

MINUTE VOLUME

14 DECEMBER 2022

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MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 26 October 2022.

Present:

Councillor Andrew Morrison (Chair)	Councillor Annette Ireland (*)
Councillor Tony Buchanan (Vice Chair)(*)	Councillor David Macdonald
Councillor Paul Edlin	Councillor Gordon Wallace

Councillor Morrison in the Chair

(*) indicates remote attendance

Attending:

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Barbara Clark, Chief Accountant; Linda Hutchison, Clerk to the Committee; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

John Boyd and Louisa Yule, Audit Scotland; and Rob Jones, Grace Scanlin; and Melanie McAdam, Ernst and Young.

Apology:

Provost Mary Montague.

DECLARATIONS OF INTEREST

181. There were no declarations of interest intimated.

2021-22 ANNUAL ACCOUNTS FOR THE COUNCIL'S CHARITABLE TRUSTS AND EXTERNAL AUDIT (INTERNATIONAL STANDARD ON AUDITING (ISA) 260) REPORT

182. Under reference to the Minute of the meeting of 23 June 2022 (Page 60, Item 36 refers), when the committee had noted the content of the unaudited Annual Accounts for 2021-22 and that a report on final Annual Accounts for the Council's charitable trusts and related documents would be submitted to a future meeting, the committee considered a report by the Head of Accountancy (Chief Financial Officer) explaining that the audit of the amalgamated 2021-22 Annual Accounts for the seven charitable trusts for which the Council

acted as Trustee had been completed, and submitting a copy of these for consideration. The External Auditor's report on the trusts, completed in compliance with ISA 260, was also submitted for consideration.

The Head of Accountancy (Chief Financial Officer) welcomed that the audit had been completed by the end of October within the statutory timescale for doing so, despite challenges faced. Having referred to the positive nature of the External Auditor's report, she thanked the Chief Accountant, her team and the External Auditors for their contributions to this achievement. More generally, she thanked all past and present members of the External Audit team for their work over the past six years, and the positive working relationship that officers had enjoyed with them. She stated that she looked forward to working with the new External Audit team from Ernst and Young over the next five years, representatives of which were attending their first meeting of the committee.

Councillor Morrison requested that the committee's appreciation for the work done by the Head of Accountancy (Chief Financial Officer), the Chief Accountant and her team, to meet the statutory deadline, be placed on record.

Ms Yule commented on the 2021-22 Accounts and related issues. Having referred to the proposed independent auditor's report and ISA 580 letter of representation which had been provided, she confirmed that the Accounts were unqualified, and had been prepared in accordance with related requirements. Whilst commenting further, she highlighted that the charitable trusts for the Lieutenants Duff Memorial Institute and Endowment for Talented Children and Young People had shown a lack of activity for several years which could result in them being considered dormant, confirming that related actions were being taken in the current year. She thanked the Trustees and officers involved in assisting with the audit.

In response to Councillor Morrison, the Head of Accountancy (Chief Financial Officer) confirmed that, through discussions with officers within the Education Department, potential beneficiaries for the remaining funds within the Endowment for Talented Children and Young People had been identified. It was hoped that a definitive proposal would be forthcoming, and expected that the remaining funds would be used within the current financial year.

The committee agreed to:-

- (a) note the External Auditor's report on matters arising from the audits of the registered charities for 2021-22 under requirements of ISA 260;
- (b) note the amalgamated Annual Accounts for 2021-22 for the seven charitable trusts for which the Council acted as Trustee; and
- (c) remit the report to the Council for consideration.

2021-22 EAST REFRESHIRE COUNCIL ANNUAL ACCOUNTS, DRAFT ANNUAL AUDIT REPORT AND RELATED ISA 260 REPORT

183. Under reference to the Minute of the meeting of 23 June 2022 (Page 60, Item 36 refers), when the committee had noted the content of the unaudited Annual Accounts for 2021/22 and that a report on the final Accounts and associated draft Annual Audit Report to the Council and the Controller of Audit would be submitted to this meeting, the committee considered a report by the Head of Accountancy (Chief Financial Officer) regarding the Annual Accounts for 2021-22; the associated draft Annual Audit Report prepared by the External Auditor which would be issued in final form after the financial statements had been certified;

and a further report by the External Auditor on matters arising from the audit of the Council's financial statements for 2021-22 reported under ISA 260 requirements. The draft Audit report provided an overview of the main issues arising from the 2021-22 audit.

The Council had received an audit certificate which was unqualified. It had operated within budget, with Directors again taking action to avoid non-essential expenditure during 2021-22 to provide more flexibility to address the significant financial difficulties to be faced in coming years. It had not required to draw down £3,750k from reserves as planned, but rather made a contribution of £102k to the Council's Non-Earmarked General Fund reserve, resulting in a balance of £11,772k as at 31 March 2022, representing an improvement of £3,852k. This equated to 4.4% of the annual budgeted net revenue expenditure, which was slightly above the Council's most prudent target of 4%. However, £5,253K of this had already been committed in balancing the 2022-23 budget.

The Council's General Fund reserve balances as at 31 March 2022 totalled £46,189k. This was a decrease of £1,075k from the previous year and was mainly due to the utilisation of the Modernisation Fund and a decrease in unspent grants.

Significant COVID-19 related spend of £14,474k had been incurred, of which £6,390k was funded from the reserve set up at the end of 2020/21. Further funding had been received during the year allowing additional contributions to be made to the COVID reserve, resulting in a year-end balance of £14,085k, representing an in year increase of £1,270k

Capital expenditure of £35,901k had been invested. In addition, there had been an operating deficit of £354k on the Housing Revenue Account, thus decreasing the accumulated surpluses carried forward to that account to 1,867k.

The Head of Accountancy (Chief Financial Officer) confirmed that the remarks she had made on the Trust Accounts applied also to the Council's main Accounts, reiterating that it had been a great achievement to meet the October deadline for preparing these.

Mr Boyd referred to the documents provided which included the draft audit opinion, the draft ISA 580 letter of representation, and the draft Annual Audit Report. He clarified that his comments would focus on the key messages specified in the report covering both the financial statements audit and the four audit dimensions framing the wider scope of public audit as set out in the Code of Audit Practice, namely financial management, financial sustainability, governance and transparency, and value for money.

Referring to the 2021-22 Accounts and related issues, Mr Boyd reported that it was proposed to issue an unqualified auditor's certificate on the Accounts, confirming there had been no significant modifications or issues in relation to the audit of these, and referring to some adjustments agreed with officers and made to the final Accounts. He highlighted that a significant area of focus had been estimates and judgements, highlighting comments in the Annual Audit Report on an increased risk of material misstatement regarding the valuation of property, plant and equipment associated with revised auditing standards on which auditors were now expected to place more focus. There were no issues identified arising from that work.

Whilst making reference to the wider audit dimensions, Mr Boyd explained that both a summary and detailed comments had been provided, with there being no significant issues to which the committee needed to be alerted. The Council was considered to have effective and appropriate financial management arrangements in place, but financial challenges faced by all councils were reflected in the Report, such as regarding inflation and economic uncertainty.

Regarding governance and transparency, Mr Boyd commented that the report reflected on the establishment of the arrangements following the local government elections. The report also commented on how the Council demonstrated value for money and achieved Best Value, regarding which there were no significant issues to report to the committee.

Mr Boyd referred to the Action Plan detailed in Appendix 1 to the report reflecting detailed observations identified during the course of the audit, all of which had been accepted by officers and for which response dates had been provided. He confirmed that implementation of the recommendations made in the previous year had also been reviewed.

Mr Boyd thanked the Head of Accountancy (Chief Financial Officer), the Chief Accountant and her team for their support during the audit, referring to the unique challenges of completing it predominately remotely. He also thanked all those who had supported the Audit Team during the past 6 years, confirming that handover arrangements to Ernst and Young were being put in place to ensure a smooth transition.

Councillor Macdonald highlighted reference within the report to the extent to which procedures for detecting fraud and irregularities were in place, seeking the External Auditor's view on how such issues could be identified more readily and effectively, and referring to significant attempts made in the past to defraud money from the Council. Mr Boyd confirmed that the auditor's responsibilities, under auditing standards, required a focus to be placed on the risk of fraud, including consideration of the Council's arrangements to prevent and detect this or material misstatement in the financial statements, which included looking at the internal control environment, key systems and processes in place, the work of Internal Audit, and the Council's involvement in the National Fraud Initiative. Ultimately this helped target External Audit work on where there was considered to be a risk of material misstatement in the Annual Accounts. Where there were considered to be control improvements or enhancements, recommendations were made, such issues having been referred to in the Management Report the committee had considered in September. Mr Boyd confirmed that none had been considered significant enough to impact on the audit opinion.

In response to Councillor Ireland who asked what proportion of the Lieutenants Duff Memorial Institute Fund would be contributed to the current improvement work at Duff Memorial Hall and when any such payment would be made, the Head of Accountancy (Chief Financial Officer) clarified that liaison was taking place with Property and Technical Services on this, that work on the Hall had continued from 2021-22 into the current financial year, and that when the final cost of the work had been confirmed, it would be determined how much of the balance of the Fund could be used in the current financial year.

Also in response to Councillor Ireland who sought clarification on the General Fund underspend and what assurances could be given that there would not be an underspend in 2022-23 in light of the difficult financial decisions that required to be taken, the Head of Accountancy (Chief Financial Officer) confirmed that the outturn position for 2021-22 had been a managed one, referring to deliberate action taken to achieve a significant underspend. Regarding 2022-23, having referred to financial challenges faced such as on inflation, she explained that revenue budget monitoring reports were currently indicating over rather than under expenditure at the year end, as a consequence of which all departments had been asked again to focus on essential expenditure only to ensure a balanced budget was achieved to avoid exacerbating problems at the end of the financial year.

Regarding the comprehensive income and expenditure statement, Councillor Morrison sought clarification on the actuarial gain in the Pension Fund evaluation. Mr Boyd confirmed the basis on which it was calculated, that annually actuaries estimated the Council's share of the Pension Fund's assets and liabilities based on forecasted pension costs, and that the figures reflected volatility in that liability, with the shift in the liability reflected in the Council's balance

sheet. A combination of factors contributed to this, as did changing assumptions on issues such as life expectancy. Such movements were reflected in the Pension reserve, with the annual pension contribution cost reflected in the General Fund. Related issues were commented on.

The committee agreed to:-

- (a) note the draft Annual Audit Report to the Council and Controller of Audit 2021-22 and the External Auditor's Report on matters arising from the audit of the Council's 2021-22 Financial Statements prepared under requirements of ISA 260;
- (b) note the content of the Council's Annual Accounts for 2021-22 and related comments made; and
- (c) remit the report to the Council for consideration.

CHAIR

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock on 26 October 2022.

Present:

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

Provost Montague in the Chair

(*) indicates remote attendance.

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Andy Cahill, Director of Environment; Julie Murray, Chief Officer - Health and Social Care Partnership; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Anthony McReavy, Chief Executive, East Renfrewshire Leisure and Culture Trust (*); Joe McCaig, Head of Education Services (Performance and Provision); Raymond Prior, Head of Children's Services and Criminal Justice; Barbara Clark, Chief Accountant; Graeme Smith, Communications Manager; Eamonn Daly, Democratic Services Manager; Jamie Reid, Strategic Insight and Communities Senior Manager; Linda Hutchison, Senior Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance.

Also attending:

John Boyd and Louisa Yule, Audit Scotland.

Introductory Remarks

Provost Montague congratulated Councillor Macdonald on winning the Community Champion 2022 Award at the recent Local Government Information Unit Awards.

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

Variation in Order of Business

In accordance with the terms of Standing Order 20, and with a view to making the most effective use of officers' time, Provost Montague agreed to vary the order of business in order to facilitate the conduct of the meeting.

DECLARATIONS OF INTEREST

184. There were no declarations of interest intimated.

MINUTE OF MEETING OF COUNCIL – 7 SEPTEMBER 2022

185. The Council considered and approved the Minute of the meeting held on 7 September 2022, subject to the following amendment:-

Page 159, Item 116, Paragraph 7 – that the words “Democratic Services Team” be replaced with the words “Administration Group”.

MINUTES OF MEETINGS OF COMMITTEES

186. The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 187 below:-

- (a) Licensing Committee – 13 September 2022;
- (b) Planning Applications Committee – 14 September 2022;
- (c) Local Review Body – 14 September 2022;
- (d) Cabinet – 15 September 2022;
- (e) Appointments Committee – 15 September 2022;
- (f) Planning Applications Committee – 20 September 2022;
- (g) Appointments Committee – 21 September 2022;
- (h) Cabinet (Police and Fire) – 22 September 2022;
- (i) Audit and Scrutiny Committee – 29 September 2022;
- (j) Teaching Staff Appeals Committee – 30 September 2022;
- (k) Education Committee – 6 October 2022;
- (l) Licensing Committee – 11 October 2022;
- (m) Teaching Staff Appeals Committee – 11 October 2022;
- (n) Appointments Committee – 12 October 2022;
- (o) Cabinet – 13 October 2022; and
- (p) Appointments Committee – 13 October 2022.

CABINET – 13 OCTOBER 2022 – PLACE BASED INVESTMENT PROGRAMME 2022/23

187. Under reference to the Minute of the meeting of the Cabinet of 13 October 2022 (Page 235, Item 178 refers), when it had been agreed to approve schemes for the 2022-23 Place Based Investment Programme, Councillor Wallace suggested that important comments made had not been reflected in the Minute. Having referred to those made on there being insufficient

time to consider alternative proposals to those put forward for Cowan Park, regarding the £100k approved for the Bandstand refurbishment, he expressed concern that the Convener responsible for the proposal, who had local knowledge of the area, had indicated not only that he had just been made aware of it a few days prior the Cabinet meeting, but also that he considered there to be better ways to use the funds in the park.

Whilst acknowledging time constraints faced, Councillor Wallace stated that the funds available had been known since November 2021, as reflected in a Cabinet report at that time, which had recognised related challenges and outlined the approach to be taken. He suggested that neither the time available to develop the proposals nor the Convener's comments had been adequately recorded.

The Democratic Services Manager reminded Members that Minutes were not a verbatim record of proceedings and that a recording of the meeting which would show the full discussion that had taken place was available to view on the Council's YouTube Channel. Notwithstanding, Councillor Wallace's comments as outlined above would be reflected in the Minute of this meeting.

STATEMENTS BY CONVENER/REPRESENTATIVES ON JOINT BOARDS AND COMMITTEES

188. The following statements were made:-

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

Councillor Pragnell reported that at the Integration Joint Board (IJB) meeting on 21 September various annual reports had been presented, including on performance, clinical and care governance, and the Chief Social Work Officer's report. These had highlighted continuing challenges faced due to the pandemic and wider economic issues faced. There was increased demand for health and social care services, and particular pressures on older adults and children's services. Despite this, support had continued to be provided to the most vulnerable residents, with services performing well against many outcome focused performance indicators. Across the reports, numerous examples of success had been provided which the Health and Social Care Partnership (HSCP) would continue to build on.

As part of the IJB's financial reporting, cost pressures from demand and inflation had been recognised in mitigation to which a moratorium on non-essential expenditure was in place. Councillor Pragnell confirmed that an update had also been provided on the recovery and renewal programme, detailing activities planned over the coming months, which would help with the financial challenges faced and the future design of services.

The Chief Financial Officer had presented the charging for services report, also to be presented to Cabinet in November. The IJB had recognised that, whilst the annual inflationary uplift was significantly higher than usual, this reflected the current, unprecedented times. The IJB had agreed, given the financial landscape and likely future changes to charging associated with the National Care Service, that it was inappropriate to implement the individual contributions element for non-residential care, as potential income generated would be outweighed by the resource required to implement the change, and there would be a significant impact on individuals at present.

She was delighted to confirm that Raymond Prior had been appointed Head of Children's Services and Criminal Justice (Chief Social Work Officer), who, having been a senior manager within the service, brought a wealth of knowledge and experience to the role.

(b) Councillor O'Donnell – Leader

Councillor O'Donnell reported that the next phase of budget engagement with residents and staff would commence shortly, explaining that like other public bodies the Council faced extreme funding pressures. He referred to the long-term and structured approach to be taken to these, whilst doing everything possible to protect services for as long as possible.

Having referred to the uncertainties linked to the cost of living crisis, high interest rates and energy costs, the war in Ukraine, and the long term impact of COVID-19, he expressed the view that investment in public services was needed for communities, not cuts. However, based on analysis, a budget gap needed to be addressed of approximately £30m in core services, £18m in the HSCP, and £1.5m in the Culture and Leisure Trust. He explained that councils expected to receive a flat cash settlement from the Scottish Government for the next three years when inflation was running at 10%, arguing that the Scottish Government had made consistent choices over the past 15 years to underfund local authorities, resulting in them facing severe cuts to local service delivery. It was of no comfort that East Renfrewshire was not the only council facing this scale of cuts, and all councils were united through COSLA to lobby the Scottish Government to revisit its spending priorities.

Councillor O'Donnell stressed that the current position was not the fault of the Council or previous Administrations, East Renfrewshire having consistently been one of the best managed and performing councils in Scotland, as evidenced in benchmarking results.

He confirmed that a cross-party group had been working with officers to understand the extremely challenging options available to address the funding gap. Having acknowledged that no members of the group wanted to consider any such options, he highlighted the legal obligation the Council had to balance its budget. Councillor O'Donnell thanked Opposition councillors for engaging in the discussions in relation to budget preparations, commenting on the importance of residents seeing constructive cooperation between Elected Members in these difficult times. He also thanked them for joining the cross-party group to consider options to deliver on the recent COVID and cost of living crisis plan, adding that he was sure residents appreciated a united front on these issues.

Whilst commenting further on the forthcoming engagement with residents and staff on the budget options on core council services, Councillor O'Donnell explained that the £40m of options identified significantly exceeded the £30m required, none were easy, and many involved cutting services and the scale of the workforce. Given the hard work and commitment of officers during COVID, these were considered particularly difficult to contemplate.

Having acknowledged that the cost of living crisis was already worrying lower paid officers, Councillor O'Donnell emphasised the wish to do everything in the Council's power to minimise service cuts and job losses. Whilst having to plan for the worst, he sincerely hoped the situation would improve.

APPOINTMENT OF REPLACEMENT MEMBER ON EAST RENFREWSHIRE CULTURE AND LEISURE TRUST BOARD

189. The Council considered a report by the Director of Business Operations and Partnerships, seeking the appointment of a replacement representative on the East Renfrewshire Culture and Leisure Trust Board, following the resignation of Councillor Pragnell.

The Council approved the appointment of Councillor Anderson as the replacement representative on the East Renfrewshire Culture and Leisure Trust Board.

PROVOST'S ENGAGEMENTS

190. The Council considered a report by the Director of Business Operations and Partnerships, providing details of civic engagements attended and civic duties performed by Provost Montague since the meeting on 7 September 2022.

The Council, having noted that Provost Montague had also attended the East Renfrewshire Girl Guides Annual Review on 2 October in Newton Mearns, noted the report.

2021-22 ANNUAL ACCOUNTS FOR THE COUNCIL'S CHARITABLE TRUSTS AND EXTERNAL AUDIT (INTERNATIONAL STANDARD ON AUDITING 260) REPORT

191. Under reference to the Minute of the meeting of the Audit & Scrutiny Committee held earlier that day (Page 241, Item 182 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) explaining that the audit of the amalgamated 2021-22 Annual Accounts for the seven charitable trusts for which the Council acted as Trustee had been completed, and that a copy was now submitted for consideration. In addition, the External Auditor's report in respect of the Trusts, in compliance with the International Standard on Auditing (ISA) 260, was also submitted for consideration.

The Council, having heard Councillor Morrison, Chair of the Audit and Scrutiny Committee, comment on the Accounts which had been awarded a clean audit certificate, and confirm there were no material issues that needed to be highlighted, approved the 2021-22 Annual Accounts for the Trusts and the associated External Auditor's report.

2021-22 ANNUAL ACCOUNTS AND DRAFT ANNUAL AUDIT REPORT FOR EAST RENFREWSHIRE COUNCIL

192. Under reference to the Minute of the meeting of the Audit and Scrutiny Committee held earlier that day (Page 242, Item 183 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) regarding the Annual Accounts for 2021-22, the associated draft Annual Audit Report prepared by the External Auditor, and a further report by the External Auditor on matters arising from the audit of the Council's financial statements for 2021-22 reported under ISA 260 requirements. The draft Audit report provided an overview of the main issues arising from the 2021-22 audit.

The Council had received an audit certificate which was unqualified. It had operated within budget, with Directors having again taken action to avoid non-essential expenditure during 2021-22 to provide more flexibility to address the significant financial difficulties to be faced in coming years. It had not required to draw down £3,750k from reserves as planned, but rather made a contribution of £102k to the Council's Non-Earmarked General Fund reserve, resulting in a balance of £11,772k as at 31 March 2022, representing an improvement of £3,852k. This

equated to 4.4% of the annual budgeted net revenue expenditure, which was slightly above the Council's most prudent target of 4%. However, £5,253k of this had already been committed in balancing the 2022-23 budget.

The Council's General Fund reserve balances as at 31 March 2022 totalled £46,189k. This was a decrease of £1,075k from the previous year, and was mainly due to the utilisation of the Modernisation Fund and a decrease in unspent grants.

Significant COVID-19 related spend of £14,474k had been incurred, of which £6,390k was funded from the reserve set up at the end of 2020/21. Further funding had been received during the year allowing additional contributions to be made to the COVID reserve, resulting in a year-end balance of £14,085k, representing an in year increase of £1,270k

Capital expenditure of £35,901k had been invested. In addition, there had been an operating deficit of £354k on the Housing Revenue Account, thus decreasing the accumulated surpluses carried forward to that account to 1,867k.

Councillor Morrison highlighted that an unqualified audit certificate had been awarded; and that expenditure had been within budget with action taken to avoid non-essential expenditure towards the end of the year to provide additional flexibility to address anticipated budgetary challenges in 2022/23 and beyond. He reported that the balance on the non-earmarked General Fund, which was 4.4% of annual budgeted net revenue expenditure, was expected to fall back to approximately 2.4% by 31 March 2023 as a result of the Council's 2022/23 budget decisions. He confirmed that the outcome of the audit had been largely positive with, as always, various audit findings and related actions itemised in the Annual Audit Report.

He thanked the Audit Scotland team for their work and advice over the past six years, and looked forward to working with the new team from Ernst & Young. Having commented that the Accounts covered a period impacted by COVID measures, he commended both council officers and the auditors for their hard work meeting the 31 October deadline for the Accounts.

Regarding the financial plan for 2022/23 which indicated a budgetary shortfall of £9.5m for that year, Councillor Ireland asked if the position on voluntary early retirement and redundancies, which had been important to the previous Administration, would be continued. She also commented that, contrary to what Councillor O'Donnell had stated earlier, there was no cross party budget group, that Scottish National Party (SNP) Elected Members had been attending budget discussions in a listening capacity, and that she expected the 2022-23 budget to be proposed by Labour and Conservative councillors.

Councillor O'Donnell having clarified the reference to cross party working, reported that endeavours would be made to make any redundancies voluntary and minimal, adding that statements on this issue by previous Administrations had been for one year at a time after the conclusion of the budget process. He confirmed the intention to make a statement on this issue in March 2023 when the budget was being set, taking account of the budgetary position at that time, stating that no guarantee could be provided in view of the savings required, and suggesting that any party may struggle to give a commitment on this in light of the legal obligations on the Council to set a balanced budget.

Councillor Wallace questioned Councillor Ireland's comment on a Labour and Conservative budget, adding that the Leader's comment on a united front had been short lived. Councillor Macdonald, who referred to redundancies as a last resort and stated that decisions on cutting livelihoods were not taken lightly, asked if redundancies would be considered at all levels within the organisation, which he considered important.

Councillor Buchanan welcomed that the audit certificate on the Accounts was unqualified, thanking the Head of Accountancy (Chief Financial Officer) and Chief Accountant for this achievement, and all officers for their hard work ensuring good services were delivered

appropriately within budget. He stated he had been surprised by the Leader's statement on agreements on cross party working, which did not reflect his understanding of the current position, adding that funding issues would not be able to be clarified until after the Scottish Government settlement was received from the UK Government.

In response to both Councillor Macdonald and Councillor Buchanan, Provost Montague stated that discussions on such issues were for a future when the next budget was discussed. Councillor Morrison highlighted that, as Vice-Chair of the Audit and Scrutiny Committee, Councillor Buchanan had had ample opportunity to raise questions on this item at its meeting earlier, suggesting that the time allocated to the item at the Council meeting should be for those who were not members of the committee.

The Council, having heard the Provost thank Louisa Yule and John Boyd from Audit Scotland for their work, and officers across the Council for their contribution to the outcome on the Accounts, agreed to:-

- (a) approve the Council's Annual Accounts for 2021-22; and
- (b) note the draft Annual Audit Report to the Council and Controller of Audit 2021-22 and the External Auditor's report on matters arising from the audit of the Council's 2021-22 Financial Statements prepared under requirements of ISA 260.

CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2021/22

193. The Council considered a report by the Interim Chief Social Work Officer (CSWO), providing details of his Annual Report for 2021/22, and seeking approval of the report for submission to the Office of the Chief Social Work Adviser, Scottish Government.

The Annual Report, a copy which was appended to the report, provided an overview of professional social work activity within East Renfrewshire in 2021-22 through the delivery of statutory functions and responsibilities held by the CSWO. There continued to be significant challenges and risks facing social work and social care. It was explained that the landscape for all health and social care services would change over the coming years as a consequence of COVID-19, and that statutory social work and social care would require to adapt to ensure rising demand and renewal associated with protecting and caring for the most vulnerable citizens. A commitment existed to enabling and supporting vulnerable individuals to make positive, sustainable changes to their lives to achieve the best outcomes for them, their families and communities.

Provost Montague confirmed that the report had been prepared by the new CSWO before he had been formally appointed to that role, congratulating him on his appointment.

The CSWO thanked those working in the service and partners for their hard work and dedication to delivering services in such challenging times. He referred to the robust public protection arrangements in place for child protection, initial referral discussions undertaken jointly with police, health and education, and the joint social work/police Scottish child interview model which had received a strong evaluation from the Crown Office, also confirming that East Renfrewshire was a gold standard champion in domestic abuse training via the safe and together model of practice. Other issues referred to included, an increase in adult support and protection awareness raising and associated training; support for the launch of adults with incapacity procedures and related training; and East Renfrewshire's robust Multi-Agency Public Protection Arrangements (MAPPA).

Regarding the report on the Care Inspectorate Joint Inspection of Children and Young People at Risk of Harm, East Renfrewshire had been proud to receive a sector leading excellent grading, with no improvement recommendations highlighted. That report recognised the need to continue to implement these excellent standards on which work would continue with adult services. Challenges and new areas of increased demand requiring cross departmental collaboration were referred to.

Having highlighted statutory duties and responsibilities in managing risk and protecting residents under the auspices of child protection, adult protection, MAPPA or violence against women and girls, the CSWO explained that since the start of the pandemic child assessments had increased, requiring further intervention. There had also been increases in mandated responsibility to support unaccompanied asylum seeking children, in domestic abuse concerns, related demand for refuge accommodation, and private guardianship orders to be supervised. Reference was made to challenges delivering services in the current financial climate and during the cost of living crisis, related hardship for children, families, adults and the elderly population, and related implications for referrals to protection services.

Councillor Bamforth, supported by Councillor Pragnell, congratulated the CSWO on his appointment, highlighting that a lot of the work referred to in the report had been led by him.

Councillor Campbell expressed concern about the 30% increase in the number of children on the Child Protection register and large increase in peer on peer sexually harmful behaviour and sexual abuse identified, seeking clarification on the reasons for this and how such issues were being addressed. The CSWO confirmed that East Renfrewshire was not alone in witnessing increased child protection referrals during the pandemic, and that social work officers and others were doing their utmost to support children and families, an added difficulty having been that other services had not functioned fully. Peer on peer sexual behaviours were a concern, with support provided to children who displayed such behaviours, including through close partnership working. Other issues commented on included the Healthier Minds team, that child protection or perpetrator issues were dealt with appropriately depending on the degree of risk, and the tracking of data and actions taken to address concerns.

Councillor Buchanan thanked the new CSWO and his predecessor Kate Rocks for the report which highlighted hard work, including on sector leading child care services, welcoming the content despite some issues it raised. He highlighted that, from this strong position, the service needed to continue the good work undertaken to date. He added that hardships and related difficulties would continue whilst austerity measures remained, that the UK Government was not providing appropriate funds to tackle such issues, and that the Scottish Government was providing some additional resources for services which he anticipated would continue.

Councillor Wallace welcomed that an SNP education questionnaire that was to have been sent to parents and pupils in 2021 and which he considered indicative of the normalising of certain behaviours, had not been issued.

The Council, having heard Provost Montague thank all officers involved in this area of work, approved the Chief Social Work Officer's Annual Report for submission to the Office of The Chief Social Work Advisor, Scottish Government.

NATIONAL CARE SERVICE BILL - SCOTTISH PARLIAMENT CONSULTATION RESPONSE

194. The Council considered a report by the Chief Executive requesting that the submission of the Council's response to the Scottish Parliament's Health, Social Care and Sport Committee's consultation on the National Care Service (Scotland) Bill, be homologated. A copy of the response was appended to the report.

It was clarified that the Scottish Government had introduced the Bill on 20 June 2022, that related consultation began on 8 July 2022 and closed on 2 September 2022, but that the Council had been granted an extension by the Scottish Parliamentary Committee until 9 September 2022 to allow Elected Member engagement to be concluded as the window for the consultation was very tight for various reasons, including the local elections in May.

The National Care Service (Scotland) Bill was enabling legislation that would allow Scottish Ministers to bring forward various components required to establish a National Care Service in phases. The Council's response had set out its opposition to this approach; highlighted the success of East Renfrewshire's current integration arrangements; and local concerns around the National Care Service, as proposed, eroding local democratic accountability. It had made clear that the fundamental challenges faced were not structural but rooted in underfunding of public services and social care as a whole. The way in which Elected Members had been given the opportunity to comment on and shape the response was summarised.

Councillor O'Donnell thanked the Strategic Insight and Communities Senior Manager for collating the views expressed, referring to unanimous, cross party opposition to the Bill locally and how the work done on the response was a good example of how Elected Members could cooperate on proposals all opposed. Councillor Wallace and Councillor Buchanan concurred that an exceptional job had been done collating the response and on related communication with Members, commending the wide and inclusive approach taken to produce a very comprehensive response which reflected the views of all Elected Members.

The Council agreed to homologate the response submitted, on behalf of the Council, to the Scottish Parliament's Health, Social Care and Sport Committee's consultation on the National Care Service (Scotland) Bill.

SCOTTISH GOVERNMENT'S LEARNING ESTATE IMPROVEMENT PROGRAMME (LEIP)

195. The Council considered a report by the Director of Education seeking approval to make a submission or submissions to the Scottish Government's Learning Estate Improvement Programme (LEIP).

Having outlined background information, the report explained that the LEIP was an opportunity to bid for capital funds to improve the Council's school estate on the basis of school condition, increasing the number of children educated in highly evaluated school buildings in terms of condition and suitability. The Council had 4 educational establishments regarded to be in a poor (C status) condition, either fully in the case of Carolside and Cross Arthurlie Primary Schools, or partly in the case of Woodfarm and Mearns Castle High Schools, their condition having been highlighted in the Council's Capital Investment Strategy as the properties in most need of refurbishment or replacement.

Having outlined options, it was proposed that a bid for LEIP funding for the development of schools at the locations of both Carolside and Cross Arthurlie Primary Schools (Option 4) be submitted by the required deadline of 31 October as part of Phase 3 of the LEIP, this being the last phase of that programme. The bid required political and financial support from the local authority, and the main priority bid required to be determined as required by the Scottish Futures Trust. Details of the bids were appended to the report.

It was anticipated that it would be some time before additional funding became available to support local authorities improve their school estate. The position on a range of other financial issues, consultation undertaken and related partnership working on the proposed submissions was summarised. Should the bids be successful, further consultation would take place with the local community and service users. The proposals were considered to be an excellent

opportunity to improve learning provision at the schools concerned by accessing up to 50% of the capital costs, and to support the Council's objective of becoming net carbon zero by 2040.

Of the options listed, Councillor Anderson was heard in support of Option 4, which was to submit a bid for the development of a new school at both locations with a priority bid being submitted for Carolside Primary School, following which Councillor Ireland supported the same option, commending the Head Teacher and staff at Carolside Primary School for their tireless work, and emphasising that the school was in urgent need of a major new build replacement. She welcomed the discussion around wider community use of the facility. Whilst supporting the prioritisation of the Carolside Primary School bid, she hoped both bids would be successful. Councillor Campbell commented in the same terms.

Councillor Ireland also welcomed the positive results of the pilot traffic reduction project at Giffnock Primary School, which limited times vehicles could access streets adjacent to the school to reduce vehicle emissions and increase the number of children using active travel measures, and asked if this could be incorporated into the Carolside Primary School proposals, expressing support for introducing the approach at further primary schools. She welcomed the extensive exercise planned at the design stage of the school, if the bid succeeded, to gain a thorough understanding of the specific requirements of all users, and looked forward to encouraging as many people as possible to get involved in that consultation.

Councillor Merrick also thanked the Education Department for their work, and supported the comments made on prioritisation. Regarding the successful pilot traffic project, he commented on interest in rolling out such schemes which proved their worth. He considered the partnership working between departments and with external partners to develop and deliver the project a good example of what was achievable through such an approach.

Councillor O'Donnell thanked the Education Department for the huge amount of work undertaken thus far, referring to the proposals as exciting opportunities for local communities, if the bids were successful. He supported Carolside Primary School being the top priority, as it was in the worst condition. Councillor Wallace regarded education as the most important thing provided as a society and although he also considered Carolside Primary School to be the top priority, he stressed he would be delighted if both bids were successful.

Councillor Pragnell highlighted the importance of ensuring the needs of those with disabilities were addressed. Referring to a tour of schools some Members had undertaken, Provost Montague commented that they had been impressed with the provision made on such issues.

The Council agreed:-

- (a) to note the key Learning Estate Improvement Programme guidance and criteria;
- (b) that a bid for Learning Estate Improvement Programme funding for the development of a school at the locations of both Carolside and Cross Arthurlie Primary Schools (Option 4) be submitted, with top priority afforded to the Carolside Primary School bid; and
- (c) to note that the Cabinet would be advised of the outcome of the bid.

MANAGEMENT RULES – EAST RENFREWSHIRE CULTURE AND LEISURE TRUST

196. The Council considered a report by the Director of Education seeking permission to advertise proposed Management Rules to regulate the use of, and conduct of persons while using, any council property operated under licence by East Renfrewshire Culture and Leisure

(ERCL), and to consult with, and seek the views of, members of the public in East Renfrewshire as required by legislation. A copy of the proposals was appended to the report.

Having summarised related legislative requirements regarding the introduction of the Management Rules under the terms of the Civic Government (Scotland) 1982, the report clarified that they would replace those in place previously which had expired. It was proposed, in the absence of objections, to introduce the Management Rules without submitting a further report to the Council. Given continued pressure on budgets and expenditure, the Management Rules were considered critical to ensuring sites operated in a proper manner, mitigating the possible risk of vandalism, damage or behaviours that could impact negatively on staff, customers and residents.

In response to Councillor Ireland, the Chief Executive of the ERCL Trust confirmed that the previous Management Rules in place for 10 years had expired prior to the COVID-19 lockdown. Those proposed were almost entirely the same as before but had been harmonised across all facilities, now took account of the co-location of some services, and had been slightly updated.

Councillor Wallace referred to the extensive powers invested in the authorised officer, seeking clarification if individuals or groups could appeal a decision made. It was confirmed that there was provision for appeals, that individuals were very rarely excluded and then only for situations such as for violent behaviour, and that exclusions were normally time limited. It was also confirmed Paragraph 19 of the proposed Management Rules set out the means of challenging an Exclusion Order.

The Council:-

- (a) agreed by virtue of the powers conferred on it by the Civic Government (Scotland) Act 1982, that the Council introduce Management Rules for East Renfrewshire Culture and Leisure Premises as set out in Appendix A to the report;
- (b) agreed that the Council's proposals to make the Management Rules be advertised in accordance with the provisions in the said Act;
- (c) agreed that delegated authority be granted to the Director of Education to proceed to make said Management Rules, subject to no objections being received; and
- (d) noted that if objections were received, a further report detailing the objections would be submitted to the Council to provide an opportunity for it to consider these and allow any objector the opportunity to be heard by the Council before authority was given to make the Management Rules.

DAY OF NATIONAL MOURNING

197. The Council considered a report by the Director of Business Operations and Partnerships seeking approval to homologate the decision taken to approve a public holiday on 19 September 2022 to mark a Day of National Mourning following the death of HM Queen Elizabeth II.

The Council agreed to homologate the decision to treat Monday, 19 September 2022 as a public holiday for employees to mark a Day of National Mourning for HM Queen Elizabeth II's State Funeral.

RE-ESTABLISHMENT OF LOCAL LICENSING FORUM

198. The Council considered a report by the Director of Business Operations and Partnerships regarding proposed arrangements for the re-establishment of the East Renfrewshire Local Licensing Forum, including the reappointment of former members and proposals for the filling of any subsequent vacancies.

Having explained that the Licensing (Scotland) Act 2005 introduced a requirement for each local authority to establish such a forum, the report itemised their general functions as set out in the legislation, and limitations to the extent to which such bodies could keep under review the operation of the 2005 Act in their area, give related advice and make recommendations.

The report explained that when the forum was established there had to be no fewer than 5 and no more than 20 members, the maximum number having increased to 21 since then. Having outlined the composition of the membership of the local forum comprising 18 members, the report clarified it had been well attended initially, but summarised difficulties experienced latterly in terms of dwindling interest and filling vacancies, especially licence holders and young people vacancies. The position had been exacerbated by COVID-19 and related issues as a result of which it had not met for some time.

The report quantified the number of current vacancies for local residents, young people and premises/personal licence holders, referred to intended dialogue with the Communications Team on encouraging individuals to apply for membership, and the effort to be made to ensure all geographical areas of East Renfrewshire were represented. The position on existing members and their willingness to continue, as far as it was known at present, and related proposals were referred to. Liaison would take place with the Director of Education and the Chief Officer of the IJB regarding the nomination of officers to represent education, health and social work interests on the forum.

In response to Councillor Ireland, the Democratic Services Manager confirmed the intention to work with the Communications Team to advertise the vacancies and seek expressions of interest to serve on the forum. Approval of applicants was a matter for the full Council, so there would be a further opportunity to consider specific appointments.

The Council:-

- (a) noted the proposals for the re-establishment of the East Renfrewshire Local Licensing Forum, including the reappointment of former members;
- (b) agreed to the continued membership of Caroline Church and Onker Singh and the potential continued membership of Helena Shanks and Thomas Henderson;
- (c) noted the proposals for filling any vacancies; and
- (d) noted that, following the completion of the recruitment exercise, arrangements would be made for the Forum to meet.

NETHERLEE AND STAMPERLAND COMMUNITY COUNCIL – REQUEST FOR AMENDMENTS TO CONSTITUTION

199. The Council considered a report by the Director of Business Operations and Partnership regarding a request from Netherlee and Stamperland Community Council to make amendments to the community council's constitution.

In June 2015 the Council had approved the new East Renfrewshire Scheme of Establishment for Community Councils. The Model Constitution and Model Standing Orders were also approved at that time and subsequently adopted by the new community councils, including Netherlee and Stamperland Community Council following its establishment in 2021.

Although the Scheme of Establishment could not be altered without full public consultation, community councils could request that the Council amend their Model Constitution and Standing Orders, subject to any proposed alterations not contradicting, prejudicing or undermining the terms and objectives contained within the Scheme, or negatively impacting on the transparency and accountability of the community council. The report specified the alterations Netherlee and Stamperland Community Council had requested to their Constitution, specifically the insertion of an additional Clause 13A and sub-clauses 13A.1 to 13A.4, on principles, behaviour and procedures for breaches, details of which were provided.

The addition of sub-clauses 13A.1 and 13A.2 on upholding principles of non-discrimination, equality and fairness; and displaying zero tolerance of bullying, harassment, discrimination or threatening or intimidating behaviour by members of the community council were both considered compatible with the Code and could be included in the Constitution if the Council choose to do so. Clause 12 of the Scheme of Establishment contained specific provisions on the conduct of community councillors, how complaints should be dealt with, and the sanctions that could be imposed. Therefore the requested addition of sub-clauses 13A.3 and 13A.4 relating to a member's membership being terminated with immediate effect following a majority vote in favour of this from the Community Council, and a related appeal process, were not compatible with the provisions in the Scheme.

The Council had already granted delegated powers to officers to deal with any future requests from community councils for alterations to their Constitution, as long as the requested change was the same as one already approved by the Council. Taking account that changes proposed that contradicted provisions within the current Scheme of Establishment could not be considered or approved, with a view to removing the need for requests of such a nature to be presented to Elected Members, it was proposed that delegated powers be granted to the Director of Business Operations and Partnerships and the Head of HR & Corporate Services to refuse requests where the proposed amendment contradicted, prejudiced or undermined the terms and objectives within the Scheme of Establishment.

The Democratic Services Manager reported that following publication of the report, the Chair of the community council had made contact to clarify the situation in relation to the background to their request for amendments to the community council constitution.

Councillor Ireland requested further clarification on why proposed sub-clauses 13A.3 and 13A.4 were directly contrary to Section 12 of the Scheme of Establishment, expressing concern that the options open to community councils were limited, especially given the seriousness of the clauses recommended for approval. She asked what options were open to the community council if sub-clauses 13A.3 and 13A.4 could not be approved and a member was acting in a way that was contrary to sub-clauses 13A.1 and 13A.2. She was not fully clear why all 4 sub-clauses could not be approved, referring to Schemes of Establishment in place elsewhere which seemed to provide further latitude to community councils to take further action than was possible locally. She questioned whether or not the Council's Scheme of Establishment, last reviewed in 2015, remained fit for purpose in light of the proposals the Council was being asked to consider, asking when it would be an option to amend it which she felt appropriate given the serious issues under consideration.

Councillor Ireland also asked how many complaints had been received by the Council since 2015, and how many Conduct Review Panels had been convened, emphasising why she favoured the requested changes being approved in full. She felt uncomfortable approving the proposed amendments to the delegated powers.

The Democratic Services Manager confirmed that the basis for anything community councils did was the Scheme of Establishment, with there being prescribed and protracted legislative procedures to be followed to change it which he outlined. Whilst there was little to disagree on in terms of 13A.1 and 13A.2 allowing them to be approved should the Council wish to, the other two sub-clauses effectively concerned the introduction of additional sanctions for dealing with complaints about community councillors, when a complaints procedure was already in place as were proposed sanctions and a means to appeal them. It was not currently permissible to make those changes without changing the Scheme. He undertook to check and provide the additional statistics requested following the meeting.

Councillor McLean referred to his involvement with community councils in 2014/15 when the new Scheme of Establishment was implemented, previous community councils had been dissolved, and few people had signed up to become involved in the new ones. He asked if any of the proposed amendments, if approved, would impact on other community councils or if that would require full consultation on the Scheme of Establishment. He expressed concern regarding proposed sub-clause 13A.3, as it would allow the community council to exclude an individual by virtue of a single vote. He had been involved in one review panel.

The Democratic Services Manager confirmed that individual community councils could request an amendment to their Constitution alone, and confirmed that the delegated powers introduced before concerned approval of changes similar to ones already approved, in the interests of making the most effective use of everyone's time. In response to the related point raised by Councillor Ireland, he stated that the proposed change to delegated powers referred to at (c) in the report also concerned efficient use of time, as there was little point taking up time at Council meetings to report requests that could not be approved, this being the only circumstance to which the delegation would apply.

Regarding the proposed amendments at 13A.1 and 13A.2, Councillor Macdonald referred to the need for swift action against such behaviours which he did not feel the Scheme of Establishment permitted in a meaningful way. Regarding a current issue, he referred to the option to set up a review panel as permitted by the Scheme, which had been refused despite the issue concerning threatening and bullying behaviour. He argued that if 13A.1 and 13A.2 were permissible to add to the Constitution, appropriate sanctions to allow a zero tolerance approach to be upheld were also required. He did not support the proposed delegation which would allow an officer to refuse a request without full justification, which he did not feel was in the public interest and to be a closed door approach. He also did not favour a power resting with one officer to decide the outcome of a complaint, considering this unfair to the complainant and person against whom a complaint was made. Councillor Macdonald expressed the view that a serious current matter on dealing with bullying and harassment was not being dealt with effectively, on which basis he did not support the recommendations in their current format. Finally he sought clarification if removal of community council members, other than through the complaints procedure, was expressly forbidden by the Scheme of Establishment and if it was stated anywhere, and if so where, that the only way a member could be removed was through the complaints procedure.

The Democratic Services Manager stated it was incorrect that the Council had refused to convene a conduct review panel on an issue raised, clarifying that the way forward on the complaint was being considered at present which had led to a delay in the matter being progressed. A response to the complainant and community council concerned would be provided. Regarding sanctions, he clarified that the Scheme set out what could and could not

be imposed, those sanctions being the only ones available at present and there being a need to adhere to the current Scheme. Whether it remained fit for purpose was a different issue.

Concerning dealing with fellow community councillors, Councillor Wallace's view was that the current Scheme and generic terminology within it and adherence to that was sufficient, expressing the view that changes on this issue for one community council should apply to them all. The Democratic Services Manager reiterated that consideration of two of the proposals was not possible.

Councillor Merrick referred to representations he had received from a community council to the effect that some procedures set out in the Scheme of Establishment were inadequate and out of date, as they failed to protect community councillors from bullying and harassment and intimidation whilst allowing previous and current members to continue to act in such a way. He felt the issue on delegated powers specified at (c) in the report undermined the Council's policy on equality and fairness for all and negated due diligence.

Councillor Morrison was an advocate of community councils which he considered played a vital role, suggesting that close attention should be paid to legitimate concerns raised, and supporting the view that the Scheme of Establishment did not meet requirements. He requested that, in future, community councils be consulted when the Scheme of Establishment was reviewed to help ensure it met their needs and there was buy-in to a Scheme considered fit for purpose. The Democratic Services Manager confirmed there was a statutory requirement to consult community councils, and the public more widely, whenever the Scheme was reviewed.

Following further related discussion, Councillor Ireland proposed that the Council approved the addition of a new Clause 13A and sub-clauses 13A.1 and 13A.2 to the Netherlee and Stamperland Community Council Constitution; noted why the addition of sub-clauses 13A.3 and 13A.4 could not be considered; and agreed that the Council review the Scheme of Establishment as soon as practically possible.

In response to Councillor O'Donnell who sought confirmation on the cost of such a review taking account of the scale of savings the Council required to make, the Democratic Services Manager considered this difficult to quantify as it was subject to, for example, the amount of time required to conduct the review, the time involved to consult and the related mechanisms used, and whether or not external legal advisors needed to be employed as had been the case before. Whilst unable to provide definitive costs, there would be costs involved. Councillor McLean concurred these could be substantial.

In light of this, Councillor Wallace asked Councillor Ireland to consider supporting sub-clauses 13A.1 and 13A.2 alone, taking account of the possible costs of a review in the current financial climate. Councillor Ireland was amenable to this, but expressed the view that the issue of a review was likely to be raised again in future as she considered one was required.

The Council agreed to:-

- (a) approve the addition of a new Clause 13A and sub-clauses 13A.1 and 13A.2 to the Netherlee and Stamperland Community Council Constitution; and
- (b) note why the addition of sub-clauses 13A.3 and 13A.4 could not be considered as they contradicted the procedures as set out in Clause 12 of the Scheme of Establishment.

EASTWOOD LEISURE CENTRE/THEATRE

200. The Council considered a report on the potential increased costs regarding the delivery of a new Eastwood Leisure Centre/Theatre due primarily to recent substantial construction cost inflation in the current challenging market. The report also highlighted the impact of market volatility and that a further report would be brought back to Council.

It was reported that in February 2021, the Council had considered a report providing an update on the Eastwood Leisure Centre and Theatre options and costs, referring to the unique nature of the opportunity, related benefits, the focus of the project, and income generating opportunities. The Council had agreed to proceed as planned, the overall estimated development cost being £55m, subject to refinement through further detailed design, market testing and value engineering, provision for which was included in the Council's General Fund Capital Programme. Since then, preliminary investigations had been carried out, planning permission granted, and BAM Construction Ltd. had been appointed in April/May 2022 as the primary and preferred contractor. Subsequently, in June 2022, BAM advised that the estimated budget had risen to £74m, mainly due to high inflation experienced across the construction sector. Through a value engineering exercise, it was subsequently estimated that the costs could be reduced to £67 million, including £8.8m for contingency without reducing quality and/or functionality and adversely affecting whole life costs.

Having referred to 5 options it had been intended to present to Council, the report explained that whilst analysis work was undertaken, there had been significant volatility in interest rates as a result of which the Head of Accountancy (Chief Financial Officer) was currently reviewing the existing capital plan. It was explained that the impact on the affordability of the plan could be significant. Issues concerning energy costs were commented on, including that further work was required to understand their significance in the overall running costs of the new building.

Having heard Councillor O'Donnell highlight key aspects of the report, issues affecting the Business Plan for the project and related issues currently under review, Councillor Wallace referred to a suggestion made, but disregarded, over 10 years ago to increase funds to improve the maintenance of the current facility which in his view had been neglected since then. He commented on how the costs of the new build project had increased several times from £26m since 2018. He did not question the need for a facility for the local community, but stressed the importance of considering the affordability of the project.

Councillor Morrison highlighted that consideration of the project was new for many current Elected Members, referred to the 5 options specified in the report, and indicated he would like to know the costs of all of them to enable an informed decision to be made. He considered £67m a significant sum, referred to cuts to be made to the revenue budget and the need for caution, requested a breakdown of the £67m for the various facilities, and asked if any consideration had been given to involving the private sector, such as through sponsorship or having part of the facility run by the private sector.

Councillor O'Donnell referred to the detailed nature of the questions posed which would be reflected on before and when a more detailed report was submitted to a future meeting.

Councillor Ireland sought clarity on plans to make any part of the centre private or for private use. Councillor Morrison confirmed his focus on costs and ways to reduce these through sponsorship, freeing up resources to use elsewhere. Councillor O'Donnell confirmed that privatisation of the Leisure Centre was not being considered, but that sponsorship and commercial opportunities might be. Councillor Macdonald supported that way forward to offset costs, referring to the operation of various facilities in that way such as in Glasgow.

Councillor Buchanan was comfortable with the way forward and waiting to see how issues with the economy developed over the next few weeks.

The Council noted:-

- (a) the effect of construction inflation on the projected cost of a replacement Eastwood Leisure Centre;
- (b) the recent volatility in interest rates and energy prices; and
- (c) that a further report would be submitted to the Council in the near future following an analysis of the impact of interest rates and energy prices on the cost of options for the Eastwood Leisure Centre and the overall capital plan.

NOTICE OF MOTION – DEFIBRILLATORS IN ALL SCHOOLS

201. In accordance with Standing Order 27, the following notice of motion had been submitted by Councillor Bamforth, seconded by Councillor Lunday.

Council notes that every year, over 3,000 people in Scotland, including children and young people, experience an out-of-hospital cardiac arrest (OHCA). Council notes that, unfortunately, only 1 in 10 people survive such an event.

Automated External Defibrillators (AEDs) can play a significant role in saving the lives of people who suffer heart attacks in public. It is estimated that a shock from an AED, alongside Cardiac Pulmonary Resuscitation (CPR) treatment, increases survival rates to 75-80%.

Council notes that, although there are public defibrillators in various places across East Renfrewshire including some council premises and assets, there are gaps, especially in the provision of publicly accessible AEDs within or at our local schools.

Therefore, Council agrees to bring a report to Full Council no later than December 2022, detailing a plan to roll out more publicly accessible AEDs at all our primary and secondary schools.

Councillor Anderson, seconded by Councillor O'Donnell, moved an amendment in the following terms:-

Council is asked to agree that, in the absence of any support, funding or strategy for deploying PAD's (Public Access Defibrillators) in Scotland from the Scottish Government, to instruct officers to formulate a council-wide strategy for the deployment and maintenance of public access defibrillators (PADs), and to lobby the Scottish Government to provide additional funding to allow it to partner with voluntary, charity, and community groups to implement this policy.

Provost Montague invited Councillor Bamforth to speak to the terms of the motion.

Councillor Bamforth referred to the number of people in Scotland, not just adults and the elderly, who suffered cardiac arrests outwith hospital, only 10% of whom survived, explaining that the chance of survival increased to 70% when there was access to a defibrillator within 3 minutes. Having also referred to the comfort such access provided to those caring for a baby with a congenital heart defect, she confirmed that the Hospital Cardiac Strategy 2021-26 recommended that defibrillators should be as accessible as possible, welcoming that she had been a member of the Cabinet when it had agreed to fund devices throughout East

Renfrewshire. Whereas there were currently two in her Ward, she highlighted there were 6 schools there serving the local community, citing a recent incident when an AED had not been easily accessible.

Councillor Bamforth supported AEDs being sited in publicly accessible places around schools as some other local authorities had already done. Having commended schools which had raised funds for the devices, and highlighted that she had been approached by many people relating to schools about the funding of the devices, she expressed the view that the Council should maintain these and encouraged Elected Members to support the motion.

Councillor Lunday thanked Councillor Bamforth for submitting the motion and related work she had done. Having reported on statistics on survival rates linked to CPR and access to defibrillators conveyed at a recent heart start course he attended, he commended fundraising for AEDs instigated in 2018 by former Councillor Douglas Yates when he had discovered no such devices were located in Barrhead. Former Councillor Yates had set up the Levern Valley Defibrillator Community Partnership (LVDCP) which had funded 16 such devices.

Councillor Lunday reported being approached regarding the siting of AEDs in schools as Renfrewshire Council had done at primary schools and Edinburgh City Council had done at secondary schools. Despite work done often on a voluntary basis to fund AEDs, he referred to many existing gaps and how this could be addressed by making them widely accessible at schools where amongst other people, every pupil would be aware of them. He urged all Elected Members to support the motion.

Councillor Anderson was heard in support of the amendment during which he referred to the Administration's support in principle regarding the value and merits of defibrillators, which had also been referred to in the local Labour manifesto. A list of where these devices were was available on the Council's website but required updating. He commented that the most important thing to address was the lack of coordination and a Council-wide strategy or policy which the motion failed to recognise, in addition to which it made no reference to funding for deployment and maintenance of public access defibrillators at any location. He considered that it would be beneficial if Councillor Bamforth, who was aware of the budget process, and others supporting the motion could provide related costs and suggest how it could be funded in the current financial climate through corresponding cuts elsewhere.

Councillor Anderson also referred to the lack of a Scottish Government nationwide policy and funding for public access AEDs, the Hospital Cardiac Arrest Strategy that simply aimed to equip people with CPR skills, and advice on the Scottish Government website which was limited to providing advice on what to consider when installing AEDs. He referred to the option for SNP colleagues to convey their views to appropriate Scottish Government Ministers on the need for funding for AEDs. He also suggested that Councillor Buchanan could raise issues on this matter as COSLA spokesperson for Children and Young People.

He referred to a parliamentary question raised by former councillor Paul O'Kane MSP in February 2022 on what consideration had been given to installing defibrillators in schools, in response to which he had been advised that the decision to install these was for local authorities to consider. This was difficult given diminishing funds available. Whilst acknowledging that AED issues needed to be addressed, he queried why SNP councillors had not raised this issue when part of the Council's Administration.

Councillor O'Donnell supported the amendment, welcomed debate on this important issue and was encouraged that the SNP supported Labour's local Election manifesto pledge on local AEDs, which they could have included in their own manifesto. He encouraged SNP colleagues to discuss such issues with him and others, rather than communicating through motions, expressing confidence that productive and constructive discussions could be pursued. Complementing Councillor Anderson's comments, he highlighted that the motion made no

reference to funding. He accepted that widely accessible defibrillators could be the difference between life and death, stating that Scottish Government funding would be welcomed to roll these out nationally. He added that such funding had been available in the devolved Administration in Wales since 2015, and that all schools in England would have one installed by 2023, commending this and encouraging the Scottish Government to address this. Councillor O'Donnell also commended the campaign Provost Montague had been running for some time to encourage supermarkets to install defibrillators, and her petition to the Scottish Parliament on funding.

Councillor Macdonald thanked Councillors Bamforth and Lunday for bringing forward their motion, considered locating AEDs in primary schools sensible and logical, reminded Elected Members that this was a motion to submit a report to the Council, and expressing confidence that officers involved in preparing it would explore available funding streams including through partnership working. Like all Elected Members he was acutely aware of the financial strains and hardships the Scottish Ambulance Service was under. He referred to relatively high statistics on cardiac arrests in the central belt, and suggested that discussions with that service on funding streams might be worthwhile to help offset their costs which could help address the concerns raised by Councillor Anderson. He acknowledged comments made by Councillor O'Donnell, but was concerned that discussions on this issue had become political when communities should be supported.

Councillor Edlin stated he would have considered it useful to have been made aware of the amendment before the meeting, agreeing with many of comments made by Councillors Anderson and Councillor O'Donnell. He did not consider the first two paragraphs of the motion to be as simple to implement as presented and stated that the statistics provided were not straightforward. He suggested that it was possible that having AEDs outside a supermarket, as opposed to a school, could be more effective given the unpredictability of when and where cardiac arrests occurred.

Councillor Ireland agreed with Councillor Macdonald's comments on the unnecessary politicisation of this issue. Supporting the motion, she referred to many Parent Council meetings she had attended where the desire for additional defibrillators had been discussed, commenting that many residents wanted to have these devices installed throughout the area. She stressed the importance of knowing where they were located nearby immediately when needed to save lives, which all residents could be made aware of. She applauded Renfrewshire Council's approach, confirming that that Council had funded the devices at primary schools and those secondary schools where existing ones were not already publicly available. She considered public access to AEDs at schools to be important.

Provost Montague explained that where there was a need to locate the nearest defibrillator, by dialling 999 the location of the nearest device and code to use it could be confirmed.

Councillor Buchanan supported the motion, concurred with various points made, and confirmed that COSLA Leaders determined the position he could take on issues as a COSLA Spokesperson. He considered the issue to be straightforward, and supported the rationale behind the motion to increase the number of devices to support communities as other local authorities were doing. He confirmed that the Council had already funded AEDs in a number of locations, supporting the submission of a report that outlined the current position and covered what else could be done. He expressed the view that Labour were reneging on their manifesto commitment which had not been subject to external funding.

Councillor Wallace stated that the benefits of defibrillators were undisputed, acknowledged Councillor Edlin's comments given his occupational background, and questioned the complete absence of costs in the motion. Referring to the SNP's stated position that they were only

attending Budget Strategy Group meetings in a listening capacity, he suggested that more active participation in the discussions held at these could potentially result in a way forward on funding being found. He supported the amendment given the lack of costings in the motion.

Councillor Pragnell highlighted that nobody was disputing the importance of installing AEDs across the area, but referred to the need to consider funding streams in the face of local authority budget cuts. She stated it was clear through discussions with officers that there was no clear strategy on this issue, supporting the amendment and commending all those who had contributed to the installation of defibrillators in the area. She depicted the issue as a very personal one to the Labour family and an important commitment in its local manifesto and thanked Provost Montague for the initiative she had taken on this issue.

Councillor Merrick supported the motion, stating that it was interesting to hear the challenge made on the lack of costs, which were not a feature of the amendment. He expressed the view that the amendment closed off avenues and just blamed the Scottish Government, stating that this was a further unfortunate example of Labour simply not allowing a SNP amendment to proceed. He considered that regrettable. He thanked Provost Montague for the important and useful comments she made on how to locate the nearest defibrillator.

Councillor Morrison agreed there was consensus on the benefits of defibrillators, suggesting that if the SNP or independent Elected Members wanted to canvass him or others to support a motion on a non-party political basis, the opportunity existed to do so in advance of Council meetings. Supporting the amendment, he commented that there was quite good coverage in secondary and various primary schools already due to the efforts of many groups including community councils and charities, which was not mentioned in the motion. He stated it was possible that activity could be ongoing on defibrillators at present that may be unknown of within the Council, encouraging closer collaboration with third sector partners on this issue.

To sum up and responding to issues raised during the debate, Councillor Bamforth confirmed that it was a report that was being requested, adding that she did have costings from various departments which may need to be updated which could be addressed in the report it was suggested be submitted in December. Regarding the comments made previously on the SNP's option to raise this issue before, she reminded Elected Members that a joint SNP/Labour Administration had been in place previously for 15 years and that either party could have raised this before, as former Councillor Paul O'Kane could have done rather than waiting until he was an MSP. She commented that Renfrewshire Council and some other councils had made a choice to fund defibrillators in schools adding, in response to Councillor Edlin, that there were not supermarkets in all wards, that she considered locating them in schools practical, and that she expected an overview of the current provision to be included in the suggested report. Regarding funding, she stated that she would welcome this being provided by the Scottish Government, but its budget had been reduced by 2.9% equating to £1.7bn making this difficult. She supported the local funding of AEDs.

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

There being 7 votes for the motion and 9 for the amendment, the amendment was declared carried.

NOTICE OF MOTION – COUNCIL TAX COLLECTION

202. In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor Ireland, seconded by Councillor Convery.

This Council will, as a matter of urgency, investigate the changes implemented to East Renfrewshire Council's Council Tax collection and the capacity in East Renfrewshire to establish repayment instalment schedules.

East Renfrewshire Council's Policy previously allowed payment arrangements to be made at Final Notice and this prevented customers having to go to Summary Warrant and paying an additional 10% Statutory Addition. The new system does not allow for arrangements at Final Notice stage. This is now accommodated by Sheriff Officers at Summary Warrant stage.

Council will investigate, and report back at the next Full Council meeting, how this system will be amended to accommodate the flexibility once given to customers for payment arrangements.

In the absence of an amendment, the motion was declared carried.

PROVOST

MINUTE
of
APPOINTMENTS COMMITTEE

Minute of meeting held at 9.00am in Eastwood House, Eastwood Park, Giffnock on 7 November 2022.

Present:

Councillor Kate Campbell
Councillor Colm Merrick

Provost Mary Montague
Councillor Owen O'Donnell

Councillor O'Donnell in the Chair

Apology:

Councillor Danny Devlin.

Attending:

Louise Pringle, Head of Business Operations and Partnerships; and Sharon Dick, Head of HR and Corporate Services.

DECLARATIONS OF INTEREST

203. There were no declarations of interest intimated.

Resolution to Exclude Press and Public

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

HEAD OF COMMUNITIES AND TRANSFORMATION

204. Under reference to the Minute of the meeting of 13 October 2022 (Page 239, Item 180 refers), the committee proceeded to interview 2 of the shortlisted candidates who had been selected for interview following the assessment centre exercise that had taken place.

Having conducted the interviews the committee, after discussion, agreed to offer the post to Jamie Reid, Strategic Insight and Communities Senior Manager, East Renfrewshire Council.

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 8 November 2022.

Present:

Councillor Paul Edlin (Chair)
Councillor Angela Convery
Councillor David Macdonald (*)

Provost Mary Montague
Councillor Andrew Morrison

Councillor Edlin in the Chair

(*) indicates remote attendance

Attending:

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

Also Attending:

Chief Inspector Graeme Gallie, and Sergeant Lisa Campbell, Police Scotland.

DECLARATIONS OF INTEREST

205. There were no declarations of interest intimated.

Resolution to Exclude Press and Public

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

Variation in Order of Business

In accordance with Standing Order 20, Councillor Edlin agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR RENEWAL

206. 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 applicant was present.

Chief Inspector Gallie and Sergeant Campbell representing the Chief Constable, who had made a representation 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 representation by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Campbell was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

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

The committee, having heard Sergeant Campbell confirm that the case was still live with a trial date set of 21 November 2021, agreed to continue consideration of the application to a future meeting to allow a decision on the pending court action to be made.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

207. The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Driver's Licence (Agenda Item 6 refers).

The applicant was present.

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

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

Following discussion with the applicant, who consented to the consideration of the objection, the committee agreed to take account of the out of time objection and copies were circulated.

Sergeant Campbell was heard in respect of the out of time objection submitted by the Chief Constable and in response to questions from Members.

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

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

On reconvening, the committee, having taken account of the submission by the applicant, the out of time objection by the Chief Constable and its relevance to the licence being applied for, agreed that the application be granted for a period of one year, subject to standard terms and conditions.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant, having been invited to attend, was not present.

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

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant, having been invited to attend, was not present.

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

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance.

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 9 November 2022.

Present:

Councillor Jim McLean (Vice-Chair)	Councillor Chris Lunday
Councillor Paul Edlin	Provost Mary Montague
Councillor Annette Ireland	

Councillor McLean in the Chair

Attending:

Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); John Drugan, Senior Planner; Siobhan Wilson, Solicitor; John Marley, Principal Traffic Officer(*); Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance

Apologies:

Councillors Betty Cunningham (Chair) and Andrew Morrison.

DECLARATIONS OF INTEREST

210. No declarations of interest were intimated.

APPLICATIONS FOR PLANNING PERMISSION

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

It was agreed that the applications be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2021/0869/TP - Erection of two dwellings and associated ancillary works, including access (planning permission in principle) at adjoining site between 14 and 16 Newton Place, Newton Mearns, East Renfrewshire.

The Principal Planner (Development Management) referred to the report advising that no objections had been received from consultees and a total of 17 representations, all of which objected to the proposal, had been received. He added that the B Listed Mearns Kirk Church was located to the North East of the site.

In response to questions from Councillor Ireland, the Principal Planner (Development Management) confirmed that the area was designated as Protected Urban Greenspace and the land, which was currently owned by the applicant, appeared to be used by local residents on an informal basis. He further added that the current gap between the houses ensured that views to the Church were maintained.

There being no further comments the committee agreed that the application be refused for the reasons as set out in the report.

- (ii) 2021/0947/TP – Remodelling works to alter existing golf course to 12-holes, erection of new golf clubhouse/pavilion, development of woodland retreat, erection of 6 dwellinghouses, formation of new access and other ancillary works at Eastwood Golf Club, Langlee Road, Loganswell, Newton Mearns.

The Principal Planner (Development Management) referred to the report advising that 53 representations had been received, 52 of which had been in support of the application. He advised that the proposal included formation of new golf holes, clubhouse and woodland retreat, together with a sensory experience, outdoor play area and children's activity trail, and the erection of 6 dwellings. He advised that some aspects of the proposal were compliant with local policies, including remodelling of the golf course, erection of club house and buggy store, but others were not compliant including erection of a woodland retreat and dwellinghouses. In addition, as the dwellinghouses had not been included in LDP2, it was considered that they would have a significant impact on the Education estate as this was an area where schools and Early Years occupancy rates were extremely high.

Having heard Provost Montague and Councillor Ireland express concern about the impact on the education estate as referred to in the report, Councillor Edlin advised that he did not consider that the erection of 6 houses would have a significant impact on the education estate as the number of school age children could be low. He believed that the economic and employment benefits of the proposal outweighed any possible concerns about a strain on the education estate. Councillor McLean agreed that the proposal would be of great economic benefit by bringing additional employment to the local area. Councillor Lunday also expressed his concern about the impact on the education estate and the lack of sustainable transport options.

Thereafter, Councillor Edlin, seconded by Councillor McLean, moved that the application be approved.

Councillor Ireland, seconded by Provost Montague, moved as an amendment that the application be refused for the reasons as set out in the report.

On a vote being taken, Councillors Edlin and McLean voted for the motion.

Provost Montague, and Councillors Ireland and Lunday voted for the amendment.

There being 2 votes for the motion and 3 votes for the amendment the amendment was accordingly declared carried and the application refused for the reasons as set out in the report.

- (iii) 2022/0326/TP – Erection of 3 storey building comprising shop unit on ground floor and flatted dwellings on upper floors, including balconies, stairwells and associated works at land adjacent to 679A Clarkston Road, Netherlee.

The Senior Planner referred to the report advising that the proposed development was located next to a B listed building within the Netherlee neighbourhood retail area and 14 representations had been received. He provided clarification on the proposed development including in relation to the site boundary which included part of Netherlee Primary School playground.

Having heard Members agree with a number of points referred to within the report including in relation to overlooking, scale of the building, and being detrimental to the adjacent B listed building, the committee agreed that the application be refused for the reasons as set out in the report.

CHAIR

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

Index of applications under the above acts considered by Planning Applications Committee on
09.11.2022

Reference No: 2021/0869/TP

Ward: 5

Applicant:

Mrs Ayesha Siddiqi
3 Langford Place
Glasgow
UK
G53 7HZ

Agent:

Lorne Haycock
Business Centre Unit A
Darluith Road
Linwood
UK
PA3 3TP

Site: Adjoining Site Between 14 And 16 Newton Place Newton Mearns East Renfrewshire

Description: Erection of two dwellings and associated ancillary works, including access (planning permission in principle). (Amended address)

Decision: Refused

Reference No: 2021/0947/TP

Ward: 5

Applicant:

Broom Estates Investments LLP
Tay House
300 c/o North P&D
Bath Street
Glasgow
United Kingdom
G2 4LH

Agent:

David Campbell
Tay House
300 Bath Street
Glasgow
Scotland
G2 4LH

Site: Eastwood Golf Club Langlee Road Loganswell Newton Mearns East Renfrewshire

Description: Remodelling works to alter existing golf course to 12-holes, erection of new golf clubhouse/pavilion, development of woodland retreat, erection of 6 dwellinghouses, formation of new access and other ancillary works.

Decision: Refused

Reference No: 2022/0326/TP

Ward: 4

Applicant:

Netherlee Property Limited
16 Muir Street
Hamilton
Scotland
ML3 6EP

Agent:

Bruce Newlands
29 Nelson Road
Gourock
United Kingdom
PA19 1XJ

Site: Adjacent Of 679A Clarkston Road Netherlee East Renfrewshire

Description: Erection of 3 storey building comprising shop unit on ground floor and flatted dwellings on upper floors, including balconies, stairwells and associated works.

Decision: Refused

MINUTE
of
LOCAL REVIEW BODY

Minute of meeting held at 2.50pm in the Council Chamber, Council Headquarters, Giffnock on 9 November 2022.

Present:

Councillor Jim McLean (Vice-Chair)
Councillor Paul Edlin
Councillor Annette Ireland

Councillor Chris Lunday
Provost Mary Montague

Councillor McLean in the Chair

Attending:

Mark Brand, Planning Adviser; Siobhan Wilson, Solicitor (Legal Adviser); Eamonn Daly, Democratic Services Manager, Jennifer Graham, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Betty Cunningham (Chair) and Andrew Morrison.

DECLARATIONS OF INTEREST

212. There were no declarations of interest intimated.

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

NOTICE OF REVIEW – REVIEW 2022/08 – ALTERATIONS TO EXISTING SIDE DORMER TO INCREASE SIZE, AND ERECTION OF DORMER TO REAR - 15 NETHERCLIFFE AVENUE, NETHERLEE (REF NO:- 2021/0999/TP).

213. The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Mrs Fiona O'Donnell against the decision taken by officers to refuse planning permission in respect of alterations to existing side dormer to increase size and erection of dormer to rear at 15 Nethercliffe Avenue, Netherlee.

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

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

The Planning Adviser outlined the planning application and reasons for refusal as determined by the Appointed Officer in the decision notice and the grounds for review.

The Planning Adviser further outlined additional conditions to be attached to any consent in the event the Local Review Body overturned the decision of the Appointed Officer and granted planning permission.

Full discussion followed. Referring to the plans that had been submitted Councillor Ireland indicated that she understood why the Appointed Officer had refused the planning application, and that she supported the Appointed Officer's decision. This was echoed by Councillor McLean.

Provost Montague acknowledged the challenges facing people with growing families who wanted to maximise living space. However the Local Review Body had to look at the application in terms of planning policy and in this case she agreed with the Appointed Officer.

The Local Review Body agreed to uphold the Appointed Officer's decision to refuse planning permission as set out in the decision notice of 17 May 2022.

NOTICE OF REVIEW – REVIEW 2022/09 – CHANGE OF USE FROM CLASS 2 TO HOT FOOD TAKEAWAY (SUI GENERIS), INCLUDING ERECTION OF FLUE TO REAR – LLOYDS TSB, 85 MAIN STREET, THORNLIEBANK (REF NO:- 2021/0973/TP)

214. The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Robinbrook Ltd against the decision taken by officers to refuse planning permission in respect of change of use from Class 2 to hot food takeaway (Sui Generis), including erection of a flue to rear at Lloyds TSB, 85 Main Street, Thornliebank.

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.

Prior to consideration of the matter, the Legal Adviser clarified that the "new information" referred to in the papers regarding the marketing of the property before the Local Review Body was in fact additional information of the same type already included in the original application and so had already been considered by the Appointed Officer when determining the application. As such, the Local Review Body could take the information into account without the need to determine that as a preliminary matter as would have been required were the information to be new.

Thereafter, the Local Review Body, having considered the information previously circulated and taken account of the comments made by the Legal Adviser, agreed that it had sufficient information to determine the review without further procedure.

The Planning Adviser outlined the planning application and reasons for refusal as determined by the Appointed Officer in the decision notice and the grounds for review.

The Planning Adviser further outlined additional conditions to be attached to any consent in the event the Local Review Body overturned the decision of the Appointed Officer and granted planning permission.

Discussion then followed in the course of which Councillor Lunday referred to the site visit, where the high number of hot food takeaway premises in the row of properties including the

application site had been apparent. He also recognised that the only interest from potential tenants appeared to be if the property could be used for that purpose.

Councillor Edlin recognised the finely balanced nature of the argument and that it did appear to him that when such premises opened they did tend to be successful. He also recognised the potential local economic benefits of the proposals in terms of possible job opportunities for local people. In conclusion he intimated he was minded to support the appeal and that planning permission should be granted.

Provost Montague then commented. She referred to the already large number of hot food takeaway premises in the area, that she considered adding to the number would result in overprovision, and that as the majority of such premises only opened in the evening she did not see that it would do anything to improve additional footfall in the town centre during the day. In view of this she indicated that she supported the decision of the Appointed Officer to refuse planning permission. Councillor Ireland echoed the views of Provost Montague. She acknowledged that the only interest in letting the property appeared to be in relation to a *Sui Generis* class but that in her view more effort should be made to market the property on the basis of the existing use class.

The Local Review Body agreed to uphold the Appointed Officer's decision to refuse planning permission as set out in the decision notice of 7 June 2022.

NOTICE OF REVIEW – REVIEW 2022/10 – CHANGE OF USE FROM CLASS 2 TO HOT FOOD TAKEAWAY (SUI GENERIS), INCLUDING ERECTION OF FLUE TO REAR AND FORMATION OF NEW SHOP FRONT – LLOYDS TSB, 83 MAIN STREET, THORNLIEBANK (REF NO:- 2021/0972/TP)

215. The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Robinbrook Ltd against the decision taken by officers to refuse planning permission in respect of change of use from Class 2 to hot food takeaway (Sui Generis), including erection of a flue to rear and formation of new shop front at Lloyds TSB, 83 Main Street, Thornliebank.

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.

Councillor McLean referred to the links between this and the preceding case and proposed that in light of this the points made equally applied and that the Local Review Body could proceed to a decision without further deliberation. This was agreed.

The Local Review Body agreed to uphold the Appointed Officer's decision to refuse planning permission as set out in the decision notice of 7 June 2022.

NOTICE OF REVIEW – REVIEW 2022/11 – ERECTION OF DETACHED TWO AND ONE HALF STOREY DWELLING (AMENDMENT TO PLANNING PERMISSION REF 2021/0693/TP TO ALLOW ALTERATIONS, DELETING BASEMENT AND ALTERATIONS TO ROOF PROFILE – 29 ROUKEN GLEN ROAD, GIFFNOCK (REF NO:- 2022/0242/TP)

216. The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Mr Rehan Tahir against the decision taken by officers to refuse planning permission in respect of erection of detached two and one half storey dwelling (amendment to planning permission ref 2021/0693/TP to allow alterations, deleting basement and alterations to roof profile at 29 Rouken Glen Road, Giffnock.

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

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

The Planning Adviser outlined the planning application and reasons for refusal as determined by the Appointed Officer in the decision notice and the grounds for review.

The Planning Adviser further outlined additional conditions to be attached to any consent in the event the Local Review Body overturned the decision of the Appointed Officer and granted planning permission.

The Planning Adviser having displayed plans of the roof as approved and the proposed alterations that had been refused, Councillor Ireland indicated that she agreed with the Appointed Officer and that in her view the review should not be upheld. Councillor Edlin supported this stating that in his view the proposed alteration would lead to the building being more out of character with the surrounding area.

The Local Review Body agreed to uphold the Appointed Officer's decision to refuse planning permission as set out in the decision notice of 28 June 2022.

CHAIR

MINUTE
of
CABINET

Minute of meeting held at 10.00 am in the Council Chamber, Council Headquarters, Giffnock on 10 November 2022.

Present:

Councillor Owen O'Donnell (Leader)
Councillor Andrew Anderson

Councillor Danny Devlin
Councillor Katie Pragnell (*)

Councillor O'Donnell, Leader, in the Chair

(*) indicates remote attendance

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Margaret McCrossan, Head of Accountancy Services; Phil Daws, Head of Environment (Strategic Services); Gill Darbyshire, Chief Executive's Business Manager; Michael McKernan, Economic Development and Inclusive Growth Manager; Erica Roche, Programme Manager; John Burke, Democratic Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance.

DECLARATIONS OF INTEREST

217. There were no declarations of interest intimated.

JOINT CONSULTATIVE COMMITTEE (FIRST TIER)

218. The Cabinet considered and noted the Minute of the meeting of the Joint Consultative Committee (First Tier) held on 15 September 2022.

REVENUE BUDGET MONITORING (OUTTURN)

219. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the out-turn position as at 31 August 2022 against the approved revenue budget for 2022-23 as adjusted to comply with accounting requirements and subsequent Cabinet operational decisions, and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 31 August 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 report explained that as at 31 August 2022, the actual position against the phased budget showed a total net overspend of £1,162k, however this was largely due to timing variances. The estimated year end position reflected an adverse variance on net expenditure of £1,232k based on current information. For General Fund services the projected overspend was £1,123k.

Council Tax collection position was anticipated to be in line with budget and would not impact the total forecast overspend on General Fund services. It was anticipated that the forecast pandemic pressures of £4,544k would be covered by using COVID grant resources awarded to the Council in 2021/22 and the current year. The projected operational variance reflected the significant increased inflationary pressures arising within Utilities, Transport and PFI/PPP contracts and would have to be addressed with Services as to the levels of additional resource and management intervention that could be undertaken. The projected operational outturn assumed that the 2022/23 pay awards for Teachers and Local Government Staff that have not yet been settled aligned with budget.

The report also provided further details of the variances in each department including details of service virements and operational adjustments made to departmental budgets, for which approval was sought.

The Head of Accountancy (Chief Financial Officer), was heard in further explanation of the information contained in the report.

In response to a question from Councillor O’Donnell regarding the status of utility contracts, the Head of Accountancy (Chief Financial Officer) explained that they were procured centrally through Scotland Excel and the majority of use was bought 1 year in advance of need. She explained that, for those remaining parts that were not bought in advance, the rates had increased substantially. The Head of Environment (Housing and Property Services) further outlined measures being considered to reduce energy consumption within Council buildings including reviewing opening hours and reducing the temperature within the buildings where possible.

The Head of Accountancy (Chief Financial Officer) indicated that, in light of the upcoming pay award, it would be more difficult than usual to claw back the overspend reported, however, every effort would be made to do so.

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 overspend of £1,123k.

- (c) approved service virements and operational adjustments as set out in the report and noted the reported probable out-turn position.
- (d) noted that all departments continued to closely monitor and manage their budgets, to ensure that spending up to operational budget levels did not take place and immediately took steps to avoid all non-essential expenditure.

REVIEW OF THE STRATEGIC RISK REGISTER AND RISK MANAGEMENT PROGRESS

220. The Cabinet considered a report by the Chief Executive providing the latest annual update of the Council's Strategic Risk Register together with a summary of risk management progress

It was noted that the previous update of the Strategic Risk Register had been considered by the Cabinet on 15 April 2021 and more recently on 29 September 2022 by the Audit and Scrutiny Committee.

The Strategic Risk Register, a copy of which accompanied the report, set out the key strategic risks to be considered by the Council and detailed the actions that management had put in place to manage these risks. It was further noted that each service had an operational risk register to record day to day and service specific risks.

The report explained that a thorough review of all risks on the register has been undertaken by the CMT. Several risks had been amended to include additional control measures and the risks had been rescored for significance. There were now 38 risks of which 9 were evaluated as high and 29 as medium. It was noted that where a risk had been evaluated as "low" it was removed from the Strategic Risk Register and monitored within departmental or operational registers if appropriate.

The various categories and risks therein were set out.

In response to a question from Councillor Anderson regarding the risk of rolling power cuts and the effect this could have on Council services, the Chief Executive explained that a Crisis Resilience Management Team had been established and was investigating the issue, for both the Council and vulnerable residents who relied on support. The Director of Business Operations and Partnerships added that the Crisis Resilience Management Team would be bringing an update to the Corporate Management Team on this issue soon.

The Head of Accountancy (Chief Financial Officer) confirmed that budgetary pressures were covered in the Register under Section 6.

The Chief Executive, in response to a question from Councillor O'Donnell, explained that the Risk Appetite Matrix would form part of the Risk Strategy which would come to a future meeting.

The Cabinet noted:-

- (a) the development of the Council's Strategic Risk Register; and
- (b) that it was considered a "live" document and would be updated and amended by the Corporate Management Team (CMT) as appropriate.

ENVIRONMENT END-YEAR PERFORMANCE REPORT 2021-22

221. The Cabinet considered a report by the Director of Environment providing a summary of the performance of the Environment Department for the year 2021-22.

The report explained that the department had performed well throughout 2021/22. Whilst some services made good progress on the implementation of Covid-19 recovery plans, the pandemic and the associated restrictions continued to impact staff and the services delivered. Despite this, the Department had met or exceeded the majority of its targets.

Councillor Anderson raised an issue about the loss of institutional knowledge due to early retirements and the impact this could be having in terms of staff shortages. The Chief Executive reassured Cabinet that the majority of the issues faced were simply due to labour market shortages rather than any particular issue identified around early retirements.

Councillor O'Donnell commended the Environment Department for a strong set of results, particularly noting that the Council had the best performing fleet service in the United Kingdom and best recycling rates in Scotland.

The Cabinet noted the report.

CLYDE CLIMATE FOREST CONCORDAT

222. The Cabinet considered a report by the Director of Environment, providing an update on the progress of the Clyde Climate Forest project and seeking Cabinet endorsement for the Clyde Climate Forest Concordat.

By way of background the report explained that in June 2021 Glasgow City Region Cabinet launched the Clyde Climate Forest (CCF) with a headline target of planting 18 million trees over the next decade. The CCF would enable and co-ordinate work to upscale tree planting across the city region by 2032.

Having set out the CCF targets, a breakdown of the way in which the 18 million tree target would be delivered, funding information and details of the Programme Board set up to manage the project, the report explained that In September 2022 CCF had invited the eight authorities in the Glasgow City Region to become signatories to the Clyde Climate Forest Concordat. A copy of the Concordat accompanied the report.

Details of the some of the work being carried out in East Renfrewshire as part of the delivery of the outcomes set out in the Concordat were listed.

The report explained that endorsement of the Concordat would result in some staff time supporting the CCF. Some Council land may be identified for tree planting, but tree planting would only occur where an options appraisal and stakeholder engagement identified that trees were the Council's best option for the location.

Furthermore, the CCF was an extensive partnership project which would assist with the Council's Climate Change targets, the wider Regional and National Climate Change targets and would also provide positive wider ecological and wildlife benefits. Endorsement of the Concordat would put these arrangements on a formal footing.

In response to a question from Councillor Devlin regarding the areas which had been identified for planting, the Head of Environment (Strategic Services) indicated that he would be happy to share the Tree Plan for information.

Councillors Anderson and O'Donnell also welcomed the report, and overall environmental improvements to the Council area while also contributing to the fight against climate change.

The Cabinet:-

- (a) endorsed the Clyde Climate Forest Concordat; and
- (b) noted that the Clyde Climate Forest would seek the approval for the Concordat from all Local Authorities in the Glasgow City Region (GCR).

UPDATE TO REQUIREMENTS OF CLIMATE CHANGE REPORTING

223. The Cabinet considered a report by the Director of Environment providing an update on changes to the statutory requirements of the Public Bodies Climate Change Duties Annual Reporting; providing a response to the letter received from the Cabinet Secretary for Net Zero; and seeking agreement for the climate change targets required for the annual report.

The report explained that each November, the Council was required to submit a report to Scottish Government setting out the progress it had made in contribution to the Scottish Government's target to be carbon net zero by 2045, known as the Public Bodies Climate Change Duties Annual Reporting.

In 2020 the Scottish Government had announced these reporting requirements were to be strengthened and expanded, with the changes to take effect in November 2022. The Cabinet Secretary, Michael Matheson MSP, had written to all Council Leaders and Chief Executives to confirm these new requirements. The letter from the Cabinet Secretary, a copy of which accompanied the report, set out that in addition to information already provided in the Public Bodies Climate Change Duties report, the Council would be required to provide information on a number of other matters, the details of which were summarised.

The report further explained that as a result of the Council's work to establish a carbon baseline, and subsequent ongoing work to prepare the forthcoming Get to Zero Action Plan (GTZAP), the ability to meet the updated statutory requirements could be split into two categories: *on track* and *needs consideration*.

For the new the requirements in both categories, the report outlined a proposed response as to how the Council was placed to deliver. This included the setting of various targets for direct and indirect emissions, required for the annual report.

The Head of Environment (Strategic Services), pointed out that a paper would come to Cabinet on 1 December 2022 on meeting the 2025 target for Fleet Services.

The Chief Executive explained that the Council had been set significant targets with no funding in place, and so it had put in £200,000 to allow preparations to be made. There was uncertainty on what the legislative requirements would be and how they would be funded, but it was prudent to plan ahead to get the best possible start on meeting those requirements as they became known.

In response to questions from Councillors Anderson and O'Donnell on the move from net zero by 2040 to 2045, the Head of Environment (Strategic Services) indicated that the initial target was for the Council to be carbon neutral by 2040, with other greenhouse gases to be reduced to zero by 2045. The target had now been revised for all greenhouse gases to reach zero by 2045.

The Cabinet:-

- (a) noted the requirements set out by the Cabinet Secretary for Net Zero and the Council's ability to meet these requirements; and
- (b) agreed the climate change targets for direct and indirect emissions, required for the annual report.

RETROFIT OF DOMESTIC HOUSING

224. The Cabinet considered a report by the Director of Environment providing an update on the progress to retrofit homes across Glasgow City Region to be more energy efficient and heated by low-carbon systems, and commenting on the future direction of funding provided for owner-occupier home energy efficiency measures.

The report referred to Scotland's Climate Change Plan which set out the ambition to massively reduce emissions, particularly from heating buildings, which accounted for around 20% of Scotland's Greenhouse Gas (GHG) emissions.

It was explained that in 2019, only 11% of homes in Scotland had low-emission heating systems. To meet the national target of net zero GHG emissions by 2045, a rapid acceleration of homes converting to zero-emission heating was needed. From the current rate of 0.1% of homes making the conversion per year it would be necessary for 5-10% of homes per year to achieve this target.

Details of some of the steps required to achieve zero-emission heating having been explained, it was noted that in October 2021 Glasgow City Region (GCR) Cabinet agreed a report which outlined that bringing homes across the region to Energy Performance Certificate (EPC) level C and above is estimated to cost in the region of £10.7 billion, with up to £600 million investment per annum required for a 15-year period. The Head of Environment (Housing and Property Services) clarified this point by indicating that only £64 million in funding was available to the Council to meet that requirement. There were approx.428k properties across GCR below EPC C. In East Renfrewshire this figure was 24,000 homes, 60% of all homes. The report to GRC proposed a number of work streams, details of which were listed in the report.

The report then provided a summary of the progress across each of the work streams, this having been presented recently to the Chief Executives' Group.

The Cabinet heard the Head of Environment (Strategic Services) in response to questions around the difficulty of meeting the challenges in this area. In particular, he addressed the difficulties of making the necessary changes to private properties where the owners did not agree to conduct the works and the potential for including solar panels into development plans for future builds. However, he did note that the challenge of retrofit was greater than new build properties.

The Cabinet noted the progress and challenges faced in retrofitting homes across Glasgow City Region (and East Renfrewshire).

UK SHARED PROSPERITY FUND

225. The Cabinet considered a report by the Director of Environment advising of the UK Shared Prosperity Fund (SPF) award from the UK Government and seeking approval for schemes for the period 2022-2025.

The Economic Development and Inclusive Growth Manager prefaced the report by pointing out that the final approval of funding by the UK Government had been delayed but was expected to be received at the beginning of December 2022.

The report explained that the SPF supported the UK Government's wider commitment to level up all parts of the UK by delivering on each of the levelling up objectives and covered four main investment priorities: These were noted as Communities and Place Intervention (Core); Supporting Local Business Intervention (Core); People and Skills Intervention (Core); and Multiply. Further details in relation to each of the priorities was summarised.

It was noted that the Council had been awarded £2,722,202 for the 3 year programme from 2022-2025 for the Communities and Place, Supporting Local Businesses and People and Skills interventions, subject to final UK Government approval, and details of how the funding was split between revenue and capital funding were set out.

It was also noted that for the Multiply intervention, the Council had been awarded £568,227 over the 3 year period, subject to UK Government approval, with the Education Department leading on the development and implementation of this programme.

It was reported that the Council's Economic Development team had issued a call for project proposals to internal and external stakeholders in May 2022 and had worked with partners that could identify suitable projects.

Details of the factors given particular consideration in the prioritisation of projects having been set out, it was clarified that priority had been given to a number of initiatives ranging in scale and content some of which would ensure "quick wins" and some that may take longer to realise their economic impact. A list of the proposed projects for which approval was sought accompanied the report.

The report explained that funding across the three main core interventions of Communities and Place, Support to Local Businesses and People and Skills had been fully committed for years 2022/23 and 2023/24. Given the significant increase in funding year 2024/25 it had not been possible to identify suitable projects that would maximise the funding in that year. As such the Economic Development team would be issuing a further call for proposals in early 2023 for projects to be funded in 2024/25.

The team would continue to work with all stakeholders to update the project pipeline approach for future funding opportunities and continue to work with community groups to develop their ideas into eligible "shovel ready" projects.

In response to a question, the Economic Development and Inclusive Growth Manager agreed to arrange a discussion of the plans for the Cowan Park Regeneration with Councillor Devlin.

The expected achievements across each of the 4 themes having been noted, the Cabinet:-

- (a) noted the financial allocation to East Renfrewshire Council for the programme period 2022-2025, with the figure expected to be confirmed by December 2022;
- (b) approved the projects as outlined in appendix 1 for 2022-2025, subject to confirmation of funding from the UK Government;
- (c) delegated to the future Director of Environment to make adjustments to the proposals depending upon the detailed costs of projects being confirmed; and

- (d) noted that further reports would be submitted to the Cabinet in due course seeking approval for projects in 2024-25.

REVIEW OF COUNCIL ACCOMMODATION

226. The Council considered a report by the Director of Environment providing information in relation to the proposed approach and timescale to review the Council's use of its accommodation portfolio.

The report outlined the various properties in use by the Council as office accommodation, how changes to working practices had been accelerated both by COVID and the use of technology and that post-Covid with more hybrid working being in place desks in many buildings were unoccupied.

The report explained that an exercise was undertaken to identify what office space or properties could either be disposed of or potentially shared with other organisations in order to share the cost. However, sharing space was proving difficult due to the need to coordinate different requirements, budgets and timescales with that of the Council. Consequently an exercise was now in progress to identify which properties could be identified as surplus to requirements and then disposed of or used differently.

The report also highlighted how this could help to reduce energy costs overall as well as contributing to the Council's Get to Zero target of net zero carbon emissions by 2045.

The report explained that an exercise had been carried out to determine which buildings should remain in scope for disposal, and that following this exercise 3 buildings, the Barrhead Offices on Main Street, the office building at Spiersbridge, and the Council Headquarters building in Eastwood Park remained in scope. However the report further clarified that for various reasons which were outlined, the Barrhead Offices should be removed from the scope.

The report then provided further information in respect of the two remaining buildings, setting out the work that would be required, some of the potential issues to be addressed and the potential benefits in relation to each.

In response to a question from Councillor Devlin, the Head of Environment (Strategic Services) confirmed that reported issues with water ingress at the Barrhead Offices were being investigated. He also confirmed that additional travel costs were being taken into account in terms of the possible closure of offices.

Councillor O'Donnell welcomed the review and the use of the Scottish Futures Trust. Given the complexity, he indicated that queries on the review could come back in March 2023.

The Cabinet noted the issues surrounding the Council's accommodation portfolio and its proposed approach to a review of that portfolio.

CHAIR

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 10 November 2022.

Present:

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

Councillor Morrison in the Chair

(*) indicates remote attendance

Attending:

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Barbara Clark, Chief Accountant; Michelle Blair, Chief Auditor; Kath McCormack, HR Manager; Linda Hutchison, Clerk to the Committee; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Rob Jones, Ernst and Young.

Apologies:

Councillors Annette Ireland and Gordon Wallace.

DECLARATIONS OF INTEREST

227. There were no declarations of interest intimated.

CHAIR'S REPORT

228. The following matters were raised during the Chair's report:-

Strategic Risk Register – Query Raised at September Meeting

- (i) Under reference to the Minute of the meeting of 29 September (Page 209, Item 151 refers), when it had been agreed that comments made on considering the inclusion of a risk on Scottish Independence in the Strategic Risk Register would be relayed back to appropriate officers and that feedback on the outcome

of the related discussion on this would be provided, Councillor Morrison reported that, since the agenda for the meeting had been issued, the Clerk had circulated feedback received on this issue. In the interests of transparency and rather than waiting until the next scheduled meeting in January to report on the feedback received, he confirmed that the Chief Executive had clarified that following a suggestion by Audit Scotland at the Audit and Scrutiny Committee in April 2022 during a discussion on emerging risks such as Independence, a new section on "horizon scanning" to identify such areas had been included for the first time in the Review of the Strategic Risk Register and Risk Management Progress report considered by the committee in September 2022. Such emerging risks were currently considered by the Corporate Management Team (CMT) but had not, as yet, been scored and resulted in a risk being added to the Strategic Risk Register.

Having heard Councillor Buchanan welcome the more open notification of emerging risks that could impact on the authority and comment that there could be multiple issues to reflect on either relating to Independence or Scotland remaining part of the United Kingdom, Councillor Morrison acknowledged the importance of the CMT maintaining a watchful eye on all potential risks faced.

(ii) Scrutiny Related Induction Training

Under reference to the Minute of the meeting of 11 August (Page 95, Item 66 refers), when clarification on some elements of the scrutiny related induction training programme had been provided, Councillor Morrison confirmed that two important induction training sessions for all Elected Members were taking place relatively soon. He clarified that a virtual session on *Treasury Management* was scheduled to take place on Monday, 5 December, and that training on *Effective Scrutiny Skills*, rearranged from September, would take place in January. Regarding the latter he reported that all Members could attend these in-person workshops on either the afternoon of Thursday, 12 January or morning of Friday, 13 January. He encouraged everyone to attend, whether experienced or not, and to confirm their intentions in response to related correspondence issued which was very helpful to the officers making the detailed arrangements.

In response to Councillor Edlin who stated that he was unable to attend the sessions in January, the Clerk clarified that one of the *Effective Scrutiny Skills* sessions in September had proceeded and that it was unlikely therefore that further dates would be offered, especially as an external provider was leading them, but reported that there may be information from the session that could be made available to him.

(iii) Meeting with External Auditor

For information, Councillor Morrison reported that, as Chair of the committee, he had been invited to meet with representatives of the new External Audit team on Thursday, 1 December, as part of their initial introductions within the Council. He looked forward to meeting Rob Jones and other representatives of the Ersnt and Young Team.

The committee noted:-

- (a) the feedback provided on the risk issue raised relating to Scottish Independence;

- (b) that all Elected Members had been invited to attend *Treasury Management and Effective Scrutiny Skills* training in December and January respectively, attendance at which was encouraged;
- (c) that the Chair was scheduled to meet with representatives of the new External Audit team on 1 December; and
- (d) otherwise, the report.

SUMMARY OF EARLY RETIREMENT/REDUNDANCY COSTS TO 31 MARCH 2022

229. Under reference to the Minute of the meeting of 23 September 2021 (Page 1649, Item 1762 refers), when early retirements/redundancies to 31 March 2021 had been discussed, the committee considered a report by the Director of Business Operations and Partnerships summarising the position on early retirement/redundancy costs from 1 April 2021 to 31 March 2022 and related issues. Information on the total costs incurred and projected savings was provided.

Whilst commenting on the report, the HR Manager clarified that redundancies continued to be assessed using a process based on a financial business case, commented on legal requirements, and referred to related costs and savings that would be achieved which depended on the individual circumstances of each employee concerned.

The committee noted the content of the report, the explanations provided for early retirements/redundancies within the period it covered, and related projected savings.

INTERIM TREASURY MANAGEMENT REPORT 2022-23

230. Under reference to the Minute of the meeting of 11 August 2021 (Page 96, Item, 68 refers), when the committee had noted the Treasury Management Annual Report for 2021-22, and recommended to the Council that the organisations specified in that report for investment of surplus funds be approved, the committee considered a report by the Head of Accountancy (Chief Financial Officer) on treasury management activities for the first six months of 2022-23.

The report explained that in line with the CIPFA Code of Practice on Treasury Management 2017, the Audit and Scrutiny Committee was responsible for ensuring effective scrutiny of the Council's treasury management activities. In accordance with that requirement, the interim Treasury Management Report for 2022-23 was attached to the report for consideration.

Whilst highlighting key aspects of the report, the Chief Accountant confirmed that it showed the Council's debt position and provided related information depicting the movement in investments and borrowing over the first 6 months of 2022-23. She explained that long-term borrowing had been fairly static, with only a small amount of debt paid off. Anticipated borrowing of £55m from the Public Works Loan Board (PWLB) had not yet been taken due to high levels of short-term investments held and increase in rates offered.

The Chief Accountant clarified that, in accordance with the Council's strategy on variable rate loans not exceeding 30% of the total debt outstanding, this had peaked at just over 7%, but would increase gradually as PWLB loans were paid off or reduce as further ones were taken. The level of this indicator would be reviewed as part of work undertaken on the Treasury Management Strategy on which a report would be submitted to the committee early in 2023. Short-term investments had increased slightly due to cash flows in both capital and revenue, reasons for which were outlined.

The Chief Accountant highlighted that the prudential indicators helped confirm that capital investment plans and treasury management decisions remained affordable, prudent and sustainable. In particular, indicators 3 and 4 demonstrated that the Council was operating well within its limits.

Finally, the Chief Accountant commented on amendments to the Council's list of counterparties, confirming that the list had changed slightly from the one in the 2021-22 year-end report. It was clarified that all investments were restricted to UK bodies with high credit ratings, with the maximum period of investment, in general, restricted to 6 months.

Councillor Morrison referred to the 0.11% reduction achieved in average interest rates charged at a time when interest rates were increasing nationally, seeking clarification if the rate charged was expected to increase in future. The Chief Accountant confirmed that this would be subject to the investments taken and those repaid, and that the Council's treasury advisors expected interest rates to reduce in the next 18 months and hopefully remain more steady after that.

The committee agreed:-

- (a) to **recommend to the Council** that the organisations for investment of surplus funds be approved in accordance with Appendix 2 to the report; and
- (b) otherwise, to note the report and related comments made.

INTERNAL AUDIT PLAN 2022-23 – IMPLEMENTATION PROGRESS – JULY TO SEPTEMBER 2022

231. The committee considered a report by the Chief Auditor regarding progress made on the implementation of the 2022-23 Internal Audit Plan from 1 June to 30 September 2022. It was confirmed that seven audit reports in relation to planned 2022-23 audit work had been completed in quarter 2, information on which was provided. Details of reports which were carried out as part of the 2021-22 and 2022-23 plans, on which responses had been received since the previous progress report had been submitted, were also provided.

Reference was made to the quarterly performance indicators (PIs) for the section. The report also confirmed that there had been one new request for assistance dealt with using contingency time, which had not resulted in a financial loss to the Council.

The Chief Auditor referred to key aspects of the report, during which she confirmed that four of the seven reports issued in the quarter relating to planned 2022-23 audit work were follow-up reports which either had already been or would be circulated to members of the committee. Having confirmed that two vacancies remained in the Internal Audit section, she explained that whilst this remained the case she would have to continue to review regularly which audits in the 2022-23 plan would need to be deleted or deferred, giving priority to completing audits which would provide the most overall assurance on system controls.

Whilst commenting on specific audit reports, including the extent to which recommendations had been accepted by management, the Chief Auditor highlighted a typographical error in the report on the debtors' audit, confirming that the timescale for addressing the recommendation on debt recovery suppression reports was December 2022 not December 2023.

In response to Councillor Macdonald who sought clarification on the extent to which records were maintained of those who completed compulsory General Data Protection Regulations (GDPR) training every two years, the Chief Auditor confirmed that some records were kept, but that those for individual employees had to be checked by line managers to verify that

required training, such as on GDPR, was completed within required timescales. It had been hoped that reports could be generated identifying who had not met the requirements, but this facility was not yet in place. Councillor Macdonald expressed the view that access to reports to enable such checks to be done was an issue on which further work was potentially required.

In response to Councillor Morrison, the Chief Auditor confirmed that the value of the stock referred to in the housing maintenance store audit was approximately £98k, £80k of which was held in the main store at Thornliebank Depot, with the balance held in imprest vans.

Also in response to Councillor Morrison, the Chief Auditor referred to complexities associated with filling the vacant posts within her section whilst it remained unclear if there would be a budget for these in future which also impacted on whether or not any permanent appointments could be made for the time being. Councillor Morrison commented that it would be useful for the committee to receive further clarification on the position on the posts in future.

In response to Councillor Edlin, the Clerk confirmed that the Committee Services Officer vacancy within the Democratic Service team was in the process of being filled.

The committee agreed:-

- (a) not to seek any of the reports issued during the quarter at this stage; and
- (b) otherwise, to note the report, subject to the amendment referred to above, and related comments made.

NATIONAL EXTERNAL AUDIT REPORT – SCOTLAND'S FINANCIAL RESPONSE TO COVID-19

232. The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Scotland's Financial Response to COVID-19* regarding which, under the committee's specialisation arrangements, Councillor Morrison was leading the review of the report. Given the nature of the Audit Scotland report, members of the CMT and other senior officers had provided comments on various aspects of the report. The comments, which had been collated, were attached to this report.

The report reflected that a range of reports, submitted not only to the committee but also other bodies including the full Council, had focussed specifically on COVID-19 issues, the most recent update submitted to the full Council on COVID-19 recovery having been considered in June 2022. As considered appropriate, such reports had commented on a range of financial issues.

As well as providing some background information on the Audit Scotland report, issues raised within it, and related recommendations made for local authorities, the feedback collated comments provided by the CMT and other senior officers on a range of issues, focussing on the public financial response, management of the overall financial implications, and management of the COVID-19 public spending programme. Comments were included on COVID-19 grants in response to some issues raised by members of the committee.

Councillor Morrison highlighted that the Council had required to respond to the unexpected emergence of COVID-19 to the best of its ability such as using national funding and related guidelines made available, one main issue for him being if anything would be done differently if similar action had to be taken in future such as the mass payment of grants to businesses. He highlighted that this issue was addressed in the report. He had been encouraged to read that the Economic Development team within the Council had itself considered more efficient

ways to address grant distribution in future, and welcomed related developments on the establishment by the Scottish Government of a centralised system which would be helpful in future. Under all the circumstances faced, he expressed the view that the Council had performed very well in terms of its response.

Councillor Buchanan referred to comments made in the past praising staff for their response to the pandemic the reasons for which were illustrated in the report, highlighting how officers responded, with assistance from the third sector when required, to ensure both individuals and businesses were supported. He considered such support, including the work done on the humanitarian response, to be incredible. Councillor Buchanan also referred to lessons learned as should be the case, and emphasised the speed of the action taken by officers to ensure the needs of residents were met, depicting the work done, and by the third sector also, as phenomenal.

The report and related comments made were noted.

CHAIR

MINUTE
of
EDUCATION COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 17 November 2022.

Present:

Councillor Andrew Anderson (Chair)
Councillor Tony Buchanan
Councillor Kate Campbell
Councillor Danny Devlin
Councillor Colm Merrick (*)
Councillor Owen O'Donnell

Councillor Katie Pragnell (Vice Chair) (*)
Councillor Gordon Wallace
Dr Frank Angell (*)
Ms Fiona Gilchrist
Ms Dorothy Graham
Mr Des Morris

Councillor Anderson in the Chair

(*) indicates remote attendance

Attending:

Mark Ratter, Director of Education; Janice Collins, Head of Education Services (Quality Improvement); Joe McCaig, Head of Education Services (Performance and Provision); Siobhan McColgan, Head of Education Services (Equality and Equity); Graeme Hay, Education Senior Manager (Leading Business Change); Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

DECLARATIONS OF INTEREST

233. There were no declarations of interest intimated.

RESULTS OF THE CONSULTATION ON THE PROVISION OF EARLY LEARNING AND CHILDCARE

234. The committee considered a report by the Director of Education advising of the biennial consultation on the provision of early learning and childcare within East Renfrewshire and setting out the proposals to increase flexibility through the available models of provision in early learning and childcare settings from August 2023.

It was reported that all three and four year old children, and eligible two year olds, had been offered 1140 hours of funded provision each year since August 2020, a year ahead of the national implementation date, and a range of different models were currently available for families to choose from to best suit their own specific circumstances. Families could choose to use their child's entitlement in a local authority setting, from a funded provider or "blended provision" from both.

An online consultation exercise on the provision of early learning and childcare was undertaken in October 2022 and a number of key points were noted including that 81% of children between 3 and 5 years old were accessing their statutory entitlement; a higher number of respondents (53%) indicated that setting was the most important aspect of their child's allocation; and a significant number of those responding (73%) indicated that they would like to consider the option to purchase additional hours above the statutory entitlement.

The Education Senior Manager (Leading Business Change) was heard further regarding the report, advising that new legislation being introduced from August 2023 would allow parents deferring their child's entry to primary school if they were not yet 5 years old, to access funded early learning and childcare for an additional year. When asked about the likelihood of deferral, 20% had indicated that they were likely to do so, and the department was making appropriate arrangements to ensure sufficient capacity across all communities in readiness for the new entitlement. He also referred to the request from families, through the consultation, to have a greater availability of additional hours above the statutory requirement and, from session 2023/24, it was expected that families would be able to apply to access a new "full time" model of provision by purchasing additional hours.

In response to concerns expressed by Councillors Wallace and Anderson in relation to a recent application which had been submitted to the Planning Applications Committee, when it was reported that educational establishments in some parts of the authority were at full capacity and had no scope for additional provision, the Head of Education Services (Quality Improvement) advised that early years was a full year service and the flexibility provided within this service came from having more scope in their provision models than schools. In particular the efficiency in early years with most models meant that 2 children could receive their full entitlement using just one space. The Education Department also worked with funded providers who also offer the entitlement, therefore capacity was greater than that of schools.

Thereafter the Education Senior Manager (Leading Business Change), in response to questions from Councillor O'Donnell, advised that almost all 3-5 year olds currently accessed their places but this figure was significantly lower for eligible 2-3 year olds. Data which was due to be shared by the Department of Work and Pensions in the next few months should assist with targeting families entitled to this provision to increase uptake of places. He added that deferrals had already been identified as a spending pressure within projected budgets as the level of demand was unknown due to the introduction of new legislation from August 2023. The Head of Education Services (Quality Improvement) added that deferrals could be scattered across the catchment area and would be included in the P1 enrolment programme to allow this provision to be taken into account when allocating places for 2023/24. Additional places could be purchased, which would lead to income generation, but this would depend on space being available to offer that provision. She referred to the expansion of education establishments, which had been funded through the Council's capital programme, but added that the revenue gap continued to increase. The funding model for next year was awaited and it was hoped that this would address the funding gap. She confirmed that the current gap of £1.2million excluded deferrals at this stage.

In response to further questions, the Education Senior Manager (Leading Business Change) confirmed that 94% of families received their first choice of setting, which were organised in communities, and those who wished to purchase additional hours did so for a number of reasons including full time working; studying; and training.

Having heard Members commend the work of the Education Department in this area, the committee noted:-

- (a) the results of the early learning and childcare consultation; and
- (b) the department's proposals to further increase flexibility for families to address additional demand.

PROGRESS REPORT ON PRIORITIES ASSOCIATED WITH NATIONAL IMPROVEMENT FRAMEWORK

235. The committee considered a report by the Director of Education providing an update on the Education Department's progress implementing priorities associated with the National Improvement Framework for Scottish Education (NIF).

It was reported that the National Improvement Framework (NIF) had been launched by the Scottish Government in 2016, based on 4 key priorities of improvement in attainment, particularly in literacy and numeracy; closing the attainment gap between the most and least disadvantaged children and young people; improvement in children and young people's health and wellbeing; and improvement in employability skills and sustained, positive school-leaver destinations for all young people. In December 2021, a fifth key priority of placing the human rights and needs of every child and young person at the centre of education, was included in the document *Education – Achieving Excellence and Equity: national improvement framework and improvement plan 2022*. The report being presented to the committee focussed on the original 4 key priorities as it related to the progress made during session 2021-22, but it was highlighted that key priority 5 had been included in the Local Improvement Plan 2022-25 and would be considered in next year's report.

The report outlined that the NIF was underpinned by a series of planning and reporting duties designed to support transparency and accountability; referred to the department Strategic Equity Fund Plan (SEF) which was designed to tackle inequity and inequalities in education outcomes; and highlighted that the annual Standards and Quality Report provided evidence of how the department and schools made every effort to raise the bar for all learners whilst reducing inequalities.

The Head of Education Services (Quality Improvement) advised that, although local authorities were not required to report to the Scottish Government this year on the themes of inequity and inequality as a result of the ongoing challenges presented by the Covid-19 pandemic, East Renfrewshire was able to evaluate the impact of its commitment to supporting children, families and the school community due to a high level, evidence-based internal quality assurance by schools and the department. Progress was evaluated annually to identify strengths in current provision and areas where further improvement was required and evidence was gathered through a range of activities. A high level summary of the progress in East Renfrewshire was provided and it was reported that the introduction of SEF would enable further opportunities for the department and schools to explore how to support children and young people with their wellbeing and learning.

In response to questions, the Head of Education Services (Quality Improvement) advised that a higher decrease in reading, writing, talking and listening figures amongst primary school children, when compared to numeracy figures, could be as a result of younger people missing out on social interaction during the pandemic, which seemed to affect primary school children more than those of secondary school age. It was expected that these figures would improve now that pupils had returned to school, and literacy principal teachers would focus on the reasons for the decrease and ways to improve the attainment figures in this area.

The Head of Education Services (Performance and Provision) added that, although the main statutory focus for schools was to improve the poverty related attainment gap, the expectation was that schools would also look at other equality areas including in relation to additional support needs, gender and ethnicity, within their own school environment.

Thereafter, the Head of Education Services (Quality Improvement) advised that work was ongoing to assist families in reducing the cost of the school day including by having accessible school clothing banks, and subsidising trips and excursions through Pupil Equity Funding (PEF). Provision of assistance for pupils in SIMD 1 & 2 was detailed in the SEF plan submitted

to the committee in August 2022 and included assisting pupils with literacy and numeracy; targeting attendance at school; and reaching pupils who required a different approach to learning.

Thereafter, the committee noted the Education Department's progress in implementing priorities associated with the National Improvement Framework.

SCOTTISH ATTAINMENT CHALLENGE STRETCH AIMS

236. Under reference to the Minute of the meeting of 25 August 2022 (Page 130, Item 95 refers), when it was agreed that a report including the Strategic Equity Funding (SEF) plan targets would be submitted to the Education Committee in November 2022, the committee considered a report by the Director of Education seeking approval for the proposed Scottish Attainment Challenge Stretch Aims.

It was reported that local authorities had been asked to set "Stretch Aims" for the Scottish Attainment Challenge for academic year 2022-23 and the Education Committee had requested that the department provide further detail around the Stretch Aims submitted as part of their SEF plan. Reference was made to specific requirements for setting local stretch aims and the national "core plus" model which had been developed. The stretch aims had been chosen to help measure the impact and outcomes locally of the activities which required to be undertaken to deliver the Scottish Attainment Challenge, and it was reported that the Education Department, in partnership with schools, had been setting local stretch and gap reducing aims for some time. National guidance on setting stretch aims indicated a need to identify equity gaps and the department's Quality Improvement Officers would provide ongoing support and challenge to ensure improved outcomes for learners.

It was further reported that progress in meeting the stretch aims would be reported on an ongoing basis through the Council's Outcome Delivery Plan, Fairer East Ren Plan and departmental Standards and Quality Report. Through the Standards and Quality Report, the Director of Education would report annually to committee and to wider stakeholders.

The Head of Education Services (Performance and Provision) was heard further regarding the report, highlighting that the stretch aims included: achievement of Curriculum for Excellence levels; the proportion of school leavers attaining 1 or more qualifications at SCQF level 5; the proportion of school leavers attaining 1 or more qualifications at SCQF level 6; the proportion of 16-19 year olds participating in education, employment or training; and a locally identified aim of health and wellbeing.

In response to a question from Councillor O'Donnell regarding the time it may take to eliminate the poverty related attainment gap in terms of target Core A, the Director of Education advised that the information provided in the report was submitted in a format which fitted Scottish Government requirements and could appear distorted as it related to 2021 data, even though 2022 data was now available. He added that the Education Department hoped to have returned to pre-pandemic levels by the end of the current academic year.

The committee agreed to:-

- (a) approve the proposed Stretch Aims; and
- (b) ask the Director of Education to bring regular reports to committee on the progress towards these.

PERFORMANCE OF EAST RENFREWSHIRE SCHOOLS IN THE BROAD GENERAL EDUCATION AND SENIOR PHASE

237. Councillor Anderson invited the Director of Education to give a presentation on the performance of East Renfrewshire schools in the broad general education and senior phase.

The Director indicated that the information presented would include information from primary establishments as well as senior phase data relating to SQA awards.

He reported that there had been a decrease in the proportion of children attaining expected levels of achievement in the Broad General Education standards when compared to 2018/19 (pre-Pandemic). 89% of Primary 1, 4 and 7 pupils were achieving expected levels or better for reading, 87% for writing, 93% in talking and listening, and 90% in maths. It was highlighted that while the figures had decreased slightly on those recorded in 2018-2019, they were still considerably higher than the national average in all curricular areas. It was highlighted that the largest impact had been recorded among children resident in SIMD 1 and 2 areas with an 11% decrease in reading achievement as compared to the overall figure of a 2% decrease, from 2018-19. However, SIMD 1 and 2 children achieving the expected level in numeracy had increased by 8% since 2018-19, as opposed to an overall decrease of 1%. It was reported that the literacy and numeracy levels for pupils in SIMD deciles 9 & 10 remained static, and it was hoped to bring deciles 1 & 2 back to pre-Covid attainment levels in the near future.

Further information was provided on the virtual comparator which had replaced the previous comparator schools and authorities. This would see the performance of schools and local authorities compared with the performance of a similar virtual group made up of pupils from schools in other local authorities across Scotland who had similar characteristics to our pupils. This method would support self-evaluation and improvement.

Leaver attainment across literacy and numeracy improved steadily at levels 4 and 6 with level 5 remaining steady. At level 6, East Renfrewshire pupils were more likely to attain an award and outperformed the national average by more than double. More information was given on S4 National 5 presentations and awards for all subjects, with the figures showing that presentations had increased slightly with pass rates remaining similar.

School level comparisons were provided showing 4 years' worth of data, with the authority level sitting at 77% similar to 2019 levels. All schools continued to perform well above the national average and the virtual comparator, with Eastwood High School recording its best ever results in S4. In S4, the number of pupils achieving 5 or more awards at SQA level 5 or better was 77%, down from 79% in 2021. In S5, the number of pupils achieving 5 or more awards at SQA level 6 or better was 47%, slightly down on 50% the previous year but up from 44% in 2019. In S5 strong performances were achieved by Woodfarm High School and Barrhead High School with both schools achieving their highest ever S5 results.

More information was given on the use of insight tariff points which could assist with identifying gaps between different groups of pupils e.g. by gender. Insight point information was provided by SIMD in S4 for the most deprived 30%, middle 40% and least deprived 30% of pupils, which showed that there had been an increase of 10% for the most deprived 30% since 2018 and all three categories continued to be well above the national average. In S6, insight points showed that all levels continued to perform better in all deciles when compared to the virtual comparator.

Thereafter, improvement case studies were provided for two schools. At Eastwood High School universal support was provided for all senior phase pupils and included access to study skills afternoons; supported study and Easter school; meditation and mindfulness sessions before each exam; and robust monitoring and tracking processes. Targeted support was also

provided for a number of S4 pupils focussing on literacy and numeracy; nurture/inclusion; mental health training; and additional monitoring and tracking. As a result of these approaches, SQA results for National 5, Higher and Advanced Higher all improved when compared to prelim results, and in the targeted group there was a pass rate of 93% at National 5.

The second case study related to OLM Primary School where 12 pupils initially took part in a family learning and literacy programme for bilingual learners. This included attendance at a lunchtime language and culture club; and a focus on developing oral literacy; building confidence; and family inclusion. An additional 17 pupils were added to the programme and teachers reported increased pupil confidence and improved use of language in class from the pupils who took part. Families were also signposted to adult learning classes and the programme was due to continue during the current school year.

In conclusion, the Director of Education reported that, although some very strong results in both primary and secondary education had been reported and East Renfrewshire schools had performed extremely well when compared to their virtual comparators, the education service would continue to focus on excellence and equity to ensure their vision to improve outcomes for all children and young people could be delivered.

In response to a concern expressed by Councillor Devlin regarding results from schools in the Levern side of the authority which saw Barrhead High School overtake St. Luke's High School in terms of performance, the Director of Education advised that high schools in Barrhead had achieved outstanding results this year and both schools continued to work closely together to share best practice. He added that both schools continued to perform well above the national average and 99% of pupils from both schools went on to positive leaver destinations which was the highest rate across the authority.

Having heard Members request a copy of the presentation provided, the Director of Education advised that the information contained within the presentation was made available by authority and school within standards and quality reports, although in a different format, and he would attempt to provide a reduced version of the presentation. He advised that he was unable to provide the full presentation due to restrictions with the benchmarking data included.

Having heard Members commend the work of teachers and staff in producing such excellent results, the committee noted the presentation.

CHAIR

MINUTE
of
CABINET
(POLICE & FIRE)

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 24 November 2022.

Present:

Councillor Owen O'Donnell (Leader)
Councillor Andrew Anderson

Councillor Katie Pragnell (Vice Chair)
Councillor Gordon Wallace(*)

Councillor O'Donnell in the Chair

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Murray Husband, Head of Digital and Community Safety; Eamonn Daly, Democratic Services Manager and John Burke, Committee Services Officer.

Also Attending:

Chief Superintendent Mark Sutherland (Divisional Commander); Chief Inspector Graeme Gallie, (Area Commander); Inspector Michelle Grant, Communities Inspector, Police Scotland; Area Commander David McCarrey(*); and Station Commander Charlie Tymon(*), Scottish Fire and Rescue Service.

(*) indicates remote attendance.

Apologies:

Councillors Caroline Bamforth and Danny Devlin.

DECLARATIONS OF INTEREST

238. There were no declarations of interest intimated.

POLICE SCOTLAND – PERFORMANCE REPORT - QUARTER 2 - 2022-23

239. The Cabinet considered a report by the Divisional Commander, Police Scotland, providing details of the performance of the police over the second quarter of 2022-23. 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.

Chief Superintendent Sutherland introduced the report by stating that it was a largely positive report which showed many measures returning to pre-pandemic levels. There were

also impacts being felt of the cost of living crisis, with theft by shoplifting going up given as a particular example. Furthermore, Chief Superintendent Sutherland reported that the local policing plan would end on 23 March 2023 and the draft of the new Plan was available to view online. A copy of the document had been sent to Cabinet members electronically and he indicated that he would be happy for it to be presented to the Council if required. He then invited Chief Inspector Gallie to summarise the report.

By way of introduction, Chief Inspector Gallie noted the exceptional partnership approach in East Renfrewshire and that he was looking forward to working with all partners to maximise the collective service delivered to residents of and visitors to East Renfrewshire.

He advised that in relation to the crime data in the report, there were still some legacy effects of the COVID pandemic which would be reflected in the data for some time. He advised that the pandemic had altered how people lived their lives, with more people working from home or hybrid working, shopping online and using online deliveries more, and through the cost-of-living crisis there was an increased likelihood of more residents holidaying at home throughout the year. All of these factors impacted on crime patterns and demands on local services.

He advised that the COVID restrictions had ended during the previous quarter and the full return of large scale indoor and outdoor sporting and music events had taken place during the term of this report. He noted that even where events took place outside of East Renfrewshire, they could have a local impact.

Chief Inspector Gallie then reported on the performance of the police against the five local policing priorities contained in the East Renfrewshire Policing Plan 2020-23. On referring to the report, he advised that for acquisitive crime, the number of homes broken into (including attempts) was 33, this was equal to the same period the previous year. However, it was below the five year average figure with a reduction of 18%. Overall, crimes of dishonesty in Q2 were 30% higher than the same period the previous year and 6% higher than the five year average figure. Fraud remained a sub-divisional priority with 126 crimes being reported, 20 more than the same period the previous year. He noted that online fraud was significant because as people moved to online lifestyles the opportunities for criminality had grown. He outlined examples of the good work carried out by officers in East Renfrewshire and that the Police continued to work with Trading Standards and local groups to target this area of crime.

In relation to public protection, up to and including Q2, sexual crimes had remained static against the five year average, with 56 victims coming forward, mirroring the national trend. He advised that the associated detection rate for this year was 38%. He outlined that Police Scotland continued to work with partner agencies to provide support to the subjects of sexual crimes to ensure they had the confidence to come forward and report. He outlined examples of this investigation work into these cases carried out by officers within East Renfrewshire.

In relation to domestic abuse incidents, in Q2 256 domestic abuse incidents had been dealt with. This figure was 5% lower compared to the same period the previous year and 2% down on the five year average. The number of domestic abuse incidents with associated crime was 112 with 82 offences detected during the period. He noted that the annual "16 Days of Action" campaign was due to begin on 25 November 2022, aimed at ending violence against women and girls.

In relation to the detection of drug supply offences, he advised that Police Scotland continued to target the unlawful supply of controlled drugs within the community, in line with the public health approach to policing to protect the most vulnerable in society. In this quarter, 62 drug related offences were recorded, 40% fewer than the previous year. The

detection rate for those offences was 100%. He outlined that Police Scotland continued to work proactively in East Renfrewshire with the gathering and development of intelligence being vitally important, outlining examples of this investigation work carried out locally.

In relation to violent crime, he noted that 7 serious assaults had occurred over the period, this was 50% fewer than same period the previous year. The detection rate was sitting at 71% which was higher than the previous year. Two crimes of attempted murder were recorded in this period. Reports of robberies had increased to 8, 4 more than the same period the previous year; detection rate was 75% and investigations continued as well as the provision of support to victims.

In terms of antisocial behaviour and disorder, there had been a reduction in calls regarding disorder, down 23% on the previous year. Vandalism offences were down 15% on the 5 year average but had increased by 31 compared to the previous year. Continued collaboration with partners in identifying opportunities to tackle all forms of anti-social behaviour was making a positive impact.

Chief Inspector Gallie concluded by giving some examples of the work being done in East Renfrewshire by officers of Police Scotland on all of the subjects covered.

Chief Superintendent Sutherland and Chief Inspector Gallie then responded to a number of questions from Members. These included aftercare following reports of break-ins, upcoming Police campaigns during the festive period, particularly around drugs and alcohol and issues raised by community councils in relation to vehicles being parked in cycle lanes. It was also confirmed that both Chief Inspector Gallie and Inspector Grant were involved in the East Renfrewshire Alcohol and Drug Partnership.

The Cabinet agreed to note the report.

SCOTTISH FIRE AND RESCUE SERVICE (SFRS) PERFORMANCE REPORT FOR THE SECOND QUARTER OF 2022-23

240. 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 second quarter of 2022-23.

Area Commander David McCarrey explained that he and Station Commander Charlie Tymon were joining the meeting remotely due to providing operational cover at the time.

Area Commander McCarrey advised that as a service SFRS was continuing good progress and, in particular, highlighted their success around water safety, with water safety awareness training delivered to 7,500 school pupils across East Renfrewshire and with no water related incidents to date in East Renfrewshire. He also indicated that new fire appliances had been put into service at Clarkston and Barrhead Stations alongside significant building upgrades.

He reaffirmed the SFRS commitment to partnership working, in particular noting the recent establishment of a co-located Scottish Ambulance Service Response and Training Facility base at the Clarkston Community Fire Station. He advised that this was an example of multi-agency working and training between the Scottish Ambulance Service and SFRS.

Area Commander McCarrey then advised that during the reporting period crews and the Community Action Team carried out fire safety training and established referral pathways with over 200 foster parents, home care and care home staff across East

Renfrewshire. Operational crews had carried out over 750 home fire safety visits, particularly targeting vulnerable residents.

In terms of adults at risk of harm, a new internal electronic system had been implemented to ensure the most vulnerable people in communities received the support they required from SFRS and partners. A 360 degree feedback system had been put in place alongside this to allow SFRS to share information to support current and future needs.

Over 50 non-domestic fire safety audits had also been carried out to relevant premises in East Renfrewshire to ensure that they were compliant with their duties under Section 3 of the Fire (Scotland) Act.

It was also reported that the Bonfire Strategy had been concluded and no attacks on fire crews had taken place over the bonfire night season. The Area Commander highlighted the importance of partnership working to allowing these strategies to go forward successfully.

Area Commander McCarrey then advised that during the reporting period crews and the Community Action Team carried out 18 community activities whilst operational crews carried out 64. Operational crews carried out 282 home fire safety visits, with 116 of these being high-risk visits. 46 post-domestic incident responses had been carried out, with 37 home fire safety visits resulting from the post-domestic incident responses. 117 smoke detectors had been fitted.

It was reported that for accidental dwelling fires, there had been a decrease in the year on year indicator of 38%. He advised that it was pleasing to note an overall reduction of 11% on 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 92% of the premises and the detection activated in 83% of them giving an early warning. This confirmed a continued awareness regarding the importance of the installation and maintenance of fire detection equipment within the home.

To support reduction in this type of activity, the Community Action Team continued to be actively involved in engaging with partners and prioritised high risk home fire safety visits through the website and various partner referral pathways. Operational crews also carried out targeted local initiatives, including leaflet drops and public engagement, to identify the areas where there had been more than one accidental dwelling fire. He advised that fire service experiential training continued to be delivered to home carers within East Renfrewshire to assist them in identifying individuals at risk within homes, and that early identification and intervention gained through post-domestic incident response and partnership referral was reducing the occurrence of this type of incident.

In terms of accidental dwelling casualties he advised that there had been no accidental dwelling fire casualties in the reporting period with a 100% reduction on the 3 year indicators. It was positive to note again that early detection had proven to be crucial in reducing injury sustained from dwelling fires. He noted East Renfrewshire fire crews were working with the residents of any affected property and surrounding properties to ensure that they had appropriate smoke detection and conduct a home fire safety check. He highlighted East Renfrewshire fire crews continue to have the highest attainment rate of this type of activity across Scotland.

In terms of unintentional injury and harm, he advised it was pleasing to note that there had been a 36% decrease on the year on year indicator and there was a 13% reduction on the three year marker. He advised during this reporting period, crews attended 3 road traffic collisions one of which involved 8 casualties with minor injuries.

He outlined that the Community Action Team carried out a total of 82 multi-agency engagement activities across the area during this period with a focus on road safety campaigns, including promoting Road Safety Scotland as well as engaging with local schools to deliver the Young Driver Initiative, an educational programme focussing on young and new drivers. He advised that while there was one water related incident recorded, it was not a water rescue, it was assisting an individual who had fallen down an embankment near water. There were no water related incidents or casualties. He advised that this showed the benefits of the East Renfrewshire Water Safety Group and commitment to youth engagement.

He reported that there had been a significant reduction of 24% in deliberate fire setting within the year on year indicator and a 8% increase on the three year average, with the vast majority of these being secondary fires within grass and refuse. He advised that the Community Action Team and operational crews continued to deliver youth engagement initiatives to schools, with the Protection Team providing advice to the relevant premises and local businesses. A collaborative approach continued to be adopted with internal and external stakeholders including Police Scotland and East Renfrewshire Council.

It was reported that there had been an increase in non-domestic fires in both the year on year indicator as well as the three year average. However, he pointed out that this was against historically low figures. He advised that the majority were accidental. There had been one deliberate fire reported and the Area Commander provided further details on each of the incidents.

Unwanted Fire Alarm Signals (UFAS) increased within both indicators with the majority again being within educational facilities with the cause primarily being accidental, system faults and contaminants which highlighted that the majority were avoidable and were being caused by either human error or deliberate action. Human behaviour continued to drive this type of incident and even with direct engagement through crews attending incidents and the phased reduction of appliances through the UFAS strategy, the main contributors were individuals failing to follow procedures when testing alarms, deliberate activation of fire alarms and poor maintenance causing detector heads to become contaminated. The reduction of UFAS continued to be a key priority within East Renfrewshire with UFAS champions appointed in each station who continued to engage with the duty holders at each incident to advise and support them by providing reduction guidance. UFAS champions monitored activity daily and highlighted areas of concern to the enforcement team to allow them to engage at the earliest opportunity to investigate the most appropriate solution, whether it be mechanical, staff training, the replacement of equipment or where deliberate identify the cause and pursue through the appropriate channels.

There followed further questions in the course of which Area Commander McCarrey provided clarification on a range of operational issues within East Renfrewshire and the statistics recorded in the report. These included UFAS engagement with the Education Department. The Director of Business Operations and Partnerships provided an update on the position regarding UFAS within the Education Department and it was agreed that a collaborative approach was required regarding this issue.

The Cabinet agreed to note the report.

MINUTE
of
CABINET

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 1 December 2022.

Present:

Councillor Andrew Anderson
Councillor Danny Devlin

Councillor Katie Pragnell

Councillor Andrew Anderson, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Gerry Mahon, Chief Officer (Legal and Procurement); Jamie Reid, Head of Communities and Transformation; Andy Corry, Head of Environment (Operations); Phil Daws, Head of Environment (Strategic Services); Gillian McCarney, Head of Environment (Chief Planning Officer) (*); Lesley Bairden, Head of Finance and Resources, HSCP (*); Jane Corrie, Roads Senior Manager (*); Susan Craynor, Community Learning and Development Manager (*); Mary Docherty, Education Resources Senior Manager; Paul Parsons, Principal Accountant (Capital); Graeme Smith, Communications Manager (*); Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance.

Apology:

Councillor Owen O'Donnell (Leader).

DECLARATIONS OF INTEREST

241. There were no declarations of interest intimated.

GENERAL FUND CAPITAL PROGRAMME

242. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), monitoring expenditure against the approved General Fund Capital Programme as at 30 September 2022 and recommending adjustments where possible.

The Head of Accountancy (Chief Financial Officer), advised that the report indicated a shortfall in resource of £0.345m representing 0.86% of the resources available which was within manageable limits.

The report advised of a number of movements in the current year's Capital Programme. These related mainly to the timing of projects, and reflected shortages of materials and labour as well as backlogs in tendering and site starts. Other factors affecting the programme included increased energy and fuel prices; increased inflationary costs; and the ongoing impact of the Ukraine crisis. Officers would seek to minimise costs through value engineering and design changes, or within existing resources from projects approved for deferment or assessed as lower priority, and would continue to monitor the position and provide regular updates.

The Cabinet:-

- (a) noted the shortfall of £0.345m;
- (b) noted that income and expenditure on the programme would be managed and reported on a regular basis; and
- (c) agreed **to recommend to the Council** that the movements within the 2022/23 programme be approved.

HOUSING CAPITAL PROGRAMME

243. The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring income and expenditure as at 30 September 2022 against the approved Housing Capital Programme 2022/23, and recommending adjustments where required.

The Head of Accountancy (Chief Financial Officer) advised that there was a shortfall in the programme of £0.205m representing 1.3% of available resources which was within manageable limits. There had been a number of movements in the programme relating mainly to timing delays due to the significant impact of COVID-19 on both existing and new housing projects. Due to increased cost pressures in the construction sector, officers would continue to monitor this position and provide updates in future reports.

The Cabinet:-

- (a) agreed **to recommend to the Council** that the revised level of borrowing required to support the programme from £9.965m to £11.465m, an increase of £1.5m about the level approved by Cabinet on 1 September 2022, be approved;
- (b) agreed **to recommend to the Council** that the current movements within the programme be approved; and
- (c) noted the shortfall of £0.205m and that income and expenditure on the programme would be managed and reported on a regular basis.

STRATEGIC MID-YEAR COUNCIL PERFORMANCE REPORT 2022-23

244. The Cabinet considered a report by the Director of Business Operations and Partnerships, providing a summary of Council performance at mid-year 2022-23 based on performance indicators in the Outcome Delivery Plan (ODP) 2022-23. A mid-year complaints report was also included. Details of the performance results, together with information on mid-year complaints appeared as appendices to the report.

The report explained that, of the 50 indicators in the plan, there had been an update available for 30 of these at mid-year 2022-23, and that despite the continued focus on recovery and renewal, East Renfrewshire Council had continued to achieve excellent performance results across many areas including household recycling, increasing the supply of affordable housing, and supporting local businesses in the first half of the year. High levels of educational attainment had been maintained and performance from academic year 2021-22 was included in the report.

The report concluded by stating that the information presented showed the Council was performing well across the majority of the ODP indicators. However the impact of COVID-19, coupled with the significant budget pressures faced by East Renfrewshire Council and all councils, continued to have an impact on future performance and delivery of services. Despite the continued challenging circumstances the Council's aim remained unchanged, making people's lives better and achieving positive outcomes for all of our communities.

In response to questions, the Director of Business Operations & Partnerships confirmed that staff absences continued to be a concern as there had been an increase in long term absence, partly due to delays in treatment within the health service. She advised that COVID and long COVID were in the top ten reasons for absence, with the top reason being (non-work related) stress. In order to support staff, the council offered a counselling service; a number of health and wellbeing policies had been developed; and a health and wellbeing advisor had been appointed on a temporary basis.

Having heard further from the Head of Communities and Transformation, the Cabinet noted the summary of the Council's performance at mid-year 2022-23 at Annex 1 and the mid-year complaints report attached at Annex 2.

PROPOSED INTRODUCTION OF ELECTRIC VEHICLE CHARGING TARIFF

245. The Cabinet considered a report by the Head of Environment (Chief Planning Officer) submitting for consideration proposals to introduce electric vehicle (EV) charging tariffs for the use of the public Electric Vehicle infrastructure (EVI).

Having referred to the UK Government's commitment to end the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035, and to the Council's declaration in October 2021 of a climate emergency and subsequent actions including working towards the goal of zero emissions, the report explained that the Council owned public infrastructure was installed between 2015 and 2022 using Transport Scotland Local Authority Installation Programme (LAIP) Grant Funding. This funding stream ended with the 2021/22 funding round and did not include repairs or replacements for units out of warranty. Older chargers were now failing requiring repair or complete replacement.

It was highlighted that free electric charging was initially offered to incentivise car owners to move to electric vehicles, however Transport Scotland had now indicated that local authorities providing free public EV charging was preventing private sector investment and holding back the growth of EV chargers.

The report explained that there were a number of key factors in the case for introducing tariffs, these being summarised in Appendix A accompanying the report. It further explained that the cost to the Council for running the publicly available EV charging infrastructure, and for providing free EV charging to users was already high, and with the plans to expand the network, associated costs would also increase. Tariffs therefore needed to be introduced to ensure a financially sustainable EV charging network.

The report provided summary information on the cost of running and maintaining the 11 Council-owned chargers. At current costs this was estimated to be £121,700 per annum

The report then outlined the work that had taken place in determining appropriate tariffs. This had included Glasgow City Region local authorities adopting a regional approach to EV tariffs, and an EVI tariff benchmarking exercise carried out by the Scottish Futures Trust using data from both publicly and privately owned infrastructure. It was highlighted that any tariff rates set by the Council should not undercut private sector operators' rates as this would adversely impact private investment.

The report also outlined proposals for concessionary tariffs for residents with no access to off street parking to ensure that there was a fair and just transition towards a zero-emission transport network, as well a proposed overstay fee. Full details of the proposed fees were set out in Appendix A accompanying the report.

Having heard further from the Head of Environment (Chief Planning Officer), the Cabinet:-

- (a) approved in principle the introduction of EV charging tariffs on public EV charging infrastructure in East Renfrewshire;
- (b) approved the introduction of an overstay charge on public EV charging infrastructure in East Renfrewshire; and
- (c) agreed that the Head of Environment (Chief Planning Officer) be authorised to revise tariff rates and overstay charges, at a minimum every quarter, in line with the cost of living inflation; indexed to energy costs.

PROPOSED LEASE OF UNITS 1-4, 9 ROBERTSON STREET, BARRHEAD

246. The Cabinet considered a report by the Head of Environment (Strategic Services) regarding proposals to lease Units 1-4 Robertson Industrial Estate, 9 Robertson Street, Barrhead, to the established charity, Barrhead Men's Shed.

Having outlined the history of Barrhead Men's Shed and the terms of their occupancy of the premises to date, the report explained that currently the group's running costs were covered via various grants for specific equipment; donations; and business income comprising contributions from members and sales of work. Going forward, it was proposed that the group would run from business income alone to pay for all operational costs.

It was noted that in 2019 Barrhead Men's Shed wrote to the Council, seeking a 25 year lease at a peppercorn rent of £1 per annum. This was prompted as funding streams from the national lottery were coming to an end in spring 2022 which put the future of their facility under threat. They explained that they needed a long lease to remove the threat of closure; provide the security that would enable them to invest in facilities beyond the workshop that they currently provide; and allow them confidently to publicise what they were offering to attract others in need of their services.

Over the past 18 months, Barrhead Men's Shed had engaged with Council teams and supporting partners, to demonstrate the need for their facility to provide a place where members social wellbeing, mental health and environmental wellbeing (through use of repurposed materials and upcycling) were at the heart of their activities.

The report set out proposed terms and conditions in the event a lease were to be agreed. However the report also outlined the financial implications of leasing the premises at below

market rates and other legal obligations to be taken into account if considering leasing a premises for less than the best financial consideration that could reasonable be obtained.

In addition, the report highlighted that the term of the lease being sought would step outwith current Council policy for the granting of commercial leases, approved in April 2022.

Reference was also made to the adopted Local Development Plan and it was noted that within the terms of the renewed lease, if the Council required the land for redevelopment in line with the local plan, the Council could terminate the lease by giving no less than 12 months notice and aid to support the group in finding an alternative location.

During discussion, the Head of Environment (Strategic Services) clarified that the current charge for rental of the property was £10,000, paid jointly by the Environment Department and Health and Social Care Partnership. However, the rate for rental on the open market would be in the region of just over £22,000. Thereafter, the Chief Officer (Legal and Procurement) advised that state aid regulations had been replaced by subsidy control regulations which would apply from January 2023 following our departure from the European Union. He confirmed that this particular scenario fell within the subsidy control regulations acceptable levels and the Council would not be in breach of any legislation.

The Cabinet agreed:-

- (a) to approve the lease of Units 1– 4, 9 Robertson Street, Barrhead to the charity, Barrhead Men’s Shed for a peppercorn rental of £1, to enable the group to continue to operate their community woodwork, light craft and creative space facility to local men and women;
- (b) that the length of the lease would be 25 years;
- (c) to note that the proposed arrangements fell within acceptable levels of the subsidy control regulations taking effect from January 2023; and
- (d) to delegate to the Head of Environment (Strategic Services), in consultation with the Chief Officer (Legal and Procurement), to finalise negotiations and conclude the proposed lease.

CHARGING FOR SERVICES 2023-24

247. The Cabinet considered the undernoted reports by the appropriate Directors and Chief Officers regarding the outcome of the charging for services exercises carried out in each of the departments and recommended proposed fees and charges for 2023-24.

The reports referred to the range of services reviewed within each department, the outcome of the reviews, proposed changes and associated resource implications:-

- (i) Business Operations and Partnerships Department;
- (ii) Education Department;
- (iii) Environment Department;
- (iv) Health and Social Care Partnership; and
- (v) Licensing.

The Head of Environment (Operations) advised that there was an error in the Environment Department Charging for Services Report, as a proposed increase from £40 to £60 for Garden Waste Permits had been included in the appendix to the report but not referred to in the list of

recommendations. He also noted that a decision on garden waste charges could be delayed until Cabinet in January 2023, as a report was due to be submitted regarding the wider Garden Waste Scheme.

Thereafter, following discussion, the Cabinet agreed the following for each department:-

(i) BUSINESS OPERATIONS AND PARTNERSHIPS DEPARTMENT

The Cabinet: -

- (a) increased all non-statutory fees and charges by 12.3% in line with the projected rate of inflation;
- (b) noted that the statutory fees were set by National Records of Scotland (NRS) in November each year; and
- (c) increased the existing administration charges for Bronze, Silver and Gold Duke of Edinburgh Award administration services, at a rate which fell below the projected rate of inflation.

(ii) EDUCATION DEPARTMENT

The Cabinet approved the following:-

- (a) Service Area 1 - Catering Service – School and Early Years Meals
To apply an inflationary uplift to the charge for a meal when accessing purchased Add-On sessions in early years and to increase charges within the primary and secondary sector by 20p per meal.
- (b) Service Area 2 – Add On Sessions (Early Learning and Childcare)
To apply an inflationary uplift to all charges and introduce a 25% discount for any siblings accessing the service.
- (c) Service Area 3 – Instrumental Music Service
To apply an inflationary uplift to charges for membership of choral groups and the Singing, Games and Rhymes programme.
- (d) Service Area 4 – Provision for Pupils with Additional Support Needs who reside out with the Authority
Revised charge to be set for 2023/24 following consideration of 2022/23 outturn.
- (e) Service area 5 - School Transport – Privilege Place
To increase charges to £1.50 per journey and remove the current £2 per month admin fee.

(iii) ENVIRONMENT DEPARTMENT

The Cabinet agreed:-

- (a) an increase of 12.3% is applied to the following services:-
 - Service 1 – Approval to Erect Temporary Direction Signs
 - Service 2 – Removal of Unauthorised Signs

- Service 4 – High Hedges Application Fee
- Service 5 – Recharge of legal fees to 3rd parties
- Service 6 – Miscellaneous Recharges (Roads Staff Time)
- Service 7 – Supply of Ordnance Survey Extracts
- Service 8 – Providing Variety of Planning and Building Standards Information
- Service 9 – Planning and Building Standards Section 50 Certificates
- Service 10 – Provision of bar markings on carriageway
- Service 11 – Section 109 approvals
- Service 12 – Temporary Traffic Signal Permits
- Service 15 – Road Closure Notices
- Service 18 – Outdoor Sports Pitches
- Service 19 – Trading Standards
- Service 20 – Environmental Health
- Service 21 – Letters of Comfort and Building Warrant Extensions
- Service 22 – Building Standards – Section 89 Certificates
- Service 23 – Copies of Building Warrants etc. documentation
- Service 24 – Copies of Planning etc. consents
- Service 25 – Property Enquiry Report
- Service 26 – Roads Enquiry Report
- Service 27 – Private Sector Grants registration
- Service 28 – HMO licensing
- Service 29 – Caravan Site Licensing
- Service 30 – Burial Grounds
- Service 31 – Hire of Rouken Glen Pavilion
- Service 32 – Export Health Certificate
- Service 36 – Trade waste collections

(b) an increase of more than 12.3% is applied to the following services:-

- Service 3 - Supply of Bins for New Housing Developments and Large Commercial bins
- Service 13 - Road Occupation Permits
- Service 14 - Road Opening permit
- Service 16 - Skip Permit
- Service 17 - Inspection charges relating to roads in new developments

(c) no change to charges for the following services:-

- Service 34 – Special uplifts
- Service 35 – Hire of Events Litter Squad
- Service 37 – Dangerous building admin fee
- Service 38 – Housing Management Fee
- Service 39 – Rouken Glen Event
- Service 40 – Filming in Parks etc.

(d) the nationally prescribed charges set by the Scottish Government and Vehicle & Operator Services Agency for the following services:-

- Service 46 – Planning Applications
- Service 47 – Certificates of lawful use or development
- Service 48 – Building warrant applications

- Service 49 – Application for private landlord registration
- Service 50 – MOT testing

(e) the removal of charges for the following services:-

- Service 51 – Removal of Dead Animals from Private Properties
- Service 52 – Provision of dropped kerb
- Service 53 – “No Parking” cones

(f) the introduction of new charges for the following services:-

- Service 13 – Road occupation permit (retrospective charge)
- Service 14 – Road opening permit (retrospective charge)
- Service 16 – Skip Permit (retrospective charge)
- Service 20 – Animal Breeders/ Pet Shops/ Events
- Service 41 – Pre Application Enquiries
- Service 42 – Discharge of Conditions
- Service 43 – Non Material Variations
- Service 44 – Street Naming and Numbering
- Service 45 – Short Term Let Licensing

(g) to delay a decision on charges for garden waste permits, noting that a report on the Garden Waste Scheme would be submitted to Cabinet in January 2023 and could include consideration of charges for Service 33 – Garden Waste Permits.

(iv) HEALTH AND SOCIAL CARE PARTNERSHIP

The Cabinet:

- (a) noted this update on charging within the HSCP; and
- (b) agreed the proposed increase to existing charges.

(v) LICENSING

The Cabinet agreed to alter charges for 2023/34 in accordance with the table in Appendix 1 to the report and noted that where an increase occurred, the increases were approximately 12.3% being the inflation rate advised by the Chief Accountant.

PROPOSED CLOSURE OF TWO COUNCIL OFFICES OVER THE FESTIVE PERIOD

248. The Cabinet considered a report by the Head of Environment (Strategic Services) submitting proposals for the closure of Eastwood Headquarters in Giffnock and Spiersbridge Offices, Thornliebank, between Christmas and New Year.

The report referred to the number of properties in the Council estate used as office accommodation, commented on the recent changes to working practices including hybrid working which had resulted in a surplus of office accommodation, and explained the reasons why there was an opportunity to realise a one-off financial saving with limited impact to service provision.

The report explained that it was proposed to close the Eastwood Headquarters and Spiersbridge Office between Christmas and New Year. The offices would close at 2pm on 23 December and would re-open on 4 January 2023. There would be limited impact on the public and staff who did not wish to take annual leave could either work from home if appropriate or base themselves at the Barrhead Office which would remain open.

The Cabinet approved the closure of Eastwood Headquarters, Giffnock and Spiersbridge Office, Thornliebank from 2pm on Friday 23 December to Wednesday 4 January 2023.

OPTIONS FOR THE TIMED TRAFFIC RESTRICTION ON ACADEMY ROAD AT GIFFNOCK PRIMARY SCHOOL AND FUTURE POLICY DEVELOPMENT

249. The Cabinet considered a report by the Head of Environment (Chief Planning Officer) providing an update on the outcomes of the temporary timed traffic restriction on Academy Road at Giffnock Primary School, and outlining possible future options for Academy Road and the development of a policy for timed traffic restrictions at schools in general.

Having outlined the background to the establishment of the temporary traffic restrictions on Academy Road, the report noted that those restrictions could not continue to be in force beyond 6 December 2022 without special permission from Transport Scotland. It was noted that Transport Scotland would only consider granting permission for a 6-month extension to a temporary Traffic Regulation Order (TRO) if it was the intention of the Council to promote a new permanent TRO which reproduced the provisions of the temporary Order, and that any new permanent TRO would need to be promoted on alternative grounds as the COVID-19 reasons for promoting the temporary TRO were no longer valid.

The report set out the findings of the work that had been carried out to monitor the outcomes of the temporary TRO. These were that the introduction of the measures positively correlated with a slightly increased rate of active school travel; the measures were perceived positively among the majority of the school community and local residents; there was a slight reduction in the number of motor vehicles using Academy Road during the restricted periods and a minimal reduction in vehicle numbers overall during the total vehicle count period; and there was some evidence of traffic and parking displacement from Academy Road and Orchard Park to neighbouring St Catherine's Road and Rosslea Drive, although this did not exceed available on-street parking capacity.

The report explained that, moving forward, there were 2 options; one which would note the end of the temporary TRO on Academy Road and see the development of a policy for the future use of timed traffic restrictions at schools, whilst the second option would see approval being sought from Transport Scotland for a 6 month extension to the temporary TRO as well as the development of a policy. The advantages and disadvantages of each option were set out.

The Cabinet:-

- (a) agreed to instruct the Roads Service to seek approval from the National Authority (Transport Scotland) for a six-month continuation of the existing TTRO;
- (b) noted that in the event that an extension is approved, the existing temporary restriction would continue on the same terms for a further 6 months to 6 June 2023 and a permanent Traffic Regulation Order (TRO) would require to be promoted within that period;

- (c) approved the development of a policy and assessment criteria for the use of timed traffic restrictions at schools for future consideration by the Cabinet; and
- (d) agreed that thereafter the agreed policy be used when assessing the suitability of roads for timed traffic restrictions at schools (including Academy Road).

CHAIR

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 6 December 2022.

Present:

Councillor Paul Edlin (Chair)
Councillor David Macdonald (*)

Provost Mary Montague
Councillor Andrew Morrison(*)

Councillor Edlin in the Chair

(*) indicates remote attendance

Attending:

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

Also Attending:

Inspector Gareth Griffiths and Inspector Michelle Grant, Police Scotland.

DECLARATIONS OF INTEREST

250. There were no declarations of interest intimated.

Resolution to Exclude Press and Public

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

Variation in Order of Business

In accordance with Standing Order 20, Councillor Edlin agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

Inspector Griffiths and Inspector Grant representing the Chief Constable, who had made an out of time representation in respect of the application, were also present.

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

Following discussion with the applicant, who consented to the consideration of the representation, the committee agreed to take account of the out of time representation and copies were circulated.

Inspector Griffiths was heard in respect of the out of time representation submitted by the Chief Constable and in response to questions from Members.

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

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

On reconvening, the committee, having taken account of the submission by the applicant, the out of time objection by the Chief Constable and its relevance to the licence being applied for, agreed that the application be granted for a period of one year, subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

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

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

Following discussion with the applicant, who consented to the consideration of the objection, the committee agreed to take account of the out of time objection and copies were circulated.

Inspector Griffiths was heard in respect of the out of time objection submitted by the Chief Constable and in response to questions from Members.

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

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

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

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

253. The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Driver's Licence (Agenda Item 6 refers).

The applicant was not present, however, the Committee agreed to proceed to make a decision in the applicant's absence.

Inspector Griffiths and Inspector Grant representing the Chief Constable, who had made an out of time representation in respect of the application, were also present.

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

The committee agreed to take account of the out of time representation and copies were circulated.

Inspector Griffiths was heard in respect of the out of time representation submitted by the Chief Constable and in response to questions from Members.

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

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

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 7 December 2022.

Present:

Councillor Paul Edlin
Councillor Annette Ireland

Provost Mary Montague
Councillor Andrew Morrison

Councillor Edlin in the Chair

Attending:

Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); John Drugan, Senior Planner; Karen Barrie, Principal Strategy Officer (Affordable Housing and Development Contributions Lead); John Marley, Principal Traffic Officer(*); Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance

Apologies:

Councillors Betty Cunningham (Chair), Jim McLean (Vice Chair), and Chris Lunday.

DECLARATIONS OF INTEREST

254. There were no declarations of interest intimated.

APPOINTMENT OF CHAIR

255. In the absence of the Chair and Vice Chair, it was agreed that Councillor Edlin chair the meeting.

APPLICATIONS FOR PLANNING PERMISSION

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

It was agreed that the applications be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2021/0345/TP - Erection of 66 bedroom care home including spa facilities, cafe, cocktail bar and cinema room and 23 assisted living apartments with associated car parking, access and landscaping including community garden (amendment to 2020/0287/TP).

Under reference to the Minute of the meeting of 4 August 2021 (Page 1584, paragraph 1708(i) refers), when a planning application for erection of a 68 bedroom care home had been approved subject to a proposed Legal Agreement in respect of Use Class 8, the Senior Planner advised that the application before the committee was an amendment to the previously approved application. He reported that amendments had been made by the applicant to satisfy recently introduced Care Commission requirements, and included a reduction in the footprint of the care home building; increased distance between the proposed building and adjacent residential properties on Drumby Crescent; and a minor alteration to the access junction onto Drumby Crescent. He added that, although this was a Major development, a further Proposal of Application Notice including public consultation had not been required as the current application was an amendment to the previously approved application for which the required consultation had taken place. However, the application was subject to the usual neighbour notification process and 10 representations had been received. The representations referred to open space, greenspace, habitation, trees, biodiversity, traffic and congestion, road safety, and construction impact, on which further information was provided.

In response to questions, the Senior Planner confirmed that changes had been made to the design of the road access from the site to encourage drivers to turn right when leaving the development; East Renfrewshire HSCP had been consulted on the extant consent and had at this time provided comments on the principal of the use of the site. They had not been consulted on the current planning application as it related to a proposed design change rather than the principal of the use of the site; and the community garden would be open for local use and maintained by the management company. He added that if there was a breach of Condition in relation to hours of operation, officers would approach the developer in the first instance, with there being an option to take enforcement action as required.

The Principal Strategy Officer (Affordable Housing and Development Contributions Lead) confirmed that the original application had been assessed against the developer contribution policy, but restrictions were in place as this was a Class 8 residential development and no off site Roads and Transportation mitigation had been identified as being required for this development.

Thereafter, the committee agreed that the application for planning permission be approved subject to the conditions listed in the report.

- (ii) 2021/0355/TP – Erection of five new-build dwellings following the demolition of the existing riding school buildings; with the retention of the existing dwellinghouse.

The Principal Planner (Development Management) referred to the report advising that 19 objections had been received including in respect of over-development of the site; impact on local road network; green belt development; and impact on trees and wildlife. He provided further information on the relevant planning policies and assessments adding that, as this was a planning application in principle, it was difficult to fully assess the possible impact of any proposed development. It was also reported that, as the development had not been included in LDP2, there would be a significant impact on the education estate, particularly as this was an area where school and early years

establishment occupancy rates were extremely high. The application was also contrary to Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan 2 as the applicant had not demonstrated that the proposal would not have a detrimental impact on the character or amenity of the green belt or of the surrounding area.

Having heard some Members express concern regarding the impact of the development on the education service, and in response to a question about the possibility of accessing schools outwith the catchment area, the Principal Strategy Officer (Affordable Housing and Development Contributions Lead) advised that the Council had a duty to provide an education for local residents, but this did not necessarily need to be within the local catchment school, although that would be the preferred option for most parents. She added that schools elsewhere in the Eastwood area were also under pressure and there could be an additional cost for the education service to transport pupils to schools outwith the catchment area. The Principal Planner (Development Management) added that it would be preferable for a more detailed application to be submitted to allow a more accurate assessment of the application to take place.

Thereafter, Councillor Edlin, seconded by Councillor Morrison, moved that the application be approved.

Councillor Ireland, seconded by Provost Montague, moved as an amendment that the application be refused for the reasons as set out in the report.

Following full discussion, and on both the motion and amendment being withdrawn, the committee agreed to continue determination of the planning application to a future meeting.

PLANNING APPLICATIONS COMMITTEE MEETING SCHEDULE

257. The committee considered a report by the Head of Environment (Chief Planning Officer) seeking authority to reduce the frequency of Planning Applications Committee meetings from January 2023 onwards.

The report explained the instances in which planning applications required to be reported to the Planning Applications Committee, advising that the committee met monthly with support by officers from across the council. Taking account of the average planning application caseload it was suggested that there was merit in reducing the number of meetings each year from eleven to six which would, on average, increase the number of applications to be determined at each meeting to three. It was reported that the reduction in meetings should not adversely impact applicants or performance figures and would allow officers to undertake other duties. There remained an option to call additional meetings if required.

Following discussion, in the course of which it was proposed that a review of the arrangements be provided in due course, the committee agreed:-

- (a) to reduce the number of Planning Applications Committee meetings held, from eleven to six, from January 2023 onwards; and
- (b) that a report reviewing the above arrangements be submitted to the Planning Applications Committee by the end of 2023.

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
07.12.2022

Reference No: 2022/0345/TP

Ward: 4

Applicant:

Northcare (Scotland) Ltd
Lindsayfield Lodge
Rosaburn Avenue
East Kilbride
Scotland
G75 9DE

Agent:

Mark Ritchie
77 St Vincent Street
1st Floor Rear
Glasgow
Scotland
G2 5TF

Site: Site Adjacent Of Eastwood Health And Care Centre Drumby Crescent Clarkston East Renfrewshire

Description: Erection of 66 bedroom care home including spa facilities, cafe, cocktail bar and cinema room and 23 assisted living apartments with associated car parking, access and landscaping including community garden (amendment to 2020/0287/TP)

Decision: Approved subject to conditions.

Reference No: 2022/0355/TP

Ward: 5

Applicant:

Mrs Nicola Young
Gordons Chamber
90 Mitchell St
GLASGOW
United Kingdom
G1 3NQ

Agent:

Paul Hughes
Gordons Chambers
90 Mitchell St
Glasgow
United Kingdom
G1 3NQ

Site: Hazelden Riding School Hazelden Road Newton Mearns East Renfrewshire G77 6RR

Description: Erection of five new-build dwellings following the demolition of the existing riding school buildings; with the retention of the existing dwellinghouse

Decision: Continued to a future meeting.

MINUTE
of
LOCAL REVIEW BODY

Minute of meeting held at 3.20pm in the Council Chamber, Council Headquarters, Giffnock on 7 December 2022.

Present:

Councillor Paul Edlin
Councillor Annette Ireland

Provost Mary Montague
Councillor Andrew Morrison

Councillor Edlin in the Chair

Attending:

Julie Nicol, Planning and Building Standards Manager; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Betty Cunningham (Chair), Jim McLean (Vice Chair); Provost Mary Montague; and Councillor Chris Lunday.

DECLARATIONS OF INTEREST

258. There were no declarations of interest intimated.

APPOINTMENT OF CHAIR

259. In the absence of the Chair and Vice Chair, it was agreed that Councillor Edlin chair the meeting.

LOCAL REVIEW BODY MEETING SCHEDULE

260. The committee considered a report by the Head of Environment (Chief Planning Officer) seeking authority to reduce the frequency of Local Review Body meetings from January 2023 onwards.

The report explained the purpose of the Local Review Body (LRB), advising that the LRB met monthly with support from a variety of officers from across the council. Taking account of the average LRB caseload, it was suggested that there was merit in reducing the number of meetings each year from eleven to six which was unlikely to impact on the number of Reviews considered at each meeting. It was reported that the reduction in meetings should not adversely impact applicants or performance figures and would allow officers to undertake other duties. There remained an option to call additional meetings if required.

Following discussion, in the course of which it was proposed that a review of the arrangements be provided in due course, the committee agreed:-

- (a) to reduce the number of Local Review Body meetings held, from eleven to six, from January 2023 onwards; and
- (b) that a report reviewing the above arrangements be submitted to the Local Review Body by the end of 2023.

CHAIR

MINUTE
of
EDUCATION COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 8 December 2022.

Present:

Councillor Andrew Anderson (Chair)	Councillor Owen O'Donnell (*)
Councillor Tony Buchanan (*)	Councillor Katie Pragnell (Vice Chair)
Councillor Kate Campbell	Ms Fiona Gilchrist
Councillor Danny Devlin	Ms Dorothy Graham
Councillor Colm Merrick (*)	Mr Des Morris

Councillor Anderson in the Chair

(*) indicates remote attendance

Attending:

Mark Ratter, Director of Education; Janice Collins, Head of Education Services (Quality Improvement); Joe McCaig, Head of Education Services (Performance and Provision); Siobhan McColgan, Head of Education Services (Equality and Equity); Graeme Hay, Education Senior Manager (Leading Business Change); John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apology:

Dr Frank Angell.

DECLARATIONS OF INTEREST

261. There were no declarations of interest intimated.

CONSULTATION REPORT ON THE CONSULTATIVE PROPOSAL ON FUTURE SPECIALIST ADDITIONAL SUPPORT FOR LEARNING PROVISION FOR CHILDREN OF EAST RENFREWSHIRE COUNCIL

262. Under reference to the Minute of 23 June 2022 (Page 53, Paragraph 32 refers) when it had been agreed to proceed with a consultation on a proposal to establish further provision for children and young people with Additional Support Needs, the committee considered a report by the Director of Education informing members of the results of the consultation. The original consultation document was attached as Appendix A to the report for information.

The Head of Education Services (Equality and Equity) briefly explained the proposal to establish a Pre-School Assessment and Development Unit and Primary Communication

Service in Carolside Primary School, and move the current Social, Emotional and Behavioural Needs (SEBN) Outreach Service to an enhanced nurture classroom at Carlibar Communication Centre, referring to related consultation on this.

The Head of Education Services (Equality and Equity) provided details of the responses received to the consultation, clarifying that 751 responses had been received, 94% of which were from statutory consultees of which 94% were from pupils. An external, independent consultant had managed the process and analysed the results. Their analysis was attached as Appendix 3 to the report and the views expressed were summarised in the report. The vast majority of those who responded to the consultation were in favour of the proposal. 90% of pupils had agreed with it and 93% of statutory respondents other than children agreed also.

In response to a question from Councillor Pragnell about Pupil Support Assistants, the Head of Education Services (Equality and Equity) explained that an action plan had been prepared which addressed aspects of professional learning and looked at the role of Pupil Support Assistants. There were also resources being made available online from the West Partnership which would offer additional professional learning for Pupil Support Assistants.

The Head of Education Services (Equality and Equity) also addressed a question from Mr Morris on the structure of the Social Emotional Behavioural Needs (SEBN) Outreach Service, indicating that a blended model would be established which would include all current SEBN staff, who had been consulted as part of the ASL review and would be fully involved in the development of the service. It was noted that one of the SEBN teachers currently in the Outreach Service is a member of the Specialist Provision Working Group and involved in leading developments in this area.

Councillor Merrick received clarification on the meaning of the term "Autism Acceptance", which referred to meeting the needs of autistic children through understanding of needs, skills in supporting and having inclusive values, and this being embedded within all educational establishments and the responsibility of all rather than this being an added on service.

The Head of Education Services (Equality and Equity), in response to a question from Councillor Campbell, indicated that a phased approach was being taken to the delivery of the proposal, should it be approved, with 1 classroom being used initially and full expansion coming at a later time. Resourcing and design would also be looked at immediately subject to approval of the proposal. She also addressed the issue of increasing numbers of children and young people with Additional Support Needs (ASN), highlighting that nationally the number of children with such needs was rising which was mirrored in East Renfrewshire Council. In East Renfrewshire there were a number of factors contributing to increase levels of ASN including the fact that a number of families with children who have ASN move into the area, and there being increased awareness and understanding of ASN leading to more children being diagnosed. Other factors such as poverty could also contribute to rising levels of ASN.

Having heard Councillor Anderson welcome the report and state that early intervention was key to giving children the best start in life, the committee agreed:-

- (a) to note the results of the consultation;
- (b) that the Director of Education progress the establishment of a Pre-School Assessment and Development Unit and Communication Service in Carolside Primary School; and

- (c) to transfer the current Social, Emotional and Behavioural Needs (SEBN) Outreach Service to an enhanced nurture classroom at Carlibar Communication Centre.

CONSULTATION REPORT ON THE CONSULTATIVE PROPOSAL FOR THE ESTABLISHMENT OF GAELIC MEDIUM PRIMARY EDUCATION AT THORNLIEBANK PRIMARY SCHOOL FROM AUGUST 2023 AND BEYOND

263. Under reference to the Minute of 23 June 2022 (Page 53, Paragraph 32 refers) when it had been agreed that the Director of Education proceed with a consultation on a proposal to establish Gaelic Medium Primary Education (GMPE) at Thornliebank Primary School from August 2023 and beyond and report on the outcome at this meeting, the committee considered a report by the Director of Education informing members of the results of a consultation. The original consultation document was attached as Appendix 1 to the report for information.

The Head of Education Services (Performance and Provision) briefly explained the proposal to introduce GMPE at Thornliebank Primary School, referring to related consultation on the proposal. He provided details of the responses received to the consultation, confirming that 225 responses had been received, 76% of which were from statutory consultees of which 84% were from pupils. An external, independent consultant had managed the process and analysed the results. Their analysis was attached as Appendix B to the report and the views expressed were summarised in the report.

Overall 64% of respondents were in favour of the proposal, with 66% of pupils and 74% of statutory respondents other than children agreeing with it.

Councillors Anderson and Buchanan both welcomed the report and the professional way in which the Education Department had carried out the consultation. Councillor Anderson asked a question regarding the recruitment of teachers for GMPE and received assurance from the Head of Education Services (Performance and Provision) that recruitment would commence as soon as possible following approval of the proposal.

The Director of Education also offered assurance regarding the extension of GMPE into the secondary education sector, indicating that provision would commence in Primary 1, and therefore the need for secondary provision would not be realised until 2030. This would be monitored as the provision progressed over the years with provision put in place at the appropriate time if required.

Thereafter, the committee agreed to:-

- (a) note the results of the consultation;
- (b) adopt the proposal for Thornliebank Primary School Campus to be the location of Gaelic Medium Primary Education within East Renfrewshire Council from August 2023 and beyond; and
- (c) request that the Director of Education continue to consider the extension of Gaelic provision to the early years and secondary sectors, in order to provide a 3-18 experience in the Gaelic medium.

