

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

The Inverclyde Council

Thursday 18 February 2021 at 4pm

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

Chair: Provost Brennan presided.

In attendance: Chief Executive, Corporate Director Environment, Regeneration & Resources, Corporate Director Education, Communities & Organisational Development, Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership, Chief Financial Officer, Head of Legal & Property Services, Ms S Lang and Ms D Sweeney (Legal & Property Services), Head of Organisational Development, Policy & Communications, Interim Head of Service – Covid Response, Head of Regeneration, Planning & Public Protection, ICT Services Manager and Service Manager, Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

65 Apologies and Declarations of Interest 65

An apology for absence was intimated on behalf of Councillor Jackson.

Councillors Clocherty, C McEleny, Moran and Murphy declared an interest in Agenda Item 6 (Campaign to Keep the £20 a Week Universal Credit Increase – Notice of Motion by Councillor C McEleny).

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

66 Appointment Panel – Head of Legal Services – 25 November 2020 66

Approved on the motion of Councillor Clocherty.

Councillor Nelson entered the meeting at this juncture.

67 The Inverclyde Council – 3 December 2020 67

Approved on the motion of Provost Brennan.

68 General Purposes Board – 9 December 2020 68

Approved on the motion of Councillor Dorrian.

69 Environment & Regeneration Committee (Special) – 17 December 2020 69

Approved on the motion of Councillor McCormick.

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

70	Appointment Panel – Head of Legal Services – 18 December 2020	70
	Approved on the motion of Councillor Clocherty.	
71	Planning Board – 6 January 2021	71
	Approved on the motion of Councillor Clocherty.	
72	Policy & Resources Committee (Special) – 7 January 2021	72
	Approved on the motion of Councillor McCabe.	
73	Health & Social Care Committee – 7 January 2021	73
	Approved on the motion of Councillor Moran.	
74	Audit Committee – 12 January 2021	74
	Approved on the motion of Councillor Rebecchi.	
75	Environment & Regeneration Committee – 14 January 2021	75
	Approved on the motion of Councillor McCormick.	
76	Education & Communities Committee – 19 January 2021	76
	Approved on the motion of Councillor Clocherty.	
77	Human Resources Appeals Board – 26 January 2021	77
	Approved on the motion of Councillor Clocherty.	
78	Policy & Resources Committee – 2 February 2021	78
	Approved on the motion of Councillor McCabe.	
79	Planning Board – 3 February 2021	79
	Approved on the motion of Councillor Wilson.	
80	Local Police & Fire Scrutiny Committee – 4 February 2021	80
	Approved on the motion of Councillor McVey.	
81	General Purposes Board – 10 February 2021	81
	Approved on the motion of Councillor Dorrian.	

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

82 Budget Update and Approval of the 2021/22 Band D Council Tax 82

There was submitted a report by the Chief Financial Officer (1) providing an update regarding the 2021/22 Scottish Government Draft Budget Settlement and the latest position of the Council's 2021/23 Budget and (2) seeking approval of the Band D Council Tax for the year 2021/22.

Decided:

- (1) that the Draft Scottish Budget Settlement and in particular the update provided regarding the draft Local Government funding position be noted;
- (2) that the timescales for finalising the Scottish Budget and the potential for the detail of the Budget to change in the coming weeks be noted;
- (3) that approval be given to the proposals in Appendix 1 and that it be agreed to note the 2021/23 Revenue Budget position in Appendix 2, in light of the draft Local Government grants figures;
- (4) that it be agreed to freeze the Council Tax for 2021/22 and access the £1.198m Council Tax Freeze grant; and
- (5) that, after considering the advice from the Monitoring Officer and Chief Financial Officer regarding separating the Council Tax approval and budget setting dates, agreement be given to the setting of the level of Band D Council Tax for Inverclyde in 2021/22 at this meeting.

83 Resolution: Setting of Band D Council Tax for 2021/22 83

Arising from the foregoing paragraph Councillor McCabe seconded by Councillor Clocherty moved that there be no increase in the Council Tax for the financial year 2021/22 and accordingly resolved to set the Band D Council Tax at £1,331.84.

Decided: that the Band D Council Tax for 2021/22 be set at £1,331.84.

84 Strathclyde Pension Fund – Notice of Motion by Councillor J McEleny 84

There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising of the receipt of a Notice of Motion by Councillor J McEleny, countersigned by Councillor Crowther, submitted in terms of Standing Order 22 in the following terms, as amended at the meeting:

“The Strathclyde Pension Fund (SPF) is known to hold shares in 11 of the world's 20 biggest arms manufacturers, including some involved in the production or maintenance of nuclear weapons or their delivery systems. Any investments in nuclear weapons producers are at odds with the Treaty for the Prohibition of Nuclear Weapons (TPNW). Council calls on Strathclyde Pension Fund to work towards eliminating current and future financial exposure to companies that are involved in arms manufacturing, giving due regard to fiduciary duty.

Council also calls on Strathclyde Pension Fund:

- (1) to adopt a statement of investment principles that explicitly set out the pension fund position on key Environment, Social and Governance (ESG) issues including climate change, human trafficking, child labour, the arms industry, tax avoidance and workers' rights;
- (2) to systematically assess the risks associated with their investments concerning ESG policies;
- (3) to set targets for positive, responsible investment in specific sectors, including low-carbon infrastructure, housing and low emission transport.”

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

As an amendment Councillor Wilson seconded by Councillor Brooks moved:

“The UK is a signatory to the 1970 Nuclear Non-Proliferation Treaty, is a member of NATO and not a signatory to the Treaty on the Prohibition of Nuclear Weapons. Under those circumstances we should support the committee and trustees of Strathclyde Pension Fund to invest where they consider best for the financial health of the fund.”

Following a roll call vote, 2 Members, Councillors Brooks and Wilson, voted in favour of the amendment and 19 Members, Provost Brennan, Councillors Ahlfeld, Clocherty, Crowther, Curley, Dorrian, MacLeod, McCabe, McCormick, C McEleny, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson, Quinn, Rebecchi and Robertson, voted in favour of the motion which was declared carried.

Decided: that the Notice of Motion by Councillor J McEleny as set out above be agreed.

**85 Campaign to Keep the £20 a Week Universal Credit Increase –
Notice of Motion by Councillor C McEleny**

85

Councillors Clocherty, C McEleny, Moran and Murphy declared a non-financial interest in this item as member of Unite the Union. All four Members formed the view that the nature of their interest and of the item of business did not preclude their continued presence at the meeting or their participation in the decision-making process.

There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising of the receipt of a Notice of Motion by Councillor C McEleny, countersigned by Councillor MacLeod, submitted in terms of Standing Order 22 in the following adjusted terms:

“This Council notes:

- In April 2021 the Government plan to cut the benefit level for millions of claimants by ending of the time limited increase to the basic rate of Universal Credit (and the tax credit equivalent) announced by the Chancellor on 20 March as part of his pandemic response package.
- The £20 a week boost reflected the reality that the level of benefits was not adequate to protect the swiftly increasing number of households relying on them as the crisis hit. Exactly because that increase was a very significant and welcome move to bolster low income and middle income families’ living standards, its removal will be a huge loss.
- Pressing ahead would see the level of unemployment support fall to its lowest real-terms level since 1990-91, and its lowest ever relative to average earnings. Indeed, the basic level of out-of-work support prior to the March boost was – at £73 a week (£3,800 a year) – less than half the absolute poverty line.
- The increase in benefits has had a positive effect on the lives of thousands of local claimants who are better able to pay for life’s essentials such as food, clothing and utilities.
- The local economy has also benefited from the increase in benefit levels as claimants spend their money locally thereby supporting local businesses and jobs.

This Council resolves to:

- Write to the Chancellor, Rishi Sunak and to the Prime Minister, Boris Johnson demanding that the £20 increase to Universal Credit is made permanent and extended to claimants on legacy benefits.
- Work with other local government organisations to form a coalition to pressure the government to make the £20 increase to Universal Credit permanent.”

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

As an amendment, Councillor Brooks seconded by Councillor Wilson moved:

“This Council resolves to:

Write to the Chancellor, Rishi Sunak and to the Prime Minister, Boris Johnson:

- (1) acknowledging that the Universal Credit £20 a week increase from 6 April 2020 means that claimants will be up to £1,040 better off during the year;
- (2) that this sum of money has made, and will continue to make, a huge difference in the lives of hundreds of thousands of Scots;
- (3) urging them to commit to retaining the £20 increase for the foreseeable future; and
- (4) accept that the Commons Work and Pension Committee have advised keeping the higher rate until April 2022.”

Following a roll call vote, 2 Members, Councillors Brooks and Wilson, voted in favour of the amendment and 19 Members, Provost Brennan, Councillors Ahlfeld, Clocherty, Crowther, Curley, Dorrian, MacLeod, McCabe, McCormick, C McEleny, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson, Quinn, Rebecchi and Robertson, voted in favour of the motion which was declared carried.

Decided: that the Notice of Motion by Councillor C McEleny as set out above be agreed.

86 Lee Jeans Factory Sit-In 40th Anniversary – Notice of Motion by Councillor C McEleny

86

There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising of the receipt of a Notice of Motion by Councillor C McEleny, countersigned by Councillor Quinn, submitted in terms of Standing Order 22 in the following terms:

“Council notes that February 2021 marks the 40th Anniversary of the Lee Jeans factory sit in – an event that is widely regarded as a highly significant event in the history of the Scottish Labour movement. The event, which began on 5th February 1981, saw the mainly female workforce barricade themselves into the Lee Jeans plant, beginning a sit-in which lasted seven months.

In August 1981, after almost seven months, a management buy-out saved the Lee Jeans factory – and the 140 workers still occupying it won back their jobs. However, although the factory was not successful in securing a long-term future, the ingenuity and dedication of the workforce in saving the factory from closure forty years ago is an important part of Inverclyde’s late 20th century history.

Council agrees to commend everyone that took part in the sit-in and the dedication they showed to protect employment in Inverclyde.

Council agrees to promote the actions of the sit-in, paying tribute to those involved, and delegates the promotion of an appropriate commemoration to the Corporate Communications Manager.”

Decided: that the Notice of Motion by Councillor C McEleny as set out above be agreed.

87 COVID-19 Update Report

87

There was submitted a report by the Corporate Director Environment, Regeneration & Resources providing an update on actions taken to mitigate the risks around the COVID-19 outbreak.

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

Decided:

(1) that the actions taken to date to mitigate the effects of the COVID-19 outbreak in Inverclyde be noted; and

(2) that Standing Order 16.2 of the Standing Orders for Contracts be amended to read:

“Tenders in excess of £1m shall be opened by two Procurement Officers (Grade 7 or above) using the date and time stamp element of the Public Contracts Scotland Portal to record offers received. All other tenders shall be opened by one Procurement Officer (Grade 7 or above) using the date and time stamp element of the Public Contracts Scotland Portal to record offers received.”

88 COVID-19 (Coronavirus): Administrative Arrangements – Online Committee Cycle 2021 88

There was submitted a report by the Head of Legal & Property Services seeking continuation of the Committee Cycle for 2021 on the basis of expedited business only for the duration of the current COVID-19 emergency, as set out in the First Minister’s January 2021 statement.

Decided: that approval be given to the next cycles of Committee and Board meetings continuing on the basis of expedited business only until there is a significant reduction in the local protection levels.

89 Administrative Arrangements: (1) Scheme of Delegation (Officers) and (2) Scheme of Administration 89

There was submitted a report by the Head of Legal & Property Services setting out (1) a number of necessary changes to the Council’s Scheme of Delegation (Officers) following its decision on 29 October 2020 to approve interim management arrangements during COVID Recovery and (2) a necessary change to the Scheme of Administration following upon the decision of the Environment & Regeneration Committee of 14 January 2021 to review Traffic Regulation Order procedure.

Decided:

(1) that approval be given to the changes to the Scheme of Delegation (Officers) set out in Appendix 1 to the report subject to the inclusion of the word “emergency” at paragraph 15 of page 11 of the Scheme under the powers delegated to the Head of Education Resources, Culture & Communities; and

(2) that approval be given to a change to paragraph (e) of page 23 of the Scheme of Administration (Environment & Regeneration Committee) to read as follows:

(e) to consider and determine Traffic Management Orders and Traffic Regulation Orders where there are maintained objections.

Councillor Curley left the meeting at this juncture.

90 Withdrawal from the European Union - Update 90

There was submitted a report by the Corporate Director Environment, Regeneration & Resources providing an update on the issues experienced thus far in Inverclyde as a result of the UK’s withdrawal from the European Union.

(Councillor C McEleny left the meeting during consideration of this item of business).

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

Decided:

- (1) that the report be noted; and
- (2) that a report be submitted to Members in due course on the long-term implications for Inverclyde of withdrawal from the European Union.

91 Proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2020 – Remit from Environment & Regeneration Committee 91

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 14 January 2021 requesting approval of the proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2020.

Decided: that approval be given to the making of the Traffic Regulation Order - The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2020 and that the Head of Roads & Environmental Shared Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

92 Proposed Redetermination Order – The Inverclyde Council, A78 Inverkip Road, Branchton Road and Gleninver Road, Greenock (Redetermination of Means of Exercise of Public Right of Passage) Order 2020 – Remit from Environment & Regeneration Committee 92

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 14 January 2021 requesting approval of the proposed Traffic Regulation Order - The Inverclyde Council, A78 Inverkip Road, Branchton Road and Gleninver Road, Greenock (Redetermination of Means of Exercise of Public Right of Passage) Order 2020.

Decided: that approval be given to the making of the Traffic Regulation Order - The Inverclyde Council, A78 Inverkip Road, Branchton Road and Gleninver Road, Greenock (Redetermination of Means of Exercise of Public Right of Passage) Order 2020 and that the Head of Roads & Environmental Shared Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

93 Proposed Traffic Regulation Order – The Inverclyde Council, A78 Inverkip Road and Branchton Road, Greenock (One Way, Prohibition of Entry and Prohibition of Right and Left Turns) Traffic Regulation Order 2020 – Remit from Environment & Regeneration Committee 93

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 14 January 2021 requesting approval of the proposed Traffic Regulation Order - The Inverclyde Council, A78 Inverkip Road and Branchton Road, Greenock (One Way, Prohibition of Entry and Prohibition of Right and Left Turns) Traffic Regulation Order 2020.

Decided: that approval be given to the making of the Traffic Regulation Order - The Inverclyde Council, A78 Inverkip Road and Branchton Road, Greenock (One Way, Prohibition of Entry and Prohibition of Right and Left Turns) Traffic Regulation Order 2020 and that the Head of Roads & Environmental Shared Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

- 94 Proposed Traffic Regulation Order – The Inverclyde Council, Bruce Street, Greenock (One Way and Prohibition of Entry) Traffic Regulation Order 2020 – Remit from Environment & Regeneration Committee 94**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 14 January 2021 requesting approval of the proposed Traffic Regulation Order - The Inverclyde Council, Bruce Street, Greenock (One Way and Prohibition of Entry) Traffic Regulation Order 2020.

Decided: that approval be given to the making of the Traffic Regulation Order - The Inverclyde Council, Bruce Street, Greenock (One Way and Prohibition of Entry) Traffic Regulation Order 2020 and that the Head of Roads & Environmental Shared Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

- 95 Proposed Traffic Regulation Order – The Inverclyde Council (Off-Street Parking Places) (Variation No. 11) Order 2020 – Remit from Environment & Regeneration Committee 95**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 14 January 2021 requesting approval of the proposed Traffic Regulation Order - The Inverclyde Council (Off-Street Parking Places) (Variation No. 11) Order 2020.

Decided: that approval be given to the making of the Traffic Regulation Order - The Inverclyde Council (Off-Street Parking Places) (Variation No. 11) Order 2020 and that the Head of Roads & Environmental Shared Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting for the following item (Joint Collaboration – Inverclyde and West Dunbartonshire Councils – Service Manager (Corporate Policy, Performance and Partnership) on the grounds that the business involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7(A) of the Act and for the item thereafter (Business in the Appendix) on the grounds that the business involved the likely disclosure of exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act, as detailed in the relevant minute.

- 96 Joint Collaboration – Inverclyde and West Dunbartonshire Councils – Service Manager (Corporate Policy, Performance and Partnership) 96**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) on the position of Service Manager (Corporate Policy, Performance and Partnership) following the resignation of the current postholder and (2) setting out proposed future arrangements for the role which is currently shared between Inverclyde and West Dunbartonshire Councils on a trial basis.

THE INVERCLYDE COUNCIL – 18 FEBRUARY 2021

Decided:

- (1) that it be agreed not to continue with the shared service arrangement with West Dunbartonshire Council in respect of the position of Service Manager (Corporate Policy Performance and Partnership); and
- (2) that it be noted that an internal arrangement will be put in place with an experienced officer taking on the role up to March 2022.

Appendices to Minutes

97	Appointment Panel – Head of Legal Services – 25 November 2020	97
	Approved on the motion of Councillor Clocherty.	
98	Environment & Regeneration Committee (Special) – 17 December 2020	98
	Approved on the motion of Councillor McCormick.	
99	Appointment Panel – Head of Legal Services – 18 December 2020	99
	Approved on the motion of Councillor Clocherty.	
100	Environment & Regeneration Committee – 14 January 2021	100
	Approved on the motion of Councillor McCormick.	
101	Human Resources Appeals Board – 26 January 2021	101
	Approved on the motion of Councillor Clocherty.	
102	General Purposes Board – 10 February 2021	102
	Approved on the motion of Councillor Dorrian.	