raised the provision for stakeholder consultation, in response to which the Head of Environment (Strategic Services) advised that full consultation would take place with all stakeholders as part of the process.

Councillor Bamforth sought confirmation of the terms and conditions preventing the resale of an asset, and how the value of properties for sale or lease would be set. In reply, the Head of Environment (Strategic Services) advised that the cost of the property would be based on the valuation of the asset in its current form. He would respond outwith the meeting with confirmation on the terms and conditions preventing the resale of an asset.

Councillor Bamforth sought confirmation on the process followed should there be several interested parties for a particular asset. In reply, the Head of Environment (Strategic Services) advised that a number of factors would be taken into account by the assessment

panel, inclusive of the proposed purpose or use of the building, the frequency of the use of the building, the community benefit that would be achieved by the wider area, ensuring that the organisation was properly constituted and that it was financially viable. The assessment panel would be responsible for analysis of all variable factors prior to formulating a decision.

Having heard from the Head of Environment (Strategic Services), the Cabinet: -

- (a) approved the amended Community Asset Transfer (CAT) Policy.
- (b) approved the establishment of the CAT Working Group and CAT Leadership Group.
- (c) supported that the relevant departments notify the Asset Transfer Lead with named representatives outlined in paragraph 14 within 2 weeks of approval.
- (d) noted the upgrading to the ERC CAT webpage and literature to help communities understand the procedures required to request a transfer; and
- (e) agreed to remit consideration of the CAT Review Panel, its terms of reference, and membership to the Council.

CHAIR

MINUTE
of
EDUCATION COMMITTEE

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

Present:

Councillor Alan Lafferty (Chair)	Councillor Colm Merrick (Vice Chair)
Councillor Caroline Bamforth	Councillor Gordon Wallace
Councillor Tony Buchanan (Leader)	Dr Frank Angell
Provost Jim Fletcher	Ms Dorothy Graham
Councillor Charlie Gilbert	Mrs Mary McIntyre

Councillor Lafferty in the Chair

Attending:

Mark Ratter, Director of Education; Janice Collins, Head of Education Services (Quality Improvement); Joe McCaig, Head of Education Services (Performance and Provision); Siobhan McColgan, Head of Education Services (Equality and Equity); Tracy Morton, Education Senior Manager (Developing People); Graeme Hay, Education Senior Manager (Leading Business Change); Leanne Knox, Business Support Supervisor; Colin Hutton, Senior Communications Officer; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillor Jim McLean and Mr Des Morris.

DECLARATIONS OF INTEREST

1873. There were no declarations of interest intimated.

DRAFT STANDARDS AND QUALITY REPORT 2020-2021

1874. The committee considered a report by the Director of Education on the proposed contents of the Education Department's annual Standards and Quality Report for school session 2020-2021.

The Head of Education (Quality Improvement) noted that under the terms of the Standards in Scotland's Schools etc Act 2000, education authorities had a duty to produce and publish a Local Improvement Plan, which detailed how the authority and its schools and services would continuously improve. A Standards and Quality Report based on the Plan should also be produced, detailing how the authority had sought and achieved improvements in provision.

The draft Standards and Quality Report, a copy of which accompanied the report, reflected the three key themes of the Education Department's vision statement, "*Everyone Attaining, Everyone Achieving through Excellent Experiences*". It provided evidence of the progress the department, Early Learning and Childcare (ELC) settings and schools had made in supporting all learners, with particular focus on inequalities of outcome. It also set out the improvements made toward the four year national priorities as set out in the National Improvement Framework.

A self-evaluation exercise had been undertaken which informed the draft report. It helped to outline the next steps to be taken and fed into the Local Improvement Plan. It also took into consideration the continued challenges, with relation to the COVID-19 pandemic, that had been faced by people in East Renfrewshire. Despite those challenges, the report highlighted very good and excellent standards and practice achieved by the department, its schools and services.

The Head of Education Services (Quality Improvement) outlined the range of methods used to gather data and evidence to produce the report. She also referred to the highlights detailed in the report, particularly around Higher attainment and success of the Convener's Awards for Outstanding Achievement which had been held online.

Responding to a question from Councillor Wallace on how the evidence within the report had been gathered, the Head of Education Services (Quality Improvement) explained that evidence was collected throughout the school year, as well as outcomes from learning experiences and examinations. Furthermore, she referred to a questionnaire that had been issued to parents, staff and young people. A remote learning quality assurance activity had also taken place where officers worked with schools to evaluate the quality of online learning. She further noted that partners were fully involved in the evidence gathering work and a range of views were sought, not just from internal sources but from parents, children and young people, and other organisations and stakeholders.

In response to a further question from Councillor Wallace regarding the inclusion of wellbeing within the questionnaire referred to, the Head of Education Services (Quality Improvement) confirmed that wellbeing was included, and was based on the SHANARRI (Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Included) principles. The responses were triangulated with parent responses to ensure full consideration of the wellbeing of the child or young person could take place.

Councillor Wallace further referred to a questionnaire that was to be circulated in April, which had proven controversial with some of his constituents due to the nature of the questions asked, particularly around wellbeing. He asked what the direction of the Education Department would be in terms of that questionnaire.

The Head of Education Services (Equality and Equity) indicated that the census referred to by Councillor Wallace had been looked at by the Education Department. A tentative plan had been shared with Parent Council chairs at a meeting the previous evening with a view to gathering feedback from parents. There had been some concerns from a small number of parents, particularly with reference to informed consent and potentially criminalising young people given the nature of some of the questions. There were also questions around the GDPR viability of some of the questions around sexual health. Further review would be required as it was clear that, potentially, the questions could put young people in a vulnerable position, given the data was attached to the Scottish Candidate Number of the pupil and, therefore, was not given anonymously. The possibility of removing some questions that parents found intrusive into their child's personal life was also being investigated. The Head of Education Services (Equality and Equity) recognised the importance of gathering sensitive data in order to ensuring positive outcomes for children. However, the data should be gathered

in a way that was suitable and took on board the concerns of parents and carers. She also indicated that the Scottish Government had been advised that the April timescale around the census was too tight to allow a thorough review to take place and had advised that East Renfrewshire Council could extend the window until June.

Councillor Bamforth noted that she was pleased to see that the information in the report encapsulated all of the population, not just children and young people. She referred to the purchase of additional ELC hours and asked if this process would take place across all centres. She also asked about the Virtual Nature School, and if it would continue or be expanded. Finally, she asked about mentors in violence prevention. Stressing its importance, she referred to the peer mentoring programme and asked if it was those peers who were delivering it to classes.

In reply, the Head of Education Services (Quality Improvement) stated that there was a shortfall in funding for ELC. Alongside the shortage of staff and impact of COVID, the Council had taken a cautious approach to offering anything over 1140 hours of entitlement. However, where it was available and cost effective to do so, extended hours would be offered for purchase by parents. The Virtual Nature Schools complemented work being done in terms of outdoor learning. She believed that it was going to be extended and hoped that more young people could benefit from it. She stated that, particularly with COVID, outdoor learning had become even more important. Parents and carers had expressed support for this approach. In terms of mentors in violence prevention, the Head of Education Services (Quality Improvement) indicated that the Education Department aimed to scale up the provision across all schools. It was being considered as part of the structured Personal, Social, Health and Economic education provided in schools. A national review was taking place and the outcome of that would shape the provision going forward. Interest among East Renfrewshire's schools was high for this programme. The Head of Education Services (Equality and Equity) added that both pupils and staff were being trained through the programme and partner organisations such as the Police and Community Learning and Development colleagues had become involved in the training. One school was piloting the "Equally Safe in School" programme and it was hoped to roll that programme out alongside mentors in violence prevention.

Provost Fletcher stated that he was reassured to see the report as it showed that the department continued to perform well. However, he expressed concerns about what he saw as the negative impact of Curriculum for Excellence (CfE) on standards. He acknowledged that budget reductions also had a negative effect and asked how East Renfrewshire Council compared to the rest of Scotland in the effect of those impacts.

The Head of Education Services (Quality Improvement) stated that the evidence gathered for the report showed that East Renfrewshire had very effective learning and teaching taking place in its educational establishments. This was based on a robust quality assurance programme that had been undertaken including direct observation taking place in the classroom. While there had been challenges, not least due to the pandemic, the overall view from the report was that children and young people in East Renfrewshire continued to enjoy an excellent standard of education. She did note that in many cases, those who had the greatest need had suffered the most disruption and the department was committed to doing all it could to address that and ensure equity for all children and young people in East Renfrewshire establishments.

Provost Fletcher then asked about the possibility of Education Scotland resuming their school inspection and assessment programme. In reply, the Head of Education Services (Quality Improvement) indicated that the long term plans for Education Scotland were not known at this time. However, they had attended some schools within the Council area and the feedback received had been very positive and reassuring. Furthermore, the Care Inspectorate had resumed inspections. The Director of Education was part of a group looking at reintroducing

inspections and he indicated that they were unlikely to resume until the next school session. He indicated that a progress report on a focussed look at numeracy and mathematics in East Renfrewshire schools would be coming to the committee in June to offer some assurance as to the quality of education being provided.

Councillor Merrick thanked staff for a very detailed report and highlighted that there was plenty of good news contained within it. However, he expressed concern about the attainment gap and asked what the department intended to do to address it. He also asked for clarification on what the "Solihull Approach" was, as referred to in the report.

The Head of Education Services (Quality Improvement) first clarified that the Solihull Approach was a parenting programme based on the mental health and wellbeing of parents and children. She highlighted the department's commitment to equity and reducing the attainment gap. The Education Department was taking a universal approach to support all children and young people, but with targeted interventions where required. The Council would be part of the Scottish Attainment Challenge 2 to give additional resources with a focus on raising attainment within certain equity groups through targeted intervention. Ultimately, progress would come down to working with families and ensuring that children's wellbeing was in a good state and ensuring that the offering in school was excellent in terms of both teaching and environment.

Councillor Wallace then referred to earlier questions in relation to the forthcoming questionnaire and asked when councillors would get sight of the questions to be asked.

In reply, the Director of Education explained that feedback had been taken from head teachers, Parent Council chairs and wider stakeholders, including the Catholic Church, around the content of the questionnaire. He indicated that it would be finalised over the next few weeks and would be made available to members at that time, along with parents, carers and other stakeholders. He stressed that the questionnaire was optional and there was no compulsion for it to be completed. He noted that most of the questions in the survey were similar to things that were already asked, but a small number of the questions had proven controversial. He stressed that anything going out to children and young people in East Renfrewshire would very much be an East Renfrewshire document and not proscribed by the Scottish Government.

Thereafter the committee agreed:-

- (a) to note the content and quality of the annual Standards and Quality Report; and
- (b) to invite the Director of Education to make any amendments and take the necessary steps to produce and issue copies of the report for stakeholders.

DRAFT LOCAL IMPROVEMENT PLAN 2022-2025

1875. The committee considered a report by the Director of Education seeking approval for the Education Department's draft Local Improvement Plan 2022-2025. A copy of the plan accompanied the report.

The Head of Education Services (Quality Improvement) explained that the plan was designed to give an indication of the department's key areas for improvement over the next three years and was updated annually to take account of changing priorities. Areas of improvement were outlined and priorities would be developed through self-evaluation and information gathered through external evaluations and the implementation of the plan. The draft took account of the current national priority areas, including the National Improvement Framework (NIF) and was

informed by East Renfrewshire's Community Plan. Cognisance had been taken of the impact of the COVID-19 pandemic, the Building Back Better and Fairer Framework and the West Partnership Improvement Plan, which set out the areas that the local authorities involved would collaborate on regionally to offer schools opportunities to improve.

The expected outcomes and impact were organised under the department's vision statement of *"Everyone Attaining, Everyone Achieving through Excellent Experiences"* and had been reviewed and amended to reflect the NIF and the department's ongoing self-evaluation. The plan had a clear focus on improving outcomes for all learners, in line with the Standards in Scotland's Schools etc Act 2000. The plan also set out how the department would address inequalities of outcome that existed for different equity groups and how it would achieve the priorities associated with the NIF. The timescale for the implementation of the plan was over school sessions 2022-2023 to 2024-2025 and the department would continue to report on progress made with the plan through the annual Standards and Quality Report.

Councillor Buchanan welcomed the report, in concert with the previous report, which highlighted that East Renfrewshire Council did not rest on its laurels when it came to educational excellence. He stated that the report highlighted the successes achieved in a very challenging environment and showed that the Council was not just standing still but continuously looking to improve to give children and young people the best possible start in life. He offered his support of the plan.

Councillor Bamforth stated that she had been delighted to see the family centred approaches taken in the plan, particularly the Healthier Minds initiative. She noted that it had started at just the right time, with its implementation being one month before the start of lockdown. She also noted the department's holistic approach and agreed that there was more to education than passing exams.

Thereafter, the committee approved the draft Local Improvement Plan 2022-2025.

PARENTAL ENGAGEMENT AND INVOLVEMENT STRATEGY 2022-2025

1876. The committee considered a report by the Director of Education on approaches taken to meet the duties outline in the Scottish Schools (Parental Involvement) Act 2006 in East Renfrewshire schools between 2018 and 2021 and seeking approval for the Parental Engagement and Involvement Strategy 2022-2025.

The Head of Education Services (Equality and Equity) explained that the aim of the Scottish Schools (Parental Involvement) Act 2006 was to ensure that parents were involved with their child's education and learning, welcomed as active participants in the life of the school, and encouraged to express their views on school education generally, and work in partnership with the school.

The Act required local authorities to prepare a Parental Engagement and Involvement Strategy which set out their policies for parental involvement, which was identified as a key driver for educational success in the National Improvement Framework Plan for Scottish Education.

Accompanying the report were a report that highlighted the key achievements and identified next steps based on the 2018-2021 Strategy, and the draft strategy.

It was explained that the Parental Engagement and Involvement Strategy 2022-2025 aimed to build on the achievements of the 2018-2021 strategy and address the next steps identified. It included a range of critical indicators which would be used to measure the impact of the

activities carried out over the period. The strategy would be monitored on an ongoing basis by the Education Department, with progress reported to the Education Committee on an annual basis through Standards and Quality Reports.

Councillor Merrick welcomed the report but highlighted that, particularly in large schools, some parents did not feel comfortable engaging with official channels of communication. He asked if there would be wider parental engagement and involvement to support children who were currently learning at home.

The Head of Education Services (Equality and Equity) explained that schools had been very creative in their methods of engagement with parents and carers during the pandemic. Feedback had been sought from many families using Google meetings, virtual classroom tours and online learning logs and journals. Not only were these tools useful for the department, but they gave parents instant feedback on their child's learning rather than waiting for parents' nights. She noted that, even when schools fully reopened, the department planned to move forward with a number of the adaptations that had been implemented during the pandemic as they had been useful for parents and widely welcomed. She also stressed the importance of Diversity Champions in schools, who engaged with a wide range of parents and carers. Some diversity groups found it harder to engage compared to others and schools were working on strategies to include and engage with all groups.

Thereafter the committee agreed:-

- (a) to note the findings of the report into key achievements of the 2018-2021 Parental Engagement and Involvement Strategy;
- (b) to approve the Parental Engagement and Involvement Strategy 2022-2025; and
- (c) that the Director of Education support all educational establishments to implement the strategy.

EDUCATION REFORM CONSULTATION

1877. The committee considered a report by the Director of Education on the Council's response to the Scottish Government Education Reform consultation.

The national Education Reform consultation, led by Professor Ken Muir, was published on 30 September 2021 and ran until 26 November 2021. It was designed to seek the views of stakeholders and inform the recommendations relating to the future shape of Scotland's national education agencies, Education Scotland and the Scottish Qualification Authority (SQA). The process would conclude in early 2022 with the publication of a report by Professor Muir to the Cabinet Secretary for Education and Skills.

At its meeting of 11 November 2021, the committee noted that the changes to Scotland's national education agencies were likely to have significant implications for education in East Renfrewshire. The committee had also noted the range of forums and consultation events being held by the Education Department during the consultation period to seek the views of stakeholders in East Renfrewshire. Those views were used to form a response by East Renfrewshire Council to the consultation.

As this meeting of the committee was after the end of the consultation period, a short-term working group, consisting of Councillors Lafferty, Buchanan and Wallace, had been

established, to consider the responses from stakeholders and, thereafter, to finalise and submit a response on behalf of the Council. It was agreed that the final response would then be submitted to the committee for homologation.

The response, a copy of which accompanied the report, had been submitted on 26 November 2021.

Councillor Buchanan thanked the Director of Education and the whole Education Department for their work in gathering the views of East Renfrewshire stakeholders which enabled a comprehensive view of education services in East Renfrewshire to be taken.

Thereafter, the committee agreed to note and approve the East Renfrewshire response to the Education Reform consultation and agreed that it be homologated.

GAELIC MEDIUM EDUCATION - OUTCOME OF A REQUEST FOR AN ASSESSMENT

1878. The committee considered a report by the Director of Education on the outcome of a request for an assessment of the demand for Gaelic Medium Primary Education in East Renfrewshire and seeking approval for the proposed approach to the full assessment.

The Director explained that Gaelic Medium Primary Education (GMPE) involved full immersion, with children experiencing all of their learning in P1 to P3 in the Gaelic language. Thereafter, immersion continued, but English was introduced in P4 to P7.

East Renfrewshire did not currently make such a provision available, but families who wished such an experience for their children were supported through provision of transport to attend schools in neighbouring authorities where the provision was available.

Having outlined that the Education (Scotland) Act 2016 placed a duty on education authorities to promote and support Gaelic Medium Education (GME) and Gaelic Learner Education (GLE) and established a process by which parents could request GMPE from their education authority, it was explained that on 27 October 2021, the department had received such a request from a parent resident in East Renfrewshire whose child was due to start primary school in August 2023. Included in the request were the names of a further 13 children across a range of year groups, whose parents had expressed an interest in GMPE for their children. Each parent included in the request was contacted by the department as part of the initial assessment and 11 provided positive responses. A breakdown of the numbers for each year group was provided in the report it being noted that the numbers met the threshold of 5 children from any one year group.

In response, the department had decided to carry out a full assessment of the need for GMPE in accordance with the statutory guidance.

As part of the full assessment process, the department had notified and sought the views of Education Scotland, Bòrd na Gàidhlig, Comann nam Pàrant and the National Parent Forum of Scotland. The report also outlined the factors that required to be considered as part of the assessment.

The assessment was to be completed by 16 February 2022 and there was an expectation that the education authority publish the assessment report on its website within that timeframe, setting out the reasons for any decision with reference to the mandatory factors in the statutory guidance.

The assessment process allowed the department to seek the views of statutory consultees and, should they be in favour of establishing GMPE provision, alongside sufficient evidence of demand, then the authority would be required to progress with the establishment of GMPE from August 2023. As the next meeting of the committee would not be until after the full assessment process was completed, it was proposed that the Education Committee delegate to the Director of Education the decision regarding the establishment of GMPE in August 2023, taking account of the full assessment process, evidence of demand and statutory guidance.

Provost Fletcher indicated that he was keen to see GMPE available to those who wanted it. However, he was conscious of a previous campaign among a small group of parents to set up a Gaelic school in the past and the names provided to the Education Department at that time were later found to not be interested. He also pointed out that many parents want children to learn Gaelic but not necessarily all learning to be in Gaelic. The Director of Education noted that he had been involved in the request Provost Fletcher referred to, however this request referred to a much smaller number of children and their interest had been verified, as stated in the report. He also confirmed that parents had been informed of what full GMPE looked like and had chosen to proceed on that basis.

Councillor Lafferty welcomed the fact that the Scottish Government would provide additional resources for capital spending and teaching staff in relation to GMPE. The Director of Education agreed that support was available and, should progress be required, the Council would seek to access those resources.

Thereafter the committee agreed:-

- (a) to note the report and outcome of the initial assessment; and
- (b) that, following completion of the full assessment, and in line with the statutory guidance, the decision to establish Gaelic Medium Primary Education in August 2023 be delegated to the Director of Education.

REPORT ON THE EAST RENFREWSHIRE ADDITIONAL SUPPORT FOR LEARNING REVIEW

1879. The committee considered a report by the Director of Education on the results of the East Renfrewshire Additional Support for Learning (ASL) Review.

The Head of Education Services (Equality and Equity) explained that a national review of the implementation of ASL in schools had been carried out by Angela Morgan in 2020 and a National Action Plan had been published in 2021 as a result. It considered the implementation of ASL legislation and how it was applied to practice across local authorities.

In response, the Education Department had undertaken a review of ASL within East Renfrewshire with the aim to consider how it could provide high quality support to children and young people with additional support needs (ASN) to ensure that the East Renfrewshire Education Department's vision was realised.

The report outlined the key priorities and core themes of the review and detailed the planned phases of work took place, as well as the key findings from each phase of the review. Based on those findings, a number of recommendations had been made and were listed in the Executive Summary.

A draft ASL Action Plan, a copy of which accompanied the report, had been created to take account of the recommendations, incorporating links to the National Action Plan.

A range of steering groups had also been identified in order to take forward the identified actions, including timescales for implementation and resources required.

The ASL Governance Group would evaluate progress to identify strengths and further actions needed in the implementation of the ASL Action Plan. The self-evaluation and evaluations of services and schools by the department's Quality Improvement Team, Education Scotland, Care Inspectorate and Customer Service Excellence would help to identify impact.

Thereafter the committee agreed to:-

- (a) note the findings of the ASL review; and
- (b) approve the Action Plan to address recommendations for improvement.

SCHEME OF DEVOLVED SCHOOL MANAGEMENT

1880. The committee considered a report by the Director of Education on the collation and publication of the Education Department's Devolved School Management (DSM) scheme and a proposed change to the DSM with regard to the carrying forward of underspend of an establishment's devolved budget from one financial year to the next.

DSM had been introduced in 1993 by the Scottish Executive, requiring councils to devolve 80% of school budgets to head teachers in order to enhance and improve the management of resources at school level. DSM provided head teachers and schools with the autonomy and flexibility to ensure financial decisions, which reflected local and national priorities and were in keeping with the establishments' improvement planning, were made at the most appropriate level – closest to the children and young people. Early Years facilities also operated under DSM.

There was a strong relationship between devolved and non-devolved budgets in maintaining a sound and robust financial strategy for the department and the Council.

The DSM scheme had evolved since 1993 to reflect the changing landscape in which educational facilities operated and greater autonomy had been afforded to head teachers with respect to the Education Reform agenda and, more specifically, the Head Teachers' Charter.

Cabinet had approved a change to the Education Department's DSM scheme in January 2018 which reflected the objectives of the Education Reform agenda, allowing head teachers to carry forward any annual underspend in devolved school budgets up to a maximum of 2% of the school's DSM budget net expenditure. This enhanced the flexibility in school budgets to allow head teachers to plan better for education improvement strategies over a longer period of time and for wider budgetary planning, including targeted savings.

It was noted that in 2019, the Scottish Government and COSLA had updated the DSM principles, building on and enhancing the foundations and principles of previous guidance issued in 2012. The updated principles were aligned with those in the Fair Funding to Achieve Excellence and Equity in Education consultation which took place in June 2017.

The updated guidance issued in 2019 was clear in the expectation that local authorities and schools continue to work in a transparent and open manner, consulting and collaborating with all stakeholders when planning for school improvement and the use of devolved budgets. It was also clear that all local authorities were to publish and make available their DSM schemes, including any details of how the allocation of devolved budgets or staffing was determined by 1 April 2021, extended to 1 April 2022 as a result of the pandemic.

The guidance had been accompanied by a DSM scheme framework which local authorities were strongly encouraged and recommended to use when creating their own DSM scheme. This harmonised how schemes were published, introduced an element of common understanding for users, provided increased clarity and transparency to stakeholders, aided peer review and supported benchmarking.

The East Renfrewshire DSM detailed the Education Department's current approach to DSM budget management and the roles, actions and responsibilities of the various stakeholders. In addition, following consultation with stakeholders, a single amendment was proposed to the carry forward rule for DSM budget and DSM underspend. The proposed amendment would simplify the scheme, whereby establishments could hold up to a maximum of 6% of their annual DSM budget, aligning with the current practice of a cumulative reserve maximum of 6% (3 years of 2% reserves), and the removal of the maximum 3 year threshold. Where an establishment's DSM reserve was greater than a maximum of 6% of the establishment's budget at the end of the financial year (31 March), any additional underspend DSM budget would revert to the Council's General Reserve.

The proposed change would continue to align with the current annual 2% reserve amount (for a maximum of 3 years), simplify the DSM carry forward policy and reduce administrative burden, providing establishments with greater flexibility for future financial planning.

Thereafter the committee agreed to note:-

- (a) that the Devolved School Management Scheme would be presented to Cabinet for approval in due course; and
- (b) the publication of the Education Department's Devolved School Management Scheme, in accordance with national guidance.

CHAIR

MINUTE
of
LICENSING COMMITTEE

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

Present:

Councillor Angela Convery (Chair)
Councillor Charlie Gilbert

Councillor Annette Ireland
Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Jillian McGrain, Principal Housing Officer (Private Sector); Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apology:

Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

1881. There were no declarations of interest intimated.

AMENDMENT TO KNOWLEDGE TEST POLICY FOR PRIVATE HIRE DRIVERS

1882. Under reference to the Minute of the meeting of 16 March 2021 (Page 1477, Item 1589 refers), when it had been agreed to introduce, from 1 April 2021, the requirement for all new Private Hire Car Driver applicants, and those private hire car drivers having held a Private Hire Driver's Licence for less than 3 years (as of that date) on renewal, to sit and pass a practical and/or theory knowledge test, the committee considered a report by the Civic Government Enforcement Officer, seeking a suspension of this requirement for a period of 3 months.

The report outlined that the knowledge test was carried out by the Civic Government Licensing Standards Officer (Enforcement Officer) and a backlog of applications had built up due to Coronavirus restrictions. In addition, the post-holder was currently on long-term sick leave and no tests could be carried out at the present time. It was therefore proposed, in order to reduce the backlog and allow more private hire drivers to operate and provide a public service, to suspend the policy for a period of 3 months until 14 May 2022.

Following discussion, the committee agreed that the requirement for all new Private Hire Driver Licence holders, and those having held a Private Hire Driver Licence for less than 3 years on renewal, to sit a practical and/or theory knowledge test be suspended for a period of 3 months until 14 May 2022.

Resolution to Exclude Press and Public

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the remaining item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the Act.

PRIVATE LANDLORD REGISTRATION

1883. The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. The landlord, having been invited to the meeting, was not present and a statement from the landlord was considered by the committee in his absence.

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

Following discussion the committee agreed that:-

- (a) the application for inclusion on the Register of Private Landlords be continued to the Licensing Committee meeting on 19 April 2022; and
- (b) the landlord be requested to repay all outstanding debts with East Renfrewshire Council in full prior to the Licensing Committee meeting on 19 April 2022 and ensure that any request to engage with the Council is complied with.

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

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

Present:

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

Councillor Stewart Miller
Councillor Jim McLean
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); John Marley, Transportation Coordinator, East Renfrewshire Council Roads Department; Siobhan Wilson, Legal Adviser; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Apology:

Councillor Betty Cunningham.

DECLARATIONS OF INTEREST

1884. No declarations of interest were intimated.

APPLICATIONS FOR PLANNING PERMISSION

1885. The committee considered reports by the Director of Environment on the following applications for planning permission requiring consideration by the committee.

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

- (i) 2021/0498/TP Neilston Primary School, 43 High Street, Neilston. Demolition of Neilston Primary School, Janitor House and Madras Family Centre and construction of Neilston Learning & Leisure Campus comprising – Neilston Primary School – St Thomas' Primary School - Madras Family Centre – and formation of community library in church hall – associated Landscaping, access roads, parking, roads, sports facilities (with floodlighting) and works to Kirkstyle Lane (Major)(updated and additional information now available).

The Principal Planner (Development Management) advised that the application required to be determined by the committee as it constituted as a Major Development

under the terms of the Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009.

Thereafter, he provided a detailed presentation that outlined the existing site plan, and the proposed site plan, elevations, sections and boundary treatments.

He further advised that 10 representations had been received, consideration of which was outlined in the assessment section of the report.

He outlined that further neighbour notification had recently taken place due to the provision of new information submitted by the applicant. This comprised of additional section information illustrating the proposed site levels in fencing adjacent to Duncarnock Crescent and fencing details and floodlighting around the sports pitches adjacent to the properties on High Street. In response to this additional notification, a further representation had been received which reiterated concerns over the position of the service area and sprinkler tank adjacent to the boundary with Duncarnock Crescent.

In addition, a new comment was made on the red line which encroached into rear gardens on the newly published plans, it being advised that this red line related to an annotation on the plans rather than a change to the proposal.

Reference was made to the main areas of concern being outlook and visual impact, privacy, overshadowing and noise and disturbance. The proposed section plan displayed further detail on this and although it was acknowledged that the development would result in a change in the outlook from some of the properties on Duncarnock Crescent, exacerbated by the changing levels in this area. However given the separation distance between the school and the properties, as well as the proposed mitigation, it was considered that any loss for amenity for the adjacent residents would not be significant.

It was noted that the proposed section displayed detailed the floodlights at 60m in height was incorrect, it being explained that throughout the course of the application the height of the floodlights had reduced to 8m.

It was further advised that following consultation with statutory consultees no objections had been received although comments had been received from the Roads service and Environmental Health, both of which were outlined in the report.

Following the presentation and in response to Councillor Miller and Councillor Convery, the Principal Planner confirmed that the height of the floodlights had been reduced to 8m from 60m, as it was noted that light pollution could be an issue. In response to a question from Councillor Miller on lighting levels, the Principal Planner confirmed that a restriction on lux levels was detailed in the conditions for the proposed application and baffles for the lighting was being sought and accompanied with the light spill diagrams. This mitigation was deemed to be appropriate.

Responding to Councillor Convery, the Senior Planner confirmed that 7 representations from the total of 10 representations had been received from Duncarnock Crescent. Councillor Convery outlined that the proposed application provided significant benefits for the community and Neilston with a much needed school and was therefore in support of the proposed application.

Councillor McLean enquired as to the extensive list of conditions and whether the proposed application could have been finalised further prior to determination to reduce the number of conditions outlined. He also enquired as to whether the 3m fence would

provide sufficient mitigation. The Principal Planner noted that unfortunately there would be an impact on residents although that the mitigation was in place in terms of the 3m fencing, a stand-off distance of 30m and planting. It was also noted that in planning terms there is no right to a long distance view. The Principal Planner and Planning and Building Standards Manager outlined that the conditions detailed were deemed to be necessary and proportionate in consideration of the proposed application as a major planning application.

Provost Fletcher advised that he was supportive of the proposed application as a result of the benefit to Neilston, both educationally in terms of improving attainment at the two schools and through the recreational facilities provided. He was understanding of the objections received although noted the mitigation measures outlined and the current use of the site as a school.

Councillor Miller enquired as to the proposed use of the church hall in response to which the Senior Planner advised that it is intended that the church hall would be the new community library.

Councillor Swift enquired as to whether acoustic fencing would be included and the consideration given to a building design of a flat roof in contrast to a sloped roof taking into account the Scottish climate. The Principal Planner advised that acoustic fencing was included in the proposed application. The Principal Planner and Building Standards Manager confirmed that in planning terms the scale of the design was suitable although it was noted that the roof design would have been a consideration for the architectural design of the building.

Councillor Ireland sought confirmation that the tree planting and fence would be included in the proposed application. The Principal Planner advised that landscaping conditions were in place in addition to a phasing condition. Councillor Ireland welcomed the reduction in the operating hours from 10pm to 9pm and the reduction in the height of the floodlights. She welcomed the proposed application for the benefit of the residents of Neilston.

Having heard from the Principal Planner, the committee agreed that the application for planning permission be approved subject to the conditions listed in the report.

(ii) 2021/0754/TP – A rear single storey extension at 111 Paisley Road, Barrhead.

The Senior Planner advised the application was a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. In accordance with East Renfrewshire Council's Planning Scheme of Delegated Functions, it was being reported to the Planning Applications Committee because the applicant was an employee in the Planning and Building Standards Service.

The Senior Planner provided a detailed presentation which outlined the existing and proposed block plans, existing and proposed rear elevations and proposed side elevations. He advised that no objections had been received.

Councillor Miller noted the reasoning of the submission to the Planning Applications Committee and that the recommendation of the report was to approve the proposed application. Councillor Convery and Provost Fletcher also noted this reasoning. Provost Fletcher noted the modest proposed development and that no representations had been received.

1778

Having heard from the Principal Planner, the committee agreed that the application for planning permission be granted.

CHAIR

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts considered by Planning Applications Committee on
16.02.2022

Reference No: 2021/0498/TP

Ward: 2

Applicant:

Mr John Adam
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
East Renfrewshire
G46 8NG

Agent:

Lindsey Mitchell
15 Exchange Place
Glasgow
United Kingdom
G1 3AN

Site: Neilston Primary School 43 High Street Neilston East Renfrewshire G78 3HJ

Description: Neilston Primary School 43 High Street Neilston. Demolition of Neilston Primary School, Janitor House and Madras Family Centre and construction of Neilston Learning & Leisure Campus comprising - Neilston Primary School - St Thomas' Primary School - Madras Family Centre -and formation of community library in church hall - associated Landscaping, access roads, parking, roads, sports facilities (with floodlighting) and works to Kirkstyle Lane (Major) (updated and additional information now available)

Decision: Approved Subject to Conditions

Reference No: 2021/0754/TP

Ward: 1

Applicant:

Mr Paul Hodge
Crinan
111 Paisley Road
Barrhead
East Renfrewshire
G78 1HS

Agent:

Site: 111 Paisley Road Barrhead East Renfrewshire G78 1HS

Description: A rear single storey extension

Decision: Granted

MINUTE
of
LOCAL REVIEW BODY

Minute of virtual meeting held at 2.41pm on 16 February 2022.

Present:

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

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

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

Apologies:

Councillors Betty Cunningham and Jim McLean.

DECLARATIONS OF INTEREST

1886. There were no declarations of interest intimated.

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

NOTICE OF REVIEW – REVIEW 2021/13 – ERECTION OF DWELLINGHOUSE AND ASSOCIATED PARKING. ADJACENT EAST OF 137 MEARNS ROAD, CLARKSTON, EAST RENFREWSHIRE. (REF NO:- 2021/0038/TP)

1887. The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Edzell Holdings Ltd against the decision taken by officers to refuse planning permission in respect of the erection of a dwellinghouse and associated parking at Adjacent East of 137 Mearns Road, Clarkston.

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 Chair outlined that new information had been submitted by the applicant comprising of the Bat Survey included in Appendix 8 and reference to the Bat Survey on pages 9, 13, 14 and 15 in the Statement of the Case included in Appendix 6 and sought confirmation from the Local Review Body whether they wished to consider this information.

Provost Fletcher sought clarification of the new planning application submitted which had been outlined in the meeting papers. The Legal Adviser outlined that this was a separate process to the Local Review Body and both the planning application and Local Review Body case required to be considered and determined separately.

The Legal Adviser outlined that the legal advice was that this information was a material consideration and should be considered, while the Planning Adviser outlined that this information was relevant to the fifth reason for refusal as outlined in the decision notice.

The Local Review Body agreed that it would not consider the new information comprising of the Bat Survey included in Appendix 8 and reference to the Bat Survey on pages 9, 13, 14 and 15 in the Statement of the Case included in Appendix 6.

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

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

- 1: Development shall not commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the proposed development is acceptable.

- 2: No development shall commence until a detailed report confirming the exact number and location of those trees to be felled as part of the proposed development has been submitted to and approved in writing by the planning authority. All felling works shall take place outwith the bird breeding season (March-September, inclusive) and all felling works shall conform with the approved details.

Reason: In the interests of the amenity of the site and the surrounding area.

- 3: Development shall not commence until details of the means by which those retained trees on the site are to be protected has been submitted to and approved by the planning authority. Such details shall take into account the root protection area associated with all of the retained trees.

Reason: In the interests of the amenity of the site and to prevent any damage to those retained trees on the site.

- 4: Development shall not commence until a scheme of soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:-
 - i) A scheme of tree and shrub planting, including details of the number, variety and size of trees and shrubs to be planted;
 - ii) Details of the phasing of the landscaping works; and,
 - iii) A schedule of maintenance for the retained area of woodland on the site.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the quality of the development and the amenity of the overall site.

Councillor Ireland, seconded by Councillor Miller, moved that the Local Review Body uphold the decision to refuse planning permission for the reasons as outlined in the decision notice.

Thereafter Councillor Swift, seconded by Provost Fletcher, moved as an amendment that the Appointed Officer's decision as set out in the decision notice of 6 August 2021 be overturned and planning permission approved subject to the inclusion of the proposed conditions.

On a vote being taken, 3 Members voted for the motion and 2 for the amendment. The decision of the Local Review Body was therefore to refuse planning permission for the reasons as outlined in the decision notice.

CHAIR

MINUTE
of
CABINET
(POLICE & FIRE)

Minute of virtual meeting held at 10.00am on 17 February 2022.

Present:

Councillor Colm Merrick (Chair)
Councillor Tony Buchanan (Leader)

Caroline Bamforth
Councillor Barbara Grant

Councillor Merrick in the Chair

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Stephen Bell, Community Safety Manager; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Chief Superintendent Mark Sutherland (Divisional Commander), Chief Inspector Alan Gray (Area Commander), and Michelle Grant, Communities Inspector, Police Scotland; Group Commander Alan Coughtrie, Scottish Fire and Rescue Service.

Apologies:

Councillors Betty Cunningham, Danny Devlin, Alan Lafferty, Gordon Wallace and Area Commander David McCarrey.

DECLARATIONS OF INTEREST

1888. There were no declarations of interest intimated.

POLICE SCOTLAND – PERFORMANCE REPORT FOR THE THIRD QUARTER OF 2021-22

1889. The Cabinet considered a report by the Divisional Commander, Police Scotland, providing details of the performance of the police over the third quarter of 2021-22. The report also provided statistical information in relation to various categories of crimes and offences committed during the reported period together with comparative statistics for the corresponding period in 2021-22. He initially thanked the broader community planning partnership across East Renfrewshire for taking some of the summer learnings into winter.

Chief Superintendent Sutherland provided an overview of the East Renfrewshire Policing Plan 2020-23 during quarter three and noted the impact of the Omicron variant towards the latter stages of this period. He advised this was twofold, firstly in terms of the operational challenge with an impact on resourcing. Secondly there continued to be an influence on policing statistics and managing information which in turn affected scrutiny and management decisions based on the statistics. An example of this was the range in the reporting of anti-social behaviour during lockdown in comparison to when there were no restrictions and when legislation was placed in comparison to when no legislation was in place.

He advised that the 26th UN Climate Change Conference of the Parties (COP26) in Glasgow was seen to be successful in terms of preparation and delivery, whilst effective policing and service delivery across East Renfrewshire, East Dunbartonshire and Greater Glasgow was maintained. He provided thanks to partners and police staff over this period.

He outlined that from a broader strategic perspective across Greater Glasgow, a focus continued on public health delivery. A public health coordinator had been appointed and was further developing the relationship with Public Health Scotland. It was noted that local approaches to public health and delivery were underway rolling out work in Greater Glasgow to East Renfrewshire and East Dunbartonshire with a focus on mental health, drugs and more recently poverty.

He noted that there had been a reduction in sexual crime in East Renfrewshire unlike in Greater Glasgow and nationally; and whilst this figure appeared to be positive the police were aiming to ensure that appropriate mechanisms were in place for victims of sexual crime to have the confidence and the opportunity to come forward.

He advised that whilst the acquisitive crime figure for East Renfrewshire was positive against the five-year average, this was an area being closely monitored across Greater Glasgow, in particular for house break-ins. He outlined that as a result he had doubled the acquisitive crime team in the division.

He thanked Elected Members for their scrutiny as committee members of Cabinet (Police and Fire) and the wider elected membership of East Renfrewshire in advance of the May elections.

Chief Inspector Gray then reported on the performance of the police against the five local policing priorities contained in the East Renfrewshire Policing Plan 2020-23. He outlined the impact of the Omicron variant in this quarter, which resulted in the greatest number of police officer absences locally during the pandemic to date as a result of the transmissibility of the variant. He noted the vast majority of these absences were not due to work related contacts as a result of the control mitigation measures in place. These absences provided operational challenges locally, and indeed across the whole force. He advised that absence levels had returned to normal although the small number of officers absent with long COVID were being supported.

He advised that the restrictions on large scale events as a result of the Omicron variant did not provide a local impact in East Renfrewshire and there was no increase in anti-social behaviour during this period. He advised that this was not unsurprising given there were no restrictions on domestic gatherings.

He provided thanks to now temporary Superintendent Barbour who addressed matters with Council colleagues while he was in attendance at COP 26 and noted the maintenance of effective policing and service delivery within East Renfrewshire.

On referring to the report, Chief Inspector Gray advised that in relation to public protection, 68 sexual crimes had been recorded, 17 fewer than for the same period last year and over 23% lower than the five-year average figure of 88.8%. He advised that work was ongoing to ensure accessibility for reporting and noted the work of the 'Don't be that guy' campaign which was launched in October.

In relation to domestic abuse incidents, the number of incidents to date remained relatively static compared to the same period the previous year and also in comparison to the five-year average. Robust daily scrutiny was provided with additional support provided by Domestic Abuse Investigation Unit colleagues. Locally low levels of violence continued, with a far greater number of reports relating to non-criminal activity. Early intervention and de-escalation of disputes in these circumstances was welcomed. He highlighted the work of the disclosure scheme for Domestic Abuse Scotland to allow individuals access to police information on the history of domestic abuse for an individual who was their partner.

In relation to violent crime, in the third quarter of the year serious assaults had remained virtually static compared to the same period the previous year and 7.4% below the previous five-year average. Minor assaults had increased by 11%, these figures were in line with previous five-year average data.

Assaults on emergency service workers had increased and doubled to 44 in East Renfrewshire. Previous five-year average data was not available locally for this crime type. Data analysis highlighted that this increase was part of a wider increase across the Greater Glasgow division and beyond. Whilst this may be due to an increase in recording and reporting, the well-being of Police Officers continued to be supported. Locally in quarter three, these incidents had been minor assaults with no weapons used. Two further minor assaults this year were on Scottish Ambulance service colleagues.

Robberies had remained low to the end of quarter three, with a total of four reported. This was three fewer than the same period the previous year and five fewer than the five-year average.

In relation to the detection of drug supply offences, it was advised that a total of 23 drug supply offences had been recorded this year. This was six more than the same period the previous year and consistent with the five-year average. The year to date number of offences recorded relating to possession of drugs was down 31%. Given broadly similar trends throughout the majority of policing subdivisions across Greater Glasgow division, it was believed that the impacts of the COVID response may be a factor. Officers were being encouraged to proactively police and carry out stop and search activity where legislative requirements were met and ensure this activity was appropriately recorded. It was noted that a public health approach to policing continued to be followed in this area. Colleagues were being supported with the Scottish Association for Mental Health (SAMH) due to deliver training in quarter one of the 2022-23 financial year.

Chief Inspector Gray advised that acquisitive crimes showed an increase in domestic house break-ins compared to 2020, although this represented a decrease on the previous five-year average. He then outlined that work continued with divisional and organisation wide colleagues to identify perpetrators who worked across policing and local authority boundaries. Where appropriate, residents in effected areas had been contacted through leaflet drops and social media messaging, encouraging their vigilance and adoption of appropriate security advice. Specialist departments such as roads policing and dog branches had been used to increase visibility in areas targeted, and additionally, plain clothes patrols and electric vehicles had also been used. Examples of crimes which had taken place in the local area under this crime type were provided.

In terms of antisocial behaviour and disorder, the impact of the pandemic and in particular the impact of lockdown and restrictions on social gatherings and mobility changed the normally consistent seasonal graphs recorded in East Renfrewshire. In quarter three, there continued to be a significant reduction in overall calls related to antisocial behaviour compared to the same period the previous year and a return to more seasonal trends. Calls classified as public nuisance were down by 43% on 2020 data and also down on the five-year average data. Noise complaints were down by 14% on 2020 data and broadly in line with five-year average data. Neighbour disputes were down by 12% compared to 2020/21 data, although figures had shown an increase in comparison to the previous five-year average. Partnership working continued through the weekly Greater Results In Partnership (GRIP) meeting.

Chief Inspector Gray then reported on the incidents referred to in the report under the areas of violent crime, crimes of dishonesty, vulnerable road users, domestic abuse, adult protection and child protection and young people.

There followed a short question and answer session in the course of which Chief Superintendent Sutherland and Chief Inspector Gray responded to a number of questions and provided clarification on a range of operational issues within East Renfrewshire and the crime statistics recorded in the report.

It was agreed that arrangements were to be made for Police representation or reports to be provided at Community Council meetings in East Renfrewshire.

The terms of the report were noted.

SCOTTISH FIRE AND RESCUE SERVICE (SFRS) PERFORMANCE REPORT FOR THE THIRD QUARTER OF 2021-22

1890. The Cabinet considered a report by the Group Commander, Scottish Fire and Rescue Service (SFRS), providing details of the performance of SFRS in East Renfrewshire during the third quarter of 2021-22.

Group Commander Coughtrie advised that as a service they were continuing to adjust to meet with the ongoing challenges of the COVID pandemic, positively progressing with their recovery strategy and implementing business as usual where possible to keep the property and fleet portfolio COVID secure.

He noted that the SFRS long term vision document was now available on the organisation's website. The mission remained the same: Working Together for a Safer Scotland. The vision would shape the three Strategic Plans over the next decade starting with 2022-25. The key purpose of preserving life would remain at the core of the SFRS although there would also be a focus towards local needs and working with communities to address them.

Group Commander Coughtrie advised that during this period crews and the Community Action Team carried out seventeen multi-agency engagement activities across East Renfrewshire. Operational crews had carried out 261 home fire safety visits, with 125 of these being high risk visits. Post domestic incident responses carried out were 67, with 57 home fire safety visits resulting from the post domestic incident responses. Smoke detectors fitted were 304 of the linked system and 186 stand-alone alarms. For heat detectors, 117 linked heat detectors as well as 51 stand-alone heat detectors were fitted as well as 53 carbon monoxide detectors.

Referring to the report, Group Commander Coughtrie provided an overview of the activity during the reported period. For accidental dwelling fires, there was an increase in the year

on year indicator of 22%, which represented an increase of two accidental dwelling fires for this reporting period. Overall there was a reduction of 13% against the three-year indicator. Cooking was again the main contributor, accounting for over 60% of activity. However, it was positive to note that detection was present in 82% of the premises. This highlighted an increase in public awareness regarding the importance of the installation and maintenance of fire detection within the home, and an overview of the public campaigns run were provided.

In terms of accidental dwelling casualties there had been no increase in either the year on year or three-year average indicators, with the total remaining extremely low. He noted in this period East Renfrewshire fire crews gained a minimum of one home fire safety visit following on from each post domestic incident response, the highest attainment rate of this type of activity across Scotland.

In terms of unintentional injury and harm, year on year there had been an increase of 20% in special service casualties, which equated to an additional one casualty. A significant reduction of 52% on the three-year indicator. It was also positive to note that 83% of unknown fire casualties received only slight injuries and were transported to hospital as a precautionary measure. One fatality was recorded during this reporting period which was related to assisting partner agencies gaining access to a premises. A total of eight road traffic collisions had occurred, which all resulted in minor injuries with three casualties involved. No water related incidents or casualties took place. Social media campaigns 'Stay Alive' and 'Get to know the fatal five' continued, focussing on the dangers of drink and drug driving, speeding, careless and inconsiderate driving and using a hand held mobile phone highlighting the risks of these activities to the lives of others.

He reported that there had been a significant reduction in deliberate fire setting, both on the year on year and three-year average. The majority being secondary fires from domestic wheelie bins. The Community Action team continued to engage with the East Renfrewshire's Young Person Diversionary Group to educate young people within our communities on the consequences of fire related antisocial behaviour. The fire safety enforcement team continued to engage with duty holders to remind them of their responsibilities to remove any potential sources of ignition, to minimise the risk of fire within local businesses. The Community Action team and local crews continued to engage with partners and public across Barrhead, Liboside and Uplawmoor, which accounted for ten of the incidents occurring during this reporting period. The majority of incidents included grassland or refuse containers predominantly over the weekend period, with 50% occurring over the October week. The other incidents in this category were one private shed and two private cars.

It was reported that there had been an increase in non-domestic fires in relation to the previous reporting period, however this was based on very low figures, with three recorded in the same period last year and a total of five recorded in the period this year. It was noted that there had been no increase in this type of instance against the three-year indicator and the three incidents resulted in no fire damage. Further information was then provided on the three accidental fires and two deliberate fires.

Unwanted Fire Alarm Signals (UFAS) continued to increase, 32% of these were in educational facilities and 13% within a care establishment with the cause predominantly accidental. Challenges still continued in reducing unwanted fire alarm signals despite ongoing initiatives, direct engagement and education directed towards duty holders. The change to the UFAS policy however now means that one vehicle was now sent to respond reducing blue light journeys and associated costs.

On 10 January 2022 SFRS published a UFAS consultation update highlighting that there were over 28,000 false alarms every year, leading to 57,000 unnecessary blue light journeys. Following the twelve week public consultation, which provided communities and

1790

partners with three options to safely reduce these numbers, it was identified that most stakeholders supported option A. This option means that SFRS will establish if there is a fire present before sending appliances. Hospitals, care homes and premises with sleeping risk remain exempt and appliances will continue to be mobilised automatically to any fire alarm actuations within these facilities. The change will reduce attendance rates by up to 57% and this will come into effect in April 2023 and will bring SFRS into line with most of the other UK Fire and Rescue services.

There followed further questions in the course of which Group Commander Coughtrie provided clarification on a range of operational issues within East Renfrewshire and the statistics recorded in the report.

The report was noted.

CHAIR

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of virtual meeting held at 2.00pm on 17 February 2022.

Present:

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

Councillor Miller in the Chair

Attending:

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Barbara Clark, Chief Accountant; Fiona Muir, Senior Auditor; Anthony Jenkins, Resilience Coordinator; Linda Hutchison, Clerk to the Committee; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Louisa Yule and Emma-Rose Drummond, Audit Scotland.

DECLARATIONS OF INTEREST

1891. There were no declarations of interest intimated.

CHAIR'S REPORT

1892. Councillor Miller confirmed, and it was noted, that discussions on the committee's self-evaluation were ongoing.

TREASURY MANAGEMENT STRATEGY REPORT FOR 2022/23

1893. Under reference to the Minute of the meeting 25 November 2021 (Page 1338, Item 1714 refers), when, having considered a report on treasury management activities for the first six months of 2021/22, it had been agreed to recommend to the Council approval of organisations for the investment of surplus funds, the committee considered a report by the Head of Accountancy (Chief Financial Officer) explaining that, in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice 2017, the Audit & Scrutiny Committee was responsible for ensuring effective scrutiny of the Council's treasury management strategy and policies.

In accordance with that requirement, a copy of the Treasury Management Strategy Report for 2022/23 was attached to that report for consideration in advance of its submission to the Council. The Strategy Report included a proposal to amend treasury management practices in accordance with Annex F accompanying the report which listed organisations approved for the investment of surplus funds, in respect of which information was provided on related issues such as credit ratings and limits. It was also proposed that a policy on the repayment of loans fund advances, as specified in Section 3.4 of the report, be approved.

The Chief Accountant confirmed that the report was similar to previous years subject to a few amendments. She explained that reference had been included to current high level guidance on fiscal flexibilities that the Scottish Government had allowed to address COVID-19 pressures and related discussions between COSLA and the Scottish Government, including on the use of capital receipts and a loans fund repayment holiday, both of which would have an impact on the loans fund repayments charged from the year of application. Additional affordability Prudential Indicators (PIs), which were on par with other local authorities, had been added in Section 6.4.

The Chief Accountant confirmed that, from a borrowing or investment perspective, the approach remained as before, with the rest of the report concentrating on the Council's Borrowing and Investment Strategies, and setting out parameters that helped monitor both. To allow borrowing to be controlled, PIs had been set up which monitored permissible borrowing and allowed this to be compared against actual gross debt. The Chief Accountant highlighted plans to use the Council's reserve balances temporarily rather than fully funding capital expenditure by external borrowing, this being considered prudent and cost effective taking account of not only the cost of borrowing until it was used, but also the possibility of Capital Programme slippage. However, she also highlighted the need for care to be taken by the Council to take advantage of historically low interest rates. Having explained that the PIs had been set using the Council's 2022/23 Capital Programme, she confirmed that any movement in this would affect how well the limits set could be adhered to, and that mid-year and year-end reports would be provided on this.

Having clarified that it remained the case that the primary objectives of the investment strategy were security and liquidity, the Chief Accountant referred to the types of investments that could be made as set out in Annexes D and E to the report respectively and associated risks; the proposed list of investors itemised in Annex F; and related monitoring arrangements. Reference was also made to a range of economic background information provided within the report.

Having heard the Chief Accountant confirm that she would be happy to arrange further treasury management training for Elected Members if that would be useful, requests for which could be made through the Clerk, the Clerk confirmed that it was intended to provide training on this issue as part of the induction offered to Elected Members following the Local Government Elections in May 2022.

The committee agreed:-

- (a) **to recommend to the Council** that the Treasury Management Strategy for 2022/23 be approved, including the Prudential and Treasury Indicators and the amended list of organisations for investment of surplus funds in accordance with Annex F to the report;
- (b) **to recommend to the Council** that the policy on the repayment of loans fund advances as specified in Section 3.4 of the report be approved;

- (c) **to recommend to the Council** that the forms of investment instruments for use as permitted investments be approved in accordance with Annex D to the report;
- (d) to note that further training on treasury management issues was available and would form part of the induction training provided for Elected Members following the Local Government Elections in May 2022; and
- (e) otherwise, to note the report and related comments made.

WITHDRAWAL FROM EUROPEAN UNION – UPDATE

1894. Under reference to the Minute of the meeting of 23 September 2021 (Page 1645, Item 1760 refers), when it had been agreed that a further update on the UK's exit from the European Union (EU) should be provided at this time, the committee considered a joint report by the Directors of Business Operations and Partnerships, and Environment, providing a further update on the UK's exit from the EU and work within the Council in response.

The report confirmed that a number of pressures continued to be faced, with supply chain and cost of living implications across the economy. Due to COVID-19 pressures on council services, it remained impossible to identify if these pressures were as a result of the EU exit, another factor or combination of both. However due to the pressures of the pandemic, many services were stretched and would be unable to respond effectively if any urgent EU exit matters arose.

The report explained that the UK was bringing in a phased introduction of border measures for the import of goods from the EU, confirming the changes which had taken effect from 1 January 2022, those to be introduced at the start of July, September and November 2022, and related requirements. It was clarified that there remained an exception for goods between Great Britain and both Northern Ireland and the Republic of Ireland on which further discussions were continuing.

It was reported that the legal and regulatory landscape had not significantly altered in Scotland or the UK following the exit from the EU, with it having been announced that the UK Government would publish a Brexit Freedoms Bill in early February 2022. At the time of writing the report submitted to the committee, this remained unpublished and there had been no signal of which laws would be targeted for change.

Whilst commenting on the price of goods and cost of living, the report explained that a number of goods had proven increasingly difficult to acquire or had faced significant cost increases which was expected to vastly increase the cost of living during 2022. Due to such pressures, the Money Advice and Rights Team (MART) was expecting increased service demand, particularly around fuel and energy costs and supply chain challenges, with further demand expected due to the conclusion of the furlough scheme. The number of contacts received by MART remained under review, MART was discussing a Service Level Agreement with the Wise Group to enable fuel arrears referrals to be directed there, and a temporary Fuel Poverty Worker had been recruited to start to address residents' most pressing fuel poverty needs and support Citizens' Advice Bureau services.

The report explained that the final details of the Shared Prosperity Fund, to replace EU funding, remained to be announced by the UK Government, referring to the Levelling Up White Paper anticipated from the UK Government, the publication of which had faced repeated delays.

Whilst making reference to the EU Settlement Scheme, the report confirmed that any EU nationals seeking to live and work in the UK from 31 December 2020 required to submit an application that met the criteria of the UK's points based immigration system, with those living in the UK prior to that date still eligible to submit late applications. Although by the end of September 2021 1,440 Settlement Scheme applications had been received from within East Renfrewshire, it was not clear if all local EU residents had applied due to the way in which National Records for Scotland statistics were presented. Related issues commented on included ways in which the Council was signposting residents to the Settlement Scheme; and judicial review proceedings launched by the Independent Monitoring Authority (IMA) regarding those with pre-settled status having to apply for settled status before their pre-settled status expired or risk losing their rights to live and work in the UK. It was explained that the latter could impact on around 400 local residents, with there being concerns that EU citizens without settled status or those arriving to live or work in the UK could be classified as having No Recourse to Public Funds (NRPF), restricting their access to social security benefits and social housing.

The Resilience Coordinator highlighted key aspects of the report during which he confirmed that the Brexit Freedoms Bill remained to be published, but that a booklet entitled "Benefits of Brexit" had been published on 1 February 2022. This itemised various achievements of the UK since exit from the EU; referred to the UK Government's approach to regulatory reform; and outlined the UK Government's vision.

He explained that full details of the Shared Prosperity Fund were still not available but that, since the report submitted to the committee had been prepared, pre-launch guidance had been published. Contrary to what had been understood, that guidance now reflected that there would not be a competitive process to secure funds. Instead £2.6Bn would be provided across the UK by March 2025, with areas allocated funding through a formula which had not yet been confirmed. The key themes for the use of the Fund were building pride in place; supporting high quality skills training; and supporting pay, employment and productivity growth, with local authorities expected to be responsible for planning the use of and delivery of the Fund and its interventions. As part of this, the Council would be expected to prepare a Local Investment and Development Plan for approval by the UK Government. Further details of the rules and related guidance were expected in Spring 2022. It was expected that the Council would, as lead, have flexibility on delivery of the Fund, with the pre-launch guidance suggesting that use of local competitions and delivering activity through in-house teams would be acceptable, and that adopting a strategic regional approach, such as through the City Deal Partnership, would be welcomed.

The Resilience Coordinator confirmed that there had not been any further update on the judicial review pursued by the IMA, but given the continued need to provide advice to local residents with pre-settled status, the position would continue to be monitored to ensure communications were consistent with the latest developments.

In response to Councillor Grant who commented that there was a lack of clarity on why some telephone service providers were raising charges, such as to call abroad or roaming charges, and why this was being attributed to exit from the EU, the Resilience Coordinator undertook to try to seek further clarification. Councillor Swift commented on the options to change provider and use wi-fi to circumvent roaming charges when abroad.

Councillor Ireland stressed the importance of MART, given the increased cost of living for example, and welcomed that a Fuel Poverty Worker had been appointed, seeking clarity on the length of time the officer would be in post as she considered the situation unlikely to ease in the immediate future. She also asked for further clarity on the Shared Prosperity Fund and, in particular, the extent to which this would replace EU structural funding. The Resilience Coordinator undertook to seek and provide further clarification on both issues.

The committee agreed:-

- (a) that the Resilience Coordinator provide further information to the Clerk for circulation to Members as requested on telephone charges, the length of time the temporary Fuel Poverty Worker had been appointed for, and to what extent the Shared Prosperity Fund would replace EU structural funding; and
- (b) otherwise, to note the report and related comments made.

INTERNAL AUDIT PLAN 2021/22 – IMPLEMENTATION PROGRESS – OCTOBER TO DECEMBER 2021

1895. The committee considered a report by the Chief Auditor regarding progress made on the implementation of the 2021/22 Internal Audit Plan from 1 October to 31 December 2021. It was confirmed that four audit reports in relation to planned 2021/22 audit work had been completed in quarter 3, information on which was provided. Details were provided of the three reports carried out as part of the 2021/22 plan regarding which satisfactory responses had been received since the last progress report had been submitted.

Reference was also made to the quarterly performance indicators (PIs) for the section, some of which were not being met due to COVID-19 restrictions on audit work that could be carried out and delays in departments responding to audit queries. The report confirmed that there had been no new requests for assistance dealt with using contingency time during the quarter. It was also confirmed that one audit relating to planned 2020/21 audit work was still in progress, in respect of which it was hoped to issue the report soon.

The report explained that, due to unforeseen circumstances leading to a reduced number of audit days being available during 2021/22, it was very unlikely that the full Audit Plan, as approved by the committee, would be completed. However, work was underway to prioritise audit work required to ensure year end assurance would be completed.

The Senior Auditor referred to key aspects of the report, including the extent to which various recommendations made had been considered to be low, medium or high risk, and the extent to which they had been accepted by management. Having heard her refer to an Environment Department follow-up audit completed, the Clerk confirmed she had received a copy of the report which would be circulated soon in keeping with normal practice.

Whilst confirming that it was very unlikely that the full Audit Plan would be completed, the Senior Auditor confirmed that work was underway to prioritise work on the main systems which was likely to be completed. The Head of Accountancy (Chief Financial Officer) assured the committee that contact had been made with the External Auditor to ensure the work being focussed on until the end of the financial year was in line with what they needed to rely on to get the required assurances they needed to complete their year-end audit on time.

The committee agreed:-

- (a) having noted that the Environment Department follow-up report would be circulated shortly, not to seek any other reports issued during the quarter at this stage; and
- (b) otherwise, to note the report and related comments made.

CHAIR

