

**THE INVERCLYDE COUNCIL – 17 FEBRUARY 2022**

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**The Inverclyde Council**

**Thursday 17 February 2022 at 2pm**

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

**Chair:** Provost Brennan presided.

**In attendance:** Chief Executive, Corporate Director Education, Communities & Organisational Development, Interim Director Finance & Corporate Governance, Interim Director Environment & Regeneration, Interim Director (Chief Officer) Health & Social Care Partnership, Head of Legal & Democratic Services, Legal Services Manager, Licensing, Litigation and Committees, Ms D Sweeney, Mr C MacDonald and Ms E Peacock (Legal Services), Head of Organisational Development, Policy & Communications, ICT Services Manager and Service Manager Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

**86 Apologies and Declarations of Interest 86**

No apologies for absence or declarations of interest were intimated.

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

**87 Appointment Panel – Head of Legal & Democratic Services - 23 November 2021 87**

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

**88 Inverclyde Council - 2 December 2021 88**

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

**89 General Purposes Board - 8 December 2021 89**

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

**90 Appointment Panel – Head of Legal & Democratic Services - 10 December 2021 90**

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

**91 Policy & Resources Executive Sub-Committee - 23 December 2021 91**

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

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<b>92</b>	<b>Planning Board - 5 January 2022</b>	<b>92</b>
	Approved on the motion of Councillor Wilson.	
<b>93</b>	<b>Health &amp; Social Care Committee - 6 January 2022</b>	<b>93</b>
	Approved on the motion of Councillor Moran.	
<b>94</b>	<b>Audit Committee - 11 January 2022</b>	<b>94</b>
	Approved on the motion of Councillor Rebecchi.	
<b>95</b>	<b>General Purposes Board - 12 January 2022</b>	<b>95</b>
	Approved on the motion of Councillor Dorrian.	
<b>96</b>	<b>Environment &amp; Regeneration Committee (Special) - 13 January 2022</b>	<b>96</b>
	Approved on the motion of Councillor McCormick.	
<b>97</b>	<b>Environment &amp; Regeneration Committee - 13 January 2022</b>	<b>97</b>
	Approved on the motion of Councillor McCormick.	
<b>98</b>	<b>Education &amp; Communities Committee - 25 January 2022</b>	<b>98</b>
	Approved on the motion of Councillor Clocherty.	
<b>99</b>	<b>Policy &amp; Resources Committee - 1 February 2022</b>	<b>99</b>
	Approved on the motion of Councillor McCabe.	
<b>100</b>	<b>Local Review Body - 2 February 2022</b>	<b>100</b>
	Approved on the motion of Councillor Wilson.	
<b>101</b>	<b>Local Police &amp; Fire Scrutiny Committee- 3 February 2022</b>	<b>101</b>
	Approved on the motion of Councillor McVey.	
<b>102</b>	<b>Audit Committee (Special) - 8 February 2022</b>	<b>102</b>
	Approved on the motion of Councillor Rebecchi.	
<b>103</b>	<b>General Purposes Board - 9 February 2022</b>	<b>103</b>
	Approved on the motion of Councillor Dorrian.	

104

**Review of Governance Documents (Standing Orders Relating to Contracts, Financial Regulations, Scheme of Delegation and Standing Orders/Scheme of Administration)**

104

There was submitted a report by the Interim Director Finance & Corporate Governance seeking approval for a number of proposed changes to the Council's key governance documents.

The Head of Legal & Democratic Services advised of an additional proposed revision within the 'Scheme of Delegation – Officers' governance document, and accordingly the arrangements for the publishing of the Council's annual asset transfer report will be a function of the Head of Culture, Communities & Educational Resources and not the Interim Head of Property Services as stated at page 27 of the document.

Following discussion, Councillor Wilson seconded by Councillor Nelson moved that (1) the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revision verbally proposed by the Head of Legal & Democratic Services, be approved with effect from 1 March 2022, and (2) that the membership and quorum of the Local Review Body remain unchanged.

As an amendment Councillor J McEleny seconded by Councillor C McEleny moved that (1) the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revision verbally proposed by the Head of Legal & Democratic Services, be approved with effect from 1 March 2022, and (2) that the membership and quorum of the Local Review Body be the same as for the Planning Board.

As a further amendment Councillor Moran seconded by Councillor Clocherty moved that (1) the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revision verbally proposed by the Head of Legal & Democratic Services be approved with effect from 1 March 2022, and (2) that the membership and quorum of the Local Review Body be in line with the officers recommendation.

On a roll call vote between the two amendments, 2 Members, Councillors J McEleny and C McEleny voted for their amendment, and 9 Members, Provost Brennan, Councillors Clocherty, Dorrian, Jackson, McCabe, McCormick, McGuire, Moran and Quinn voted for the amendment by Councillor Moran seconded by Councillor Clocherty. The amendment by Councillor J McEleny, having received fewer votes, then fell. Councillors Ahlfeld, Brooks, Crowther, Curley, MacLeod, McKenzie, McVey, Nelson Rebecchi, Robertson and Wilson abstained from voting.

On a roll call vote between the motion and the amendment by Councillor Moran seconded by Councillor Clocherty, 10 Members, Provost Brennan, Councillors Clocherty, Dorrian, Jackson, McCabe, McCormick, C McEleny, J McEleny, McGuire and Moran voted for the amendment, and 12 Members, Councillors Ahlfeld, Brooks, Crowther, Curley, MacLeod, McKenzie, McVey, Nelson, Quinn, Rebecchi, Robertson and Wilson voted for the motion which was declared carried.

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**Decided:**

- (1) that the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revisal verbally proposed by the Head of Legal & Democratic Services, be approved with effect from 1 March 2022; and
- (2) that the membership and quorum of the Local Review Body remain unchanged.

**105 Update Regarding Future Delivery of All Council/Committee Board Meetings 105**

It was agreed unanimously to suspend Standing Orders to allow consideration of this item following a decision of the Council at its meeting on 23 September 2021.

There was submitted a report by the Head of Legal & Democratic Services providing an update and seeking decisions of the future delivery of Council, Committees and Board meetings in light of the relaxation of Covid restrictions announced by the Scottish Government due to the reduction in infection rates of the Omicron variant.

**Decided:**

- (1) that the Council revert to the Hybrid Committee model approved by the Council on 23 September 2021 with effect from 1 March 2022;
- (2) that public attendance be facilitated via reverting to physical attendance whilst continuing with live streaming of meetings onto YouTube (or such substitute medium as the Council might subsequently use); and
- (3) that the proposed revisions to both the Remote and Hybrid Meeting Protocols be approved, as are detailed at appendix 3 of the report.

**106 Local Government Elections 2022: Review of Polling Scheme 106**

There was submitted a report by the Head of Legal & Democratic Services seeking approval for the polling scheme for the purposes of the Local Government Elections in May 2022.

**Decided:**

- (1) that the polling scheme as detailed at appendix 1 of the report be approved for use at the Local Government Elections in May 2022; and
- (2) that authority continue to be delegated to the Chief Executive as Returning Officer for the Local Government Elections to (a) modify the approved polling scheme as may be necessary in situations of need, and (b) make any alternative or emergency arrangements as may be necessary in the interest of voters.

**107 Appointment of Elected Members to Inchgreen Joint Venture Company 107**

There was submitted a report by the Head of Legal & Democratic Services seeking (1) to appoint two representatives to the Board of the Joint Venture Company to be established to deliver the Inchgreen City Deal Project, and (2) to nominate one of those nominees as Chair.

Following discussion, Councillor McCabe seconded by Councillor Clocherty moved that Councillor McCabe be nominated as Chair of the Board with the other Board member being nominated by the opposition.

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As an amendment Councillor McVey seconded by Councillor Ahlfeld moved that Councillor McCabe and Councillor McKenzie be nominated as members of the Board with Councillor McCabe as the Chair of the Board.

As a further amendment Councillor Robertson seconded by Councillor Crowther moved that Councillor McCabe and Councillor Curley be nominated as members of the Board.

As a further amendment Councillor J McEleny seconded by Councillor C McEleny moved that Councillor Curley and McKenzie be nominated as members of the Board.

The meeting adjourned at 5.28pm and voting commenced when it reconvened at 5.35pm.

On a roll call vote between the amendment by Councillor J McEleny seconded by Councillor C McEleny and the amendment by Councillor Robertson seconded by Councillor Crowther, 2 Members, Councillors C McEleny and J McEleny, voted for their amendment, and 8 Members, Councillors Crowther, MacLeod, McCabe, McCormick, McGuire, Moran, Nelson and Robertson voted for Councillor Robertson's amendment. The amendment by Councillor J McEleny, having received fewer votes, then fell. Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Curley, Dorrian, Jackson, McKenzie, McVey, Quinn, Rebecchi and Wilson abstained from voting.

On a roll call vote between the amendment by Councillor Robertson seconded by Councillor Crowther and the amendment by Councillor McVey seconded by Councillor Ahlfeld, 8 Members, Councillors Ahlfeld, Brooks, Jackson, McKenzie, McVey, Quinn, Rebecchi and Wilson voted for Councillor McVey's amendment, and 8 Members, Provost Brennan, Councillors Crowther, Curley, MacLeod, McCabe, McGuire, Nelson and Robertson voted for Councillor Robertson's amendment. There being equality in voting, Provost Brennan exercised his casting vote in favour of Councillor Robertson's amendment which was declared carried. Councillors Clocherty, Dorrian, McCormick, C McEleny, J McEleny, and Moran abstained from voting.

At this point in proceedings it was agreed that the amendment by Councillor Robertson seconded by Councillor Crowther, for Councillor McCabe and Councillor Curley being nominated as members of the Board, was acceptable to Councillor McCabe, who withdrew his motion.

Councillors Ahlfeld, C McEleny, J McEleny and McVey requested that their dissent with the voting procedure be noted.

Councillor Dorrian left the meeting following his abstention in respect of the vote on this item.

**Decided:** that (a) Councillors McCabe and Curley be appointed to the Board of the Joint Venture Company to be established to deliver the Inchgreen City Deal Project, with Councillor McCabe being the initial Chair, and (b) said appointments be re-considered at the statutory Meeting of Inverclyde Council following the May 2022 elections.

### 108 Appointment of Trustees to Peter Stanton Memorial Fund

108

There was submitted a report by the Head of Legal & Democratic Services requesting that the Council re-appoint three outside trustees to the Peter Stanton Memorial Trust for a period of four years.

**Decided:** that Mr John English and Mrs Eileen Gowans be re-appointed to serve for a period of four years from 17 February 2022 until 16 February 2026, and Mr Edward McCluskey MBE be re-appointed to serve for a period of four years from 22 February 2022 until 21 February 2026.

**109 'Control the Bleed Kits' – Request by Councillor Brooks**

109

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

“The Council is continually challenged by knife crime and the loss of life through criminal behaviour.

We recognise that many victims receive no first aid at the scene and bleed to death shortly after reaching hospital.

The recent installation of “Control The Bleed Kits” for use in public venues and areas has been welcomed by Police and Ambulance Services.

In addition to strong legislation from Scotland’s governments, we believe that our support for the kits within our communities would be welcomed by all, making Inverclyde a safer place.

If we can get as many publicly accessible venues to house these kits as possible, the public will know there is one nearby available to help someone in need. Those vital few minutes are paramount. Heroes often come in the form of zero responders i.e. someone on the scene. A member of the public with access to a kit can be that person who saves a life and prevents a preventable tragedy

Knife attack victims or car crash victims can bleed to death in less time than an ambulance takes to get to them, these kits are a true life-saver.

The Council asks the Chief Executive to provide a report to the next relevant Committee outlining:

1. The learned experience of Councils or Public Bodies, throughout the UK who have installed the kits.
2. An officers’ recommendation on the value of promoting the installation of the kits across Inverclyde.
3. An initial communication strategy to encourage Inverclyde Alliance, Third Sector organisations and major companies etc. to consider funding and/or installing the kits.
4. The cost to Inverclyde Council to install a number of the kits in appropriate buildings/areas of our estate. Including insurance burden and the replenishment of contents.
5. The cost to Inverclyde Council of running a promotion campaign, for twelve months, expressing the lifesaving value of the kits.”

**Decided:**

- (1) that the Council supports Councillor Brooks’ request; and
- (2) that it be remitted to officer to submit a report to the next meeting of the Education & Communities Committee addressing the terms of Councillor Brooks’ request.

**110 Request regarding the cessation of providing the sale or provision of single use plastic bottles – Request by Councillor McCabe on behalf of the Inverclyde Literati Group**

110

There was submitted a report by the Head of Legal & Democratic Services on a request received from Councillor McCabe on behalf of the Inverclyde Literati Group in the following terms:

“Following COP 26, Inverclyde Council is aware that we all need to take more responsibility for what we do to our environment. We know that across the UK 7.7 billion single use bottles are used each year and 1 million plastic bottles are bought around the world every minute.

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Inverclyde Council currently sells drinks in single use bottles, which contribute to this vast wastage of plastic and litter. As a council, we recognize the detrimental effect that this is having on our environment and our precious biodiversity, and also, the mixed messages that it is sending to our young people.

Consequently, Inverclyde Council believes that it must now lead by example and will become a zero-single-use-bottle council. To accomplish this, Inverclyde Council will cease to sell or provide single issue plastic bottles in any of its public premises, such as Inverclyde Leisure, schools and nurseries. Furthermore, in conjunction with Scottish Water, it will seek to increase the number of water points for people to refill their reusable bottles.

In addition, Inverclyde Council will consider practical and financial incentives to support local businesses to find ways in which they can also back this initiative.”

**Decided:**

- (1) that the Council supports the principle of Councillor McCabe’s request; and
- (2) that it be remitted to officers to submit a report to the next meeting of the Education & Communities Committee addressing the considerations raised by the request, including cost implications, so that Members could make a decision on the request.

**111 Flying the Flag for National Care Day and Care Week - Request by Councillor Quinn 111**

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

“Our Proud2Care Group of Care Experienced young people are currently designing a flag in recognition of the Care Experienced community and Inverclyde’s commitment to ‘Promise’. They are seeking agreement from the Council that this flag will be flown annually on National Care Day (18<sup>th</sup> February) and Care Week every October.”

**Decided:**

- (1) that the Council supports Councillor Quinn’s request;
- (2) that Inverclyde Council will fly the Proud2Care flag annually from Greenock Municipal Buildings on National Care Day (18 February) and during Care Week every October; and
- (3) that it be remitted to officers to undertake a review of the current protocol for flying flags and submit a report to a future meeting of the Council.

**112 Hoisting of Flags from Council Buildings – Request by Councillor C McEleny 112**

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

“That the Council agrees to fly the St Andrew’s Flag/Scottish Saltire from all Council buildings all year round, with the exception of days it is agreed other flags should be flown.”

Councillor C McEleny clarified that his request was only in respect of Greenock, Gourock and Port Glasgow Municipal Buildings, and also with the exception of days it was accepted practice that other flags shall be flown.

Following discussion, Councillor C McEleny seconded by Councillor J McEleny moved the terms of his request as amended by clarification.

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As an amendment Councillor McGuire seconded by Councillor Moran moved that (1) the Council agrees to fly the St Andrew's Flag/Scottish Saltire from Greenock, Gourrock and Port Glasgow Municipal Buildings all year round, with the exception of days it is agreed or accepted practice that other flags should be flown, and (2) that this be implemented after officers submit a report reviewing the current protocol for flying flags to a future meeting.

Following a roll call vote 8 Members, Provost Brennan, Councillors Brooks, Clocherty, McCabe, McCormick, McGuire, Moran and Wilson voted for the amendment, and 9 Members, Councillors Ahlfeld, Crowther, Curley, MacLeod, C McEleny, J McEleny, McKenzie, Quinn and Robertson voted for the motion, which was declared carried. Councillors Jackson, McVey and Rebecchi abstained from voting.

Councillor Nelson left the meeting during discussion of this item.

**Decided:** that the St Andrew's Flag/Scottish Saltire flag be flown from Greenock, Gourrock and Port Glasgow Municipal Buildings all year round, with the exception of days it is agreed, or accepted practice, that other flags should be flown.

Councillor Wilson left the meeting at this juncture.

**113 Newsquest & Scottish Press Awards – The Greenock Telegraph – Request by Councillor C McEleny 113**

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

“The Council is asked (1) to welcome that Inverclyde's community newspaper the Greenock Telegraph was Newsquest's best performing UK daily print title for 2021 and congratulate the staff at the newspaper for their success; and (2) to note that two local reporters were named as finalists at the Scottish Press Awards and congratulate former Inverclyde school pupil Amy Shearer for being named Young Journalist of the Year at the PPA Scotland Awards.”

**Decided:**

(1) that Inverclyde Council welcomes that Inverclyde's community newspaper the Greenock Telegraph was Newsquest's best performing UK daily print title for 2021 and congratulates the staff at the newspaper for their success; and

(2) that it be noted that two local reporters were named as finalists at the Scottish Press Awards and congratulates former Inverclyde school pupil Amy Shearer for being named Young Journalist of the Year at the PPA Scotland Awards.

**114 Request for an Independent Judge-led Inquiry on the procurement and design processes by Caledonian Maritime Assets Limited (CMAL) for Hull 802 and sister ship Glen Sannox – Notice of Motion by Councillor J McEleny 114**

There was submitted a report by the Head of Legal & Democratic Services on a motion received from Councillor J McEleny in the following terms:

“This Council acknowledges the skills and expertise of the Ferguson Marine workforce and are fully supportive of maintaining and growing Shipbuilding, Ship Maintenance and Repair on the Lower Clyde.

It also notes that the Scottish Parliament's Rural Economy and Connectivity Committee in December 2020 stated that there had been a “catastrophic failure” in managing of the procurement of Hull 802 and sister ship, Glen Sannox.



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Therefore, this council requests that the Chief Executive writes to the First Minister to seek an independent judge-led inquiry on the procurement and design processes / procedures by CMAL to establish why these vessels have been unable to be completed and as to why successive deadlines and key milestones have been missed and costs massively overrun.

Background:

Ferguson Marine is a key employer and an integral part of the Maritime sector.

Despite there being a Parliamentary Inquiry, which was critical of all parties involved, there has been no one held to account over this embarrassing procurement failure.

With regards to Ferguson Marine, a turn-around director, who earned in the region of £2M for 18 months, has been and gone with no visible / obvious signs of his impact.

As for CMAL, it's business as usual with no change of direction or improvement evident.

There appears to be a lack of project management skills, a critical requirement when working on complex projects, with no one person understanding or controlling the overall programme. Specifications have not been clearly captured, communicated or understood, resulting in an incomplete design resulting in significant reworks. E.g. most of the pipework and couplings in the engine room of the Glen Sannox needs to be replaced. It has been in the water for four years or more, therefore it is unknown as to what additional work will be required.

Only an independent judge-led inquiry will establish the full facts and identify where the shortcomings lie, with the appropriate recommendations to restore public confidence in the Scottish Government and other public bodies' involvement in these builds."

Following discussion, Councillor J McEleny seconded by Councillor C McEleny moved the terms of his motion.

Following discussion, as an amendment Councillor Curley seconded by Councillor Robertson moved that:

This Council acknowledges the skills and expertise of the Ferguson Marine workforce and are fully supportive of maintaining and growing shipbuilding, ship maintenance and repair on the Lower Clyde but notes that continued discourse on this matter has the potential to affect the reputation of Ferguson Marine. It further notes that a Scottish Parliament Inquiry into the project was published in December 2020 and that Audit Scotland are currently undertaking an audit on the "Management of the project to deliver vessels 801 & 802" which is due to publish in March 2022.

Given the imminent date for the publication of the Audit Scotland report, and in order to enable elected members to take due cognisance of that report, it is considered that the Council will take no action at this time but rather wait publication of the Audit Scotland Report and consider the same at the next scheduled meeting of the full Council following the Audit Scotland report being so published, with the possibility of Councillor J McEleny's motion being again considered at that time.

Following a roll call vote, 7 Members, Councillors Brooks, Clocherty, Crowther, Curley, MacLeod, McGuire and Robertson voted for the amendment, and 10 Councillors, Provost Brennan, Councillors Ahlfeld, Jackson, McCormick, C McEleny, J McEleny, McKenzie, McVey, Quinn and Rebecchi voted for the motion which was declared carried. Councillors McCabe and Moran abstained from voting.

**Decided:** that it be agreed that the Chief Executive write to the First Minister to seek an independent judge-led inquiry on the procurement and design processes / procedures by CMAL to establish why these vessels have been unable to be completed and as to why successive deadlines and key milestones have been missed and costs massively overrun.

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**115 Representation on the SEEMIS Group Board 115**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking approval for the Council to express an interest in representing the West Area on the SEEMiS Board with effect from 1 April 2022 for a period of three years.

**Decided:**

- (1) that approval be given to Inverclyde Council expressing an interest in becoming the Managing Council for the West area on the SEEMiS Board; and
- (2) that it be agreed that Inverclyde will be represented by the Corporate Director Education, Communities & Organisational Development at an officer level and the Convener of the Education and Communities Committee at an Elected Member level.

**Appendices to Minutes**

**116 Appointment Panel - 23 November 2021 116**

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

**117 General Purposes Board - 8 December 2021 117**

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

**118 Appointment Panel - 10 December 2021 118**

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

**119 General Purposes Board - 12 January 2022 119**

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

**120 Environment & Regeneration Committee - 13 January 2022 120**

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

**121 Policy & Resources Committee - 1 February 2022 121**

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