

## Notice of Meeting and Agenda Council

Date	Time	Venue
Thursday, 13 May 2021	09:30	Teams meeting,

KENNETH GRAHAM  
Head of Corporate Governance

### Membership

Councillor Jennifer Marion Adam-McGregor: Councillor Tom Begg: Councillor Derek Bibby: Councillor Bill Binks: Councillor Bill Brown: Councillor Stephen Burns: Councillor Jacqueline Cameron: Councillor Michelle Campbell: Councillor Carolann Davidson: Councillor Eddie Devine: Councillor Andy Doig: Councillor Audrey Doig: Councillor Natalie Don: Councillor Alison Jean Dowling: Councillor Edward Grady: Councillor Neill Graham: Councillor Jim Harte: Councillor John Hood: Councillor Lisa-Marie Hughes: Councillor Karen Kennedy: Councillor Scott Kerr: Councillor Paul Mack: Councillor Alistair Mackay: Councillor James MacLaren: Councillor Kenny MacLaren: Councillor Mags MacLaren: Councillor Eileen McCartin: Councillor Colin McCulloch: Councillor Marie McGurk: Councillor John McIntyre: Councillor John McNaughtan: Councillor Kevin Montgomery: Councillor Will Mylet: Councillor Emma Rodden: Councillor Jim Sharkey: Councillor John Shaw: Councillor James Sheridan: Councillor Andy Steel: Councillor Jane Strang:

Provost Lorraine Cameron (Convener): Councillor Cathy McEwan (Depute Convener): Councillor Iain Nicolson (Leader): Councillor Jim Paterson (Depute Leader)

### Recording of Meeting

This meeting has been recorded for subsequent broadcast via the Council's internet site. If you have any queries regarding this please contact Committee Services on [democratic-services@renfrewshire.gov.uk](mailto:democratic-services@renfrewshire.gov.uk). To find the recording please follow the link below: <https://youtu.be/t6ygFOmmuIA>

## Items of business

### Apologies

Apologies from members.

### Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

#### **1 Minutes of Meetings of Council, Boards and Panels (attached separately)**

Council, 4 March 2021, pages 404-437  
Special Finance, Resources & Customer Services Policy Board, 5 March 2021, pages 438-441  
Placing Requests & Exclusions Appeals Panel, 11 March 2021, pages 442-443  
Communities, Housing & Planning Policy Board, 16 March 2021, pages 444-460  
Regulatory Functions Board, 17 March 2021, pages 461-467  
Education & Children's Services Policy Board, 18 March 2021, pages 468-473  
Audit, Risk & Scrutiny Board, 22 March 2021, pages 474-479  
Infrastructure, Land & Environment Policy Board, 24 March 2021, pages 480-489  
Finance, Resources & Customer Service Policy Board, 31 March 2021, pages 490-505  
Regulatory Functions Board, 1 April 2021, pages 506-513  
Special Leadership Board, 6 April 2021, pages 514-517  
Special Communities, Housing & Planning Policy Board, 14 April 2021, pages 518-523  
Leadership Board, 28 April 2021, pages 524-535

#### **2 The National Transfer Scheme and Unaccompanied Asylum Seeking Children**

Report by Director of Children's Services.

#### **3 Governance Arrangements until 24 June 2021**

Report by Director of Finance & Resources.

#### **4 Notice of Motion 1 by Councillors Andy Doig and McCartin**

"Section 50 Monies Held by Renfrewshire Council for Community Benefit in Lochwinnoch

Council calls on the Planning Department to release the Section 50 monies to Lochwinnoch Community Council, estimated to be £40,000, which the Council was given for community benefit in the village by housing developers when the Station Rise development was being built in the early 1990's."

**5 Notice of Motion 2 by Councillors Andy Doig and McCartin**

"Dog Shock Collar Ban

Council notes that in the recent Scottish Parliamentary elections the Scottish Society for the Prevention of Cruelty to Animals called in its manifesto, A Better Scotland for Animals, for a ban on shock collars for dogs, a stance also supported by the Kennel Club and the Dogs Trust.

Council further regrets the prevarication of the Scottish Government on the question of banning shock collars, reiterates its opposition to shock collars for dogs, and agrees to write to the Scottish Animal Welfare Commission calling for a ban at the earliest opportunity."

**6 Notice of Motion 3 by Councillors J Cameron and Hughes**

"Council agrees to support the "Our Voice Our Rights" campaign led by Enable Scotland, The National Autistic Society Scotland and Scottish Autism in their campaign which is calling for a Commissioner to protect and uphold the rights of people affected by a disability and/or Autism and their families.

The appointed Commissioner would be the first of its kind in the world, established in law to champion the human rights of people with a learning disability and/or Autism. The "Our Voice Our Rights" campaign aims to make Scotland the best country in the world for the 175,000 people with a learning disability, the 56,000 people affected by Autism and their families in Scotland."

**7 Notice of Motion 4 by Councillors J Cameron and K MacLaren**

"Council welcomes the Community Access to Cash Pilots being rolled out in a number of communities including Cambuslang and Falkirk.

The pilots are trialling a number of wide ranging ideas, including 'Bank Hubs', which will provide basic banking services including Post Office counter services and dedicated rooms where customers can meet staff from their own bank. If the pilots are deemed successful, they will seek to roll the programme out nationally. Council therefore agrees to engage in these conversations to find solutions to the ongoing impact of closures of local banks and post offices on our high streets and village communities."

**8 Notice of Motion 5 by Councillor Sharkey and Hood**

"McGills Buses – No. 20 Route

Council opposes the change in service proposed by McGills to the No 20 bus route. The Whitehaugh portion of the route serves many elderly residents who need a better service not a reduced one and Arkleston Road was never intended to sustain such heavy traffic. The proposed infrastructure changes are judged as dangerous by local people and as such are totally unacceptable. The termination of the route at Johnstone town centre and the subsequent need to change buses for the people of Johnstone Castle increases journey time and will discourage bus travel when we should be doing all we can to encourage bus use."

**9 Notice of Motion 6 by Councillors Kennedy and Devine**

"Rat Infestations – Associated Charges

Council agrees to suspend the charges for services associated with the control of rodents until such time as the current explosion in rat infestation is under control and to encourage our local residents to take up those services."

**10 Notice of Motion 7 by Councillors Graham and McIntyre**

"Renfrewshire Council agrees to write to the Standards Commission For Scotland inviting the commission to Renfrewshire for their next roadshow event.

Council also agrees to make available Renfrewshire House or any Council owned building which could facilitate this event as Covid-19 restrictions allow."

**11 Notice of Motion 8 by Councillors Hood and Sharkey**

"McGill's No. 38 bus service

Council calls on McGill's to withdraw their threat to reduce the No 38 Glasgow to Kilbarchan or Spateston bus services which are needed by the young, the elderly, and everyone who is serious about reducing carbon effect on the planet.

The current Transport Bill includes the option for local authorities to regulate bus services, which is the existing policy of Renfrewshire Council, and calls on the Administration to provide a comprehensive report to the next full council on the progression of this policy, including any comment made by McGills."

**12 Notice of Motion 9 by Councillors Sheridan and Devine**

"Compulsory home insurance

That this council calls on the Scottish/ UK government to introduce legislation making home insurance compulsory for all households."





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**To:** Council

**On:** 13 May 2021

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**Report by:** Director of Children's Services

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**Heading:** The National Transfer Scheme and Unaccompanied Asylum Seeking Children

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## 1. **Summary**

- 1.1 The National Transfer Scheme is a mechanism established by the Immigration Act 2016 and subsequent regulations to allow for unaccompanied asylum seeking children to be transferred to the care of local authorities other than that which they first arrive in. It is intended to ease pressures on areas of high traffic (such as those with busy airports or direct travel links to and from the European mainland). Those who join the scheme can apply for children to be transferred from their care as well as accept children from other local authority areas.
  - 1.2 The Home Office provides direct funding to local authorities for the care and support of unaccompanied children. In certain circumstances, this funding can be provided up to the age of 25.
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## 2. **Recommendations**

- 2.1 It is recommended that elected members:

- Agree to Renfrewshire Council formally joining the National Transfer Scheme with a view to considering applications for the transfer of unaccompanied asylum seeking children to Renfrewshire.
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### **3. Background**

- 3.1 Over the last few years, unprecedented numbers of children and young people have been entering the UK as unaccompanied asylum seeking children (UASC). Many have fled conflict zones and travelled across Europe before making it to the UK, and the majority of new arrivals become known to immigration services and local authorities in the south east of England. This has placed considerable demand on services there for looked after children, since children come into the care of whichever local authority has responsibility for the point of entry. This demand has spilled over into neighbouring local authorities as some councils have to look further afield for suitable placements.
- 3.2 In 2016 a National Transfer Scheme for English councils was introduced to enable local authorities with high numbers of UASC to transfer them to the care of another council with fewer pressures on social work services; this was one of the elements of the broader 2016 Immigration Act. Joining the NTS has always been voluntary. Given the different legal framework which exists in Scotland, the NTS (England) did not allow for young people to transfer to the care of Scottish local authorities without breaking the law. Separate regulations to accompany the 2016 Immigration Act were required to enable Northern Ireland, Scotland and Wales to participate, and these were introduced in 2018. A separate Scottish protocol, to support Scottish local authorities with implementation, was developed by a small group of councils (including Renfrewshire) and COSLA.
- 3.3 Joining the scheme is voluntary and allows Scottish local authorities to transfer UASC not only to and from England but also to and from other Scottish local authority areas. Those participating in the NTS may transfer children out as well as in, depending on demand and capacity. The Home Office fund local authorities to provide care and support for UASC.
- 3.4 Renfrewshire Council did not sign up to the scheme in 2018, having recently accepted a number of child refugees through the Vulnerable Child Resettlement Scheme which reduced the availability of placements and specialist staff. However, Children's Services has identified some capacity which would allow it to support some additional UASC. In order to accept



transfers from Kent or other areas, the council needs to approve participation in the National Transfer Scheme.

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#### **4. How the National Transfer Scheme operates**

- 4.1 The National Transfer Scheme was created under Section 69 the Immigration Act 2016 but could only apply to England due to differences in legislation across the countries of the UK. Said Act contained provisions which allowed Sections 69 to 72 (which covered UASC) to be extended to Scotland, Wales and Northern Ireland by regulations, and these were enacted in 2018.
- 4.2 As noted above, joining the NTS has been voluntary since its inception but uptake has been relatively low amongst local authorities. By joining the NTS, local authorities can apply to transfer children to another area if current numbers exceed the quota or can accept children from another council area if required. These young people can be transferred from any council in England or Scotland provided that council is also a member of the scheme. In immigration law, a child is anyone under the age of 18.
- 4.3 For the purposes of the NTS, the UK is divided into 12 regions, with Scotland comprising a single region. Each region has a co-ordinating body to manage requests for placement and in Scotland this role is carried out by COSLA. The (NTS) uses a quota system based on the current child population in each region, though within each region the quota will also be applied to each local authority when requesting transfers. The quota works out the number of UASC and unaccompanied refugee children that each local authority area should have capacity to support and this is set at 0.07% of the local child population. For Renfrewshire Council, that quota would currently be 23, based on a 0-18 population of 33,389 in 2019.
- 4.4 Any council area seeking to place UASC elsewhere provide details to each of the regional co-ordinating bodies who will then share this information with member councils. Local authorities can specify the type of placements they are able to offer at any given time so there is no compulsion to accept a young person for whom a suitable placement is not available. It is anticipated that capacity in the Scottish care sector makes it likely that most Scottish local authorities will only be able to offer placements to 16- and 17-year olds. The receiving local authority is expected to meet the travel costs associated with transfer but Home Office funding moves with the individual and can be claimed by the receiving authority from the first day the individual is formally in their care.

- 4.5 In relation to the laws governing the care and welfare of children, there is no distinction between UASC and any other child in the care of the local authority; all rights and entitlements are the same but for UASC have the added dimension of navigating the immigration system. There may be a requirement for a Merton-compliant age assessment as part of this process in cases where there is some uncertainty about the age of a UASC; funding assumes that a person is a child in these circumstances unless an assessment determines otherwise.

## **5. Funding arrangements for UASC**

- 5.1 The Home Office provides direct funding to local authorities as reimbursement for the care and support of UASC. Following a review of funding, a new simplified funding model was implemented in June 2020. A daily rate up to a maximum of £114 per day can be claimed for each UASC aged under 18, unless the local authority has already exceeded the 0.07% of child population cap stipulated in the NTS, in which case they can claim up to a maximum of £143 per day.
- 5.2 There is no funding paid to any other public body which might provide a service to children and young people. Any children or young people living within Renfrewshire will require access to the primary care services such as GPs and may need specialist services for example, mental health; speech and language; physiotherapy etc. Discussions have taken place with the Renfrewshire Health and Social Care Partnership and we will work closely with other services to ensure that the health and care needs of any children and young people are met.
- 5.3 Once a young person turns 18, the local authority can apply for the reimbursement of costs up to £240 per week per young person. There are several conditions which apply, namely that they:
- have been a looked after child for at least 13 weeks;
  - have leave to remain in the UK, whether indefinitely or because their asylum claim is still being heard;
  - have not been granted citizenship of either the UK or any state which is a member of the European Economic Area;
  - are not eligible for any other Home Office funding programme;
  - are still actively receiving care and support from the local authority in which they reside.
- 5.4 Funding may continue for those aged 21 and over who are continuing in a programme of education and training. All funding ceases by the time a person reaches the age of 25. In Scotland, care experienced young people have a

right to aftercare from the local authority until their 26<sup>th</sup> birthday, regardless of whether they are in education or training. Consequently, there may be a small number of young people who continue to need the support of the local authority after Home Office funding ceases. The financial risk in this area is very small and will be contained within the child care budget.

- 5.5 The funding review introduced a provision whereby a person who is deemed to be Appeals Right Exhausted (i.e. their asylum claim has been rejected as have all subsequent appeals) may continue to receive funding for up to 3 months if the local authority has undertaken an assessment confirming that immediate removal of funds would breach a person's human rights under the provisions of the Nationality, Immigration and Asylum Act 2002.
- 5.6 Members should be aware that there is a risk in some exceptional circumstances that the funding offered by the Home Office will not cover the full care costs incurred by the council in caring for an unaccompanied asylum seeking child. These circumstances would only be where the authority was required to purchase external resources or possibly place a large sibling group together. To mitigate the risk Renfrewshire will only accept the transfer of a single unaccompanied asylum seeking child or a sibling group of 2 where we have capacity in our own internal resources. The UK Government does retain the right to settle children in a particular area on a non-voluntary basis where no local authorities agree to place a child or young person, but these powers have never been used.

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## Implications of the Report

1. **Financial** - The Home Office directly funds local authorities to provide care and support though there may be some financial cost associated with those entitled to aftercare under Scottish legislation but not fulfilling the funding criteria set for the Home Office for over 18s. These costs are identified as low.  
  
There is a risk that the cost of caring for a large sibling group of unaccompanied asylum-seeking children would be higher than the funding provided by the Home Office. There may also be costs to other public bodies, such as the NHS. As an area we will mitigate the risk by only accepting individual unaccompanied asylum-seeking child or a sibling group of two.
2. **HR & Organisational Development** – none

3. **Community/Council Planning** – the recommendation in this report supports ‘Our Renfrewshire is fair’ and ‘Our Renfrewshire is safe’ given the potential for addressing inequalities and protecting the vulnerable.
4. **Legal** – Joining the National Transfer Scheme provides a legal basis to allow unaccompanied asylum seeking children to be cared for in a local authority other than the one in which they first become known to public services.
5. **Property/Assets** – none
6. **Information Technology** – none
7. **Equality & Human Rights** – Participating in the National Transfer Scheme may require the local authority to undertake human rights assessments in particular circumstances. Providing support to unaccompanied asylum seeking children can have a positive impact in terms of equality issues and human rights for a group who experience significant disadvantage.
8. **Health & Safety** – none
9. **Procurement** - none
10. **Risk** – Support for unaccompanied asylum seeking children, and the risk of having to manage spontaneous arrivals (particularly those from Glasgow Airport) is noted as a ‘business as usual’ risk on the council’s risk register and is considered a manageable risk.
11. **Privacy Impact** - none
12. **Cosla Policy Position** – COSLA supports the use of the National Transfer Scheme.
13. **Climate Change** - none

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### List of Background Papers

None

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**Author:** Lisa Fingland, Service Planning & Policy Development Manager; email Lisa.Fingland@renfrewshire.gov.uk



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**To: Council**

**On: 13 May 2021**

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**Report by: Director of Finance and Resources**

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**Heading: Governance Arrangements until 24 June 2021**

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## **1. Summary**

- 1.1 The purpose of this report is to seek approval for arrangements for the next cycle of Board meetings up to and including the next full Council meeting on 24 June 2021 and to provide an update on the installation of the Public-i system that will enable livestreamed hybrid meetings to take place as restrictions to combat the Covid-19 pandemic are eased.
  - 1.2 The proposal is to continue the arrangements that have been in place for Board and Council meetings since August 2020 for one further cycle of meetings to enable the Public-i system to be fully tested and for elected members and officers to receive training on the system prior to it going live.
  - 1.3 The arrangements set out in the report aim to allow the next cycle of Board meetings to take place as efficiently as possible in the current circumstances but also beginning to move away from governance arrangements that were created as a response to an emergency.
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## **2. Recommendations**

- 2.1 Council is asked to:
  - a) approve the arrangements for the next cycle of Council and Board meetings set out in section 4 of this report;

- b) note the position in relation to the installation of the Public-i system and the proposals for mobilising the system;
  - c) note that the arrangements for subsequent Board cycles will be the subject of a report to Council on 24 June 2021;
  - d) agree that the current temporary arrangements for the Emergencies Board be brought to an end.
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### **3. Background**

- 3.1 Since the start of the Covid-19 pandemic in March 2020, the Council has had in place emergency governance arrangements to enable oversight of its functions and services in circumstances where it has not been possible for meetings of the Council's Boards to take place safely in Renfrewshire House.
  - 3.2 These arrangements initially involved weekly meetings of the Emergencies Board, held remotely, extended emergency delegations to the chief executive and the cancellation of all Council and Board meetings up to the Council meeting on 25 June 2020.
  - 3.3 Several full cycles of Board meetings have now taken place with remote access for members. These arrangements had to be continued due to resurgence of the Coronavirus over the Winter and the imposition of further lockdown restrictions.
  - 3.4 However, due to recent announcements regarding a planned easing of lockdown restrictions it is now possible to begin planning for the eventual return of Board meetings at Renfrewshire House and to consider whether the current arrangements for the Emergencies Board should continue.
  - 3.5 The current guidance in relation to office-based working which applies where Level 3 protection levels are in place is that you should only travel to work if you cannot do your job from home. We have demonstrated that it is possible to successfully hold meetings remotely on the Teams platform. The first level where a limited and phased return to offices is possible is Level 0 which according to the published timetable will not be achieved until late June 2021. In addition, there has been no change to the guidance in relation to social distancing in the workplace which means that the participants in any meetings in Renfrewshire House would have to remain 2 metres apart at all times. Until these restrictions are eased, it would still not be possible to re-introduce Board meetings at Renfrewshire House where all members and supporting officers are able to be physically present.
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#### **4. Arrangements for the May to June 2021 Cycle of Meetings**

- 4.1 The dates for meetings of the Council and Boards from October 2020 to June 2021 were approved by Council on 26 September 2019. Those dates, including those for meetings during the May to June 2021 Board cycle, have remained in place as scheduled and are listed in the appendix to this report.
  - 4.2 It is proposed that, subject to paragraph 4.6 below, the planned meetings in the May to June 2021 Board cycle continue to take place remotely using video or audio links with the same arrangements as previously approved for the last cycle of meetings.
  - 4.3 However, because the position in relation to the impact of Covid-19 on the possibility of holding physical meetings in Renfrewshire House is changing, it is possible to begin planning for the return of meetings in the Council Chamber in Renfrewshire House in accordance with government guidance.
  - 4.4 As indicated to Council in previous reports, a system has been purchased from Public-i that would allow hybrid meetings to take place with some members present in the Council Chamber and others accessing the meeting remotely.
  - 4.5 The system has now been installed although it has not yet been possible to arrange for elected members and officers to be trained on the use of the system. It is anticipated that this training will take place during May and June 2021 and that the system will be available for use at formal Board and Council meetings after the summer recess, assuming no further imposition of Covid-19 related restrictions.
  - 4.6 In any event, it is proposed to continue the discretion given at previous Council meetings to each Convener in consultation with the Chief Executive and the representatives of the other political groups on the Board to agree to use the new system for a Board meeting once the system has been successfully tested.
  - 4.7 The Council's Policy Boards have now been meeting regularly since August 2020 and the last meeting of the Emergencies Board took place on 18 September 2020. From information now available regarding the Covid-19 outbreak and measures put in place in Renfrewshire to sufficiently keep it under control, it seems unlikely that the Emergencies Board will require to meet again in the foreseeable future. Accordingly, it is proposed that the current temporary arrangements for the Emergencies Board approved by Council on 25 June 2020, which included an expanded membership and remit for the Board are brought to an end.
  - 4.8 The arrangements for future Council and Board meetings will continue to be reviewed and will be the subject of a further report to Council on 24 June 2021.
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## Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** - None
3. **Community/Council Planning** – None
4. **Legal** – As detailed in the report.
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – The proposals in the report recognise that it is not currently possible for formal council and board meetings to take place safely in Renfrewshire House.
9. **Risk** - None
10. **Privacy Impact** – None
11. **Cosla Policy Position** - None
12. **Climate Risk** - None

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## List of Background Papers –

- 1) Minute of the Council meeting on 25 June 2020.

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**Author:** Ken Graham, Head of Corporate Governance.



May 2021						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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2 - 6/4	3 Public Holiday	4	5	6	7	8
9	10	11	12	13 – 9.30am: Council	14	15
16 - 1/5	17	18 – 1pm: Communities, Housing & Planning 3pm: Police and Fire & Rescue Scrutiny	19 – 10am: Regulatory Functions	20 – 1pm: Education & Children’s Services	21	22
23 - 2/5	24 – 10am: Audit, Risk & Scrutiny	25	26 - 1pm: Infrastructure, Land & Environment	27 – 9.30am Appeals	28	29
30 - 3/5	31 Public Holiday					
June 2021						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 - 2pm: Local Review Body	2 - 2pm: Finance, Resources & Customer Services	3 – 10am: Regulatory Functions	4	5
6 - 4/5	7 – 2pm: Petitions	8 – 2pm: JNC	9 – 11am: Investment Review	10	11	12
13 - 5/5	14	15	16 – 1pm: Leadership	17	18	19
20 - 6/5	21	22	23	24 – 9.30 am Council	25	26
27	28 recess	29 recess	30 recess			

