

Ref: LC

Date: 11 February 2022

I refer to the agenda for the meeting of the Inverclyde Council to be held on Thursday 17 February 2022 at 4pm and attach minutes as undernoted which were not available on the day of issue.

IAIN STRACHAN
Head of Legal & Democratic Services

UNDERNOTE:

- 2. Minutes of Meetings of the Inverclyde Council, Committees, Sub-Committees and Boards**
- | | |
|--|------------|
| Education & Communities Committee (25 January 2022) | (pp 29-36) |
| Policy & Resources Committee (1 February 2022) | (pp 37-41) |
| Local Review Board (2 February 2022) | (pp 42-48) |
| Local Police & Fire Scrutiny Committee (3 February 2022) | (pp 49-50) |
| Audit Committee (8 February 2022) | (pp 51) |

Enquiries to – **Lindsay Carrick** – Tel 01475 712114

EDUCATION AND COMMUNITIES COMMITTEE – 25 JANUARY 2022

Education and Communities Committee

Tuesday 25 January 2022 at 1pm

Present: Provost Brennan, Councillors Clocherty, Curley, MacLeod, McCabe, C McEleny, McVey, Murphy, Quinn, Robertson and Wilson, Rev D Burt and Ms F Gilpin, Church Representatives, Ms A McMillan, Parent Representative and Ms P McEwan, Teacher Representative.

Chair: Councillor Clocherty presided.

In attendance: Corporate Director Education, Communities & Organisational Development, Head of Culture, Communities & Educational Resources, Head of Education, Service Manager Community Learning & Development, Community Safety, Resilience & Sport, Mr I Cameron (for Interim Director Finance & Corporate Governance), Finance Manager (Education & Communities), Interim Head of Legal & Democratic Services, Interim Head of Property Services, Interim Head of Public Protection & Covid Recovery, Ms D Sweeney and Ms L Carrick (Legal & Democratic Services), Libraries, Museum and Archive Manager, Ms L Wilkie (Education Services), Mr M Coyle (Education Services), Ms L Fisher (Head Teacher, All Saints Primary School), Ms K Barclay (Corporate Policy & Performance), ICT Services Manager and Service Manager (Communications, Tourism & Health & Safety).

The meeting was held by video conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

46 Apologies, Substitutions and Declarations of Interest 46

No apologies for absence were intimated.

Declarations of interest were intimated as follows:

Agenda Item 3 (Communities Performance Report – Capital Programme Progress and Asset Related Items) – Councillors Clocherty, Curley, MacLeod and Quinn.

Agenda Item 4 (Communities Update Report – Overview of National and Local Initiatives) – Councillors Clocherty and Robertson.

Agenda Item 6 (Update on Swimming for Under 16s & Gym Membership) – Councillors Clocherty, Curley & Quinn.

47 Communities Revenue & Capital Budget Report 2021/22 – Projected Out Turn at Period 7 to 31 October 2021 47

There was submitted a report by the Interim Director Finance & Corporate Governance and the Corporate Director Education, Communities & Organisational Development advising Committee of the 2021/22 Revenue and Capital Budgets position as at Period 7 to 31 October 2021.

Councillor Wilson joined the meeting during consideration of this item.

Decided:

(1) that the current projected underspend of £68,000 for the 2021/22 Communities Revenue Budget as at Period 7 to 31 October 2021 be noted; and

EDUCATION AND COMMUNITIES COMMITTEE – 25 JANUARY 2022

(2) that the financial position of the specific Capital Projects, as detailed in appendix 4 of the report, be noted and that the cost of the current Communities Capital Programme is being contained within existing budgets.

48 **Communities Performance Report – Capital Programme Progress and Asset Related Items** 48

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing performance information for the Communities part of the Education & Communities Committee, and (2) providing an update in respect of the status of the projects which form the Communities Capital Programme.

Councillors Clocherty, Curley and Quinn declared a non-financial interest in this item as members of the Board of Inverclyde Leisure, and Councillor MacLeod declared a non-financial interest in this item as a Non-Executive Director of Parklea Branching Out. All four Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process.

Decided:

(1) that the current position of the 2021/24 Capital Programme be noted; and
 (2) that the progress on the following projects be noted (a) Lady Alice Bowling Club, (b) Indoor Sports Facility for Tennis, (c) Rankin Park Bowling Club, (d) Leisure Pitches Asset Management Plan/Lifecycle Fund, (e) Grieve Road Community Centre, (f) Wemyss Bay Community Centre, (g) Whinhill Golf Club Lifecycle Works, (h) Waterfront Leisure Centre Training Pool Moveable Floor, (i) Watt Institution Creativity Space, (j) Community Hub King George VI, (k) Craighend Resource Centre, (l) The Inverclyde Shed Meet, Make & Share, and (m) Parklea Branching Out.

49 **Communities Update Report – Overview of National & Local Initiatives** 49

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the Communities aspects of the service.

Councillors Clocherty and Robertson declared a non-financial interest in this item as members of the Board of Greenock Arts Guild, and Councillor Robertson declared a non-financial interest in this item as a member of the committee of Inverclyde Youth Theatre (Kayos). Both Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process.

Decided: that the updates on the following be noted (a) return to youth work, (b) return to Adult Learning & Literacies, (c) return to sport, (d) 16 days of activism update, (e) CLD SQA update, (f) Affordable Childcare Holiday Hubs, (g) use of Emergency Powers for Grant Award, (h) impact of Covid-19 on services for children with autism, (i) Culture Collective, and (j) Public Library Improvement Fund.

50 **Inverclyde Historical Links to Slavery – Final Report** 50

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) advising Committee of the work that has been undertaken by the Inverclyde's Historical Links to Slavery Working Group over the course of 2021, and (2) seeking approval for the Working Groups final report and recommendations.

Councillor Wilson left the meeting during consideration of this item for the remainder of

the Communities business.

Decided:

- (1) that the work completed by the Working Group so far be noted and that officers be commended for the depth of research which has gone into the report;
- (2) that the work of the Education Inclusive School's Curriculum Sub-Group be noted;
- (3) that it be agreed (a) that the Gourock Burgh coat of arms be removed from display or covered on a case by case basis where practicable, and (b) to produce additional information on the coat of arms in any location where removal or covering may prove problematic; and
- (4) that it be remitted to officers to submit a further report examining the logistics of applying the Working Group's proposals, as detailed at paragraphs 11.1 and 11.2 of the report, and suggesting ideas for further community engagement on this matter.

51 Update on Swimming for Under 16s & Gym Membership

51

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) detailing proposals for the provision of free or subsidised swimming for the year 2022/2023, and (2) providing an update on a pilot scheme introduced on 3 January 2022 which provides free gym membership for 12-16 year olds at all Inverclyde Leisure gyms.

Councillors Clocherty, Curley and Quinn declared a non-financial interest in this item as members of the Board of Inverclyde Leisure. All three Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process.

Following discussion, Councillor Clocherty moved for the continuation of free swimming as detailed at paragraph 5.4 of the report, and that this would continue to be delivered for 2022/23 with the budget pressure of £40,000 being funded from the Community Grants Fund.

As an amendment, Councillor C McEleny moved that the Committee endorses that free swimming is reinstated as per previous arrangements and that this budget pressure is referred to the Members Budget Working Group.

Following a roll call vote, one Member, Councillor C McEleny, voted in favour of the amendment and nine members, Provost Brennan, Councillors Clocherty, Curley, MacLeod, McCabe, McVey, Murphy, Quinn and Robertson, voted in favour of the motion, which was declared carried.

Decided:

- (1) that the continuation of free swimming as detailed at paragraph 5.4 of the report, and that this will be continue to be delivered for 2022/23 with the budget pressure of £40,000 being funded from the Community Grants Fund, be approved; and
- (2) that (a) the introduction of the pilot scheme for free gym usage be noted, and (b) it be remitted to officers to engage in a consultation process with school pupils whilst the pilot scheme is running.

52 Results from the Citizens' Panel Autumn 2021 Survey

52

There was submitted a report by the Head of Organisational Development, Policy & Communications advising Committee of the results from the Citizens Panel Autumn 2021 Survey.

Decided:

- (1) that the findings of the Citizens Panel Autumn 2021 Survey be noted; and
- (2) that the results of the survey will be taken into account when reviewing service delivery, as appropriate.

53 New Smoke & Heat Alarm Legislation – Request by Councillor C McEleny

53

There was submitted a report by the Interim Head of Legal & Democratic Services on a request received from Councillor C McEleny in the following terms:-

‘Committee notes that the Scottish Government have brought in new legislation that requires all homes to have new smoke alarms installed.

By February 2022 every home will need to have:

- 1 smoke alarm in the room you spend most of the day, usually your living room;
- 1 smoke alarm in every circulation space on each storey, such as hallways and landings; and
- 1 heat alarm in the kitchen.

All smoke and heat alarms should be mounted on the ceiling and be interlinked. Check the manufacturers’ guidance on each alarm for instructions on where the alarm should be placed.

If you have a carbon-fuelled appliance, like a boiler, fire, heater or flue you must also have a carbon monoxide detector. This does not need to be linked to the fire alarms. Gas cookers and hobs do not need a carbon monoxide detector.

There are 2 types of interlinked fire alarms that meet the new rules:

- sealed battery alarms – which should be tamper-proof long-life (which can be up to 10 years) batteries. The cost for an interlinked system with sealed long-life battery alarms in a two storey house is around £220, if you fit the alarms yourself. However, for many elderly home owners this is not a simple cost and will mean another add on cost; and
- mains-wired alarms - these are cheaper than tamper proof long-life battery alarms, but should be installed by a qualified electrician. The cost of which could be in the region of about £60 installation of each alarm. These should be replaced every 10 years. This would mean that although the unit cost is cheaper the installation cost could run into hundreds of pounds.

Committee welcomes the laudable aims of making every home in Inverclyde safe and Committee endorses the safety benefits of such a scheme.

However, Committee notes that there has been little public awareness of this new requirement. Committee further raises concerns of the affordability of this scheme for many households in Inverclyde due to the limited financial support that has been provided by the Scottish Government.

Committee notes that local tradespeople have confirmed that they have not been overwhelmed with mass installations of the new required alarms therefore it is likely that come February a very small percentage of Inverclyde home owners will be compliant with the new Scottish government requirements.

Committee requests that officers bring back a report on an estimation of how many households have installed new smoke alarms as required and uses that report as the basis to set out any further financial support schemes that will need to be put in place in order that the Scottish Government realise their policy intention.’

Decided:

- (1) that the Committee note the content of Councillor McEleny request, and
- (2) that it be remitted to officers to submit a report to the Committee providing an estimate of how many households have installed new smoke alarms as required and uses that report as the basis to set out any further financial support schemes that will need to be put in place in order that the Scottish Government realise their policy intention.

The Communities Business concluded at 3.45pm. The Committee commenced

EDUCATION AND COMMUNITIES COMMITTEE – 25 JANUARY 2022

consideration of the Education items of business at 4pm with Reverend Burt, Ms Gilpin, Ms McMillan & Ms McEwan joining the meeting. Councillor Wilson rejoined the meeting at this juncture.

54 Education Revenue & Capital Budget Report – 2021/22 Projected Out Turn at Period 7 to 31 October 2021 54

There was submitted a report by the Interim Director Finance & Corporate Governance and the Corporate Director Education Communities & Organisational Development advising the Committee of the 2021/22 Education Revenue & Capital Budget positions as at period 7 to 31 October 2021.

Decided:

- (1) that the projected underspend of £273,000 for the 2021/22 Education Revenue Budget as at Period 7 to 31 October 2021 be noted; and
- (2) that the financial position of the specific Capital Projects, as detailed in appendix 4 of the report, be noted and that the cost of the current Education Capital Programme is being contained within existing budget.

55 Education Scotland Follow through Report on All Saints Primary School 55

There was submitted a report by the Corporate Director Education, Communities & Organisational Development informing the Committee of the recent Education Scotland follow through visit of All Saints Primary School.

The report advised that very good progress had been made towards areas identified for improvement in an earlier report published in March 2019. Particular praise was made of the school's response to the Covid-19 pandemic, its support for families and its ongoing focus, despite the pandemic, on continuing to improve and address the areas for improvement.

Ms Lorraine Fisher, Head Teacher, was present and addressed the Committee in relation to the findings of the report.

Decided:

- (1) that the Education Scotland follow through report on All Saints Primary School be noted; and
- (2) that the appreciation of Ward 3 Councillors and the Committee be extended to school staff and all those involved in the inspection process.

56 Education Performance Report – Capital Programme Progress 56

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing performance information for the Education part of the Education & Communities Committee, and (2) providing an update in respect of the status of the projects which form the Education Capital Programme.

Decided:

- (1) that the current position of the 2021/24 Capital Programme be noted; and
- (2) that the progress on the following projects be noted (a) Gourock Primary School extension, (b) Hillend Children's Centre refurbishment, (c) former Kelly Street Children's Centre landscaping works, (d) demolition of former Sacred Heart Primary School, (e) school artificial pitches, (f) general lifecycle works, (g) Public Partnership Schools (PPP) lifecycle works, (h) Rainbow Family Centre extension, (i) Larkfield Children's Centre new build, (j) Glenpark Early Learning Centre outdoor unit, (k) various Early Years establishment's direct access/canopies/environmental, and (l) interactive whiteboard/active panel refresh.

- 57 Education & Communities Corporate Directorate Improvement Plan 2019/22 Progress Report 57**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the delivery of the improvement actions in the Education, Communities and Organisational Development Corporate Directorate Improvement Plan.
- Ms McMillan left the meeting during consideration of this item.
- Decided:** that the progress made in delivering the year 3 improvement actions contained within the Education & Communities Organisational Development Improvement Plan be noted.
- 58 Education Update Report – Overview of National & Local Initiatives 58**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the Education aspects of the service.
- Ms McMillan rejoined the meeting during consideration of this item.
- Decided:** that the updates on the following be noted: (a) return to school guidance, (b) Scottish Qualifications Authority (SQA), (c) Education Scotland, (d) Happy Tots Greenock and Inverkip, (e) Early Learning and Childcare Consultation 2021, (f) West College Scotland Nursery, (g) Early Years Budget, (h) school holidays, (i) school meals and breakfast clubs, and (j) universal free school meal provision for P6 and 7 pupils from August 2022.
- 59 The Scottish Attainment Challenge Refresh 2022/23-2025/26 59**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the Scottish Governments announcement in November 2021 regarding the future of the Scottish Attainment Challenge.
- Decided:**
- (1) that the contents of the report be noted; and
 - (2) that it be noted that a further update report will be submitted to the March 2022 Committee which will include a draft Strategic Plan for 2022-26 as well as a more detailed plan for the year 2022/23.
- 60 Gaelic Secondary Education in Inverclyde 60**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing proposals for the future of Gaelic Secondary Education in Inverclyde, and (2) informing the Committee of the outcome of meetings with Comann nam Parant at Whinhill Primary School, Bòrd na Gàidhlig and Education Scotland.
- Reverend Burt, Councillor Wilson, Ms McMillan and Provost Brennan left the meeting during consideration of this item.
- Decided:**
- (1) that approval be given to officers undertaking a statutory consultation for the creation of an Inverclyde wide catchment area for primary Gaelic provision, in compliance with the timeline detailed at appendix 2 of the report; and
 - (2) that approval be given for the immediate creation of a Gaelic Advisory Group to

consider options for medium and longer term Gaelic provision in Inverclyde.

61 Proposal to Establish an Inverclyde Schools' Pipe Band

61

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) advising Committee of a generous offer of funding support from the Scottish Schools Pipe Band and Drums Trust to assist Inverclyde Council to establish an Inverclyde schools' pipe band, and (2) seeking authority to establish same.

Decided: that the establishment of an Inverclyde schools pipe band be approved.

Councillor McVey left the meeting at this juncture.

Prior to discussion of the following item Councillor C McEleny moved that the meeting be adjourned as (1) he was concerned that the members of the Committee may not have had an opportunity to read the Scottish Government's Transgender Guidance in full, (2) he had numerous questions on the matter, and (3) a number of members had left the meeting, and accordingly he moved that the item be considered at a time agreed with the Convener and officers or at the next Committee.

Following a roll call vote, one Member, Councillor C McEleny, voted to adjourn the meeting and seven Members, Councillors Clocherty, Curley, MacLeod, McCabe, Murphy, Quinn and Robertson, voted not to adjourn the meeting, and accordingly the meeting continued. Ms Gilpin and Ms McEwan abstained from voting.

The Committee adjourned at 7.10pm, and confirmation was given by the Interim Head of Legal and Democratic Services that there was a quorum when it reconvened at 7.15pm.

62 Guidance on Supporting Transgender Pupils in Schools and the National Health & Wellbeing Survey

62

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing updates to the Committee on (1) the national guidance on supporting transgender pupils in schools, (2) the National Health and Wellbeing Survey, and (3) seeking approval to change the wording for selected questions in the S4-6 survey for pupils.

Following discussion, Councillor C McEleny moved that on account of a lack of clarity that there is a potential breach of the United Nations Human Rights Charter of the Child regarding privacy and a lack of clarity over serious data protection issues that have not been answered that the National Health and Wellbeing Survey does not proceed.

As an amendment, Councillor Robertson moved that officers be instructed to ascertain (1) the possibility of creating two versions of the survey, one of which will include questions on sexual health and the other which will not contain questions on sexual health, and that pupils and parents will thereafter be given the choice as to which survey they complete, and (2) if the Scottish Candidate Number can be removed from the survey.

As a further amendment, Councillor McCabe moved that the survey should not proceed at this time but that officers should explore option 5, as detailed at paragraph 5.2.8 of the report: to explore the costs and implications of delivering an Inverclyde specific survey (in the region of £50,000).

On a vote between the two amendments, 3 Members, Councillors McCabe, C McEleny and Ms Gilpin, voted for the amendment by Councillor McCabe and 7 Members, Councillors Clocherty, Curley, MacLeod, Murphy, Quinn, Robertson and Ms McEwan,

EDUCATION AND COMMUNITIES COMMITTEE – 25 JANUARY 2022

voted for the amendment by Councillor Robertson. Councillor McCabe's amendment having received fewer votes then fell.

On a vote between the motion and the amendment by Councillor Robertson, 1 Member, Councillor C McEleny, voted for the motion and 7 Members, Councillors Clocherty, Curley, MacLeod, Murphy, Quinn, Robertson and Ms McEwan voted for Councillor Robertson's amendment which was declared carried. Councillor McCabe and Ms Gilpin abstained from voting.

Decided:

(1) that it be remitted to officers to submit a report to the next meeting of the Committee providing an update on the national guidance on supporting transgender pupils in schools; and

(2) that officers be instructed to ascertain (a) the possibility of creating two versions of the survey, one of which will include questions on sexual health and the other which will not contain questions on sexual health, and that pupils and parents will thereafter be given the choice as to which survey they complete, and (b) if the Scottish Candidate Number can be removed from the survey.

POLICY & RESOURCES COMMITTEE – 1 FEBRUARY 2022

Policy & Resources Committee

Tuesday 1 February 2022 at 3pm

Present: Councillors Ahlfeld, Brooks (for Wilson) Clocherty, Curley, McCabe, McCormick, J McEleny, McVey, Moran, Rebecchi and Robertson.

Chair: Councillor McCabe presided.

In attendance: Chief Executive, Interim Director Finance & Corporate Governance, Interim Director Environment & Regeneration, Corporate Director Education, Communities & Organisational Development, Interim Corporate Director (Chief Officer) Health and Social Care Partnership, Head of Legal & Democratic Services, Head of Organisational Development, Policy & Communications, Interim Head of Public Protection and Covid Recovery, Interim Head of Property Services, Legal Services Manager Licensing, Litigation and Committees, Mr C MacDonald and Ms D Sweeney (Legal & Democratic Services), Procurement & Building Services Manager, Ms A Hunter (Corporate Policy Officer), Ms T Bunton and A Edmiston (Finance Services), ICT Services Manager, and Service Manager Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

63 Apologies, Substitutions and Declarations of Interest

63

An apology for absence was intimated on behalf of Councillor Wilson, with Councillor Brooks substituting.

No declarations of interest were intimated, but certain connections were intimated as follows:

Agenda Item 10 (Council Tax – Long Term Empty Levy Policy) – Councillors Curley and Rebecchi;

Agenda Item 12 (Adjudication between Riverside Inverclyde and Noel Regan and Sons Building & Civil Engineering Contractors UK Ltd in relation to the Leperstone Self Build Project) – Councillor Clocherty.

64 COVID-19 Update

64

There was submitted a report by the Interim Director Environment & Regeneration (1) providing an update on actions taken to mitigate the risks around the COVID-19 outbreak; and (2) reporting on items requiring Committee approval or scrutiny under the expedited procedures.

Councillor Rebecchi joined the meeting during consideration of this item of business.

Decided:

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

POLICY & RESOURCES COMMITTEE – 1 FEBRUARY 2022

(2) that the use of £45,000 to continue the humanitarian helpline provision for 2022/23 be approved.

65 2021/22 Revenue Budget Update – Period 8 65

There was submitted a report by the Chief Executive, Interim Director Finance & Corporate Governance and Corporate Director Education, Communities & Organisational Development (1) advising of the 2021/22 projected outturn for the Policy & Resources Committee, and (2) detailing the position of the General Fund Revenue Budget.

Decided:

(1) that the update in respect of the Policy & Resources Committee budget including the 2021/22 projected overspend of £54,000 be noted;

(2) that the projected 2021/22 surplus of £43,230 for the Common Good Budget be noted; and

(3) that the overall underspend of £214,000 projected as at Period 8, 30 November for the General Fund, its overall Earmarked Reserves position and the position of the Free Reserves be noted.

66 Policy & Resources Capital Budget and 2021/24 Capital Programme 66

There was submitted a report by the Interim Director Finance & Corporate Governance providing the latest position of the Policy & Resources Capital Budget and the 2021/24 Capital Programme.

Decided:

(1) that the current position of the 2021/24 Policy & Resources Capital Budget be noted; and

(2) that (a) the current position of the 2021/24 Capital Programme be noted; and (b) that it be noted that the deficit in excess of the acceptable over commitment will require to be addressed through the 2022/23 Budget process.

67 Finance Services - Update 67

There was submitted a report by the Interim Director Finance & Corporate Governance (1) providing an update on various matters within the remit of Finance Services, and (2) seeking decisions as appropriate.

Decided:

(1) that the significant work pressure within the Revenues & Benefits team in relation to Covid related grant payments, which are in addition to the core workload, be noted;

(2) that the revised Discretionary Housing Payment Policy to be applied from 1 April 2022, as detailed in appendix 1 of the report, be approved; and

(3) that (a) the current position of various ICT projects be noted; and (b) it be noted that a request for increased capital investment in ICT will be included in the 2022/25 Capital Programme for the Council to consider in February 2022.

68 Procurement Update 68

There was submitted a report by the Interim Director Environment & Regeneration providing an update on procurement related activity including the development of a Fair Work First Action Plan.

POLICY & RESOURCES COMMITTEE – 1 FEBRUARY 2022

Decided:

- (1) that (a) the Fair Work First Action Place as detailed in appendix 1 of the report be noted; and (b) that the current position including on-going actions to embed/apply the revised Fair Work First principles in line with the updated policy and guidance be noted; and
- (2) that the Scotland Excel Annual Value Reports published in November 2021 be noted.

69 Corporate Policy and Performance Update Report 69

There was submitted a report by the Corporate Director Education, Communities and Organisational Development providing an update on a number of issues relating to corporate policy and performance.

Decided: that the key update areas in relation to corporate policy and performance be noted.

70 2022/23 Budget Update 70

There was submitted a report by the Interim Director Finance & Corporate Governance providing an update on the position of the 2022/23 Revenue Budget and 2022/25 Capital Programme following the Local Government Settlement announcement on 20 December 2021 and after taking account of subsequent information and decisions.

Decided:

- (1) that the Council's draft Revenue and Capital Grant settlements for 2022/23 and the correspondence between COSLA and the Scottish Government as detailed in appendices 1 and 2 of the report be noted;
- (2) that (a) approval be given to the Budget adjustments as detailed in appendix 4 of the report; and (b) the latest estimated 2022/23 net Revenue Budget funding shortfall of 2.028million be noted;
- (3) that (a) the current position of the 2022/25 Capital Programme be noted; and (b) that it be noted that the proposals for increased investment will be considered by the Council when approving the budget; and
- (4) that it be agreed that (a) the Council Tax and Budget should be approved on the same day; and (b) this should take place on 24 February 2022, subject to the approval of the Provost.

71 Draft Inverclyde Council Gaelic Language Plan 2022/27 71

There was submitted a report by the Corporate Director Education, Communities & Organisational Development presenting the draft Gaelic Language Plan 2022/27 and to seek approval to submit to Bòrd na Gàidhlig for its approval.

Decided:

- (1) that the proposed actions and timescales within the draft Gaelic Language Plan 2022/27 relating to the delivery of the High Level and Corporate Services Aims be noted;
- (2) that (a) the draft Plan be approved; and (b) it be submitted to Bòrd na Gàidhlig for its approval; and
- (3) that it be agreed that the annual Gaelic Language Plan monitoring report will be submitted to the Committee in June of each year.

72 Council Tax – Long Term Empty Levy Policy

72

There was submitted a report by the Interim Director Finance & Corporate Governance seeking approval for (a) the updated Long Term Empty Council Tax Levy Policy; and (b) for the funding of an Empty Homes Officer post to support owners/landlords with bringing long term empty properties back into productive use.

Councillors Curley and Rebecchi declared connections as private landlords. Councillor Curley formed the view that the nature of his connection and of the item of business did not preclude his continued presence at the meeting or his participation in the decision making process and was declaring for transparency and Councillor Rebecchi formed the view that the nature of his connection and of the item of business did not preclude his continued presence at the meeting and was declaring for transparency.

Decided:

- (1) that the updated Long Term Empty Property and Second Homes Council Tax Policy, as detailed in appendix 1 of the report, be approved; and
- (2) that the funding of an Empty Homes Officer from the Long Term Empty Levy budget with effect from 2022/23 be approved.

73 Winter Support Fund 2021/22

73

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing an update on the £400,000 projects approved by the Council in December 2021 which were funded by the Winter Support Fund grant from the Scottish Government; and (2) seeking approval for the allocation of the additional £112,000 balance.

Decided:

- (1) that the content of this report and the initiatives previously approved by the Council be noted;
- (2) that the proposals as detailed in section 2.3 of the report to support Inverclyde residents in the winter months be approved; and
- (3) that it be noted that a fuller update on progress in delivery of the previously approved initiatives funded by the Anti-Poverty monies will be presented to the March 2022 meeting of the Committee.

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 during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 6 & 8 of Part I of Schedule 7(A) of the Act.

74 Adjudication between Riverside Inverclyde and Noel Regan and Sons Building & Civil Engineering Contractors UK Ltd in relation to the Leperstone Self Build Project

74

There was submitted a report by the Head of Legal & Democratic Services to consider a remit from the Environment & Regeneration Committee relative to the Adjudication outcome arising from the disputed works relating to the Leperstone Self Build Project.

Councillor Clocherty declared a connection as a member of the Board of Riverside Inverclyde. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence at the meeting or his participation in the decision-making process and was declaring for transparency.

POLICY & RESOURCES COMMITTEE – 1 FEBRUARY 2022

Following consideration, the Committee agreed to the actions recommended, all as detailed in the Appendix.

LOCAL REVIEW BODY – 2 FEBRUARY 2022

Local Review Body

Wednesday 2 February 2022 at 4pm

Present: Councillors Clocherty, Crowther, Dorrian, McKenzie, Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Mr A Hamilton and Ms M Pickett (Planning Advisers), Mr J Kerr (Legal Adviser), Mr C MacDonald and Ms L Carrick (Legal & Democratic Services).

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Local Review Body.

75 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 75

No apologies for absence were intimated.

No declarations of interest were intimated, but certain connections were intimated as follows:

Councillor Wilson declared a connection in Agenda Item 2(a) (Planning Application for Review: Land at Blacksholm Road (north of Slates Farm), Kilmacolm (21/0251/IC)).

Councillor McKenzie declared a connection in Agenda Item 2(b) (Planning Application for Review: Valley View Farm, Dougliehill Road, Port Glasgow (21/0211/IC)).

76 PLANNING APPLICATIONS FOR REVIEW 76

**(a) Erection of dwellinghouse and livery stables (planning permission in principle):
Land at Blacksholm Road (north of Slates Farm), Kilmacolm (21/0251/IC)**

There were submitted papers relative to the application for review for the refusal of the erection of a dwellinghouse and livery stables (planning permission in principle) at land at Blacksholm Road (north of Slates Farm), Kilmacolm (21/0251/IC) to enable the Local Review Body to consider the matter afresh.

Councillor Wilson declared a connection as an acquaintance of the applicant through her role as Chair of the Kilmacolm Community Council. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and was declaring for transparency.

Ms Pickett acted as Planning Adviser relative to this case.

Decided:

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

LOCAL REVIEW BODY – 2 FEBRUARY 2022

(2) that the application for review be upheld and that planning permission be granted subject to the following conditions:-

Conditions

1 that development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing the position of the proposed dwellinghouse and the proposed livery stables with isolation box, means of access, parking areas and vehicular turning areas, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location, thereafter the matters that are approved shall be implemented in their approved form;

2 that development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed floor plans and elevations of the proposed dwellinghouse and the proposed livery stables with isolation box and shall show dimensions as well as the type and colour of all external materials, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location, thereafter the matters that are approved shall be implemented in their approved form;

3 that development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the type and colour of all hard surfacing materials to be used on hardstanding areas, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location, thereafter the matters that are approved shall be implemented in their approved form;

4 that development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed ground levels throughout the site and proposed finished floor levels of the proposed dwellinghouse and proposed livery stables with isolation box, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location, thereafter the matters that are approved shall be implemented in their approved form;

5 that development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the details of surface water management and Sustainable Urban Drainage Systems proposals. For the avoidance of doubt the surface water management shall be contained within the site, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location, thereafter the matters that are approved shall be implemented in their approved form;

6 that for the avoidance of doubt the applications submitted in relation to conditions 1 and 2 above shall allow for the following:

- (i) parking should be provided in accordance with the National Guidelines:
 - 1 parking space for a 1 bedroom house;
 - 2 parking spaces for a 2 or 3 bedroom house;
 - 3 parking spaces for a 4 bedroom house;Note – for a garage to be counted as a parking space, it must be a minimum of 3.0m by 7.0m;
- (ii) the minimum dimensions of the parking spaces shall be 3m wide by 6m long;

LOCAL REVIEW BODY – 2 FEBRUARY 2022

- (iii) the driveway shall be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road and the gradient shall not exceed 10%;

to ensure that the required level of parking is provided in the site is acceptable;

7 that for the avoidance of doubt the dwellinghouse shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 20% by the end of 2022). Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in the dwellinghouse. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of the dwellinghouse, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009; and

8 that for avoidance of doubt the dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Point. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of the dwellinghouse, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.

**(b) Proposed new detached dwellinghouse (in principle):
Valley View Farm, Dougliehill Road, Port Glasgow (21/0211/IC)**

There were submitted papers relative to the application for review for a proposed new detached dwellinghouse (in principle) at Valley View Farm, Dougliehill Road, Port Glasgow (21/0211/IC) to enable the Local Review Body to consider the matter afresh.

Councillor McKenzie declared a connection as a professional acquaintance of the applicant. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and was declaring for transparency.

Mr Hamilton acted as Planning Adviser relative to this case.

Following discussions, Councillor McKenzie moved (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be upheld and that planning permission be granted subject to the following conditions and advisory notes:-

Conditions

1 that plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval, to ensure that the matters referred to are given full consideration and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006;

2 that details of the proposed layout are required to accord with condition 1 above. These shall be shown on a plan at a scale of 1:500 showing the position of the proposed dwelling, means of access and parking provision, to ensure a precise and acceptable form of development in the interests of future Occupants, the proper functioning of the development, and the appearance of the locality. The details shall allow for the following:

LOCAL REVIEW BODY – 2 FEBRUARY 2022

- (i) parking (including garages if not less than 3.0 metres by 7.0 metres in size) to be provided in accordance with the National Guidelines of one parking space for a 1-bedroom house, 2 parking spaces for a 2- or 3-bedroom house, and 3 parking spaces for a 4- bedroom house;
 - (ii) the minimum dimensions of driveways shall be 3 metres wide by 5.5 metres long per bay and the driveway gradients shall not exceed 10%;
- 3 that the proposed floor plans and elevations of all buildings are required to accord with condition 1 above, including dimensions and type and colour of all external materials, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;
- 4 that details are required to accord with condition 1 above of the type and colour of all hard surfacing materials and that for the avoidance of doubt, the first 2 metres of the vehicular access shall be formed in a hard sealed surface, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;
- 5 that details are required to accord with condition 1 above of the proposed landscaping at the site, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality. These details shall include:
- (i) planting grass, seeding and/or turfing
 - (ii) details of any tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted as well as identifying trees that are to be retained or removed;
 - (iii) details of any moulding or levels adjustments;
- 6 that details are required to accord with condition 1 above of any walls or fences to be erected on the site, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;
- 7 that details are required to accord with condition 1 above of the visibility splays to be provided in both directions at the junction of the vehicular access with Dougliehill Road. The visibility splays shall be a minimum of 2.0 metres x 75.0 metres x 1.05 metres, in the interests of road safety at and near the access;
- 8 that details are required to accord with condition 1 above of low and zero carbon generating technologies to be installed in the house. The house shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards (rising to at least 20% by the end of 2022) is met through the installation and operation of low and zero carbon generating technologies, in the interests of minimising carbon emissions. The house shall not be occupied until the approved details for that house have been fully implemented as approved;
- 9 that details are required to accord with condition 1 above of an electric vehicle charging point for the house, in the interests of minimising carbon emissions. The house shall be occupied before its charging point has been installed as approved;
- 10 that all surface water should be managed within the site to prevent flooding to surrounding properties and the public road network, to prevent flooding occurring;
- 11 that confirmation of Scottish Water's acceptance of the proposed development shall be submitted for approval prior to the start of development, to ensure adequate drainage connections can be achieved;

LOCAL REVIEW BODY – 2 FEBRUARY 2022

12 that prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

13 that the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;

14 that before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness, to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety;

15 that the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority, to ensure that all contamination issues are recorded and dealt with appropriately; and

16 that the applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place, protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

Advisory Notes

1 all external lighting on the application site should comply with the Scottish Government Guidance Note 'Controlling Light Pollution and Reducing Lighting Energy Consumption'; and

2 the applicant should be fully aware of the 'Construction (Design & Management) Regulations 2015 (CDM 2015)' and its implications on client duties etc.

As an amendment Councillor Clocherty moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:-

LOCAL REVIEW BODY – 2 FEBRUARY 2022

1 that as the proposal is for a detached dwellinghouse within the Green Belt which has not been justified under Policy 14 of the adopted 2019 Inverclyde Local Development Plan or Policies 15 and 19 of the proposed 2021 Inverclyde Local Development Plan, it is contrary to both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan respectively;

2 that as the proposal is for a detached dwellinghouse in a rural location with no safe and convenient links to the wider walking network it is unlikely to promote sustainable and active travel and is therefore contrary to Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan;

3 that as the applicant has not demonstrated that the proposal will not be at significant risk of flooding or increase the level of flood risk elsewhere it has not been justified under Policy 8 of the adopted 2019 Inverclyde Local Development Plan or Policy 9 of the proposed 2021 Inverclyde Local Development Plan;

4 that as the application site is not a brownfield site within an identified settlement boundary it cannot be justified against Policy 18 of the proposed 2021 Inverclyde Local Development Plan;

5 that as the proposal does not accord with the sustainable principles of Scottish Planning Policy (2014), specifically in that it would not support town centre and regeneration priorities; would not support the delivery of accessible housing; would not support climate change mitigation and adaptation including taking account of flood risk; and does not have regard for sustainable land use, it does not therefore constitute sustainable development and is contrary to the Scottish Planning Policy.

Following a roll call vote, 3 members, Councillors Crowther, McKenzie and Nelson voted in favour of the motion and 4 members, Councillors Clocherty, Dorrian, Rebecchi and Wilson voted in favour of the amendment which was declared carried.

Decided:

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. that as the proposal is for a detached dwellinghouse within the Green Belt which has not been justified under Policy 14 of the adopted 2019 Inverclyde Local Development Plan or Policies 15 and 19 of the proposed 2021 Inverclyde Local Development Plan, it is contrary to both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan respectively;

2. that as the proposal is for a detached dwellinghouse in a rural location with no safe and convenient links to the wider walking network it is unlikely to promote sustainable and active travel and is therefore contrary to Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan;

3. that as the applicant has not demonstrated that the proposal will not be at significant risk of flooding or increase the level of flood risk elsewhere it has not been justified under Policy 8 of the adopted 2019 Inverclyde Local Development Plan or Policy 9 of the proposed 2021 Inverclyde Local Development Plan;

4. that as the application site is not a brownfield site within an identified settlement boundary it cannot be justified against Policy 18 of the proposed 2021 Inverclyde Local Development Plan;

LOCAL REVIEW BODY – 2 FEBRUARY 2022

5. that as the proposal does not accord with the sustainable principles of Scottish Planning Policy (2014), specifically in that it would not support town centre and regeneration priorities; would not support the delivery of accessible housing; would not support climate change mitigation and adaptation including taking account of flood risk; and does not have regard for sustainable land use, it does not therefore constitute sustainable development and is contrary to the Scottish Planning Policy.

LOCAL POLICE & FIRE SCRUTINY COMMITTEE – 3 FEBRUARY 2022

Local Police & Fire Scrutiny Committee

Thursday 3 February 2022 at 3pm

Present: Councillors Clocherty, Crowther, MacLeod, J McEleny, McGuire McVey, Moran, Nelson and Quinn.

Chair: Councillor McVey presided.

In attendance: Corporate Director Education, Communities & Organisational Development, Head of Culture Communities and Educational Resources, Interim Head of Service Public Protection & Covid Recovery, Ms A Sinclair for (Head of Legal & Democratic Services), Mr W Rice (Culture, Communities and Educational Resources), Ms L Carrick and Ms D Sweeney (Legal & Democratic Services), ICT Services Manager and Mr P J Coulter (for Service Manager Communications, Tourism and Health & Safety).

In attendance also: Chief Superintendent V Little and Chief Inspector P Cameron (Police Scotland) and Area Commander D McCarrey and Group Commander M Henderson (Scottish Fire and Rescue Service).

The meeting was held by video conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

77 Apologies, Substitutions and Declarations of Interest 77

Apologies for absence were intimated on behalf of Councillors Jackson and Wilson.

No declarations of interest were intimated.

78 Police Scotland Performance Report 78

There was submitted a report on the performance and activities of Police Scotland during the reporting period 1 April 2021 to 31 October 2021. During the course of discussion on this item Chief Inspector Cameron advised that Police Scotland has linked with Education Services to give young people access to the Fearless Campaign, which allows the anonymous reporting of crime, through the GLOW online digital school learning platform.

Decided: that the information contained in the report be noted.

79 Scottish Fire & Rescue Service Performance Report 79

There was submitted a report on the performance and activities of the Scottish Fire & Rescue Service during the reporting period 1 October 2021 to 31 December 2021. During the course of discussion on this item reference was made to the new interlinked smoke and fire alarms now required by Scottish Legislation. Area Commander McCarrey answered a number of Members questions and advised that the Scottish Fire & Rescue Service will fit interlinked alarms where the individual/household is assessed

LOCAL POLICE & FIRE SCRUTINY COMMITTEE – 3 FEBRUARY 2022

as “high risk” following a home safety visit and that safety advice and information will also be provided. He further advised that the Scottish Fire and Rescue Service will provide battery operated systems for those individuals/households who do not meet the criteria for an interlinked alarm, adding that guidance and further information can be found via the Scottish Government website.

Decided: that the information contained in the report be noted.

80 Local Police & Fire Scrutiny Committee Update Report**80**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on current and emerging issues relating to Police Scotland and Scottish Fire & Rescue Services.

Decided: that the current and emerging issues relating to Police and Fire & Rescue matters be noted.

AUDIT COMMITTEE – 8 FEBRUARY 2022

Audit Committee

Tuesday 8 February 2022 at 3pm

Present: Provost Brennan, Councillors Brooks, McCabe, McCormick, J McEleny, McGuire, McVey, Quinn and Rebecchi.

Chair: Councillor Rebecchi presided.

In attendance: Interim Director Finance & Corporate Governance, A Edmiston (Finance Services), Chief Internal Auditor, Interim Head of Property Services, Ms V Pollock (for Head of Legal & Democratic Services), Procurement and Building Services Manager, Ms L Carrick and Mr C MacDonald (Legal & Democratic Services) and ICT Services Manager.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

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| 81 | Apologies, Substitutions and Declarations of Interest | 81 |
| | Apologies for absence were intimated on behalf of Councillors Curley and Nelson. | |
| | No declarations of interest were intimated. | |
| 82 | Review of Standing Orders relating to Contracts and Financial Regulations | 82 |
| | There was submitted a report by the Interim Director Finance & Corporate Governance seeking comment regarding proposed changes to two of the Council's key Governance documents prior to submission to the meeting of the Inverclyde Council on 17 February 2022 for approval. | |
| | Decided: that the Committee having reviewed the changes proposed to the Council's Financial Regulations and Standing Orders relating to Contracts approve their onward transmission to the meeting of the Inverclyde Council on 17 February 2022. | |