

MINUTE
of
CABINET

Minute of meeting held at 10.00 am in the Council Chamber, Council Headquarters, Giffnock on 18 August 2022.

Present:

Councillor Owen O'Donnell (Leader)
Councillor Andrew Anderson

Councillor Danny Devlin
Councillor Katie Pragnell

Councillor O'Donnell, Leader, in the Chair

Attending:

Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education (*); Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Sharon Dick, Head of HR and Corporate Services (*); Murray Husband, Head of Digital and Community Safety (*); Phil Daws, Head of Environment (Strategic Services); Gillian McCarney, Head of Environment (Chief Planning Officer) (*); Siobhan McColgan, Head of Education Services (Equality and Equity) (*); Alison Ballingall, Senior Revenues Manager (*); Jamie Reid, Strategic Insight and Communities Senior Manager (*); Michael McKernan, Economic Development Manager; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance

DECLARATIONS OF INTEREST

77. There were no declarations of interest intimated.

JOINT CONSULTATIVE COMMITTEE (FIRST TIER) – MINUTE OF MEETING OF 16 JUNE 2022

78. The Cabinet considered and noted the Minute of the meeting of the Joint Consultative Committee (First Tier) held on 16 June 2022.

FINANCIAL PERFORMANCE FOR THE YEAR ENDED 31 MARCH 2022

79. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), advising of the unaudited financial results for 2021/22; comparing the outturn position with the final Budgetary Control Statement presented to Cabinet on 7 April, and confirming the financial results as emailed to all Elected Members in June.

The Head of Accountancy (Chief Financial Officer), advised that the report demonstrated the continued excellent financial performance of the Council, and noted that the Council's financial affairs had again been well managed. All General Fund departments had maintained outturn spend within budget, with the exception of the Chief Executive's Office (non-support) where the deficit arose due to a sharp fall in investment returns as a result of prevailing economic factors out with the Council's control.

She reported that the Council had achieved an improved position to that budgeted for, with Directors taking action to avoid non-essential spend in the later part of 2021/22 to help address future financial challenges as budget pressures for 2022/23 and beyond became clearer. This along with improved income generation and additional Scottish Government grants resulted in an improved position of £3.857m. Consequently instead of drawing down £3.75m million from general reserve, the Council was able to contribute £107k to this reserve.

A balance of £11.777 million as at 31 March 2022 was recorded for the non-earmarked General Fund reserve, representing 4.4% of net revenue expenditure which was slightly higher than the Council's policy aim of 4%. However as the Council had already committed £5.253m of this reserve in balancing the 2022/23 budget, the position at 31 March 2023 was currently expected to be a balance of £6.524m or only around 2.4%.

The position reported as at period 10 was an underspend of £1.8m and the improvement of £2m by the year-end which reflected the additional efforts made by Directors to avoid all non-essential spend. The main areas contributing to the additional underspend were staff vacancies, an underspend on supplies & services, improved income generation, along with additional Scottish Government Grants.

The outturn position for 2021/22 would assist the Council in addressing the significant financial challenges and uncertainties in coming years.

In respect of the Housing Revenue Account (HRA), it was reported that this had recorded an operational deficit of £0.354m resulting in an accumulated HRA surplus balance carried forward of £1.867m.

Councillor O'Donnell requested a review of the mechanisms in place to produce improved budget outturn assumptions, including reflecting on the previous year. The Head of Accountancy (Chief Financial Officer) confirmed that this would be undertaken and advised that the outcome of the previous year was currently considered.

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

- (a) the outturn position compared to the previous Budgetary Control Report;
- (b) that once the audit had been completed the final accounts would be submitted to a future meeting of the Council along with the External Auditor's report.

REVENUE BUDGET MONITORING (OUTTURN)

80. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the projected revenue budget out-turn for 2022/23 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 30 June 2022 and subsequent assessment of pressures arising from COVID-19.

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

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

The Head of Accountancy (Chief Financial Officer), provided a background to the report advising that the format of the first report of the year was slightly different from later reports. It was explained in the report that when the Council sets the budget each year this included actual loan repayments on investments in the Council assets. However the Accounting Code of Practice instead required reporting on services on a “capital charges” basis, which was to apply effectively a depreciation charge recognising services’ use of Council assets, rather than actual loan repayments. This adjustment was made in the current report and all future reports would be on the revised basis and would not include these notes on this adjustment.

She advised that although net expenditure at 30 June was £3.1m less than budget, this was largely due to variances in timing of expenditure and income, and so was not expected to continue throughout the year.

On the basis of the latest information, there was a forecast year-end overspend of £1.498m or 0.5% of the annual budget, but after adjusting for the HRA which was funded from rents, the underlying position on departmental budgets was a forecast underspend of £1.389m. The reasons for departmental variances were set out in the report, although it was highlighted that the major variances related to the unusually high inflationary pressures that the Council was currently facing. These were particularly impacting on utility and transport prices as well as on contracts, such as for PFI schemes, where annual payments were directly linked to inflation.

The report highlighted that the position outlined related to normal operational budgets only. It was expected that the Council would have to meet £4.1m of ongoing COVID pressures in the course of the year, however these costs would be covered by using earmarked COVID government grant resources already awarded to the Council. The Head of Accountancy (Chief Financial Officer), stressed that this was the first forecast of the year and could therefore be subject to significant change, for example if pandemic pressures were greater than expected or if the current year’s pay award was settled at a significantly higher rate than had been budgeted for. Given the tight nature of the Council’s finances in the current economic climate, the position would be actively managed and regular updates provided to Cabinet throughout the year on the financial performance and outturn forecasts.

The report also sought approval for operational budget adjustments, details of which were outlined in the report.

Councillor O’Donnell thanked the Head of Accountancy (Chief Financial Officer), for providing greater clarity in the report on the year-end adjustments for members.

Thereafter Councillor O’Donnell requested greater detail to be included in future reports on the year to date position to outline timing differences and permanent underlying differences e.g. utilities, in response to which the Head of Accountancy (Chief Financial Officer) confirmed that this would be included in future reports.

Having heard 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 expected to cover these from accumulated COVID grant funding.
- (b) noted the forecast underlying General Fund operational underspend of £1,389k.
- (c) approved service virements and operational adjustments as set out in the report and noted the reported probable out-turn position.
- (d) noted all departments continue to closely monitor and manage their budgets, ensure that spending up to operational budget levels does not take place and immediately take steps to avoid all non-essential expenditure.

GENERAL FUND CAPITAL PROGRAMME 2022/23

81. It was noted that consideration of the report had been continued to the meeting on 1 September 2022.

HOUSING CAPITAL PROGRAMME 2022/23

82. It was noted that consideration of the report had been continued to the meeting on 1 September 2022.

FLEXIBLE LOCAL AUTHORITY COVID ECONOMIC RECOVERY FUND

83. The Cabinet considered a joint report by the Director of Business Operations and Partnerships and the Director of Environment, which brought forward proposals for use of the Local Authority COVID Economic Recovery Fund in East Renfrewshire.

The Director of Business Operations and Partnerships advised that throughout the pandemic there had been various short-term funds aimed at supporting response and recovery. She advised that this report followed on from the report to Cabinet on 7 April (Minutes Page 1853, Item 1946 refers), and set out proposals for East Renfrewshire's share of an £80M fund agreed by COSLA Leaders, the Scottish Government and the Local Authority COVID Economic Recovery Fund (LACER). East Renfrewshire's share of this fund has been confirmed at £1.469m to be used within the current financial year 2022/23.

She advised that in late February, COSLA Leaders had agreed a set of guiding principles for spend. These included supporting local economic recovery, helping businesses move from a period of survival towards recovery and growth, rebuilding consumer confidence, stimulating demand and economic activity and supporting low income households to become more economically active.

Using research on the impact of the pandemic locally, the Council had developed a 3-tier approach for use of this fund locally was to provide support to businesses linked to low income households for example in sectors with lower paid staff, provide support to businesses who have been most adversely

affected by the pandemic to both stimulate recovery and to help resilience for example the 'Shop Local' campaign, and to provide support to low income households who have been most adversely affected through direct support such as shopping vouchers and indirect support such as the Money Advice and Rights team (MART) support and fuel poverty advice. A range of proposals had now been developed by Economic Development, working with the Child Poverty Group and Local Employability Partnership and scrutinised against these criteria.

The Director of Business Operations and Partnerships advised that following recent Elected Member engagement revised proposals had been prepared and were now presented for consideration. These included support to local social housing tenants, winter clothing support for vulnerable children, funding that would allow professionals in schools such as MART and Citizens Advice Bureau (CAB) to make small discretionary hardship payments to those in immediate need and to support fuel poverty, top-ups to the Scottish Welfare Fund, funding for local foodshare schemes in priority areas and in common with a number of other local authorities, distribution of Scotland Loves Local Gift Cards to those in receipt of Council Tax Reduction. They also included support for local businesses including a drive to increase uptake of the Real Living Wage, advice on COVID regulations and recovery, skills development, green business initiatives, support towards the opening of Greenlaw Works business centre and establishment of a black and minority ethnic business network.

The use of these LACER funds was subject to monitoring by the Scottish Government including case study evidence. A further update on the progress and outcomes of this funding in East Renfrewshire would be brought back to Cabinet as part of end-year reporting in 2023.

The Director of Business Operations and Partnerships advised that concerns remained about the lack of a long-term commitment to support such areas in the face of challenging budget settlements. The Council were however currently developing further proposals for use of additional COVID recovery funding over the next 12 months. Those proposals would be presented separately to Cabinet in the autumn and this may include extending some of the LACER projects for a further period. The proposals would also look to support households who had been worst affected by the pandemic, including those in financial hardship.

Councillor Devlin enquired as to the range of engagement with internal and external stakeholders including Elected Members in response to which the Director of Business Operations and Partnerships advised that Elected Members had set the criteria in April and that they would be included in future proposals in the Autumn.

The Cabinet:-

- (a) noted the allocation of £1.469m of Local Authority COVID Economic Recovery funding to East Renfrewshire Council;
- (b) approved those projects seeking support as outlined in Annex A of the report;
- (c) delegated authority jointly to the Directors of Environment and Business Operations & Partnerships to flexibly manage budget changes across individual proposals throughout the year to meet local demand; and
- (d) noted that a final report outlining actual spend and progress in terms of delivery and impact would come back to a future Cabinet meeting.

UK SHARED PROSPERITY FUND

84. The Cabinet considered a report by the Director of Environment providing an update on the recent publication of the Shared Prosperity Fund (SPF) prospectus and budget allocation to East Renfrewshire Council from the UK Government (UKG). The report also outlined a number of broad principles within the guidance which would guide officers in the development of local proposals that would correspond with the Regional Investment Plan for the Glasgow City Region.

The Economic Development Manager advised that post-Brexit, the UK government were replacing the European Union Structural Funds, with the UK Shared Prosperity Fund (SPF) 2022-25.

He noted that over the years the Council had received significant funding from Structural Funds including both the European Social Fund (ESF), which primarily funded employability activity and The European Regional Development Fund (ERDF), which supported capital investment and business support.

He advised that in the 2014-2020 programming period, the Council received £1,253,904 for the delivery of employability activity through ESF and £266,030 for business growth grants and Business Gateway services through ERDF. He outlined that the UK SPF would support the UK government's wider commitment to level up all parts of the UK by delivering on eight of the levelling up objectives and the three investment priorities of Communities and Place, Supporting Local Business, and People and Skills. The main objectives of these three investment priorities were outlined in the report.

East Renfrewshire Council had been awarded £2,613,314 for the 3 year programme.

Councillor O'Donnell having noted the tight timescales for the project and welcomed Elected Member involvement, Councillor Devlin enquired as to whether the Council was late in applying for the funding. The Economic Development Manager advised that due to delays at Government level the Council were in line with all other local authorities in applying for the funding.

The Head of Environment (Strategic Services) confirmed that the project proposals would come to a future meeting of Cabinet.

Having heard from the Economic Development Manager, the Cabinet:-

- (a) noted the desire from the UKG to pursue a regional approach in the design and delivery of the SPF, and further noted that this was also the preferred position of the Scottish Government;
- (b) agreed that the SPF Regional Investment Plan be developed in conjunction with all 8 Member Authorities as recommended by the City Region Cabinet for submission by 1 September 2022;
- (c) delegated to the Director of Environment to develop as a matter of urgency an outline high-level East Renfrewshire Council Investment Plan which would meet the Fund's strategic objectives and would form part of the GCR Investment Plan to be submitted by 1 September 2022; and
- (d) noted that a further report would be submitted to the Cabinet in due course including details of the Regional capital investment Plan and proposals for local expenditure.

BUSINESS OPERATIONS AND PARTNERSHIPS DEPARTMENT (FORMERLY CORPORATE AND COMMUNITY SERVICES) END YEAR PERFORMANCE REPORT 2021/22

85. The Cabinet considered a report by the Director of Business Operations and Partnerships in relation to the End-Year Performance Report 2021/22 in respect of the Business Operations and Partnerships department, details of which were outlined in the appendix to the report.

The Director of Business Operations and Partnerships advised that the name of the department had changed from Corporate and Community Services on 31 January 2022 following the retirement of the former Director and Deputy Chief Executive Caroline Innes. She noted that the department consisted of 300 employees covering a range of frontline, strategic and support services and provided a cross-council enabling role. Priorities of the department were to ensure efficient, effective business operations, council-wide digital transformation and effective community partnerships and strategy development.

She outlined that the last year had seen the department continue to balance increased workload as a result of the pandemic, the impact of new ICT systems affecting key processes for dealing with every household and every member of Council staff in East Renfrewshire and the day to day demands of a diverse range of services.

The department had a leading role in the COVID response and recovery including Chairing of the Crisis Resilience Management Team, leading the Council's humanitarian response through the payment of hardship and business support grants, supporting and guiding the workforce and managers throughout the pandemic, and communicating with local residents.

The Director of Business Operations and Partnerships stated that she was proud of the delivery and commitment of all of her teams and thanked them for their hard work over the year. She advised that the report gave an overview of the range of initiatives and performance outcomes delivered in difficult circumstances.

She outlined that moving forward priorities of the Business Operations and Partnerships department would be to continue to balance increased demands and especially those related to the cost of living crisis, progressing further digital transformation, new ways of working, reviewing the Council's strategic priorities in the 10 year Vision for the Future by engaging with local partners and communities, and supporting the wellbeing of the workforce.

Councillor Pragnell enquired as to how the Council was supporting staff returning to work following absence, in particular with regard to stress and mental health support. The Director of Business Operations and Partnerships outlined the recognised pressures on staff due to the pandemic, the cost of living crisis and caring responsibilities. She advised MART support had been offered to staff in light of the cost of living crisis, that a staff wellbeing survey was issued last year and from this action plans were produced as part of a wellbeing strategy. She outlined that absence was monitored closely and support was available through employee counselling, occupational therapy, flexible working policies, phased return to work and MART schemes.

The Head of HR and Corporate Services highlighted the training services offered to employees to detect the early signs of stress through either through e-learning or in-person courses and that these had been developed with the Health and Social Care Partnership (HSCP) and the Scottish Association for Mental Health (SAMH). She advised that there has been good uptake for the MART schemes.

Councillor Pragnell welcomed all the Council had in place to support staff.

Councillor Anderson enquired regarding the status of hybrid working within the Business Operations and Partnerships Department. The Director of Business Operations and Partnerships advised that this varied based on service requirements.

Councillor Anderson suggested that this may change in due course as a result of the cost of living crisis, with individuals wishing to be in the office to keep heating costs down. In response, the Director of Business Operations and Partnerships advised that this position would continue to be monitored.

Councillor Devlin enquired as to whether Council wide employees were returning to the office. The Director of Business Operations and Partnerships advised of The Way We Work programme which was providing guidance on new ways of working moving forward to support staff and services.

Councillor Devlin enquired as to whether residents were able to access Council services in person. The Head of HR and Corporate Services advised that prior to the pandemic 10% of provision was online and this is now 34%. She advised that the customer service centre at Giffnock was closed, although vulnerable customers would not be turned away, and Barrhead was open should assistance be required. She advised that there was a desire from residents for online services and the Council continued to provide both online and in person services. The Head of HR and Corporate Services then provided an update on the National Registrars Scotland position on birth and death registrations with a view for this service to be available both online and in person.

Councillor O'Donnell thanked the Director of Business Operations and Partnerships team, especially for their resilience during the pandemic to deliver services. He also noted the recruitment and resource pressures faced by the department.

Having heard from the Director of Business Operations and Partnerships and the Head of HR and Corporate Services, the Cabinet noted the Business Operations and Partnerships' end year performance for 2021/22, including its contribution to the COVID-19 pandemic.

EAST RENFREWSHIRE CULTURE AND LEISURE END YEAR REPORT 2021/22

86. The Cabinet considered a report by the Director of Education in relation to the End-Year Report 2021/22 in respect of East Renfrewshire Culture and Leisure (ERCL) Trust, details of which were outlined in the appendix to the report.

Councillor O'Donnell advised Cabinet that the report had already been reviewed by the ERCL Trust prior to coming to Cabinet.

The Head of Education Services (Equality and Equity) advised that the report was based on performance indicators and activities in the Outcome Delivery Plan (ODP) and ERCL Trust business plan. Detailed performance results prepared by the Trust's Chief Executive were attached in the appendix to the report and included arts, sports, libraries and community facilities.

She advised that during 2021-22 ERCL Trust continued to play a significant role in the response to COVID-19, as well as recommencing sports and leisure services in accordance with the Government's route map. This included recovery of gym memberships, re-establishing swimming programmes, the return of theatre programmes and an increase in library use through click and collect services and digital access. Further information was included in the report and balanced score card, where it was noted that recovery of leisure centre

attendance was to back to 50% of pre-COVID-19 levels, with gym memberships back to 78% of 2019-20 attendance levels. Eastwood Park Theatre's professional performing arts programme saw attendances recover to over 73% of 2019-20 levels. The refurbishment of Duff Memorial Hall and Busby Library were completed and Mearns Library also received a replacement heating system. ERCL Trust Sports Leader Academy supported 22 young people from local high schools to develop leadership skills through the opportunity to volunteer and resulted in 9 of them gaining employment as sports coaches.

The areas for further improvement were detailed as a focus on recovery and customer experience through increasing attendance levels and the continuation of improvements to the booking and payment system.

The restrictions in ERCL Trust facilities and services during the pandemic significantly impacted operations and income. Operating income for 2021-22 reduced to £2,910k although the 2021-22 figure was up significantly from 2020-21 at £950k. However, through careful financial planning and management the ERCL Trust had offset the loss of income resulting in a net income position (surplus) of £658k.

East Renfrewshire Culture and Leisure Trust has responded well to the challenges that had arisen due to the pandemic, it had continued strive towards improving customer experiences, meeting its charitable objectives, and was contributing to the health and wellbeing of the residents of East Renfrewshire.

Councillor Pragnell and O'Donnell noted the challenges of the pandemic on the ERCL Trust and welcomed the return and recovery of the facilities and services. Councillor O'Donnell thanked the ERCL Trust for providing venues for use as mass vaccination services during the pandemic.

The Cabinet noted the summary of ERCL Trust end year performance for 2021-22, including its contribution to the COVID-19 pandemic.

THE EAST RENFREWSHIRE COUNCIL (A726 GLASGOW SOUTHERN ORBITAL, NEWTON MEARNS) (40 & 50MPH SPEED LIMIT) ORDER 2022

87. The Cabinet considered a report by the Director of Environment, seeking approval for the making and confirmation of the East Renfrewshire Council (A726 Glasgow Southern Orbital, Newton Mearns) (40 & 50mph Speed Limit) Order 2022 and to delegate to the Director of Environment the implementation of the Order in accordance with the associated statutory procedures.

The Head of Environment (Chief Planning Officer) advised that to serve the Maidenhill development, which was now approximately 60% complete, a new Left in Left out (LiLo) junction from/to the eastbound carriageway of the A726 Glasgow Southern Orbital (GSO) had been constructed.

She outlined that due to the relative close proximity of the LiLo junction in relation to the commencement of the eastbound A726 GSO it was proposed, in the interest of road safety, to reduce the speed limit on the eastbound carriageway of the A726 GSO in the vicinity of this new junction from the National Speed Limit (70mph) to 50mph. The report noted that the 50mph speed limit would also apply on the deceleration (off slip)/acceleration (on slip) lanes of the aforementioned LiLo junction.

Again in the interest of Road Safety and to avoid any confusion with regards to speed limits on the opposing carriageway of the A726 GSO, it was also proposed to introduce a similar reduction in the speed limit on the westbound carriageway of the A726 GSO.

The Cabinet:-

- (a) noted the report and approved the making and confirmation of the East Renfrewshire Council (A726 Glasgow Southern Orbital, Newton Mearns) (40 & 50mph Speed Limit) Order 2022; and
- (b) delegated to the Director of Environment the implementation of the Order in accordance with the associated statutory procedures.

ADOPTION OF SCOTS NATIONAL ROADS DEVELOPMENT GUIDE AND LOCAL AUTHORITY VARIATIONS

88. The Cabinet considered a report by the Director of Environment, seeking approval and adoption of the SCOTS National Roads Development Guide (SCOTS, 2017) and the East Renfrewshire Local Authority variation which is the Good Practice Guide for Residential Development Roads (East Renfrewshire Council, 2022). Both documents accompanied the report as appendices 1 and 2.

The Head of Environment (Chief Planning Officer) advised that the adoption of these documents would provide developers and designers with a clear and consistent understanding of the requirements expected in the planning application and roads construction consent, both in terms of Scottish Government policy requirements and the Council's good practice.

Councillor Anderson commented on the bollards on Ayr Road in response to which the Head of Environment (Chief Planning Officer) provided a background on the new guidelines from the Scottish and UK Government to prioritise pedestrians, cyclists and then vehicles. She advised that segregation in some form was required on Ayr Road following the removal of the bollards and different forms of segregation were currently being considered. She noted that consultation took place prior to the installation of the original bollards although this solution proved to be unsuitable.

Councillor Anderson enquired as to why the Council was not credited with contributing to the development of the guide. The Head of Environment (Chief Planning Officer) agreed to look into this matter with the authors of the guide.

Councillor Pragnell enquired as to what the contingency was for winter maintenance programmes if gritting vehicles could not access cul-de-sacs as outlined in the report. The Head of Environment (Chief Planning Officer) advised that in the first instance residents should contact the Council's Road Department with any concerns and that there was also a map on the Council's website which showed the location of all grit bins within East Renfrewshire.

Councillor Pragnell noted in the report that the Council's Climate Change Strategy and Action Plan was due for publication in 2021 and sought clarification if this had been published. The Head of Environment (Strategic Services) advised that a Strategic Environmental Assessment was currently being completed. The Council then required to undertake a public consultation on the draft Get to Zero Action plan. The timing of this consultation was currently being considered as a consultation on the budget also required to be undertaken with residents and the two consultations would require to be launched at different times. The results of the draft Get to Zero Action plan consultation would be brought back to Cabinet, expected to be early in 2023.

The Cabinet approved:-

- (a) the adoption of the National Roads Development Guide (SCOTS, 2017); and
- (b) the adoption of the East Renfrewshire's Good Practice Guide for Residential Development Roads (East Renfrewshire Council, 2022).

CHAIR

