

EXECUTIVE COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 13 September 2023

Chair:

Councillor Joe Fagan (ex officio)

Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor Robert Brown, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Ross Clark, Councillor Gerry Convery, Councillor Margaret Cooper, Councillor Andrea Cowan, Councillor Margaret Cowie (*substitute for Councillor Mo Razzaq*), Councillor Maureen Devlin, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Ian McAllan, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Elaine McDougall (*substitute for Councillor Gladys Ferguson-Miller*), Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor John Ross, Councillor David Shearer, Councillor Margaret B Walker

Councillors' Apologies:

Councillor Gladys Ferguson-Miller, Councillor Mo Razzaq, Councillor Kirsten Robb

Attending:

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director; A Brown, Head of Enterprise and Sustainable Development; S Laird, Engineering Manager

Education Resources

C McKenzie, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; T Little, Head of Communications and Strategy; G McCann, Head of Administration and Legal Services; P MacRae, Administration Adviser; K McLeod, Administration Assistant; M Milne, Head of Personnel Services

Housing and Technical Resources

S Gibson, Executive Director

Health and Social Care/Social Work Resources

S Sengupta, Director, Health and Social Care; L Purdie, Head of Children and Justice Services

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Executive Committee held on 16 August 2023 were submitted for approval as a correct record.

The Committee decided:

that the minutes be approved as a correct record.

3 Revenue Budget Monitoring for Period 1 April to 11 August 2023

A report dated 23 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the overall financial position of the Council's General Fund Revenue Account and Housing Revenue Account for the period 1 April to 11 August 2023.

At 11 August 2023, the position on the General Fund Revenue Account was breakeven. Details were given on:-

- ◆ budget pressures within Children and Families Services
- ◆ the position within the Adult and Older People Service following the outcome of the job evaluation exercise for home carers
- ◆ maintenance of teacher and pupil support numbers

The Housing Revenue Account showed a breakeven position at 11 August 2023, as detailed in Appendix 2 of the report.

There followed a discussion during which:-

- ◆ officers responded to members' questions on various aspects of the report
- ◆ members expressed concern regarding the position taken by the Scottish Government to hold back funding for the maintenance of teacher numbers until after the 2023 Census details were received and until councils provided assurance that they had maintained teacher and pupil support numbers at the 2022 level. Their concerns related to the fact that the 2022 Census reflected an inflated level of teacher/support staff who were in place because of temporary funding invested by the Council and not because of Government baselined funding

The Committee decided:

- (1) that the break-even position on the General Fund Revenue Account at 11 August 2023, as detailed in section 4 and Appendix 1 of the report, be noted; and
- (2) that the break-even position on the Housing Revenue Account at 11 August 2023, as detailed in section 5 and Appendix 2 of the report, be noted.

[Reference: Minutes of 16 August 2023 (Paragraph 3)]

4 Capital Programme 2023/2024 and Monitoring for Period 5 – 1 April to 11 August 2023

A report dated 23 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on progress of the General Fund Capital Programme and the Housing Capital Programme for the period 1 April to 11 August 2023.

At its meeting on 16 August 2023, the Committee had approved a General Fund Capital Programme for 2023/2024 totalling £83.322 million. A revised programme of £80.262 million was now anticipated which included proposed adjustments to the programme totalling a net decrease of £3.060 million. Those were detailed in Appendix 1 of the report. The main reason for the reduction was the profiling adjustment, proposed by Community and Enterprise Resources, reflecting a review of the anticipated timing of spend on the Glasgow City Region City Deal Project at Stewartfield Way, East Kilbride, the park and ride project at Hairmyres Station, East Kilbride and the Glasgow City Region City Deal signalisation project at Lanark Road, Larkhall.

At 11 August 2023, £14.654 million had been spent on the General Fund Capital Programme, against a budget for the period of £15.161 million, resulting in spending being behind programme in the sum of £0.507 million. Actual funding received to 11 August 2023 totalled £42.661 million. The programme spend and funding for the General Fund for the period was detailed in appendices 2 and 3 of the report.

The Housing Capital Programme 2023/2024, approved by the Executive Committee at its meeting on 16 August 2023, totalled £69.596 million. Details of the position of the programme at 11 August 2023 were provided in Appendix 4 of the report.

At 11 August 2023, expenditure on the Housing Capital Programme amounted to £15.580 million against a budget for the period of £16.115 million and actual funding received to 11 August 2023 totalled £15.580 million. This resulted in the Housing Programme being £0.535 million behind programme which, at this stage, reflected a timing issue.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the adjustments to the General Fund programme, as detailed in Appendix 1 of the report, be approved;
- (2) that the period 5 position, at 11 August 2023, of the General Fund Capital Programme, as detailed in appendices 2 and 3 of the report and the Housing Capital Programme, as detailed in Appendix 4 of the report, be noted; and
- (3) that the revised programmes be monitored by the Financial Resources Scrutiny Forum.

[Reference: Minutes of 16 August 2023 (Paragraph 4)]

5 Additional Funding from Scottish Government and Other External Sources

A report dated 23 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on additional funding, totalling £6.331 million, which had been made available to the Council by the Scottish Government and other external sources.

The funding had been allocated as follows:-

Revenue Funding

Resource	2023/2024 (£m)
Finance and Corporate	4.857
Total	4.857

Capital Funding

Resource	2023/2024 (£m)	2024/2025 (£m)
Community and Enterprise	0.989	0.485
Total	0.989	0.485

Overall Total	6.331
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The Committee decided: that the report be noted.

[Reference: Minutes of 16 August 2023 (Paragraph 5)]

6 East Kilbride Town Centre Masterplan

A report dated 30 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted:-

- ◆ providing an update on the work undertaken to prepare a masterplan for East Kilbride Town Centre
- ◆ seeking approval for the East Kilbride Town Centre masterplan to form the basis for the future strategic approach to investment

Out of town retail centres and the emergence of online shopping, together with the broadening food store offer, had led to a number of empty shops in town centres. Over the course of the past 5 years, East Kilbride had lost many national retailers and leisure operators, with those losses having been accelerated as a result of Covid-19. Those challenges had resulted in East Kilbride Town Centre being put into administration on 16 November 2022.

A masterplan had been developed to form the basis of future disposal and investment in the Centre. The vision for the Town Centre was to create a high quality, high density mixed use development. It set the context for public and private sector investment over the next 10 years or more. Details were given on the key components of the masterplan exercise which were as follows:-

- ◆ analysis of market potential
- ◆ analysis of council strategies
- ◆ land use strategy
- ◆ demolition and site clearance
- ◆ neighbouring uses
- ◆ sustainable place making/urban design
- ◆ creation of a development prospectus

A summary of the masterplan was attached as Appendix 1 to the report.

A series of strategic interventions was proposed which would improve the retail and visitor experience and create new opportunities for the Town Centre as follows:-

- ◆ Centre West - removal of Centre West and creation of a development site for town centre residential living
- ◆ Olympia Mall - redevelopment of a section of Olympia Mall leading up from Plaza Mall to the leisure hub at the ice rink to create a new public space around which public services could be situated
- ◆ Olympia Car Park - vacant space at the eastern end of the malls, combined with a reconfiguration of car parking would allow a development site to be created which could allow a food operator requirement to be met
- ◆ adjacent sites - proposals for adjacent sites were being progressed by third parties, in parallel to the masterplan

Elected members, MSPs and the MP for the area had been briefed on the masterplan proposals. Presentation of the masterplan to the wider community, tenants, investors and interest groups would take place between 11 and 29 September with council officers, members of the design team, Scoop Asset Management and Savills all in attendance to answer questions.

There followed a full discussion during which officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the work undertaken in the preparation of the East Kilbride Town Centre masterplan be noted;
- (2) that it be noted that the masterplan set the strategic approach for the future of East Kilbride Town Centre and informed the investment and policy position of the Council moving forward;
- (3) that officers be authorised to progress the relevant statutory and legal processes within the context of the masterplan, as detailed Appendix 1 to the report; and
- (4) that further reports be provided to relevant committees in due course setting out the delivery structure, funding model and programme of activity.

7 Parking – Penalty Charge Notices (PCNs)

A report dated 24 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on the proposed revised range of maximum amounts payable by a motorist issued with a Penalty Charge Notice (PCN).

The Council, which operated a Decriminalised Parking Enforcement (DPE) regime, had the power, under civil law, to issue a Penalty Charge Notice (PCN) in respect of a vehicle which contravened restrictions in place. Currently, a penalty charge of £60 was issued, which was reduced by 50% if payment was made within 14 days from the date of issue. If payment was made after a Service of Charge Certificate was issued, the charge rose to £90.

Earlier this year, the Scottish Ministers had issued revised guidance to local authorities in Scotland with a DPE regime notifying them of the revised level of the maximums that could be charged for PCNs. From 1 April 2023, the lower and higher maximum amounts payable by a motorist issued with a PCN were as follows:-

Level of PCN	Paid within 14 days	Paid between 15 days and Notice to Owner	Paid between Notice to Owner and Charge Certificate	Paid After Service of Charge Certificate
Current	£30.00	£60.00	£60.00	£90.00
Lower	£40.00	£80.00	£80.00	£120.00
Higher	£50.00	£100.00	£100.00	£150.00

It was proposed to set PCN levels at the higher limit to ensure that restrictions were enforced appropriately and that, as a deterrent, PCNs were sufficient to ensure continued operation of the enforcement regime in line with emerging guidance and legislation.

Other councils which operated a DPE regime had already implemented or planned to implement the higher level of revised charges.

There followed a discussion during which officers responded to members' questions on various aspects of the report, including parking availability and enforcement issues.

The Committee decided:

that the revised amounts payable at the higher level be approved and introduced as soon as practicably possible.

8 Council Complaints Report: SPSO Annual Review

A report dated 18 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted providing details on:-

- ◆ the Council's performance in handling complaints received during the period 1 April 2022 to 31 March 2023 against the Scottish Public Services Ombudsman's (SPSO) national indicators
- ◆ improvement activity to be undertaken as a result of the analysis of complaints
- ◆ customer feedback on complaints handling

Performance against the 4 SPSO indicators was detailed in the report.

Good practice examples from Resources were highlighted on a quarterly basis and those were detailed in Appendix 1 of the report.

Customer satisfaction feedback had been gathered from customers who had been through the complaints process. The feedback for 2022/2023 was summarised in Appendix 2 of the report.

The Committee decided: that the Council's complaints handling performance for the period 1 April 2022 to 31 March 2023 and areas highlighted for improvement be noted.

[Reference: Minutes of 21 September 2022 (Paragraph 13)]

9 Item of Urgent Business – Request to Scottish Government for Immediate Emergency Funding Packages for Local Authorities

In terms of Standing Order No 4(c) of the Council's Standing Orders on Procedures, the Chair decided that consideration be given to the following item of business as a matter of urgency.

Councillor Walker, seconded by Councillor Logan, moved that the Committee, on a cross party basis, instruct the Chief Executive to write to the Scottish Government requesting that it immediately allocate emergency funding packages to local authorities to allow them to protect services in their respective areas, keep residents safe and ensure that they were able to access the life saving services they required.

In moving her motion, Councillor Walker:-

- ◆ referred to the dire financial situation outlined in the recently held budget session, citing the 9% reduction in the Council's budget since 2013/2014 and the Council's funding gap of £70 million in 2024/2025
- ◆ advised of a report recently circulated outlining the position faced in terms of the Integration Joint Board (IJB) which was facing a funding gap in the next 2 to 3 years of £37 million and of the impact which the funding gap would have on residents of South Lanarkshire, particularly older people dependent on lifeline services
- ◆ intimated that the Scottish Government had Covid reserves which had been clawed back from IJBs in the sum of around £300 million, £18 million of which had been clawed back from South Lanarkshire IJB

Councillor Logan, in seconding the motion, echoed the views expressed by Councillor Walker. Councillors Allison, Brown and Fagan intimated support for the motion.

Councillor Fagan also referred to the Covid reserves held by the Scottish Government and indicated that those funds had been intended to support health and social care services through Covid, that a new strain of Covid was emerging, that health and social care currently remained under pressure and that the winter months were still to be faced. He further indicated that, in terms of the job evaluation of home carers, the work of those key workers had fundamentally changed and Covid had changed the way in which this was appraised and understood.

The Committee decided:

that the terms of the motion be approved and that the Chief Executive:-

- ◆ write to the Scottish Government requesting that it immediately allocate emergency funding packages to local authorities to allow them to protect health and social care services in their respective areas, keep residents safe and ensure that they were able to access the life saving services they required
- ◆ refer in his letter to the financial position faced by the IJBs
- ◆ refer in his letter to the Covid reserves clawed back from IJBs which could be used to continue to support services through Covid