

**A meeting of the Inverclyde Council will be held on Thursday 22 April 2021 at 4pm.**

**This meeting is by remote online access only through the videoconferencing facilities which are available to Members and relevant Officers. The joining details will be sent to Members and Officers prior to the meeting.**

**In the event of connectivity issues, Members are asked to use the *join by phone* number in the Webex invitation.**

**Please note that this meeting will be recorded.**

ANNE SINCLAIR  
Interim Head of Legal Services

## **BUSINESS**

**\*\*Copy to follow**

| 1. <b>Apologies and Declarations of Interest</b>   | <b>Page</b>  |
|--|--------------|
| <b>NEW BUSINESS</b>  |              |
| 2. <b>Minutes of Meetings of The Inverclyde Council, Committees, Sub-Committees and Boards</b> |              |
| Appointment Panel – Head of Legal Services   | ( p 34)      |
| Inverclyde Council   | (pp 35 – 43) |
| Audit Committee  | ( p 44)      |
| Policy & Resources (Special)   | (pp 45 – 46) |
| Appointment Panel – Head of Legal Services   | ( p 47)      |
| Health & Social Care Committee   | (pp 48 – 50) |
| General Purposes Board (Special)   | ( p 51)      |
| Planning Board   | (pp 52 – 53) |
| Environment & Regeneration Committee   | (pp 54 – 56) |
| Education & Communities Committee  | (pp 57 – 59) |
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| Environment & Regeneration Committee (Special)   | (pp 61 – 62) |
| Environment & Regeneration Committee (Special)   | (pp 63 – 64) |
| Inverclyde Council (Special)   | (pp 65 – 66) |
| Policy & Resources Committee (Special)   | (pp 67 – 69) |
| Local Police & Fire Scrutiny Committee   | (pp 70 – 71) |
| ** Planning Board  | ( )          |
| ** Environment & Regeneration Committee (Special)  | ( )          |
| ** General Purposes Board  | ( )          |

|   |   |   |
|---|---|---|
| 3.<br>**  | <b>COVID-19 Update Report</b><br>Report by Interim Service Director Environment and Economic Recovery   | p |
| 4.  | <b>Recruitment of Chief Executive</b><br>Report by Head of Organisational Development, Policy & Communications  | p |
| 5.  | <b>Scheme of Administration – Political Balance</b><br>Report by Interim Head of Legal Services   | p |
| 6.  | <b>Appointment of Trustees to Peter Stanton Memorial Trust</b><br>Report by Interim Head of Legal Services  | p |
| 7.  | <b>Clyde Muirshiel Regional Park Liaison Group – Appointment of Elected Members</b><br>Report by Interim Head of Legal Services   | p |
| 8.  | <b>Request for Consultation on Whether Females Perceive Any Safety Impediment in Using Public Parks, Paths and Cycle Ways – Request by Councillor Quinn</b><br>Report by Interim Head of Legal Services                                     |   |
| <b>REMITTS FROM COMMITTEES</b>  |   |   |
| 9.  | <b>Proposed Traffic Regulation Order – The Inverclyde Council Various Roads (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No.7) Order 2020</b><br>Report by Interim Service Director Environment & Economic Recovery | p |
| 10.   | <b>Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting restrictions) (Variation No. 11) Order 2020</b><br>Report by Interim Service Director Environment & Economic Recovery               | p |
| 11.   | <b>Capital Strategy 2021/31 and Treasury Strategy 2021/25 – Remit from Policy &amp; Resources Committee</b><br>Report by Interim Service Director Corporate Services & Organisational Development   | p |
| <p>The documentation relative to the following item has been treated as exempt information in terms of the Local Government (Scotland) Act 1973 as amended, the nature of the exempt information being that set out in the paragraphs of Part I as detailed in the minute of the relevant Committee, Sub-Committee or Board.</p>  |   |   |
| <b>NEW BUSINESS</b>   |   |   |
| 12.   | <b>Business in the Appendix</b>   | p |
| <p>Please note that because of the current COVID-19 (Coronavirus) emergency, this meeting will not be open to members of the public.</p> <p>The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.</p> |   |   |

|   |  |
|---|--|
| In terms of Section 50A(3A) of the Local Government (Scotland) Act 1973, as introduced by Schedule 6, Paragraph 13 of the Coronavirus (Scotland) Act 2020, it is necessary to exclude the public from the meetings of the Council on public health grounds. The Council considers that, if members of the public were to be present, this would create a real or substantial risk to public health, specifically relating to infection or contamination by Coronavirus. |  |
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| Enquiries to – <b>Diane Sweeney</b> – Tel 01475 712147 |
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|                         |  |                    |                      |
|-------------------------|--|--------------------|----------------------|
| <b>Report To:</b>       | <b>The Inverclyde Council</b>  | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Head of Organisational Development, Policy &amp; Communications</b> | <b>Report No:</b>  | <b>HR/03/21/SM</b>   |
| <b>Contact Officer:</b> | <b>Steven McNab</b>  | <b>Contact No:</b> | <b>01475 712015</b>  |
| <b>Subject:</b>         | <b>Recruitment of Chief Executive</b>                                  |                    |                      |

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to seek approval of the recruitment and selection process to appoint a new Chief Executive for Inverclyde Council.

## **2.0 SUMMARY**

- 2.1 Following the Chief Executive's announcement that he is to retire from the Council's service on 19 September 2021, it is now necessary to consider and agree the recruitment and selection process for a new Chief Executive. This report proposes that steps are taken immediately to fill the position on a substantive basis and details the proposed stages in the recruitment process including the membership of the shortlisting and appointment panels and the selection procedure to be followed.
- 2.2 It is imperative that a replacement Chief Executive is appointed as soon as practicable to ensure continuity and ongoing stability for the Council in the context of future challenges such as planning for next year's Budget and any changes to the Council following the Local Government Elections in 2022.
- 2.3 The appointment process for the Chief Executive was last considered at the Policy and Resources Committee on 31 January 2017 with members agreeing that the appointment would be on the basis of a shortlisting panel of Elected Members, reflecting the political balance of the Council, with the appointment to be made by the Council sitting as an Appointment Panel and the appointment being based on majority vote.
- 2.4 The proposed recruitment and selection process to appoint a new Chief Executive is detailed in section 5 of this report.

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the Council approve the recruitment and selection process outlined in this report and remit it to Head of Organisational Development, Policy & Communications to advertise and progress with the process.

**Steven McNab**  
**Head of Organisational Development,**  
**Policy and Communications**

## **4.0 BACKGROUND**

- 4.1 Following the Chief Executive's decision that he is to retire from the Council's service on 19 September 2021, it is now necessary to consider and agree the recruitment and selection process for a new Chief Executive. This report proposes that steps are taken immediately to fill the position on a substantive basis and details the proposed stages in the recruitment process including the membership of shortlisting and appointment panels and the selection procedure to be followed.
- 4.2 The appointment process for the Chief Executive was last considered at the Policy and Resources Committee on 31 January 2017 with Members deciding that appointment would be on the basis of a shortlisting panel of Elected Members, reflecting the political balance of the Council, the appointment to be made by the Council sitting as an Appointment Panel with appointment being based on majority vote.
- 4.3 It is imperative that a replacement Chief Executive is appointed as soon as practicable to ensure continuity and ongoing stability for the Council especially in the context of future challenges such as progressing the 2022/23 Budget, and any changes to the Council following the Local Government Elections next year.
- 4.4 It is recommended that the implementation of the full recruitment process to this critical post is commenced without delay rather than any interim, medium term or other arrangements.

## **5.0 PROPOSED RECRUITMENT & SELECTION PROCESS AND PROVISIONAL TIMETABLE**

- 5.1 The composition of recruitment panels for all Chief Officers is detailed in the Council's Recruitment & Selection Policy and highlights that appointment panels will go through a process of selection by secret ballot, if necessary, with the Chair of the panel moving through successive ballots (when required) which eliminate the candidate(s) with the smallest or smaller vote until a majority is achieved.
- 5.2 A general policy of obtaining feedback from peer appraisal (through presentation and questions and answer sessions) has also been agreed for all Chief Officer recruitment as well as having short presentations to the appointment panel with some set questions, supplemented by some specific questions to each candidate. Consideration may also be given to the use of an assessment centre process (for example occupational personality questionnaires, executive scenarios) for Chief Executive and Director level appointments.
- 5.3 Given current Covid restrictions it may only be possible for candidates to engage virtually with the senior staff members and Elected Members as part of the recruitment process. However, should restrictions allow by June, then every effort will be made to explore the possibility of conducting physical interviews with appropriate safety measures in place. Should it be possible for some elected members to physically attend the interview, those attending can be agreed by the Chair of the Panel (Leader) in consultation with the Strategic Leadership Forum.
- 5.4 It is anticipated that the recruitment process will take approximately 5 months from the post being advertised to the appointee taking up post (and assuming a likely three month notice period). Should the start date of the new Chief Executive be after 19 September 2021, it is recommended that the normal short term cover arrangements would apply where each Director assumes the role of Chief Executive on a rota basis without any formalised acting up payments until the new appointee starts in the role.

5.5 The provisional timetable for the Recruitment and Selection Process is outlined below:

5.5.1 Advertising – The position of Chief Executive of the Council will be advertised through MyJobScotland website, National Press and other relevant UK wide media. Recruitment packs will be developed promoting the opportunity and providing information to potential candidates.

**Proposed timescale - Advertise Friday 23<sup>rd</sup> April 2021, Closing Date Sunday 16<sup>th</sup> May**

5.5.2 Shortlisting – Shortlisting of candidates will be undertaken by a recruitment panel of 6 elected members, reflecting the political balance of the Council (2 Labour, 2 SNP, 1 Independent and 1 from Conservative/Lib Dem/Alba parties). The Leader of the Council will chair the panel.

It is proposed that the shortlisting panel is supported by an external consultancy who will undertake an external assessment of candidates in advance of the shortlisting meeting. The shortlisting panel will also be supported by the Head of Organisational Development, Policy and Communications and the Chief Executive in an advisory capacity.

**Proposed timescale – Shortlisting Panel meet week commencing 31<sup>st</sup> May 2021**

5.5.3 Assessment Centre – Shortlisted candidates will be invited to the next stage of the recruitment process which will involve an Assessment Centre process. The Assessment Centre may involve an Occupational Personality Questionnaire (OPQ), Competency Based Interviewing, interviews with a Peer Group Panel, an Executive Scenario and interview with the Shortlisting Panel of Elected Members. Further details on these activities are outlined below and will be finalised in consultation with our external consultants:

- Occupational Personality Questionnaire (OPQ) – The OPQ will be completed by shortlisted candidates on line in advance of the Assessment Centre Day. This will provide additional insight into the candidates which can be further substantiated on the day of the Assessment Centre.
- Competency Based Interviewing – This will be undertaken by external consultants and give valuable insights into an individual's approach and help predict behaviours in future situations. The outcomes of the interview can be analysed in conjunction with the QPO results to give a good indication of a candidate's strengths and weaknesses.
- Peer Group Panel – In line with existing arrangements for Chief Officer Recruitment it is proposed that feedback is obtained on candidates from a Peer Group Panel which will be made up of the Extended Corporate Management Team, some managers and partner representatives. Candidates will be required to give a short presentation to the Peer Group Panel followed by a question answer session.
- Executive Scenario – It is proposed that following the Peer Group session, each candidate will be given a simulated exercise to emulate the type of correspondence and issues that can arise (planned and unplanned) for the Chief Executive to deal with appropriately.
- Shortlisting Panel – The candidates will then be required to present their Executive Scenario findings to the formal Shortlisting Panel and also respond to some set interview questions.

5.5.4 At the end of the Assessment Centre day a decision will be taken by the shortlisting panel to progress all or some of the candidates to the final recruitment stage which will involve a presentation and interview with the full Council. It is anticipated that candidates will require to be available for approximately 3 hours on the day of the Assessment Centre.

**Proposed timescale - Assessment Centre event week commencing 14<sup>th</sup> June 2021.**

5.5.5 Presentation and Full Council Interview – The final stage in the process will be candidates attending a formal interview with all Elected Members of the Council which will involve a presentation followed by set questions.

**Proposed timescale – Full Council Interview week commencing 21<sup>st</sup> June 2021.**

6.6 Appointment – Feedback will be provided to the Full Council on the outcomes of the Assessment Centre day. Appointment of the Chief Executive will follow a secret ballot process, conducted in successive rounds until a majority of those present and voting is secured for one candidate.

**7.0 IMPLICATIONS**

**7.1 Finance**

Given the importance of the post to the organisation and in line with previous Chief Executive recruitments it is proposed to employ an Advertising Consultancy to promote the opportunity and assist with aspects of the recruitment. Previously the Council has used Aspen who remain very active in the Scottish Council executive recruitment market. In line with Contract Standing Orders the Interim Service Director, Corporate Services and Organisational Recovery has approved A Direct Award to Aspen subject to Members agreeing the requisite funding.

Financial Implications:

One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From    | Other Comments                                       |
|-------------|----------------|--------------|----------------------------|------------------|--|
| HR          | PtOB           | 2021/22      | Up to £20,000              | Revenue Reserves | Advertising Consultant Costs to be met from Reserves |

Annually Recurring Costs/ (Savings)

| Cost Centre | Budget Heading | With Effect from | Annual Net Impact | Virement From (If Applicable) | Other Comments |
|-------------|----------------|------------------|-------------------|-------------------------------|----------------|
| N/A         |                |                  |                   |                               |                |

**7.2 Legal**

The Interim Head of Legal Services has been consulted on this report

**7.3 Human Resources**

All Human Resources issues are included in the report

**7.4 Equalities**

Equalities

(a) Has an Equality Impact Assessment been carried out?

YES (see attached appendix)

|   |  |
|---|--|
| X | NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required |
|---|--|

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|  |  |
|--|--|
|  | YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed. |
|  | NO   |

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

|   |   |
|---|---|
|   | YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals. |
| X | NO  |

**7.5 Repopulation**

N/A

**8.0 CONSULTATIONS**

8.1 N/A

**9.0 BACKGROUND PAPERS**

9.1 N/A



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|                         |   |                    |                      |
|-------------------------|---|--------------------|----------------------|
| <b>Report To:</b>       | <b>Inverclyde Council</b>                           | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Interim Head of Legal Services</b>               | <b>Report No:</b>  | <b>LS/048/21</b>     |
| <b>Contact Officer:</b> | <b>Anne Sinclair</b>                                | <b>Contact No:</b> | <b>01475 712139</b>  |
| <b>Subject:</b>         | <b>Scheme of Administration - Political Balance</b> |                    |                      |

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Council of the necessary requirements to ensure political balance on Committees, Sub-Committees, Boards and Outside Bodies (where appropriate) following the resignation from the SNP group of Councillor Chris McEleny who has joined the Alba party.

## 2.0 SUMMARY

- 2.1 Councillor Chris McEleny intimated on 26 March 2021 his resignation from the SNP Group and his intention to represent the Alba party in Ward 5.
- 2.2 This resignation means that the political balance on Committees, Sub-Committees, Boards and Outside Bodies (where appropriate) requires to be reviewed in order to comply with the Council's Scheme of Administration.
- 2.3 Para 5.4 of the Scheme of Administration requires the Council to ensure that, in so far as is practicable, the appointments to the Committees, Sub-Committees, and Outside Bodies (where more than two representatives of the Council are required) reflect the balance of representatives on the Council.
- 2.4 The previous political balance of the Council was as follows:

8 Labour

7 SNP

4 Independent Coalition

2 Conservative

1 Liberal Democrat

The present political balance of the Council, taking into account the resignation of Councillor McEleny, is as follows:

8 Labour

6 SNP

4 Independent Coalition

2 Conservative

1 Liberal Democrat

1 ALBA

### **3.0 RECOMMENDATION**

3.1 It is recommended that the Council:

- (a) Considers the terms of this report;
- (b) Approves the re-balancing of Committees as detailed in Appendix 1; and
- (c) After considering the option in Sections 5.1- 5.5 makes the appropriate adjustments to the membership of its Committees, Sub-Committees, Boards and Outside Bodies.

Anne Sinclair  
Interim Head of Legal Services

## 4.0 BACKGROUND

- 4.1 Paragraph 5.4 of the Scheme of Administration requires the Council to ensure that, in so far as is practicable, the appointments to Committees, Sub-Committees and Outside Bodies (where more than two representatives of the Council are required) reflect the balance of representation on the Council.
- 4.2 The resignation of Councillor Chris McEleny from the SNP Group in order to join the Alba party means that the political balance on Committees, Sub-Committees, Boards and Outside Bodies (where appropriate) requires to be reviewed.
- 4.3 The previous political balance meant the representation on all of the Council's standing Committees and Boards of 11 Members was as follows:

Labour - 4 Members

SNP - 3.5 Members

Independent - 2 Members

Conservative – 1 Member

Liberal Democrat – 0.5 Member

It should be noted that following the local government elections on 4 May 2017 Members agreed that the requirement of the Council's Standing Orders to achieve a balance of political representation would be met by alternative 4 SNP/0 LD and 3 SNP / 1 LD representation on the thematic Committees with a similar arrangement for the General Purposes Board and Planning Board.

- 4.4 The alteration in political balance means that membership of the Council's Committees, Sub-Committees, Boards and Outside Bodies (with more than two Council representatives) needs to change to reflect the position.
- 4.5 The present political balance for the Standing Committees and Boards comprising of 11 Members requires to be altered as is shown in Appendix 1 and as set out as follows:

Labour – 4 Members

SNP – 3 Members

Independent – 2 Members

Conservative – 1 Member

Liberal Democrat - 0.5

ALBA

- 0.5

1 Member

This new political balance means that:

- (a) The Labour, Independent and Conservative balances are unaffected;
- (b) The SNP representation is reduced by 0.5 Member in each of the main Committees and Boards;
- (c) There are two members (one Liberal Democrat and one ALBA) who are entitled to one appointment to each of the main Committees and boards.
- 4.6 For Members' ease of reference, **Appendix 1** sets out the existing (and proposed) political balance on the main Committees and Boards and **Appendix 2** details the existing party-by-party representation on these.

## 5.0 MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES AND BOARDS

- 5.1 There are eight main thematic Committees as listed in section 5.5. Members previously agreed following the local government elections on 4 May 2017 that the requirement of the Council's Standing Orders to achieve a balance of political representation would be met by alternative 4 SNP/0 LD and 3 SNP/1 LD representation on the thematic Committees with a similar arrangement for the General Purposes Board and Planning Board.
- 5.2 As a consequence of the above arrangements three of the main thematic Committees and the Planning Board have three SNP Members. Two of those Committees (Policy & Resources and Audit) along with the Planning Board are potentially unaffected. However Cllr Chris McEleny was one of the three SNP Members on the Health & Social Care Committee. To give effect to the new political balance the SNP Group are entitled to nominate one replacement and thus Cllr Chris McEleny would cease to be a member of that Committee (because Cllr Rebecchi is an existing member) as set out at paragraph 5.4 below.
- 5.3 To give effect to the new political balance of the remaining main thematic Committees and the General Purpose Board, it is necessary to:
- Reduce by one the SNP representation on each of the four Committees in respect of which the SNP Group have four members (Environment & Regeneration, Education & Communities, Local Fire & Police Scrutiny Committee and the General Purposes Board) to three members.
  - Appoint one replacement to the above Committees and Boards from the Liberal Democrat Member and the ALBA Member so that they are both equitably appointed in relation to all eight thematic Committees.
- 5.4 It should be noted that Cllr Chris McEleny was formerly one of the four SNP Members on the Education & Communities Committee. If Cllr Chris McEleny wished to remain on this Committee as an ALBA member then overall balance of the Lib Dem/ALBA representation would be achieved (with Cllr Rebecchi as above on the Health & Social Care Committee). This is, of course, entirely within the discretion of the Council.
- 5.5 In order to minimise disruption to the Council during the last 12 months of the Administration one option would be for Cllr Chris McEleny to remain on the Education & Communities Committee as set out above at 5.4 and go on the remaining three thematic Committees, that is, Environment & Regeneration, General Purposes Board and The Local Fire & Police Scrutiny Committee. This would result in no change to Cllr Rebecchi's membership of any Committee.

In summary, this would mean :

| COMMITTEE                              | EXISTING                              | ACTION NEEDED TO ACHIEVE POLITICAL BALANCE                    |
|--|---------------------------------------|---|
| Policy & Resources                     | 1 LD/3 SNP                            | No change necessary   |
| Environment & Regeneration             | 4 SNP                                 | SNP to reduce by 1 Member and allocate to ALBA                |
| Health & Social Care                   | 1 LD/3 SNP                            | SNP to nominate 1 replacement. No other change necessary.     |
| Audit                                  | 1 LD/3 SNP                            | No change necessary   |
| Education & Communities Committee      | 4 SNP (including the new ALBA member) | No change necessary   |
| General Purposes Board                 | 4 SNP                                 | SNP to reduce by 1 Member. Allocate to ALBA *See Note 1 below |
| Planning Board                         | 1 LD/3 SNP                            | No change necessary   |
| Local Fire & Police Scrutiny Committee | 4 SNP                                 | SNP to reduce by 1 Member. Allocate to ALBA *See Note 1 below |

Note 1: If allocation to Committees or Boards are not wished by the LD/ALBA Members, it is acceptable for the Council to determine the membership of Committees i.e. LD /ALBA are not compelled to take up a place.

- 5.6 When considering adjustments to the membership of Committees to reflect the present political balance, the Council should seek to ensure that the replacement Member on each of the main Committees reflects the political balance as far as possible and in line with what each member may wish as individuals.

**Appendix 2** sets out the existing membership of the Committees, General Purpose Board and Planning Board **Appendix 3** sets out the proposed membership to address the political balance.

- 5.7 The Council could, of course, seek to review the Membership of all Committees and Boards in implementing its decisions to reflect the new political balance, but the above summary in 5.1 to 5.5 provides for the greatest continuity in arrangements with the least disruption to established Committees and Boards in the final 12 months of the Administration.
- 5.8 The Licensing Board is a separate Statutory body and as the existing membership does not reflect the political balance with there being three Labour, three SNP, one Conservative and one Independent there is no formal requirement to include it in the current re-balancing exercise. Furthermore there is a requirement that any member of the Licensing Board must complete mandatory training before sitting on the Board. In the circumstances it is proposed that the Licensing Board is excluded from the re-balancing exercise.
- 5.9 The Strategic Leaders Forum, a sounding board for the Chief Executive, and the Members' Budget Working Group should comprise the Leader, the Deputy Leader and the Leader of each of the political groups on the Council. Because of this, membership of the Strategic Leaders Forum and the MBWG should be amended to now include the ALBA representation.
- 5.10 There are currently 2 SNP Members on the HR Appeals Board which has 6 Members in total. In order to achieve a political balance of representation it is necessary for the SNP Group to reduce by 1 Member and 1 Member requires to be appointed from the Conservative/Liberal Democrats/Alba. **Appendix 6** details the political balance for 3-8 Member bodies when SNP had 7 Members and **Appendix 7** provides the same details for the current political balance.

## **6.0 REPRESENTATIVES TO OUTSIDE BODIES**

- 6.1 In terms of paragraph 5.4 of the Council's Scheme of Administration, the Council requires to ensure that appointments to Outside Bodies reflect as far as practicable the balance of political representation on the Council where more than 2 representatives of the Council are required.
- 6.2 It is essential to reflect as far as possible the actual political balance of the Council in Committees, Sub-Committees and Boards. With Outside Bodies, however, it remains important but not essential to apply the political balance and some discretion is possible. This discretion can take into account Member availability for the range of tasks and attendances involved with the respective Outside Bodies. This discretion appears also to have accommodated, at times, a less formal political balance among the individual political parties with a general balance being attained informally between the Administration and the Opposition, overall, rather than a party-by-party split.
- 6.3 As listed in **Appendix 4**, there are 14 Outside Bodies where more than 2 representatives of the Council are required and the current Political membership of each Outside Body with more than 2 representatives is set out.
- 6.4 The current party-by-party balance is set out for information and guidance in **Appendix 5**. This party-by-party approach can be modified by the Council if it wished to take account of pressures on Members or their individual wishes for representation on the Outside Bodies by

a more general arrangement based on the overall proportion of Labour Members (36.36%) to all Opposition Members (63.64%).

- 6.5 Councillor McEleny is presently the Council's representative on the Clyde Ferry Users Group. This Group has two members.

## 7.0 IMPLICATIONS

### 7.1 Finance

#### Financial Implications:

One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments |
|-------------|----------------|--------------|----------------------------|---------------|----------------|
| N/A         |                |              |                            |               |                |

Annually Recurring Costs/ (Savings)

| Cost Centre | Budget Heading | With Effect from | Annual Net Impact | Virement From (If Applicable) | Other Comments |
|-------------|----------------|------------------|-------------------|-------------------------------|----------------|
| N/A         |                |                  |                   |                               |                |

### 7.2 Legal

There are no legal implications.

### 7.3 Human Resources

There are no human resources implications.

### 7.4 Equalities

#### Equalities

- (a) Has an Equality Impact Assessment been carried out?

|                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | YES  |
| <input checked="" type="checkbox"/> | NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required |

- (b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|                          |  |
|--------------------------|--|
| <input type="checkbox"/> | YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed. |
|--------------------------|--|

|   |    |
|---|----|
| X | NO |
|---|----|

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

|   |   |
|---|---|
|   | YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals. |
| X | NO  |

**7.5 Repopulation**

There are no repopulation implications.

**8.0 CONSULTATIONS**

8.1 N/A

**9.0 BACKGROUND PAPERS**

9.1 N/A

**APPENDIX 1 – POLITICAL BALANCE (STANDING COMMITTEES, GENERAL PURPOSES BOARD AND PLANNING BOARD)**

**EXISTING**

| <b>PARTY</b>     | <b>NO. MEMBERS</b> | <b>% OF TOTAL</b> | <b>NUMBER</b> | <b>REPRESENTATION</b> |
|------------------|--------------------|-------------------|---------------|-----------------------|
| Labour           | 8                  | 36.36             | 4             | 4                     |
| SNP              | 7                  | 31.82             | 3.5           | 3 or 4                |
| Independent      | 4                  | 18.18             | 2             | 2                     |
| Conservative     | 2                  | 9.09              | 1             | 1                     |
| Liberal Democrat | 1                  | 4.55              | 0.5           | 1 or 0                |
|                  | <b>22</b>          | <b>100</b>        | <b>11</b>     | <b>11</b>             |

Of the 6 Standing Committees (Policy & Resources, Environment & Resources, Education & Communities, Health & Social Care, Police & Fire, Audit) General Purposes Board and Planning Board four have 4 SNP Members and four have 3 SNP Members and 1 Liberal Democrat Member.

**PROPOSED**

| <b>PARTY</b>     | <b>NO. MEMBERS</b> | <b>% OF TOTAL</b> | <b>NUMBER</b> | <b>REPRESENTATION</b> |
|------------------|--------------------|-------------------|---------------|-----------------------|
| Labour           | 8                  | 36.36             | 4             | 4                     |
| SNP              | 6                  | 27.27             | 3             | 3                     |
| Independent      | 4                  | 18.18             | 2             | 2                     |
| Conservative     | 2                  | 9.09              | 1             | 1                     |
| Liberal Democrat | 1                  | 4.55              | 0.5           | 1                     |
| ALBA             | 1                  | 4.55              | 0.5           |                       |
|                  | <b>22</b>          | <b>100</b>        | <b>11</b>     | <b>11</b>             |



**APPENDIX 2 – MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES AND BOARDS - EXISTING**

| <b>COMMITTEE</b>                           | <b>NO. MEMBERS ON COMMITTEE</b> | <b>LABOUR</b> | <b>SNP</b> | <b>LIB DEM</b> | <b>CONS</b> | <b>INDEPENDENT</b> |
|--|---------------------------------|---------------|------------|----------------|-------------|--------------------|
| Policy & Resources                         | 11                              | 4             | 3          | 1              | 1           | 2                  |
| Environment & Regeneration                 | 11                              | 4             | 4          | 0              | 1           | 2                  |
| Education & Communities                    | 11                              | 4             | 4          | 0              | 1           | 2                  |
| Health & Social Care                       | 11                              | 4             | 3          | 1              | 1           | 2                  |
| Audit                                      | 11                              | 4             | 3          | 1              | 1           | 2                  |
| General Purposes Board                     | 11                              | 4             | 4          | 0              | 1           | 2                  |
| Planning Board                             | 11                              | 4             | 3          | 1              | 1           | 2                  |
| HR Appeals Board                           | 5                               | 2             | 2          | 0              | 0           | 1                  |
| Policy & Resources Executive Sub-Committee | 6                               | 2             | 2          | 0              | 1           | 1                  |
| Grants Sub-Committee                       | 6                               | 2             | 2          | 0              | 1           | 1                  |
| Local Review Body                          | 7                               | 2             | 2          | 1              | 1           | 1                  |
| Local Police & Fire                        | 11                              | 4             | 4          | 0              | 1           | 2                  |
| Petitions Committee                        | 6                               | 2             | 2          | 0              | 1           | 1                  |

**APPENDIX 3 – MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES AND BOARDS AS PER OPTION IN PARAGRAPH 5.5**

| COMMITTEE                                  | NO. MEMBERS ON COMMITTEE | LABOUR | SNP | LIB DEM | CONS | INDEPENDENTS | ALBA | COMMENTS  |
|--|--------------------------|--------|-----|---------|------|--------------|------|---|
| Policy & Resources                         | 11                       | 4      | 3   | 1       | 1    | 2            | 0    | Unaffected  |
| Environment & Regeneration                 | 11                       | 4      | 3   | 0       | 1    | 2            | 1    | Replace 1 SNP Member with 1 Alba Member   |
| Education & Communities                    | 11                       | 4      | 3   | 0       | 1    | 2            | 1    | Replace 1 SNP Member with 1 Alba Member – see note 1                                    |
| Health & Social Care                       | 11                       | 4      | 3   | 1       | 1    | 2            | 0    | SNP entitled to nominate a replacement as Cllr Chris McEleny was one of their 3 Members |
| Audit                                      | 11                       | 4      | 3   | 1       | 1    | 2            | 0    | Unaffected  |
| General Purposes Board                     | 11                       | 4      | 3   | 0       | 1    | 2            | 1    | Replace 1 SNP Member with 1 Alba Member   |
| Planning Board                             | 11                       | 4      | 3   | 1       | 1    | 2            | 0    | Unaffected  |
| HR Appeals Board                           | 5                        | 2      | 1   | #       | #    | 1            | #    | Replace 1 SNP member with 1 Member from those marked #                                  |
| Policy & Resources Executive Sub-Committee | 6                        | 2      | 2   | 0       | 1    | 1            | 0    | Unaffected  |
| Grants Sub-Committee                       | 6                        | 2      | 2   | 0       | 1    | 1            | 0    | Unaffected  |
| Local Review Body                          | 7                        | 2      | 2   | 1       | 1    | 1            | 0    | Unaffected  |
| Local Police & Fire                        | 11                       | 4      | 3   | 0       | 1    | 2            | 1    | Replace 1 SNP Member with 1 Alba Member   |
| Petitions Committee                        | 6                        | 2      | 2   | 0       | 1    | 1            | 0    | Unaffected  |

**Note 1:** The political balance requires the Lib Dem Member and the Alba Member to have, as far as possible, equality of representation on Committees and Boards. This can be achieved by the SNP Group relinquishing one Member from the main Committees/Boards on which they have 4 Members

**APPENDIX 4 – OUTSIDE BODIES (MORE THAN 2 REPRESENTATIVES) - EXISTING**

| <b>OUTSIDE BODY</b>   | <b>NO. OF MEMBERS</b> | <b>LABOUR</b> | <b>SNP</b> | <b>LIB DEM</b> | <b>CONS</b> | <b>INDEPENDENT</b> |
|---|-----------------------|---------------|------------|----------------|-------------|--------------------|
| Fair Trade Steering Group   | 3                     | 1             | 0          | 0              | 1           | 1                  |
| Inverclyde Alliance Board   | 4                     | 1             | 1          | 0              | 1           | 1                  |
| Inverclyde Branch of the Scottish Veterans' Garden City Assoc (inc) | 5                     | 1             | 2          | 1              | 0           | 1                  |
| Inverclyde Community Development Trust                              | 3                     | 1             | 1          | 0              | 0           | 1                  |
| Inverclyde Leisure  | 4                     | 1             | 1          | 0              | 1           | 1                  |
| James Campbell Buchanan Trust                                       | 5                     | 2             | 2          | 0              | 0           | 1                  |
| Peter Stanton Memorial Trust - Trustees                             | 3                     | 2             | 1          | 0              | 0           | 0                  |
| Renfrewshire Valuation Joint Board                                  | 4                     | 1             | 1          | 0              | 1           | 1                  |
| Riverside Inverclyde  | 3                     | 1             | 1          | 0              | 0           | 1                  |
| Accident Awareness Scotland   | 3                     | 1             | 1          | 0              | 0           | 1                  |
| Boglestone Community Association                                    | 3                     | 1             | 1          | 0              | 1           | 0                  |
| Inverclyde Integration Joint Board                                  | 4                     | 1             | 1          | 1              | 0           | 1                  |
| Inverclyde Alcohol & Drug and Drugs Partnership                     | 3                     | 1             | 2          | 0              | 0           | 0                  |
| Shared Services Joint Committee                                     | 4                     | 1             | 1          | 0              | 1           | 1                  |

**APPENDIX 5 – POLITICAL BALANCE (OUTSIDE BODIES)**

**3 REPRESENTATIVES**

| <b>PARTY</b>     | <b>NO. MEMBERS</b> | <b>% OF TOTAL</b> | <b>NUMBER</b> | <b>REPRESENTATION PARTY-BY-PARTY</b> | <b>REPRESENTATION ADMINISTRATION/OVERALL</b> |
|------------------|--------------------|-------------------|---------------|--------------------------------------|--|
| Labour           | 8                  | 36.36             | 1.09          | 1                                    | 1  |
| SNP              | 6                  | 27.27             | 0.81          | 1                                    | 2  |
| Liberal Democrat | 1                  | 4.45              | 0.14          | 1                                    |  |
| Conservative     | 2                  | 9.09              | 0.27          |                                      |  |
| Independent      | 4                  | 18.18             | 0.55          |                                      |  |
| Alba             | 1                  | 4.45              | 0.14          |                                      |  |

**4 REPRESENTATIVES**

| <b>PARTY</b>     | <b>NO. MEMBERS</b> | <b>% OF TOTAL</b> | <b>NUMBER</b> | <b>REPRESENTATION PARTY-BY-PARTY</b> | <b>REPRESENTATION ADMINISTRATION/OVERALL</b> |
|------------------|--------------------|-------------------|---------------|--------------------------------------|--|
| Labour           | 8                  | 36.36             | 1.45          | 1                                    | 1  |
| SNP              | 6                  | 27.27             | 1.09          | 1                                    | 3  |
| Liberal Democrat | 1                  | 4.45              | 0.73          | 2                                    |  |
| Conservative     | 2                  | 9.09              | 0.36          |                                      |  |
| Independent      | 4                  | 18.18             | 0.18          |                                      |  |
| Alba             | 1                  | 4.45              | 0.18          |                                      |  |

**5 REPRESENTATIVES**

| <b>PARTY</b>     | <b>NO. MEMBERS</b> | <b>% OF TOTAL</b> | <b>NUMBER</b> | <b>REPRESENTATION PARTY-BY-PARTY</b> | <b>REPRESENTATION ADMINISTRATION/OVERALL</b> |
|------------------|--------------------|-------------------|---------------|--------------------------------------|--|
| Labour           | 8                  | 36.36             | 1.82          | 2                                    | 2  |
| SNP              | 6                  | 27.27             | 1.36          | 3                                    | 3  |
| Liberal Democrat | 1                  | 4.45              | 0.23          |                                      |  |
| Conservative     | 2                  | 9.09              | 0.45          |                                      |  |
| Independent      | 4                  | 18.18             | 0.91          |                                      |  |
| Alba             | 1                  | 4.45              | 0.23          |                                      |  |

Appendix 6

Issued for assistance in terms of Rule 54 of the Council's Standing Orders

Intended Political Balance Sub-Committees, Boards and Outside Bodies

|                              | 3 Members on Body<br>(8 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 4 Members on Body<br>(5 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 5 Members on Body<br>(4 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 6 Members on Body<br>(3 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 7 Members on Body<br>(0 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 8 Members on Body<br>(1 Body) |                                   | Other<br>Acceptable<br>Allocation<br>Option |   |
|------------------------------|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|-------------------------------|-----------------------------------|---|---|
|                              | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement      | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            |   |
| LAB                          | 8                               | 1.09                              | 1   | 1                               | 1.45                              | 1   | 1                               | 1.82                              | 2   | 2                               | 2.18                              | 2   | 2                               | 2.55                              | 3   | 3                             | 2.91                              | 3   | 3 |
| SNP                          | 7                               | 0.95                              | 1   | 1                               | 1.27                              | 1   | 1                               | 1.59                              | 2   | 3                               | 1.91                              | 2   | 2                               | 2.23                              | 2   | 2                             | 2.55                              | 3   | 3 |
| INTERNAL<br>IND<br>COALITION | 4                               | 0.55                              | 1   | 1                               | 0.73                              | 1   | 2                               | 0.91                              | 1   |                                 | 1.09                              | 1   | 1                               | 1.27                              | 1   | 1                             | 1.45                              | 1   | 1 |
| CON                          | 2                               | 0.27                              | 0   |                                 | 0.36                              | 1   |                                 | 0.45                              | 0   |                                 | 0.55                              | 1   | 1                               | 0.64                              | 1   | 1                             | 0.73                              | 1   | 1 |
| LD                           | 1                               | 0.14                              |   |                                 | 0.18                              | 0.23  |                                 | 0.27                              | 0   | 0.32                            | 0                                 | 0.36  |                                 | 0                                 |   |                               |                                   |   |   |
| <b>TOTAL</b>                 | <u>22</u>                       |                                   | <u>3</u>                                    |                                 | <u>4</u>                          |   | <u>5</u>                        |                                   | <u>6</u>                                    |                                 | <u>7</u>                          |   | <u>8</u>                        |                                   |   |                               |                                   |   |   |

Appendix 7

Issued for assistance in terms of Rule 54 of the Council's Standing Orders

Intended Political Balance Sub-Committees, Boards and Outside Bodies

|                              | 3 Members on Body<br>(8 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 4 Members on Body<br>(5 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 5 Members on Body<br>(4 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 6 Members on Body<br>(3 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 7 Members on Body<br>(0 Bodies) |                                   | Other<br>Acceptable<br>Allocation<br>Option | 8 Members on Body<br>(1 Body) |                                   | Other<br>Acceptable<br>Allocation<br>Option |   |
|------------------------------|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|---------------------------------|-----------------------------------|---|-------------------------------|-----------------------------------|---|---|
|                              | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement        | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            | Numerical<br>Entitlement      | Allocation<br>Based on<br>Numbers | Allocation<br>Based on<br>Spread            |   |
| LAB                          | 8                               | 1.09                              | 1   | 1                               | 1.45                              | 1   | 1                               | 1.82                              | 2   | 2                               | 2.18                              | 2   | 2                               | 2.55                              | 3   | 3                             | 2.91                              | 3   | 3 |
| SNP                          | 6                               | 0.81                              | 1   | 1                               | 1.09                              | 1   | 1                               | 1.36                              | 1   | 3                               | 1.64                              | 2   | 2                               | 1.91                              | 2   | 2                             | 2.19                              | 2   | 2 |
| INTERNAL<br>IND<br>COALITION | 4                               | 0.55                              | 1   | 1                               | 0.73                              | 1   | 2                               | 0.91                              | 1   |                                 | 1.09                              | 1   | 1                               | 1.27                              | 1   | 1                             | 1.45                              | 1   | 3 |
| CON                          | 2                               | 0.27                              | 0   |                                 | 0.36                              | 1   |                                 | 0.45                              | 1   |                                 | 0.55                              | 1   | 1                               | 0.64                              | 1   | 1                             | 0.73                              | 1   |   |
| LD                           | 1                               | 0.14                              |   |                                 | 0.18                              | 0.23  |                                 | 0.27                              |   |                                 | 0.32                              | 0.36  |                                 |                                   |   |                               |                                   |   |   |
| ALBA                         | 1                               | 0.14                              |   |                                 | 0.18                              | 0.23  |                                 | 0.27                              |   |                                 | 0.32                              | 0.36  |                                 |                                   |   |                               |                                   |   |   |
|                              |                                 |                                   |   |                                 |                                   |   |                                 |                                   |   |                                 |                                   |   |                                 |                                   |   |                               |                                   |   |   |
| <b>TOTAL</b>                 | <u>22</u>                       |                                   |   | <u>3</u>                        |                                   | <u>4</u>                                    |                                 | <u>5</u>                          |   |                                 | <u>6</u>                          |   |                                 | <u>7</u>                          |   |                               | <u>8</u>                          |   |   |

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|                         |  |                    |                      |
|-------------------------|--|--------------------|----------------------|
| <b>Report To:</b>       | <b>Inverclyde Council</b>                                      | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Interim Head of Legal Services</b>                          | <b>Report No:</b>  | <b>LS/046/21</b>     |
| <b>Contact Officer:</b> | <b>Jonathan Hamilton</b>                                       | <b>Contact No:</b> | <b>01475 712125</b>  |
| <b>Subject:</b>         | <b>Appointment of Trustees to Peter Stanton Memorial Trust</b> |                    |                      |

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to seek the Council's appointment of three Trustees to the Peter Stanton Memorial Trust given that the current term of office of three existing Trustees is due to expire on 24 May 2021.

## **2.0 SUMMARY**

- 2.1 Trustees of the Peter Stanton Memorial Trust are appointed for a term of four years. There are seven Trustees, three of whom are Council appointees. It is required, in terms of the Trust, that one of the appointees be the Provost.
- 2.2 The current term of office of the Provost, Councillors Moran and MacLeod as Trustees of the Peter Stanton Memorial Trust commenced on 25 May 2017 and is due to expire on 24 May 2021. It is therefore necessary for the Council to make a decision on the election of Trustees from 25 May 2021 until the Statutory Meeting of the Council to be held after the Local Government elections in May 2022.

## **3.0 RECOMMENDATIONS**

- 3.1 That the Council appoint the Provost and two other Members to act as Trustees of the Peter Stanton Memorial Trust for the period from 25 May 2021 until the Statutory Meeting of the Inverclyde Council to be held after the Local Government elections in May 2022.

**Anne Sinclair**  
**Interim Head of Legal Services**

## **4.0 BACKGROUND**

- 4.1 The Peter Stanton Memorial Trust was constituted in 1993. The Trust provides financial assistance to encourage the participation of disabled people in leisure and recreational activities in Inverclyde. The Trust considers applications for financial assistance from both individuals and organisations.
- 4.2 The current term of office of the Provost, Councillors Moran and MacLeod as Trustees of the Peter Stanton Memorial Trust commenced on 25 May 2017 and is due to expire on 24 May 2021. Trustees of the Peter Stanton Memorial Trust are appointed for a term of four years. There are seven Trustees, three of whom are Council appointees. It is required, in terms of the Trust, that one of the appointees is the Provost.
- 4.3 The current term of office of four years of all three Trustees is due to expire on 24 May 2021 and it is therefore necessary for the Council to make a decision on the election of Trustees from 25 May 2021 until the Statutory Meeting of the Council to be held after the Local Government elections in May 2022.

## **5.0 IMPLICATIONS**

### **Finance**

- 5.1 There are no financial implications arising from this report.

### **Legal**

- 5.2 There are no legal implications arising from this report.

### **Human Resources**

- 5.3 There are no HR implications arising from this report.

### **Equalities**

- 5.4 There are no equalities implications arising from this report.

### **Repopulation**

- 5.5 There are no repopulation implications arising from this report.

## **6.0 CONSULTATIONS**

- 6.1 None.

## **7.0 LIST OF BACKGROUND PAPERS**

- 7.1 None.



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|                         |   |                    |                      |
|-------------------------|---|--------------------|----------------------|
| <b>Report To:</b>       | <b>Inverclyde Council</b>   | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Interim Head of Legal Services</b>   | <b>Report No:</b>  | <b>SL/LS/037/21</b>  |
| <b>Contact Officer:</b> | <b>Sharon Lang</b>  | <b>Contact No:</b> | <b>01475 712147</b>  |
| <b>Subject:</b>         | <b>Clyde Muirshiel Regional Park Liaison Group – Appointment of Elected Members</b> |                    |                      |

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to request the Council to consider a remit from the Environment & Regeneration Committee relative to representation on the newly-established Clyde Muirshiel Regional Park Liaison Group.

## **2.0 SUMMARY**

- 2.1 The Environment & Regeneration Committee at its meeting on 4 March 2021 considered a report on expedited business and relevant updates for that Committee. Included in that report was an update in respect of Clyde Muirshiel Regional Park.
- 2.2 Following the decision to dissolve the Park Authority with effect from 31 March 2021, the final meeting of the Joint Committee took place on 19 February. At that meeting it was proposed that a Clyde Muirshiel Regional Park Liaison Group be established to guide the strategic direction of the Park, supported by senior officers from the 3 Councils as well as the Park. The Liaison Group will meet on a twice-yearly basis with 2 Elected Members from each of the Local Authorities nominated by their respective Councils.
- 2.3 The Environment & Regeneration Committee recommended that, subject to the Members' agreement, Councillors Nelson and Wilson, who served as the Council's representatives on the Regional Park Joint Committee, be nominated as its representatives on the Clyde Muirshiel Regional Park Liaison Group.

## **3.0 RECOMMENDATION**

- 3.1 The Council is asked to consider the recommendation of the Environment & Regeneration Committee with regard to its 2 nominated representatives to serve on the newly-established Clyde Muirshiel Regional Park Liaison Group.

**Anne Sinclair**  
**Interim Head of Legal Services**

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|                         |   |                    |                      |
|-------------------------|---|--------------------|----------------------|
| <b>Report To:</b>       | <b>Inverclyde Council</b>   | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Interim Head of Legal Services</b>   | <b>Report No:</b>  | <b>LS/049/21</b>     |
| <b>Contact Officer:</b> | <b>Interim Head of Legal Services</b>   | <b>Contact No:</b> | <b>01475 712710</b>  |
| <b>Subject:</b>         | <b>Request for consultation on whether females perceive any safety impediment in using public parks, paths and cycle ways – Request by Councillor Quinn</b> |                    |                      |

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to advise the Council of a request received from Councillor Quinn in the following terms:
- 1.2 “That Council officers carry out a consultation and report back to the Education & Communities Committee to determine if women and girls perceive any safety impediment in using Inverclyde public paths, parks and cycle ways, and if so, how may this be addressed.”

## **2.0 RECOMMENDATION**

- 2.1 That the Council considers the request by Councillor Quinn.

**Anne Sinclair**  
**Interim Head of Legal Services**

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|                         |  |                    |                      |
|-------------------------|--|--------------------|----------------------|
| <b>Report To:</b>       | <b>The Inverclyde Council</b>  | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Interim Service Director<br/>Environment &amp; Economic<br/>Recovery</b>  | <b>Report No:</b>  | <b>LP/041/21</b>     |
| <b>Contact Officer:</b> | <b>Emma Peacock</b>  | <b>Contact No:</b> | <b>01475 712115</b>  |
| <b>Subject:</b>         | <b>Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020</b> |                    |                      |

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to request the Council to consider a remit from the Environment & Regeneration Committee.

## 2.0 SUMMARY

- 2.1 The Environment and Regeneration Committee held a special meeting on 16 March 2021 at which it:-
- (a) Conducted a Hearing, in accordance with the Rules of Procedure recommended by Officers for the same, to allow the objectors who maintained their objections to be heard, and considered the representations of the objectors; and
  - (b) Considered a report by the Interim Director Environment & Economic Recovery:
    - (i) advising of the outcome of the statutory public consultation, including the objections not withdrawn, and discussions with the objectors undertaken by officers; and
    - (ii) asking the Committee, having considered the objections received and the representations made at the special meeting, to decide either to dismiss the maintained objections and recommend approval of the proposed Traffic Regulation Order (“TRO”) or uphold the outstanding objections and seek modifications to the proposed TRO.
- 2.2 At the Special Meeting, following the conduct of the Hearing in consideration of the report in terms of 2.1 above, the Committee decided that the maintained objections be dismissed and that the proposed TRO as detailed in said report be approved and referred to the next meeting of the Inverclyde Council with a recommendation that it approve formally the proposed TRO and authorise the Interim Head of Legal Services and the Head of Shared Services Roads to take all necessary action in accordance with the statutory procedure.

### **3.0 RECOMMENDATION**

- 3.1 That the Inverclyde Council approve the making of the TRO – The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020 and that the Interim Head of Legal Services and the Head of Shared Services Roads be authorised to take all necessary action in connection therewith.

**Anne Sinclair**  
**Interim Head of Legal Services**

#### 4.0 BACKGROUND

- 4.1 The Committee, at its meeting of 14 January 2021, considered the terms of the report by the Corporate Director Environment, Regeneration and Resources advising the Committee of the progress of the statutory consultation process on the proposed TRO and authorised officers to make arrangements for the holding of a public hearing in the form of a special meeting into the maintained objections as part of that process.
- 4.2 The reports to the Committee of 14 January 2021 and 16 March 2021 (which together form Appendix 2) provided background information on and details of the implications of the recommendations, and details of the consultations undertaken.
- 4.3 The Committee is asked to note that, if approved, the TRO may not be implemented until the making of the TRO has been advertised to allow any persons who so wish a period of six weeks to question the validity of the TRO in terms of the Road Traffic Regulation Act 1984.

#### 5.0 IMPLICATIONS

##### Finance

##### 5.1 Financial Implications:

One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments      |
|-------------|----------------|--------------|----------------------------|---------------|---------------------|
| Capital     | RAMP           | 21/22        | £5,000                     |               | New signs and lines |

##### Legal

- 5.2 There are no legal implications arising from this report.

##### Human Resources

- 5.3 There are no Human Resources implications associated with the Proposal.

##### Equalities

##### 5.4 Equalities

Has an Equality Impact Assessment been carried out?

|   |  |
|---|--|
|   | YES  |
| X | NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required |

##### Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|   |  |
|---|--|
|   | YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed. |
| X | NO   |

**Data Protection**

Has a Data Protection Impact Assessment been carried out?

|   |   |
|---|---|
|   | YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals. |
| X | NO  |

**Repopulation**

5.5 There are no Repopulation implications associated with the Proposal.

**6.0 CONSULTATIONS**

6.1 The proposals have been advertised in the Greenock Telegraph and full details of the proposals have been made available for public inspection on the Council's website . A copy of the draft TRO forms Appendix 1.

**7.0 LIST OF BACKGROUND PAPERS**

7.1 None.

**THE INVERCLYDE COUNCIL**  
**(VARIOUS ROADS) (GOUROCK, INVERKIP &**  
**WEMYSS BAY) (WAITING RESTRICTIONS)**  
**(VARIATION NO. 7) ORDER 2020**

**TRAFFIC REGULATION ORDER**

**THE INVERCLYDE COUNCIL  
(VARIOUS ROADS) (GOUROCK, INVERKIP & WEMYSS BAY)  
(WAITING RESTRICTIONS) (VARIATION NO. 7) ORDER 2020**

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1), 45, 53, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) (“the Act”) and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

**1.0 Commencement and citation**

1.1 This Order shall come into operation on the \*\* day of \*\*, Two Thousand and \*\* and may be cited as “The Inverclyde Council (Various Roads) (Gourock, Inverkip & Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020”.

**2.0 Interpretation**

2.1 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.

2.3 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.

2.4 The On-Street Plans forming Schedule 1 to this Order and titled “The Inverclyde Council (Various Roads) (Gourock, Inverkip & Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020 On-Street Plans” are hereby incorporated into “The Inverclyde Council (Various Roads) (Gourock, Inverkip & Wemyss Bay) (Waiting Restrictions) Order 2013” and recorded in “The Inverclyde Council (Various Roads) (Gourock, Inverkip & Wemyss Bay) (Waiting Restrictions) Order 2013 Plan Index”.

2.5 The Plan Index forms Schedule 2.

2.6 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

*This Order and the two Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ##.*

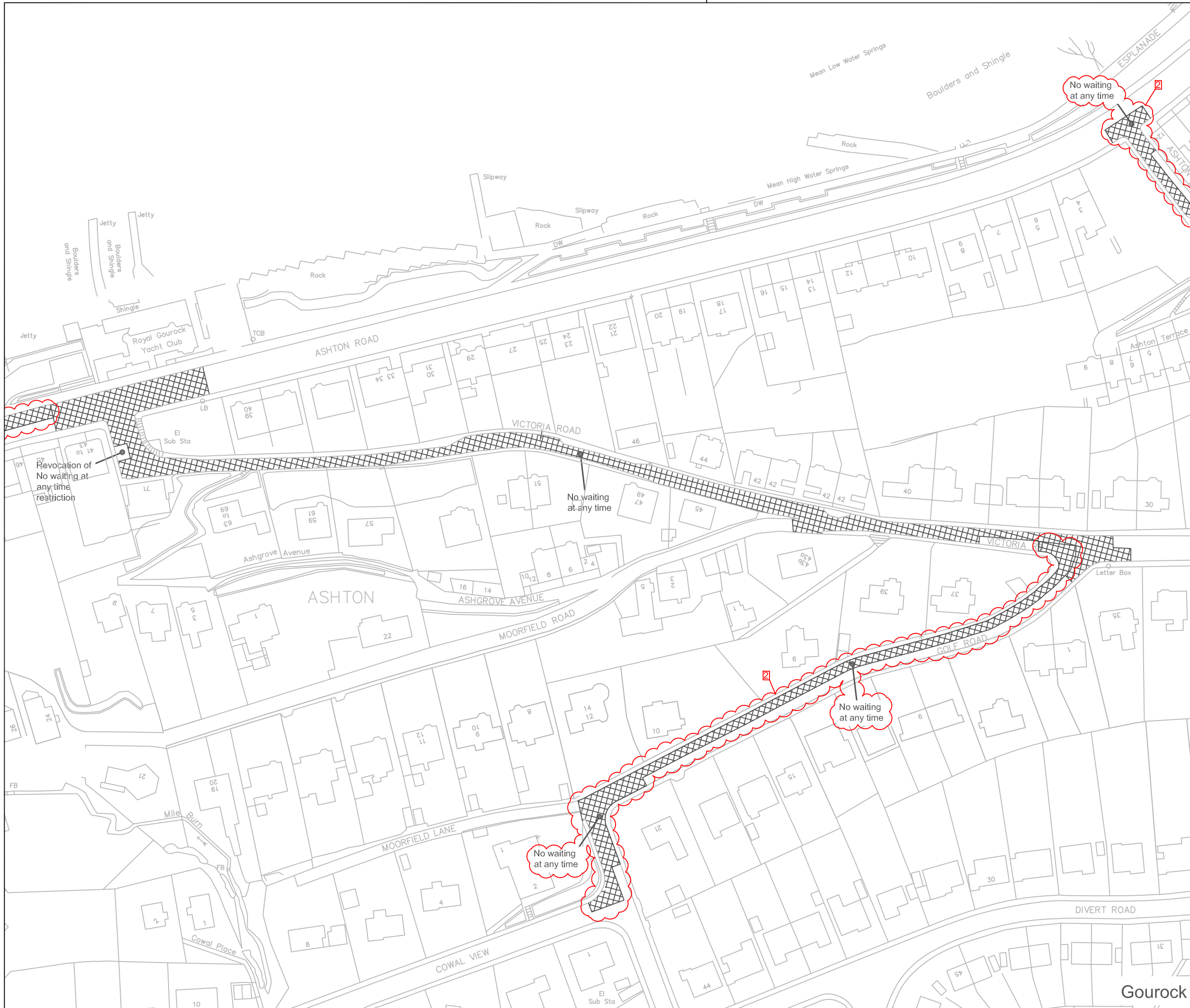


**SCHEDULE 1**

**The Inverclyde Council (Various Roads) (Gourock, Inverkip & Wemyss Bay) (Waiting Restrictions)  
(Variation No. 7) Order 2020 On-Street Plans**

DRAFT

DO NOT SCALE



**Key**

- No waiting at any time
- No waiting at any time
- No loading at any time
- No waiting at times shown
- No loading at times shown
- No waiting except taxis
- Limited waiting (see below for types of limited waiting referred to on these drawings)
- Disabled person's parking place (subject to restrictions shown)
- No waiting at times shown and Limited waiting (see below for types of limited waiting referred to on these drawings)
- Loading bay at times shown and Limited waiting (see below for sc types of limited waiting referred to on these drawings)
- Electric Vehicle Parking Space
- Parking Disc Area

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Seal

| Stat | Purpose of Issue                        | Date       | Auth  |       |      |
|------|---|------------|-------|-------|------|
| 2    | NWAAT ASHTON PL & ASHTON RD             | EP JAN '20 | EP GL |       |      |
| 2    | NWAAT GOLF RD, VICTORIA RD & COWAL VW   | EP JAN '20 | EP GL |       |      |
| 1    | PART REVOCATION YELLOW LINE VICTORIA RD | EP JAN '18 | EP GL |       |      |
| Rev  | Description                             | By         | Date  | Chk'd | Auth |

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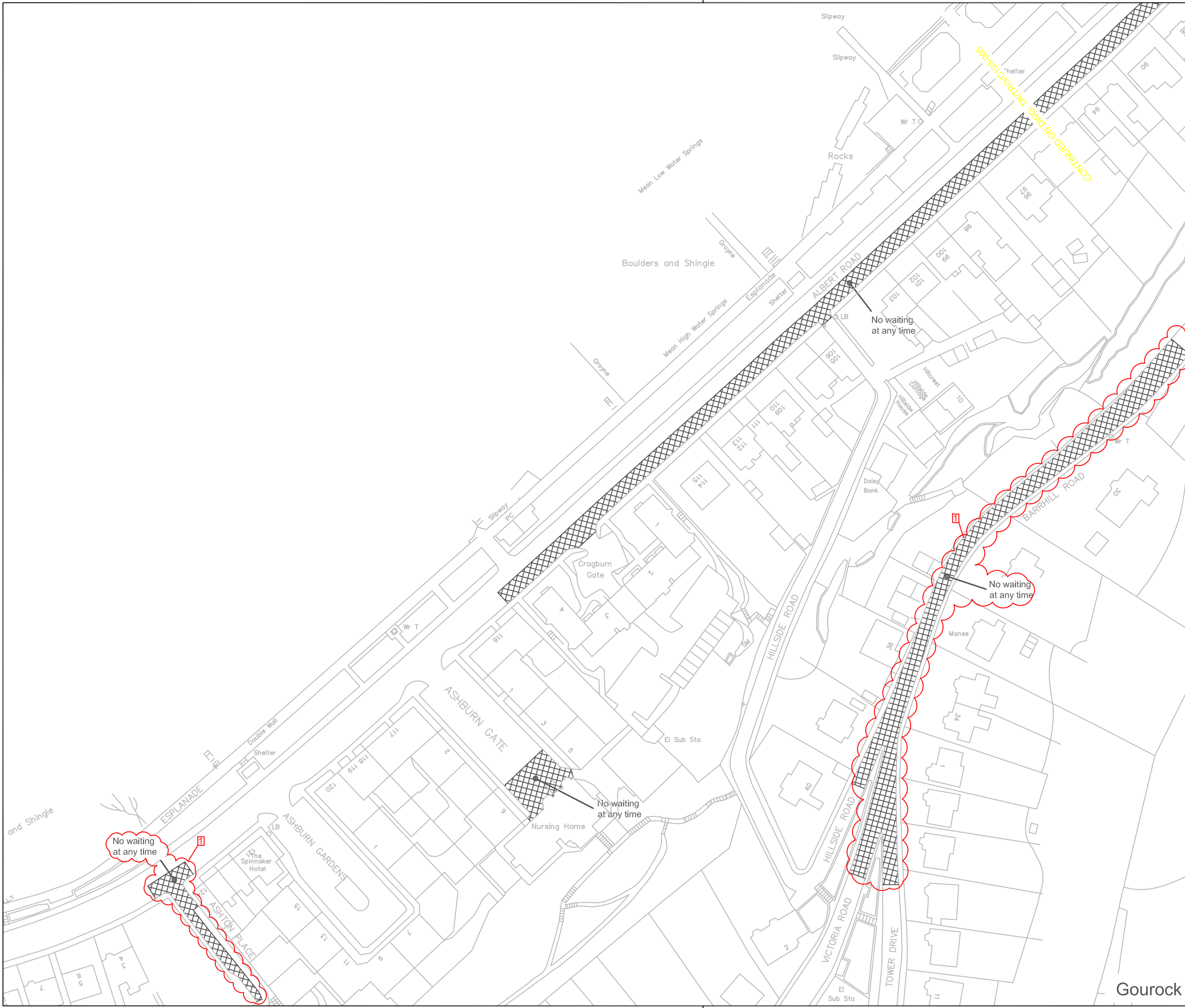


THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (GOUROCK, INVERKIP & WEMYSS BAY)  
 (WAITING RESTRICTIONS) (VARIATION 7)  
 ORDER 2020

EFFECTIVE DATE:

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| P          | TR/TRO/C133-003 | FEB '13        | FEB '13 | FEB '13    |
| Rev        |                 |                |         |            |
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DO NOT SCALE



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Seal

| Stat | Purpose of Issue                | Date       | Auth  |
|------|---------------------------------|------------|-------|
| 1    | NWAAT TOWER DR & HILLSIDE RD    | EP JAN '20 | EP GL |
| 1    | NWAAT VICTORIA RD & BARRHILL RD | EP JAN '20 | EP GL |
| 1    | NWAAT ASHTON RD & ASHTON PL     | EP JAN '20 | EP GL |

| Rev | Description                     | By | Date    | Chk'd | Auth |
|-----|---------------------------------|----|---------|-------|------|
| 1   | NWAAT TOWER DR & HILLSIDE RD    | EP | JAN '20 | EP    | GL   |
| 1   | NWAAT VICTORIA RD & BARRHILL RD | EP | JAN '20 | EP    | GL   |
| 1   | NWAAT ASHTON RD & ASHTON PL     | EP | JAN '20 | EP    | GL   |

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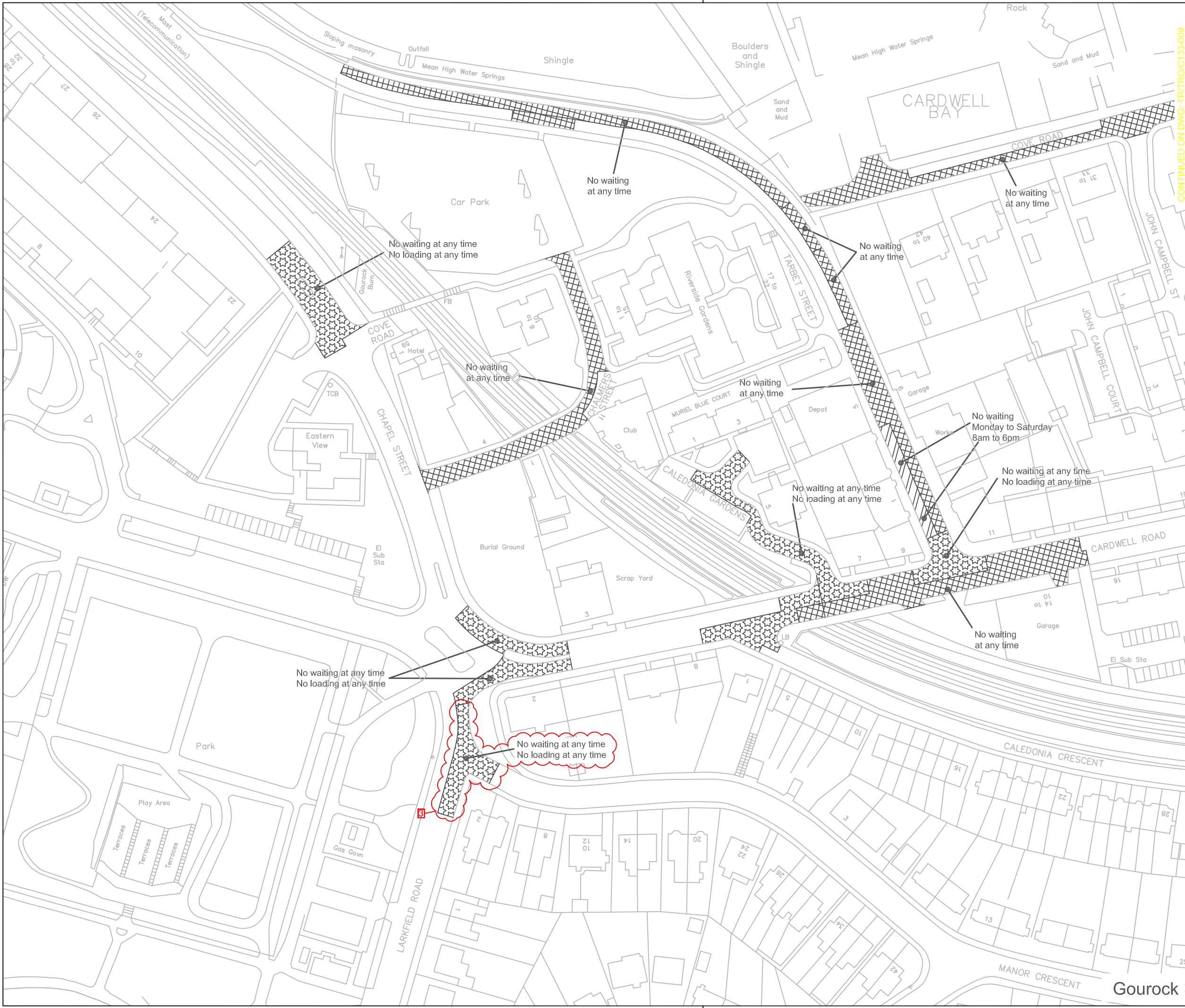
THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (GOUROCK, INVERKIP & WEMYSS BAY)  
 (WAITING RESTRICTIONS) (VARIATION 7)  
 ORDER 2020

EFFECTIVE DATE:

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| P          | TR/TRO/C133-004 | FEB '13        | FEB '13 | FEB '13    |
| Rev        |                 |                |         |            |
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Gourock

DO NOT SCALE



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CONTINUED ON DWG: TR/TRO/C133-009

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Stat

| Stat | Purpose of Issue                    | Date       | Auth  |
|------|-------------------------------------|------------|-------|
| 3    | NWAAT LARKFIELD RD & MANOR CRESCENT | EP JAN '20 | EP GL |
| 2    | NWAAT ADDED TARGET ST               | EP JAN '18 | EP GL |
| 1    | CHANGE NLAAT TO NW SPECIFIED TIMES  | EP JUL '15 | EP MH |

Rev Description By Date Chk'd Auth

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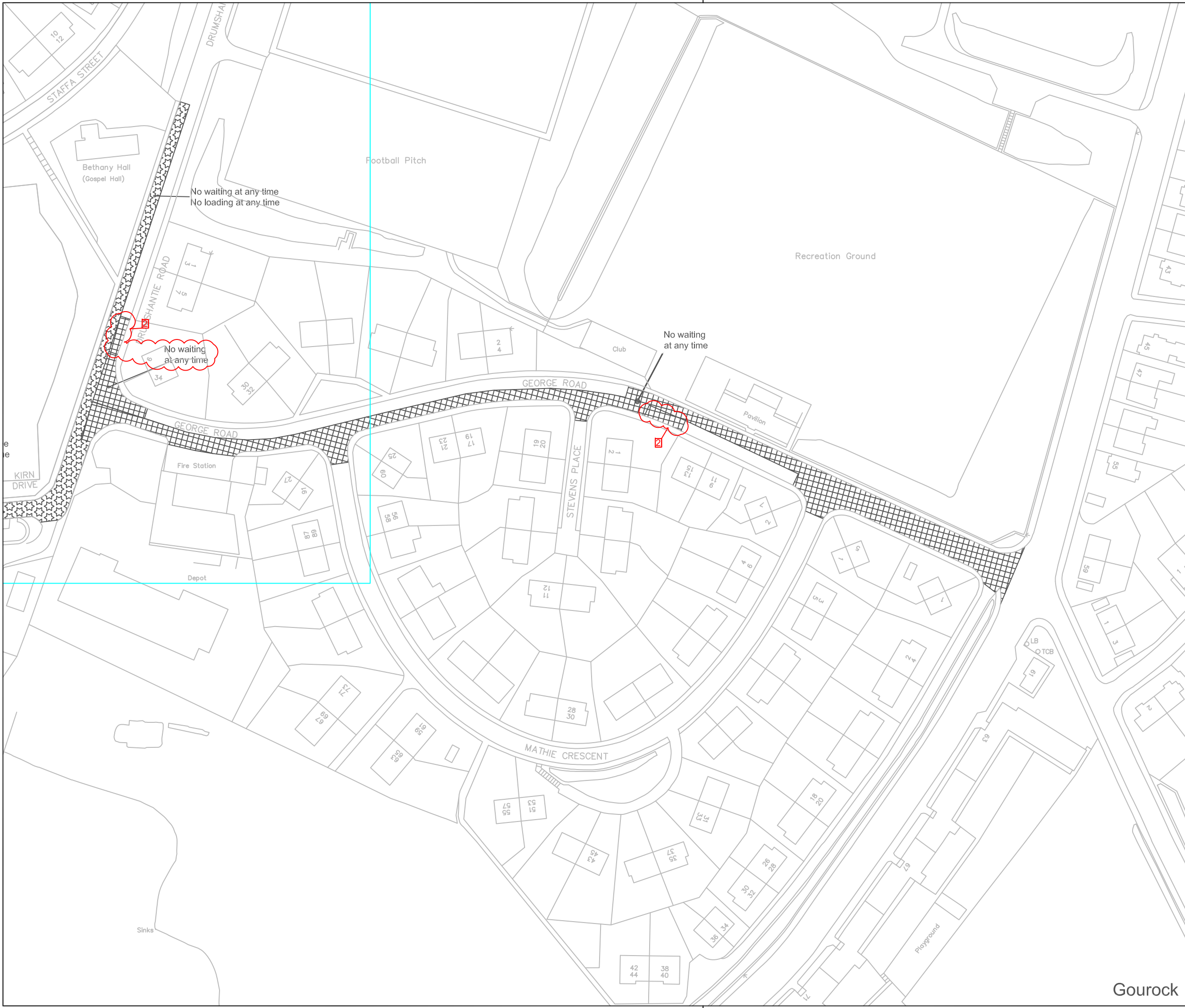


THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
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 (WAITING RESTRICTIONS) (VARIATION No. 7)  
 ORDER 2020

EFFECTIVE DATE:

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| P          | TR/TRO/C133-008 | FEB '13        | FEB '13 | FEB '13    |
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Seal

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|------|-------------------------------------|------------|-------|
| 2    | EXTEND NWAAT GEORGE RD              | EP JAN '20 | EP GL |
| 2    | EXTEND NWAAT DRUMSHANTIE RD         | EP JAN '20 | EP GL |
| 1    | NWAAT/NLAAT DRUMSHANTIE RD/ KIRN DR | EP JAN '18 | EP GL |
| 1    | NWAAT DRUMSHANTIE RD/ GEORGE RD     | EP JAN '18 | EP GL |

| Rev | Description | By | Date | Chk'd | Auth |
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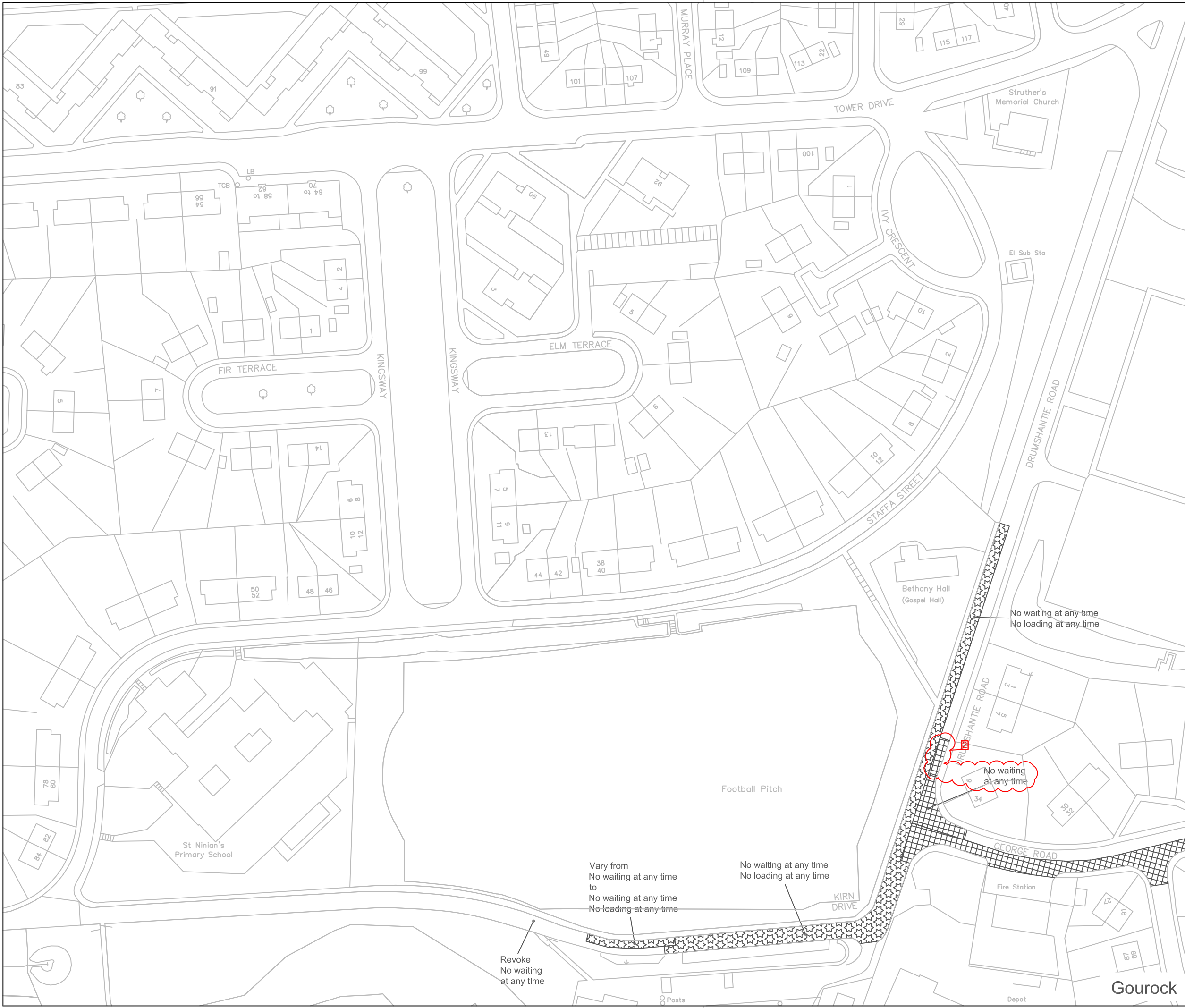
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| P          | TR/TRO/C133-010 | FEB '13        | FEB '13 | FEB '13    |
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Gourock

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|------|------------------------------------|------------|-------|
| 2    | EXTEND NWAAT DRUMSHANTIE RD        | EP JAN '20 | EP GL |
| 1    | NWAAT DRUMSHANTIE RD/ GEORGE RD    | EP JAN '18 | EP GL |
| 1    | NWNLAAT DRUMSHANTIE RD/ KIRN DR    | EP JAN '18 | EP GL |
| 1    | VARY PART NWAAT TO NWNLAAT KIRN DR | EP JAN '18 | EP GL |

| Rev | Description | By | Date | Chk'd | Auth |
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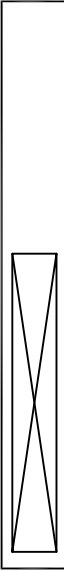
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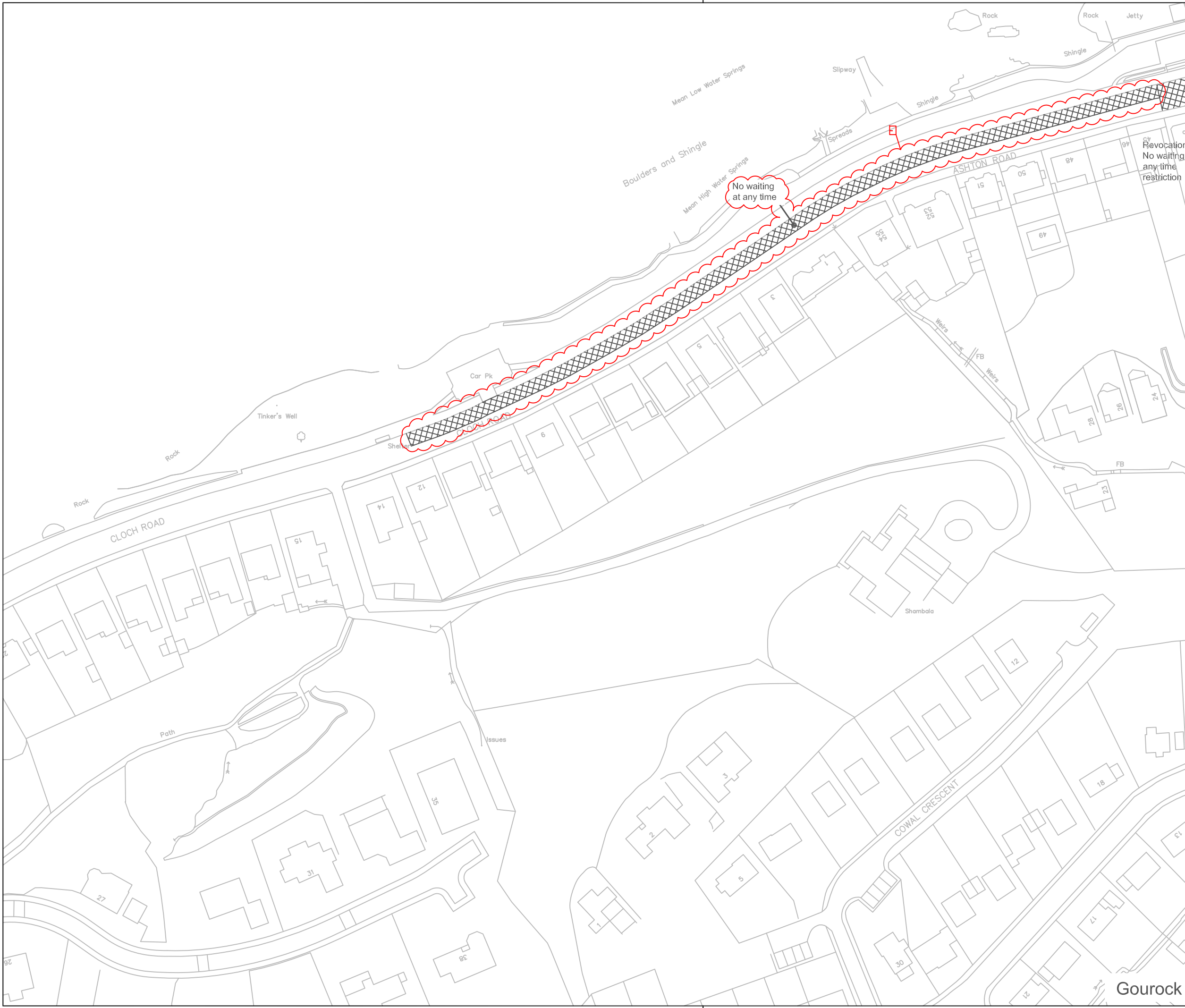
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| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
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| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C133-016 | JUN '15        | JUN '15 | JUN '15    |



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| Stat | Purpose of Issue | Date | Auth |
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|-----|-----------------------------------|----|---------|-------|------|
| Rev | Description                       | By | Date    | Chk'd | Auth |
| -   | EXTEND NWAAT ASHTON RD & CLOCH RD | EP | JAN '20 | EP    | GL   |

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| P          | TR/TRO/C133-019 | FEB '13        | FEB '13 | FEB '13    |
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|            |                 |                |         |            |



**SCHEDULE 2**

**SCHEDULE 3**

**THE INVERCLYDE COUNCIL (VARIOUS ROADS) (GOUROCK, INVERKIP & WEMYSS BAY) (WAITING RESTRICTIONS) ORDER 2013**  
**PLAN INDEX**

| Plan Reference  | Effective date of original plan | Effective date of Plan Revision |            |            |   |   |   |   |   |   |    |    |
|-----------------|---------------------------------|---------------------------------|------------|------------|---|---|---|---|---|---|----|----|
|                 |                                 | 1                               | 2          | 3          | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| TR/TRO/C133-001 | 06/10/2014                      | 10/06/2019                      |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-002 | 06/10/2014                      |                                 |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-003 | 06/10/2014                      | 12/11/2018                      | #####      |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-004 | 06/10/2014                      | #####                           |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-005 | 06/10/2014                      | 04/04/2016                      | 12/11/2018 |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-006 | 06/10/2014                      | 04/04/2016                      | 14/11/2016 | 12/11/2018 |   |   |   |   |   |   |    |    |
| TR/TRO/C133-007 | 06/10/2014                      | 04/04/2016                      |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-008 | 06/10/2014                      | 04/04/2016                      | 12/11/2018 | #####      |   |   |   |   |   |   |    |    |
| TR/TRO/C133-009 | 06/10/2014                      | 04/04/2016                      | 12/11/2018 |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-010 | 06/10/2014                      | 12/11/2018                      | #####      |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-011 | 06/10/2014                      |                                 |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-012 | 04/04/2016                      | 12/11/2018                      |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-013 | 04/04/2016                      | 14/11/2016                      | 12/11/2018 |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-014 | 04/04/2016                      | 12/11/2018                      |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-015 | 04/04/2016                      |                                 |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-016 | 04/04/2016                      | 12/11/2018                      | #####      |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-017 | 12/11/2018                      |                                 |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-018 | 10/06/2019                      |                                 |            |            |   |   |   |   |   |   |    |    |
| TR/TRO/C133-019 | #####                           |                                 |            |            |   |   |   |   |   |   |    |    |

DRAFT

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|                         |  |                    |                        |
|-------------------------|--|--------------------|------------------------|
| <b>Report To:</b>       | <b>Environment &amp; Regeneration Committee</b>  | <b>Date:</b>       | <b>14 January 2021</b> |
| <b>Report By:</b>       | <b>Corporate Director Environment, Regeneration and Resources</b>  | <b>Report No:</b>  | <b>LP/004/21</b>       |
| <b>Contact Officer:</b> | <b>Emma Peacock</b>  | <b>Contact No:</b> | <b>01475 712115</b>    |
| <b>Subject:</b>         | <b>Proposed Traffic Regulation Order - The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020</b> |                    |                        |

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## 1.0 PURPOSE

- 1.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council's Scheme of Delegation the Head of Roads & Environmental Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 1.2 The purpose of this report is to inform the Committee of the outcome of the consultation procedure undertaken for the Traffic Regulation Order (TRO) entitled The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020 where 7 objections have been received. The report also seeks a decision whether Committee will hear the objections relating to the TRO themselves or appoint an independent Reporter.

## 2.0 SUMMARY

- 2.1 The Inverclyde Council introduced Decriminalised Parking Enforcement throughout Inverclyde in 2014. Since that time numerous requests have been received to introduce waiting and loading restrictions at various locations in Gourock. The proposed TRO promotes various restrictions to address these requests.
- 2.2 The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) Order 2013, as amended, is in force in Gourock, Inverkip and Wemyss Bay.
- 2.3 The proposed TRO will:-
- (i) Introduce a "No waiting at any time" restriction on parts of Ashton Road, Cloch Road, Golf Road, Victoria Road, Cowal View, Ashton Place, Barrhill Road, Tower Drive, Hillside Road, Drumshantie Road and George Road, all in Gourock; and
  - (ii) Introduce a "No waiting at any time, no loading at any time" restriction on parts of Larkfield Road and Manor Crescent, both in Gourock.
- 2.4 As a result of the two consultations there are 5 maintained objections, and 2 further objections, to the TRO.

### **3.0 RECOMMENDATIONS**

3.1 It is recommended that the Committee:

a. Notes the requirement to hold a public hearing to consider the maintained objections, and decides either to hear these before a special meeting of this Committee or by an independent Reporter and remits it to the Head of Roads & Environmental Services and the Head of Legal and Property Services to make the necessary arrangements for the public hearing.

b. Notes, if the Committee decides to appoint an independent Reporter, the cost associated with this is approximately £10,000 which would come from the Decriminalised Parking Enforcement Revenue Budget.

**Gerard Malone**  
**Head of Legal and Property Services**

## 4.0 BACKGROUND

- 4.1 The proposed TRO was issued for public consultation on 08 September 2020 with responses invited by 07 October 2020. At the end of this consultation period, 5 objections were received. Officers amended the proposed TRO, in light of the objections received, and a second public consultation was carried out for this proposed TRO with amended documents. The proposed TRO was issued for a second public consultation on 27 October 2020 with responses invited by 17 November 2020.
- 4.2 Officers wrote to the 5 objectors following the first public consultation of this proposed TRO. The objectors did not respond therefore their objections are considered to be maintained. Two further objections have been received following the second public consultation.

## 5.0 IMPLICATIONS

### Finance

#### 5.1 Financial Implications:

One off Costs all contained within the Ramp capital budget

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments      |
|-------------|----------------|--------------|----------------------------|---------------|---------------------|
| Capital     | RAMP           | 21/22        | £5,000                     |               | New signs and lines |

### Legal

- 5.2 There are no legal implications arising from this report.

### Human Resources

- 5.3 There are no Human Resources implications associated with the proposal.

### Equalities

#### 5.4 Equalities

Has an Equality Impact Assessment been carried out?

|                          |
|--------------------------|
| <input type="checkbox"/> |
| X                        |

YES

NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

### Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|                          |
|--------------------------|
| <input type="checkbox"/> |
|--------------------------|

YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.

NO

### Data Protection

Has a Data Protection Impact Assessment been carried out?

YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.

NO

### **Repopulation**

5.5 There are no Repopulation implications associated with the proposal.

### **6.0 CONSULTATIONS**

6.1 The proposal has been advertised in the Greenock Telegraph and full details of the proposal have been made available for public inspection on the Council's website. A copy of the draft Order forms Appendix 1.

### **7.0 LIST OF BACKGROUND PAPERS**

7.1 None.

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|                         |  |                    |                      |
|-------------------------|--|--------------------|----------------------|
| <b>Report To:</b>       | <b>Environment &amp; Regeneration Committee</b>  | <b>Date:</b>       | <b>16 March 2021</b> |
| <b>Report By:</b>       | <b>Interim Director Environment &amp; Economic Recovery</b>  | <b>Report No:</b>  | <b>LP/034/21</b>     |
| <b>Contact Officer:</b> | <b>Peter MacDonald</b>   | <b>Contact No:</b> | <b>01475 712618</b>  |
| <b>Subject:</b>         | <b>Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020<br/>The Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999</b> |                    |                      |

---

## 1.0 PURPOSE

1.1 Further to the statutory consultation process undertaken in terms of the Road Traffic Regulation Act 1984 and the Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999 on The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020 (the Proposed TRO), the purpose of this report is to:-

- Request that the Committee adopt the Rules of Procedure for the purposes of the special meeting;
- Advise the Committee in relation to the Proposed TRO of the discussions between Council Officers and the persons who have, as part of the public consultation, objected to the Proposed TRO (the Objectors); and
- Facilitate the effective fair and proper hearing by the Committee of the Objectors who have not withdrawn their objections in order that the Committee can consider their objections (the Objections) and come to a formal recommendation on the Proposed TRO.

## 2.0 SUMMARY

2.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council’s Scheme of Delegation the Head of Roads & Environmental Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

2.2 Officers have undertaken a public consultation process in relation to the Proposed TRO. The Proposed TRO was issued for public consultation on 08 September 2020 with responses invited by 07 October 2020. At the end of this consultation period, 5 objections were received. Officers amended the proposed TRO, in light of the objections received, and a second public consultation was carried out for this proposed TRO with amended documents. The proposed TRO was issued for a second public consultation on 27 October 2020 with responses invited by 17 November 2020, following which two objections were received. A total of seven objections have been received and maintained following the public consultation process in relation to the Proposed TRO.

- 2.3 It is necessary that the Objectors be given an opportunity to be heard before the Committee before it reaches a decision on whether or not to recommend the Proposed TRO for formal approval of The Inverclyde Council. The special meeting has been convened to provide such an opportunity.
- 2.4 Because of the requirements of the statutory process and the formal nature of the special meeting, it is vital that the Objectors have a fair and impartial hearing and the Rules of Procedure provide for this.

### **3.0 RECOMMENDATIONS**

It is recommended that the Committee:

- 3.1 Approve the Rules of Procedure as detailed in Appendix 1.
- 3.2 Consider the terms of Appendix 2 in relation to the Objections.
- 3.3 Allow the Objectors an opportunity to be heard at the special meeting in accordance with the Rules of Procedure.
- 3.4 Consider the Objections and such oral representations on it made by the Objectors and officers at the special meeting and thereafter **either**:
  - 3.4.1 Dismiss the Objections, approve the Proposed TRO as detailed in Appendix 3 and refer it to the next meeting of The Inverclyde Council recommending that The Inverclyde Council formally approve the Proposed TRO and remit it to the Head of Roads & Environmental Services and the Head of Legal and Property Services to arrange for its implementation in accordance with the statutory procedure;
  - or**
  - 3.4.2 Uphold in whole or in part the Objections and remit it to the Head of Roads & Environmental Services and the Head of Legal and Property Services to amend the terms of the Proposed TRO to deal with the part or parts of the Objections so upheld in accordance with the decision of the Committee and to report to a future meeting of the Committee with the Proposed TRO as further amended for approval.

all in accordance with the Rules of Procedure.

**Anne Sinclair**  
**Interim Head of Legal Services**



## **4.0 BACKGROUND**

- 4.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council's Scheme of Delegation the Head of Roads & Environmental Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 4.2 Officers proceeded with a public consultation process in accordance with the legislation. At its meeting of 14 January 2021 this Committee was updated as to the consultation process and it authorised officers to make arrangements for the holding of a public hearing in the form of this special meeting.
- 4.3 Officers have continued to engage with the Objectors since that date to advise them of the arrangements for and proposed procedure at this special meeting. Officers have provided the Objectors with a statement of case which sets out the position of the Head of Roads & Environmental Services as regards the Proposed TRO; the statement of case is in Appendix 4. The written representations/documents submitted by the Objector are in Appendix 5.
- 4.4 Appendix 2 provides the full text of the Objections and the correspondence with officers.
- 4.5 Before making a proposed TRO, the Council is, in terms of the Act and the Regulations, required to take into consideration any Objections timeously received by them and to give any Objectors an opportunity to be heard by them. This special meeting is therefore necessary to permit the Objectors to be heard by the Committee in terms of the recommendations above.
- 4.6 As the hearing of Objections is a statutory entitlement for Objectors, the Committee will be discharging legal responsibilities at the special meeting effectively as if it were a formal tribunal or board with the obligations which are already familiar to Elected Members as regards hearing and continuity of attendance.

## **5.0 PROPOSALS**

- 5.1 The form of the Proposed TRO which officers are recommending for approval is included at Appendix 3 of this report.
- 5.2 The special meeting will proceed effectively as if a formal tribunal or board. In the interests of fairness, openness and transparency it is therefore necessary that the basis on which the hearing element of the meeting will proceed be formalised. Officers have therefore prepared draft Rules of Procedure of this meeting per Appendix 1. These have been circulated to the Objectors prior to this meeting and are recommended for approval by the Committee.
- 5.3 Because of the formality of the hearing process and the statutory process for making TROs, only certain decisions of the Committee in this matter are competent. Further it is vital that the Objectors have a fair and impartial hearing and the Rules of Procedure provide for this. The decisions which the Committee can competently make are: to dismiss the Objections; to uphold the Objections; or to uphold part of the Objections and dismiss other parts of the Objections. If the Objections are upheld in part, it will be necessary for officers to report back to the Committee at a future date with detailed wording. These eventualities are addressed in the possible Committee outcomes specified in paragraph 3.4.
- 5.4 The Committee is asked to note that, if approved, the Proposed TRO may not be implemented until the making of the Order has been advertised to allow any persons who so wish a period of six weeks to question the validity of the Order in terms of the Road Traffic Regulation Act 1984.

## 6.0 IMPLICATIONS

### Finance

#### 6.1 Financial Implications:

##### One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments      |
|-------------|----------------|--------------|----------------------------|---------------|---------------------|
| Capital     | RAMP           | 21/22        | £5,000                     |               | New signs and lines |

### Legal

- 6.2 As a local authority, The Inverclyde Council has power in terms of the Road Traffic Regulation Act 1984 and the Local Authorities Traffic Orders Procedure (Scotland) Regulations 1999 to make Traffic Regulation Orders. In accordance with the statutory procedure, the Proposed TRO has been publicised and seven Objections have been received and maintained. Before making the TRO, the Council must take into consideration any Objections timeously received and give the Objectors who maintain their Objections an opportunity to be heard by them.

### Human Resources

- 6.3 There are no Human Resources implications associated with the making of the Proposed TRO.

### Equalities

#### 6.4 Equalities

Has an Equality Impact Assessment been carried out?

|   |  |
|---|--|
|   | YES  |
| X | NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required |

#### Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|   |  |
|---|--|
|   | YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed. |
| X | NO   |

#### Data Protection

Has a Data Protection Impact Assessment been carried out?

|   |
|---|
|   |
| X |

YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.

NO

### **Repopulation**

6.5 There are no Repopulation implications associated with the making of the Proposed TRO.

### **7.0 CONSULTATIONS**

7.1 The Head of Roads & Environmental Services has been consulted on the terms of this report.

### **8.0 LIST OF BACKGROUND PAPERS**

8.1 None.

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|                         |   |                    |                      |
|-------------------------|---|--------------------|----------------------|
| <b>Report To:</b>       | <b>The Inverclyde Council</b>   | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Interim Service Director<br/>Environment &amp; Economic<br/>Recovery</b>   | <b>Report No:</b>  | <b>LP/040/21</b>     |
| <b>Contact Officer:</b> | <b>Emma Peacock</b>   | <b>Contact No:</b> | <b>01475 712115</b>  |
| <b>Subject:</b>         | <b>Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020</b> |                    |                      |

---

## 1.0 PURPOSE

- 1.1 The purpose of this report is to request the Council to consider a remit from the Environment & Regeneration Committee.

## 2.0 SUMMARY

- 2.1 The Environment and Regeneration Committee held a special meeting on 16 March 2021 at which it:-
- (a) Conducted a Hearing, in accordance with the Rules of Procedure recommended by Officers for the same, to allow the objector who maintained their objection to be heard, and considered the representation of the objector; and
  - (b) Considered a report by the Interim Director Environment & Economic Recovery:
    - (i) advising of the outcome of the statutory public consultation, including the objection not withdrawn, and discussions with the objector undertaken by officers; and
    - (ii) asking the Committee, having considered the objection received and the representations made at the special meeting, to decide either to dismiss the maintained objection and recommend approval of the proposed Traffic Regulation Order (“TRO”) or uphold the outstanding objection and seek modifications to the proposed TRO.
- 2.2 At the Special Meeting, following the conduct of the Hearing in consideration of the report in terms of 2.1 above, the Committee decided that the maintained objection be dismissed and that the proposed TRO as detailed in said report be approved and referred to the next meeting of the Inverclyde Council with a recommendation that it approve formally the proposed TRO and authorise the Interim Head of Legal Services and the Head of Shared Services Roads to take all necessary action in accordance with the statutory procedure.

### **3.0 RECOMMENDATION**

- 3.1 That the Inverclyde Council approve the making of the TRO – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020 and that the Interim Head of Legal Services and the Head of Shared Services Roads be authorised to take all necessary action in connection therewith.

**Anne Sinclair**  
**Interim Head of Legal Services**

## 4.0 BACKGROUND

- 4.1 The Committee, at its meeting of 14 January 2021, considered the terms of the report by the Corporate Director Environment, Regeneration and Resources advising the Committee of the progress of the statutory consultation process on the proposed TRO and authorised officers to make arrangements for the holding of a public hearing in the form of a special meeting into the maintained objection as part of that process.
- 4.2 The reports to the Committee of 14 January 2021 and 16 March 2021 (which together form Appendix 2) provided background information on and details of the implications of the recommendations, and details of the consultations undertaken.
- 4.3 The Committee is asked to note that, if approved, the TRO may not be implemented until the making of the TRO has been advertised to allow any persons who so wish a period of six weeks to question the validity of the TRO in terms of the Road Traffic Regulation Act 1984.

## 5.0 IMPLICATIONS

### Finance

#### 5.1 Financial Implications:

One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments      |
|-------------|----------------|--------------|----------------------------|---------------|---------------------|
| Capital     | RAMP           | 21/22        | £10,000                    |               | New signs and lines |

### Legal

- 5.2 There are no legal implications arising from this report.

### Human Resources

- 5.3 There are no Human Resources implications associated with the Proposal.

### Equalities

#### 5.4 Equalities

Has an Equality Impact Assessment been carried out?

|                                     |
|-------------------------------------|
| <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> |

YES

NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

### Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|   |  |
|---|--|
|   | YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed. |
| X | NO   |

### Data Protection

Has a Data Protection Impact Assessment been carried out?

|   |   |
|---|---|
|   | YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals. |
| X | NO  |

### **Repopulation**

5.5 There are no Repopulation implications associated with the Proposal.

### **6.0 CONSULTATIONS**

6.1 The proposals have been advertised in the Greenock Telegraph and full details of the proposals have been made available for public inspection on the Council's website. A copy of the draft TRO forms Appendix 1.

### **7.0 LIST OF BACKGROUND PAPERS**

7.1 None.

**THE INVERCLYDE COUNCIL  
(VARIOUS ROADS) (OUTER GREENOCK)  
(WAITING RESTRICTIONS)  
(VARIATION NO. 11) ORDER 2020**

**TRAFFIC REGULATION ORDER**



**THE INVERCLYDE COUNCIL  
(VARIOUS ROADS) (OUTER GREENOCK)  
(WAITING RESTRICTIONS) (VARIATION NO. 11) ORDER 2020**

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1), 45, 53, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) (“the Act”) and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

**1.0 Commencement and citation**

1.1 This Order shall come into operation on the \*\* day of \*\*, Two Thousand and \*\* and may be cited as “The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020”.

**2.0 Interpretation**

2.1 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.

2.3 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.

2.4 The On-Street Plans forming Schedule 1 to this Order and titled “The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020 On-Street Plans” are hereby incorporated into “The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013” and recorded in “The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013 Plan Index”.

2.5 The Plan Index forms Schedule 2.

2.6 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

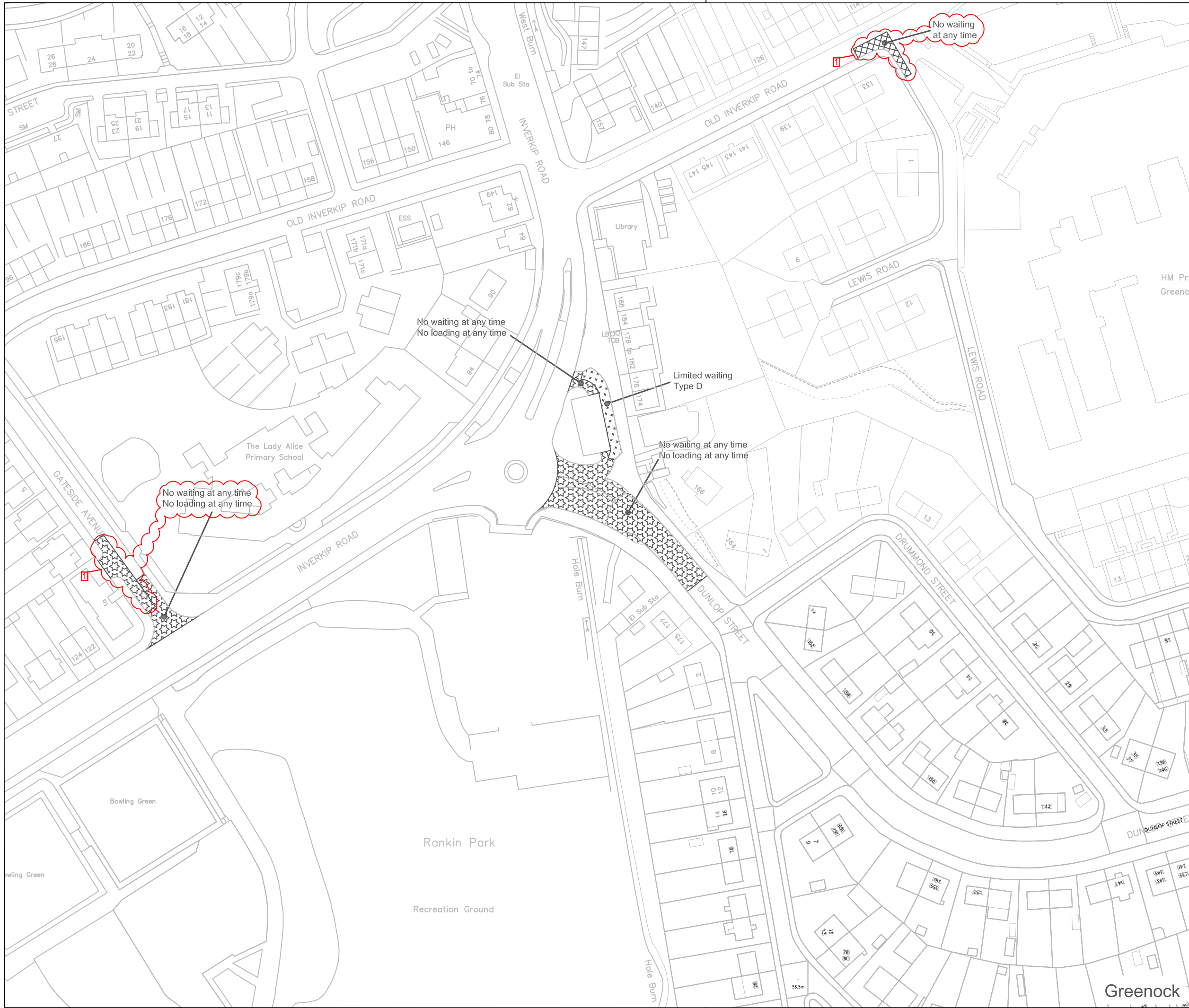
*This Order and the two Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ##.*

**SCHEDULE 1**

**The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions)  
(Variation No. 11) Order 2020 On-Street Plans**

DRAFT

DO NOT SCALE



**Key**

- No waiting at any time
- No waiting at any time  
No loading at any time
- No waiting at times shown
- No waiting at any time  
No loading at times shown
- No waiting except taxis
- Limited waiting  
(see below for types of limited waiting referred to on these drawings)
- Parking place for permit holders at specified times
- Disabled person's parking place (subject to restrictions shown)
- Ambulance parking place (subject to restrictions shown)
- Loading bay

Outer Greenock Resident Parking Permit Area  
 Parking Disc Area

**Limited Waiting**  
 Type D: Mon-Sat 8am-6pm, 2 hours, No return within 1 hour  
 Type E: Mon-Sat 8am to 6pm, 30 mins, No return within 30 mins  
 Type H: Mon-Fri 8am to 6pm, 2 hours, No return within 30 mins  
 Type K: Mon-Fri 8am to 6pm, 2 hours, No return within 30 mins except Permit Holders  
 Type N: Mon-Fri 8am to 6pm, 30 mins, No return within 30 mins except Permit Holders  
 Type Q: Mon-Sun 8am to 10pm, 2 hours, No return within 30 mins

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Stat

| Stat | Purpose of Issue                | Date       | Auth  |
|------|---------------------------------|------------|-------|
| 1    | NWAAT & NLAAT GATESIDE AVE      | EP JAN '20 | EP GL |
| 1    | NWAAT OLD INVERKIP RD/ LEWIS RD | EP JAN '20 | EP GL |

Rev

| Rev | Description                     | By | Date    | Chk'd | Auth |
|-----|---------------------------------|----|---------|-------|------|
| 1   | NWAAT OLD INVERKIP RD/ LEWIS RD | EP | JAN '20 | EP    | GL   |

**INVERCLYDE COUNCIL**  
 Vehicle Maintenance Facility  
 8 Pottery Street  
 Greenock  
 PA15 2UH  
 Tel: 01475 717171  
 Email: roads@inverclyde.gov.uk  
 www.inverclyde.gov.uk

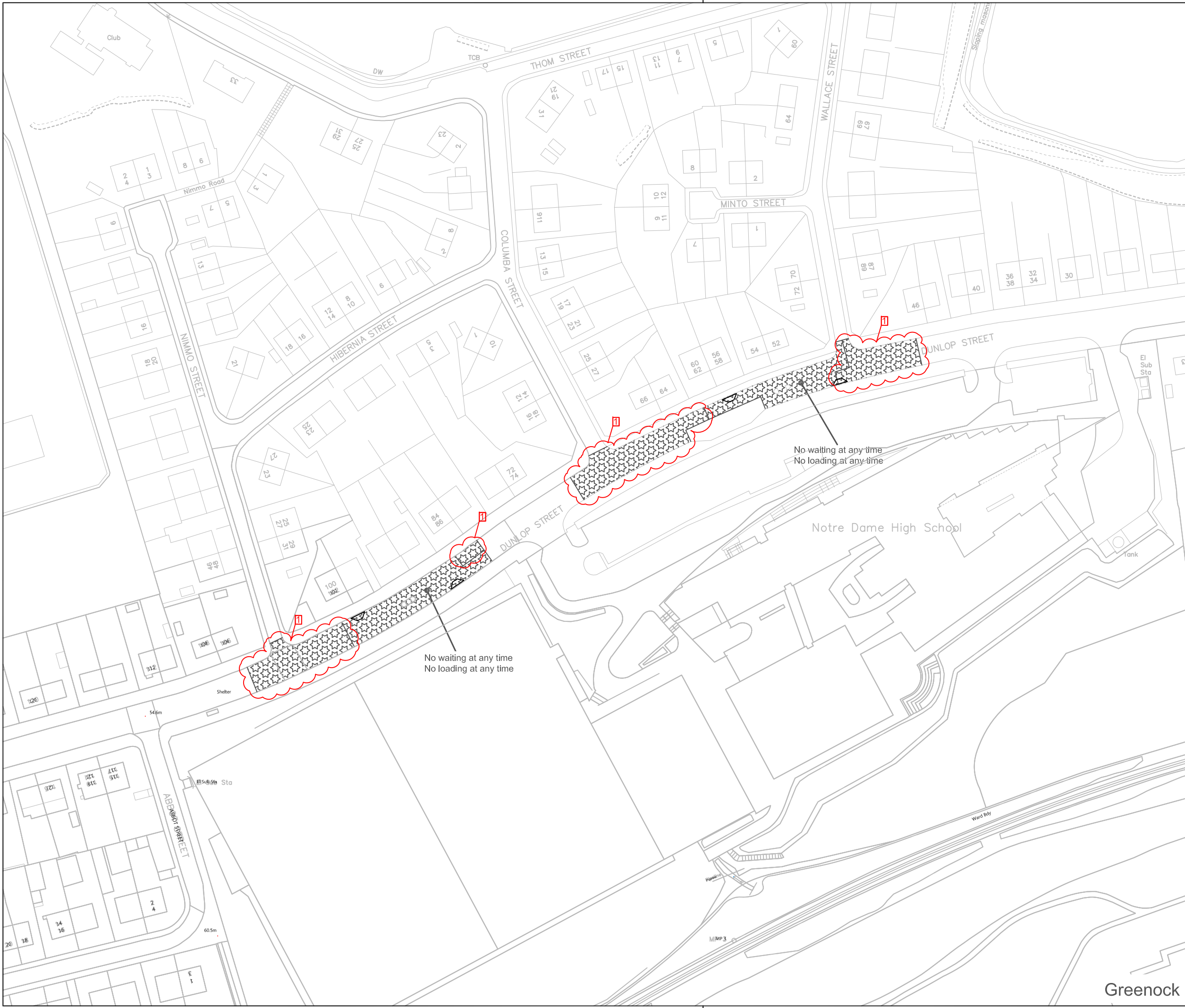


THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
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| A3         | 1:1250          | MJH            | MJH     | MR         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-007 | FEB '13        | FEB '13 | FEB '13    |
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DO NOT SCALE



**Key**

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Seal

| Stat | Purpose of Issue | Date | Auth |
|------|------------------|------|------|
|      |                  |      |      |

| Rev | Description             | By | Date    | Chk'd | Auth |
|-----|-------------------------|----|---------|-------|------|
| 1   | NWAAT & NLAAT DUNLOP ST | EP | JAN '20 | EP    | GL   |

**INVERCLYDE COUNCIL**  
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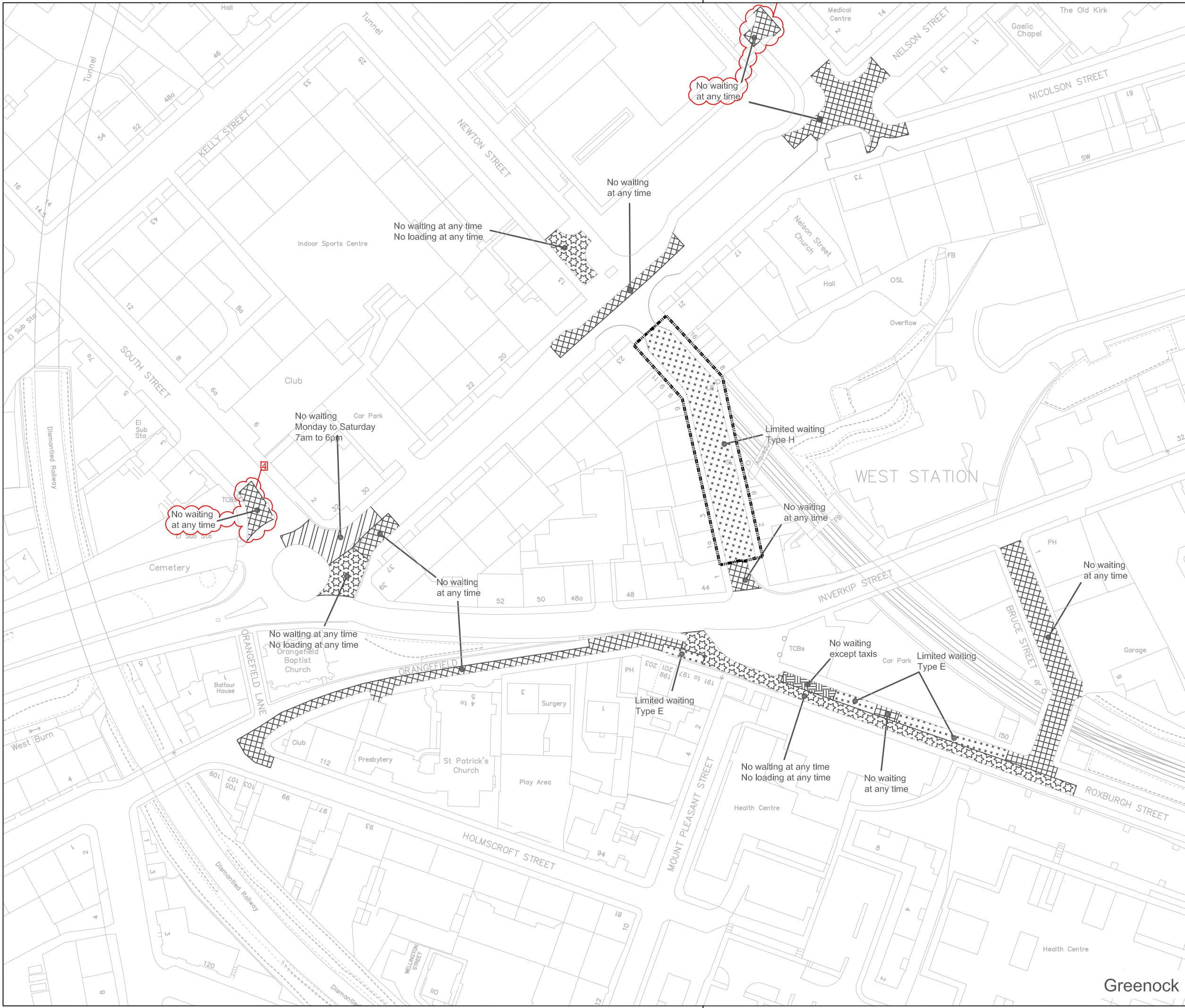
THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
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Greenock

DO NOT SCALE



**Key**

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Seal

| Stat | Purpose of Issue              | Date        | Auth   |       |      |
|------|-------------------------------|-------------|--------|-------|------|
| 4    | NWAAT SOUTH ST                | EP JAN '20  | EP GL  |       |      |
| 3    | 2 HR ON NEWTON ST             | EP AUG '18  | EP GB  |       |      |
| 2    | NELSON ST/NICOLSON ST AMENDED | EP JUN '15  | EP MH  |       |      |
| 1    | NEWTON ST NWAAT REVISED       | MJH NOV '13 | MJH MR |       |      |
| Rev  | Description                   | By          | Date   | Chk'd | Auth |

**INVERCLYDE COUNCIL**  
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 8 Pottery Street  
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 www.inverclyde.gov.uk



THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
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| A3         | 1:1250          | MJH            | LM      | MR         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-010 | FEB '13        | FEB '13 | FEB '13    |
| Rev        |                 |                |         |            |
|            |                 |                |         | 4          |

Greenock

DO NOT SCALE



**Key**

- No waiting at any time
- No waiting at any time
- No waiting at any time
- No waiting at times shown
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Seal

| Stat | Purpose of Issue                   | Date       | Auth  |
|------|------------------------------------|------------|-------|
| 1    | NWAAT & NLAAT REGENT ST & BAKER ST | EP JAN '20 | EP GL |
| 1    | NWAAT KNOWE RD                     | EP JAN '20 | EP GL |

| Rev | Description                        | By | Date    | Chk'd | Auth |
|-----|------------------------------------|----|---------|-------|------|
| 1   | NWAAT & NLAAT REGENT ST & BAKER ST | EP | JAN '20 | EP    | GL   |
| 1   | NWAAT KNOWE RD                     | EP | JAN '20 | EP    | GL   |

**INVERCLYDE COUNCIL**  
 Vehicle Maintenance Facility  
 8 Pottery Street  
 Greenock  
 PA15 2UH  
 Tel: 01475 717171  
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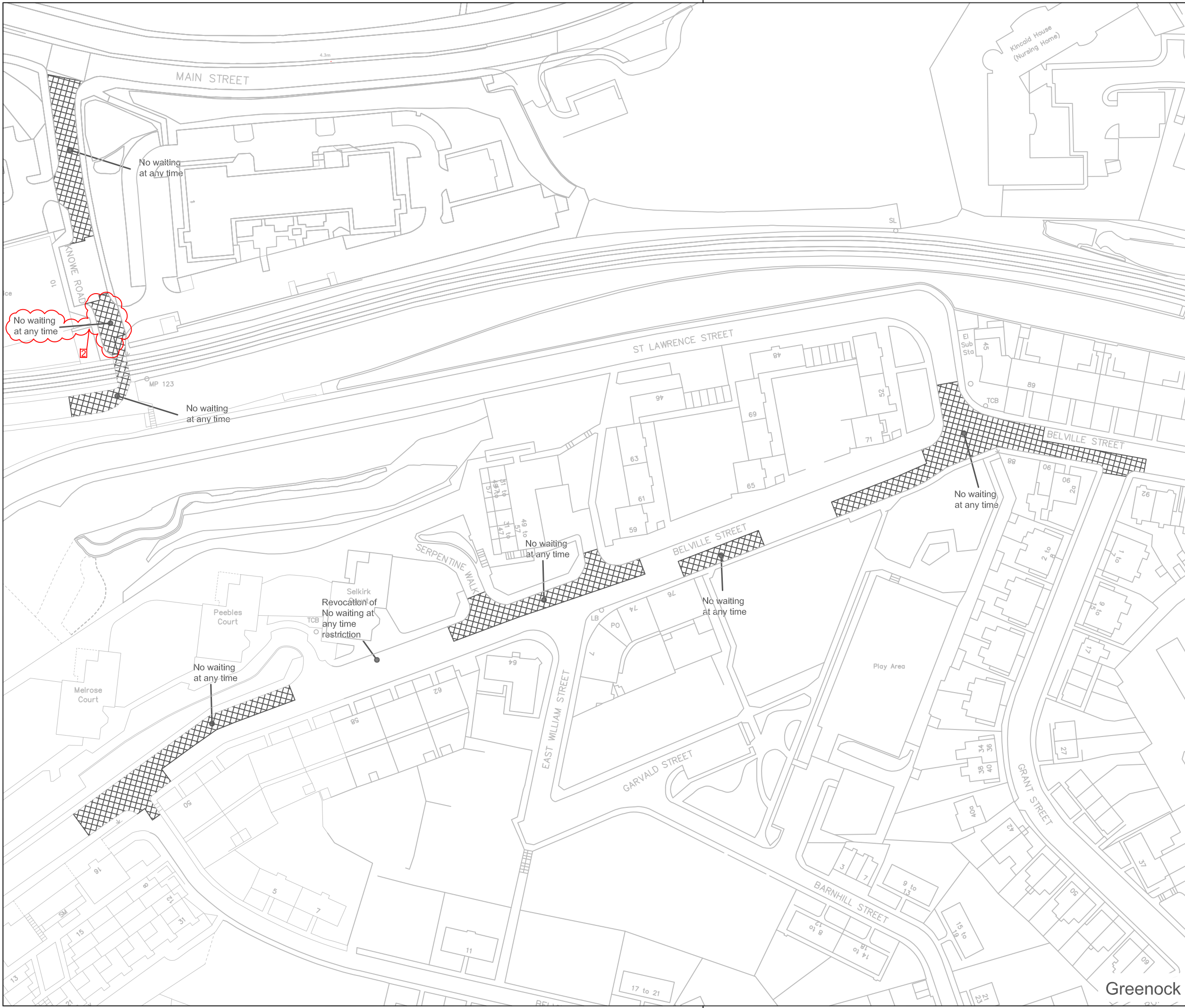


THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
|------------|-----------------|----------------|---------|------------|
| A3         | 1:1250          | MJH            | MJH     | MR         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-018 | FEB '13        | FEB '13 | FEB '13    |
| Rev        |                 |                |         |            |
|            |                 |                |         | 1          |

DO NOT SCALE



**Key**

- No waiting at any time
- No waiting at any time
- No loading at any time
- No waiting at times shown
- No loading at times shown
- No waiting except taxis
- Limited waiting (see below for types of limited waiting referred to on these drawings)
- Parking places for permit holders at specified times
- Disabled person's parking place (subject to restrictions shown)
- Ambulance parking place (subject to restrictions shown)
- Loading bay

- Outer Greenock Resident Parking Permit Area
- Parking Disc Area

**Limited Waiting**

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- Type Q: Mon-Sun 8am to 10pm, 2 hours, No return within 30 mins

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Seal

|      |                                |            |       |
|------|--------------------------------|------------|-------|
| Stat | Purpose of Issue               | Date       | Auth  |
| 2    | NWAAT KNOWE RD                 | EP JAN '20 | EP GL |
| 1    | REVOCAION OF NWAAT BELVILLE ST | EP AUG '18 | EP GL |

|     |                                |    |         |       |      |
|-----|--------------------------------|----|---------|-------|------|
| Rev | Description                    | By | Date    | Chk'd | Auth |
| 1   | REVOCAION OF NWAAT BELVILLE ST |    | AUG '18 | EP    | GL   |

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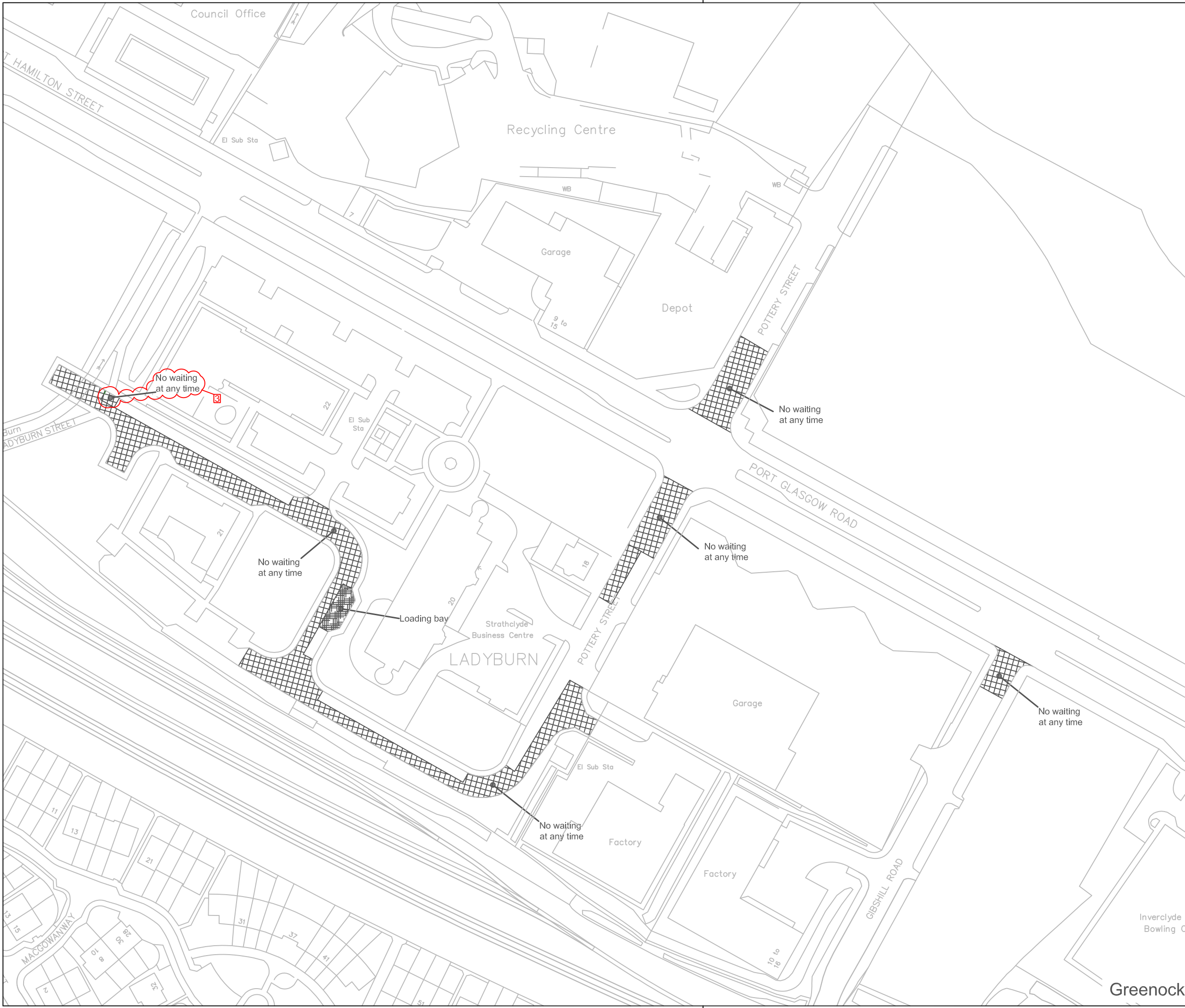


THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

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|------------|-----------------|----------------|---------|------------|
| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
| A3         | 1:1250          | MJH            | MJH     | MR         |
| Date       | Date            | Date           | Date    | Date       |
| FEB '13    | FEB '13         | FEB '13        | FEB '13 | FEB '13    |
| Status     | Drawing Number  | Rev            |         |            |
| P          | TR/TRO/C131-019 | 2              |         |            |

DO NOT SCALE



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Stat

| Stat | Purpose of Issue                    | Date         | Auth   |
|------|-------------------------------------|--------------|--------|
| 3    | NWAAT EXTENSION POTTERY ST          | EP JAN '20   | EP GL  |
| 2    | GIBSHILL RD RESTRICTION ADDED AT A8 | EP AUG '15   | EP MH  |
| 1    | POTTERY ST RESTRICTIONS ADDED       | RH SEPT '14  | MH MH  |
| A    | POTTERY ST (SOUTH OF A8) CORRECTED  | MJH JUNE '13 | MJH MR |

Rev

| Rev | Description                         | By  | Date     | Chk'd | Auth |
|-----|-------------------------------------|-----|----------|-------|------|
| 3   | NWAAT EXTENSION POTTERY ST          | EP  | JAN '20  | EP    | GL   |
| 2   | GIBSHILL RD RESTRICTION ADDED AT A8 | EP  | AUG '15  | EP    | MH   |
| 1   | POTTERY ST RESTRICTIONS ADDED       | RH  | SEPT '14 | MH    | MH   |
| A   | POTTERY ST (SOUTH OF A8) CORRECTED  | MJH | JUNE '13 | MJH   | MR   |

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THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

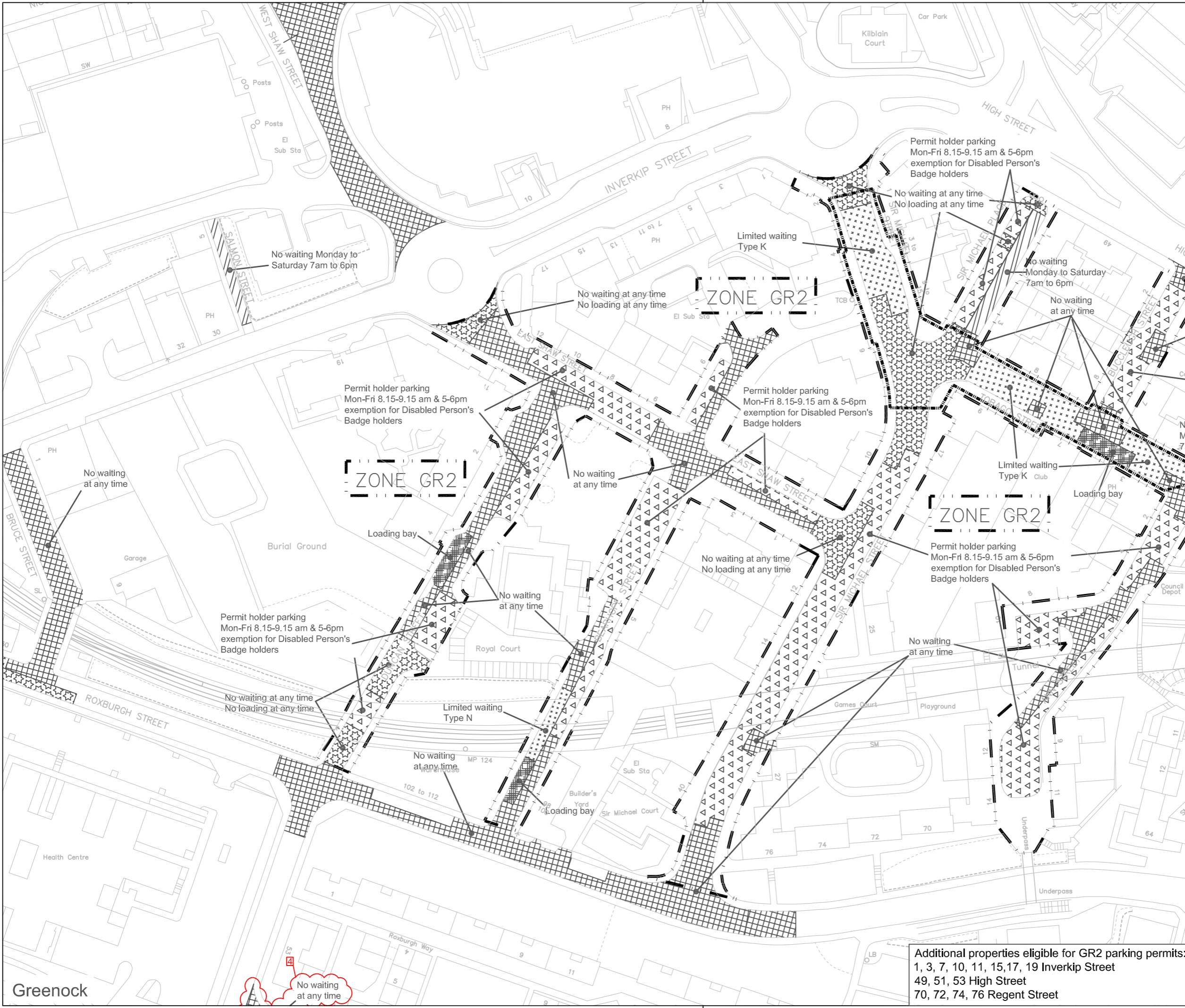
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|------------|-----------------|----------------|---------|------------|
| A3         | 1:1250          | MJH            | MJH     | MR         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-021 | FEB '13        | FEB '13 | FEB '13    |
| Rev        |                 |                |         |            |
|            |                 |                |         | 3          |

Greenock



DO NOT SCALE

A3



**Key**

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No loading at any time
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 Permit Area  
 Parking Disc Area

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| Stat | Purpose of Issue                     | Date       | Auth  |
|------|--------------------------------------|------------|-------|
| 4    | NWAAT ROXBURGH AVE                   | EP JAN '20 | EP GL |
| 3    | DISABLED BADGE HOLDER EXEMPTION      | EP OCT '18 | EP GL |
| 2    | LOADING BAYS TOBAGO ST & BEARHOPE ST | EP APR '18 | EP GL |
| 1    | 30 MIN WAITING BEARHOPE ST           | EP MAY '17 | EP GB |

| Rev | Description | By | Date | Chk'd | Auth |
|-----|-------------|----|------|-------|------|
|     |             |    |      |       |      |

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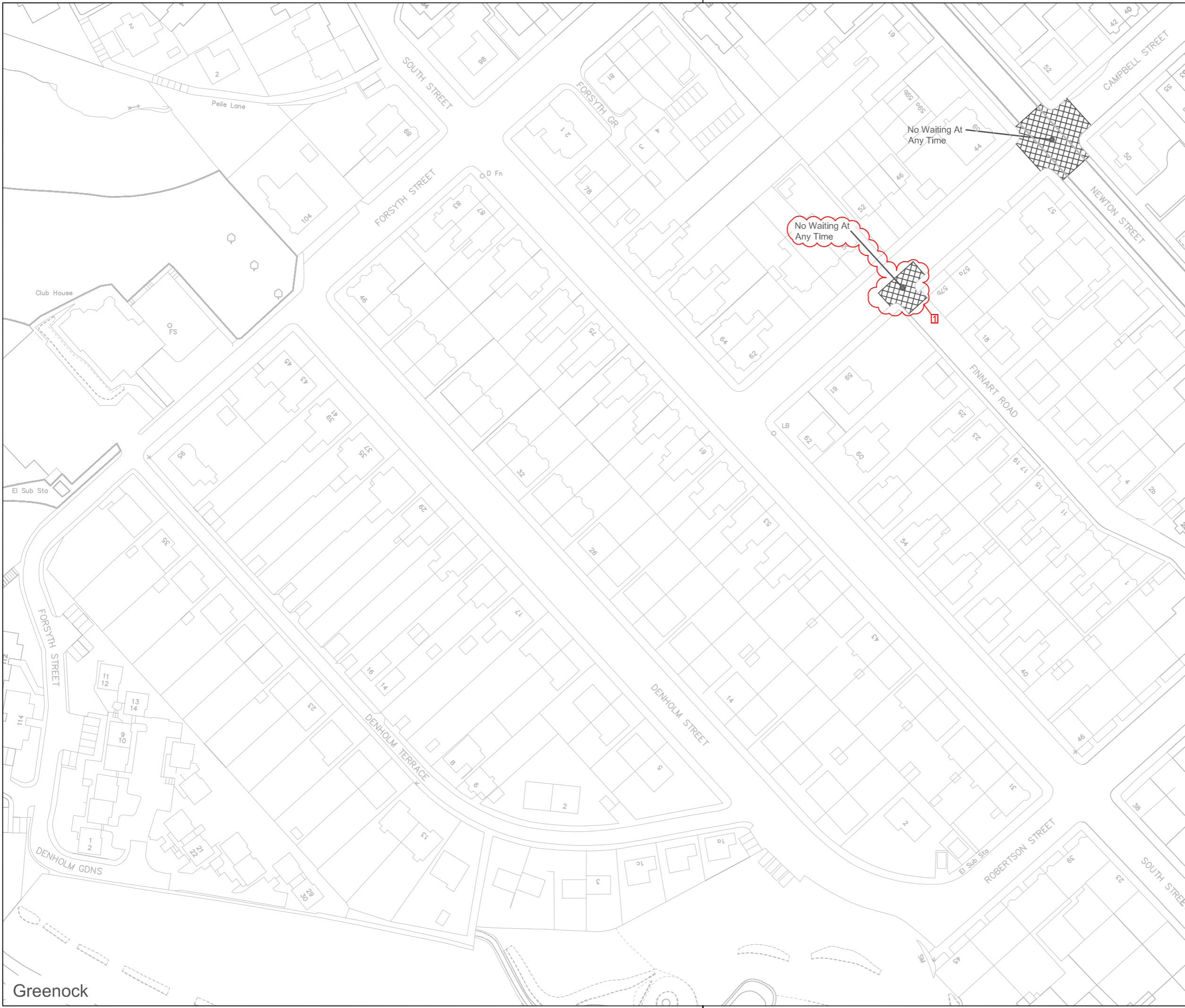
THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

Additional properties eligible for GR2 parking permits:  
 1, 3, 7, 10, 11, 15, 17, 19 Inverkip Street  
 49, 51, 53 High Street  
 70, 72, 74, 76 Regent Street

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
|------------|-----------------|----------------|---------|------------|
| A3         | 1:1250          | EP             | EP      | MH         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-025 | JUN '15        | JUN '15 | JUN '15    |
| Rev        |                 |                |         |            |
|            |                 |                |         | 4          |

DO NOT SCALE



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Seal

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| Stat | Purpose of Issue               | Date       | Auth  |
|------|--------------------------------|------------|-------|
| 1    | NWAAT CAMPBELL ST & FINHART RD | EP JAN '20 | EP GL |
| -    | NWAAT NEWTON ST & CAMPBELL ST  | EP AUG '18 | EP GL |

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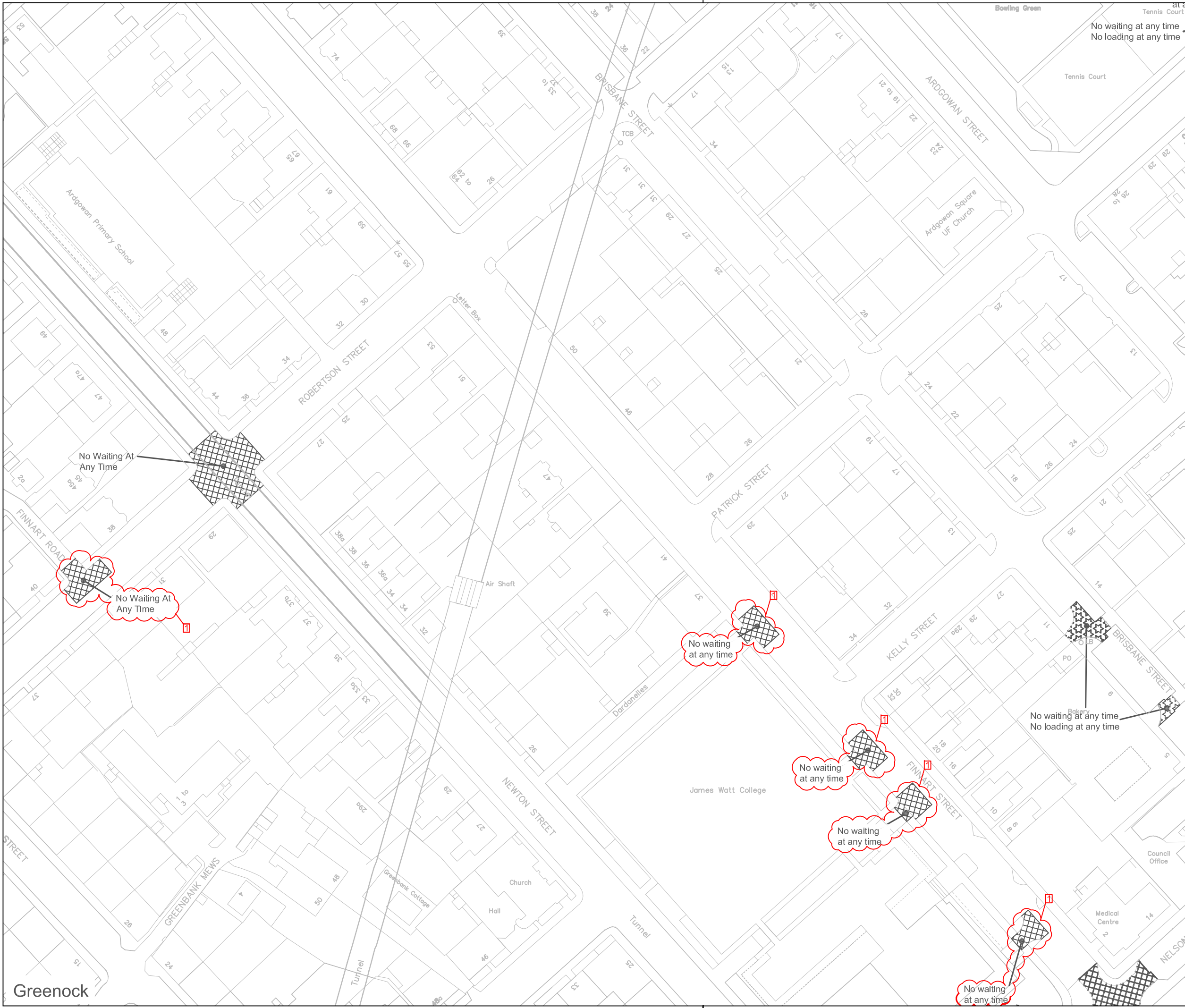


THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
|------------|-----------------|----------------|---------|------------|
| A3         | 1:1250          | EP             | GL      | GL         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-028 | AUG '18        | AUG '18 | AUG '18    |
|            |                 |                |         | Rev        |
|            |                 |                |         | 1          |

DO NOT SCALE



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| Stat | Purpose of Issue                | Date       | Auth  |
|------|---------------------------------|------------|-------|
| 1    | NWAAT ROBERTSON ST & FINNART RD | EP JAN '20 | EP GL |
| 1    | NWAAT FINNART ST                | EP JAN '20 | EP GL |
| -    | NWAAT NEWTON ST & ROBERTSON ST  | EP AUG '18 | EP GL |
| -    | NWAAT & NLAAT BRISBANE ST       | EP AUG '18 | EP GL |

| Rev | Description | By | Date | Chk'd | Auth |
|-----|-------------|----|------|-------|------|
|     |             |    |      |       |      |

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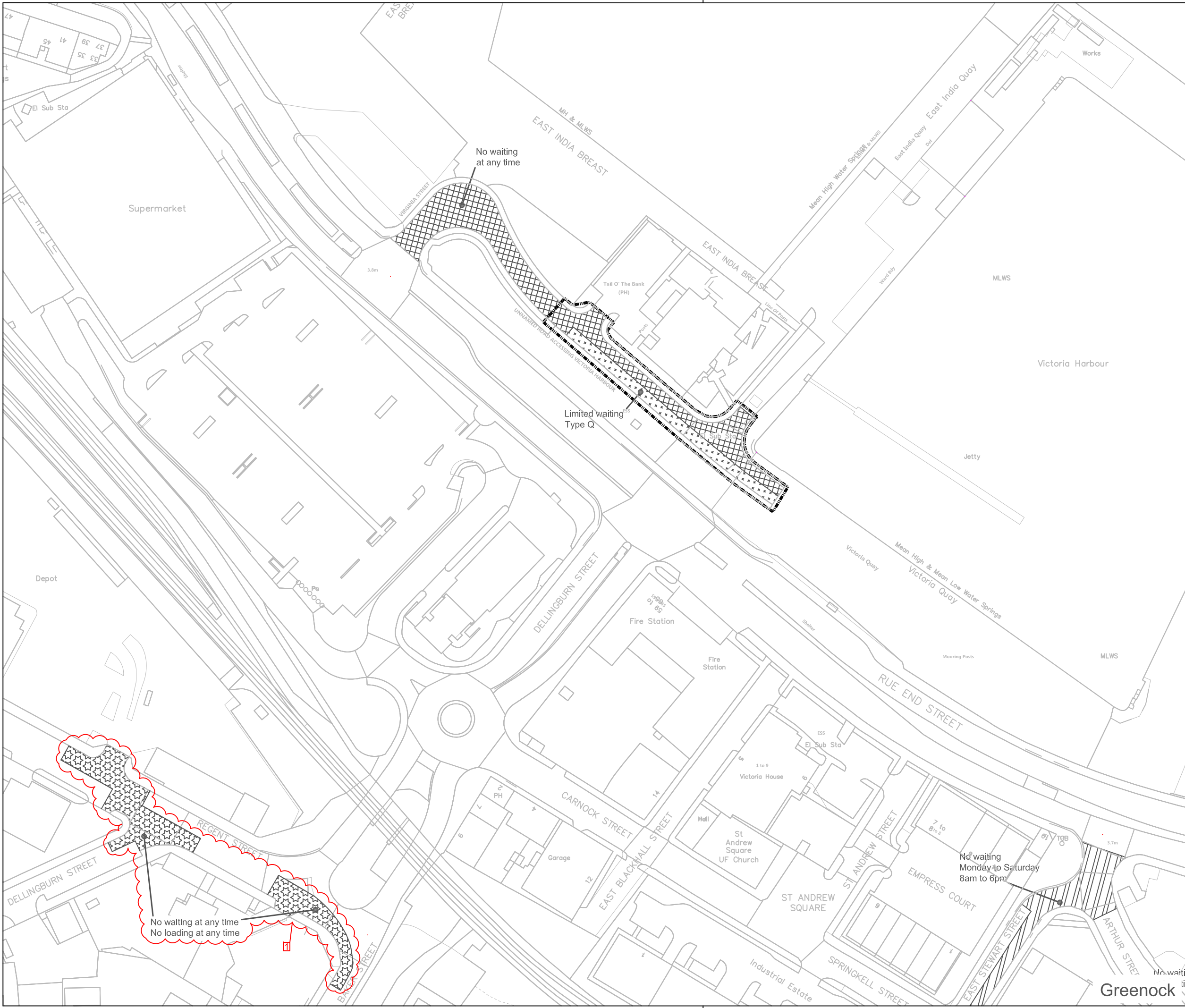
THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
|------------|-----------------|----------------|---------|------------|
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| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-029 | AUG '18        | AUG '18 | AUG '18    |
| Rev        |                 |                |         |            |
|            |                 |                |         | 1          |

Greenock

DO NOT SCALE



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| Stat | Purpose of Issue                   | Date       | Auth  |       |      |
|------|------------------------------------|------------|-------|-------|------|
| 1    | NWAAT & NLAAT DELLINGBURN ST       | EP JAN '20 | EP GL |       |      |
| 1    | NWAAT & NLAAT REGENT ST & BAKER ST | EP JAN '20 | EP GL |       |      |
| -    | NWAAT & LIMITED WAITING RUE END ST | EP SEP '18 | EP GL |       |      |
| Rev  | Description                        | By         | Date  | Chk'd | Auth |

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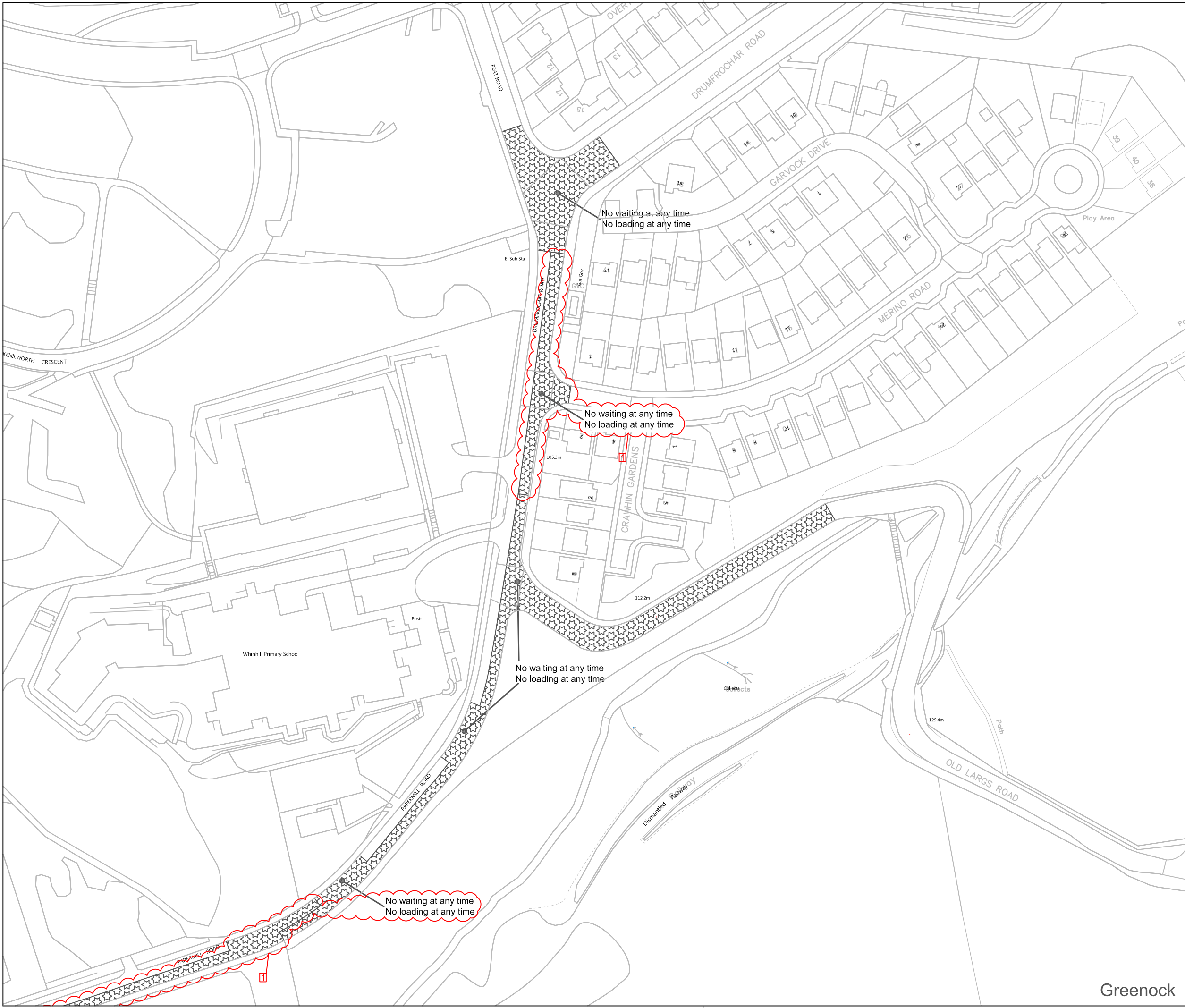


THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
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 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
|------------|-----------------|----------------|---------|------------|
| A3         | 1:1250          | EP             | EP      | GL         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-030 | SEP '18        | SEP '18 | SEP '18    |
| Rev        |                 |                |         |            |
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DO NOT SCALE



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| Stat | Purpose of Issue                      | Date       | Auth  |
|------|---------------------------------------|------------|-------|
| 1    | NWAAT&NLAAT DRUMFROCHAR RD, MERINO RD | EP JAN '20 | EP GL |
| 1    | NWAAT & NLAAT PAPERMILL RD            | EP JAN '20 | EP GL |
| -    | NWAAT&NLAAT DRUMFROCHAR RD&PEAT RD    | EP SEP '18 | EP GL |
| -    | NWAAT&NLAAT OLD LARGS RD&PAPERMILL RD | EP SEP '18 | EP GL |

| Rev | Description | By | Date | Chk'd | Auth |
|-----|-------------|----|------|-------|------|
|     |             |    |      |       |      |

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THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
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 ORDER 2020

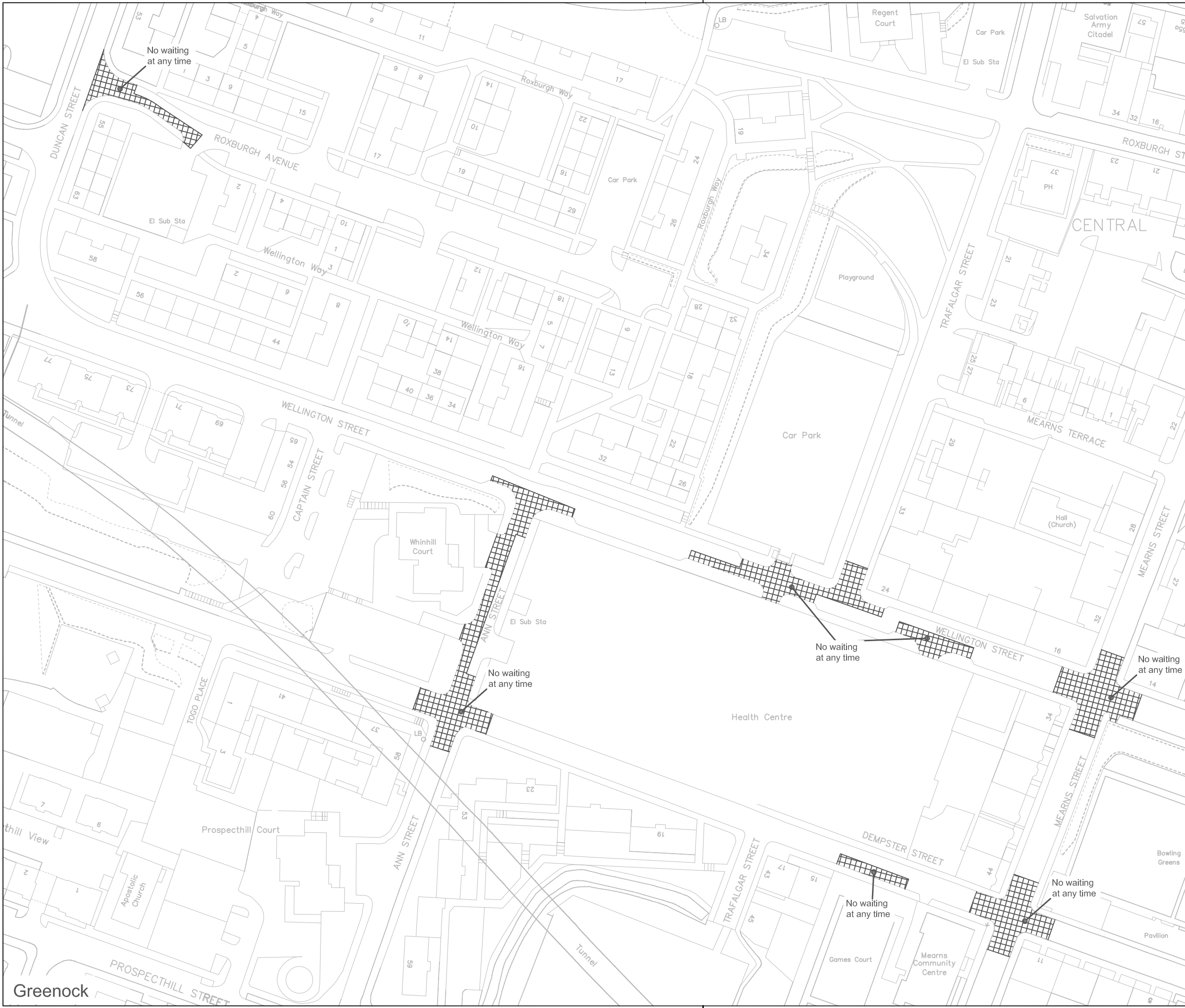
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| A3         | 1:1250         | EP             | EP      | GL         |         |
| Date       | SEP '18        | Date           | SEP '18 | Date       | SEP '18 |

| Status | Drawing Number  | Rev |
|--------|-----------------|-----|
| P      | TR/TRO/C131-031 | 1   |

Greenock

DO NOT SCALE



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| Stat | Purpose of Issue                  | Date       | Auth  |
|------|-----------------------------------|------------|-------|
| -    | NWAAT ROXBURGH AVE                | EP JAN '20 | EP GL |
| -    | NWAAT MEARNIS ST                  | EP JAN '20 | EP GL |
| -    | NWAAT WELLINGTON ST, TRAFALGAR ST | EP JAN '20 | EP GL |
| -    | NWAAT ANN ST, DEMPSTER ST         | EP JAN '20 | EP GL |

| Rev | Description | By | Date | Chk'd | Auth |
|-----|-------------|----|------|-------|------|
|     |             |    |      |       |      |

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 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
|------------|-----------------|----------------|---------|------------|
| A3         | 1:1250          | EP             | EP      | GL         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-034 | JAN '20        | JAN '20 | JAN '20    |

DO NOT SCALE



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| Stat | Purpose of Issue | Date | Auth |
|------|------------------|------|------|
|      |                  |      |      |

| Rev | Description                           | By | Date    | Chk'd | Auth |
|-----|---------------------------------------|----|---------|-------|------|
| -   | NWAAT & NLAAT INGLESTON ST&ORCHARD ST | EP | JAN '20 | EP    | GL   |

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EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
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| A3         | 1:1250          | EP             | EP      | GL         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-035 | JAN '20        | JAN '20 | JAN '20    |
| Rev        |                 |                |         |            |
|            |                 |                |         |            |

Greenock

DO NOT SCALE



**Key**

- No waiting at any time
- No waiting at any time
- No loading at any time
- No waiting at times shown
- No waiting at any time
- No loading at times shown
- No waiting except taxis
- Limited waiting (see below for types of limited waiting referred to on these drawings)
- Parking place for permit holders at specified times
- Disabled person's parking place (subject to restrictions shown)
- Ambulance parking place (subject to restrictions shown)
- Loading bay

- Outer Greenock Resident Parking Permit Area
- Parking Disc Area

**Limited Waiting**

- Type D: Mon-Sat 8am-6pm, 2 hours, No return within 1 hour
- Type E: Mon-Sat 8am to 6pm, 30 mins, No return within 30 mins
- Type H: Mon-Fri 8am to 6pm, 2 hours, No return within 30 mins
- Type K: Mon-Fri 8am to 6pm, 2 hours, No return within 30 mins except Permit Holders
- Type N: Mon-Fri 8am to 6pm, 30 mins, No return within 30 mins except Permit Holders
- Type Q: Mon-Sun 8am to 10pm, 2 hours, No return within 30 mins

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Seal

| Stat | Purpose of Issue | Date | Auth |
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| Rev | Description                          | By | Date    | Chk'd | Auth |
|-----|--------------------------------------|----|---------|-------|------|
| -   | NWAAT&NLAAT AUCHMEAD RD & NORFOLK RD | EP | JAN '20 | EP    | GL   |

**INVERCLYDE COUNCIL**  
 Vehicle Maintenance Facility  
 8 Pottery Street  
 Greenock  
 PA15 2UH  
 Tel: 01475 717171  
 Email: roads@inverclyde.gov.uk  
 www.inverclyde.gov.uk



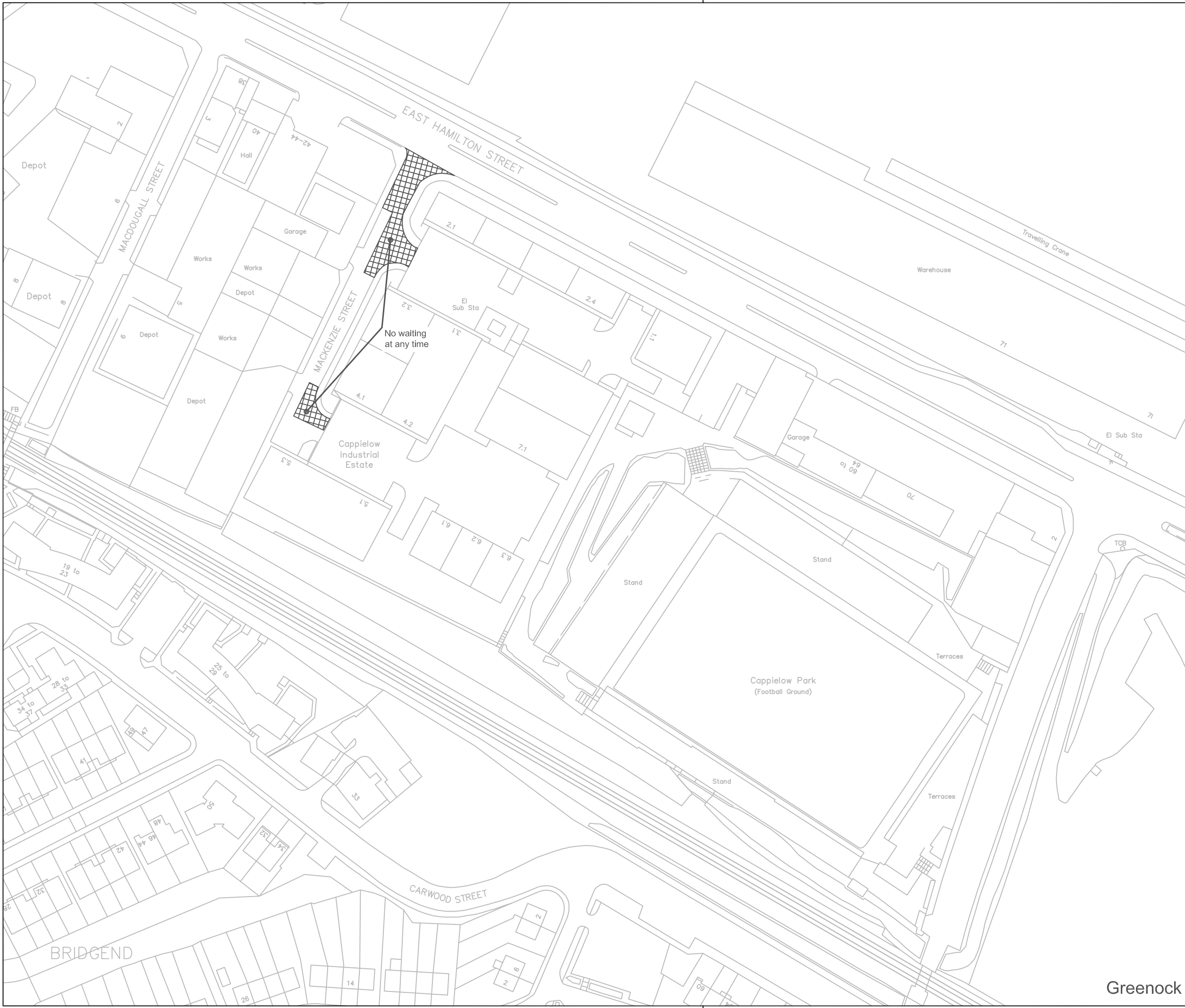
THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
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| A3         | 1:1250          | EP             | EP      | GL         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-036 | JAN '20        | JAN '20 | JAN '20    |
| Rev        |                 |                |         |            |
| -          |                 |                |         |            |



DO NOT SCALE



**Key**

- No waiting at any time
- No waiting at any time
- No loading at any time
- No waiting at times shown
- No loading at times shown
- No waiting except taxis
- Limited waiting (see below for types of limited waiting referred to on these drawings)
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- Ambulance parking place (subject to restrictions shown)
- Loading bay

- Outer Greenock Resident Parking Permit Area
  - Parking Disc Area
- Limited Waiting**  
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 Type E: Mon-Sat 8am to 6pm, 30 mins, No return within 30 mins  
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 Type Q: Mon-Sun 8am to 10pm, 2 hours, No return within 30 mins

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| Stat | Purpose of Issue   | Date       | Auth  |
|------|--------------------|------------|-------|
| -    | NWAAT MACKENZIE ST | EP JAN '20 | EP GL |

| Rev | Description        | By | Date    | Chk'd | Auth |
|-----|--------------------|----|---------|-------|------|
| -   | NWAAT MACKENZIE ST | EP | JAN '20 | EP    | GL   |

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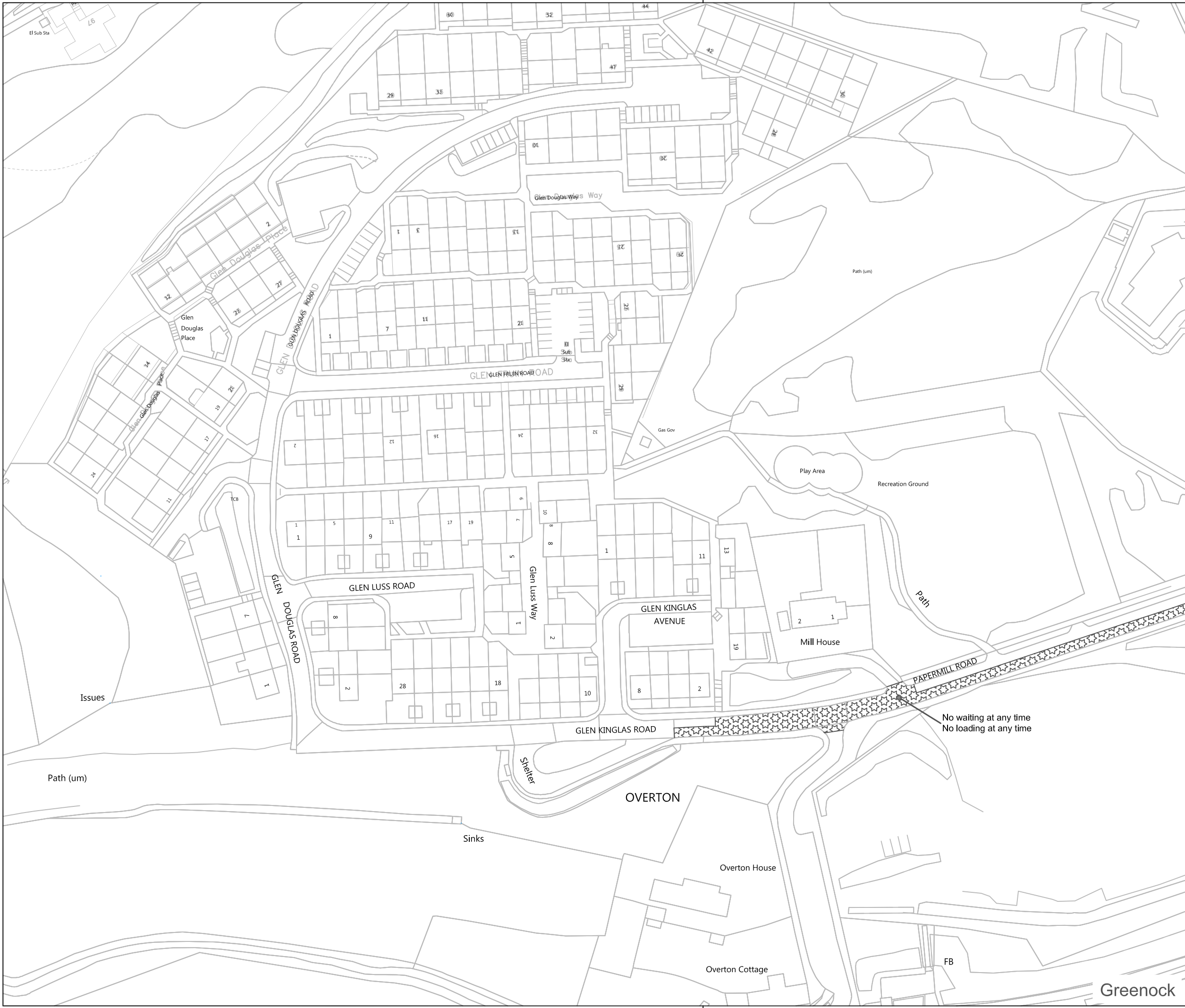
THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11)  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale  | Designed/Drawn | Checked | Authorised |
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| A3         | 1:1250          | EP             | EP      | GL         |
| Status     | Drawing Number  | Date           | Date    | Date       |
| P          | TR/TRO/C131-037 | JAN '20        | JAN '20 | JAN '20    |

Greenock

DO NOT SCALE



**Key**

- No waiting at any time
- No loading at any time
- No waiting at times shown
- No loading at times shown
- No waiting except taxis
- Limited waiting (see below for types of limited waiting referred to on these drawings)
- Parking place for permit holders at specified times
- Disabled person's parking place (subject to restrictions shown)
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**Limited Waiting**

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- Type N: Mon-Fri 8am to 6pm, 30 mins, No return within 30 mins except Permit Holders
- Type Q: Mon-Sun 8am to 10pm, 2 hours, No return within 30 mins

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Seal

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| Stat | Purpose of Issue              | Date       | Auth  |
|------|-------------------------------|------------|-------|
| -    | NWAAT & NLAAT GLEN KINGLAS RD | EP JAN '20 | EP GL |
| -    | NWAAT & NLAAT PAPERMILL RD    | EP JAN '20 | EP GL |

| Rev | Description | By | Date | Chk'd | Auth |
|-----|-------------|----|------|-------|------|
|     |             |    |      |       |      |

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THE INVERCLYDE COUNCIL (VARIOUS ROADS)  
 (OUTER GREENOCK)  
 (WAITING RESTRICTIONS) (VARIATION No. 11  
 ORDER 2020

EFFECTIVE DATE:

| Sheet Size | Original Scale | Designed/Drawn | Checked | Authorised |         |
|------------|----------------|----------------|---------|------------|---------|
| A3         | 1:1250         | EP             | EP      | GL         |         |
| Date       | JAN '20        | Date           | JAN '20 | Date       | JAN '20 |

| Status | Drawing Number  | Rev |
|--------|-----------------|-----|
| P      | TR/TRO/C131-038 | -   |



**SCHEDULE 2**

**SCHEDULE 3**

**THE INVERCLYDE COUNCIL (VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) ORDER 2013 PLAN INDEX**

| Plan Reference | Effective date of original plan | Effective Date of Plan Revision |            |            |            |            |            |   |   |   |    |    |
|----------------|---------------------------------|---------------------------------|------------|------------|------------|------------|------------|---|---|---|----|----|
|                |                                 | 1                               | 2          | 3          | 4          | 5          | 6          | 7 | 8 | 9 | 10 | 11 |
| TR/TRO/131-001 | 06/10/2014                      | 22/04/2019                      |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-002 | 06/10/2014                      |                                 |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-003 | 06/10/2014                      | 22/04/2019                      |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-004 | 06/10/2014                      |                                 |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-005 | 06/10/2014                      |                                 |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-006 | 06/10/2014                      |                                 |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-007 | 06/10/2014                      | #####                           |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-008 | 06/10/2014                      | #####                           |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-009 | 06/10/2014                      |                                 |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-010 | 06/10/2014                      | 21/11/2014                      | 25/04/2016 | 22/04/2019 | #####      |            |            |   |   |   |    |    |
| TR/TRO/131-011 | 06/10/2014                      | 25/01/2015                      | 25/04/2016 | 30/04/2018 | 22/04/2019 |            |            |   |   |   |    |    |
| TR/TRO/131-012 | 06/10/2014                      | 21/11/2014                      | 25/04/2016 | 30/04/2018 | 12/11/2018 | 22/04/2019 | 22/04/2019 |   |   |   |    |    |
| TR/TRO/131-013 | 06/10/2014                      | 22/04/2019                      |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-014 | 06/10/2014                      | 23/04/2016                      | 25/04/2016 | 22/04/2019 |            |            |            |   |   |   |    |    |
| TR/TRO/131-015 | 06/10/2014                      | 25/04/2016                      | 22/04/2019 |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-016 | 06/10/2014                      |                                 |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-017 | 06/10/2014                      | 23/04/2016                      | 22/04/2019 |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-018 | 06/10/2014                      | #####                           |            |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-019 | 06/10/2014                      | 22/04/2019                      | #####      |            |            |            |            |   |   |   |    |    |
| TR/TRO/131-020 | 06/10/2014                      | 21/11/2014                      | 25/04/2016 |            |            |            |            |   |   |   |    |    |

|                |            |            |            |            |            |  |  |  |  |  |  |  |
|----------------|------------|------------|------------|------------|------------|--|--|--|--|--|--|--|
| TR/TRO/131-021 | 06/10/2014 | 25/01/2015 | 25/04/2016 | #####      |            |  |  |  |  |  |  |  |
| TR/TRO/131-022 | 06/10/2014 | 25/04/016  |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-023 | 25/05/2015 | 23/04/2016 | 25/04/2016 | 22/04/2019 |            |  |  |  |  |  |  |  |
| TR/TRO/131-024 | 25/05/2015 | 26/05/2015 | 23/04/2016 | 25/04/2016 | 22/04/2019 |  |  |  |  |  |  |  |
| TR/TRO/131-025 | 25/04/2016 | 30/04/2018 | 12/11/2018 | 22/04/2019 | #####      |  |  |  |  |  |  |  |
| TR/TRO/131-026 | 22/04/2019 |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-027 | 22/04/2019 |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-028 | 22/04/2019 | #####      |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-029 | 22/04/2019 | #####      |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-030 | 22/04/2019 | #####      |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-031 | 22/04/2019 | #####      |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-032 | 22/04/2019 |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-033 | 22/04/2019 |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-034 | #####      |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-035 | #####      |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-036 | #####      |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-037 | #####      |            |            |            |            |  |  |  |  |  |  |  |
| TR/TRO/131-038 | #####      |            |            |            |            |  |  |  |  |  |  |  |

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|                         |   |                    |                        |
|-------------------------|---|--------------------|------------------------|
| <b>Report To:</b>       | <b>Environment &amp; Regeneration Committee</b>   | <b>Date:</b>       | <b>14 January 2021</b> |
| <b>Report By:</b>       | <b>Corporate Director Environment, Regeneration and Resources</b>   | <b>Report No:</b>  | <b>LP/003/21</b>       |
| <b>Contact Officer:</b> | <b>Emma Peacock</b>   | <b>Contact No:</b> | <b>01475 712115</b>    |
| <b>Subject:</b>         | <b>Proposed Traffic Regulation Order - The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020</b> |                    |                        |

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## 1.0 PURPOSE

- 1.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council's Scheme of Delegation the Head of Roads & Environmental Shared Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 1.2 The purpose of this report is to inform the Committee of the outcome of the consultation procedure undertaken for the Traffic Regulation Order (TRO) entitled The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020 where there is 1 maintained objection. The report also seeks a decision whether Committee will hear the objection relating to the TRO themselves or appoint an independent Reporter.

## 2.0 SUMMARY

- 2.1 The Inverclyde Council introduced Decriminalised Parking Enforcement throughout Inverclyde in 2014. Since that time numerous requests have been received to introduce waiting and loading restrictions at various locations in Greenock. The proposed TRO promotes various restrictions to address some of these requests.
- 2.2 The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013, as amended, is in force in Outer Greenock.
- 2.3 The proposed TRO will:-
- (i) Introduce a "No waiting at any time" restriction on parts of Old Inverkip Road, Lewis Road, South Street, Finnart Street, Campbell Street, Robertson Street, Finnart Road, Roxburgh Avenue, Ann Street, Mearns Street, Trafalgar Street, Dempster Street, Wellington Street, Knowe Road, MacKenzie Street and Pottery Street, all in Greenock; and
  - (ii) Introduce a "No waiting at any time, no loading at any time" restriction on parts of Auchmead Road, Norfolk Road, Gateside Avenue, Dunlop Street, Baker Street, Regent Street, Dellingburn Street, Drumfrochar Road, Merino Road, Papermill Road, Glen Kinglas Road, Ingleston Street and Orchard Street, all in Greenock.
- 2.4 As a result of the consultation there is 1 maintained objection to the TRO.

### **3.0 RECOMMENDATIONS**

3.1 It is recommended that the Committee:

a. Notes the requirement to hold a public hearing to consider the maintained objection, and decides either to hear this before a special meeting of this Committee or by an independent Reporter and remits it to the Head of Roads & Environmental Shared Services and the Head of Legal and Property Services to make the necessary arrangements for the public hearing.

b. Notes, if the Committee decides to appoint an independent Reporter, the cost associated with this is approximately £10,000 which would come from the Decriminalised Parking Enforcement Revenue Budget.

**Gerard Malone**  
**Head of Legal and Property Services**

## 4.0 BACKGROUND

- 4.1 The proposed TRO was issued for public consultation on 08 September 2020 with responses invited by 01 October 2020. The documents published as part of this consultation contained errors in the description of the restrictions. These errors were corrected and a second public consultation was carried out for this proposed TRO with amended documents. The proposed TRO was issued for a second public consultation on 06 October 2020 with responses invited by 30 October 2020.
- 4.2 During the period of both public consultations, 1 objection was received. Officers wrote to the objector and the objector did not respond therefore their objection is considered to be maintained.

## 5.0 IMPLICATIONS

### Finance

#### 5.1 Financial Implications:

One off Costs all contained within the RAMP capital budget.

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments      |
|-------------|----------------|--------------|----------------------------|---------------|---------------------|
| Capital     | RAMP           | 21/22        | £10,000                    |               | New signs and lines |

### Legal

- 5.2 There are no legal implications arising from this report.

### Human Resources

- 5.3 There are no Human Resources implications associated with the proposal.

### Equalities

#### 5.4 Equalities

Has an Equality Impact Assessment been carried out?

|                                     |
|-------------------------------------|
| <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> |

YES

NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

### Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|                          |
|--------------------------|
| <input type="checkbox"/> |
|--------------------------|

YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.



|   |    |
|---|----|
| X | NO |
|---|----|

### Data Protection

Has a Data Protection Impact Assessment been carried out?

|   |   |
|---|---|
|   | YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals. |
| X | NO  |

### **Repopulation**

5.5 There are no Repopulation implications associated with the proposal.

### **6.0 CONSULTATIONS**

6.1 The proposal has been advertised in the Greenock Telegraph and full details of the proposal has been made available for public inspection on the Council's website. A copy of the draft Order forms Appendix 1.

### **7.0 LIST OF BACKGROUND PAPERS**

7.1 None.

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|                         |   |                    |                      |
|-------------------------|---|--------------------|----------------------|
| <b>Report To:</b>       | <b>Environment &amp; Regeneration Committee</b>   | <b>Date:</b>       | <b>16 March 2021</b> |
| <b>Report By:</b>       | <b>Interim Director Environment &amp; Economic Recovery</b>   | <b>Report No:</b>  | <b>LP/33/21</b>      |
| <b>Contact Officer:</b> | <b>Peter MacDonald</b>  | <b>Contact No:</b> | <b>01475 712618</b>  |
| <b>Subject:</b>         | <b>Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020<br/>The Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999</b> |                    |                      |

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## 1.0 PURPOSE

1.1 Further to the statutory consultation process undertaken in terms of the Road Traffic Regulation Act 1984 and the Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999 on The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020 (the Proposed TRO), the purpose of this report is to:-

- Request that the Committee adopt the Rules of Procedure for the purposes of the special meeting;
- Advise the Committee in relation to the Proposed TRO of the discussion between Council Officers and the person who has, as part of the public consultation, objected to the Proposed TRO (the Objector); and
- Facilitate the effective fair and proper hearing by the Committee of the Objector who has not withdrawn their objections in order that the Committee can consider their objection (the Objection) and come to a formal recommendation on the Proposed TRO.

## 2.0 SUMMARY

2.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council’s Scheme of Delegation the Head of Roads & Environmental Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

2.2 The proposed TRO was issued for public consultation on 08 September 2020 with responses invited by 01 October 2020. The documents published as part of this consultation contained errors in the description of the restrictions. These errors were corrected and a second public consultation was carried out for this proposed TRO with amended documents. The proposed TRO was issued for a second public consultation on 09 October 2020 with responses invited by 30 October 2020. During the period of both public consultations, 1 objection was received. Officers wrote to the objector and the objector did not respond therefore their objection is considered to be maintained.

- 2.3 It is necessary that the Objector be given an opportunity to be heard before the Committee before it reaches a decision on whether or not to recommend the Proposed TRO for formal approval of The Inverclyde Council. The special meeting has been convened to provide such an opportunity.
- 2.4 Because of the requirements of the statutory process and the formal nature of the special meeting, it is vital that the Objector has a fair and impartial hearing and the Rules of Procedure provide for this.

### **3.0 RECOMMENDATIONS**

It is recommended that the Committee:

- 3.1 Approve the Rules of Procedure as detailed in Appendix 1.
- 3.2 Consider the terms of Appendix 2 in relation to the Objections.
- 3.3 Allow the Objector an opportunity to be heard at the special meeting in accordance with the Rules of Procedure.
- 3.4 Consider the Objection and such oral representations on it made by the Objector and officers at the special meeting and thereafter **either**:
- 3.4.1 Dismiss the Objection, approve the Proposed TRO as detailed in Appendix 3 and refer it to the next meeting of The Inverclyde Council recommending that The Inverclyde Council formally approve the Proposed TRO and remit it to the Head of Roads & Environmental Services and the Head of Legal and Property Services to arrange for its implementation in accordance with the statutory procedure;
- or**
- 3.4.2 Uphold in whole or in part the Objection and remit it to the Head of Roads & Environmental Services and the Head of Legal and Property Services to amend the terms of the Proposed TRO to deal with the part or parts of the Objection so upheld in accordance with the decision of the Committee and to report to a future meeting of the Committee with the Proposed TRO as further amended for approval.

all in accordance with the Rules of Procedure.

**Anne Sinclair**  
**Interim Head of Legal Services**

## **4.0 BACKGROUND**

- 4.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council's Scheme of Delegation the Head of Roads & Environmental Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 4.2 Officers proceeded with a public consultation process in accordance with the legislation. At its meeting of 14 January 2021 this Committee was updated as to the consultation process and it authorised officers to make arrangements for the holding of a public hearing in the form of this special meeting.
- 4.3 Officers have continued to engage with the Objector since that date to advise them of the arrangements for and proposed procedure at this special meeting. Officers have provided the Objector with a statement of case which sets out the position of the Head of Roads & Environmental Services as regards the Proposed TRO; the statement of case is in Appendix 4.
- 4.4 Appendix 2 provides the full text of the Objection and the correspondence with officers.
- 4.5 Before making a proposed TRO, the Council is, in terms of the Act and the Regulations, required to take into consideration any Objections timeously received by them and to give any Objectors an opportunity to be heard by them. This special meeting is therefore necessary to permit the Objector to be heard by the Committee in terms of the recommendations above.
- 4.6 As the hearing of Objections is a statutory entitlement for Objectors, the Committee will be discharging legal responsibilities at the special meeting effectively as if it were a formal tribunal or board with the obligations which are already familiar to Elected Members as regards hearing and continuity of attendance.

## **5.0 PROPOSALS**

- 5.1 The form of the Proposed TRO which officers are recommending for approval is included at Appendix 3 of this report.
- 5.2 The special meeting will proceed effectively as if a formal tribunal or board. In the interests of fairness, openness and transparency it is therefore necessary that the basis on which the hearing element of the meeting will proceed be formalised. Officers have therefore prepared draft Rules of Procedure of this meeting per Appendix 1. This has been circulated to the Objector prior to this meeting and are recommended for approval by the Committee.
- 5.3 Because of the formality of the hearing process and the statutory process for making TROs, only certain decisions of the Committee in this matter are competent. Further it is vital that the Objectors have a fair and impartial hearing and the Rules of Procedure provide for this. The decisions which the Committee can competently make are: to dismiss the Objections; to uphold the Objections; or to uphold part of the Objections and dismiss other parts of the Objections. If the Objections are upheld in part, it will be necessary for officers to report back to the Committee at a future date with detailed wording. These eventualities are addressed in the possible Committee outcomes specified in paragraph 3.4.
- 5.4 The Committee is asked to note that, if approved, the Proposed TRO may not be implemented until the making of the Order has been advertised to allow any persons who so wish a period of six weeks to question the validity of the Order in terms of the Road Traffic Regulation Act 1984.

## 6.0 IMPLICATIONS

### Finance

#### 6.1 Financial Implications:

##### One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments      |
|-------------|----------------|--------------|----------------------------|---------------|---------------------|
| Capital     | RAMP           | 21/22        | £10,000                    |               | New signs and lines |

### Legal

- 6.2 As a local authority, The Inverclyde Council has power in terms of the Road Traffic Regulation Act 1984 and the Local Authorities Traffic Orders Procedure (Scotland) Regulations 1999 to make Traffic Regulation Orders. In accordance with the statutory procedure, the Proposed TRO has been publicised and one Objection have been received and maintained. Before making the TRO, the Council must take into consideration any Objection timeously received and give the Objector who maintain their Objection an opportunity to be heard by them.

### Human Resources

- 6.3 There are no Human Resources implications associated with the making of the Proposed TRO.

### Equalities

#### 6.4 Equalities

Has an Equality Impact Assessment been carried out?

|                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | YES  |
| <input checked="" type="checkbox"/> | NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required |

#### Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed. |
| <input checked="" type="checkbox"/> | NO   |

Data Protection

Has a Data Protection Impact Assessment been carried out?

|   |
|---|
|   |
| X |

YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.

NO

**Repopulation**

6.5 There are no Repopulation implications associated with the making of the Proposed TRO.

**7.0 CONSULTATIONS**

7.1 The Head of Roads & Environmental Services has been consulted on the terms of this report.

**8.0 LIST OF BACKGROUND PAPERS**

8.1 None.

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|                         |   |                    |                      |
|-------------------------|---|--------------------|----------------------|
| <b>Report To:</b>       | <b>Inverclyde Council</b>   | <b>Date:</b>       | <b>22 April 2021</b> |
| <b>Report By:</b>       | <b>Interim Service Director<br/>Corporate Services and<br/>Organisational Development</b>                       | <b>Report No:</b>  | <b>LS/047/21</b>     |
| <b>Contact Officer:</b> | <b>Diane Sweeney</b>  | <b>Contact No:</b> | <b>712147</b>        |
| <b>Subject:</b>         | <b>Capital Strategy 2021/31 and Treasury Strategy 2021/25 – Remit<br/>from Policy &amp; Resources Committee</b> |                    |                      |

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to request the Council consider a remit from the Policy & Resources Committee.

## 2.0 SUMMARY

- 2.1 The Policy & Resources Committee considered a report by the Chief Financial Officer at its meeting on 23 March 2021 providing an update on the Council's Capital and Treasury Strategies which required to be considered by the Inverclyde Council.
- 2.2 The relevant extract of the report to the Policy & Resources Committee forms section 5 of this report.
- 2.3 In relation to the Capital and Treasury Strategies, the Policy & Resources Committee decided that the following be remitted to the Inverclyde Council for approval:-

- (a) Capital Strategy for 2021/31;
- (b) Treasury Management Strategy and Annual Investment Strategy;
- (c) authorised limits for 2021/25;
- (d) Treasury Management Policy Statement as detailed in paragraph 5.6 in this report;
- (e) Policy on repayment of Loans Fund advances as detailed in paragraph 5.5 in this report;
- (f) Treasury Policy Limits;
- (g) Prudential Indicators and Treasury Management Indicators;
- (h) List of Permitted Investments (including those for Common Good Fund)

## 3.0 RECOMMENDATIONS

- 3.1 The Council is asked to approve the Capital Strategy 2021/31 and Treasury Strategy 2021/25 and specifically the matters listed in 2.3.

**Anne Sinclair**  
**Interim Head of Legal Services**

## 4.0 BACKGROUND

- 4.1 The Policy & Resources Committee at its meeting on 23 March considered a report by the Chief Financial Officer providing an update on a wider range of financial matters and seeking decisions as appropriate. The report specifically provided an update on the Council's Capital and Treasury Strategies which required to be considered by the Inverclyde Council, the relevant extract of the report is detailed below.

## 5.0 EXTRACT OF POLICY & RESOURCES COMMITTEE REPORT – 23 MARCH 2021

- 5.1 The Capital Strategy 2021/31 presents a longer-term view of the asset management, financial and other issues affecting capital expenditure requirements and delivery. The Strategy is a requirement of the Prudential Code and is in addition to the existing plans and updates presented through the year to Committee and to the Council such as the Financial Strategy.
- 5.2 The key purpose of the Capital Strategy is to explain how different facets of the Council's Treasury Strategy and Capital Programme interact and to allow Members to consider the affordability and sustainability of Capital investment decisions in the longer term. The Strategy is attached at **Appendix 8**.
- 5.3 **Appendix 9** sets out the Council's proposed performance measures for the Treasury Management Strategy and Annual Investment Strategy for 2021/25, Treasury Policy Limits, and Prudential and Treasury Management Indicators for the next 4 years including the proposed Authorised Limits.
- 5.4 The Treasury Management Strategy, Annual Investment Strategy, Treasury Policy Limits, Prudential Indicators, and Treasury Management Indicators have been set based on the Council's current and projected financial position (including the proposed 2021/24 Capital Programme) and the latest estimated interest rate levels.
- 5.5 The Council is required to set out its policy for the repayment of loans fund advances from options set by the Scottish Government:
- a. For loans fund advances made before 1 April 2016 the policy will be to maintain the practice of previous years and use the Statutory Method with annual principal repayments being calculated using the annuity method.
  - b. The annuity method is also being used for loans fund advances made after 1 April 2016 for the 5 year transitional period to the end of 2020/21. In applying the annuity method to new advances in any year, the interest rate used in the annuity calculation will be the Council's loans fund pool rate for the year (including expenses) as rounded up to the nearest 0.01%.
  - c. Of the options available for new capital expenditure from 1 April 2021 onwards, it was previously proposed to use the equal instalment method (where repayments start higher than under the annuity method but do not change during the write-off period) but it is now proposed to use the annuity method with the interest rate used being as in b. above.

The proposed change in the repayment method follows work done by the Council's treasury advisers for the CIPFA Directors of Finance on debt financing which is likely to lead to most Scottish local authorities using the annuity method. The review concluded that after accounting for interest payments, annuity better reflected the benefit over the life of the asset and addressed the issues around affordability in the early years of projects.

- 5.6 The Council has a formal Treasury Management Policy Statement as follows that is required to be approved by the Full Council:
1. This organisation defines its treasury management activities as: "The management of the authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities;



and the pursuit of optimum performance consistent with those risks”.

2. This organisation regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation, and any financial instruments entered into to manage these risks.
3. This organisation acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance measurement techniques, within the context of effective risk management.

5.7 In line with the Council’s Financial Regulations, the proposals in this report require to be approved by the Full Council.

**6.0 IMPLICATIONS**

**6.1 Finance**

Financial Implications:

One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments |
|-------------|----------------|--------------|----------------------------|---------------|----------------|
| N/A         |                |              |                            |               |                |

Annually Recurring Costs/ (Savings)

| Cost Centre | Budget Heading | With Effect from | Annual Net Impact | Virement From (If Applicable) | Other Comments |
|-------------|----------------|------------------|-------------------|-------------------------------|----------------|
|             |                |                  |                   |                               |                |

**6.2 Legal**

There are no Legal issues arising from this report.

**6.3 Human Resources**

There are no HR issues arising from this report.

**6.4 Equalities**

Equalities

(a) Has an Equality Impact Assessment been carried out?

|   |  |
|---|--|
|   | YES  |
| x | NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required |

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

|   |     |
|---|-----|
|   | YES |
| x | NO  |

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

|   |   |
|---|---|
|   | YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals. |
| x | NO  |

**6.5 Repopulation**

There are no repopulation issues arising from this report.

**7.0 CONSULTATIONS**

7.1 None

**8.0 BACKGROUND PAPERS**

8.1 None

**Capital Strategy**

**2021 – 2031**

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## 1.0 INTRODUCTION

- 1.1 The production of a Capital Strategy which is reviewed annually is now a requirement of the CIPFA Prudential Code. The document requires to be considered along with the Treasury Strategy and thereafter approved by the Inverclyde Council. It is viewed as being one of the key strategic financial documents along with the Council's Financial Strategy which help govern the strategic direction for the Council's financial planning.
- 1.2 The traditional focus of Local Government budgeting tends to be on the Revenue Budget with the annual cycle of Grant settlements from the Scottish Government, the identification of savings and investment plans and the approval of the budget along with Council Tax in February/March. As part of this the Council will generally approve a three year Capital Programme. In recent years the capital budget has been a less contentious issue for Elected Members with the Council approving significant amounts of prudential borrowing as well as contributions from Revenue Reserves in order to deliver an ambitious Capital Programme
- 1.3 Details of the Council's asset base, borrowing and debt are included within the audited financial accounts considered by Members and attracts far less attention than the Revenue Budget and Reserve position. At the 31<sup>st</sup> March 2020 the Council owned property plant and equipment assets valued at £394million net of accumulated depreciation. Once PPP Assets and Managed Properties are included then the value of this Asset Base increased to £496million. Much of the investment in this Asset Base has been funded by borrowing over preceding decades. The Council's external borrowing as at 17<sup>th</sup> February 2021 was:-

|             |                       |
|-------------|-----------------------|
| PWLB Debt   | £109.1 million        |
| Market Debt | <u>£ 99.7 million</u> |
|             | <u>£208.8 million</u> |

The bulk of this debt is due to be repaid at the point that the loan matures with some £46.5 million of the PWLB Debt due to be repaid by 31<sup>st</sup> March 2030

- 1.4 Allied to this the Council maintains a Loan Charges record which is an internal record of investment and which is currently written down on annuity basis using the expected life span of the asset created/work carried out. For example a new school will generally be written off over 40 years whereas a roads resurfacing contract will be written off over 25 years. As at the 31<sup>st</sup> March 2021 the expected value of the Council's internal loan debt is £233.3 million. The repayment costs in 2020/21 are projected to be £20.7 million and these repayments include both Capital and Interest and are referred to as Loan Charges. It is Loan Charges which are funded by the Council's Revenue Budget.
- 1.5 Over the last ten years the Council has undertaken a significant amount of work on Asset Management Planning. The first Asset Management Plan related to the School Estate (the SEMP) which resulted in an ambitious and comprehensive new build and upgrade programme for the full School Estate. Thereafter asset plans were created in respect of the main leisure facilities, the roads assets, office and depot assets, ICT assets and most recently, open spaces. All Asset Management Plans are linked to the Corporate Directorate Improvement Plans (CDIPs) with delivery reported throughout the year both as part of the CDIPs but also via cyclical Capital Programme updates.
- 1.6 The purpose of Asset Management Plans are to not only document and quantify all the assets held and their assessed condition but also create a sustainable investment plan which can then be factored into future years Capital Programmes. The creation of the Asset Management Plan will require in many cases decisions from Members regarding a whole estate investment approach which will potentially identify assets which the Council should no longer retain. This can lead to investment in fewer assets but to a higher quality. This has certainly been the case in respect of schools, offices and depots where the Council's property footprint has reduced considerably with the sums saved from buildings no longer in existence reinvested in the remaining buildings and resulted in a greatly improved estate.

- 1.7 A significant benefit of having long term Asset Management Plans is that it allows longer term Capital Planning and the Capital Strategy includes Investment Plans for the next 10 years. This allows the Council to identify whether it's longer term Capital Investment Plans are affordable and sustainable and provides time for corrective action to be taken.
- 1.8 The Council is coming to the end of a period of ambitious investment. This has seen a significant increase in the Council's Loan Debt over the last ten years and projections indicate that the Loan Debt will peak at approximately £241.5 million in 2022/23 but on the basis of limited prudential borrowing in future years the loan debt will reduce to around £185 million by 2030/31. Therefore it can be seen that there is a correlation between the reduction in the Council's internal loan debt and the repayment of the Council's external borrowing to the PWLB over the next 10-15 years.
- 1.9 One issue which the Capital Strategy and Treasury Strategy require to demonstrate is the affordability and sustainability of the Council's Asset Management Plans, to enable Members to see the longer term financial implications of policy and investment decisions.
- 1.10 Much of the affordability assessment depends on the Council's Treasury Strategy and this is also presented to the Policy & Resources Committee annually prior to the 31<sup>st</sup> March each year. The period of the Treasury Strategy is currently four years and one product of the creation of a Capital Strategy will be to better align the timescales for the Treasury Strategy, Investment Strategy and Capital Programme. Based on the projected trajectory of the Council's loans fund and external borrowing then the overall Treasury Strategy is currently to borrow on a short to medium term basis. This approach is largely influenced by the significant value of market debt held by the Council much of which was borrowed at the time of the transfer of the housing stock in 2007. The latest possible maturity date for the market loans varies from 2066-2077 although, dependent on macroeconomic changes there is always the possibility that lenders may wish to trigger repayment of their loans with the Council.
- 1.11 The Chief Financial Officer is supported in monitoring the Council's Capital, Treasury and Investment position by both internal officers and also the Council's Treasury Advisor with whom he meets twice per year. This external support is a vital check and balance in ensuring the Council is receiving the best possible advice and support in managing the Council's considerable asset base, borrowings and future investment plans. This enables the Chief Financial Officer to provide regular reports to the Policy & Resources Committee and the Inverclyde Council on the Council's Treasury Strategy, Treasury Annual Report and Mid-Year Report as well as frequent updates on the Capital Programme.
- 1.12 The Capital Strategy pulls all these aspects together and aims to provide a valuable addition to Elected Members overall understanding of the Council's finances and the wider impacts on policy choices in coming years.

## 2.0 GOVERNANCE AND REGULATORY FRAMEWORK

### Legal and Regulatory Framework

- 2.1 The legal framework under which treasury management operates mainly involves:
- the Local Government (Scotland) Act 1973
  - the Local Government (Scotland) Act 1975
  - the Local Government etc. (Scotland) Act 1994
  - the Local Government in Scotland Act 2003
- and
- Regulations and statutory guidance issued under powers in the above Acts.
- 2.2 In addition, CIPFA issued the Prudential Code for Capital Finance in Local Authorities and the Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes, both of which were last revised in December 2017.

The Prudential Code requires Councils to ensure that capital expenditure and investment plans are affordable, that borrowing and other long-term liabilities are prudent and at sustainable levels, and that treasury management and investment decisions are taken in accordance with professional good practice. The Code requires the production and monitoring of Prudential Indicators.

The Treasury Management Code includes requirements for Councils to consider the objectives of their treasury management activities and the effective risk management of those activities. The Code requires the production of a Treasury Management Practices document which sets out how the Council will seek to achieve its treasury management policies and objectives and how it will manage and control its treasury management activities. The Code also requires that, as a minimum, the following reports be submitted to the Council each year: a treasury management strategy, a mid-year review, and an annual report after the year-end.

- 2.3 The main regulations and statutory guidance that apply are:
- a) Local Government Capital Expenditure Limits (Scotland) Regulations 2004  
These require that Councils “have regard” to the Prudential Code when determining “the maximum amount which a local authority can afford to allocate to capital expenditure”.
  - b) Local Government Investments (Scotland) Regulations 2010  
Scottish Government Finance Circular 5/2010 was issued under these Regulations and requires the approval of annual Investment Strategies and Permitted Investments by Members as well as an Annual Report on Investments to Members within 6 months of the financial year-end.
  - c) The Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016  
Scottish Government Local Government Finance Circular 7/2016 was issued under these Regulations and replaced provisions for local authority borrowing, lending and loans funds that were in the Local Government (Scotland) Act 1975. The Circular includes requirements in relation to the prudent annual charging against the Revenue Budget for the cost of capital projects (Loan Charges) and permitted methods of calculating those charges.
  - d) Scottish Government Local Government Finance Circular 7/2018  
This Guidance replaces a Finance Circular issued in 2007 that was issued under powers in the Local Government in Scotland Act 2003. The Guidance permits accounting adjustments for some types of treasury management activities, including where Councils have incurred premiums or received discounts when refinancing PWLB loans taken out by the Council.

## **Governance**

- 2.4 The Capital Expenditure budget is approved by the Council and monitored by the Policy & Resources Committee with oversight of individual projects by the Service Committees.
- 2.5 For Treasury Management, officers prepare an Annual Treasury Management and Investment Strategy for each year (including Permitted Investments for the year, the Authorised Limit for External Debt, and the Treasury Management Policy Statement), a Mid-Year Report, and an Annual Report. These reports are submitted to the Policy & Resources Committee for review and for remission to the Full Council for formal approval, in line with the regulatory requirements above. Where the Council undertakes debt rescheduling, this is reported to the Policy & Resources Committee and the Full Council in line with agreed policy.
- 2.6 The cost of Treasury Management activity is included in the Revenue Budget and Budget reports to Committee as Loan Charges. Loan Charges are comprised of the annual charges for the write-off of the cost of capital projects over an appropriate period along with the interest and expenses costs from borrowing and the treasury management activities.
- 2.7 The Chief Financial Officer has delegated authority to make the necessary arrangements for authorised borrowing, the temporary investment of funds, and specified changes to the Treasury Management Practices. This authority is also delegated to each of the 3 Finance Managers where the Chief Financial Officer is absent (as approved by the Council on 30 November 2017). Treasury Management requirements are also included in the Council's Financial Regulations.
- 2.8 The Treasury Management Practices ("TMPs") is an operational document that is updated at least every 3 years and that set-out the main principles under the Treasury Management Code and how the Council will comply with those principles. The TMPs were last updated in March 2018.



### **3.0 ASSET MANAGEMENT PLANS**

- 3.1 A number of years ago the Council identified the need to align capital investment against the policy priorities of the Council. This resulted in the creation of a number of comprehensive Asset Management Plans (AMPs). The first Asset Management Plan related to the School Estate (the SEMP) which resulted in an ambitious and comprehensive new build and upgrade programme for the full School Estate. Thereafter asset plans were created in respect of the main leisure facilities, the roads assets, office and depot assets, ICT assets and most recently, open spaces.
- 3.2 Over the last ten years the Council has undertaken a significant amount of work on Asset Management Planning and has used a combination of internal expertise and external peer review in their development. Once created the AMPs are embedded within the Council's Corporate Directorate Improvement Plans and Capital Programme formulation process to ensure that there is a strong alignment between the Council's overarching Priorities and capital investment decisions.
- 3.3 The Asset Management Plans not only document and quantify all the assets held and their assessed condition but also create a sustainable investment plan which can then be factored into future years Capital Programmes. In addition the creation of the Asset Management Plan will lead to Members considering a whole estate investment approach which will potentially identify assets which the Council should no longer retain.
- 3.4 A significant benefit of having long term Asset Management Plans is that it allows longer term Capital Investment Plans for a minimum of the next five years but the capability to project this forward for a further period of time. This allows the Council to identify whether it's longer term Capital Investment Plans are affordable and sustainable and provides time for corrective action to be taken. The next part of this section provides an overview of the current position of the Asset Management Plans being progressed by the Council.

#### **3.5 School Estate Management Plan**

The Council has invested in excess of £270m on its school estate over the last 16 years. The rationalisation of the estate was completed by the end of 2013. Over the period of the programme to date there have been a net reduction of 12 primary schools (from 32 to 20) and a net reduction of 2 secondary schools (from 8 to 6) with 2 of the remaining 6 secondary schools co-located within a shared community campus.

Significant progress has been made since 2004, particularly in addressing the number of Condition category C (Poor) and D (Bad) rated schools from 7 Secondary Schools and 21 Primary Schools at the start of the programme to all schools across all sectors rated A (Good) or B (Satisfactory) by 2016. In terms of Suitability there has also been significant progress made in ratings through the programme of comprehensive refurbishment and new build.

The School Estate funding model is reviewed and reported annually to the Education & Communities Committee. The plan prior to the COVID-19 lockdown would have seen all major projects completed in 2020 reflecting the approval of the acceleration of the School Estate Management Plan agreed as part of the budget setting process in March 2016. The St Mary's Primary School project was completed in October 2020 however completion of the final project at Gourrock Primary School has been impacted by COVID-19 and the insolvency of the main contractor with that project now projected to complete by the end of 2021. The demolition of the last remaining decant facility, the former Sacred Heart Primary School, is also projected to be complete by the end of 2021 following completion of the new Larkfield Children's Centre.

Additional expenditure was also approved in March 2016 to address works required to improve asset condition and suitability across the stand-alone facilities within the Early Years estate. The Council funded elements of the Early Years estate plan have progressed to an advanced stage with all but one project complete and with that final project due to commence in March and complete in November 2020. A number of projects were also taken forward and completed in 2014/15 to facilitate the Scottish Government commitment to the provision of 600 hours of Early Learning and Childcare.

The Scottish Government plan to further increase the entitlement of early learning and childcare from 600 hours to 1140 hours requires substantial levels of investment in workforce and infrastructure to support the expansion. Inverclyde Council submitted its initial expansion plan to the Scottish Government in September 2017 on how it intended to deliver this expansion and this was reported to the October 2017 Education & Communities Committee. A full re-working of the plan was undertaken with submission of a revised financial template in March 2018 and the revised plan was reported to the special Education & Communities Committee in June 2018. The Scottish Government confirmed a total Capital grant of £5.98m to Inverclyde Council as part of the overall 1140 hours funding for the infrastructure and capital funded elements of the expansion plan to be delivered between 2017/21. The original plan was phased from 2017/18 onwards to ensure that the required expanded capacity would be in place by 2020 however as a result of the impact of COVID-19, in April 2020 an order revoked the change to the 2014 Children and Young People's Act that requires education authorities to secure 1140 hours of ELC provision for all eligible children from August 2020. This meant that there will be no statutory duty for Authorities to provide 1140 hours of early learning and childcare (ELC) from August 2020. Given the progress already made within Inverclyde in the implementation of 1140 hours, it has been possible to develop contingency plans to ensure that 1140 hours could still be implemented across Inverclyde as of August 2020. As at 1<sup>st</sup> Quarter 2021 eleven of the fifteen 1140 hours expansion projects have been completed with the remaining projects at various stages of construction and programmed to complete by August 2021.

The School Estate funding model also includes a lifecycle fund designed to address maintaining the condition and suitability of the revitalised estate. The fund allocations are profiled such that the initial allocation of circa £400K in 2014/15 increases to just below £2m in 20/21 with further projected increases over time (subject to capital funding constraints and budget setting process). The lifecycle works address the on-going requirement for investment in the estate to maintain the overall condition of the assets at a good/satisfactory level. The allocation of this funding is based on annual review of the externally procured condition surveys and physical inspection of the various properties by the Council's Property Service. The most recent external condition surveys were undertaken via Aecom during 4<sup>th</sup> Quarter 2019. These surveys and Property Services assessment will inform the allocation of future lifecycle funding across the estate and this will become increasingly important in the coming years, particularly for the properties that were included early in the original programme.

A wider Learning Estate Review and strategy is now required to address the next 10 years and future of the Learning Estate. Work has commenced on this in respect of roll projection analysis and assessment of the possible impacts of the new Local Development Plan and potential new housing provision. The new strategy will also include a full review of the Condition of the estate from the most recent external surveys. A full review of all suitability surveys is also being progressed in conjunction with Education Services and Heads of each establishment. The review will also afford an opportunity to assess elements such as ICT and energy efficiency including the implications of the developing policies around net zero carbon standards for public buildings.

### **3.6 Office AMP**

The Council's Office rationalisation proposals were originally presented and approved in September 2010. Linked with this was the prior approval in March 2010 for the development of a Customer Service Centre within Greenock Municipal Buildings designed to transform the way the Council communicates with its customers. The programme was part of a wider programme to modernise the Council's operations and working practices which includes initiatives such as mobile and flexible working, electronic document management (EDRMS) and greater use of technology. The Offices Asset Management Plan (AMP) was taken forward on the premise that fewer desks than Employees would be provided. At September 2010 the Council had 1,014 occupied desks. It was proposed that by the end of the process of rationalisation 725 desks would be required with a notional 730 desks approved. The final projects within the Offices AMP were completed in Autumn/Winter 2017. To date the Office Rationalisation programme has resulted in a reduction of circa 40% of occupied floor space with an increased potential desk space ratio through more efficient use of space across the same number of retained properties.

With the completion of the Office rationalisation programme, the majority of the Council's Operational Office space is now contained within the Greenock Municipal Buildings Campus. This is comprised of the main Municipal Buildings (including the refurbished/renovated former District Court offices), the Wallace Place Building and the James Watt Building. Property Services have undertaken studies across the Campus, both internally and through external specialist space planning consultants, with a view to identifying where possibilities exist for more efficient use of space and to address improvements where existing space is less suitable for current use and/or in poorer condition. The challenges posed by COVID-19 have necessitated a shift to different agile working delivery models including increased flexible, mobile and homeworking arrangements. The previously completed space studies now require to be revisited to assess any potential property / ICT strategy implications connected with different ways of working.

The future maintenance and lifecycle requirements of this element of the Council's estate strategy will now be contained / addressed within the Operational Properties portfolio and the allowances for statutory and planned maintenance / lifecycle works funded from the annual £2m General Property Service capital allocation monitored through the Environment & Regeneration Committee.

### **3.7 Depot AMP**

The Council's Depot rationalisation has involved the centralisation of Grounds, Waste and Transport at Pottery Street with a Gourock Civic Amenity site and the Building Service Unit (BSU) currently remaining at Devol Depot. The plan has been progressed to an advanced stage with projects completed by 2<sup>nd</sup> Quarter 2019 including the salt barn, civic amenity site, vehicle maintenance facility / offices, fuel and vehicle wash facilities, and the refurbishment of the corner depot building / offices. The original Depot Asset Management Plan budget was £13m however the development of the masterplan led to refinement of the strategy / proposals with reviews of phasing and scope realising a £2.8m saving (current outturn cost for the Depot AMP projected at £10.2m). The final element of the Depot AMP involving the Gourock Civic Amenity facility has been reviewed with a revised proposal to relocate from Kirn Drive and provide a recycling centre only for domestic/household waste at Craigmuschat Quarry. Subject to statutory approvals it is anticipated that this final element will be completed in 2021.

### **3.8 Leisure AMP**

The Council undertook a review of its key Leisure Sites prior to 2009 and brought reports forward covering a review of strategic sites and a pitches strategy, with a view to modernisation and reconfiguration of leisure provision within Inverclyde. A planned investment profile was presented to Committee in September 2009 with an initial implementation timescale of August 2012. Consultation was also undertaken with Sportscotland who allocated £1m in facilities grants, part funding specific projects at Parklea and Ravenscraig. The Leisure Strategy has now been fully implemented.

The Leisure Strategy has now been fully implemented with a number of further projects completed (Ravenscraig Activity Centre / Inverclyde Indoor Bowling / Lady Octavia Sports Centre / Boglestone Community Centre) through joint Council / Inverclyde Leisure funded projects. Plans for an indoor tennis facility at Rankin Park are also being explored through Inverclyde Leisure with a Council capital funding contribution committed and potential funding from the Transforming Scottish Indoor Tennis fund.

The major maintenance and lifecycle replacement requirements of the buildings for the Leisure Estate remains with the Council and this element of the Council's estate strategy is addressed within the Operational Properties portfolio and the allowances for statutory and planned maintenance / lifecycle works funded from the annual £2m General Property Service capital allocation monitored through the Environment & Regeneration Committee. Minor day to day maintenance and 'consumables' are the responsibility of Inverclyde Leisure in accordance with the Service Level Agreement which regulates access, standards of maintenance and division of responsibilities. The allocations through this fund will be vital in the coming years to address significant elemental renewal of ageing assets. The Council and Inverclyde Leisure are also currently working together on a review of the leisure estate to inform future asset management planning.

In 2018 the Council agreed to allocate £120,000 annually to supplement the funding in the Leisure Repairs and Renewals Fund to meet the life cycle costs associated with the large 3G Pitch estate. The on-going requirements for major maintenance and lifecycle replacement of sports pitches across the Leisure Estate are addressed through the Leisure Pitches Strategy Asset Management Plan and capital allocations monitored through the Education & Communities Committee. Condition surveys were undertaken via external specialists in late 2019 across the Leisure and School Estate pitches to inform a review of the Asset Management Plans and lifecycle replacement allowances. This information together with data on individual pitches hours of use from Inverclyde Leisure formed the basis of a revised asset plan which was approved by the September 2020 Education & Communities Committee. A programme of rejuvenation and carpet replacement works commenced in 4<sup>th</sup> Quarter 2020 and is currently on-going.

### 3.9 Roads AMP

The Council approved a comprehensive Roads Asset Management Plan (RAMP) and funding model in August 2012. A total of £29m was proposed for the period April 2013 to March 2018 to improve our roads infrastructure – carriageways, footways, lighting columns and structures, this included road and pavement resurfacing works, an extensive road patching and pothole repairs programme, street lighting replacement works and improvements to bridges and roads structures.

Further to this investment, a second phase of RAMP funding was allocated to the value of £15m for the period April 2018 to March 2023.

Over 95% of the Council's streetlights have now been upgraded to low energy LED types which has halved electrical power consumption, reduced energy and maintenance costs to the Council and has reduced the carbon footprint.

Roads structural projects and programmes have delivered numerous bridge upgrades and improvements including a prioritised programme of inspection and repair.

The RAMP (plan) has resulted in a reduction in the number of Inverclyde's roads, footways, street lights and road structures which require ongoing maintenance treatment while providing an increased future lifespan.

From the implementation of the RAMP in 2013 to present, the Road Condition Indicator (RCI) has continually reduced which demonstrates that the planned investment is resulting in a significant improvement to the condition of Inverclyde's road network. Since 2013 around 62% of carriageways have been treated which confirms the continued reduction in the Road Condition Indicator (RCI) for carriageways as follows:

| SRMCS Survey Results |       |       |       |             |
|----------------------|-------|-------|-------|-------------|
| Year                 | Red   | Amber | Green | RCI         |
| 2011/13              | 13.55 | 35.42 | 51.0  | <b>49.0</b> |
| 2012/14              | 12.69 | 36.55 | 50.8  | <b>49.2</b> |
| 2013/15              | 10.80 | 35.47 | 53.7  | <b>46.3</b> |
| 2014/16              | 10.11 | 33.18 | 56.7  | <b>43.1</b> |
| 2015/17              | 8.57  | 31.96 | 59.5  | <b>40.5</b> |
| 2016/18              | 7.09  | 30.80 | 62.1  | <b>37.9</b> |
| 2017/19              | 7.44  | 30.02 | 62.5  | <b>37.5</b> |
| 2018/20              | 7.41  | 29.88 | 62.7  | <b>37.3</b> |
| 2019/21              | 5.73  | 29.57 | 64.7  | <b>35.3</b> |

During this time Inverclyde Council has received awards from The Association for Public Service Excellence (APSE) for the most improved performer in 2016 for Roads, Highways and Winter Maintenance and for Street Lighting in 2017 and again in 2019.

### 3.10 Vehicle AMP

The purpose of the Vehicle AMP is to provide the Council with an efficient, flexible method of procuring and operating fleet items that reflects good fleet management practice plus a cyclical replacement of fleet assets over a 5 or 7 year cycle dependant on fleet category taking advantage of public sector collaborative procurement frameworks.

In addition it led to the introduction of a dedicated Fleet Management System and Fleet Tracking System. Without a fleet asset management plan the Council would experience a return to inefficient practices including increased fleet downtime, an increase in expensive 'spot' hire vehicles, a requirement to increase workshop staff levels and an increase in both material and sub-contractor costs.

Looking to the future the Vehicle AMP will continue taking advantage of the latest technological advances both in terms of vehicle and management/telematics systems driving forward efficiencies within the fleet asset management plan.

Taking advantage of bridge funding from Transport Scotland and technological advances allowing greater battery range has allowed a significant increase in the number of Ultra Low Emission Vehicles (ULEVs) on the Council fleet. The vehicle categories consisting cars, people carriers and vans up to 2500kg Gross Vehicle Mass (GVM) accounts for 50 vehicles. In 2017/18 there were 4 pure electric ULEVs accounting for 8% of fleet vehicles within these categories. Within the same categories in 2020/21 the Council now has 38 pure electric ULEVs accounting for 76%. It is anticipated based on current technologies that this figure will rise to 41 by 2021/22 accounting for 82% of the Councils fleet of light commercial vehicles. The Council is well placed to provide service users with a continuity of service whilst meeting the Scottish Government target of ending the sale of new petrol or diesel cars and light vans in Scotland by 2032.

The technology to further introduce ULEVs into the medium and heavy commercial fleet is developing quickly and the continued funding of the Vehicle AMP will allow the Council to take advantage of these new technologies. In conjunction with this, consideration will require to be given to significant infrastructure requirements given the power requirements to charge large commercial vehicles, particularly when being charged at the same time in one central hub such as the Pottery Street depot.

### 3.11 Open Spaces AMP

The Council has also developed an initial Open Space AMP which incorporates Burial Grounds and the Crematorium. Given the wide range and nature of the assets covered and the piecemeal nature of some of the investment, the preparation of a detailed AMP has proven to be challenging. Based on the information to date an annual capital sum of £200,000 is allocated for general lifecycle maintenance. In addition the Council will explore opportunities to attract external funding where possible.

In addition the Council has allocated over £3.0 million over the next 2 years to expand Burial Grounds provision and replace the Council's cremators. The identification of appropriate ground for burials will present challenges for the Council in the medium/longer term.

### 3.12 ICT Asset Plan

The ICT Asset Management Programme delivers a modern ICT infrastructure providing the most appropriate level of equipment, at best value to the Council across all of Inverclyde Council's Offices and Schools. It aims to allow staff to undertake their roles and responsibilities in as efficient and flexible a manner as possible and provide teachers and pupils with modern and sustainable learning technologies. The ICT AMP has an annual budget of £0.363m.

In line with the best practices for ICT Asset Management, the physical lifecycle of an ICT Asset has two distinct phases:

- Planning & Procurement
- Lifecycle & Disposal

In response to the COVID 19 Emergency, many staff were required to work from home. ICT Services deployed several hundred laptops for home use along with a range of other necessary items such as webcams and headsets.

This has resulted in a shift in device profile across the ICT estate from desktops to laptop and tablets and a reduction in the number of physical telephone handsets.

A lesson learned from the COVID Emergency is the benefit of having a flexible and connected workforce. The Council has now adopted a policy of deploying laptops as the default device for officers, unless there is a technological or configuration requirement that would require a desktop.

However this policy creates an added pressure due the comparative increase in costs for a laptop replacing a desktop device

| Comparative Price | Desktop | Laptop  | Increase |
|-------------------|---------|---------|----------|
| Desktop v Laptop  | £319.00 | £395.79 | 24%      |

Currently ICT implements a six year desktop and laptop refresh strategy, however it is accepted that due to the shorter support lifecycle of a laptop device that this will need to be reviewed. Initial plans is to implement a four year refresh policy. The 2021/22 refresh programme is replacing 820 laptop devices and 105 desktops.

The total number of devices in the programme is 5729

|                  | Desktop PCs | Notebook PCs | Tablet PCs | Total |
|------------------|-------------|--------------|------------|-------|
| <b>Schools</b>   | 2893        | 1131         | 42         | 4066  |
| <b>Corporate</b> | 936         | 610          | 117        | 1663  |
| <b>Total</b>     | 3829        | 1741         | 159        | 5729  |

The programme also includes provision for replacement of core ICT equipment such as network storage, servers and infrastructure.

### 3.13 Scheme of Assistance

Section 72 of the Housing (Scotland) Act 2006 requires Local Authorities to prepare and make publicly available a statement which sets out the Council's approach to providing householders with advice and/or assistance on how to repair, improve, maintain or adapt their home.

The 2006 Act paves the way for applications for assistance with adaptations to be treated separately from applications for assistance with repairs and includes a general duty to provide financial assistance to make a house suitable for a disabled person.

All eligible adaptation works will receive a minimum of 80% grant assistance or, at the discretion of the Council, 100% grant can be awarded.

The provision of a Care and Repair/Small Repairs Service who assist eligible applicants with the grant process and progression of adaptation works. Care and Repair operate a small repairs service for plumbing, electrical, joinery and general household jobs. The services are available to homeowners and tenants in the private sector who are either disabled or are over 60 years of age.

| Year  | Number of Homes Adapted | Small Repairs Provided |
|-------|-------------------------|------------------------|
| 15/16 | 174                     | 1705                   |
| 16/17 | 181                     | 1587                   |
| 17/18 | 171                     | 1701                   |
| 18/19 | 195                     | 1582                   |
| 19/20 | 169                     | 1620                   |

### 3.14 HSCP Asset Management

A review of HSCP properties including opportunities for reconfiguration of services to support co-location is currently underway as part of the formulation of a HSCP Property Asset Management Plan. A number of shared service offices have been addressed as part of the Offices Assets Management plan and consolidation within the Hector McNeil House building completed in 2014

Significant further asset areas are already being addressed via proposals agreed in respect of the phased re-provisioning of Inverclyde's Children's Residential Services with one new unit (Kylemore) completed in March 2013 and a further unit (Cardross – 'the View') completed in January 2018. The progression of the final unit (Crosshill) has been impacted by COVID-19 and the insolvency of the main contractor with that project now projected to complete in 2021.

Two further significant HSCP projects secured Scottish Government funding support with a new Adult and Older People Complex Care Beds facility (Orchard View) completed in summer 2017 and the new Greenock Health and Care Centre currently under construction and nearing completion. The completion of the new Health and Care Centre will facilitate further shared service / joint working with the business case predicated on the basis that the existing NHS owned Greenock Health Centre, Boglestone Clinic, Larkfield Child & Family Centre (CAMHS) Building, and Cathcart Centre, which are not fit for purpose, will be disposed of once the new facility becomes operational.

The Strategic Review of Services for Adults with Learning Disabilities in Inverclyde was signed off by the Integration Joint Board in December 2016. As part of the Service redesign, a number of properties historically used by the service have been decommissioned with flats at Lynedoch Street and Hope Street vacated and released back to the relevant RSL's. Golf Road was vacated in June 2018 and the McPherson Centre decommissioned in September 2018 with full integration into the Fitzgerald Centre following work within the Fitzgerald Centre to upgrade personal care facilities, storage and sensory areas undertaken over summer 2018. The longer term plan remains for a new build Day & Social Community Hub with business case approved in February 2020 and outline proposals currently being developed.

Two other specific property issues remain for Health & Social Care around the future of the Centre for Independent Living store and the continued lease of the Unpaid Work Unit at Kingston Industrial Estate.

Day to day investment in the HSCP buildings is funded from the general Property AMP but the funding for transformational change in service delivery requires to be funded elsewhere. For the Children's Houses, funding came from a combination of prudential borrowing funded by service savings, reserves and core capital grant. The new Day & Social Community Hub will also be funded by prudential borrowing.

### 3.15 City Deal

Although not a specific Asset Management Plan the Council does have major investment plans in relation to the Glasgow Region City Deal which has a £1.13 billion Capital Infrastructure investment programme covering the 8 Local Authorities in the Glasgow City region. Inverclyde Council currently has 3 projects in various stages of development with an estimated Capital cost of £22.4 million.

It is currently anticipated that over £20million million of this investment will be funded by grant from the Scottish and UK Governments which is due to be paid over a 20 year period ending in 2035. Due to the timing difference between the Council incurring expenditure by 2023 and the receipt of grant, the Council will require to finance the cashflow implications as well as loan charges in relation to the Council's projected £1.3 million contribution.

The funding for this has been allowed for in the Council's recurring Revenue Budget and forms a specific appendix within the Financial Strategy.

## 4.0 THE CAPITAL PROGRAMME

- 4.1 The Council traditionally approves a rolling three year Capital Programme each budget cycle. The March 2021 budget cycle brings the current Capital Programme up to 2023/24.
- 4.2 Annual capital budget allocations are provided for investment in the core assets identified via the Asset Management Plans with these allocations intended to maintain the existing assets to acceptable standards. The allowances do not generally allow for expansion or replacement of existing assets which would normally be addressed through specific investment proposals.
- 4.3 Current annual allocations amount to £9.243m (see table below) This amount includes the increased allocation to Roads to deliver the RAMP as well as an ongoing Life Cycle Maintenance allowance for School Estate.

Recurring annual Grant Allocations:

|                          |         |
|--------------------------|---------|
| ICT                      | £0.363m |
| Roads (RAMP)             | £3.000m |
| Zero Waste Fund          | £0.060m |
| Parks & Open Spaces      | £0.200m |
| Property                 | £2.000m |
| Scheme of Assistance     | £0.500m |
| Leisure Pitches          | £0.120m |
| School Estate            | £3.000m |
| <br>                     |         |
| Total Annual allocations | £9.243m |

General Capital Grant in 2021/22 £6.405m

The recent Scottish Government spending review has confirmed the General Capital Grant will remain at the current level until at least 2025/26. The General Capital Grant is approximately £2.8 million short of the ongoing Asset Maintenance requirement. The current Financial Strategy assumes that the Council will prudentially fund £1.4 million of capital investment annually from 2023/24 which will partially address this. This shortfall will require to be funded from either capital receipts, revenue reserves and prudential borrowing or investment requires to be reduced.

- 4.4 Other investment includes the Vehicle Replacement Programme however this is funded via the specific funding models and is not reliant on the General Capital Grant. In addition specific investment proposals are considered either as part of the budget setting process or via reports to Service Committees. Any such proposals would require to be funded by way of prudential borrowing and/or one off allocations from reserves.
- 4.5 Specific capital grant awards are also included in the programme, currently there is significant time limited Specific Grant funded investment in Early Learning & Child Care. In addition, grants are received on an annual basis from Strathclyde Partnership for Transport, Sustrans and Cycling, Walking & Safer Streets.
- 4.6 In recognition of potential increase in resources or cost reductions the Council will overprovide by up to 5% against available resources. It needs to be borne in mind that if extra resources or cost reductions do not occur then savings will be required.
- 4.7 A summary of the proposed 2021/24 Capital Programme is shown below. This was approved by the Council in March 2021.



## Proposed Capital Programme 2021/2024

| <u>Expenditure/Projects by Committee</u>             | <u>2021/22</u> | <u>2022/23</u> | <u>2023/24</u> | <u>Totals</u> |
|--|----------------|----------------|----------------|---------------|
|  | <u>£m</u>      | <u>£m</u>      | <u>£m</u>      | <u>£m</u>     |
| Policy & Resources                                   | 0.553          | 0.434          | 0.363          | 1.350         |
| Environment & Regeneration                           | 10.706         | 16.865         | 7.152          | 34.723        |
| School Estate  | 5.174          | 4.366          | 3.500          | 13.040        |
| Education & Communities                              | 1.374          | 0.917          | 0.370          | 2.661         |
| HSCP   | 1.285          | 7.144          | 0.635          | 9.064         |
|  | 19.092         | 29.726         | 12.020         | 60.838        |
| <br><u>Financed By</u>                               |                |                |                |               |
| Government Grant                                     | 6.405          | 6.400          | 6.400          | 19.205        |
| Sales/Contributions                                  | 0.343          | 0.275          | 0.296          | 0.914         |
| Other Income   | 1.480          | 0              | 0              | 1.480         |
| Revenue  | 9.361          | 1.129          | 0.483          | 10.973        |
| Prudential Borrowing                                 | 1.099          | 8.092          | 2.964          | 12.155        |
| Resources Carried Forward                            | 13.325         | 0              | 0              | 13.325        |
|  | 32.013         | 15.896         | 10.143         | 58.052        |
|  |                |                |                |               |
| Shortfall in Resources                               |                |                |                | 2.786         |
|  |                |                |                |               |
| Recommended maximum overcommitment (5% of Resources) |                |                |                | 2.818         |
|  |                |                |                |               |
| Flexibility  |                |                |                | -0.032        |

## 5.0 DEBT AND FIXED ASSETS

- 5.1 One objective of the Capital Strategy is to demonstrate the sustainability and affordability of its capital expenditure and investment plans. Much of the affordability assessment depends on the Council's Treasury Strategy. The period of the Treasury Strategy is currently four years and one positive development arising from the creation of a Capital Strategy will be to align the timescales for the Treasury Strategy, Investment Strategy and Capital Programme.
- 5.2 A key requirement of the Treasury Strategy is to set the Prudential Indicators which will determine limits around borrowing, investment and affordability and thereafter feeds directly into the Revenue Budget process. The Treasury Strategy is considered by the Policy & Resources Committee in March and thereafter the Council.
- 5.3 There are 3 distinct areas where it is important that the inter relationships are highlighted as these are at the heart of understanding the Council's overall approach to capital investment and long term financial planning.

**Loan Charges/Loan Fund Debt** – Loan Charges records are the Council's internal record of capital investment. Sums incurred are currently written down on annuity basis using the expected life span of the asset created/work carried out. The Loan Charges records allocate the capital incurred against the asset created/improved.

Loan Charges are an internal calculation and no money leaves the Council but it is Loan Charges which form the charge to the Revenue Budget as a proxy for depreciation.

**External Debt-** To fund capital works the Council will in many cases have to borrow funds. The traditional route for local government remains to borrow from the Public Works Loan Board (PWLB) but a significant amount of borrowing has also been carried out from other lenders and this is referred to as Market Debt. Interest is paid on these loans throughout the year and these costs form the basis of the calculation of the loan charges interest rate.

**Balance Sheet Fixed Assets** - As part of the statutory Annual Accounts the Council prepares a Balance Sheet and the largest sum within this is the value of assets held by the Council. Assets are revalued on a rolling basis every 5 years although adjustments can be made in the interim in the event of a material impact on the assets value. Depreciation is applied to the assets prior to inclusion on the Balance Sheet. Depreciation does not form part of the revenue budget and is reversed out of the accounts when calculating the Council's available Usable Reserves.

The financial position of these three areas is explained further in the following paragraphs.

### 5.4 Loan Fund Debt

The Council is coming to the end of a significant period of ambitious investment in the School Estate, Leisure Estate and the Office and Depot Estate. This has seen a significant increase in the Council's Loan Debt over the last ten years and projections indicate that the Loan debt will peak at approximately £241 million in 2022/23 but on the basis of limited prudential borrowing in future years the loan debt will reduce to around £185 million by 2030/31. Thereafter the debt gradually reduces and by 2041 there is only £109 million of the current debt outstanding. Given the current shortfall between Government Grant and annual capital requirements shown in 4.3, it is likely that Prudential Borrowing and hence debt will need to increase over this period.

### 5.5 External Debt

The Council's external borrowing as at 17<sup>th</sup> February 2021 was:-

|             |                       |
|-------------|-----------------------|
| PWLB Debt   | £109.1 million        |
| Market Debt | <u>£ 99.7 million</u> |
|             | <u>£208.8 million</u> |

The bulk of these loans are Maturity Loans i.e.: principal is due to be repaid at the point that the loan matures, with some £46.5 million of the PWLB Debt due to be repaid by 31<sup>st</sup> March 2030. Thereafter however there is a 25 year period where under £23 million is due to mature unless called in by the market lenders or the Council restructures its PWLB debt.

Taking 5.4 and 5.5 together then by 2035, on the basis of the Capital Expenditure plans outlined in this Strategy, the External Debt will exceed Loans Fund Debt. By 2041 the amount of External Debt would exceed Loan Charges Debt by £43 million if nothing else changes and this over borrowing would continue to grow over subsequent years.

## 5.6 Balance Sheet Fixed Assets

At the 31<sup>st</sup> March 2020 the Council owned property plant and equipment assets valued at £394million net of accumulated depreciation. Once PPP Assets and Managed Properties are included then the value of this Asset Base increased to £496million. This figure is significantly larger than the previous two figures as the Asset Value represents the fair value of the asset with assets revalued on a 5 yearly basis.

The average Asset Life Outstanding as at 31<sup>st</sup> March 2021 for the different category of assets is shown in the undernoted table. From this it can be seen that for the 3 main non-PPP asset categories, the average remaining life is approximately 22.2 years. At a high level this shows a correlation between the remaining life of the main assets in the balance sheet and the Loans Fund Debt.

|                  | Average    |                        |
|------------------|------------|------------------------|
|                  | Asset Life | Asset Life Outstanding |
| AUC              | 58.46      | 56.08                  |
| Community Assets | 34.46      | 23.75                  |
| Infrastructure   | 30.40      | 18.00                  |
| OLB              | 31.79      | 24.72                  |
| PPP              | 34.80      | 29.20                  |
| VPE              | 6.26       | 2.27                   |

It should be noted that the Asset Life Outstanding is reviewed at each valuation and provided the Council is undertaking appropriate maintenance and investment then the life will be extended thus ensuring that Asset values continue to exceed Long Term Borrowing in the Balance Sheet. In tandem with this the Policy & Resources Committee approved a Loan Charges repayment Policy in 2019 which extended the write off period for some classes of capital work. The net effect has been to spread loan charge payments over a longer period.

- 5.7 In summary therefore, in order for the Council to maintain its considerable asset base, it will need to undertake capital investment over and above the projected Scottish Government Grant/Capital Receipts. As such the Council will always carry Loans Fund Debt and External Debt. In order to ensure that the Council achieves a closer correlation between Loan Debt and External Debt in the longer term, the majority of new borrowing will be carried out for short to medium term periods i.e. up to 10 years.

## 6.0 LONGER TERM INVESTMENT PLANS

- 6.1 It can be seen from Section 4 of the Capital Strategy that it is unlikely that Government Grant and estimated Capital receipts will be sufficient to meet the required investment levels for the Council to maintain its current asset base. The current Financial Strategy assumes that the Council will prudentially fund £1.4 million of capital investment annually from 2023/24. Any prudential borrowing over and above this will need to be funded from savings delivered by the investment or service reduction. This will require the Council takes a conscious decision to disinvest in certain assets, reduce the number of assets it holds or cut day to day services.
- 6.2 It should be noted that this level of investment takes no account of any one off Capital investment requirements not included in the core life cycle maintenance allocations. Any such investment requirements will be flagged up in the relevant Asset Management Plans and following consideration as part of the normal governance processes would be factored into future Capital Strategy reports.
- 6.3 Appendices B and C show the impact of this level of capital investment on the Loan Charges earmarked reserve, loan charges and loan debt for the period to 2039/40. From Appendix C it can be seen that projected Loan Charges would increase by almost £1.1 million between 2021/22 and 2030/31 whilst over the same period the Loan Debt will drop by £42.8million.
- 6.4 Despite the ongoing need for prudential borrowing the Council will see a reduction in the proportion of its Revenue Budget which is spent on servicing loan charges and also a significant reduction in the ratio of loan debt to revenue budget. From Appendix C it can be seen that the Loan Debt as a percentage of Revenue Budget drops by almost 22.7% over the 2021/31 period, whilst the % of the Revenue Budget spent on Loan Charges increases by 0.4% to 8.59%
- 6.5 Looking beyond 2031 involves a significant amount of uncertainty around both the funding of Local Government, the services which it will be expected to deliver and the nature of those services. However based on past investment and current service delivery then many of the assets built or significantly refurbished since local government re-organisation will become due for replacement/refurbishment. The Council will therefore require to consider how this massive investment would be funded as part of future Capital Strategies.

## 7.0 CONCLUSIONS

7.1 The Capital Strategy provides an opportunity for a number of related aspects of the Council's overall finances to be pulled together into a summarised document. From this it can be seen that:

- a) The Council is well advanced in its Asset Management Plan preparation and delivery with major investment in all aspects of its asset estate over the last 10 years or more.
- b) The Council keeps a long term view of its long term borrowing and funding and this informs the current Treasury Strategy.
- c) The Council has a robust governance process via the Financial Regulations, Prudential Code, Risk Management and Budget Process to ensure that Asset Management Plans and the Capital Strategy are affordable in the medium to longer term.

The current proposals within the Capital Strategy are affordable and can be met from the current Loan Charges allocation without further cost to the Council Tax payer.

7.2 The Capital Strategy emphasises the need for the Council to take a long term view when taking decisions around Capital investment and specifically to ensure that investment plans are appropriate and financially sustainable in the longer term. The annual production and updating of the Capital Strategy allied to the Treasury Strategy, Capital Programme approval and Financial Strategy will all ensure that the Council are able to take Capital investment decisions in the knowledge of the long term implications.

The area of Treasury and Capital investment requires risks to be continually managed and monitored. Part of this is covered in the Governance Section (Section 2), however the following paragraphs list other risks and how the Council manages these. The risks are shown in bold with the mitigation in normal typeface.

**1/ The Capital Strategy does not reflect the objectives set out in other strategic plans of the Council.**

The Capital Strategy provides a high level overview of the various Asset Management Plans, Financial Strategy and Treasury Strategy all of which closely link to the plans the Council has signed up to. It is acknowledged that there will inevitably be other financial investment requirements over the next 20 years not quantified at this point in time however the Capital Strategy will be updated as further information becomes available regarding these strategic plans.

**2/ The directorate planning process will identify a range of additional budget pressures over and above those currently considered in this Financial Strategy.**

The Directorate Planning Guidance identifies that Corporate Directorate Improvement Plans (CDIP) should reflect the resources allocated – the need for additional resources to achieve a particular priority should be specifically identified via the Council's approved governance processes prior to the preparation of the CDIP.

**3/ Forecasts within the Capital Strategy are not accurately determined or reviewed on a regular basis.**

The Capital Strategy will set out the expected levels of expenditure and income for the future. The forecasts are arrived at through careful consideration of historic trends and current AMP investment levels plus advice on interest rates and borrowing costs from the Council's Treasury Advisors.

Throughout the financial year, the Council regularly monitors its financial performance against its capital and treasury budgets and will revise projections and/or take action where necessary.

**4/ The Council has insufficient capital resources to sustain capital commitments.**

The combination of reduced funding and the economic position mean that the Council has to focus on maintaining key infrastructure whilst utilising prudential borrowing for specific capital projects.

Regular review of existing Asset Management Plans and Policy Priorities ensures that the Council's investment plans remain affordable. The Council is in regular contact with its Treasury Advisors to identify opportunities to reduce Treasury costs within the parameters of the Prudential Indicators.

**5/ Given the major Global Economic uncertainty the Council is exposed to major fluctuations in the financial markets**

The Council's Treasury and Investment Strategy supported by the associated Treasury Management Policies and Prudential Indicators provides a robust framework within which officers operate to ensure that the Council is not materially exposed to short term fluctuations in the financial markets.

**Capital Strategy**  
**Loan Charges**

Appendix b

|                               | 2021/22<br>£'000 | 2022/23<br>£'000 | 2023/24<br>£'000 | 2024/25<br>£'000 | 2025/26<br>£'000 | 2026/27<br>£'000 | 2027/28<br>£'000 | 2028/29<br>£'000 | 2029/30<br>£'000 | 2030/31<br>£'000 |
|-------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Balance B/fwd</b>          | 671              | 1,467            | 1,552            | 1,053            | 1,041            | 971              | 962              | 1,163            | 1,235            | 1,501            |
| Projected Loan Charges        | 9,599            | 9,610            | 10,294           | 9,907            | 10,065           | 10,104           | 9,994            | 10,223           | 10,129           | 9,964            |
| Available Budget              | 10,395           | 9,695            | 9,795            | 9,895            | 9,995            | 10,095           | 10,195           | 10,295           | 10,395           | 10,495           |
| Loan Charge Surplus/(Deficit) | 796              | 85               | (499)            | (12)             | (70)             | (9)              | 201              | 72               | 266              | 531              |
| Other Adjustments:            |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
| None                          | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                |
|                               | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                |
| <b>Balance at Year End</b>    | <b>1,467</b>     | <b>1,552</b>     | <b>1,053</b>     | <b>1,041</b>     | <b>971</b>       | <b>962</b>       | <b>1,163</b>     | <b>1,235</b>     | <b>1,501</b>     | <b>2,032</b>     |
| Interest Rate (Assumed):      | 3.46%            | 3.38%            | 3.35%            | 3.43%            | 3.54%            | 3.62%            | 3.70%            | 3.80%            | 3.94%            | 4.02%            |

**Notes**

a Revised projections as at February 2021 and excludes Loan Charges relating to funded models (SEMP, AMP, VRP, City Deal, Birkmyre Trust). Includes the effect of decisions on SEMF acceleration taken in March 2016 including the £650k annual budget transferred to SEMF from 2021/22. From 2018/19 onwards, general capital grant is applied to core allocations only and not to individually funded models (e.g. VRP).

a Includes loan charges for new LD Centre based on spend between 2021/22 and 2022/23. £100k annual cost increase from 2023/24 to reflect increased prudential borrowing of £1,400k.

b Adjustments to Available Budget:

For 2021/22

£650k removed from ongoing budget and transferred to SEMF relating to SEMF acceleration, as agreed in March 2016.

Budget from 2018/19 onwards reduced by £300k annually to 2022/23 to reflect reduction in Scottish Government grant support resulting from repayment of histo

For 2022/23

£400k reduction in budget.

For 2023/24

Budget from 2023/24 onwards increased by £100k annually for annual Prudential Borrowing.

**LONG TERM LOANS FUND PROJECTIONS BASED ON CAPITAL STRATEGY**

|         | Loans Fund<br>Debt End of<br>Year | Total Loan<br>Charges | Assumed<br>Interest<br>Rate | Revenue<br>Stream | % of Loans<br>Fund Debt to<br>Revenue<br>Stream | % of Loan<br>Charges to<br>Revenue<br>Stream |
|---------|-----------------------------------|-----------------------|-----------------------------|-------------------|---|--|
|         | £000                              | £000                  | £000                        | £000              |   |  |
| 2021/22 | 227,810                           | 16,451                | 3.46%                       | 200,842           | 113.43%   | 8.19%  |
| 2022/23 | 241,492                           | 16,351                | 3.38%                       | 199,842           | 120.84%   | 8.18%  |
| 2023/24 | 233,402                           | 17,078                | 3.35%                       | 198,842           | 117.38%   | 8.59%  |
| 2024/25 | 226,980                           | 16,942                | 3.43%                       | 197,842           | 114.73%   | 8.56%  |
| 2025/26 | 221,749                           | 17,198                | 3.54%                       | 198,842           | 111.52%   | 8.65%  |
| 2026/27 | 214,742                           | 17,278                | 3.62%                       | 199,842           | 107.46%   | 8.65%  |
| 2027/28 | 207,193                           | 17,384                | 3.70%                       | 200,842           | 103.16%   | 8.66%  |
| 2028/29 | 199,259                           | 17,642                | 3.80%                       | 201,742           | 98.77%  | 8.74%  |
| 2029/30 | 191,575                           | 17,585                | 3.94%                       | 202,842           | 94.45%  | 8.67%  |
| 2030/31 | 185,048                           | 17,509                | 4.02%                       | 203,942           | 90.74%  | 8.59%  |
| 2031/32 | 177,393                           | 17,600                | 4.15%                       | 205,142           | 86.47%  | 8.58%  |
| 2032/33 | 170,038                           | 17,465                | 4.28%                       | 206,342           | 82.41%  | 8.46%  |
| 2033/34 | 162,235                           | 17,617                | 4.46%                       | 207,542           | 78.17%  | 8.49%  |
| 2034/35 | 154,051                           | 17,982                | 4.64%                       | 208,842           | 73.76%  | 8.61%  |
| 2035/36 | 146,466                           | 18,129                | 4.81%                       | 210,142           | 69.70%  | 8.63%  |
| 2036/37 | 138,625                           | 17,072                | 5.07%                       | 211,442           | 65.56%  | 8.07%  |
| 2037/38 | 131,080                           | 16,832                | 5.35%                       | 212,842           | 61.59%  | 7.91%  |
| 2038/39 | 123,820                           | 16,930                | 5.65%                       | 214,242           | 57.79%  | 7.90%  |
| 2039/40 | 116,379                           | 17,100                | 5.97%                       | 215,642           | 53.97%  | 7.93%  |
| 2040/41 | 108,620                           | 17,398                | 6.33%                       | 217,042           | 50.05%  | 8.02%  |

## Notes:

1. The Revenue Stream is an estimate of GRG/NDRI plus Council Tax.
2. The % of Loan Charges to Revenue Stream above excludes debt charges on PPP assets and so is not comparable with the Ratio of Financing Costs to Net Revenue Stream included in the Treasury Strategy.



**Treasury Strategy 2021/25**  
**Detailed Information**

**1.0 CAPITAL/TREASURY MANAGEMENT POSITION, PRUDENTIAL INDICATORS, TREASURY MANAGEMENT INDICATORS AND POLICY LIMITS**

**Current Treasury Management Position**

1.1 The Council's treasury management position at 17 February 2021 comprised:

|                                   | Principal     |                | Average Rate |
|-----------------------------------|---------------|----------------|--------------|
|                                   | £000          | £000           |              |
| <b>DEBT</b>                       |               |                |              |
| Fixed Rate funding                | PWLB 109,065  |                |              |
|                                   | Market 56,000 | 165,065        | 3.12%        |
| Variable Rate funding             | PWLB 0        |                |              |
|                                   | Market 43,716 | 43,716         | 4.91%        |
|                                   |               | 208,781        | 3.85%        |
| Other Long Term Liabilities (PPP) |               | 60,939         | ---          |
| <b>TOTAL DEBT</b>                 |               | <b>269,720</b> |              |
| <b>INVESTMENTS</b>                |               |                |              |
| Call Accounts                     |               | 19,347         | 0.01%        |
| Notice Accounts                   |               | 14,530         | 0.40%        |
| Fixed Term Deposits               |               | 10,000         | 0.25%        |
| <b>TOTAL INVESTMENTS</b>          |               | <b>43,877</b>  | 0.19%        |

The Investments above are for treasury management cash balances only and exclude non-cash balances treated as investments under Investment Regulation 31 (see Appendix 3 for categories).

**Capital Expenditure and Borrowing**

1.2 The Council's Gross Capital Expenditure is estimated as:

|                   | 2020/21   | 2021/22  | 2022/23  | 2023/24  | 2024/25  |
|-------------------|-----------|----------|----------|----------|----------|
|                   | Projected | Estimate | Estimate | Estimate | Estimate |
|                   | £000      | £000     | £000     | £000     | £000     |
| Capital Programme | 16,254    | 18,072   | 29,754   | 9,939    | 9,557    |

1.3 The Council's borrowing requirement (which takes account of the estimated Capital Expenditure, borrowing maturing and requiring to be refinanced, and estimated future Council investment balances) is as follows:

|                                    | 2020/21   | 2021/22      | 2022/23       | 2023/24      | 2024/25       |
|------------------------------------|-----------|--------------|---------------|--------------|---------------|
|                                    | Projected | Estimate     | Estimate      | Estimate     | Estimate      |
|                                    | £000      | £000         | £000          | £000         | £000          |
| New borrowing                      | 0         | 0            | 12,400        | 0            | 10,000        |
| Alternative financing arrangements | 0         | 0            | 0             | 0            | 0             |
| Replacement borrowing              | 0         | 7,500        | 7,600         | 7,500        | 0             |
| <b>TOTAL</b>                       | <b>0</b>  | <b>7,500</b> | <b>20,000</b> | <b>7,500</b> | <b>10,000</b> |

- 1.4 The Capital Financing Requirement is the amount of capital expenditure to be funded from borrowing that has not yet been repaid by the Revenue Budget as part of the loan charges.

The Council's Gross External Debt compared to the Capital Financing Requirement as at each year-end (including the effect of the proposed borrowing in paragraph 1.3) is as follows:

|                                     | 2020/21   | 2021/22  | 2022/23  | 2023/24  | 2024/25  |
|-------------------------------------|-----------|----------|----------|----------|----------|
|                                     | Projected | Estimate | Estimate | Estimate | Estimate |
|                                     | £000      | £000     | £000     | £000     | £000     |
| Capital Financing Requirement (CFR) | 292,893   | 285,800  | 297,479  | 287,175  | 278,437  |
| External Debt (Including PPP)       | 259,519   | 255,357  | 265,738  | 263,489  | 271,172  |
| Under/(Over) Against CFR            | 33,374    | 30,443   | 31,741   | 23,686   | 7,265    |

The above table shows that the Council expects to be under borrowed each year. Under borrowing means that the Council is using cash it already has (e.g. in earmarked reserves and other balances) to cash flow capital expenditure rather than bringing in new funds from borrowing. The projected level of under borrowing is considered reasonable but the position is kept under review in light of Council capital financing and other funding requirements.

#### Debt Limits

- 1.5 The Council's Authorised Limit is a control on the maximum level of debt whilst the Operational Boundary is a limit that debt is not normally expected to exceed. It is proposed that the limits are:

|   | 2020/21        | 2021/22        | 2022/23        | 2023/24        | 2024/25        |
|---|----------------|----------------|----------------|----------------|----------------|
|   | Limit          | Limit          | Limit          | Limit          | Limit          |
|   | £000           | £000           | £000           | £000           | £000           |
| <b>Authorised limit for external debt</b>     |                |                |                |                |                |
| Borrowing                                     | 241,000        | 232,000        | 238,000        | 240,000        | 233,000        |
| Other Long Term Liabilities (PPP)             | 61,000         | 61,000         | 60,000         | 58,000         | 55,000         |
| <b>TOTAL</b>                                  | <b>302,000</b> | <b>293,000</b> | <b>298,000</b> | <b>298,000</b> | <b>288,000</b> |
| <b>Operational boundary for external debt</b> |                |                |                |                |                |
| Borrowing                                     | 224,000        | 214,000        | 222,000        | 223,000        | 225,000        |
| Other Long Term Liabilities (PPP)             | 61,000         | 61,000         | 60,000         | 58,000         | 55,000         |
| <b>TOTAL</b>                                  | <b>285,000</b> | <b>275,000</b> | <b>282,000</b> | <b>281,000</b> | <b>280,000</b> |

Approval is being sought for the Authorised Limits for 2021/22 to 2024/25.

- 1.6 The Council sets limits on the maturity of fixed rate and variable rate borrowing for the coming financial year. The limits proposed for 2021/22 are:

| Maturity Structure             | Fixed Rate  |             | Variable Rate |             |
|--------------------------------|-------------|-------------|---------------|-------------|
|                                | Upper Limit | Lower Limit | Upper Limit   | Lower Limit |
| Under 12 months                | 45%         | 0%          | 35%           | 0%          |
| 12 months and within 24 months | 45%         | 0%          | 35%           | 0%          |
| 24 months and within 5 years   | 45%         | 0%          | 35%           | 0%          |
| 5 years and within 10 years    | 45%         | 0%          | 35%           | 0%          |
| 10 years and within 30 years   | 45%         | 0%          | 35%           | 0%          |
| 30 years and within 50 years   | 45%         | 0%          | 35%           | 0%          |
| 50 years and within 70 years   | 45%         | 0%          | 35%           | 0%          |

The proposed limits are the same as set in 2020. They reflect the requirement that the Council's Market debt is treated based not on when the debt is due to actually mature but on when the lender could request an increase in the interest rate (when the Council could accept the increase or repay the debt).

1.7 The Council sets limits relating to the management of debt. The limits proposed are:

|   | 2021/22 | 2022/23 | 2023/24 | 2024/25 | 2020/21                          |
|---|---------|---------|---------|---------|----------------------------------|
|   | Limit   | Limit   | Limit   | Limit   | Projected Outturn at Year-End    |
| Maximum percentage of debt repayable in any year    | 25%     | 25%     | 25%     | 25%     | 19.16%<br>(Repayable in 2077/78) |
| Maximum proportion of debt at variable rates        | 45%     | 45%     | 45%     | 45%     | 22.50%                           |
| Maximum percentage of debt restructured in any year | 30%     | 30%     | 30%     | 30%     | 0.00%                            |

The proposed limits are the same as set in 2020.

1.8 The Prudential Code requires that the Council states how interest rate exposure is managed and monitored:

All of the Council's PWLB debt is currently at fixed rates. The Market debt contains some debt at fixed rates, some small elements at variable rates and some where the rates can change (subject to the terms of the debt contract). The Council's investments, which are all for less than 1 year, are all variable or regarded as variable under the treasury management rules.

These interest rate exposures are managed and monitored by the Council through management reports on treasury management that are received and reviewed by the Chief Financial Officer.

#### Affordability

1.9 In relation to affordability, the ratio of financing costs (including for PPP) to the Council's net revenue stream is estimated as:

|  | 2020/21   | 2021/22  | 2022/23  | 2023/24  | 2024/25  |
|--|-----------|----------|----------|----------|----------|
|  | Projected | Estimate | Estimate | Estimate | Estimate |
| Ratio of financing costs (including PPP) to net revenue stream | 13.54%    | 11.27%   | 11.50%   | 12.03%   | 12.06%   |

The estimated fall in the ratio between 2020/21 and 2021/22 is largely due to the final charges for former Strathclyde Regional Council debt being made in 2020/21.

1.10 The ratio of net debt to the Council's net revenue stream is estimated as:

|   | 2020/21   | 2021/22  | 2022/23  | 2023/24  | 2024/25  |
|---|-----------|----------|----------|----------|----------|
|   | Projected | Estimate | Estimate | Estimate | Estimate |
| Ratio of net debt (debt and PPP less investments) to net revenue stream | 110.0%    | 111.5%   | 121.0%   | 119.3%   | 116.3%   |

#### Investments

1.11 The Council's estimated investments position (after the proposed borrowing in paragraph 1.3) is shown in Appendix 9b and includes transactions treated as investments under the Investment Regulations. Included in Appendix 9b (as Cash balances managed in house) are the following estimated Bank Deposits:

|                                       | 2021/22  | 2022/23  | 2023/24  | 2024/25  |
|---------------------------------------|----------|----------|----------|----------|
|                                       | Estimate | Estimate | Estimate | Estimate |
|                                       | £000     | £000     | £000     | £000     |
| <b>Cash balances managed in house</b> |          |          |          |          |
| 1 April                               | 40,000   | 31,337   | 23,853   | 26,345   |
| 31 March                              | 31,337   | 23,853   | 26,345   | 41,049   |
| Change in year                        | (8,663)  | (7,484)  | 2,492    | 14,704   |

- 1.12 The Council sets upper limits for the total investments invested for over 365 days. The proposed limits are as follows:

|   | 2020/21        | 2021/22        | 2022/23        | 2023/24        | 2024/25        |
|---|----------------|----------------|----------------|----------------|----------------|
|   | Limit          | Limit          | Limit          | Limit          | Limit          |
| Upper limit for total principal sums invested for over 365 days | £000<br>10,000 | £000<br>10,000 | £000<br>10,000 | £000<br>10,000 | £000<br>10,000 |

The Council have not entered into any investments of more than 365 days during 2020/21 to date and does not expect to do so during the remainder of the year.

### Accounting Changes – Leases

- 1.13 As of 31 March 2022 (deferred from 31 March 2021), the accounting treatment of operating leases will change and the value of those leases must be added to the Council's debt and assets. The values for the leases are being determined to comply with the changes to the accounting treatment. Any impact on the indicators and limits will be included in future reports on Treasury Management activities.

## 2.0 PROPOSED TREASURY STRATEGY AND INVESTMENT STRATEGY

### Interest Rate Forecasts

- 2.1 The Council has appointed Link Treasury Services Limited as treasury advisers with part of their service being to assist the Council to formulate a view on interest rates. Link's latest interest rate forecasts (as at 9 February 2021) are:

| As At      | Bank Rate | Investment Rates |         |        | PWLB Borrowing Rates |         |         |         |
|------------|-----------|------------------|---------|--------|----------------------|---------|---------|---------|
|            |           | 3 month          | 6 month | 1 year | 5 year               | 10 Year | 25 year | 50 Year |
|            | %         | %                | %       | %      | %                    | %       | %       | %       |
| March 2021 | 0.10      | 0.10             | 0.10    | 0.20   | 0.90                 | 1.30    | 1.90    | 1.70    |
| June 2021  | ↓         | ↓                | ↓       | ↓      | 0.90                 | 1.30    | 1.90    | 1.70    |
| Sept 2021  | ↓         | ↓                | ↓       | ↓      | 0.90                 | 1.30    | 1.90    | 1.70    |
| Dec 2021   | ↓         | ↓                | ↓       | ↓      | 0.90                 | 1.30    | 1.90    | 1.70    |
| March 2022 | ↓         | ↓                | ↓       | ↓      | 1.00                 | 1.40    | 2.00    | 1.80    |
| June 2022  | ↓         | ↓                | ↓       | ↓      | 1.00                 | 1.40    | 2.00    | 1.80    |
| Sept 2022  | ↓         | ↓                | ↓       | ↓      | 1.10                 | 1.50    | 2.10    | 1.90    |
| Dec 2022   | ↓         | ↓                | ↓       | ↓      | 1.10                 | 1.50    | 2.10    | 1.90    |
| March 2023 | ↓         | ↓                | ↓       | ↓      | 1.10                 | 1.50    | 2.10    | 1.90    |
| June 2023  | ↓         | ↓                | ↓       | ↓      | 1.20                 | 1.60    | 2.20    | 2.00    |
| Sept 2023  | ↓         | ↓                | ↓       | ↓      | 1.20                 | 1.60    | 2.20    | 2.00    |
| Dec 2023   | ↓         | ↓                | ↓       | ↓      | 1.20                 | 1.60    | 2.20    | 2.00    |
| March 2024 | ↓         | ↓                | ↓       | ↓      | 1.20                 | 1.60    | 2.20    | 2.00    |

On 9 October 2019 the PWLB announced an immediate and unexpected 1% increase in interest rates for new borrowing. The 1% increase was removed on 26 November 2020.

- 2.2 The COVID-19 emergency continues to cause considerable economic uncertainty in the UK and around the world with UK Bank rate cut in emergency meetings in March 2020 to a historic low of 0.10% and, as shown above, forecast to remain at that level until at least March 2024. As a result, investment returns are likely to continue to be close to zero including for fixed term deposits and there continue to be a cost of carry for any new borrowing that would cause an increase in investments (for the difference between borrowing and investment interest rates).

There has also been discussion on the possibility of negative interest rates in the UK. There is currently no indication that negative interest rates will be introduced by the Bank of England but in February 2021 they asked financial institutions to begin preparations to be able to implement negative interest rates if necessary in the future.

### Treasury Strategy – Borrowing

- 2.3 The proposed borrowing is as shown in paragraph 1.3 whilst the proposed authorised limit for 2021/22 is shown in paragraph 1.5.

- 2.4 Any borrowing will depend on an assessment by the Chief Financial Officer based on the Council's requirements and financial position, adopting a cautious but pragmatic approach and after seeking advice and interest rate/economic forecasts from the Council's treasury advisers.

Any borrowing undertaken will be reported to the Policy & Resources Committee.

2.5 Policy on Borrowing in Advance of Need

The Council does not and will not borrow more than its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be considered carefully to ensure value for money can be demonstrated and that the Council can ensure the security of such funds.

In determining whether borrowing will be undertaken in advance of need the Council will:

- Consider the definition of such borrowing within the Code on the Investment of Money By Scottish Local Authorities
- Ensure that there is a clear link between the capital programme and maturity profile of the existing debt portfolio which supports the need to take funding in advance of need
- Ensure the ongoing revenue liabilities created, and the implications for the future plans and for the budgets have been considered
- Evaluate the economic and market factors that might influence the manner and timing of any decision to borrow
- Consider the merits and demerits of alternative forms of funding
- Consider the alternative interest rate bases available, the most appropriate periods to fund and repayment profiles to use
- Consider the impact of borrowing in advance on temporarily (until required to finance capital expenditure) increasing investment cash balances and the consequent increase in exposure to counterparty risk and other risks and the level of such risks given the controls in place to minimise them.

The maximum extent to which borrowing in advance would be undertaken by this Council is the borrowing requirement identified in paragraph 1.3 above for 2021/2024.

**Treasury Strategy - Debt Rescheduling**

- 2.6 PWLB-to-PWLB debt restructuring, whilst an option and having been done in the past before changes to PWLB rules in 2007 and 2010, would give rise to large premiums that would be incurred by prematurely repaying existing PWLB loans. It remains possible but very unlikely that these could be justified on value for money grounds if using replacement PWLB refinancing.
- 2.7 As short term borrowing rates are expected to be cheaper than longer term rates, there may be potential opportunities to generate savings by switching from long term debt to short term debt. However, these savings will need to be considered in the light of their short term nature and the likely cost of refinancing those short term loans, once they mature, compared to the current rates of longer term debt in the existing debt portfolio.
- 2.8 The Council is more likely to look at making savings by running down investment balances as short term rates on investments are expected to continue to be significantly lower than the rates paid on the debt currently held.
- 2.9 The reasons for any rescheduling to take place will include:
- The generation of cash savings and/or discounted cash flow savings but at minimum risk;
  - Helping to fulfil the strategy outlined above; and
  - Enhancing the balance of the portfolio (amending the maturity profile and/or the balance of volatility).
- 2.10 Any debt rescheduling will be reported to the Policy & Resources Committee and the Full Council and will be within the Treasury Policy Limits.

## **Investments – Policies/Strategy**

### 2.11 Investment Policy

The Council will have regard to the Local Government Investment (Scotland) Regulations 2010 and accompanying finance circular and the revised CIPFA Treasury Management in the Public Services Code of Practice and Cross-Sectoral Guidance Notes (“the CIPFA TM Code”). The Council’s investment priorities are:

- (a) The security of capital  
and
- (b) The liquidity of its investments.

The Council will also aim to achieve the optimum return on its investments commensurate with proper levels of security and liquidity. The risk appetite of this Council is low in order to give priority to the security of its investments.

2.12 The borrowing of monies purely to invest or on-lend and make a return is unlawful and this Council will not engage in such activity.

2.13 Counterparty limits will be as set through the Council’s Treasury Management Practices.

2.14 At the end of the financial year, the Council will report on its investment activity as part of its Annual Treasury Report.

### 2.15 Permitted Investment Types

There are a large number of investment instruments that the Council could use, each having different features and risks.

The list of investment instruments proposed for possible use by the Council (including those for the Common Good Fund) and for which Council approval is being sought are listed in Appendix 9a along with details of the risks from each type of investment.

The list of proposed investments reflects a low risk appetite and approach to investments by the Council.

### **There are no changes to the proposed Permitted Investments from those agreed in 2020.**

### 2.16 Creditworthiness Policy

The Council’s proposed Creditworthiness Policy for 2021/22, as follows, is unchanged from that agreed in 2020.

2.17 The Council uses the creditworthiness service provided by Link Treasury Services Limited. This service uses a sophisticated modelling approach using credit ratings from the three main rating agencies - Fitch, Moody’s, and Standard and Poor’s. The credit ratings of counterparties are supplemented with the following overlays:

- Credit watches and credit outlooks from credit rating agencies (indicating the likelihood of ratings changes for a counterparty or the expected direction of ratings for a counterparty)
- Credit Default Swap (“CDS”) spreads to give early warning of likely changes in credit ratings
- Sovereign ratings to select counterparties from only the most creditworthy countries.

2.18 This modelling approach combines credit ratings, credit watches and credit outlooks in a risk weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are also used by the Council to determine the duration for investments.

The approach is reviewed by Link as required in light of banking system and regulatory changes e.g. as happened with the reduction in importance of support ratings for individual banks due to the removal of implied government support to banks.

- 2.19 The Council will use counterparties within the following durational bands and with the following limits per counterparty (bands and limits as set through the Council's Treasury Management Practices):

| Colour Category                                   | Maximum Period for Individual Investments | Current Limit for Total Investments with Individual Counterparty |
|---|---|--|
| Purple  | 2 Years                                   | £15m   |
| Blue (Nationalised or Semi-Nationalised UK Banks) | 1 Year                                    | £15m   |
| Orange  | 1 Year                                    | £15m   |
| Red   | 6 Months                                  | £15m   |
| Green   | 100 Days                                  | £10m   |
| No Colour   | Not To Be Used                            | £NIL   |

The maximum period for individual investments with the Council's own bankers will be as in accordance with the above table whilst the limit for total investments with them will be £50m or as agreed by Committee or Full Council. The limit for any other group of counterparties will be £30m or as agreed by Committee or Full Council.

Members should note that these are the maximum periods for which any investment with a counterparty meeting the criteria would take place but subject to the Council's policy on Permitted Investments and instruments.

- 2.20 The Link creditworthiness service uses a wider array of information than just primary ratings and, by using a risk weighted scoring system, does not give undue preponderance to just one agency's ratings.

Typically the minimum credit ratings criteria the Council use will be a short term rating (Fitch or equivalents) of Short Term rating of F1 and a Long Term rating of A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.

- 2.21 All credit ratings are monitored on an ongoing basis. The Council is alerted to changes to ratings of all three agencies through its use of the Link creditworthiness service.
- If a downgrade results in the counterparty/investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
  - In addition to the use of Credit Ratings the Council will be advised of information in movements in Credit Default Swap spreads against a benchmark (the iTraxx index) and other market data on a weekly basis. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.

Sole reliance will not be placed on the use of this external service. The Council also uses (where available) market data and market information, information on government support for banks and the credit ratings of that government support.

- 2.22 It is proposed that the Council will only use approved counterparties:
- a. from the UK
  - or
  - b. from countries with a minimum sovereign credit rating of AA- from Fitch Ratings (or equivalent from other agencies if not issued by Fitch). Countries currently meeting this criterion (as at 19 February 2021) include Australia, Canada, France, Germany, Sweden, the USA, and the UK.

- 2.23 Investment Strategy  
Appendix 9b includes forecasts of investment balances.

- 2.24 The Bank Rate was cut to 0.10% in March 2020 and is not forecast to change before March 2024 so the Bank Rate forecasts from Link for financial year ends (March) are as follows:
- 2021/22 0.10%
  - 2022/23 0.10%
  - 2023/24 0.10%.
- 2.25 Link advise that, for 2021/22, clients should budget for an investment return of 0.10% on investments placed during the financial year for periods of up to 100 days.
- 2.26 The Council uses an investment benchmark to assess the performance of its investments. The benchmark currently used is the 3 month LIBID (uncompounded) interest rate. The provision of LIBID rates is expected to cease by the end of 2021 so the Council will take advice from its treasury advisers on a suitable alternative benchmark.
- 2.27 The Council will avoid locking into longer term deals unless attractive rates are available with counterparties of particularly high creditworthiness which make longer term deals worthwhile and within the risk parameters set by this Council.

#### **Policy on Use of External Service Providers**

- 2.28 The Council uses Link Treasury Services Limited as its external treasury management advisers and uses the services of brokers for investment deals as required.
- 2.29 The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon external service providers. All decisions will be undertaken with regards to all available information including, but not solely, the treasury advisers.
- 2.30 The Council also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

#### **Policy on Scrutiny, Monitoring and Change of Investment Policies and Practices**

- 2.31 The Treasury Management Practices (TMPs) of the Council set out the operational policies and procedures in place to implement the treasury management strategy and the principles set out in the treasury management policy statement. They are intended to minimise the risk to the capital sum of investments and for optimising the return on the funds consistent with those risks.
- 2.32 The TMPs are kept under review, with a full revision every 3 years. The latest full revision took place in 2021.
- 2.33 A copy of the TMPs may be obtained from Finance Services.

#### **Training for Members**

- 2.34 The last training session on Treasury Management was held for Members on 4 August 2017 and a training session is planned for 2021.

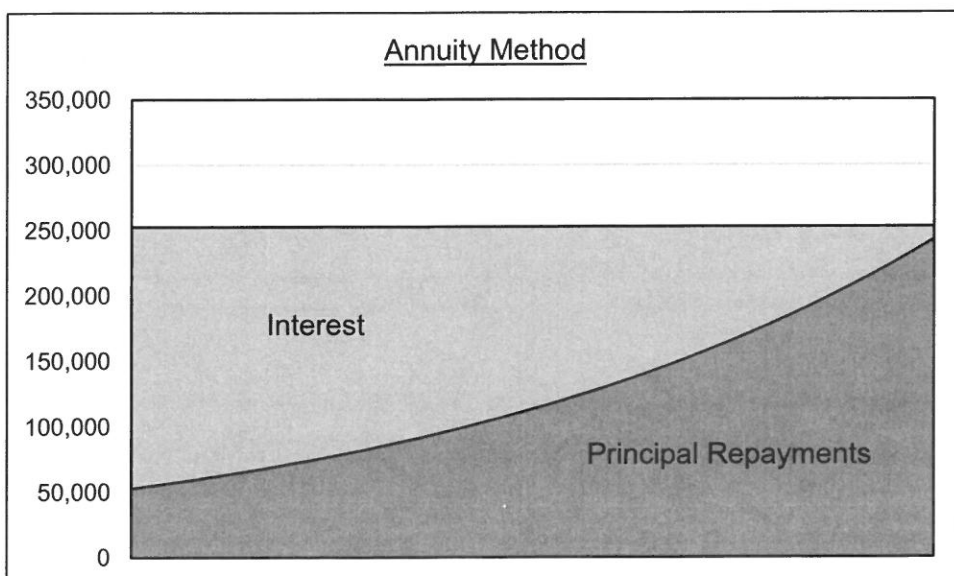
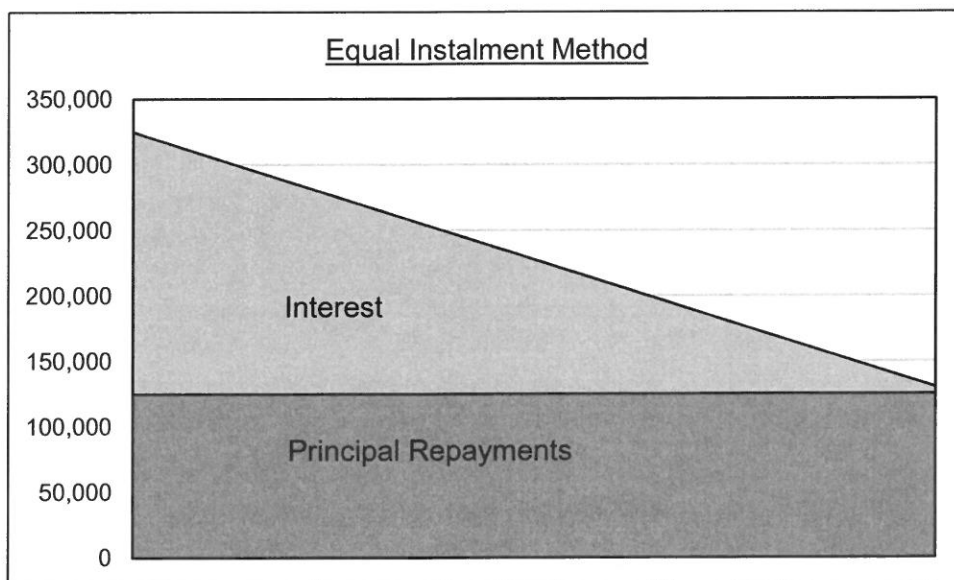
### **3.0 LOANS FUND ADVANCES**

- 3.1 Where capital expenditure is funded by borrowing (referred to as loans fund advances), the debt financing costs are paid from the Revenue Budget as loan charges comprised of the repayment of debt and interest and expenses costs on the borrowing.



- 3.2 The Council is required to set out its policy for the repayment of loans fund advances from options set by the Scottish Government:
- For loans fund advances made before 1 April 2016 the policy will be to maintain the practice of previous years and use the Statutory Method with annual principal repayments being calculated using the annuity method.
  - The annuity method is also being used for loans fund advances made after 1 April 2016 for the 5 year transitional period to the end of 2020/21. In applying the annuity method to new advances in any year, the interest rate used in the annuity calculation will be the Council's loans fund pool rate for the year (including expenses) as rounded up to the nearest 0.01%.
  - Of the options available for new capital expenditure from 1 April 2021 onwards, it was previously proposed to use the equal instalment method (where repayments start higher than under the annuity method but do not change during the write-off period) but it is now proposed to use the annuity method with the interest rate used being as in b. above.

The proposed change in the repayment method follows work done by the Council's treasury advisers for the CIPFA Directors of Finance on debt financing which is likely to lead to most Scottish local authorities using the annuity method. This includes the issues around affordability in the early years of projects where, as in the Council's example graphs below for the same loan amount, period and interest rate, the equal instalment method has higher costs in the early years whereas the annuity method has the same annual costs over the life of the loan.



3.3 The outstanding loans fund advances (representing capital expenditure still to be repaid from the Revenue Budget) are:

|   | 2019/20 | 2020/21   | 2021/22   |
|---|---------|-----------|-----------|
|   | Actual  | Projected | Estimated |
|   | £000    | £000      | £000      |
| Balance As At 1 April   | 244,190 | 240,871   | 233,277   |
| Add: Adjustment to B/F Balance<br>Following Loan Charge Review 2019 | 1,411   | 0         | 0         |
|   | 245,601 | 240,871   | 233,277   |
| Add: Advances For The Year  | 7,057   | 4,686     | 2,858     |
| Less: Repayments For The Year                                       | 11,787  | 12,280    | 8,325     |
| Balance As At 31 March  | 240,871 | 233,277   | 227,810   |

3.4 For the projected loans fund advances outstanding as at 31 March 2021, the liability to make future repayments (excluding debt interest and expenses) is as follows:

|              | £000    |
|--------------|---------|
| Year 1       | 8,325   |
| Years 2-5    | 32,014  |
| Years 6-10   | 40,159  |
| Years 11-15  | 40,242  |
| Years 16-20  | 34,700  |
| Years 21-25  | 34,343  |
| Years 26-30  | 24,343  |
| Years 31-35  | 11,265  |
| Years 36-40  | 3,947   |
| Years 41-45  | 1,147   |
| Years 46-50  | 1,010   |
| Years 51-55  | 1,130   |
| Years 56-60  | 157     |
| Years 61-65  | 33      |
| Years 66-70  | 40      |
| Years 71-75  | 48      |
| Years 76-80  | 57      |
| Years 81-85  | 68      |
| Years 86-90  | 81      |
| Years 91-95  | 97      |
| Years 96-100 | 71      |
| TOTAL        | 233,277 |

**PERMITTED INVESTMENTS  
AND RISKS/CONTROLS/OBJECTIVES FOR EACH TYPE OF PERMITTED INVESTMENT**

The Council approves the following forms of investment instrument for use as Permitted Investments:

|  | Minimum Credit Criteria  | Liquidity Risk   | Market Risk      | Max % of Total Investments | Max. Maturity Period |
|--|--|------------------|------------------|----------------------------|----------------------|
| <b>Deposits</b>  |  |                  |                  |                            |                      |
| Debt Management Agency Deposit Facility (DMADF)  | ---  | Term             | No               | Unlimited                  | 6 Months             |
| Term Deposits – Local Authorities  | ---  | Term             | No               | 80%                        | 2 Years              |
| Call Accounts – Banks and Building Societies   | Link Colour Category GREEN                                     | Instant          | No               | Unlimited                  | Call Facility        |
| Notice Accounts – Banks and Building Societies   | Link Colour Category GREEN                                     | Notice Period    | No               | 80%                        | 6 Months             |
| Term Deposits – Banks and Building Societies   | Link Colour Category GREEN                                     | Term             | No               | 95%                        | 2 Years              |
| <b>Deposits With Counterparties Currently In Receipt of Government Support / Ownership</b> |  |                  |                  |                            |                      |
| Call Accounts – UK Nationalised/ Part-Nationalised Banks                                   | Link Colour Category BLUE                                      | Instant          | No               | Unlimited                  | Call Facility        |
| Notice Accounts – UK Nationalised/ Part-Nationalised Banks                                 | Link Colour Category BLUE                                      | Notice Period    | No               | 80%                        | 6 Months             |
| Term Deposits – UK Nationalised/ Part-Nationalised Banks                                   | Link Colour Category BLUE                                      | Term             | No               | 95%                        | 1 Year               |
| <b>Securities</b>  |  |                  |                  |                            |                      |
| Certificates of Deposit – Banks and Building Societies                                     | Link Colour Category GREEN                                     | See Note 1 Below | See Note 1 Below | 80%                        | 2 Years              |
| <b>Collective Investment Schemes structured as Open Ended Investment Companies (OEICs)</b> |  |                  |                  |                            |                      |
| Money Market Funds (CNAV or LVNAV)   | AAAmf with Fitch or equivalent with Moody's/ Standard & Poor's | See Note 2 Below | See Note 2 Below | 50%                        | Call Facility        |

**Notes:**

1. The Liquidity Risk on a Certificate of Deposit is for the Term of the Deposit (if the Certificate is held to maturity) or the Next Banking Day (if sold prior to maturity). There is no Market Risk if the Certificate is held to maturity, only if the Certificate is sold prior to maturity (with an implied assumption that markets will not freeze up and so there will be a ready buyer).
2. The objective of Money Market Funds is to maintain the value of assets but such Funds hold assets that can vary in value. The credit ratings agencies, however, require the unit values to vary by almost zero. CNAV funds are Public Debt Constant Net Asset Value funds whilst LVNAV funds are Low Volatility Net Asset Value funds. There are also Variable Net Asset Value funds (VNAV) but these are not to be included as Permitted Investments.

Investments will only be made with banks/building societies that do not have a credit rating in their own right where the Council's treasury advisers have confirmed that any obligations of that bank/building society are guaranteed by another bank/building society with suitable ratings.

The Council will only use approved counterparties from the UK or from countries with a minimum sovereign credit rating of AA- from Fitch Ratings (or equivalent from other agencies if Fitch does not provide). Countries currently meeting this criterion include Australia, Canada, France, Germany, Sweden, the USA, and the UK.

### **Non-Treasury Investments**

In addition to the table of treasury investments above, the definition of "investments" under the Investment Regulations includes the following items:

- "(a) All share holding, unit holding and bond holding, including those in a local authority owned company, is an investment.
- (b) Loans to a local authority company or other entity formed by a local authority to deliver services, is an investment.
- (c) Loans made to third parties are investments.
- (d) Loans made by a local authority to another authority or harbour authority using powers contained in Schedule 3, paragraph 10 or 11 of the Local Government (Scotland) Act 1975 are not investments.
- (e) Investment property is an investment."

The Council approves items in categories (a), (b), (c), and (e) above as Permitted Investments as set-out below:

|  | <b>Minimum Credit Criteria</b>   | <b>Liquidity Risk</b> | <b>Market Risk</b> | <b>Max % of Total Investments</b> | <b>Max. Maturity Period</b> |
|--|--|-----------------------|--------------------|-----------------------------------|-----------------------------|
| <b>Non-Treasury Investments</b>  |  |                       |                    |                                   |                             |
| (a) Share holding, unit holding and bond holding, including those in a local authority owned company   | Assessment would be made of company in which any holding was to be made        | Period of holding     | Yes                | 10%                               | Unlimited                   |
| (b) Loans to a local authority company or other entity formed by a local authority to deliver services | Assessment would be made of company or entity to which any loan was to be made | Period of loan        | No                 | 20%                               | Unlimited                   |
| (c) Loans made to third parties  | Assessment would be made of third party to which any loan was to be made       | Period of loan        | No                 | 25%                               | Unlimited                   |
| (e) Investment property  | Assessment would be made of property to be held as investment property         | Period of holding     | Yes                | 10%                               | Unlimited                   |

In relation to the above, Members should note that the Council is unlikely to become involved with category (a), has a loan under category (b) (to Inverclyde Leisure), will have loans to third parties under category (c) arising from decisions on such loans made by the Council, and may have investment property under category (e) should there be a reclassification, due to accounting rules, of individual properties held by the Council.

### **Permitted Investments – Common Good**

The Common Good Fund's permitted investments are approved as follows:

|  | <b>Minimum Credit Criteria</b>  | <b>Liquidity Risk</b> | <b>Market Risk</b> | <b>Max % of Total Investments</b> | <b>Max. Maturity Period</b> |
|--|---|-----------------------|--------------------|-----------------------------------|-----------------------------|
| Funds deposited with Inverclyde Council  | ---   | Instant               | No                 | Unlimited                         | Unlimited                   |
| Share holding, unit holding and bond holding, including those in a local authority owned company | Assessment would be made of company in which any holding was to be made | Period of holding     | Yes                | 10%                               | Unlimited                   |
| Investment property  | Assessment would be made of property to be held as investment property  | Period of holding     | Yes                | 95%                               | Unlimited                   |

### **Treasury Risks Arising From Permitted Instruments**

All of the investment instruments in the above tables are subject to the following risks:

1. **Credit and counter-party risk**

This is the risk of failure by a counterparty (bank or building society) to meet its contractual obligations to the Council particularly as a result of the counterparty's diminished creditworthiness, and the resulting detrimental effect on the Council's capital or current (revenue) resources. There are no counterparties where this risk is zero although AAA-rated organisations have the highest, relative, level of creditworthiness.

2. **Liquidity risk**

This is the risk that cash will not be available when it is needed. While it could be said that all counterparties are subject to at least a very small level of liquidity risk as credit risk can never be zero, in this document liquidity risk has been treated as whether or not instant access to cash can be obtained from each form of investment instrument. The column in the above tables headed as 'market risk' show each investment instrument as being instant access, notice period i.e. money is available after the notice period (although it may also be available without notice but with a loss of interest), or term i.e. money is locked in until an agreed maturity date.

3. **Market risk**

This is the risk that, through adverse market fluctuations in the value of the principal sums that the Council borrows and invests, its stated treasury management policies and objectives are compromised, against which effects it has failed to protect itself adequately. However, some cash rich local authorities may positively want exposure to market risk e.g. those investing in investment instruments with a view to obtaining a long term increase in value.

4. **Interest rate risk**

This is the risk that fluctuations in the levels of interest rates create an unexpected or unbudgeted burden on the Council's finances, against which the Council has failed to protect itself adequately. This authority has set limits for its fixed and variable rate exposure in its Prudential Indicators and Treasury Management Indicators in this report.

5. **Legal and regulatory risk**

This is the risk that the Council, or an organisation with which it is dealing in its treasury management activities, fails to act in accordance with its legal powers or regulatory requirements, and that the Council suffers losses accordingly.

The risk exposure of various types of investment instrument can be summarised as:

- low risk = low rate of return
- higher risk = higher rate of return.

For liquidity, the position can be summarised as:

- high liquidity = low return
- low liquidity = higher returns.

## **Controls on Treasury Risks**

### **1. Credit and counter-party risk**

This Council has set minimum credit criteria to determine which counterparties and countries are of sufficiently high creditworthiness to be considered for investment purposes.

### **2. Liquidity risk**

This Council undertakes cash flow forecasting to enable it to determine how long investments can be made for and how much can be invested.

### **3. Market risk**

The only investment instruments that the Council has agreed as Permitted Investments and that can have market risk are Certificates of Deposit. Although they have a market value that fluctuates, the market risk does not arise if the Certificates are retained until maturity - only if they were traded prior to maturity if the need arose.

### **4. Interest rate risk**

This Council manages this risk by having a view of the future course of interest rates and then formulating a treasury management strategy accordingly which aims to maximise investment earnings consistent with control of risk or, alternatively, seeks to minimise expenditure on interest costs on borrowing.

### **5. Legal and regulatory risk**

This Council will not undertake any form of investing until it has ensured that it has all necessary powers and also complied with all regulations.

## **Unlimited Investments**

Investment Regulation 24 states that an investment can be shown in the above Permitted Investments tables as being 'unlimited' in terms of the maximum amount or percentage of the total portfolio that can be put into that type of investment. However, it also requires that an explanation must be given for using that category.

The authority has given the following types of investment an unlimited category:

### **1. Debt Management Agency Deposit Facility (DMADF)**

This is considered to be the lowest risk form of investment available to local authorities as it is operated by the Debt Management Office which is part of H.M. Treasury i.e. the UK Government's credit rating stands behind the DMADF. It is also a deposit account and avoids the complications of buying and holding Government-issued treasury bills or gilts.

### **2. High Credit Worthiness Banks and Building Societies**

See paragraphs 2.16 to 2.22 of Appendix 9 for an explanation of this authority's definition of high credit worthiness. While an unlimited amount of the investment portfolio may be put into banks and building societies with high credit worthiness, the authority will seek to ensure diversification of its portfolio with the following limits:

- Limit for any single institution (except Council's bankers): £15m
- Limit for Council's bankers: £50m (or as approved by the Council or Committee)
- Limit for any one group of counterparties: £30m (£50m or as approved by the Council or Committee for the group including the Council's bankers).

### **3. Funds Deposited with Inverclyde Council (for Common Good funds)**

This has been included so that, under the Permitted Investments, all funds belonging to the Common Good can be deposited with Inverclyde Council (and receive interest from the Council) rather than requiring the Common Good funds to be invested under separate Treasury Management arrangements.

## Objectives of Each Type of Investment Instrument

Investment Regulation 25 requires an explanation of the objectives of every type of investment instrument which an authority approves as being 'permitted':

### 1. Deposits

The following forms of 'investments' are actually more accurately called deposits as cash is deposited in an account until an agreed maturity date, or until the end of an agreed notice period, or is held at call.

#### a) Debt Management Agency Deposit Facility (DMADF)

This offers the lowest risk form of investment available to local authorities as it is effectively an investment placed with the Government. It is also easy to use as it is a deposit account and avoids the complications of buying and holding Government issued treasury bills or gilts. As it is low risk it also earns low rates of interest. It is, however, very useful for authorities whose overriding priority is the avoidance of risk. The longest term deposit that can be made with the DMADF is 6 months.

#### b) Term deposits with high credit worthiness banks and building societies

See paragraphs 2.16 to 2.22 of Appendix 9 for an explanation of this authority's definition of high credit worthiness. This is the most widely used form of investing used by local authorities. It offers a much higher rate of return than the DMADF (dependent on term). The Council will seek to ensure diversification of its portfolio of deposits as practicable and as explained above. In addition, longer term deposits offer an opportunity to increase investment returns by locking in high rates ahead of an expected fall in the level of interest rates. At other times, longer term rates can offer good value when the markets incorrectly assess the speed and timing of interest rate increases. This form of investing therefore, offers a lot of flexibility and higher earnings than the DMADF. Where it is restricted is that once a longer term investment is made, that cash is locked in until the maturity date.

#### c) Notice accounts with high credit worthiness banks and building societies

The objectives are as for 1.b) above but there is access to cash after the agreed notice period (and sometimes access without giving notice but with loss of interest). This can mean accepting a lower rate of interest than that which could be earned from the same institution by making a term deposit.

#### d) Call accounts with high credit worthiness banks and building societies

The objectives are as for 1.b) above but there is instant access to recalling cash deposited. This generally means accepting a lower rate of interest than that which could be earned from the same institution by making a term deposit. Some use of call accounts is highly desirable to ensure that the authority has ready access to cash when needed to pay bills.

### 2. Deposits With Counterparties Currently In Receipt of Government Support/Ownership

These institutions offer another dimension of creditworthiness in terms of Government backing through either direct (partial or full) ownership or the banking support package. The view of this Council is that such backing makes these banks attractive institutions with whom to place deposits, and that will remain our view even if the UK sovereign rating were to be downgraded in the coming year.

#### a) Term deposits, notice accounts and call accounts with high credit worthiness banks which are fully or semi nationalised

As for 1.b), 1.c) and 1.d) above but Government ownership implies that the Government stands behind this bank and will be deeply committed to providing whatever support that may be required to ensure the continuity of that bank. This Council considers that this indicates a low and acceptable level of residual risk.

### 3. Securities

#### a) Certificates of Deposit

These are shorter term negotiable instruments issued by deposit taking institutions (mainly banks) so they can be sold ahead of maturity if the need arises. However, that liquidity (and flexibility) comes at a price so the interest rate on a Certificate of Deposit is less than placing a Term Deposit with the same bank.

4. Collective Investment Schemes structured as Open Ended Investment Companies (OEICs)

a) Money Market Funds (MMFs)

By definition, MMFs are AAA rated and are widely diversified, using many forms of money market securities including types which this authority does not currently have the expertise or risk appetite to hold directly. However, due to the high level of expertise of the fund managers and the huge amounts of money invested in MMFs, and the fact that the weighted average maturity (WAM) cannot exceed 60 days, MMFs offer a combination of high security, instant access to funds, high diversification and good rates of return compared to equivalent instant access facilities. They are particularly advantageous in falling interest rate environments as their 60 day WAM means they have locked in investments earning higher rates of interest than are currently available in the market. MMFs also help an authority to diversify its own portfolio as e.g. a £2m investment placed directly with HSBC is a 100% risk exposure to HSBC whereas £2m invested in a MMF may end up with say £10,000 being invested with HSBC through the MMF. For authorities particularly concerned with risk exposure to banks, MMFs offer an effective way of minimising risk exposure while still getting much better rates of return than available through the DMADF.

5. Non-Treasury Investments

b) Share holding, unit holding and bond holding, including those in a local authority owned company

The objectives for the holding of shares, units, or bonds (including those in a local authority owned company) will vary depending on whether the Council wishes to undertake actual investments in the market or has the holding as a result of a previous decision relating to the management or provision of Council services. This Council will not undertake investments in the market in shares, units, or bonds but may, if required, hold shares, units, or bonds arising from any decisions taken by the Council in relation to the management or provision of Council services.

c) Loans to a local authority company or other entity formed by a local authority to deliver services

Having established a company or other entity to deliver services, a local authority may wish to provide loan funding to assist the company or entity. Any such loan funding would be provided only after consideration of the reasons for the loan, the repayment period for the loan, and the likelihood that the loan would be able to be repaid by the company or entity. Such loan funding would be provided from Council Revenue Reserves rather than from borrowing.

d) Loans made to third parties

Such loans could be provided for a variety of reasons such as economic development or to assist local voluntary groups. Any such loan funding would be provided only after consideration of the reasons for the loan, the repayment period for the loan, and the likelihood that the loan would be able to be repaid by the third party concerned.

e) Investment property

An investment in property would give the Council exposure to risks such as market risk (movements in property prices), maintenance costs, tenants not paying their rent, leasing issues, etc. This Council does not currently undertake investments involving property but may have investment property should there be a reclassification, due to accounting rules, of individual properties held by the Council.



**FORECASTS OF INVESTMENT BALANCES**

Investment Regulation 31 requires the Council to provide forecasts for the level of investments for the next three years, in line with the time frame of the Council's capital investment programme. The following forecasts are for the next four years:

| <b>INVESTMENT FORECASTS</b>  | <b>2021/22</b>  | <b>2022/23</b>  | <b>2023/24</b>  | <b>2024/25</b>  |
|--|-----------------|-----------------|-----------------|-----------------|
|  | <b>Estimate</b> | <b>Estimate</b> | <b>Estimate</b> | <b>Estimate</b> |
|  | <b>£000</b>     | <b>£000</b>     | <b>£000</b>     | <b>£000</b>     |
| <b>Cash balances managed in house</b>  |                 |                 |                 |                 |
| 1 April  | 40,000          | 31,337          | 23,853          | 26,345          |
| 31 March   | 31,337          | 23,853          | 26,345          | 41,049          |
| Change in year   | (8,663)         | (7,484)         | 2,492           | 14,704          |
| Average daily cash balances  | 35,669          | 27,595          | 25,099          | 33,697          |
| <b>Holdings of shares, bonds, units (includes authority owned company)</b>                       |                 |                 |                 |                 |
| 1 April  | 2               | 2               | 2               | 2               |
| Purchases  | 0               | 0               | 0               | 0               |
| Sales  | 0               | 0               | 0               | 0               |
| 31 March   | 2               | 2               | 2               | 2               |
| <b>Loans to local authority company or other entity to deliver services (Inverclyde Leisure)</b> |                 |                 |                 |                 |
| 1 April  | 442             | 399             | 578             | 519             |
| Advances   | 0               | 235             | 0               | 0               |
| Repayments   | 43              | 56              | 59              | 61              |
| 31 March   | 399             | 578             | 519             | 458             |
| <b>Loans made to third parties (2021/22 is largely remaining BPRA)</b>                           |                 |                 |                 |                 |
| 1 April  | 1,402           | 112             | 91              | 76              |
| Advances   | 0               | 0               | 0               | 0               |
| Repayments   | 1,290           | 21              | 15              | 7               |
| 31 March   | 112             | 91              | 76              | 69              |
| <b>Investment properties</b>   |                 |                 |                 |                 |
| 1 April  | 0               | 0               | 0               | 0               |
| Purchases  | 0               | 0               | 0               | 0               |
| Sales  | 0               | 0               | 0               | 0               |
| 31 March   | 0               | 0               | 0               | 0               |
| <b>TOTAL OF ALL INVESTMENTS</b>  |                 |                 |                 |                 |
| 1 April  | 41,846          | 31,850          | 24,524          | 26,942          |
| 31 March   | 31,850          | 24,524          | 26,942          | 41,578          |
| Change in year   | (9,996)         | (7,326)         | 2,418           | 14,636          |

The movements in the forecast investment balances shown above are due largely to ongoing treasury management activity in accordance with the Council's treasury management strategy or, for loans made to third parties, in accordance with Council decisions made in respect of such loans.

All of the Council's cash balances are managed in-house with no funds managed by external fund managers.

The "holdings of shares, bonds, units (includes authority owned company)" relate to the Common Good.