

## Notice of Meeting and Agenda Council

Date	Time	Venue
Thursday, 28 April 2016	09:30	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM  
Head of Corporate Governance

### Further Information

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## **Membership**

Councillor Derek Bibby: Councillor Maria Brown: Councillor Bill Brown: Councillor Lorraine Cameron: Councillor Stuart Clark: Councillor Eddie Devine: Councillor Margaret Devine: Councillor Andy Doig: Councillor Audrey Doig: Councillor Christopher Gilmour: Councillor Roy Glen: Councillor Eddie Grady: Councillor Jim Harte: Councillor Jacqueline Henry: Councillor Michael Holmes: Councillor John Hood: Councillor Terry Kelly: Councillor Brian Lawson: Councillor Paul Mack: Councillor James MacLaren: Councillor Kenny MacLaren: Councillor Mags MacLaren: Councillor Mark Macmillan: Councillor Eileen McCartin: Councillor Cathy McEwan: Councillor Stephen McGee: Councillor Marie McGurk: Councillor Iain McMillan: Councillor James McQuade: Councillor Sam Mullin: Councillor Alexander Murrin: Councillor Will Mylet: Councillor Iain Nicolson: Councillor Allan Noon: Councillor Bill Perrie: Councillor Jim Sharkey: Councillor Maureen Sharkey: Councillor Tommy Williams:

Provost Anne Hall (Convener): Councillor John Caldwell (Depute Convener):

## 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 Council, Boards and Panels

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

Houston, Crosslee, Riverside & Erskine Local Area Committee, 24 February, 2016 (pages 456-459)  
Council, 25 February, 2016 (pages 460-472)  
Council, 3 March, 2016 (pages 473-489)  
Social Work, Health & Well-being Policy Board, 8 March, 2016 (pages 490-492)  
Regulatory Functions Board, 9 March, 2016 (pages 493-499)  
Education & Children Policy Board, 10 March, 2016 (pages 500-506)  
Housing & Community Safety Board, 15 March, 2016 (pages 507-513)  
Planning & Property Policy Board, 15 March, 2016 (pages 514-520)  
Environment Policy Board, 16 March, 2016 (pages 521-525)  
Finance & Resources Policy Board, 16 March, 2016 (pages 526-543)  
Audit, Scrutiny & Petitions Board, 21 March, 2016 (pages 544-549)  
Economy & Jobs Policy Board, 23 March, 2016 (pages 550-553)  
Leadership Board, 29 March, 2016 (pages 554-557)  
Regulatory Functions Board, 30 March, 2016 (pages 558-563)  
Audit, Scrutiny & Petitions Board, 25 April, 2016 (564-568)

## 2 Council Meeting on 23 June 2016 13 - 16

Report by Director of Finance and Resources

## 3 Remuneration of Elected Members 17 - 20

Report by Director of Finance and Resources

## 4 Annual Overview Report of the Community Protection Chief Officers Group 21 - 56

Report by Chief Executive

- 5      **Clyde Valley Residual Waste Project - Approval to Enter into Post-Contract IAA and for North Lanarkshire Council to Enter into the Project Agreement**      57 - 64
- Report by Director of Community Resources
- 6      **Redevelopment of the Former Arnotts Site, Paisley**      65 - 72
- Report by Chief Executive
- 7      **Economic Implications for Renfrewshire Council of a UK exit from the European Union**      73 - 96
- Report by Chief Executive
- 8      **Appointments to Outside Bodies**      97 - 100
- Report by Director of Finance and Resources
- 9      **Notice of Motion 1**
- Notice of Motion by Councillors Lawson and Mylet in the following terms:
- "Council agrees to
- a) suspend standing order 28 in order to reconsider the decision of the Leadership Board of the 2nd of December 2015 in relation to the opening hours of Ralston Community Sports Centre.
- b) restore the opening hours to their previous level.
- c) delegate to the Director of Finance & Resources to make appropriate financial adjustments to enable this change to take place using existing balances if required."

## **10 Notice of Motion 2**

Notice of Motion by Councillors McEwan and Perrie in the following terms:

"Council agrees to,

(A) Suspend standing order 28 in order to reconsider the decision of the Leadership Board of the 2nd December, 2015, in relation to agreeing that the four recycling centres based in Renfrew, Linwood, Erskine and Johnstone be converted into self-service "bring sites", and to be supported by a small mobile staffing resource, operating during opening times."

(B) Thereafter to agree to ensure recycling sites in Renfrew, Linwood, Erskine and Johnstone are fully staffed during opening times, and at any other times required to allow for a smooth operation of all recycling centres.

(C) Delegate to the Director of Finance & Resources to make appropriate financial adjustments to enable this change to take place using existing balances if required."

## **11 Notice of Motion 3**

Notice of Motion by Councillors I McMillan and Williams in the following terms:

"Renfrewshire Council supports the repealing of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act"

## **12 Notice of Motion 4**

Notice of Motion by Councillors McCartin and Mack in the following terms:

"Council agrees to suspend standing orders in order to amend the decision taken at the Council meeting of the 25th February 2016, item 14, which the Council supported with the amendment of:

"Council agrees that those income taxpayers who earn less than £20,000 should receive a rebate of £100."

"This amendment was moved by the Labour group and, as this is no longer Labour party policy, the Labour group needs to be given the opportunity to change their support to the original motion, which had been moved by the Liberal Democrat and Independent councillors."

## **13 Notice of Motion 5**

Notice of Motion by Councillors Mark Macmillan and Holmes in the following terms:

"Council notes that the £1 billion 2016-24 Clyde and Hebrides ferry services (CHFS) contract will be awarded at the end of May and that the two bidders are public sector operator CalMac and private multinational Serco.

Council welcomes the Scottish Government's increases in public investment in ferry infrastructure and services, including six new vessels for the CHFS network by 2025.

Council notes ferry expert Jeanette Findlay of Glasgow University's report for the RMT union, "Economic benefits of public sector provision on lifeline Clyde and Hebrides ferry services" which found that CalMac is an efficient operator that spreads benefits across the Scottish economy whilst Serco's profit-seeking model restricts performance to contractual minimums and would increase risk to workers, communities, passengers and the taxpayer.

The Council will write to the First Minister and the Transport Minister of the Scottish Government in support of awarding the next CHFS contract to CalMac and retaining the public sector operation of lifeline ferry services, to the benefit of the Scottish economy and society."

## **14 Notice of Motion 6**

Notice of Motion by Councillors Mark Macmillan and Holmes in the following terms:

"Renfrewshire Council recognises that the UK Government's referendum on European Union membership could have a significant impact on the economic environment in which local government operates. As a Council, we firmly believe that the interests of people in this area, Scotland and the UK as a whole are best served by voting to Remain in the European Union."

## **15 Notice of Motion 7**

Notice of Motion by Councillors McCartin and Mack in the following terms:

"Council agrees to write to NHS Greater Glasgow to stress the need for mental health services to be put at the very top of the health agenda over the next five years. In particular this should focus on child and young people's mental health services, where the standards throughout all NHS areas are very varied.

Council further agrees that one way of achieving better mental health services is to provide 24/7 mental health cover in 30 A&E departments across Scotland, including the RAH. It also recognises that the Scottish government needs to provide full time mental health cover in every police division in Scotland, allowing these new staff the ability to offer a rapid reaction force that would help ensure that people suffering a mental ill health crisis to get the support they need."

## **16 Notice of Motion 8**

Notice of Motion by Councillors McCartin and Mack in the following terms:

"Given the recent revelations about the poor construction of PPP schools in Edinburgh, the council undertakes with urgency to check all PPP schools in Renfrewshire, or to identify what steps HAVE been taken to investigate the state of our schools.

While Miller Construction were not involved in Renfrewshire's schools, it is essential to ensure that the defects found in Edinburgh's schools do not also exist in our Renfrewshire schools.

If defects are found, the Administration will report this in full to the public and to the rest of the council and will take steps to ensure that any faults are rectified immediately."

## **17 Notice of Motion 9**

Notice of Motion by Councillors Kenny MacLaren and Mags MacLaren in the following terms:

"Renfrewshire Council Customer Contact Centre

Council notes with concern the problems faced by Renfrewshire residents when attempting to use the council's customer contact centre. This includes a failure to meet the target time for answering telephone calls, long waiting lists at the contact centre and delays in the council replying to residents.

This council will therefore carry out a full evaluation of the customer contact centre to assess the problems within the contact centre and develop an action plan to ensure that all residents can contact the council in a timely manner."

## **18 Notice of Motion 10**

Notice of Motion by Councillors Kenny MacLaren and Cameron in the following terms:

"PFI Schools in Edinburgh

Council notes the safety problems regarding schools in Edinburgh funded and built via the Private Finance Initiative which was promoted by the then Labour and Lib Dem Scottish Executive and agreed by a Labour council administration; council notes that concerns have been raised regarding the safety of all public sector buildings that have been financed through this funding mechanism and calls for a thorough review of all PFI schools in Renfrewshire.

Council also notes that the exorbitant Renfrewshire PFI scheme signed off by Labour will cost Renfrewshire residents £17.765 million this year alone and that the overall cost of this scheme will be £538 million for schools which were estimated to cost around £100 million."

## **19 Notice of Motion 11**

Notice of Motion by Councillors Andy Doig and Kenny MacLaren in the following terms:

"Clyde Muirshiel Country Park and Commercial Grouseshooting

This Council recognises the recreational, tourism, and social benefits of Clyde Muirshiel Country Park to all the people of Renfrewshire, particularly as we approach Paisley's bid for City of Culture in 2021.

Council further recognises the necessity for the Park Authority to examine proposals for the development and diversification of the Park, in full consultation with the people of Renfrewshire, but opposes any move to promote commercial grouseshooting at Clyde Muirshiel."

## **20 Notice of Motion 12**

Notice of Motion by Councillors Andy Doig and Audrey Doig in the following terms:

"Employability Funding and Jobs Boost to Renfrewshire

This Council recognizes the central role of Skills Development Scotland in creating sustainable and substantial jobs opportunities across Renfrewshire, condemns cuts of 87% from the Tory Government to employability funding in the year it is being devolved to Holyrood, and praises the SNP Government for pledging £20 million to treble employability funding from 2018 based on principles of fairness, dignity and respect."

## **21 Notice of Motion 13**

Notice of Motion by Councillors Lawson and Kenny MacLaren in the following terms:

"Council agrees that the SNP Group representation on the Council's Policy Boards be amended as follows:

Economy and Jobs Policy Board - Cllr Andy Doig to replace Cllr Brian Lawson

Leadership Board - Cllr Andy Doig to replace Cllr Bill Perrie

Planning and Property Policy Board - Cllr Andy Doig to replace Cllr Stephen McGee."

## **22 Notice of Motion 14**

Notice of Motion by Councillors Cameron and Lawson in the following terms:

"Council notes, with sadness, the passing of Aileen Matthews who was a highly respected resident and community volunteer in Renfrewshire. Council recognises, in particular, her long and committed involvement with the Shopmobility scheme and Gleniffer Credit Union, and the benefits that her involvement with these organisations brought to the people of Renfrewshire."

## **23 Notice of Motion 15**

Notice of Motion by Councillors Nicolson and McGurk in the following terms:

"Council instructs the Chief Executive to carry out a best value review of our 'membership' of the SLGP (Scottish Local Government Partnership) and ascertain if we have met our best value duties with regard to operation, staff time, resources and benefit to the people of Renfrewshire. The Chief Executive then provides a report to the next full Council."

## 24 Notice of Motion 16

Notice of Motion by Councillors Nicolson and McGurk in the following terms:

"Motion to amend the Scheme of Delegated Functions with respect to the planning function as follows:

Page 142 sec 3 (b) delete the word 'significantly'

Under the heading 'To be determined by a board of the Council:'

insert after (c)

(d)

Any application subject to objection by a Community Council where those objections are relevant material considerations.

Any application which raises significant objections (five or more all of which raise material planning issues)

Any application which due to particular or sensitive circumstances is agreed by the Head of Planning & Development together with the Convener of the Planning and Property Board to be determined by the Planning and Property board.

Any application which if approved would be contrary to the development plan

Council also agrees the following;

The weekly planning list shall contain a schedule with the Planning Officer's recommendation on the application. At the end of a seven day period the recommendation will become the decision of the Planning Authority unless the Head of Planning & development receives from a Councillor a written objection to the recommendation outlining relevant planning reasons and requesting that the application is referred to the Planning and Property board for determination. Such requests must reach the Head of Planning & Development before the deadline shown in the weekly planning list/schedule.

All relevant Council policies be amended accordingly."

## **25 Notice of Motion 17**

Notice of Motion by Councillors McGurk and Nicolson in the following terms:

"Council recognises that the charge to access the provisions of the High Hedges Act, is a barrier to low and fixed income applicants who cannot then gain environmental justice. Council therefore agrees to review the impact that the current charge has on this particular group and on deterring on genuine cases.

Council also agrees that a report be presented to the next relevant board with conclusions and possible recommendations which would allow applicants of limited financial means access to this service. The review should consider a free 'pre-application assessment' of potential cases which would provide a valuable advice service to Renfrewshire residents who may suffer from the anti social blight inflicted by adjacent land owners."

## **26 Notice of Motion 18**

Notice of Motion by Councillors Mylet and Lawson in the following terms:

Bus shelters

Council notes with concern the delay in replacing bus shelters which have been damaged resulting in residents, many of whom are elderly, having to wait out in the cold and wet winter weather, for their bus.

Council will therefore review all contracts surrounding the maintenance and replacement of bus shelters with a view to ensuring that all damaged shelters are replaced as quickly as possible."

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**To: Council**

**On: 28 April 2016**

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

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**Heading: Council Meeting on 23 June 2016**

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**1. Summary**

- 1.1 The date approved for the next meeting of the Council is currently 23 June 2016. Members will be aware that this date has now been confirmed as the date for the Referendum on the United Kingdom's membership of the European Union. Therefore, it is proposed that the date for the Council meeting is changed to another date.

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**2. Recommendations**

- 2.1 It is recommended that the Council agrees to the date for the Council meeting currently set for 23 June 2016 to be changed to Wednesday, 22 June 2016 at 9.30am in the Council Chamber.

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**3. Background**

- 3.1 The Council has an agreed programme of meetings of the full Council and its Boards up to April 2017. That programme includes a meeting of the Council on 23 June 2016.

- 3.2 The date for the Referendum on the United Kingdom's membership of the European Union has now been announced, which is also 23 June 2016.
- 3.3 Due to the commitments of both elected members and officers on the date of the Referendum, it is proposed to move the Council meeting to 22 June 2016. This date is believed to be suitable due to it being only one day before the planned date for the meeting, there being no other meetings that require to be changed as a result of the council meeting taking place on that date and there being no disruption to the administration of the Referendum.
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### **Implications of the Report**

1. **Financial - none**
2. **HR & Organisational Development - none**
3. **Community Planning – none**
4. **Legal - none**
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. 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 - none**
9. **Procurement - none**
10. **Risk - none**
11. **Privacy Impact - none**

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## List of Background Papers

none

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**Author:** Ken Graham, Head of Corporate Governance  
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**To: Council**

**On: 28 April 2016**

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

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**Heading: Remuneration of Elected Members**

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**1. Summary**

- 1.1. Renfrewshire Council's remuneration arrangements for elected members are in accordance with prevailing Scottish Government regulations, and the current arrangements were approved by Council on 17 May 2012. Amendments to the regulations were laid before the Scottish Parliament on 13 January 2016 and come into force from 1 April 2016. As a result of the amended regulation an increase of 1% in councillors' remuneration has been implemented from 1 April 2016.
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**2. Recommendations**

- 2.1 It is recommended that Council notes the 1% increase in remuneration levels mandated by The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016 for the Leader of the Council and for elected members other than the Leader, the Provost and Senior Councillors; and homologates the decision to apply a 1% pay increase from 1 April 2016 for the Provost and Senior Councillors. Senior Councillors comprise (i) Policy Board Conveners, (ii) the Council representative nominated as, on rotation, the chair or the depute chair or the senior Council spokesperson of Renfrewshire Health and Social Care Partnership's Integration Joint Board (to be remunerated the equivalent of a Policy Board Convener), (iii) the Council representative nominated as the chair of Renfrewshire Leisure Limited's Board of Directors (to be remunerated the equivalent of a Policy Board Convener), (iv) Regulatory Board Conveners and (v) the Leader of the Opposition.

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## **Implications of the Report**

1. **Financial** - The report relates to the implementation of remuneration increases for elected members effective from 1 April 2016.
2. **HR & Organisational Development** - None
3. **Community Planning –**  
**Children and Young People** – None  
**Community Care, Health & Well-being** - None  
**Empowering our Communities** - None  
**Greener** - None  
**Jobs and the Economy** - None  
**Safer and Stronger** - None
4. **Legal** - The Council is statutorily required to put in place appropriate arrangements for the remuneration of its elected members. This includes complying with all relevant legislation and regulations and, in the case of the Provost and Senior Councillors, deciding on appropriate levels of remuneration consistent with the remuneration limits set by regulations.
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 the report relates to remuneration increases stipulated by Scottish Government regulations and to recommendations about remuneration increases which are proposed based solely on the classification of elected members in terms of the extant Scottish Government regulations relating to remuneration of elected members. 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** - None
9. **Procurement** - None
10. **Risk** - None
11. **Privacy Impact** - None

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**List of Background Papers**

None

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**Author:** Richard Conway 0141-618 7377  
richard.conway@renfrewshire.gcsx.gov.uk



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**To: Council**

**On: 28 April 2016**

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**Report by: Chief Executive**

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**Heading: Annual Report of the Renfrewshire Community Protection  
Chief Officers Group**

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## **1. Summary**

- 1.1. The purpose of the report is to present to Council the Annual Overview Report of the Community Protection Chief Officers Group in respect of the six strategic partnerships which report into the Community Protection Chief Officers Group (Appendix 1).
- 1.2. The Annual Overview Report outlines the key issues and achievements in 2015/16 as they relate to child and adult protection, offender management, problem alcohol and drug use, gender based violence and public protection.
- 1.3. The report also highlights the anticipated future issues for the Chief Officers Group in 2016/17. Key will be the implementation of the new Children and Young People (Scotland) Act 2014 which comes into force in August 2016, and the embedding of the extension of the Multi Agency Public Protection Arrangements (MAPPA) to include other offenders who present a serious risk of harm which was introduced on 31<sup>st</sup> March 2016.
- 1.4. It is important to ensure that there is an integrated approach across the Council and between the Council and its key partners NHS GGC, Police Scotland and other statutory and voluntary sector organisations, to allow for effective strategic oversight and shared prioritisation of resource allocation.
- 1.5. The Chief Officers Group has a critical role in ensuring links are made across community and public protection activity at operational, tactical and strategic levels.
- 1.6. In 2015 a review was undertaken of the strategic oversight arrangements for public protection. As part of the response to this, it was agreed that the Chief Officers Group would report annually to parent bodies, including the Council, in respect of the position regarding public protection.

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## **2. Recommendations**

### **2.1. Members of the Council are asked to note:**

- a) the contents of the Annual Overview Report of the Community Protection Chief Officers Group 2015/16.
- b) that a strategic review of the governance arrangements for public protection has been undertaken and recommendations are being implemented, subject to scrutiny by the Chief Officers Group.
- c) the identified issues and actions in 2016/ 2017 as outlined in the Annual Overview Report of the Community Protection Chief Officers Group 2015/16.

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## **3. Background**

- 3.1. Renfrewshire Community Protection Chief Officers Group comprises a core membership of Chief Officer/Chief Officer designates from the Council, NHS GGC and Police Scotland, and is chaired by the Chief Executive for the Council. The core members are supported by the attendance of key senior officers from across the partnership area.
- 3.2. The Chief Officers Group has a critical role in ensuring links are made across community and public protection activity at operational, tactical and strategic levels.
- 3.3. The establishment of the Chief Officers Group is consistent with Scottish Government guidance regarding the strategic arrangements in respect of child protection; and its wider remit in Renfrewshire reflects the relationships between adult and child protection, the management of dangerous offenders, gender based violence and drug and alcohol strategies.
- 3.4. There are six strategic partnerships which report into the Chief Officers Group which oversee the performance and ensure the provision of quality services in relation to child protection, adult protection, offender management, problem alcohol and drug use, gender based violence and public protection.
- 3.5. The Chief Officers' Group has an established schedule of meetings throughout the year to consider national developments, oversee the work of the partnerships groups in line with their strategic plans, consider local performance information and any local developments.
- 3.6. In 2015 a review was undertaken of the strategic oversight arrangements for public protection including the design and strategic oversight role of the Chief Officers Group, the role of the other strategic groups in supporting the Chief Officers Group in its leadership and scrutiny roles and the role and design of the tactical and operational groups. An action plan was produced to progress the implementation of the recommendations, subject to scrutiny by the Chief Officers Group.

- 3.7. As part of the response to the review of the strategic oversight arrangements for public protection, it was agreed that the Chief Officers Group would report annually to parent bodies (eg the Council) in respect of the position regarding public protection.
- 3.8. The annual overview report of the Renfrewshire Community Protection Chief Officers Group attached in Appendix 1 details the key issues and achievements in relation to public protection areas of work for 2015/16 and highlights the anticipated future issues for 2016/17.
- 3.9. Key achievements in 2015/16 have included the positive outcome of the joint inspection of services for children in Renfrewshire, the very successful staff conferences which took place in relation to child and adult protection and a new partnership initiative which led to the creation of a new intensive support service for families affected by drugs and alcohol in Renfrewshire. The new Integrated CCTV and Community Safety Partnership Hub was opened in January 2016 improving the internal working practices of critical front line services and further enhancing the council's collaborative work with key partners to protect vulnerable individuals and tackle persistent offenders.
- 3.10. In the coming year, key future issues for the Chief Officers Group will be the implementation of the new Children and Young People (Scotland) Act 2014 which comes into force in August 2016, and the embedding of the extension of the Multi Agency Public Protection Arrangements (MAPPA) to include other offenders who present a serious risk of harm which was introduced on 31<sup>st</sup> March 2016. Work will also be done to build on the activity of the Partnership Hub and continue to support the Building Safer Communities programme.

## Implications of this report

### 1. Financial Implications

None.

### 2. HR and Organisational Development Implications

There are no employee implications associated with this report. Partner agency staff will continue to work together in respect of.

### 3. Community Plan/Council Plan Implications

Children and Young People

- The work of the Community Planning Partnership and the Child Protection Committee contributes to the outcomes for we aspire to achieve for all Renfrewshire's children.

Community Care, Health and Well-being

- The work of the Community Planning Partnership and the Adult Support and Protection Committee contributes to protecting the most vulnerable in Renfrewshire.

Safer and Stronger

- The co-ordinated response of community planning partners contributes to making Renfrewshire a safe place to live and work.

**4. Legal Implications**

None.

**5. Property/Assets Implications**

None.

**6. Information Technology Implications**

None.

**7. Equality and Human Rights Implications**

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 for example 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 and Safety Implications**

None.

**9. Procurement Implications**

None.

**10. Risk Implications**

There are no risk implications associated with this report.

**11. Privacy Impact**

None.

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**List of Background Papers**

- (a) Background Paper 1: Annual Overview Report of the Renfrewshire Community Protection Chief Officers Group

The foregoing background papers will be retained within children's services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Dorothy Hawthorn, Head Child Care and Criminal Justice, 0141 618 6827, [dorothy.hawthorn@renfrewshire.gcsx.gov.uk](mailto:dorothy.hawthorn@renfrewshire.gcsx.gov.uk).

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**Children's Services**

DH/MG/LG

21 April 2015

**Author:** Dorothy Hawthorn, Head Child Care and Criminal Justice, 0141 618 6827

**Renfrewshire Community Protection**  
**Chief Officers Group**  
**Annual Report 2015/16**





# **Renfrewshire Community Protection Chief Officers Group**

## **Annual Report 2015/16**

### **Contents**

- 1. Introduction by Chair of the Chief Officers Group**
- 2. Profile of Renfrewshire**
- 3. Renfrewshire Community Protection Chief Officers Group**
- 4. Key Issues and Achievements 2015 – 2016**
- 5. Priorities for 2016/17**



## **1. Introduction**

- 1.1 Renfrewshire Community Protection Chief Officers Group is responsible for leadership, strategic oversight and scrutiny in relation to multi agency public protection activity and practice in Renfrewshire. The Chief Officers Group oversees the work of six strategic partnerships which examine the performance and ensure the provision of quality services in relation to child protection, adult protection, wider public protection, offender management, alcohol and drugs, and gender based violence.
- 1.2 As elsewhere in the country, Renfrewshire continues to face challenges in addressing a range of local protection issues, but the Chief Officer Group and the local multi-agency partnerships, continue to recognise, alongside scrutiny and reflection, the value of a proactive focus on awareness raising and preventative approaches to protect people in the community. This has been evident in the work of those groups, agencies and partnerships involved in public protection.
- 1.3 This is the first annual report of the Chief Officers Group. It provides an overview of the main elements of work of those involved in public protection over the course of 2015/16, and in doing so highlights the key benefits of good interagency working.
- 1.4 The year has brought challenges, but also recognition for the good work being carried out in Renfrewshire. Whilst embedding learning from the fatal accident inquiry into the tragic death of Declan Hainey has continued to be at the centre of our improvement agenda, Renfrewshire worked with inspection agencies in a joint inspection of services for children and young people. The outcome of the inspection was very positive and the learning from the inspection continues to contribute to a further plan of service improvement. Earlier in the year, staff involved in social work adult services worked with local partners and providers to take forward the learning following the closure of a local independent residential care facility. These and other areas of focus for services involved in public protection over 2015/16 are outlined in this report.
- 1.5 The programme of work for the year ahead looks to be no less full. Whilst our children's services are preparing for the implementation of the new Children and Young People (Scotland) Act 2014 which comes into force in August 2016 for example, we will also be focussed on embedding the extension of the Multi Agency Public Protection Arrangements (MAPPA) to include other offenders who present a serious risk of harm which was introduced on 31<sup>st</sup> March 2016.
- 1.6 As a Chief Officers Group we will continue to seek to ensure that performance and practice are scrutinised, to identify what works well, to highlight any areas for improvement, and to consider where further opportunities for early intervention and prevention activity would bring benefits to local people.

**Sandra Black**

**Chief Executive Renfrewshire Council and Chair of the Renfrewshire Public Protection Chief Officers Group.**

## **2. Profile of Renfrewshire**

- 2.1 Renfrewshire is the ninth largest council area in Scotland, with a population of 174,310<sup>1</sup>. Most of the population live in the three large urban areas of Paisley, Johnstone and Renfrew, and the two smaller towns of Linwood and Erskine, but there are also a number of more rural villages. The area has a small but growing ethnic minority population – 2.7% of the population had a minority ethnic background at the time of the 2011 Census compared to 4.1% for Scotland. Renfrewshire is home to some of the most deprived areas in Scotland but also to some of the most affluent. As such, there is considerable variation in the level of need and in the demand for, and supply of, services and supports. Life expectancy (at birth) in Renfrewshire averages at 73.8 years for males and 79.5 years for females, which is lower than the Scottish national average. There is also a considerable variation in life expectancy across the area that has emerged in the last 30 to 40 years, with the average male life expectancy ranging from 68.9 years in Ferguslie to 83.7 years in Bishopton.
- 2.2 There are significant numbers of people living in parts of Renfrewshire which are classified as deprived. In 2012, 69 of the 214 datazones within Renfrewshire were ranked in the 25% most deprived areas of Scotland. The recent work of the Tackling Poverty Commission highlighted that in Renfrewshire, 1 in 5 of our children is growing up in poverty. The Commission was the first of its kind in Scotland and has led to a programme of significant investment and action by Renfrewshire partners to address inequalities in Renfrewshire.
- 2.3 78 children's names were on the Renfrewshire child protection register as at 31<sup>st</sup> July 2014. This is in comparison to 109 the previous year. In line with national trends and perhaps linked to the changes in national guidance in 2010 to include registration of unborn children, there is an increasing focus on younger children who are subject to registration.
- 2.4 In 2014/15 there were 1708 referrals in Renfrewshire under the Adult Support and Protection (Scotland) Act, 2007. Of this number, 105 cases proceeded to investigation and from those, a total of 112 initial and review Adult Protection Case Conferences were held by Adult Services.
- 2.5 From the 2014/15 total referrals, 73% of these were from Police Scotland. In addition to these, 787 non protection concern reports were also received from that agency. This indicates an increase of 58% in referrals from Police Scotland since 2013/14 (1291 in total). The increase is directly related to an enhanced recording procedure implemented by Police Scotland. It should be noted that at time of writing, this years' figures do not indicate the same trend in sustained percentage increase and appear to be comparable with the previous year.
- 2.6 In general, the number of people required to be supervised by Renfrewshire Criminal Justice Services in relation to community sentences or disposals has increased. Since the introduction of Community Payback Orders in February 2011, there has been a 37% increase in Supervision Requirements, a 95% increase in the number of Unpaid Work Orders and a 62% increase in the number of unpaid work hours imposed.

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<sup>1</sup> General Register Officer for Scotland mid 2012 estimates based on 2011 census.

- 2.7 The rate of alcohol related hospital discharges in Renfrewshire has reduced slightly but remains 31% higher than the national average (981.8 per 100,000 population in 2014/15, against a national average of 671.7). The rate (per 100,000) of alcohol related deaths has slightly increased from 23.9 in 2013/14 to 28.7 in 2014/15 and remains higher than the Scottish average of 22.2.
- 2.8 There are an estimated 2,800 15-64 year olds in Renfrewshire who have problems with drug use. The rate (per 100,000) of drug related hospital discharges has seen a 28% increase since 2012/13 (122.2 increasing to 157.3 in 2014/15). There was an unwelcome return to previous trends in relation to drug related deaths in Renfrewshire which were consistent nationally. The numbers in Renfrewshire have increased from 13 in 2013 to 30 in 2014.
- 2.9 In 2014/15, 80% of adults taking part in the Renfrewshire Public Services Panel agreed that Renfrewshire was a safe place to live. This was 3% below the level reported in 2013/14.
- 2.10 The percentage of residents who felt 'very safe' or 'fairly safe' when at home alone or when walking alone in their neighbourhood in 2014 was 88%. This was slightly below the 89% reported in the Scottish Household Survey in 2013.
- 2.11 The number of crimes of violence recorded by Police Scotland has fallen from 300 in 2013/14 to 255 in 2014/15, continuing a five year downward trend.
- 2.12 The number of incidents of anti-social behaviour reported in Renfrewshire during 2014/15 was 12,177. This was a decrease of 12.8% (1,787 incidents) since 2013/14.
- 2.13 In 2014/15, Police Scotland responded to 2,230 domestic abuse incidents in Renfrewshire. This is down from 2,304 in 2013/14, a fall of 3.2%.



### **3. Renfrewshire Community Protection Chief Officers Group**

- 3.1 Renfrewshire Community Protection Chief Officers Group is responsible for leadership and strategic oversight of performance in relation to the multi agency public protection practice in Renfrewshire. The Chief Officers Group has a critical role in ensuring links are made across community and public protection activity at operational, tactical and strategic levels.
- 3.2 The six strategic partnerships covering the areas of public protection work report into the Chief Officers' Group which oversee the performance and ensure the provision of quality services in relation to child protection, adult protection, wider protection, offender management, alcohol and drugs, and gender based violence. These are:
- Renfrewshire Child Protection Committee
  - Renfrewshire Adult Protection Committee
  - Multi Agency Public Protection Arrangements Strategic Oversight Group
  - Renfrewshire Alcohol and Drug Partnership
  - Renfrewshire Gender Based Violence Strategy Group
  - Community Safety and Public Protection Steering Group
- 3.3 The governance structure for public protection in Renfrewshire is shown in Appendix 1. It is recognised that these areas of protection are very often inter-linked and can impact on each other. The Chief Officers Group aims to provide demonstrable consistency and coherence in terms of leadership and direction in all these areas. A key aim of the Chief Officers Group is to combine efforts in individual areas to ensure that decisions taken in one area have a positive impact on public protection.
- 3.4 The core membership of the Renfrewshire Chief Officers Group comprises representation at Chief Executive level, or senior nominee, from the three statutory agencies - Renfrewshire Council, Police Scotland, and Greater Glasgow and Clyde Health Board. They are supported by the attendance of the following or their senior nominee:
- Chief social work officer, Renfrewshire Council or appropriate senior nominee;
  - Chief Officer of the Integration Joint Board or appropriate senior nominee;
  - Independent chair of Renfrewshire Child and Adult Protection Committees;
  - Child Protection Committee lead officer
  - Adult Protection Committee lead officer
  - Senior officer representing Renfrewshire on the North Strathclyde Criminal Justice Authority Multi Agency Public Protection Arrangements Strategic Oversight Group (NSCJA MAPPA SOG) or appropriate senior nominee
  - Head of Public Protection or Director of Community Resources
  - Scottish Fire Service senior officer representation
  - Chair of the Gender Based Violence Strategy Group or appropriate senior nominee
  - Chair of the Alcohol and Drugs Partnership or appropriate senior nominee

- 3.5 The remit of the COG is to provide strategic leadership and scrutiny of the work of the protection business areas on behalf of their respective agencies; to identify successes and areas for improvement and in doing so learn from experience, monitor trends and examine local and national comparisons and take appropriate action where necessary in response to performance where improvement is needed. This includes the consideration of local and national critical incident reports to inform learning where this is appropriate.
- 3.6 The Chief Officers Group reviews performance management information to ensure that this is being collected in a robust and regular manner, that any areas for development are identified and addressed promptly and that consideration is given to identifying further opportunities for early intervention and prevention.
- 3.7 The establishment of the Chief Officers Group is consistent with Scottish Government guidance regarding the strategic arrangements in respect of child protection and its wider remit in Renfrewshire reflects the relationships between adult and child protection, the management of dangerous offenders, gender based violence, drug and alcohol strategies, and wider public protection activities across the community. The work of the Chief Officers Group and the six strategic partnerships is also consistent with and aligned to the agreed public protection priorities set out in the Renfrewshire Community Plan 2013 – 2023.

#### *Safer and Stronger*

- People who live or work in Renfrewshire, or who visit the area, will feel safe and secure.
- Communities will be safe from violence and antisocial behaviour and people will be responsible about drinking alcohol.
- All members of our community – and particularly the most vulnerable – will live in a safe, inclusive and nurturing environment where they are respected and free from abuse and neglect.
- Renfrewshire citizens will support equality and value diversity so we can achieve fairness for everyone in our communities.

#### *Community Care, health and well being*

- Only use alcohol safely and appropriately
- Eat more healthily; be more physically active; only use drugs as prescribed; and avoid or stop smoking.

#### *Children and Young People*

- Live in a safe and secure, stable and nurturing environment at home and in the community — where their rights are respected, they are free from poverty and neglect and supported to be resilient and to thrive.

- 3.8 During the Course of 2015/16, the Chief Officers Group commissioned an independent review of the oversight arrangements for public protection in Renfrewshire including the strategic oversight role of the Chief Officers Group, the role of the other strategic groups in supporting the Chief Officers Group in this role, and the role and design of any tactical and operational groups. The reason for the review was the recognition that there had been significant structural changes across the public sector both locally and nationally which have implications for lines of accountability and reporting in relation to public protection. In addition to the restructuring of Police and Fire and Rescue Services, and the imminent national reorganisation of delivery arrangements for criminal justice social work, there have been two significant changes locally which are of particular relevance. Firstly the establishment of the Renfrewshire Health and Social Work Partnership (HSCP), reporting to a new Integration Joint Board as defined by the Public Bodies (Joint Working) (Scotland) 2014. The HSCP has brought together the formal integration of adult social work services (including addiction services) with the former Community Health Partnership services for both adults and children. In Renfrewshire social work services for children and for criminal justice did not transfer to the HSCP but remain within the Council and form part of the Children's Services directorate with education. Secondly, there has been a consolidation of the focus on public protection, with the establishment of the Community Safety and Public Protection Steering Group, and the creation of the Head of Public Protection role within the council's management structures reporting to the Director of Community Resources. The Council continues to maintain strong strategic and operational links with the police and other key partners in respect of the public protection agenda.
- 3.9 The report on the review of the governance arrangements for public protection was completed in December 2015. It made a number of recommendations regarding the membership and terms of reference of the Chief Officers Group as well as additional recommendations regarding strategic and operational groups. A special meeting of the Chief Officers Group took place on 22<sup>nd</sup> January 2016 to consider the report recommendations and agree the actions going forward. The agreed recommendations have been or are in the process of being taken forward. The key recommendations were:
- Clarification that the core membership of the Chief Officers Group membership should focus on the chief officers of the local authority, the NHS and Police Scotland, with key senior officers also in attendance representing the six strategic areas of public protection.
  - In recognition of the transfer of responsibility for the delivery of services for addictions and gender based violence from the Council to the Integration Joint Board in line with the health and social care integration legislation, it was recommended and agreed that the multi-agency groups would now have a reporting line through the IJB, albeit with the business still being considered by the Chief Officers Group.
  - A review of strategic sub group activity would be undertaken in respect of the Adult and Child Protection Committees, and the role and remit of other groups involved in the consideration of public protection matters would also be reviewed to provide assurance that these remain fit for purpose.
  - A new Member Officer Group would be established, with a remit to consider wider public protection matters, replacing the existing Member Officer Group whose focus has been child protection.
  - The Chief Officers Group would report annually to the parent bodies on the overall position in relation to public protection matters in Renfrewshire.

- 3.10 On 17 February 2016 the Leadership Board considered a report on the review and the recommendations were formally approved by the council including the establishment of a regular cross party member/officer working group on public protection matters from 1 April 2016.

## **4. Key Issues and Achievements 2015 - 2016**

### **4.1 Child Protection**

**Key issues and achievements 2015 – 2016 for child protection include:**

- **Joint inspection of children's services**
- **Renfrewshire action to address child sexual exploitation**
- **Renfrewshire response to the Fatal Accident Inquiry into the death of Declan Hailey**
- **Child Protection Conference 2015**

#### **4.1.1 Joint inspection of children's services**

The inspection of joint services for children in Renfrewshire took place between December 2014 and February 2015. In preparation for the inspection, a comprehensive self evaluation report, approved by the Children and Young People Thematic Board, was provided to the Care Inspectorate to assist them in determining the scope of the investigation. The inspection report was published on 11<sup>th</sup> December 2015.

- 4.1.2 The inspection was part of a new national programme of inspection and was the first time that all children's services in Renfrewshire were inspected jointly. It measured progress against nine quality indicators marked against a six point scale. Renfrewshire received six "very good", two "good" and one "adequate" grade which is a very positive result given the scale of the inspection. From our own review, this places Renfrewshire in the top four of these inspections undertaken to date.

- 4.1.3 The inspection recognised that the Community Planning Partnership and elected members were all highly committed to working together and had a compelling vision, values and aims, with meaningful ownership across the partnership to collaboratively realise the vision.

- 4.1.4 The inspection found that Renfrewshire partners were highly committed to tackling inequalities and improving the life chances of vulnerable children and young people and were demonstrating notable improvements through a range of effective early interventions and support services. Partners were found to be delivering improving trends through effective approaches to prevention and early intervention and tackling inequalities. Positive trends were being achieved in tackling health inequalities.

- 4.1.5 Community safety initiatives including "Street Stuff" were seen to be reducing the risk of harm to children and young people. Early intervention and prevention programmes such as "Families First" were seen to be demonstrating early success in tackling the consequences of child poverty in the most deprived localities.

- 4.1.6 Partners were highly proactive in supporting children and young people's success and opportunities for achievement had increased over the past three years. Staff across services helped build resilience in children and aspired to ensure they thrived in stable environments.
- 4.1.7 Inspection of practice focussed primarily on a review of records from 2013/ 2014. The inspection report identified five recommendations to further strengthen key processes and multi agency practice. Training and practice has progressed since this time and action has been undertaken in relation to the recommendations.
- 4.1.8 **Renfrewshire action to address child sexual exploitation**  
Renfrewshire Children's Services and Police Scotland joined with Barnardo's Scotland to provide a support service for young people who go missing and/or who may be at risk of sexual exploitation. The Safer Choices service directly engages with young people upon their return to offer support and contribute to the overall assessment of risk.
- 4.1.9 Where a Renfrewshire young person is considered to be potentially at risk of child sexual exploitation(CSE) and/or there are significant concerns regarding missing episodes, a multi agency discussion takes place in the Vulnerable Young Persons Operational Group in respect of the potential risks to and needs of the young person. The Group facilitates multi agency information sharing in respect of young people's circumstances (eg associations, locations which increase risk) and considers the needs and risks to young people possibly at risk of sexual exploitation. The group also assists in the sharing of relevant information regarding potential persons of concern.
- 4.1.10 Strategic and operational planning in relation to child sexual exploitation is overseen by a Vulnerable Young Persons Strategic Group, which meets on a quarterly basis. This group is chaired by the Head of Service for Child Care and Criminal Justice and has senior manager representation from across the partnership. The Rotherham Inquiry has been considered at the Strategic Group and its findings alongside Scotland's National Action Plan to tackle Child Sexual Exploitation have informed the development of a local action plan.
- 4.1.11 Work has been undertaken to ensure that a broad range of staff are aware of the issue of Child Sexual Exploitation. Staff in services such as the award winning Community Safety "Street Stuff" initiative remain alert to the potential threat of sexual exploitation in the community and other services such as the Wardens Service have assisted in prevention and investigation where concerns have been raised in respect of specific locations.
- 4.1.12 Through the Renfrewshire Licensing Board, an input was provided to local taxi firms regarding raising awareness CSE. Opportunities for further engagement with the local business community continue to be explored. More recently, Barnardo's Scotland has piloted awareness raising training for taxi firms and drivers and is partnering with Renfrewshire to promote this to local businesses. There has been a positive response from Renfrewshire firms to date.
- 4.1.13 Action arising from the Strategic Group in 2015 has also included the independent chair of the Renfrewshire Child and Adult Protection Committees attending the Renfrewshire Diversity and Equality in Alliance (DEAR) Group to raise awareness of child protection issues including child sexual exploitation with Renfrewshire ethnic and religious communities.

- 4.1.14 A robust training programme has been developed for staff across the partnership. In 2015, a “training for trainers” programme commenced to ensure that going forward, Renfrewshire has a sustainable model of training in place. Feedback indicates that training has contributed to a significant shift in relation to staff knowing what to do should they be concerned that a child was at risk of CSE.
- 4.1.15 The work of the Strategic Group is reported to the Renfrewshire Child Protection Committee and the Chief Officers Group. Additional reporting in respect of missing children and children at risk of exploitation is provided to elected members through a Member Officer Group. In addition, a weekly report is provided to the Convenor of the Education and Children Policy Board regarding missing episodes.
- 4.1.16 The Care Inspectorate led joint inspection of services for children and young people in Renfrewshire cited Renfrewshire’s response to addressing child sexual exploitation (CSE) as a good practice example. They felt that partners’ commitment to prevention and early intervention was evident in their commendable and highly developed work to prevent sexual exploitation of children and young people.
- 4.1.17 In addition to the very positive feedback from the inspection, in 2015/ 2016, Renfrewshire has received positive interest in relation to work undertaken locally to address CSE and has been asked to provide inputs to national meetings. The Safer Choices Missing Service is cited as a good practice example in the draft national Missing Strategy produced by the Scottish Government and the Operational Group was recently the recipient of a Police Scotland Divisional Commander award for partnership working.
- 4.1.18 **Fatal Accident Inquiry**  
On 26<sup>th</sup> January 2012, the Crown Office and Procurator Fiscal Service announced that a Fatal Accident Inquiry would be held into the tragic death of Declan Hainey. The Fatal Accident Inquiry (FAI) commenced on 12 May 2014 and Sheriff Anderson published her determination on 5 September 2014. Her determination made a number of findings under Section 6 of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976. The 4 recommendations made by Sheriff Anderson were:
- Management must ensure that there is regular and ongoing assessment of the staffing levels necessary to achieve at all times best practice in relation to the needs of the service which is provided.
  - Where a Notification of Concern in relation to an ‘unseen child’ is made to any social work department, such notification should be treated with the utmost priority and resources put in place immediately to assess the situation and take all necessary steps to locate and protect such a child .
  - General Practitioners should ensure that all relevant medical information on a substance misusing parent or carer collated and provided timeously to social work and health staff involved in decision making in relation to child protection/ supervision. This recommendation endorses recommendation 8 of the Significant Case Review, and is made to emphasise importance.
  - It should be mandatory for all staff, whether social work or health professional involved in the care of children of substance misusing parents to be trained in the latest guidance and protocols concerning child protection. This recommendation repeats recommendation 9 of the SCR because the Inquiry heard that it was not yet mandatory for general practitioners to undergo such training, though many did on a discretionary basis.

- 4.1.19 In concluding her findings, Sheriff Anderson recognised that all staff and managers had taken their duties and obligations seriously in strengthening child protection services. The 4 recommendations in her report reflected and built upon the recommendations contained within the Significant Case Review (SCR) which Renfrewshire commissioned in 2010. The action plan arising from the SCR was subject to independent scrutiny and subsequently endorsed by the Care Inspectorate.
- 4.1.20 An improvement plan was established to address the 4 specific recommendations made by Sheriff Anderson. Regular progress updates were provided to the Chief Officers' Group, the Renfrewshire Child Protection Committee and to elected members. The recent Care Inspectorate led joint services inspection found that the Child Protection Committee, overseen by the Chief Officer's Group, had ensured that learning from the significant case review and subsequent fatal accident inquiry was the focus of its improvement programme. It found that through a comprehensive multi-agency self-evaluation and audit programme, the Committee had driven forward improvements which were routinely scrutinised by the Chief Officers' Group.
- 4.1.21 The improvement plan was the subject of a final report to the Renfrewshire Child Protection Committee on 23<sup>rd</sup> March 2016. The independent chair of the Child Protection Committee has written to Sheriff Anderson to formally report on the completion of the improvement actions.
- 4.1.22 **Child Protection Conference 2015**  
Renfrewshire Child Protection Committee organises an annual Child Protection Conference. This year's conference took place on the 3<sup>rd</sup> of September and was held in Paisley Town Hall. The title of the conference was "Learning, Reflecting and Moving Forward in Children's Services Renfrewshire". A total of 250 people attended the conference, with significant representation from all agencies involved in the protection of children.
- 4.1.23 The theme of this year's conference was learning and reflection from local and national developments. The conference provided an important opportunity to speak to staff about the findings of the FAI into the death of Declan Hainey as well as in general terms the recent Joint Inspection and the provisional feedback from this. National learning inputs were provided by Professor Alexis Jay OBE who led on the Rotherham Inquiry into child sexual exploitation, Professor Bridget Daniels who had led on the 2012 Scottish Government review of child neglect in Scotland and Professor Andrew McKendrick who as the chair of the Scottish Human Rights Commission Inquiry into historic abuse has been involved in the establishment of a statutory public inquiry into the historical abuse of children in care. Of those in attendance, almost all rated the event as excellent or good.
- 4.1.24 The annual conference provides significant opportunities for cross learning and reflection on practice, with staff from across a range of professions and services coming together to hear about current issues from key national speakers.

## 4.2 Adult Protection

Key issues and achievements 2015 – 2016 for adult protection include:

- **Adult Protection Data**
- **Adults with Incapacity – local authority guardianships**
- **Banning Order with Powers of Arrest obtained in Renfrewshire**
- **Renfrewshire action in relation to financial harm (mail scams)**
- **Large Scale Investigation and closure of Care Home**
- **Critical Incident Review**
- **Renfrewshire Adult Protection Conference 2015**
- **Adult Support and Protection National Media Campaign**

### 4.2.1 Adult Protection Data

In 2015/16 feedback was received from the Scottish Government on the national picture of adult protection activity across Scotland for the period 2014/15. This was the first year that all 32 local authorities submitted this information which was then collated, compared and contrasted to produce a national data return. However, it was also noted that the data collected was not consistent across all council areas and required to be understood within that context. For example, the criteria with which to identify an Adult Protection referral was not the same in all areas and some difference was noted.

4.2.2 Within Renfrewshire, Police Scotland and the local authority have worked closely to protect vulnerable adults. The introduction of the Adult Support and Protection legislation has enhanced the systems and improved recording of incidents. For the first time we are able to benchmark local activity against national averages for example, Adult Protection referrals per 100,000 of the population was 1184 for 2014/15. This was considerably above the national average with 672 referrals per 100,000.

4.2.3 Police Scotland activity accounted for 73% of Adult Protection referrals in Renfrewshire, again above the national average of 53%. Contrastingly, referrals from NHS sources at 6% were slightly below the national average of 7%.

4.2.4 It should also be noted that Renfrewshire's ratio of referral to investigations was at 16:1, compared with the national average of 8:1.

4.2.5 As noted in Section 2 of this report, while the expected total referrals for 2015/16 will be close to the previous year, only one third are likely to be considered to be Adult Protection concerns. The remaining two thirds are non-protection concerns, although these will still require a partner response.

4.2.6 The figures presented here demonstrate that adult protection remains a key priority within Renfrewshire with continued demands placed on Adult Services within the Renfrewshire Health and Social Care Partnership.

#### **4.2.7 Adults with Incapacity – local authority guardianships**

The number of Chief Social Work Officer Guardianship Orders currently stands at 102 cases. This shows an increasing trend where there is no adult suitable, available or willing to act as legal Guardian. In some cases, this can be due to concerns about possible exploitation of adults or a failure to protect adults with incapacity from harm. The result is an increase in responsibilities and workload for mental health officers in terms of reports for court and the requirement for social workers to undertake additional supervision arrangements to ensure that adults at risk of harm are supported and protected. This has created a demand pressure on care management services.

#### **4.2.8 Financial Harm – Mail Scams**

In 2014/ 2015, Operation Alliance took place which involved an effective multi-agency approach focussing on victims of mail scams. A series of joint visits were undertaken by trading standards officers, the police and where necessary also involved social work in relation to any adult protection concerns. The operation has resulted in changes to practice in 2015/2016 with trading standards adopting visits to victims of mail scams as part of their standard process. Trading standards officers are continuing to share information with police and social work as required.

4.2.9 In 2015/16, training on how to identify possible victims of scamming has been carried out jointly by the Trading Standards Manager and the Post Office for Royal Mail postal workers. There are plans to develop a training package for Renfrewshire Council staff who may come into contact with potential scam victims.

#### **4.2.10 Adult Protection Conference 2015**

The 2015 Annual Renfrewshire Adult Protection Conference was held on the 1st of October and evaluations and available feedback indicates that it was successful and well received. The conference included speakers, table-top discussions and themed seminars. Seminars were designed and delivered jointly by the Adult Protection Committee's partnership agencies: they were evaluated very positively, as were all aspects of the day. The keynote speaker, Professor Michael Preston-Shoot spoke on the issues of Self Neglect and Learning from Serious Case Reviews. His input was rated as excellent or good by almost all respondents.

#### **4.2.11 Adult Support and Protection National Media Campaign**

The Adult Support and Protection (ASP) National Media Campaign was launched on the 15th of February 2016 and ran for 3 weeks. The campaign included news and editorial items in the press and radio: it was also supported by social media. Campaign leaflets and posters were placed across partner agencies in Renfrewshire: the Renfrewshire Health and Social Care Partnership; Renfrewshire Council; Scottish Fire and Rescue Service and Police Scotland.

### **4.3 Alcohol and Drugs**

**Key issues and achievements 2015 – 2016 in relation to addressing problem alcohol and drug use include:**

- **Alcohol & Drugs Clinical Services Review**
- **Addaction Intensive Family Support Service**
- **Waiting Times**
- **Star Outcome Tool Outcomes**
- **Alcohol Related Deaths**

- **Drug Related Deaths**
- **Workforce Development**
- **Early Intervention Action**
- **Cannabis Campaign**

#### 4.3.1 **Alcohol & Drugs Clinical Services Review**

The Alcohol & Drugs Clinical Services Review (CSR) was initiated in 2012 under the auspices of the Mental Health and wider NHS Greater Glasgow and Clyde. The CSRs were launched in response to the Scottish Government's 2020 vision to consider what service changes and improvements were necessary to meet future needs and demands of the local population. Concluded in 2015, key outcomes include:

- Reviewed inpatient bed configuration – resulting in standard specification and recommending single-site new build option at Gartnavel Royal
- Reviewed day hospital services – resulting in standard specification and core programme and recommending single day hospital service at Gartnavel for Greater Glasgow with improved community interface
- Developed updated, recovery focused specifications across services, including Rehabilitation and Acute Liaison services
- Developed principles and guidelines to support delivery of opiate replacement therapies, non-medical prescribing, alcohol care pathways, psychiatric co-morbidity, child protection and ARBD.
- Provided an opportunity for system-wide co-ordination (eg approaches to New Psychoactive Substances)
- Updated Prevention and Education Model, providing guidance around core activities and commissioning
- Supported measures to achieve improvements in psychological therapy waiting times and developed guidance to support a tiered model of care

4.3.2 Based on the findings of the CSR and analysis of prevalence and demographic trends, key themes have been identified which includes improving access and addressing unmet needs. The key themes are subject to quarterly monitoring through the Renfrewshire Alcohol and Drug Partnership (ADP).

#### 4.3.3 **Addaction Intensive Family Support Service**

In 2015, Renfrewshire Alcohol and Drug Partnership (ADP), in partnership with Lloyds TSB Partnership Drugs Initiative, commissioned Addaction (third sector partner) to provide an intensive support service for families affected by drugs and alcohol in Renfrewshire. Funding has been provided for two years to target vulnerable families with children under the age of eight who have been affected by substance misuse. The service is offering addiction specific intensive support over seven days, allowing families to access the service at weekends when often they are most vulnerable. The service will work with 30 families per year and will be delivered on an outreach basis. A range of evidence based interventions such as relapse prevention, impact of parental substance misuse, harm reduction, confidence and self esteem building and anxiety and anger management will be provided. Sustainability of the project will be built in over the two years by supporting the new service to work in partnership with existing family support workers within Renfrewshire Drug Service, the Integrated Alcohol Team and practitioners from Area Teams. This will allow for the further development of existing care pathways and protocols to ensure a robust seamless service is established and maintained.

#### **4.3.4 Waiting Times**

In respect of access to services, the national HEAT (Health Improvement, Efficiency, Access, Treatment) target for access to alcohol and drug services expects that 90% of people who need help with their drug/alcohol problem will wait no longer than three weeks for treatment. In 2015/ 2016 Renfrewshire continued to exceed this target with 98.9% of all individuals who accessed drug and alcohol services waiting no more than three weeks (between April and June 2015).

#### **4.3.5 Star Outcome Tool Outcomes**

The ADP implemented the Drug and Alcohol Star tool to measure the impact services have on an individual's recovery. All core /commissioned services utilise the tool which scores against 10 categories including alcohol/drug use, emotional and physical health as well as current physical circumstances such as housing and finance. A review of the use of the tool in relation to 628 clients (October 2015) showed that all scores had improved with the biggest improvements in relation to alcohol use, use of time, social networks and emotional health.

#### **4.3.6 Alcohol Related Deaths**

In 2015 the Renfrewshire ADP provided funding to carry out a detailed analysis of alcohol related deaths in Renfrewshire. The retrospective analysis is reviewing the circumstances surrounding local alcohol related deaths as recorded by health, social work and police colleagues. All information is being analysed to provide an overall picture of each individual, the duration of their drinking career, the evidence of harm and (any) opportunities for interventions.

#### **4.3.7 Drug Related Deaths**

Reducing drug deaths continues to be a priority for the ADP. A working group is in place to investigate drug related deaths, critical incidents and drug trends with a view to sharing learning and focussing on prevention. The improving roll out of Naloxalone is one measure that is being taken to reduce drug deaths.

#### **4.3.8 Workforce Development**

The Renfrewshire ADP has in place a workforce development framework and continues to deliver a rolling programme of key training including Alcohol and Brief Interventions training. In December 2015 the Children Affected by Parental Alcohol and Drug Use was refreshed and a further training for trainers session delivered to ensure sustainability of the training programme.

#### **4.3.9 Early Intervention**

RADAR, the young people's drug and alcohol service, runs an early intervention programme for young people who have been referred to the service as a result of alcohol or drugs misuse. RADAR participates in the multiagency Early Intervention Screening Group (EISG), which monitors young people who have come into contact with the Police for a minor offence such as drinking in the street or cannabis use. The group comprises of representatives from RADAR, social work, education, community safety and police representatives.

4.3.10 As a result of young people identified via EISG, RADAR now runs a group specifically for these young people. The group runs for approx 6 weeks and each week covers a specific topic including Alcohol, Cannabis and New Psychoactive Substances, and provides information to young people as an early intervention, aiming to prevent future offending or drug using behaviour.

4.3.11 Embedding the referral pathways with Accident and Emergency at the Royal Alexandra Hospital for young people attending as a consequence of substance misuse is improving early identification.

**4.3.12 Campaign to Raise Awareness of the Risks Associated with Cannabis Use**

Renfrewshire ADP funded a campaign (launched in February 2015) to raise awareness of the risks associated with Cannabis use as a response to a scoping exercise which aimed to identify perceptions of cannabis use amongst young people living in Renfrewshire.

4.3.13 Young people from RADAR (Renfrewshire Council's Young Persons Drug and Alcohol Service), Barnardo's and students from West College Scotland (WCS) and University of the West of Scotland (UWS) were invited to participate in surveys and focus groups to investigate their perceptions of cannabis. Findings from this research were used to develop a high visibility campaign which aimed to challenge the normalisation of cannabis use and address the apathy young people often feel towards the health and social issues surrounding cannabis. Resources developed for the campaign were displayed around campus and distributed to young people accessing their first tenancy. West College Scotland students also developed a play which presented the campaign messages to students from WCS and UWS. Work is ongoing to scope the potential for developing the resources for use in additional spheres.

## **4.4 Gender Based Violence**

**Key issues and achievements 2015 – 2016 in relation to addressing gender based violence include:**

- **Self assessment of the Renfrewshire Gender Based Violence (GBV) Strategy Group**
- **Evaluation of Renfrewshire Reconnection**
- **Changes to Multi Agency Risk Assessment Conference (MARAC) arrangements**
- **Equally Safe – Reforming the criminal law to address domestic abuse and sexual offences (Scottish Government consultation)**

#### **4.4.1 Self assessment of the Renfrewshire Gender Based Violence (GBV) Strategy Group**

The overarching aim of the Renfrewshire Gender Based Violence (GBV) Strategy Group is working together for the elimination of all forms of violence and abuse against women and children. This includes prevention, provision, participation and partnership working. The GBV Strategy group was offered national support to carry out an evaluative self assessment and this was taken forward to refresh the action plan of the GBV Strategy Group to ensure that it remains an effective mechanism for delivering on the gender based violence outcomes. This work has been undertaken with the Improvement Service and the National Violence Against Women Coordinator. This work will inform the development of our local strategy and will include developing an internal and external communication plan, identifying an agreed data set and reporting mechanism and establishing a robust system of measuring impact and outcomes. The strategy will also take account of the national strategy Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls.

#### **4.4.2 Evaluation of Renfrewshire Reconnection Programme**

Renfrewshire Reconnection is a Big Lottery funded programme that delivers group-based therapeutic services for women and children affected by domestic abuse. The project aims to improve emotional resilience, confidence and self esteem as well as improving relationships between mother and child. The programme is overseen by the Renfrewshire Gender Based Violence Strategy Group and managed on a day to day basis by Women and Children First.

4.4.3 An independent evaluation of the programme, published in early 2016, identified that women accessing the service have found it to be excellent and had positively helped them in many areas of their lives raising their confidence, controlling anxiety and stress, taking responsibility for themselves and setting goals. The children involved felt that they had learned important skills to help them cope more effectively with problems in the future.

4.4.4 In early 2016 an application was made to the Big Lottery to continue and extend the Renfrewshire Reconnection model. The application proposed that Reconnection is funded for a further five years, providing three project workers and associated running costs.

4.4.5 As well as continuing to roll out current programmes, it proposes to introduce Theraplay, Wellness programmes and mentoring and volunteering initiatives. These developments have been informed by the independent evaluation.

#### **4.4.6 Changes to Multi Agency Risk Assessment Conference (MARAC) arrangements**

A Multi Agency Risk Assessment Conference (MARAC) is a multi agency victim-focussed meeting where information is shared on the highest risk cases of domestic abuse between different statutory and voluntary sector agencies. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety. In the middle of 2015 a review of the MARAC arrangements was undertaken with partners. Having been found to deliver effective oversight and support in relation to victims of domestic abuse, it was agreed that Renfrewshire would retain the MARAC model. To facilitate this, Community Resources have taken on the role of coordinator and Police Scotland have taken on the Chairmanship of the meetings. Woman's Aid are continuing to support the monthly MARAC meetings, providing a venue.

4.4.7 The MARAC model and its refreshed arrangements will be subject to review to ensure that the appropriate linkages are being made across the wider public protection agenda.

**4.4.8 Equally Safe – Reforming the criminal law to address domestic abuse and sexual offences (Scottish Government consultation)**

In June, 2014, the Scottish Government published ‘Equally Safe: Scotland’s strategy for preventing and eradicating violence against women and girls’. Equally Safe acknowledged the key role of the justice system in achieving the aims of the strategy. At the end of March 2015 the Scottish Government launched a consultation called “Equally Safe – Reforming the Criminal Law to Address Domestic Abuse and Sexual Offences”. This consultation was concerned with those aspects of current criminal law and criminal procedure that relate to the victims and perpetrators of sexual offences and domestic abuse and sought views on the introduction of mandatory Jury directions in sexual offences cases, changes to non-harassment orders; and changes to the extra-territorial effect of Scots law concerning sexual offences against children. The Scottish Government response to the consultation is awaited.

**4.5 Multi Agency Public Protection Arrangements and Offender Management**

**Key issues and achievements 2015 – 2016 in relation to Multi Agency Public Protection Arrangements (MAPPA) and offender management include:**

- **The Future Model for Community Justice in Scotland**
- **The extension of Multi Agency Public Protection Arrangements (MAPPA) to include other offenders who pose a serious risk of harm**
- **Additional criminal justice services**
- **Second national report Criminal Justice Social Work Serious Incident Reviews**
- **National Thematic Review of Multi-Agency Public Protection Arrangements (MAPPA)**

**4.5.1 The Future Model for Community Justice in Scotland**

Renfrewshire has continued to make progress in response to the Scottish Government plan regarding the “Future Model for Community Justice in Scotland”. A consultation event on the 2nd April 2015, attended by officers from criminal justice and community planning, looked at the transition from Community Justice Authorities to Community Planning Partnerships. The partnership was required to submit a transition plan for the shadow year 2016/17. The plan was approved by the Community Planning Partnership in December and submitted to the Scottish Government in January 2016. Funding of £50,000 per local authority per annum for a 3 year period has been made available to support this transition. A new post of Lead Officer Community Justice forms part of the new structure to provide capacity to take forward the actions of the transition plan.

**4.5.2 The extension of Multi Agency Public Protection Arrangements (MAPPA) to include other offenders who present a serious risk of harm**

The Scottish Government plans to extend the model of MAPPA to include other offenders who present a serious risk of harm. This was introduced on the 31<sup>st</sup> March 2016. Training has commenced for staff in the risk of harm tool and this will continue to be rolled out.

4.5.3 Generally MAPPA cases have increased over the last few years. The increasing trend for registration in part reflects the length of time registration has been in place and perhaps a growing confidence of victims in reporting crime alongside successful detection by the police.

**4.5.4 Additional criminal justice services**

From 1st April 2015, Renfrewshire Council commenced provision of Criminal Justice Throughcare in custody and Drug Treatment and Testing Orders (DTTO) for Renfrewshire service users, both of which were previously provided by other authorities on our behalf. Budget reductions and significant changes to practice and workloads, have meant that more efficient solutions have required to be found to continue these services to the extent required.

4.5.5 This has provided opportunities within Renfrewshire for easier transition for service users between services and greater resilience within existing services.

4.5.6 Criminal Justice Throughcare in custody is provided to service users subject to custodial sentences over 4 years and those who would be subject to statutory supervision on release. The service supports service users and their families whilst in custody and to prepare for release, based on an assessment of risks presented. This service was previously provided by Inverclyde Council on Renfrewshire's behalf. Inverclyde staff members have been transferred subject to TUPE and additional staff recruited. The staff have joined the criminal justice fieldwork service which presently manages those subject to licence and community supervision. The service will gradually move to a position of all staff being able to undertake both roles, providing greater resilience and improved transition for the service user between custody and the community.

4.5.7 DTTO are imposed by courts where someone's offending is clearly linked to problem drug misuse. The focus of a DTTO is to address problem drug use to reduce the risk of further offending and harm, through rapid access to a closely monitored treatment programme. This service was previously provided by East Renfrewshire Council. East Renfrewshire staff have been transferred and additional staff employed to meet the requirements of the service. This is a joint social work and health service with nursing and medical staff provided through the Health and Social Care Partnership. DTTO has combined with the Paisley Sheriff Court Social Work Team, under the court Senior Social Worker and is also co-located with existing addiction services.

4.5.8 Following successful national pilots, Renfrewshire introduced Fiscal Work Orders on 1 April 2015. These are diversionary orders which are requested by the Procurator Fiscal. As with existing diversion from prosecution where an individual does not agree to or complete the order there is the capacity for the Fiscal to progress to court action. Orders imposed are from 10 to 50 hours, 10% of which can be educational activities or life skills work, the remainder is unpaid work in the community. The Community Service/Unpaid Work team is responsible for supervising these Orders. In Renfrewshire no such orders have been imposed to date by the Procurator Fiscal Service.

#### **4.5.9 Second National Report of Criminal Justice Social Work Serious Incident Reviews**

The second national report of Criminal Justice Social Work Serious Incident Reviews: Annual Report 2013-15, was published on 31 August 2015. Guidance in relation to Serious Incident Reviews (SIR) places the responsibility upon the local authority to report to the Care Inspectorate and review performance in relation to interventions with offenders where they have caused further serious harm, or been seriously injured or died during a period of statutory supervision, or where an incident/ incidents raise concerns in relation to service involvement. The Care Inspectorate share information with the Scottish Government and scrutinise and comment upon the review.

- 4.5.10 The second national report has produced 6 national recommendations which include awareness of staff regarding the process of and quality assurance in respect of serious incident reviews. In the light of these recommendations local practice was reviewed and found to be consistent with the expectations of the Care Inspectorate.
- 4.5.11 The Care Inspectorate intend to review and update guidance which will be the subject of further reporting to the Chief Officer's Group.

#### **4.5.12 National Thematic Review of Multi-Agency Public Protection Arrangements (MAPPA)**

The report of the Joint Thematic Review of MAPPA in Scotland was published on 26 January 2016 by the HM Inspectorate of Constabulary in Scotland and the Care Inspectorate. The main findings of the review report are positive and identified that there is strong evidence that MAPPA is well established across Scotland and that Responsible Authorities (Local Authorities, the Scottish Prison Service, Police Scotland and Health Boards for Restricted Patients) discharge their duties effectively through joint working and information sharing. It also noted that the overall efficiency in risk management could be improved by implementing a more proportionate and consistent approach through streamlining processes and reducing unnecessary bureaucracy.

- 4.5.13 The review report makes 10 recommendations which require a multi-agency response facilitated by the Scottish Government to set policy and a strategic framework to strengthen the future delivery of MAPPA in Scotland. It also highlighted 17 areas for development across key processes that can be delivered locally and at an operational level. The North Strathclyde Community Justice Authority Strategic Oversight Group (NSCJA MAPPA SOG) ,which includes Renfrewshire, has developed an action plan and is taking forward the recommendations that apply within NSCJA MAPPA SOG.

### **4.6 Community Safety and Public Protection**

**Key issues and achievements 2015 – 2016 for Community Safety and Public Protection include:**

- **The role of the Single Point of Contact (SPOC)**
- **Serious Organised Crime – Integrity Group**
- **Counter Terrorism – Prevent Group**
- **Building Safer Communities National Programme**
- **Scottish Government draft strategy “Working Together for People Who Go Missing in Scotland” consultation**
- **Evaluation and development of Daily Tasking process**
- **Development of the Renfrewshire Community Safety Partnership Hub**

- **Development of the Information Sharing Protocol (ISP) for Public Protection**
- **Civil Contingencies Training and Exercising**

#### 4.6.1 **The role of the Single Point of Contact (SPOC) in responding to the Counter Terrorism and Security Act 2015**

The Counter Terrorism and Security Act 2015 contains a number of areas of work that will require to be taken forward by public authorities, including local Councils – particularly in relation to the Prevent strategy.

#### 4.6.2 Scottish guidance was issued on 12 March 2015 and included the requirement to have (by 1 July 2015) clear governance structures and arrangements in place, including within community planning frameworks, to address the “Prevent” strategy which has three objectives:

- to respond to the ideological threat of terrorism and those who promote it
- to prevent people being drawn into terrorism
- to address where there are risks of radicalisation.

#### 4.6.3 A similar role is required in relation to serious and organised crime – where the focus is on making it difficult for serious and organised crime groups to:

- access and use resources to launder money,
- promote or draw people into criminal activities
- legitimise their ongoing activities or assets.

#### 4.6.4 To support this work the governance structures relating to Counter Terrorism and Serious Organised Crime have been clarified in a number of areas - particularly highlighting the requirement for a single point of contact (SPOC) who would establish and chair Prevent Professional Concerns Case Conferences where these might be required.

#### 4.6.5 At a national and regional level, meetings of Prevent SPOC's from local authorities have been established with the first of these being held in Glasgow during October 2015. These are organised by the Scottish Preventing Violent Extremism Unit (SPVEU) and quarterly meetings of the West Regional Resilience Partnership SPOC's will take place from now on.

#### 4.6.6 **Serious Organised Crime – Integrity Group**

The Council's Integrity Working Group has been established and with the help of specialist personnel from Police Scotland a self assessment audit has been undertaken which identified a number of actions that require to be taken forward to improve the resilience of the Council and partners in relation to Serious and Organised Crime. The self assessment report and action plan provide a baseline of current practice and some degree of reassurance for the Council in relation to the policies and procedures that protect the organisation. Risks are being added to the Council's risk register as appropriate and a number of actions have been identified that will be taken forward by the Integrity Working Group including:

- Strengthening training and development at a general level to raise operational awareness and in focused ways to target services at high risk;
- Increased monitoring and analysis of ICT use;
- Improved monitoring and analysis of key indicators such as high cash payments;

- Targeted strengthening and awareness of infrastructure and organisational vulnerabilities, particularly during periods of change;
- Reviewing procedures to protect the organisation from financial threats and misuse of resources – fraud, external funding, procurement;
- Ensuring the Councils assets and statutory obligations/permissions are not abused or misused.

4.6.7 Training with elected Members on the Scrutiny and Petitions Policy Board has been carried out on Serious Organised Crime by the Head of Public Protection and similar training carried out by the Chief Auditor on Fraud issues. Officers on the CRMT have also received awareness raising and training on Serious Organised Crime issues and how they might impact on our organisational resilience.

4.6.8 Working with the national Counter Corruption unit, a structured session for Chief Officers from across the Council has been held. The session was based on cases from other Scottish Councils that have involved senior officers in fraud, abuse of hospitality and gifts, corruption and poor contract management and highlighted that the risk to the Council extends to issues such as:

- data theft and abuse
- key projects being used to legitimise serious organised crime groups
- hospitality and gifts being abused to exercise control over officers
- people within the workforce being planted within the organisation to obtain information or contracts corruptly

4.6.9 Police Scotland auditors have also been working with the Council's internal audit team to review contracts and situations locally to assess how effective and robust procedures are.

#### **4.6.10 Counter Terrorism**

A Prevent working group has been established. The Prevent agenda has been highlighted within the Counter-Terrorism and Security Act 2015 and requires Councils and in turn, Community Planning partners to:

- Have a clear understanding of what radicalisation means and to raise awareness amongst staff – equipping them to challenge ideology that supports terrorism.
- Take action to prevent vulnerable people from being radicalised or exploited – providing them with appropriate advice and support.
- Be confident in responding effectively when risks or incidents are identified – with raised awareness that helps identify and address risks of radicalisation.

4.6.11 This has obvious implications for partners' services – in particular those that deal with vulnerable people and children. The Prevent Working Group will work to ensure that material related to terrorism or serious organised crime is stopped from being distributed in public facilities, particularly those used by vulnerable people and to stop inappropriate use of, or access to publicly provided intranet/internet or IT systems. Work will also be undertaken to ensure that recruitment, vetting and induction processes are robust and are used to raise awareness amongst staff of the prevention strategy and approach.

- 4.6.12 The Prevent Group includes representation from a wide group of organisations to ensure it has the capacity and expertise to support Police in working with sectors and institutions where there are risks to radicalisation that we need to address. This includes representation from the Prison Service, Capability Scotland, the Further Education/HE sector, the Health and Social Care Partnership and Health Board and RLL among others.
- 4.6.13 Development of a robust Prevent strategy that takes into consideration the needs of GIRFEC, the named person and Education and Health services is ongoing and contact has been made with a specialist trainer who will provide training for senior managers that may be involved in Prevent Professional Concerns Case Conferences.
- 4.6.14 The Council Resilience Management Team have received specific training within the Council on the specific threats faced and have discussed the wider lessons and actions that need to be taken forward – including the changing environment in which the public sector is operating, the changing nature of risks and threats, and the impact that key community programmes and projects may have, or need to address as they are taken forward – including Town Centre regeneration, Museum redevelopment, the development of an events and arts and culture led regeneration programme, City Deal and City of Culture 2021.
- 4.6.15 Significant work has also been undertaken in relation to the refugee relocation programme to secure a safe and sustainable transition for the communities affected.
- 4.6.16 **Building Safer Communities National Programme**  
The Scottish Government - Building Safer Communities Programme seeks a flourishing, optimistic Scotland in which resilient communities, families and individuals live their lives safe from crime, disorder and harm. The national programme will focus on reducing the number of victims of crime by 250,000 by 2017-18 and by reducing the number of victims of unintentional harm by a significant amount over the same period.
- 4.6.17 The approach being set out nationally is to generate community-led approaches where the potential for transformational change is greatest. Evidence will be used to ensure interventions are based on evidence of what works to reduce crime, victimisation and unintentional harm and a performance framework will be based on continuous improvement that defines success and supports delivery of the programme aims and national outcomes.
- 4.6.18 The proposals being worked up by the Community Safety and Public Protection Steering Group build on the commitment of local partners, including the third sector to delivering effective and proven early intervention and prevention initiatives such as Street Stuff and Families First. In March 2016 the Police led on the delivery of a second “Choices for Life” event in Ferguslie, targeting older children and young people as a key element in delivering this programme. Around 150 children from schools in the Paisley area got the opportunity to take part in active workshops and diversionary opportunities. Young people can often find themselves under intense peer pressure to take drugs, drink alcohol or become involved in antisocial behaviour. This event – similar to the “Safe Kids” events run by the Council but targeted at a younger age group, provides young people with information and knowledge about these issues so that they can make informed decisions - with the end result helping them make positive lifestyle choices.

- 4.6.19 To take this programme forward a Building Safer Communities Tasking Group has been established, an action oriented tasking group chaired by Police Scotland. Building on the evidence coming out of the Daily tasking process and all other agencies it will deliver targeted interventions in key communities supported by cross cutting multi agency partner activity.
- 4.6.20 This will build in interventions to develop a programme of community engagement and evaluation that will directly target the objectives of the Safer Communities programme. It is anticipated that the programme will work in between 6 and 8 communities over the next year.
- 4.6.21 **Scottish Government draft strategy “Working Together for People Who Go Missing in Scotland” consultation**  
Going missing is an indicator of vulnerability and can be both a symptom and cause of distress, for the missing person and their friends and families. It is a serious issue, with over 30,000 incidents a year reported nationally, 64% of which involve children and young people. Around 1 in 3 incidents are repeat missing incidents and for young people. Going missing regularly can be an indicator of poorer future outcomes in life.
- 4.6.22 During 2015 the Scottish Government developed a draft strategy for consultation that proposed 8 commitments structured around 4 objectives:
- Prevent
  - Respond
  - Support
  - Protect
- 4.6.23 Renfrewshire Child and Adult Protection Committee jointly hosted a consultation event on the 23<sup>rd</sup> November 2015 attended by practitioners from across Renfrewshire Community Planning Partnership. Following this a formal written consultation response was produced under the auspices of the Community Planning Partnership. The Scottish Government has since invited Renfrewshire to participate in a pilot project in relation to the strategy.
- 4.6.24 **Development of Daily Tasking Process**  
An evaluation of the Renfrewshire Community Safety Hub Daily Tasking meeting was conducted during September 2015. The main aim was to identify gaps, or weaknesses, in the process and to make recommendations to mitigate against these in order to ensure that the communities of Renfrewshire receive the most effective service from the Partnership and that the process is as comprehensive and efficient as possible.
- 4.6.25 Overall, the results indicate that the daily tasking process works very well and brings significant benefits for all participants when they attend. However there are clear issues for some services in balancing competing demands on time and in considering how best to share and disseminate relevant information effectively.
- 4.6.26 In addition to these issues, consideration will be given by the Community Safety and Public Protection Steering Group to the impact that new legislative requirements will have on resources and working practises as it concludes its evaluation of the daily tasking process and how best all agencies at these meetings can maintain and improve on the strong performance of this service.

#### **4.6.27 Development of Renfrewshire Community Safety Partnership Hub**

Over the past year the construction works of the new integrated control room at the former District Court building in Mill Street, Paisley have been completed. The £1.3m project included the replacement of all of the existing public space cameras on the network and a further 10 cameras being installed across Renfrewshire to improve coverage and resilience in the network. Improved mobile camera functionality has also been provided through the replacement of the mobile CCTV vans used within the wardens service. Upgraded software and functionality has been made available to the control room operators through the improved system, which is producing images of a much higher quality than was previously possible.

4.6.28 The Community Safety and Public Protection Steering Group are now developing a project mandate for the 2<sup>nd</sup> Phase of this project which will focus on future implementation of services and facilities that enhance the operation of the Hub and maximise its usefulness and efficiency as a resource. These may include wider CCTV monitoring; fire, intruder and Community Alarm monitoring; out of hours call management and key holding services etc. These plans have had an implication for the role of data custodian for the Hub. Up to now the data custodian for the public space CCTV system has been the Police.

Now that the Council has plans to extend the use of the control room and CCTV to support other public functions and services the liability for data custodianship is being transferred to the Council.

#### **4.6.29 Information Sharing Protocol (ISP) for Public Protection**

Given the range of changes to the public protection remit, work has been taken forward to develop a revised Information Sharing Protocol (ISP) for public protection. The revised protocol has been developed with the assistance of the Information Governance teams in the Council and Police Scotland and aims to facilitate the appropriate and proportionate exchange of information for public protection purposes. It will cover activities including Daily and Monthly tasking meetings, the Prevent and Integrity agendas and make clear links with specific adult and child protection information sharing protocols that are in place already.

#### **4.6.30 Civil Contingencies Training and Exercising**

It is essential that Council officers possess the relevant skills and knowledge to respond effectively in an emergency and to fulfil the Council's duties as detailed in the Civil Contingencies Act. Training is based on learning from previous training events and the real-life experience of the Council and partner organisations in responding to previous major incidents.

4.6.31 During 2015 a large scale corporate management team (CMT) training exercise was carried out. This provided reassurance over the levels of skills and knowledge that the Council CMT could bring to a Civil Contingencies event. It also identified a number of additional training opportunities that will be carried forward during 2016:

- Media training for Chief Officers and key senior managers that will prepare them for direct interaction with the media, through interviews/media conferences and will draw upon the resources and experience of those who have a recognised profile in the media and communications sector.
- An exercise specifically for the Council's Corporate Communications Team, designed to test their ability to communicate across service areas, in conjunction with organisational partners and effectively warn and inform the public. This will include testing participant's ability to call upon a range of specialist staff as part of delivering an effective incident response.

- An update of the previous scenario to provide a test of the Council's ability to respond to and recover from a protracted incident. This will test both strategic and tactical levels of response and coordination, and will further test the effectiveness of the media and communications training described above.

## 5. Priorities for 2016/17

5.1 Looking forward there are a number of priorities for 2016/17 including:

- 5.1.1 **Governance.** As part of the response to the review of the governance arrangements for public protection, a review of the tactical and operational subgroups of the strategic areas reporting to the Chief Officers Group is underway. This work should be completed by August 2016. In addition, each of the six strategic areas is presently revising the data provided to the Chief Officers Group to ensure oversight of each area of practice. It is anticipated that a review of the revised governance arrangements will take place in early 2017.
- 5.1.2 **Child protection.** A national awareness raising campaign was launched at the end of January 2016 in respect of child sexual exploitation. Renfrewshire will use the national materials to support the awareness of this campaign and the Communications Group will develop local strategies to raise public awareness of the issue, with a particular focus on the night time economy.
- 5.1.3 The ministerial statement to Parliament on child protection made by Angela Constance, Education Secretary, on 25/02/16 indicated that a review would be undertaken of the strategic arrangements for child protection in Scotland. Due to report at the end of 2016 the review will focus on:
- Child Protection Committees;
  - Initial and Significant Case Reviews; and
  - The Child Protection Register.
- 5.1.4 Renfrewshire Child Protection Committee will consider the findings of the review when they are published and make recommendations to the Chief Officers Group on any changes that may be required locally as a consequence.
- 5.1.5 Effective relationships exist between the local authority, Police Scotland and the Health and Social Care Partnership. As the new arrangements for the Integrated Joint Board are established it will be important to ensure that partnership working remains strong.
- 5.1.6 **Adult Protection.** Revised West of Scotland Adult Protection Guidance and Procedures has recently been produced and will be subject to further discussion at the Renfrewshire Adult Protection Committee in 2016. Any proposed changes to practice will be reported to the Chief Officers Group.
- 5.1.7 **Alcohol and Drugs.** The Renfrewshire Alcohol and Drug Partnership Workforce Development Strategy which outlines priorities for the drug and alcohol workforce will be refreshed in 2016 to ensure it continues to reflect the needs of staff working in drug and alcohol treatment services.
- 5.1.8 **Gender Based Violence.** The Gender Based Violence Strategy Group has been reviewing its activity and will use this to develop a strategy which reflects the priorities of national strategy 'Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls'.

**5.1.9 Multi Agency Public Protection Arrangements and Offender Management**

Renfrewshire Community Justice Partnership will develop its strategic approach during 2016 with a view to submitting our local strategic plan to Community Justice Scotland which we anticipate will be due in January 2017 in advance of the Community Justice Authorities being disestablished in March 2017.

5.1.10 Progress in relation to the implementation of the extension of Multi Agency Public Protection Arrangements will be the subject of further reporting to the Chief Officers Group in August 2016.

5.1.11 Progress in relation to the NSCJA MAPPA Strategic Oversight Group action plan to take forward recommendations that apply within NSCJA in respect of the Thematic Review of MAPPA

5.1.12 **Community Safety and Public Protection.** In May 2016 the Integrity/Serious Organised Crime and Counter Corruption Strategy will be the subject of a report to the Chief Officers Group outlining proposed activity by partners.

5.1.13 The PREVENT strategy for Renfrewshire has been established and an event is planned to ensure that links are in place between key services and action is being taken to progress this agenda.

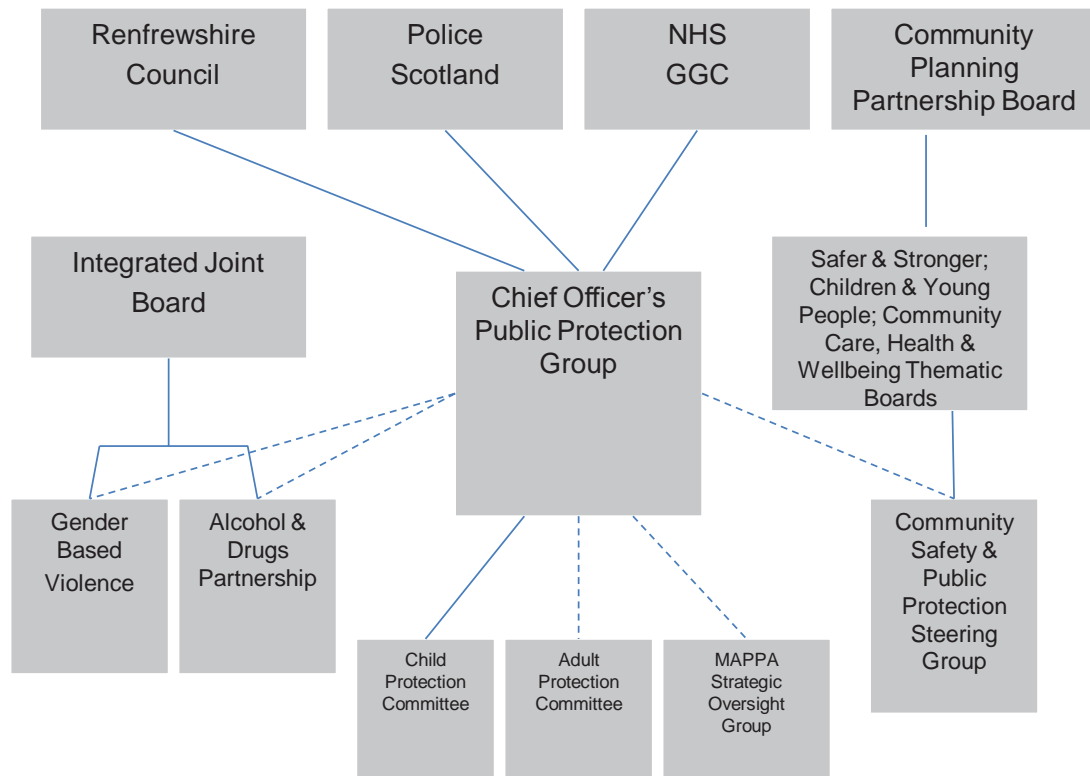
5.1.14 The new Integrated CCTV and Community Safety Partnership Hub provides a resource which will assist in improving the internal working practices of critical front line services and further enhancing the council's collaborative work with key partners to protect vulnerable individuals and tackle persistent offenders. A project mandate for the next phase of this project is being developed to co-ordinate a wider range of services in a cost effective way. This will include improved out of hours services, building security and alarm receiving services. This along with the integration of Regulatory and Enforcement services will further enhance the operation of the Hub and maximise its usefulness and efficiency as a resource.

5.1.15 **Independent Chair of the Renfrewshire Child and Adult Protection Committees**  
In line with relevant legislation and guidance, Renfrewshire Child and Adult Protection Committees are both independently chaired. Since 2009, a single independent Chair has been in place across both the Adult and Child Protection Committees.

5.1.16 The Chief Officers Group recognises the very important role of the independent Chair of both committees in the oversight and scrutiny of these key risk areas. Renfrewshire has benefitted from consistency and continuity in this twin role.

5.1.17 The three year tenure in respect of the current Independent Chair arrangements will come to an end in May 2017. To ensure continuity beyond that date, the formal recruitment process for this role will be undertaken over the course of 2016/17.

## COG Governance Structure



### Key:

Solid lines reflect governance arrangements

Dotted lines reflect additional reporting arrangements



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**To: Council**

**On: 28 April 2016**

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**Report by: Director of Community Resources**

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**Heading: Clyde Valley Residual Waste Project - approval to enter into Post-Contract IAA and for North Lanarkshire Council to enter into the Project Agreement.**

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## **1. Summary**

- 1.1 The purpose of this report is to update the Council in relation to the Clyde Valley Residual Waste Project and to approve the entering into the Project Agreement (and other ancillary documents) by North Lanarkshire Council with Viridor Clyde Valley Limited for the Treatment of Residual Waste for a 25 year period following a Competitive Dialogue procurement process, and to seek approval for Renfrewshire Council to enter into the Post Contract Inter Authority Agreement with the other Partner Councils.
- 1.2 The Partner Councils are: North Lanarkshire Council, East Renfrewshire Council, East Dunbartonshire Council, North Ayrshire Council and Renfrewshire Council. North Lanarkshire Council is the Lead Authority.
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## **2. Recommendations**

It is recommended that Council:

- 2.1 Approves that the Chief Executive enters into the Post Contract Inter Authority Agreement for the joint provision of Residual Waste Treatment and Disposal Services.

- 2.2. Agrees that North Lanarkshire Council as the Lead Authority agrees such amendments to the draft Project Agreement and the draft Parent Company Guarantee as it considers necessary to achieve Financial Close, including the any adjustments to the draft Payment Mechanism for Foreign Exchange as agreed in the Financial Close Protocol and any adjustments required to reflect any change in TUPE costs in the First Employee List.
- 2.3 Delegates authority to the Director of Community Resources to agree such minor amendments to the Post Contract Inter Authority Agreement as may be required.
- 2.4 Agrees that North Lanarkshire Council as the Lead Authority enter into the finalised versions of each of:
- the Project Agreement with Viridor Clyde Valley Limited;
  - the Parent Company Guarantee from Viridor Limited;
  - the Post Contract Inter Authority Agreement;
  - a Certificate pursuant to the Local Government (Contracts) Act 1997 in respect of the Project Agreement;
  - any other ancillary documentation reasonably required in relation to the Project.
- 2.5 Approves the Final Business Case.
- 

### **3. Background**

#### **3.1 Introduction**

In December 2012/January 2013 Renfrewshire Council, along with the other Partner Councils entered into a pre-contract Inter Authority Agreement relating to the joint procurement of long term Residual Waste Treatment and Disposal Services. This Pre Contract IAA included the Appointment of North Lanarkshire Council as Lead Authority and also included Heads of Terms to be expanded to become the Post Contract Inter Authority Agreement.

The five Partner Councils are East Renfrewshire Council, East Dunbartonshire Council, North Ayrshire Council, North Lanarkshire Council and Renfrewshire Council (hereinafter the Partner Councils).

At the Council meeting on 24 September 2015 approval was given for the appointment by North Lanarkshire Council of Viridor as Preferred Bidder following a Competitive Dialogue procurement process carried out under the

terms of the Pre Contract IAA. In accordance with the Pre Contract IAA the agreement to the selection of Preferred Bidder was a matter reserved to Authorities and this agreement was received from all Partner Councils.

Viridor were Appointed as Preferred Bidder on 8 October 2015.

Since the appointment of Preferred Bidder a Final Business Case has been prepared, a Post Contract IAA has been drafted and a Key Stage Review has been carried out by Scottish Futures Trust.

### **3.2 Final Business Case**

An Outline Business Case (OBC) was prepared by SLR Consulting for the Partner Councils and was approved in December 2012. The aims and objectives of the Partner Councils were outlined within the OBC: i.e. that the Partner Councils sought to procure a contract (commencing in December 2019) for the treatment and disposal of Contract Waste (190,000 tonnes per annum of waste that the Partner Councils currently send to landfill), as well as other ad-hoc waste handling and processing services. Under the Waste (Scotland) Regulations 2012 landfill of residual waste will be banned from 2020.

A Final Business Case (FBC) has now been prepared by SLR with input from Financial Advisors Grant Thornton. A copy of the FBC report which contains commercially confidential information received from the preferred bidder is held by the Director of Community Resources and is available for viewing in room 5.1 on request. The FBC shows that the benefits predicted in the OBC have been achieved and that the costs following the tender process will actually be less than those predicted in the OBC.

The FBC has been scrutinised by the Finance and Technical Working Groups made up from officers from each of the Partner Councils and considered by the Clyde Valley Residual Waste Management Initiative, Steering Group.

The Approval of the FBC is a matter reserved to Authorities and its approval is recommended by the Steering Group.

### **3.3 Post Contract Inter Authority Agreement**

A Post Contract Inter Authority Agreement has been prepared. A copy of the draft Post Contract Inter Authority Agreement is held by the Director of Community Resources. Minor amendments may be required to the Post Contract IAA as we move towards financial close but these changes are unlikely to amend the risk profile as set out in the draft post Contract Inter Authority Agreement.

The IAA is a legally binding document and includes the following key points:

- The Commencement, Duration and Termination of the Contract.
- Principles and Key Objectives.
- Duties of the Lead Authority and Other Authorities.
- Decision Making
- Contract Management
- Payments and Audit.
- Liability of the Councils

The Post Contract IAA has been scrutinised by the Legal and Finance Working Groups made up from officers from each of the Partner Councils and considered by the Clyde Valley Residual Waste Management Initiative Steering Group.

The Agreement and Execution of the Post Contract Inter Authority Agreement is a matter reserved to Authorities and approval to enter into the Post Contract IAA is recommended by the Steering Group.

### **3.4 Key Stage Review**

Scottish Futures Trust (SFT) has been a non-executive member of the Steering Group since the beginning of the Project. SFT carried out a Key Stage Review of the Project in December 2015 and a copy of the Key Stage Review Report is held by the Director of Community Resources.

SFT advised that, subject to the recommendations in the report, the project is ready to proceed to the next stage. All the SFT recommendations are acceptable and their implementation will be monitored by the Steering Group.

### **3.5 Financial Implications**

#### **3.5.1 Contract Management Team Costs**

The contract period is 25 years from 1st December 2019. It has been agreed that the Contract Management Team will be established in 2016/17. The costs for this team are being allocated across the Partner Councils using the annual budget proportions as detailed in the Inter Authority Agreement. The Renfrewshire Council contribution for 2016/17 will be £40,000 and this will be funded from existing resources. The predicted annual costs to contract start are based on the 2016/17 budget increased by assumed annual pay awards (1% per annum).

### **3.5.2 Payments to be made to the Contractor**

Following the tender process the Renfrewshire Council projected contract costs (the “gate fee”) at commencement will be in the order of £4.4million based on our current tonnage proportions. The actual gate fee will be based on the tonnages delivered as set out in the IAA, and also relevant inflation rates and what is agreed at Financial Close for the foreign exchange rate. This cost excludes a share (again as set out in the IAA) of pass-through NNDR costs for the primary treatment facility estimated at £30,000. The total estimated revenue cost (contractor costs, NNDR and contract management costs) of £4.5million will be managed within existing and projected waste management budgets.

### **3.5.3 Cost of Transfer Station Upgrade Works**

No later than 6 months in advance of the contract commencing, upgrade works to the Council’s transfer station at Middleton Road, Linwood require to be completed. These works are estimated to cost £0.4million. Provision for these costs has been made in the capital plan (in 2017/18) as agreed by Council on 3 March 2016.

### **3.5.4 Accounting arrangements**

Although the primary waste treatment facility is full owned and operated by Viridor, there is a requirement under the current accounting standards to account for the facility as being the subject of finance lease. The contract with Viridor is not a partnership contract with the 5 councils – it is a contract between Viridor and North Lanarkshire Council (NLC) as lead authority. Therefore NLC is principal to the contract and as such is liable to wholly recognise the facility on its balance sheet as a fixed asset with associated long term liabilities. There is no balance sheet impact for Renfrewshire Council.

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## **Implications of the Report**

### **1. Financial**

As outlined in section 3.5 of the report.

### **2. HR & Organisational Development**

There may be TUPE implications between the existing contractor who is currently operating the transfer station, and Viridor Clyde Valley Limited at services commencement. There may also be TUPE implications at the end of

the 25 year contract period whether the Council decided to bring the contract back in house (in which case there will be TUPE implications from Viridor Clyde Valley Limited to the Council) or if the Council decide to engage a new contractor (in which case there will be TUPE implications between contractors).

3. **Community Planning**

Greener - This Contract will assist the Council in complying with the Landfill Ban and meeting recycling targets.

4. **Legal**

Renfrewshire Council will have no contractual relationship with Viridor Clyde Valley Limited. NLC will be the only Partner Council with a contractual relationship with Viridor Clyde Valley Limited. Renfrewshire's obligations for the operational phase of the contract shall be governed by the Post-Contract Inter Authority Agreement (IAA) entered into among all the Partner Councils. Post Contract IAA is in an advanced draft and covers (among other things) the following areas:

- Renfrewshire Council's obligation to deliver their proportion of the minimum tonnage
- Renfrewshire Council's obligation to make payment for their share of the unitary charge
- Renfrewshire Council's obligation to make payment for their share of the project management costs
- Renfrewshire Council's obligations in respect of the works required to the transfer station in advance of Service Commencement
- Consequences of withdrawing from the partnership.

5. **Property/Assets**

Renfrewshire Council's Middleton Road transfer station will be operated by the contractor for the duration of the contract. Some upgrades are required to the transfer station in advance of services commencement (see 3.5.3 above). The contractor shall return the transfer station to the Council at the end of the contract.

6. **Information Technology – N/A**

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. 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**

N/A.

9. **Procurement**

The procurement is being conducted in line with the Public Contracts (Scotland) Regulation 2012 under the Competitive Dialogue procedure. There are various stages to this procedure: Outline Dialogue, Detailed Dialogue, Final Dialogue, Selection of Preferred Bidder, Financial Close, and Services Commencement. The project is due to reach financial close on 11 May 2016 with services commencement on 1 December 2019.

10. **Risk**

There are some residual risks that remain with the Partner Councils, these include:

- **Qualifying Change in Law**  
If a Qualifying change in Law occurs then the Contractor is entitled to any change in project costs the directly result from the Qualifying Change in Law. The Contractor has to agree any changes required and mitigate the effect of the changes.
- **Foreign Exchange**  
A percentage of the price is linked to Foreign Exchange rate. This will be adjusted up or down between Tender submission and Financial Close in line with the change in the ForEx rate. After Financial Close this risk passes to the Contractor.
- **Indexation**  
A percentage of the price is adjusted on an Annual basis in accordance with a basket of indices which reflect the impact of increases in fuel, wages and general inflation.

These risks will be monitored and mitigated during the period between financial close and service commencement and throughout the Service Period by the Contract Management Team.

11. **Privacy Impact** – As there are no personal details involved there is no privacy impact.

## List of Background Papers

A copy of each of the following is available from the Director of Community Resources on request:

- (1) Final Business Case
- (2) Post Contract Inter-Authority Agreement
- (3) Key Stage Review

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**To: Council**

**On: 28 April 2016**

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**Report by: Chief Executive**

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**Heading: Redevelopment of the Former Arnotts Site, Paisley**

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## **1. Summary**

- 1.1 Renfrewshire Council has clearly stated its ambition to prioritise the economic regeneration of Renfrewshire by investing in the many strengths of the area including its built heritage, culture, businesses, educational opportunities, and strengths of its community.
- 1.2 This report provides members with an update on the redevelopment of the former Arnotts site in Paisley, a key element of the ongoing successful regeneration of Paisley Town Centre and the wider Renfrewshire economy. Further, and as part of ongoing redevelopment plans for the site, the report seeks authority to agree to support a buy back clause incorporated into the sale agreement between Park Lane Developments (Renfrewshire) LLP and Link Housing Group for a portion of the undeveloped site running parallel to Smithhills Street for which plans are being progressed for the development of a further phase of mixed tenure housing.

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## **2. Recommendations**

### **2.1 It is recommended that Council :**

- Note the significant positive progress made in the redevelopment of the former Arnott's building in Paisley town centre.
- Note the conclusion of a sale agreement between Park Lane Developments (Renfrewshire) LLP and Link Housing Group, as part of a further planned phase of mixed tenure housing development on a portion of the site adjacent to Smithhill Street.

- Agree to provide the necessary support to the buy-back clause as part of the sale agreement between the LLP and Link Housing Group as outlined in paragraphs 4.5 – 4.6 below.
  - Note plans of the LLP to deliver an environmental green space improvement project to the internal parking and courtyard area as part of completing the residential phases of the site redevelopment.
  - To delegate authority to the Chief Executive in consultation with the Head of Corporate Governance to conclude necessary legal changes to the structure of the LLP as outlined in paragraph 5.3 below.
  - To note that reports will be provided at appropriate points in the future as master planning options are sufficiently developed for the remaining undeveloped portions of the site.
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### 3. **Background**

- 3.1 Members will be aware of the work being taken forward to deliver economic regeneration across Renfrewshire. In this context, at its meeting on 27 February 2014 Council agreed a series of measures to advance the redevelopment of the former Arnotts building, as part of the second phase of development on the site following on the back of the successful delivery of a mixed tenure housing development in phase 1.
- 3.2 Subsequent to this, at its meeting of June 26<sup>th</sup> 2014, Council committed to a development funding package to support the redevelopment and a commitment to enter into a Head Lease for the commercial space on the ground floor. These measures by the Council provided the LLP with the ability to progress the construction contract and move forward the redevelopment which has included successfully retaining the listed facade which is an iconic and important heritage landmark in the town centre.
- 3.3 The financial deliverability of the development, including assumed sales values and the terms of the lease have been continually reviewed by Council officers during the physical development stage to ensure that the scheme as delivered remained acceptable and financially viable in line with the original business case.
- 3.4 Since then the LLP which is the body set up by the council to lead the regeneration of the site, has continued to manage the delivery of this project and to this end have successfully completed the provision of 11 residential flat units for sale and the formation of ground floor commercial space.

- 3.5 The commitment by the Council to support the redevelopment project has been crucial in unlocking what is now a key investment in the regeneration of Paisley town centre. Substantial and successful progress was achieved by the LLP over the course of 2015 and moving into 2016 to advance the redevelopment, to realise the anticipated regeneration benefits and deliver the business case objectives as envisaged at the outset of the project.
- 3.6 In line with the business case, the LLP in December 2015 secured the successful sale of the Council's long term head-lease to an investment company. In turn a long term sub-lease will shortly be concluded with a prominent local restaurateur for the ground floor commercial space which will deliver a new Bar and Grill restaurant facility. This will provide a high quality addition to the commercial offering within Paisley Town Centre and will provide a significant boost to the evening economy. In line with the original plans the terms of the sub-lease will assist in defraying the Council's costs of the head-lease.
- 3.7 As was anticipated in the redevelopment business plan, market interest in the residential units remained strong and all 11 residential flats were successfully sold off plan with sales concluded and occupation achieved in early April for all 11 units. The successful completion of the development, residential sales, investment sale and sub lease of the commercial space all prior to the physical completion of the development has re-enforced the importance of the Council's agreement to support the LLP's redevelopment proposals. The commercial funding facility which was extended by the Council to the LLP has been fully repaid with interest by the LLP in line with the funding agreement.

#### **4. Smithhill Street Development**

- 4.1 In line with its business objectives, the LLP has continued to progress opportunities to attract further phases of development on the site which are aligned to the overall town centre regeneration objectives being advanced by the Council. To this end, the LLP Board, in partnership with Council officers has progressed negotiations with Link Housing to deliver a third phase of residential development on part of the site adjacent to Smithhill Street and which at present is occupied by buildings which formed part of the former Arnotts store.
- 4.2 The redevelopment plans will involve the demolition of the existing buildings by the LLP and delivery of 24 new mixed tenure housing properties by Link Housing. This recognises that the condition of the existing building is such that renovation would not be an economically viable option and that a housing project would in turn assist in the delivery of the Strategic Housing Investment Programme being advanced by the Council for Renfrewshire. In addition, as part of the proposals the LLP will be committed to deliver an environment improvement project to provide an internal green space which will border the three residential phases and which will provide a finished redevelopment of this overall section of the site.

- 4.3 Sale of the site was legally concluded between the LLP and Link Housing prior to the 31<sup>st</sup> March to allow Link Housing Group to secure initial approval to access Scottish Government housing grant aligned with the project proposals. As part of the sale agreement the LLP is committed to the completion of the demolition and clearance works of the existing site and the delivery of the environmental green space project. It is intended that the associated sale proceeds secured by the LLP will be applied for these purposes.
- 4.4 In addition, Link Housing Group have sought to secure a buy-back clause as part of the sale agreement whilst they fully complete all associated aspects of diligence and final sign off for the project including site and ground condition investigations, securing necessary statutory and planning consents and final agreement on specification and grant funding levels with the Scottish Government. If triggered, the clause would enable the Link Housing Group to recover the purchase price for the site in exchange for the return of ownership of the site where they were unable to progress a viable scheme.
- 4.5 In order to allow the LLP board to utilise the sale proceeds in the interim period to progress both the site demolition and clearance works and deliver the environmental green space project, the Council has been asked to provide the covenant for the buy-back clause. In the unlikely event that Link Housing Group are unable to progress a viable project following the full conclusion of their site and other investigations, the Council would purchase the site and take it into direct Council ownership for the original £0.192m plus vat sale price.
- 4.6 At present, it is considered unlikely that this clause would be triggered on the basis that:
- The site already has current structures that have existed for a considerable length of time, coupled with no material ground condition issues identified as part of the completion of the first two phases of the overall site development. It is therefore considered low risk by the LLP that unforeseen ground condition issues which materially differ from phases one and two will be identified once the completion of the necessary investigations and the Council's Head of Property Services concurs with this view.
  - Based on the plans developed to date by Link Housing, positive pre-planning application discussions are ongoing with Council Planning Officers. At this stage the LLP and Link Housing are not identifying any material planning risks that would prejudice the development of a successful scheme and detailed plans will be considered in due course by the Council as part of the formal planning process once a detailed planning application is lodged by Link Housing.
  - Link Housing are experienced and have a track record in successfully delivering projects of this nature in partnership with the Council and Scottish Government and as referred to earlier the project forms part of the

Strategic Housing Investment Programme currently being advanced by the Council for Renfrewshire.

Similar to previous phases therefore, the provision of the Council's support in this manner will allow both the LLP Board and Link Housing Group to actively progress the next phase without delay and deliver further successful regeneration on the site and in the town centre.

## **5. Internal Restructuring of the LLP Governance Structure**

- 5.1 At its meeting on 27 February 2014 the Council delegated authority to the Chief Executive to take forward and conclude negotiations with Park Lane Developments with a view to facilitating their exit from their membership of the LLP following the successful completion and sale of the refurbished Arnotts building. This course of action reflected the view that the masterplan options to develop out the remainder of the site was likely to be focused predominantly on public sector led regeneration solutions.
- 5.2 In line with this approval a negotiated exit was agreed with Park Lane Developments that has resulted in a staged repayment of their secured loan facility with the LLP subject to specified triggers linked to the successful delivery of the Arnotts building redevelopment and subject to agreed deductions.
- 5.3 However, in light of the LLP successfully securing the development agreement with Link Housing Group as outlined in section 4 above, it is proposed that to maintain continuity in the delivery of this Phase three development and the associated environmental green space project, that Park Lane Developments continue as the formal partner of the Council in the LLP structure and continues to fulfil the associated Development Manager role. In these circumstances, the Council will be the only partner with an ongoing investment within the partnership structure. As a consequence of this change there is a requirement for the governance and financial arrangements of the partnership agreement to be appropriately adjusted and delegated authority is sought to negotiate and finalise those adjustments. These changes would ensure that the Council has an appropriate level of control within the LLP Board structure, would hold sole security over the remaining undeveloped portion of the site and would be entitled to the financial benefits that may flow from the successful development of the remainder of the site. Park Lane would continue to be engaged in the LLP by providing specialist advice as Development Managers of the project.

## **6. Future Master Planning**

- 6.1 As outlined in this report and in conjunction with appropriate support from the Council at key stages, the LLP has been successful in securing and delivering important regeneration projects on this strategically important site in the town centre and which have aligned with and complimented the Council's wider regeneration plans.

- 6.2 Moving forward, it would be intended that as well as working in partnership with Link Housing to successfully deliver the third phase of residential development, the LLP will continue to explore options to develop out the remaining portion of the site. The development of master planning options for these remaining parcels of the site, will take into account ongoing developments in the Council's wider regeneration priorities as well as ongoing developments and changes in wider market conditions. In line with the approach adopted to date further reports would be brought back as definitive development opportunities are sufficiently progressed.

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## Implications of the Report

1. **Financial:** There are no direct financial consequences associated with the proposals outlined in this report. Should the buy-back clause be triggered the Council has previously made provision to support the development of the site which would fund this transaction.
2. **HR & Organisational Development:** None.
3. **Community Planning - Jobs and the Economy** – The redevelopment of the Arnotts Site and the corresponding increase of people living in the town centre is in keeping with the aim of growing the footfall within the town which will benefit local business.
4. **Legal** – appropriate adjustments to the legal agreements between the Council and the LLP would be required to reflect the proposed changes to the partnership relationship between the Council and Park Lane Developments.
5. **Property/Assets** – N/A
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.
8. **Health & Safety:** None.
9. **Procurement:** None
10. **Risk:** None
11. **Privacy Impact** – N/A

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## List of Background Papers

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



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**To: Council**

**On: 28 April 2016**

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**Report by: Chief Executive**

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**Heading: Economic Implications for Renfrewshire of a UK exit from the European Union**

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## **1. Summary**

- 1.1. A motion was approved at the Council meeting 25 February 2016 to instruct the Chief Executive to prepare a report for the Council meeting on 28 April 2016 on the financial implications for Renfrewshire Council and, where possible, the wider Renfrewshire economy of a UK exit from the European Union (EU).
- 1.2. There is very significant uncertainty surrounding the implications of a UK exit from the EU and this is compounded by the strongly divergent and subjective views arising from both sides of the debate. In order to provide the Council with an informed and independent response to the motion, the Chief Executive of the Council commissioned the Chief Executive of the Improvement Service to carry out an independent review of the subject and his resulting review paper is attached as an appendix to this report.
- 1.3. The review concludes that while there can be no ultimate certainty, the available evidence and analysis suggests that the balance of probability is that a UK vote to leave the EU would be economically damaging for the UK. If realised, this reduction in economic growth would reduce Government fiscal receipts and put additional pressure on public spending.
- 1.4. The review highlights that it has not been possible to identify any specific economic modelling of the impact of a UK exit on Scotland or any region of Scotland. It does note however that the Fraser of Allander Institute considers it likely that the impact on Scotland's economy would also be negative based on the wider UK and international evidence.
- 1.5. In addition to the wider UK based analysis contained within the review, the report also highlights some potential areas of financial and economic risk specifically for the Council and Renfrewshire in relation to access to direct EU funding and foreign inward investment.

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## **2. Recommendations**

- 2.1. It is recommended that the Council note the content of this report and the review paper provided in appendix 1.

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## **3. Background**

- 3.1. The UK Government has chosen to hold a referendum on Britain's membership of the European Union. The referendum will take place on Thursday 23 June 2016 and voters will be asked the question:

*“Should the United Kingdom remain a member of the European Union?”*

- 3.2. At the Council meeting 25 February 2016, a motion was approved to instruct the Chief Executive to prepare a report for the Council meeting on 28 April 2016 on the financial implications for Renfrewshire Council and, where possible, the wider Renfrewshire economy of a UK exit from the European Union.
- 3.3. Given the very significant uncertainty surrounding the implications of a UK exit from the European Union, the complex economic arguments and the strongly divergent and subjective views arising from both sides of the debate, the Chief Executive considered it appropriate to seek an analysis of the issue from an informed and independent source. It was identified that the Chief Executive of the Improvement Service, Colin Mair, was already undertaking research into the subject area and he was therefore approached, and subsequently agreed, to produce a detailed review paper for the Council.
- 3.4. In addition to the wider UK based analysis contained within the review, the report also highlights some potential areas of financial and economic risk specifically for the Council and Renfrewshire in relation to access to direct EU funding and foreign inward investment.

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## **4. Key findings from the review**

- 4.1. The review paper from the Chief Executive of the Improvement Service is attached as Appendix 1 of this report and provides a detailed and systematic review and analysis of the debate and evidence relating to the economic implications of a UK exit from the EU.
- 4.2. The paper is structured into three sections:
- Section 1 reviews the UK's past and current economic relationship with the EU as a basis for considering the impact of the UK exit from the EU.
  - Section 2 examines the likely impact of different models for a UK exit, and the conclusions that can be drawn from them.
  - Section 3 provides a summary and conclusions.

4.3. A summary of the key findings and conclusions from the review paper are provided below:

- The EU is the largest trading partner for the UK, accounting for 46% of our exports and 53% of our imports, amounting to £820 billion of trade.
- Overall, the UK had a £97m trade deficit in goods with the EU in 2014, but a trade surplus of £35 billion in service, giving an overall net deficit of £62 billion. 50% of this deficit is with two EU countries, 25% of EU countries have a trade deficit with the UK and 50% do relatively little trade with the UK.
- The EU and the UK are highly integrated in terms of mutual investment with the EU holding 46% of all foreign assets in the UK, and 43% of the foreign assets held by the UK are within the EU.
- The economic benefits to the UK of EU membership in terms of trade and investment are accepted by both sides of the debate.
- The UK is a net contributor to the EU budget (the paper indicates it pays in around £5/6 billion per annum more than it gets back).
- If the UK left the EU it would most likely seek to negotiate a free trade agreement to allow it to retain access to its most significant export market. Non EU countries who have negotiated similar access arrangements (Switzerland, Norway, Luxembourg and Iceland) are required to make a contribution to the EU budget of between 46% and 81% of the current UK per capita contribution, and also have to agree to free movement of labour and the EU's regulatory regime. It is considered likely that the UK would be required to accept similar conditions to retain tariff free access to the EU market, therefore limiting the gains in relation to sovereignty, reduced regulation and immigration control sought by those in favour of exit.
- The review paper concludes that while there can be no ultimate certainty, the available evidence and analysis suggests that the balance of probability is that a UK vote to leave the EU would be economically damaging for the UK, at least in the short to medium term. If realised, this reduction in economic growth would reduce Government fiscal receipts and put additional pressure on public spending.
- The review paper highlights that it has not been possible to identify any specific economic modelling of the impact of a UK exit on Scotland or any region of Scotland such as Renfrewshire. It does note however that the Fraser of Allander Institute considers it likely that the impact on Scotland's economy would also be negative based on the wider UK and international evidence.

4.4. As highlighted in the last bullet point above, the review paper does not make any specific comments on the financial implications for the Council. It is considered reasonable however to note that if the review paper's conclusion that UK economic growth and Government fiscal receipts will be negatively impacted by an exit from the EU was to materialise, then this would increase the risk of the Council's central government grant being reduced in the future.

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## **5. Potential loss of direct EU funding to the Council and other partners**

- 5.1. The Council has benefited from being able to apply for EU funding to support specific initiatives, the most significant of which has related to funding for employability. The Renfrewshire Employability Partnership received a total of £2.76million over the period 2011 to 2014 (£1.99m for the Council and £0.76m for partners). An additional £6.9m of EU grants to the Council are expected over the three year period 2015 to 2018 for the Council's Youth Employment, ESF Pipeline, and Poverty and Social Inclusion programmes. Renfrewshire will also receive a share of EU funding allocated to Renfrewshire, East Renfrewshire and Inverclyde through the Leader (£2.3m available to 2020) and ERDF (£0.7m to 2018) programmes. The Council also receives a management fee of 20% of the Leader funding for acting as the regional lead Council for this programme.
- 5.2. This EU funding averages around £1.6million per annum and which could be considered at risk from a UK exit. Whether or not this materialised as an actual loss of funds for the Council would depend on the timing of a UK exit and the extent to which the UK and/or the Scottish Government chose to provide alternative sources of funding to make up for this loss.
- 5.3. It is worth noting also that Universities UK, the body which represents the vice-chancellors of the UK's 133 Universities, has come out strongly in favour of the UK remaining in the EU. One of the concerns they highlighted was the perceived risk to the £1bn of research funding from the EU that comes to the UK each year. If this concern was to be realised, then one of the Council's key partners in Renfrewshire, the University of the West of Scotland, may also face a risk from a UK exit in relation to its ability to access EU funding to support its research activity.
- 5.4. There is a counter argument which can be made which is that since the UK is a net contributor to the EU, it would gain financially (by around £5/6bn per annum according to the review paper) by leaving the UK and this gain could be used to make up for the loss of EU funding for these type of programmes. However, it should be noted that the review paper in Appendix 1 concludes that it is likely that any free trade agreement negotiated between the UK and the EU following a UK exit, would involve some form of continuing UK financial contribution to the EU reducing the level of this gain. The review paper also suggests that any remaining gain may be required to offset the negative fiscal impact of the reduced UK economic highlighted in section 4 above.

## **6. Potential impact on local inward investment**

- 6.1. The review paper indicates the potential for a UK exit from the EU to have a negative impact on the level of Foreign Direct Investment (FDI) into the UK. While it is not possible to predict how this might materialise in particular areas of the country, given the Council's ambitious plans to support inward investment into Renfrewshire through the planned City Deal related airport investment zone, this could represent a risk to achieving the level of economic benefits anticipated from this significant strategic investment.

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## Implications of this report

1. **Financial Implications**  
The report outlines potential financial implications for the Council of a UK exit from the European Union.
2. **HR and Organisational Development Implications**  
None.
3. **Community Plan/Council Plan Implications**  
None
4. **Legal Implications**  
None
5. **Property/Assets Implications**  
None
6. **Information Technology Implications**  
None
7. **Equality and Human Rights Implications**  
None
8. **Health and Safety Implications**  
None.
9. **Procurement Implications**  
None.
10. **Risk Implications**  
None
11. **Privacy Impact**  
None.

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## Attachements

**Annex 1**     The EU Referendum: Economic Implications Report Prepared For  
Renfrewshire Council By Chief Executive, Improvement Service

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## *Chief Executive*

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**THE EU REFERENDUM: ECONOMIC IMPLICATIONS**

**REPORT PREPARED FOR RENFREWSHIRE COUNCIL**

**COLIN MAIR, CHIEF EXECUTIVE, IMPROVEMENT SERVICE**

**Introduction**

The EU Referendum has been driven less by economic analysis than by concerns with “sovereignty” and immigration. The “Brexit” campaign particularly has emphasised the constraints on UK Parliamentary sovereignty of UK membership of the EU, and “loss of control on our borders”. Their economic analysis is not their primary reason for proposing “Brexit”, but it does suggest that the UK economy could survive and even benefit from Brexit. This includes the potential for greater deregulation of product and labour markets on leaving the EU, the likelihood that the UK would reach a favourable trading agreement with the EU, and greater freedom to form trade relations with non EU countries.

The case for remaining in the EU has been primarily economic in focus and has emphasised the advantages of EU membership in terms of trade, inward investment, simplicity of regulation, and strengthening the UK’s position as a major global financial centre. For these reasons, “Brexit” is seen as short term disruptive and long term economically damaging.

The focus of this paper is on the economic issues but some brief remarks on “sovereignty” and “immigration” are necessary. UK membership of the EU **is** an exercise of sovereignty, not the denial of it: the UK chose to join the EU and it can choose to leave. The decision to join any partnership implies also a decision to accept the rules of that partnership, and that may constrain subsequent decisions (e.g. with respect to movement of labour or capital; restrictions on state aid etc). The question is the balance of benefits and constraints. Equally:

- (i) Any imaginable future economic relationship that the UK could negotiate with the EU will have exactly the same effect: it will have constraints as well as benefits.
- (ii) Any imaginable future economic relationship that the UK can negotiate with non EU economies will have exactly the same effect: it will have constraints as well as benefits.
- (iii) The deeper any trade agreement negotiated, the greater the benefits but also the greater the constraints (e.g. totally free access to foreign markets typically means conceding totally free access to domestic markets for these countries. This would normally include foregoing the right to impose tariff or non-tariff barriers to inwards trade and investment).

The only way of avoiding this would be to have no formal trade agreements at all but that is precisely not what the vast majority those who favour leaving the EU are advocating. The assumption is that some alternative trade agreement will be put in place. The issue is, therefore, not of sovereignty: it is whether the constraints of EU membership are justified by the benefits of EU membership and/or whether these benefits could be achieved with fewer or lower constraints.

The major constraint emphasised by those advocating of Brexit is free movement of labour within the EU, and consequentially “loss of control” of UK borders. This has been argued to have an impact on housing demand, demand on public services, and employment and wages. Cultural/cohesion concerns about immigration and, more recently, security concerns are beyond the scope of this report, but the economic and fiscal impacts of immigration are open to factual analysis. The analysis of immigration from an economic point of view includes:

- The impact of immigration in balancing the working age and “dependent” population in the UK.
- The impact of immigration on finance and demand for public services in the UK, i.e. fiscal impact.
- The impact of immigration on the skills base and productivity of the UK economy.

The final point by way of introduction is that any analysis at present is about the probable balance of risk and reward in leaving or remaining in Europe. As the UK is presently in the EU, much analysis has focused on the risks and rewards of leaving. Given the UK's relatively poor productivity, weak export performance, and worsening balance of trade with the EU, there are clearly risks as well as rewards with EU membership as well.

It is impossible, given the uncertainties, to make a separate assessment of the potential specific impact of Brexit on Scotland. We can identify no specific modelling of the potential impact on Scotland, although the Fraser of Allander Institute has made a strong statement of likely negative impact, based on wider UK and international evidence (Fraser of Allander 2016). Specific judgements about impacts on particular sectors in Scotland, e.g. retail or air passenger transport, are simply not possible at this juncture.

The rest of this report is structured as follows:

Section 1 reviews the UK's past and current economic relationship with the EU as a basis for considering the impact of Brexit.

Section 2 examines the likely impact of different models of Brexit, and the conclusions that can be drawn from them.

Section 3 provides a summary and conclusions.

## **Section 1: The UK Economic Relationship with the EU**

The EU is overwhelmingly the largest trading partner of the UK, accounting for almost 50% of external trade (£820 billion of trade in 2014). It accounts for 46% of our exports, and is the source of 53% of our imports.

This might be seen to be completely natural, and no great credit to the EU: across the world, countries are likely to trade more with neighbouring countries than countries that are further away, and more with richer rather than poorer countries. Modelling by the Centre for European Reform, that controls for proximity and relative

GDP, shows trading between EU members is around 33% higher than would be expected on world trends. For the UK, that difference would equate to around £290 billion of trade in 2014 (CER 2016).

UK exports to the EU are 60% goods and 40% services. As we import more value in goods from Europe than we export to Europe, the UK had a £97 billion trade deficit with Europe on goods in 2014. For services the opposite was the case, and the UK had a trade surplus on services of around £35 billion (ONS 2015 B). Financial services were central to that surplus, reflecting the major European role of the City of London.

The proportion of all UK trade (goods and services) that is with Europe has declined over the last decade as the global economy, and developing markets within it, have expanded. That said, UK trade with Europe has continued to grow in volume and value across that period (from £557 billion in 2004 to £820 billion in 2014). In comparison, trade with the Americas (North and South) has grown from £203 billion to £293 billion, and with Asia from £139 billion to £259 billion. Trade with China is less than 10% of trade with the EU. Around 48% of UK trade remains with the EU, but that is down from around 56% in 2004.

The Brexit proposition is that, over time, trade with the EU has become, and will become, less important and that membership of the EU has restricted the UK's trade relationship with other parts of the world economy. Finally, as the UK has a substantial trade deficit with the EU, it is assumed that the EU would wish a favourable trading relationship, even if Brexit occurs.

All of these propositions are open to question. It is true that the relative share of UK trade with Europe declined across the decade from 2004 but growth in trade was faster with the EU than any other part of the world, and the value of trade with the EU grew by about 50% (CER 2016). The decline in relative share of all UK trade that is with the EU was 14% across a decade that saw spectacular economic growth in China, India and Brazil that is unlikely to be replicated. Even if that level of decline in relative share continued, the EU would still be the UK's largest trading partner 20 years from now.

The suggestion that UK trade growth with the EU has “diverted” trade that would have otherwise gone elsewhere in the world is simply false. The research evidence shows that Britain’s trade with non EU countries has grown in line with the trend for non EU countries, and that other EU members, e.g. Germany, have exceeded that trend (CER 2016, ONS 2015). As importantly, the EU has greater muscle in negotiating collective trade agreements with third party countries than any individual member state has due to the scale and wealth of the EU as a trade partner. The UK has benefited, and will benefit, from this capacity. Brexit would potentially opt the UK out of forthcoming free trade agreements with America and Japan.

Finally, the proposition that the UK trade deficit would mean that the EU would need a favourable trading relationship after Brexit is overly general. First, this applies only to trade in goods, not services, and the UK would have to continue to meet product regulations set by the EU to access their markets. Second, 50% of the UK deficit is with two countries, and 25% of EU members actually have a trade deficit with the UK. All 27 members would have to agree to any new relationship with the UK.

Third, short of the type of arrangement Norway, Iceland and Luxembourg have with the EU, which includes contributing to the EU budget, abiding by all of its regulations, and free movement of labour and capital, it is hard to see that the UK’s most successful export, financial services, would not be negatively affected by Brexit. No non EU country, including Switzerland, has free access to the EU financial services market. They are obliged to have “equivalence” in financial services regulation, overseen by the EU, and to create subsidiaries within the EU as a basis for trading with the EU. The UK has attracted substantial inward investment in financial services across the last decade for this reason: the City of London as a base for euro denominated financial trading and access to EU financial services markets (CEP 2016, CER 2016).

The crux of the post Brexit impact would be the nature of the trading agreement the UK negotiated with the EU. Anything close to “free trade” would likely require free movement of capital and labour, and abiding by EU product and labour market regulation, i.e. would be much the same as now and defeat the point of Brexit in the first place. Anything that avoided free movement of labour and EU regulatory requirements would fall very far short of free trade, and would face substantial tariff and non-tariff barriers (e.g. the need to establish subsidiaries in an EU member state

and thus come under EU regulation). The Brexit proposition assumes a more favourable treatment of the UK on exit than is offered to any other non EU country, including the USA. It is worth noting that though trade with the EU accounts for 48% of the UK's external trade, trade with the UK accounts for only 10% of the rest of the EU's external trade. UK leverage is not as great as implied by Brexit advocates.

To pull the foregoing together:

- (1) Whether viewed as positive or not, the UK is highly integrated with the EU economy.
- (2) Around 48% of UK external trade is with the EU with a substantial trade deficit on goods, and a substantial trade surplus on services.
- (3) This level of external trade is much larger than would be predicted on global trends, taking account of proximity and GDP, i.e. membership has enhanced trade.
- (4) There is no evidence that UK membership of the EU has restricted or "diverted" trade with the rest of the world. UK trade growth with other countries is in line with global trends.
- (5) Post Brexit, the UK would be likely to either face tariff and non-tariff barriers in its trade with the EU, or it would have to accept EU free movement and regulatory requirements.
- (6) The Brexit advocates exaggerate the UK's importance to Europe and the world economy. Trade with the UK is 10% of Europe's external trade, and only 4% of world trade. These are not insignificant percentages, but they do not support the leverage suggested by advocates of Brexit.

The final element in this section is Foreign Direct Investment (FDI). All of the evidence is that over time, the EU and the UK have become more integrated through mutual investment patterns. Some simple facts make this point:

- Between the mid 1990's and 2014, the proportion of the total stock of foreign investment in the UK held by the EU rose from 30% to almost 50% (Office of National Statistics 2015).
- The proportion held by the USA fell from 45% to 28% (Office of National Statistics 2015).
- 46% of all foreign assets held in the UK were held by the EU: equivalent in value to 30% of GDP (Office of National Statistics 2015).
- 43% of all foreign assets held by the UK are held within the EU (Office of National Statistics 2015).
- 60% of FDI into the UK across the last decade has been in services and 50% of that total is in banking (CER 2016).
- The EU effect in FDI is greater than FDI from Europe alone: the need for non EU traders to have a base in the EU to trade freely within the EU has had a positive impact on inward services investment (Capital Economics 2016).
- Productivity gains to the UK economy from FDI, and the associated flow of high skill European labour, have been variably estimated to have added between 1% and 5% to UK GDP (Dustmann & Frattini; Pain & Young).

The foregoing shows how integrated the UK is with the EU in terms of mutual investment, and the implications of that need teased out. Advocates of Brexit can reasonably argue that the scale of EU holdings in the UK mean that a mutually beneficial agreement between the UK and EU would be negotiated post Brexit. (This is probably more compelling than the trade deficit argument.) However, any deal that allowed continued openness, in both directions, to FDI would almost certainly be linked to free movement of labour and mutually agreed regulation, particularly in financial services. This might be very hard for a UK Government to agree after a vote to leave motivated by sovereignty and control of borders.

Those who favour remaining in Europe would point out that leaving puts major flows of future investment at risk, and might have particular implications for financial services and London's role as a global financial centre. Inward investment by non

EU financial institutions in London is partly driven by the institutional infrastructure, critical mass of related services and high quality human capital that London provides as a basis for banking and financial services. However, it is also based on the need for non EU financial institutions to have a base within the EU. If the UK was no longer in the EU, London's other locational advantages would remain but access to the EU market would almost certainly diminish. London's position as the largest centre for euro denominated trades, despite the UK not being in the Eurozone, would also be potentially undermined.

There is practical sense in both the Brexit and Remain arguments, and the core point is that, for trade and investment, the economic impact would depend on the agreement concluded after exit was decided. The options here are examined in the next section. The period between a referendum vote to leave and the UK actually leaving the EU has been identified by the Monetary Policy Committee of the Bank of England as the greatest "volatility" risk to the UK economy in the medium term: trade and investment would be disrupted until an agreement was reached, and that would have a negative impact on the UK economy. Arriving at a deal quickly would be a key priority.

## **Section 2: Brexit Options and Impacts**

Given the scale of the UK's trade and investment relationship with Europe, the free trade advantages of membership, and the degree of economic integration of the UK with Europe, it is worth teasing out further what the point of Brexit would actually be. A number of points have been made:

- Freedom to negotiate trade and investment agreements with non EU countries.
- Eliminating the need for the UK contribution to the EU budget.
- Sovereignty of the UK Parliament to set its own regulatory and legal frameworks, and a reduced level of regulation.
- Controlling the flow of immigrants into the UK by terminating free movement of labour with and from Europe.

All of these points are questionable. The UK is already free to strike agreements with other countries as long as these do not infract agreed EU rules (Germany, for example, has had successful agreements with China and the USA, and trades far more extensively with non EU countries than the UK). As importantly, as a member of the EU, Britain benefits from free trade agreements negotiated by the EU. 17% of UK exports are estimated to be achieved through EU negotiated trade agreements with non EU countries (Capital Economics 2016). As the “Transatlantic Trade and Investment Partnership” (TTIP) is being concluded with the USA, as is a free trade agreement with Japan, now seems a modestly odd time to leave.

The essence of the Brexit proposal is therefore that the UK on its own would be able to negotiate more advantageous trade agreements than the EU. This seems implausible: the EU (minus the UK) is a market of 500 million people and accounts for 15% of external world trade while the UK is a market of 67 million people that accounts for 4% of external world trade. EU leverage in trade negotiations is simply greater. It is also simply not true: the USA has indicated it would not negotiate a bilateral trade agreement with the UK, separate from TTIP.

Eliminating Britain’s contribution to the EU budget seems the most certain outcome of Brexit but it would depend on the subsequent relationship negotiated with the EU. Switzerland, Norway, Luxembourg and Iceland are not members of the EU but make substantial contributions to the EU budget in return for trade agreements (they contribute between 46% and 81% of the UK per capita contribution). Furthermore, the net saving would be less than 50% of total contribution as the UK already receives a rebate, and money is returned to the UK through agriculture and regional development subsidies. The net gain would be well below 1% of the UK current budget (OBR 2016).

The objectives around “sovereignty”, deregulation and controlling immigration are both unlikely, and very restrictive of post Brexit options. As noted, any imaginable trade agreement with anyone would qualify subsequent sovereignty so it is hard to view full sovereignty as a credible aspiration, and even less as an achievable objective. The OECD regards the UK as already having amongst the most deregulated labour and product markets in the world (CER 2016). Many of the most expensive regulatory burdens in the UK were led by the UK Government and are

more demanding than EU requirements (e.g. green energy requirements; minimum/living wage; capital/debt ratios in banks, etc.). Even if the EU were taken entirely out of the picture, it is hard to see that the UK would be much more deregulated than it is now.

The maximum cost of EU regulation we can identify from the literature is it is equivalent to 0.9% of GDP (Minford 2016). This is assertion rather than modelling, includes (as above) regulation the UK would almost certainly continue to have anyway, and compares with the modelled 2.5% of GDP attributable to EU FDI (Pain & Young), the 2% to 5% GDP gain from free trade within Europe (CEP 2016) and the 0.6% GDP gain from skilled immigration from Europe (Dustmann & Frattini 2014). Even if true, it is small beer.

In reality, EU membership simplifies the regulatory landscape, and reduces the regulatory burden, by rationalising and integrating the regulatory requirements of 28 countries into a single framework of minimum requirements. Regulatory costs to business would be far higher if they had to provide goods and services to meet 28 separate sets of requirements.

Finally, the objective of controlling immigration is less than clear. From peer reviewed research, EU immigrants are much younger and more economically active than the UK population; have no statistically measured impact on indigenous employment; have a positive impact of indigenous wages; are net fiscal contributors to the UK, and add between 0.6% and 1% to UK GDP (Dustmann & Frattini 2014; Oxford University Migration Observatory 2015; Springford 2015). As importantly, they are essential to filling high and low skill labour force gaps due to an ageing workforce and retirement (Springford 2015). The Office of Budget Responsibility estimate that, if current flows are restricted, future tax revenues will be much lower, and Government borrowing higher (OBR 2015 & 2016).

From a purely economic rationale, there is no evidence case at all for restricting EU immigration to the UK. If all UK citizens resident in the EU returned to the UK (1.8 million), and all EU citizens resident in the UK returned to their countries (2.6 million), UK economic output would fall and demand on public services would rise as those returning to the UK would be much older, less qualified and much less economically active than those leaving (450,000 would be OAP's) (Springford 2015).

In short, it is very hard to identify coherent economic objectives in the Brexit case and much of it seems either misconceived or simply factually incorrect. However, if these are the objectives for Brexit, what would this mean for options for the future economic relationship with the EU?

The associate membership model through the European Economic Area (EEA), like Norway, would clearly not be an option. That would require a continuing high net budget contribution, sign up to EU regulatory requirements, and free movement of capital and labour. In essence, membership requirements without being a member. These requirements give full free trade and investment access, and allow Norway to operate within free trade arrangements negotiated by the EU with non EU partners. However, this would meet none of the stated objectives of Brexit so is very unlikely.

The Swiss option of multiple bilateral sectoral trade agreements with the EU is probably not a feasible option either. This still requires a substantial contribution to the EU budget (about half the British level), free movement of labour, and sign up to the relevant EU sectoral regulatory requirements. Again, that fails to tick almost all of the Brexit boxes and would give little point to leaving.

The UK could simply trade with the EU, under general World Trade Organisation rules, accepting tariff and non-tariff barriers as part of the cost of Brexit, i.e. without any specific trade arrangement with the EU. This would still mean complying with all EU product regulation as a condition of marketing within the EU. This option would give the maximum freedom from regulation, and full control of immigration. However, it would be potentially damaging to key sectors. For example, the car industry would face a 10% tariff imposition on UK manufactured car exports to the EU. This would damage competitiveness and would reduce the flow of FDI into the UK car industry which is entirely owned by foreign companies. Some of these companies might relocate their production as the UK would no longer provide a base for “free trade” export to Europe.

Financial services would certainly be subject to EU regulatory requirements and oversight: something the UK Government has successfully fought against as a member of the EU. UK owned banks, and the subsidiaries of foreign owned banks based in London to get access to the EU market, would have to relocate and form

subsidiaries within an EU member country. London would remain a major global financial centre, but the competitive position of other EU financial centres (Paris, Frankfurt, etc.) would probably be strengthened. It is hard to see any merit in this option at all economically but it is at least compatible with the “sovereignty”, control of borders arguments.

The only other option would be that the UK negotiates a comprehensive bilateral free trade agreement with the EU. This seems to be both the assumed and preferred option of those who favour Brexit, and one accepted by almost all commentators to be likely given the pre-existing level of mutual trade and investment. The question is whether any realistically achievable version of this option would satisfy the Brexit objectives noted above.

The first point to make about this option is that it already exists: the UK has a free trade agreement with the EU through its membership of the EU. That comes with conditions that Brexit advocates do not like. The oddity of the Brexit proposition is that it assumes that EU would extend the UK all the privileges of membership without the responsibilities in terms of budget contribution, regulatory requirements and free movement of labour. It is not immediately clear why the EU would agree to such a one sided deal, and fairly easy to think of reasons why they would not.

The Brexit advocates are right to point to the scale of the UK economy and the scale of established trade and investment flows. The fact that the UK is running a large deficit on trade of goods would also be an important facilitating factor but, in logic, the UK's large surplus in trade of services would therefore be an obstructive factor. It is entirely imaginable the EU would agree to barrier free trade in goods: much harder to imagine it for services, particularly financial services. It is hard to envisage any agreement of substance that does not include continued contribution to the EU budget, free movement of labour at minimum for the economic sectors covered by the agreement, and compliance with relevant EU regulatory requirements. **No** country that wanted to have full access to EU goods and services market has been able to avoid these requirements.

The Brexit presumption is that Britain would be treated as an exception but this would set a very difficult precedent for the EU: if the UK could secure this by leaving the EU, why not Switzerland, Norway, etc. Equally, every EU country now has euro

sceptic and nationalist parties with growing support and there is likely to be concern about setting a precedent of rewarding exit by making it “pain free”.

The timing could scarcely be worse: major elections forthcoming in the next two years in Germany and France with strong euro sceptic opposition parties with growing support. Noticeably, the recent reform negotiation between the EU and the UK resulted in the EU conceding nothing on core principles of free movement, equivalence of regulation, or contribution to the EU budget. The very minor concession on welfare benefits for immigrants is highly circumscribed, requires EU approval, and will have a very minor impact. It is hard to see why the EU would concede more to Britain once it had decided to leave than it was willing to concede while it was trying to keep Britain in the EU.

As noted above, the Brexit case simply presumes an importance of Britain to the EU that it does not any longer have. It accounts for 10% of EU external trade: the EU accounts for 48% of UK external trade. Only two countries have substantial trade surplus with the UK, 25% of countries actually have trade deficits and 50% do relatively little trade with the UK at all (ONS 2015 & 2015 B).

All 27 remaining countries would have to agree a new trade agreement. It is worth noting that the argument that the EU is of declining importance to the UK is more true in reverse: the EU has major trade agreements with America, Canada and Japan imminent: the UK would be a declining percentage of EU external trade. The UK has no such agreements anywhere near the starting gate, and would lose out on the EU deals with Brexit.

Finally, even if we assume an optimistic scenario (free trade agreement; no tariff barriers; lower regulatory costs than other non EU countries face), the detailed modelling work by the “Centre for Economic Performance” (CEP) at The London School of Economics still suggests an immediate negative effect of Brexit on UK GDP of 1.8% (CEP 2016). This reflects the disruption effect of leaving and the uncertainties it would generate. Most Brexit advocates accept a short term disruptive impact on the UK economy, and that has been also endorsed by the Bank of England.

The Brexit assumption is that, after an initial period of disruption, a deregulated and more globally focused UK economy would then grow rapidly. The CEP modelling suggests the opposite. The loss of the enhanced trade and the FDI that went with EU membership; the probability that non EU FDI looking for a base in the EU would now not locate in the UK; loss of productivity through a reduced flow of both FDI and skilled EU migrants and the loss of ability to trade under EU free trade agreements would all have long term negative effects on the UK economy. The CEP estimate is a long term negative impact of up to 6% of GDP (CEP 2016).

We emphasise this is a model but it is a very detailed one that is fully explicit about its assumptions and methodology (CEP 2016 Technical Paper). We can find no developed model of post Brexit scenarios that shows Brexit to be economically beneficial to the UK. Those who argue that Britain could do well post Brexit assume a highly liberalised, deregulated and open economy (e.g. Minford). This would probably include reduced worker protection (deregulated hire and fire, etc.), reduced environmental regulation, and wider exposure of UK public services to international competition. This would seriously constrain any future relationship with the EU, and reflects an outright free market philosophy that has never commanded majority political support in the UK. It is a possible scenario, but a very unlikely one.

### **Section 3: Summary and Conclusions**

The review of evidence and analysis above can be summarised as follows: there is no credible economic case for Brexit. That is not to say that no other case can be made for Brexit in political or cultural terms but it should not pretend to be an economic case. In summary:

- The economic benefits of EU membership in terms of trade and investment are accepted by all sides.
- The Brexit argument is that the costs of these benefits in terms of restricted sovereignty, imposed regulation and loss of immigration control are unacceptably high.

- The **key** Brexit proposition is that the UK can retain the economic benefits of membership while leaving the EU and avoiding the constraints of membership.
- Purely on the evidence, this overestimates the economic importance of the UK to the EU and significantly underestimates the economic importance of the EU to the UK.
- It is highly probable that a free trade agreement would be negotiated post Brexit but it is very hard to envisage a scenario where the EU agrees to full, free access to its markets without contribution to the EU budget, equivalence of regulation and free movement of labour. Such an agreement would be without precedent, and is politically and economically implausible.
- Even if a very optimistic scenario is adopted, the detailed modelling suggests Brexit would still be short and long term damaging to the UK.
- The evidence suggests that EU immigration is **net** beneficial in terms of productivity, economic output, fiscal contribution and demographic balance in the UK.

There can be no ultimate certainty here but, on the balance of evidence and analysis, Brexit would be economically damaging to the UK. It would negatively affect inward investment and business location; it would reduce productivity over time and reduce GDP. It is perfectly proper to argue that an economic hit is worthwhile to get sovereignty and immigration control benefits of Brexit. It is more questionable to deny there will be an impact or to avoid the implication by developing implausible future scenarios.

There is inevitably a tone of “project fear” in the foregoing. Clearly, and irrespective of negative impacts, the UK would remain a major world economy post Brexit, the City of London would remain a global financial centre and the UK would continue to have trade and investment relations with the EU. However, given the probable negative impact, a strong positive vision for a post Brexit UK would be necessary: the gain that justifies the pain. That seems largely lacking in the Brexit position which seems more focused on the negatives perceived in the EU than on the merits of a post Brexit UK. What is noticeable is that, to date, the Brexit side have

produced no detailed economic modelling at all of a post Brexit UK economy , but neither have they produced anything substantial on the social or political character of their desired future.

However ,the final point worth noting is that if the UK remains in the EU, it still faces very serious challenges and risks. There is a substantial productivity gap between the UK and the rest of Europe, and our research and development, and skills development, remain relatively poor. TTIP and the free trade agreement with Japan will further expose these disadvantages. The UK has poorly capitalised and poorly performing manufacturing and we have a growing trade deficit with the rest of Europe. The UK has an ageing population and an ageing workforce and is dependent on a substantial net immigration annually to maintain economic output (the OBR estimate net migration of 170,000 annually is essential).

These issues are in no sense caused by EU membership but neither can they be solved simply by remaining in the EU. The wider slowdown in the world economy is likely to exacerbate competitive pressures and, outwith services, the UK is poorly placed to withstand that. This reinforces the risk of leaving the relatively protected space of the EU, and the benefit of being part of a larger trading block. However, the UK needs to be much more competitive in that context. In this sense, the whole EU referendum debate could be seen as a diversion from much more fundamental economic issues of productivity and competitiveness that the UK, and Scotland, need to address.

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**To: Council**

**On: 28 April 2016**

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

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**Heading: Appointments to Outside Bodies**

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## **1. Summary**

- 1.1 The Council is represented on a number of outside bodies and appoints members and/or officers to these. In most cases the appointments are made to named posts rather than to the individual officers holding those posts
- 1.2 In light of the changes to the Council's decision-making and senior management structures and the re-designation of some senior officers' posts to reflect changes in responsibilities, a number of these appointments now require to be reviewed or new appointments made. In many cases, despite the change in post designation, it is the same officer representing the Council. The changes are as set out below:
- Bishopton Community Development Trust (formerly Head of Planning & Development) – now Head of Planning & Housing.
  - Glasgow & the Clyde Valley Green Network Partnership (formerly Head of Planning & Development) – now Head of Planning & Housing.
  - Houston Old School Trust (formerly the Director of Education & Leisure) – appoint - appoint the Director of Children's Services
  - McKillop Trust (formerly three elected members including the Depute Convener of the Sport, Leisure & Culture Policy Board as well as the Head of Planning & Community Services) – appoint Head of Property Services and retain two elected members.
  - Park Lane Arnotts Site LLP (formerly the Heads of Corporate Finance and Planning & Development) – now the Director of Finance and Resources and the Head of Planning & Housing).
  - Renfrewshire Leisure Limited (formerly the Head of Corporate Finance) – now Head of Finance.

- Scottish Library and Information Council (SLIC) (formerly the Director of Education & Leisure) – SLIC has suggested that the Council withdraws representation and passes to RLL which has responsibility for the library service.
- Strathclyde Pension Fund Representative Forum – designated alternate (formally Head of HR & Organisational Development) – appoint Head of Finance.

## **2. Recommendation**

- 2.1 That the Council notes the changes in the designation of the officers representing the Council on the bodies referred to in paragraph 1.2 of the report and otherwise approves the new appointments to the Houston Old School Trust, the McKillop Trust and the Strathclyde Pension Fund Representative Forum.

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## **Implications of this report**

- 1. Financial Implications** – none
- 2. HR and Organisational Development Implications** – none
- 3. Community Plan/Council Plan Implications** – none
- 4. Legal Implications** – the report seeks to ensure that council appointees to a number of external organisations are correctly identified.
- 5. Property/Assets Implications** – none
- 6. Information Technology Implications** – none
- 7. Equality and Human Rights Implications**
  - (a) 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 for example 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 and Safety Implications** – none
- 9. Procurement Implications** – none
- 10. Risk Implications** – none
- 11. Privacy Impact** – none

## List of Background Papers –

(a) none

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