

**THE INVERCLYDE COUNCIL – 30 NOVEMBER 2017**

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**The Inverclyde Council**

**Thursday 30 November 2017 at 4pm**

**Present:** Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, Dorrian, Jackson, McCabe, McCormick, C McEleny, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson, Quinn, Robertson and Wilson.

**Chair:** Provost Brennan presided.

**In attendance:** Chief Executive, Head of Legal & Property Services, Ms S Lang (Legal & Property Services), Chief Financial Officer, Head of Children's Services & Criminal Justice, Head of Health & Community Care, Head of Organisational Development, Human Resources & Communications, Mr S Walker (for Acting Head of Environmental & Commercial Services) and Mr M Bingham (Corporate Communications).

**647 Apologies and Declarations of Interest 647**

Apologies for absence were intimated on behalf of Councillors MacLeod and Rebecchi.

No declarations of interest were intimated.

**648 Chief Social Work Officer Annual Report 2016/17 648**

There was submitted a report by the Chief Social Work Officer for Inverclyde seeking approval and endorsement of the Annual Report for submission to the Office of the Chief Social Work Adviser to the Scottish Government.

Members heard a presentation by the Chief Social Work Officer on various aspects of the report and thereafter she answered a number of questions from Members.

**Decided:** that approval be given to the Inverclyde HSCP Chief Social Work Officer Report for 2016/17 for submission to the Office of the Chief Social Work Adviser to the Scottish Government.

**Minutes of Meetings of  
The Inverclyde Council, Committees, Sub-Committees and Boards**

**649 Local Police & Fire Scrutiny Sub-Committee – 28 September 2017 649**

**Approved** on the motion of Provost Brennan.

**650 Inverclyde Council – 28 September 2017 650**

**Approved** on the motion of Provost Brennan.

**651 Environment & Regeneration Committee (Special) – 5 October 2017 651**

**Approved** on the motion of Councillor McCormick.

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652	<b>General Purposes Board – 11 October 2017</b>	652
	Approved on the motion of Councillor Dorrian.	
653	<b>Education &amp; Communities Committee (Special) – 12 October 2017</b>	653
	Approved on the motion of Councillor Clocherty.	
654	<b>Audit Committee – 17 October 2017</b>	654
	Approved on the motion of Councillor McVey.	
655	<b>Health &amp; Social Care Committee – 19 October 2017</b>	655
	Approved on the motion of Councillor Moran.	
656	<b>Environment &amp; Regeneration Committee (Special) – 26 October 2017</b>	656
	Approved on the motion of Councillor McCormick.	
657	<b>Environment &amp; Regeneration Committee – 26 October 2017</b>	657
	Approved on the motion of Councillor McCormick.	
658	<b>Education &amp; Communities Committee – 31 October 2017</b>	658
	Approved on the motion of Councillor Clocherty.	
659	<b>Policy &amp; Resources Executive Sub-Committee – 1 November 2017</b>	659
	Approved on the motion of Councillor McCabe.	
660	<b>Planning Board – 1 November 2017</b>	660
	Approved on the motion of Councillor Dorrian.	
661	<b>Local Review Body – 1 November 2017</b>	661
	Approved on the motion of Councillor Wilson.	
662	<b>General Purposes Board – 8 November 2017</b>	662
	Approved on the motion of Councillor Dorrian.	
663	<b>Policy &amp; Resources Committee – 14 November 2017</b>	663
	Approved on the motion of Councillor McCabe.	

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**664 Environment & Regeneration Committee (Special) – 28 November 2017**

664

**Approved** on the motion of Councillor McCormick.

**665 Trade Justice Scotland Coalition – Request by Councillor McCabe**

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There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a request received from Councillor McCabe that the Council consider whether it would wish to support the Trade Justice Scotland Coalition's principles on Just Trade and agree a motion which reflects these principles.

Councillor Clocherty seconded by Councillor Jackson moved that the Council support the Trade Justice Scotland Coalition's principles on Just Trade as set out in the correspondence appended to the report and agree the following motion:

"The Council notes that:

- The Transatlantic Trade and Investment Partnership (TTIP), the trade deal between the EU and US, stalled at the beginning of 2017, due to widespread public and political concern on both sides of the Atlantic.
- The Comprehensive Economic and Trade Agreement (CETA), between the EU and Canada, despite similar concerns, was passed by the European Parliament in February 2017 and is now awaiting ratification by member states.
- CETA will allow corporations to use a new Investor Court System (ICS) which affords transnational companies rights over elected governments.
- The effects of trade deals like TTIP and CETA go well beyond traditional goals of trade agreements, encompassing a wide spectrum of public policies. These include the harmonisation of regulatory standards; opening markets in the service sector; and the opening up of public procurement markets.
- The current UK government has indicated that it plans to use TTIP and CETA as the basis for any new trade agreements that it negotiates after Brexit.
- In the last two years, ten local Scottish Councils passed motions opposing TTIP and CETA (Dundee, East Dunbartonshire, Edinburgh, Fife, Glasgow, Inverness, Midlothian, North Ayrshire, Stirling and West Dunbartonshire), which demonstrates widespread concern amongst local authorities about the negative impacts of these kinds of trade deals.

This Council believes that:

- This new generation of trade deals represents a real threat to local democracy, affecting the freedom local authorities have in decision making, when these decisions affect the profits of multi-national companies.
- These trade deals could also negatively impact on local services, employment and suppliers, as power is transferred from local and national governments to international corporations.
- A different system of trade is needed, which honours obligations to human rights, workers' rights and climate change commitments.
- Trade deals should be used to help build a fairer society and protect the planet.

This Council therefore agrees:

- To endorse the Trade Justice Scotland Coalition's ten principles for Just Trade, as an alternative to trade deals like TTIP and CETA.

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- That the Chief Executive should write to the Cabinet Secretary for Communities, Social Security and Equalities, the Cabinet Secretary for Finance and Constitution, and local MPs and MSPs to warn of the impact that a new generation of trade deals might have on Council decision making after Brexit, and to call for them to endorse the Trade Justice Scotland Coalition's principles for Just Trade.
- That the Chief Executive will write to COSLA to express concern about the impact that future trade deals, negotiated by the UK government after we leave the EU and modelled on TTIP and CETA, might have on local Council decision making, and ask them to raise these with the UK Government and Scottish Government on this Council's behalf."

As an amendment, Councillor Brooks seconded by Councillor Wilson moved that no action be taken. On a vote, 2 Members, Councillors Brooks and Wilson, voted in favour of the amendment and 18 Members, Provost Brennan, Councillors Clocherty, Dorrian, Jackson, McCabe, McCormick, Moran, Murphy, Ahlfeld, McKenzie, McVey, Quinn, Crowther, Curley, C McEleny, J McEleny, Nelson and Robertson, voted in favour of the motion which was declared carried.

**Decided:** that the Council support the motion as follows:

"The Council notes that:

- The Transatlantic Trade and Investment Partnership (TTIP), the trade deal between the EU and US, stalled at the beginning of 2017, due to widespread public and political concern on both sides of the Atlantic.
- The Comprehensive Economic and Trade Agreement (CETA), between the EU and Canada, despite similar concerns, was passed by the European Parliament in February 2017 and is now awaiting ratification by member states.
- CETA will allow corporations to use a new Investor Court System (ICS) which affords transnational companies rights over elected governments.
- The effects of trade deals like TTIP and CETA go well beyond traditional goals of trade agreements, encompassing a wide spectrum of public policies. These include the harmonisation of regulatory standards; opening markets in the service sector; and the opening up of public procurement markets.
- The current UK government has indicated that it plans to use TTIP and CETA as the basis for any new trade agreements that it negotiates after Brexit.
- In the last two years, ten local Scottish Councils passed motions opposing TTIP and CETA (Dundee, East Dunbartonshire, Edinburgh, Fife, Glasgow, Inverness, Midlothian, North Ayrshire, Stirling and West Dunbartonshire), which demonstrates widespread concern amongst local authorities about the negative impacts of these kinds of trade deals.

This Council believes that:

- This new generation of trade deals represents a real threat to local democracy, affecting the freedom local authorities have in decision making, when these decisions affect the profits of multi-national companies.
- These trade deals could also negatively impact on local services, employment and suppliers, as power is transferred from local and national governments to international corporations.
- A different system of trade is needed, which honours obligations to human rights, workers' rights and climate change commitments.
- Trade deals should be used to help build a fairer society and protect the planet.

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This Council therefore agrees:

- To endorse the Trade Justice Scotland Coalition's ten principles for Just Trade, as an alternative to trade deals like TTIP and CETA.
- That the Chief Executive should write to the Cabinet Secretary for Communities, Social Security and Equalities, the Cabinet Secretary for Finance and Constitution, and local MPs and MSPs to warn of the impact that a new generation of trade deals might have on Council decision making after Brexit, and to call for them to endorse the Trade Justice Scotland Coalition's principles for Just Trade.
- That the Chief Executive will write to COSLA to express concern about the impact that future trade deals, negotiated by the UK government after we leave the EU and modelled on TTIP and CETA, might have on local Council decision making, and ask them to raise these with the UK Government and Scottish Government on this Council's behalf."

### 666 2018 Review of UK Parliament Constituencies – Publication of Revised Proposals

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There was submitted a report by the Head of Legal & Property Services (1) informing the Council of the revised proposals received from the Boundary Commission for Scotland for the 2018 Review of UK Parliament Constituencies and (2) advising that consultation responses were invited by 11 December 2017.

Following discussion, Councillor McCabe seconded by Councillor C McEleny moved that the Boundary Commission for Scotland be advised that Inverclyde Council is opposed to the proposal for an Inverclyde and Erskine County Constituency and that the Council's view is that the existing Inverclyde County Constituency should be retained to meet the needs of the established community and to ensure democratic representation and accountability.

As an amendment, Councillor Wilson seconded by Councillor Brooks moved that the Council support the Boundary Commission for Scotland's revised proposals for an Inverclyde and Erskine County Constituency.

On a vote, 2 Members, Councillors Brooks and Wilson, voted in favour of the amendment and 18 Members, Provost Brennan, Councillors Clocherty, Dorrian, Jackson, McCabe, McCormick, Moran, Murphy, Ahlfeld, McKenzie, McVey, Quinn, Crowther, Curley, C McEleny, J McEleny, Nelson and Robertson, voted in favour of the motion which was declared carried.

**Decided:** that the Boundary Commission for Scotland be advised that Inverclyde Council is opposed to the proposal for an Inverclyde and Erskine County Constituency and that the Council's view is that the existing Inverclyde County Constituency should be retained to meet the needs of the established community and to ensure democratic representation and accountability.

### 667 Financial Strategy 2017/2025 - Update

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There was submitted a report by the Chief Financial Officer on the updated Financial Strategy 2017/2025.

**Decided:** that approval be given to the proposed changes to the Repairs and Renewals Fund and the reduction in Loans Charges Budget from 2018/19 and that otherwise approval be given to the latest revision of the Financial Strategy 2017/2025 as set out in the appendix to the report.

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- 668 Appointment of Trustees to Peter Stanton Memorial Trust 668**
- There was submitted a report by the Head of Legal & Property Services on the position in respect of the appointment of Trustees to the Peter Stanton Memorial Trust.
- Decided:**
- (1) that agreement be given to the reappointment of two outside Trustees, Mr John English and Mrs Eileen Gowans, to the Peter Stanton Memorial Trust to serve on the Trust for a period of 4 years from 17 February 2018 to 16 February 2022; and
- (2) that it be noted that an update on the outstanding vacancy for a third Trustee and any nominations received will be made as soon as practicable.
- 669 Review of Petitions Committee 669**
- There was submitted a report by the Head of Legal & Property Services (1) reviewing the operation of the Petitions Committee and (2) recommending its continuation.
- Decided:** that the Council note the report and approve the continuation of the Petitions Committee.
- 670 Proposed Traffic Regulation Order - The Inverclyde Council (Various Roads) (Port Glasgow, Kilmacolm and Quarriers Village) (Waiting Restrictions) (Variation No. 4) Order 2017 670**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 26 October 2017 requesting approval of the proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Port Glasgow, Kilmacolm and Quarriers Village) (Waiting Restrictions) (Variation No. 4) Order 2017.
- Decided:** that the Inverclyde Council approve the making of the Traffic Regulation Order - The Inverclyde Council (Various Roads) (Port Glasgow, Kilmacolm and Quarriers Village) (Waiting Restrictions) (Variation No. 4) Order 2017 and that the Head of Environmental & Commercial Services and Head of Legal & Property Services be authorised to take all necessary action in connection therewith.
- 671 Proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2017 671**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 26 October 2017 requesting approval of the proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2017.
- Decided:** that the Inverclyde Council approve the making of the Traffic Regulation Order - The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2017 and that the Head of Environmental & Commercial Services and Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

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**672 Exemption from Council Tax – Care Leavers**

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There was submitted a report by the Chief Financial Officer advising the Council of the current practicalities of implementing a policy to exempt young care leavers from Council Tax effective from the 2018/19 Council Tax year, which had been considered by the Policy & Resources Committee at its meeting on 14 November 2017.

**Decided:**

- (1) that the Council note the current lack of legal powers for it to implement Council Tax exemption for care leavers and also the potential cost to the Council in the event that the policy is not fully funded by the Scottish Government;
- (2) that the Council note that officers will continue to gather information on potentially eligible care leavers on the basis that the announced Policy will come into effect from April 2018; and
- (3) that the Council agree to make provision within the Revenue Budget to fund Council Tax exemption for care leavers at an estimated cost of up to £50,000 per year in the event that the Policy comes into effect from 2018/19 and that no extra funding is forthcoming from the Scottish Government.

**673 Treasury Management – Mid-Year Report 2017/18**

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There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Policy & Resources Committee of 14 November 2017 requesting the Council to approve the Treasury Management Mid-Year Report 2017/18.

**Decided:**

- (1) that the Council approve the Treasury Management Mid-Year Report 2017/18 as set out in the appendix to the report; and
- (2) that the Finance Manager (Social Care), Finance Manager (Education & Exchequer) and Finance Manager (Environment & Technical) each be authorised to exercise power delegated to the Chief Financial Officer in relation to Treasury Management issues where the Chief Financial Officer is absent.

**The Provost being of the opinion that the undernoted report by the Corporate Director Environment, Regeneration & Resources was relevant, competent and urgent moved its consideration to allow the Council, if in agreement, to make the Traffic Regulation Order without delay. This was agreed unanimously.**

**674 Proposed Traffic Regulation Order - The Inverclyde Council, Bearhope Street, Greenock (One-Way and Prohibition of Right Turn) Order 2016**

674

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the special meeting of the Environment & Regeneration Committee of 28 November 2017 requesting approval of the proposed Traffic Regulation Order - The Inverclyde Council, Bearhope Street, Greenock (One-Way and Prohibition of Right Turn) Order 2016.

**Decided:** that the Inverclyde Council approve the making of the Traffic Regulation Order - The Inverclyde Council, Bearhope Street, Greenock (One-Way and Prohibition of Right Turn) Order 2016 and that the Head of Environmental & Commercial Services and Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

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**675 Trust Funds Annual Accounts 2016/17 675**

There was submitted a report by the Honorary Treasurer requesting the Council, as Trustees, to adopt the examined Annual Accounts of the Birkmyre Trust and the Watt Institution Trust Fund and to note the draft Annual Accounts of the McLeod Trust.

**Decided:** that the Council as Trustees:

- (1) approve the Annual Accounts for the Birkmyre Trust and Watt Institution Trust Fund for the year ended 31 March 2017; and
- (2) note the accounts of the McLeod Trust for the year ended 31 March 2017.

**It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, as amended, that the public and press be excluded from the meeting for the following item on the grounds that it contained exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act, as detailed in the relevant minutes.**

**Appendices to Minutes**

**676 General Purposes Board – 11 October 2017 676**

**Approved** on the motion of Councillor Dorrian.

**677 Environment & Regeneration Committee – 26 October 2017 677**

**Approved** on the motion of Councillor McCormick.

**678 Education & Communities Committee – 31 October 2017 678**

**Approved** on the motion of Councillor Clocherty.

**679 General Purposes Board – 8 November 2017 679**

**Approved** on the motion of Councillor Dorrian.

**680 Policy & Resources Committee – 14 November 2017 680**

**Approved** on the motion of Councillor McCabe.