

# **INVERCLYDE COUNCIL**

**Minutes of Meetings of the Inverclyde Council,  
Committees, Sub-Committees, Panels and Boards to be  
submitted  
to the Meeting of The Inverclyde Council on**

**Thursday 20 April 2023**

**THE INVERCLYDE COUNCIL – 16 FEBRUARY 2023**

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**The Inverclyde Council**

**Thursday 16 February 2023 at 4pm**

**Present:** Provost McKenzie, Councillors, Brennan, Brooks, Cassidy, Clocherty, Crowther, Curley, Daisley, Jackson, Law, McCabe, McCluskey, McCormick, McGuire, McVey, Moran, Quinn, Reynolds, Robertson and Wilson.

**Chair:** Provost McKenzie presided.

**In attendance:**

Louise Long	Chief Executive
Ruth Binks	Corporate Director Education, Communities & Organisational Development
Alan Puckrin	Interim Director Finance & Corporate Governance
Stuart Jamieson	Director Environment & Regeneration
Iain Strachan	Head of Legal & Democratic Services
Steven McNab	Head of Organisational Development, Policy & Communications
Diane Sweeney	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Karen MacVey	Members' & Committee Services Team Leader
George Barbour	Service Manager Communications, Tourism and Health & Safety.

The meeting was held at the Municipal Buildings, Greenock with Councillors Cassidy, Daisley, Law, McCabe and Quinn attending by video-conference.

**87 Apologies and Declarations of Interest**

**87**

Apologies for absence were intimated on behalf of Councillors Armstrong and Nelson.

No declarations of interest were intimated, but certain connections were intimated for the purposes of transparency as follows:

Agenda Item 7 (Inverclyde Out of Hours Services – Notice of Motion by Councillor McGuire) – Councillor McCluskey.

Agenda Item 8 (The Strikes (Minimum Service Levels) Bill – Notice of Motion by Councillor Jackson) – All Councillors who are members of trades unions, details of which memberships could be found on their registers of interest, accessible through the Council's website: <https://www.inverclyde.gov.uk/meetings/councillors>

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

**88 Appointment Panel – Head of Children, Families & Criminal Justice (Chief Social Work Officer) - 3 November 2022**

**88**

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

**89 Environment & Regeneration Committee (Special) – 30 November 2022**

**89**

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

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<b>90</b>	<b>Inverclyde Council – 1 December 2022</b>	<b>90</b>
	Approved on the motion of Provost McKenzie.	
<b>91</b>	<b>Inverclyde Council (Special) – 1 December 2022</b>	<b>91</b>
	Approved on the motion of Provost McKenzie.	
<b>92</b>	<b>Appointment Panel – Head of Children, Families &amp; Criminal Justice (Chief Social Work Officer) – 5 December 2022</b>	<b>92</b>
	Approved on the motion of Councillor Moran.	
<b>93</b>	<b>Local Review Body – 7 December 2022</b>	<b>93</b>
	Approved on the motion of Councillor McVey.	
<b>94</b>	<b>Inverclyde Council (Special) – 15 December 2022</b>	<b>94</b>
	Approved on the motion of Provost McKenzie.	
<b>95</b>	<b>Appointment Panel – Director of Environment &amp; Regeneration – 20 December 2022</b>	<b>95</b>
	Approved on the motion of Councillor McCabe.	
<b>96</b>	<b>Social Work &amp; Social Care Scrutiny Panel – 5 January 2023</b>	<b>96</b>
	Approved on the motion of Councillor Jackson.	
<b>97</b>	<b>Appointment Panel – Director of Environment &amp; Regeneration – 10 January 2023</b>	<b>97</b>
	Approved on the motion of Councillor McCabe.	
<b>98</b>	<b>Audit Committee – 10 January 2023</b>	<b>98</b>
	Approved on the motion of Councillor Wilson.	
<b>99</b>	<b>General Purposes Board – 11 January 2023</b>	<b>99</b>
	Approved on the motion of Councillor Moran.	
<b>100</b>	<b>Local Review Body – 12 January 2023</b>	<b>100</b>
	Approved on the motion of Councillor McVey.	
<b>101</b>	<b>Environment &amp; Regeneration Committee – 12 January 2023</b>	<b>101</b>
	Approved on the motion of Councillor Clocherty.	
<b>102</b>	<b>Education &amp; Communities Committee – 24 January 2023</b>	<b>102</b>

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

**103 Policy & Resources Committee – 31 January 2023 103**

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

**104 Local Review Body – 1 February 2023 104**

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

**105 Local Police & Fire Scrutiny Panel – 2 February 2023 105**

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

**106 General Purposes Board – 8 February 2023 106**

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

**107 Participation in the Edinburgh Process and Declaration – Remit from Environment & Regeneration Committee 107**

There was submitted a report by the Head of Legal & Democratic Services on a remit from the Environment & Regeneration Committee of 12 January 2023 relative to participation in the Edinburgh Process and Declaration.

**Decided:** that the Council's participation in the Edinburgh Process and Declaration be endorsed.

**108 Proposed Redetermination Order – The Inverclyde Council, Mirren's Shore, Port Glasgow (Redetermination of Means of Exercise of Public Right of Passage) Order 2022 108**

There was submitted a report by the Head of Legal & Democratic Services on a remit from the Environment & Regeneration Committee of 12 January 2023 (1) requesting confirmation of the proposed Redetermination Order – The Inverclyde Council, Mirren's Shore, Port Glasgow (Redetermination of Means of Exercise of Public Right of Passage) Order 2022, and (2) seeking approval for an amendment to the Scheme of Delegation (Officers) with regard to maintained objections to any proposed Redetermination Orders.

**Decided:**

(1) that approval be given to confirm The Inverclyde Council, Mirren's Shore, Port Glasgow (Redetermination of Means of Exercise of Public Right of Passage) Order 2022 and that it be remitted to the Shared Head of Roads & Environmental Services and Head of Legal & Democratic Services to take all necessary action to implement the same; and

(2) that it be remitted to the Head of Legal & Democratic Services to amend the Scheme of Delegation (Officers) to the effect that where there are no maintained objections to any proposed Redetermination Order the Head of Legal & Democratic Services will be authorised to confirm such a Redetermination Order on behalf of the Council, as detailed at paragraphs 3.4 and 4.2 of the report.

**109 Service Concession Flexibility – Accounting Change Proposal – Remit from Policy & Resources Committee 109**

There was submitted a report by the Head of Legal & Democratic Services on a remit from the Policy & Resources Committee of 31 January 2023 relative to a proposed change to the accounting treatment of the Council's Schools PPP (Service Concession) contract following the issuing of revised accounting guidance from the Scottish Government.

**Decided:** that the decision of the Policy & Resources Committee on 31 January 2023 in respect of the implementation of a change to the accounting treatment of the Council's Schools PPP (Service Concession) contract, as detailed in Section 4 of the said report to the Policy & Resources Committee, be endorsed.

**110 Inverclyde Task Force Update**

**110**

There was submitted a report by the Director Environment & Regeneration providing an update in respect of the Inverclyde Task Force outwith the normal reporting period, this being due to the recently announced potential closure of the Amazon Fulfilment Centre in Gourrock.

**Decided:** that the Council notes the activity of the Inverclyde Task Force and continues to support its purpose.

**111 Inverclyde Out of Hours Services – Notice of Motion by Councillor McGuire**

**111**

There was submitted a report by the Head of Legal and Democratic Services advising of the receipt of a Notice of Motion received from Councillor McGuire, countersigned by Councillor Clocherty, in the following terms:

"Inverclyde Out of Hours Services

Council notes that prior to February 2020, Inverclyde was served by a GP Out of Hours Service seven days a week. This service was reduced in February 2020 when the GP Out of Hours service for the Greater Glasgow and Clyde area entered business continuity arrangements.

In March 2020, Councillors McCabe and Moran wrote to the Chair of the Health Board, Professor John Brown, expressing the Council's disappointment at this decision. At the time, the arrangement was intended to be a temporary measure.

Almost three years on, the GP Out of Hours Service remains in business continuity arrangements. In December, the Greenock Telegraph reported that there were no plans to return a full Out of Hours Service to Inverclyde, meaning that many patients would have to travel to Paisley and Glasgow.

Continuing without a full out of hours service in Inverclyde would represent a further downgrading of NHS services in our area and would have a particular effect on the poorest and most vulnerable.

This proposal has created significant concern in the Inverclyde community with over 6000 people signing a petition against changes to out of hours and calling for a full service to be reinstated.

No consultation has been undertaken on plans to permanently reduce the service in Inverclyde. Council believes that any consultation should consider these changes as a major service change and be open to a full public consultation. Council further believes that for the purposes of consultation, any proposals for change should be measured against the service prior to February 2020 and not after.

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Council is asked to express its opposition to Health Board plans not to return a full Out of Hours service to Inverclyde; requests that the Leader of the Council write to the Chair and Chief Executive of the Health Board expressing the Council's opposition and enclosing a copy of this motion; requests that the Leader of the Council writes to Healthcare Improvement Scotland – Community Engagement expressing Council's view that any proposed changes constitute a major service change and should be subject to a full public consultation."

Councillor McCluskey declared a connection as a Board Member of NHS Greater Glasgow & Clyde Health Board. 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. Councillor McCluskey advised that he had taken advice on his taking part in this item from the NHS Greater Glasgow & Clyde Health Board and the Standards Commission for Scotland.

Following discussion, as an amendment Councillor Reynolds seconded by Councillor Daisley moved that Councillor McGuire's motion as set out above be approved with the amendment that the final paragraph of the motion be removed and replaced with:

"Council is asked to express its concern regarding the current GP Out of Hours service to Inverclyde; requests that the Leader of the Council write to the Chair and Chief Executive of the Health Board expressing the Council's concern, enclosing a copy of this motion and requesting an immediate introduction of full weekend and bank holiday cover; request that the Leader of the Council write to Healthcare Improvement Scotland – Community Engagement expressing Council's view that any permanent changes constitute a major service change and should be subject to a full public consultation."

Following a roll call vote, 6 Members, Councillors Crowther, Curley, Daisley, Law, Reynolds and Robertson voted for the amendment, and 14 Members, Provost McKenzie, Councillors Brennan, Brooks, Cassidy, Clocherty, Jackson, McCabe, McCluskey, McCormick, McGuire, McVey, Moran, Quinn and Wilson voted for the motion which was declared carried.

### **Decided:**

- (1) that the Notice of Motion by Councillor McGuire as set out above be agreed;
- (2) that it be agreed that the Leader of the Council write to (a) the Chair and Chief Executive of the Health Board expressing the Council's opposition to Health Board plans not to return a full Out of Hours GP service to Inverclyde and enclosing a copy of Councillor McGuire's motion, and (b) Healthcare Improvement Scotland – Community Engagement expressing the Council's view that any proposed changes constitute a major service change and should be subject to full public consultation.

## **112 The Strikes (Minimum Service Levels) Bill – Notice of Motion by Councillor Jackson 112**

There was submitted a report by the Head of Legal and Democratic Services advising of the receipt of a Notice of Motion received from Councillor Jackson, countersigned by Councillor Clocherty, in the following terms:

"Preamble: The Strikes (Minimum Service Levels) Bill, should it become law in its current form, will give employers in vital sectors the power to sack frontline staff, giving the UK government legislative authority to deny workers what is universally regarded as a fundamental human right, the right to withdraw their labour.

Employers will have the unilateral right to issue a "work notice" identifying individual workers required to work to maintain minimum service. The Bill provides statutory provision enabling certain employers with the authority of the State to requisition workers. A worker who refuses to comply will lose automatic unfair dismissal protection if

they are dismissed.

The UK government is therefore seeking to change the law to authorise certain employers to do what no court in this country can do. Under the Trade Union and Labour Relations (Consolidation) Act 1992, section 236, no court can “compel an employee to do any work or attend at any place for the doing of any work”.

Having notified the union of the identity of the workers to be compelled to work, the Bill would then deny workers their automatic protection from unfair dismissal if the union fails to take reasonable steps to ensure all members identified in the work notice “comply”.

The purpose of this new legislation is to weaken the power of workers and increase the power of employers. In the absence of an effective right to strike, pay and terms and conditions are set by employers without the input of workers.

The UK government are trying to justify the Bill by claiming that minimum service levels are authorised by the International Labour Organisation.

The UK’s international legal obligations include Article 11 of the European Convention on Human Rights; Article 3 of Convention 87 of the International Labour Organisation; Article 8 of the International Covenant on Economic, Social and Cultural Rights; and Article 6(4) of the European Social Charter 1961. The UK government reaffirmed its commitment to several such treaties in the EU-UK Trade and Cooperation Agreement 2021.

Motion

1. That Inverclyde Council as an employer will, in accordance with the law, continue to respect the human rights of all workers to take strike action and support their right to do so.

2. That Inverclyde Council strongly objects to the Strikes (Minimum Service Levels) Bill, which seeks to undermine the rights of workers and trade unions and agrees that the Chief Executive write to the Prime Minister and the Secretary of State for Business, Energy and Industrial Strategy calling on them to withdraw the Bill.”

In response to the matter being raised by Councillor McGuire, the Head of Legal & Democratic Services noted that a number of Councillors were members of trades unions but given that the Motion did not relate to any specific trade union and the nature of their connection and of the item of business such membership did not preclude their continued presence in the meeting or their participation in the decision-making process in respect of this agenda item, but advised that the minute would record for the purposes of transparency that some Councillors are members of trades unions, details of which memberships could be found on their registers of interest, accessible through the Council’s website.

Following discussion, as an amendment Councillor Daisley seconded by Councillor Crowther moved that Councillor Jackson’s motion as set out above be approved with the amendment that a third point be added to the motion, that being “(3) Inverclyde Council recognises the position of the Scottish Trades Unions Congress that Scottish worker’s rights would be more effectively protected if employment and trade union laws were devolved to the Scottish Parliament”.

As a further amendment Councillor Brooks seconded by Councillor Wilson moved that no action be taken on this matter.

On a roll call vote between the two amendments, 2 Members, Councillors Brooks and Wilson, voted for their amendment, and 8 Members, Provost McKenzie, Councillors Crowther, Curley, Daisley, Law, Quinn, Reynolds and Robertson, voted for the amendment by Councillor Daisley seconded by Councillor Crowther. The amendment by Councillor Brooks, having received fewer votes, then fell. Councillors Brennan, Cassidy, Clocherty, Jackson, McCabe, McCluskey, McCormick, McGuire, McVey and Moran abstained from voting.

On a roll call vote between the motion and the amendment by Councillor Daisley

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seconded by Councillor Crowther, 6 Members, Councillors Crowther, Curley, Daisley, Law, Reynolds and Robertson, voted for the amendment and 12 Members, Provost McKenzie, Councillors Brennan, Cassidy, Clocherty, Jackson, McCabe, McCluskey, McCormick, McGuire, McVey, Moran and Quinn, voted for the motion which was declared carried. Councillors Brooks and Wilson abstained from voting.

**Decided:**

- (1) that the Notice of Motion by Councillor Jackson as set out above be agreed; and
- (2) that it be remitted to the Chief Executive to write to the Prime Minister and the Secretary of State for Business, Energy and Industrial Strategy calling on them to withdraw the Bill.

**Appendices to Minutes**

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|------------|--|------------|
| <b>113</b> | <b>Appointment Panel – Head of Children, Families &amp; Criminal Justice (Chief Social Work Officer) - 3 November 2022</b> | <b>113</b> |
|            | <b>Approved</b> on the motion of Councillor Moran.   |            |
| <b>114</b> | <b>Appointment Panel – Head of Children, Families &amp; Criminal Justice (Chief Social Work Officer) – 5 December 2022</b> | <b>114</b> |
|            | <b>Approved</b> on the motion of Councillor Moran.   |            |
| <b>115</b> | <b>Appointment Panel – Director of Environment &amp; Regeneration – 20 December 2022</b>                                   | <b>115</b> |
|            | <b>Approved</b> on the motion of Councillor McCabe.  |            |
| <b>116</b> | <b>Appointment Panel – Director of Environment &amp; Regeneration – 10 January 2023</b>                                    | <b>116</b> |
|            | <b>Approved</b> on the motion of Councillor McCabe.  |            |
| <b>117</b> | <b>General Purposes Board – 11 January 2023</b>  | <b>117</b> |
|            | <b>Approved</b> on the motion of Councillor Moran.   |            |
| <b>118</b> | <b>Environment &amp; Regeneration Committee – 12 January 2023</b>  | <b>118</b> |
|            | <b>Approved</b> on the motion of Councillor Clocherty.   |            |
| <b>119</b> | <b>General Purposes Board – 8 February 2023</b>  | <b>119</b> |
|            | <b>Approved</b> on the motion of Councillor Moran.   |            |



## AUDIT COMMITTEE – 21 FEBRUARY 2023

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### Audit Committee

**Tuesday 21 February 2023 at 3pm**

**Present:** Provost McKenzie, Councillors Robertson (for Crowther), Curley, McCabe, McCluskey, McCormick, McGuire, McVey, Nelson, Reynolds and Wilson.

**Chair:** Councillor Nelson presided.

**In attendance:**

Alan Puckrin	Interim Director Finance & Corporate Governance
Iain Strachan	Head of Legal & Democratic Services
Vicky Pollock	Legal Services Manager (Procurement, Conveyancing & Information Governance)
Andi Priestman	Chief Internal Auditor
Matt Thomson	Finance Manager (Environment & Technical)
Gerard Smith	Capital Assets Principal Accountant
Emma Peacock	Solicitor
Lindsay Carrick	Senior Committee Officer
Diane Sweeney	Senior Committee Officer
Karen MacVey	Members' & Committee Services Team Leader
George Barbour	Service Manager Communications, Tourism and Health & Safety

The meeting was held at the Municipal Buildings, Greenock with Councillors McCabe, McCluskey, McCormick, McGuire, McVey and Reynolds attending by video-conference.

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

**120 Apologies, Substitutions and Declarations of Interest 120**

An apology for absence was intimated on behalf of Councillor Crowther, with Councillor Robertson substituting.

No declarations of interest were intimated.

**121 Internal Audit Progress Report – 28 November 2022 to 27 January 2023 121**

There was submitted a report by the Interim Director Finance & Corporate Governance appending the monitoring report in respect of Internal Audit activity for the period 28 November 2022 to 27 January 2023.

**Decided:** that the monitoring report in respect of Internal Audit activity for the period 28 November to 27 January 2023 be noted.

**122 External Audit Action Plans – Current Actions 122**

There was submitted a report by the Interim Director Finance & Corporate Governance on the status of current actions from External Audit Action Plans as at 31 December 2022.

**Decided:** that the progress to date in relation to the implementation of External Audit actions be noted.

**AUDIT COMMITTEE – 21 FEBRUARY 2023**

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- 123      Review of Internal Audit Charter      123**
- There was submitted a report by the Interim Director Finance & Corporate Governance advising Members that the formal 5 yearly review of the Internal Audit Charter has been undertaken, and that no significant changes had been identified.  
**Decided:** that the Internal Audit Charter be approved.
- 124      Inverclyde Council Criminal Finances Act 2017 Policy      124**
- There was submitted a report by the Head of Legal & Democratic Services requesting that the Committee (a) give consideration to the proposed Criminal Finances Act 2017 Policy, as appended to the report and (b) remit the Policy to the Policy & Resources Committee for its subsequent approval and implementation. Following discussion it was agreed that in the report being remitted to the Policy & Resources Committee officers would include some examples as to how the Policy might be applied in practice.  
**Decided:**
- (1) that the requirement for the Council to have in place adequate preventative procedures in relation to tax evasion offences in terms of the Criminal Finances Act 2017 be noted; and
  - (2) that having considered the proposed Criminal Finances Act 2017 Policy, it be remitted to the Policy & Resources Committee for its subsequent approval and implementation.

**GENERAL PURPOSES BOARD – 22 FEBRUARY 2023**

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**General Purposes Board**

**Wednesday 22 February 2023 at 9am**

**Present:** Provost McKenzie, Councillors Cassidy, Crowther, Curley, McCluskey, Quinn, Reynolds, Robertson (for Armstrong) and Wilson.

**Chair:** Councillor Curley presided.

**In attendance:**

David Keenan	Solicitor (for Head of Legal & Democratic Services)
Jim Bradley	Team Leader Transport & Waste Collection (for Shared Head of Roads & Environmental Services)
Anne Sinclair	Legal Services Manager (Licensing, Litigation & Committees)
Fiona Denver	Senior Paralegal Licensing Officer
Diane Sweeney	Senior Committee Officer
Siobhan MacMaster	Solicitor

The meeting was held at the Municipal Buildings, Greenock with Councillors Cassidy, Crowther, Quinn, Reynolds and Wilson attending by video-conference.

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

**125      Apologies, Substitutions and Declarations of Interest      125**

Apologies for absence were intimated on behalf of Councillor Armstrong, with Councillor Robertson substituting, and Councillor Moran.

No declarations of interest were intimated.

**126      Taxi Fares Review 2022/23      126**

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider the annual review of the taxi fare scales for the purposes of public advertisement as the next formal stage of the statutory process and following consultation with all Taxi Operators, including the Operators Liaison Group and other members of the trade.

The Board heard Mr Bradley representing the Shared Head of Roads & Environmental Services, Mr Henry Glasgow and Mr Graham Campbell representing Inverclyde Taxis Ltd, ABC Taxis (Inverclyde) Ltd and the Operators Liaison Group and Mr Paul Travers, an independent Taxi Operator.

Councillor Brennan joined and left the meeting during consideration of this item and did not participate in the discussion.

**Decided:**

(1) that it be remitted to the Head of Legal & Democratic Services to publicly advertise the fare scales as determined by the Board with (a) an increase of 12% on the flag fall on all 4 tariffs, and (b) a further increase of 12% on the running mile; and

(2) that it be remitted to the Head of Legal & Democratic Services to submit a further report to the Board on the outcome once the statutory period for representations has lapsed.

## SOCIAL WORK & SOCIAL CARE SCRUTINY PANEL – 23 FEBRUARY 2023

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### Social Work & Social Care Scrutiny Panel

Thursday 23 February 2023 at 3pm

**Present:** Councillors Brennan, Brooks, Cassidy, Curley (for Armstrong), Daisley, Jackson, McCluskey, Quinn, Reynolds and Robertson.

**Chair:** Councillor Jackson presided.

**In attendance:**

Kate Rocks	Chief Officer (Inverclyde HSCP)
Marie Keirs	Senior Finance Manager (for Head of Finance, Planning & Resources (Inverclyde HSCP))
Vicky Pollock	Legal Services Manager (for Head of Legal & Democratic Services)
Allen Stevenson	Chief Social Work Officer and Head of Health & Community Care (Inverclyde HSCP)
Jonathan Hinds	Head of Children & Families and Criminal Justice Services (Inverclyde HSCP)
Gail Kilbane	Interim Head of Mental Health, Alcohol & Drugs Recovery and Homelessness Services (Inverclyde HSCP)
Audrey Howard	Interim Head of Justice & Children's Services (Inverclyde HSCP)
Joan McLellan	Service Manager, Children's Services (Inverclyde HSCP)
Arlene Mailey	Service Manager, Quality & Development Service (Inverclyde HSCP)
Eddie Montgomery	Interim Head of Property Services
Diane Sweeney	Senior Committee Officer
Colin MacDonald	Senior Committee Officer
Karen MacVey	Members' & Committee Services Team Leader
George Barbour	Service Manager Communications, Tourism and Health & Safety

The meeting was held at the Municipal Buildings, Greenock with Councillors Brennan, Daisley, McCluskey, Quinn and Reynolds attending by video-conference.

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

**127 Apologies, Substitutions and Declarations of Interest 127**

Apologies for absence were intimated on behalf of Councillor Armstrong, with Councillor Curley substituting, and Provost McKenzie.

No declarations of interest were intimated, but certain connections were intimated for the purposes of transparency as follows:

Agenda item 8 (Reporting by Exception – Governance of HSCP Commissioned External Organisations) – Councillors Cassidy and McCluskey.

**128 Revenue & Capital Budget Report – Revenue Outturn Position as at 31 December 2022 128**

## SOCIAL WORK & SOCIAL CARE SCRUTINY PANEL – 23 FEBRUARY 2023

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There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership and the Head of Finance, Planning & Resources, Inverclyde Health & Social Care Partnership, on the projected outturn on revenue and capital for 2022/23 as at 31 December 2022.

**Decided:**

- (1) that the projected current year revenue outturn of a £1.326million underspend at 31 December 2022, as detailed at paragraphs 4.1 to 4.12 of the report, be noted;
- (2) that the projected capital position, as detailed at paragraphs 5.1 to 5.3 of the report, be noted;
- (3) that the current earmarked reserves position, as detailed at paragraphs 6.1 to 6.4 of the report, be noted; and
- (4) that the recommendation to the Inverclyde Integration Joint Board to earmark the underspends, as detailed at section 4 of the report, be noted.

**129 National Care Service 129**

Mr Stevenson provided a verbal report on the current position regarding the implementation of the National Care Service (NCS).

The following points were noted:

- (1) Your Voice has submitted a bid to host a listening event; and
- (2) The National Social Work Agency has begun assessing how training for new Social Workers will sit within the framework of the NCS.

**Decided:** that the verbal report be noted.

**130 Inspection of Children’s Residential Care Homes – Kylemore and Inspection of Children’s Residential Care Homes – The View 130**

There were submitted two separate reports by the Chief Officer, Inverclyde Health & Social Care Partnership advising the Committee of the outcomes of the Care Inspectorate’s unannounced inspections in respect of Kylemore Children’s Residential Care Home Services on 15 November 2022 and The View Children’s Residential Care Home Services on 1 November 2022, which the Committee considered as one item.

**Decided:** that the outcome of both inspections be noted.

**131 Learning Disability – Community Hub Update 131**

There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership providing an update on the ongoing development of the Learning Disability Community Hub.

**Decided:**

- (1) that the current progress and delivery programme for the project be noted;
- (2) that the ongoing review of the design proposals and affordability cap position including the inherent inflation risks be noted; and
- (3) that the ongoing engagement with the relevant Scottish Government officials on maintaining the external funding commitment to the project be noted.

**132 Cost of Living Support 132**

There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership advising the Committee of the range of measures agreed by Inverclyde Integration Joint Board at its meeting on 28 November 2022 to provide cost of living support for the citizens of Inverclyde.

## SOCIAL WORK & SOCIAL CARE SCRUTINY PANEL – 23 FEBRUARY 2023

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The Chief Officer provided a verbal update to the report and advised that, to date, 70 members of staff had received training on the issuing of Section 12 and 22 payments.

**Decided:**

- (1) that the agreement to widen access to funding under Section 12 of the Social Work (Scotland) Act 1968 and Section 22 of the Children (Scotland) Act 1995 to health staff employed in Health Visiting, Family Nurse Partnership, Advice Services, Community Mental Health and Occupational Therapy to a maximum of £0.300million, to be funded from the 2022/23 underspend, be noted;
- (2) that it be noted that a Standard Operating Procedure has been developed which ensures delivery within a governance framework;
- (3) that the distribution of an initial 500 warm boxes to service users receiving a Care at Home package from HSCP and commissioned providers via Education Services at an estimated cost of £0.030million, funded from the 2022/23 underspend, be noted;
- (4) that the work with the Third Sector to implement a new funding distribution scheme to assist individuals in the community and promote social welfare under Section 10 of the Social Work (Scotland) Act 1968, up to the value of £0.100million, funded from the 2022/23 underspend, be noted;
- (5) that the progress to date, as detailed at section 4 of the report, be noted; and
- (6) that the thanks of the Panel be extended to the Head of Finance, Planning & Resources (Inverclyde HSCP), his team and all staff connected with the roll out of the above initiatives.

### 133 Draft Social Care Budget 2023/24

133

There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership providing an update on the expected Social Care budget for 2023/24.

**Decided:**

- (1) that the contents of the report be noted; and
- (2) that the anticipated funding contribution of £68.159million from Inverclyde Council to the Inverclyde Integration Joint Board, subject to the approval by Inverclyde Council on 2 March 2023 and approval by the Inverclyde Integration Joint Board on 20 March 2023, be noted.

**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 paragraphs 6 and 9 of Part I of Schedule 7(A) of the Act.**

### 134 Reporting by Exception – Governance of HSCP Commissioned External Organisations

134

There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership providing an update on matters relating to the Health & Social Care Partnership governance processes for Externally Commissioned Social Care Services. Councillor Cassidy declared a connection in this item as a family member is on the Board of an organisation mentioned within the report and Councillor McCluskey declared a connection as a family member is in a care home mentioned within the report. Both Councillors also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process and were declaring for transparency.

**Decided:**

**SOCIAL WORK & SOCIAL CARE SCRUTINY PANEL – 23 FEBRUARY 2023**

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- (1) that the governance report for the period 19 November 2022 to 20 January 2023 be noted; and
- (2) that Members acknowledge that officers regard the control mechanisms in place through the governance meetings and managing poorly performing services guidance within the Contract Management Framework is sufficiently robust to ensure ongoing quality and safety and the fostering of a commissioning culture of continuous improvement.

## PLANNING BOARD – 1 MARCH 2023

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### Planning Board

**Wednesday 1 March 2023 at 3pm**

**Present:** Provost McKenzie, Councillors Brooks, Clocherty, Crowther, Curley, Daisley, Jackson, Law, McCabe and McVey.

**Chair:** Councillor McVey presided for agenda items 1, 2(b), 2(c) and 3(a), and Councillor Curley for agenda item 2(a).

**In attendance:**

Stuart Jamieson	Director Environment & Regeneration
Gordon Leitch	Supervisory Engineer – Roads Design
Elaine Provan	Supervisory Engineer – Traffic & Transportation
Jim Kerr	Solicitor (for Head of Legal & Democratic Services)
Colin MacDonald	Senior Committee Officer
Diane Sweeney	Senior Committee Officer
Allan McDonald	ICT & Customer Service Manager
George Barbour	Service Manager Communications, Tourism and Health & Safety

The meeting was held at the Municipal Buildings, Greenock with Councillors Daisley and Law attending by video-conference.

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

**135 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST**

**135**

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

Councillor McVey declared an interest in Agenda Item 2(a) (Amendment to condition 4 of Planning Permission in Principle 20/0021/IC for a proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage to increase the number of permitted residential dwellings from 270 to 450 (Section 42 application) at land at former IBM Site Spango Valley, Inverkip Road, Greenock (22/0225/IC)).

**136 PLANNING APPLICATIONS**

**136**

- (a) **Amendment to condition 4 of Planning Permission in Principle 20/0021/IC for a proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage to increase the number of permitted residential dwellings from 270 to 450 (Section 42 application):  
Land at former IBM Site Spango Valley, Inverkip Road, Greenock (22/0225/IC)**

There was submitted a report by the Director Environment & Regeneration on an amendment to condition 4 of planning permission in principle 22/0021/IC by Advance Construction (GD) Limited for a proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage to increase the number of permitted residential dwellings from 270 to 450 (Section 42 application) at



## PLANNING BOARD – 1 MARCH 2023

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land at former IBM site, Spango Valley, Inverkip Road, Greenock (22/0225/IC).

Councillor McVey declared an interest in this matter by virtue of a business relationship with a Director of one of the applicant companies and left the meeting. Councillor Curley assumed the Chair.

**Decided:** that planning permission be granted in principle subject to the following conditions:-

- (1) that the development to which this planning permission in principle relates must be begun within 5 years from the date of this permission, to comply with Section 59(2A)(a) of the Town and Country Planning (Scotland) Act 1997 (as amended);
- (2) that for the avoidance of doubt, no approval is given for the submitted indicative layout details and plans accompanying the application, due to the submitted application being for Planning Permission in Principle and to retain full control over the detail of the proposed development;
- (3) that the maximum number of dwellinghouses across the site shall not exceed 450. For the purposes of this number, dwellinghouses include flatted dwellinghouses, this figure represents an acceptable level of development in terms of tested and available capacity by Transport Scotland and the Council as Education Authority;
- (4) 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 each phase of the development for the following:
  - a) the siting, design, floor plans and external appearance of all buildings and other structures inclusive of dimensions as well as the type and colour of all external materials;
  - b) the proposed site layout which shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas details of existing and proposed site levels;
  - c) the type and colour of all hard surfacing materials;
  - d) the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point;
  - e) bin stores to be erected on site inclusive of dimensions as well as the type and colour of all external materials.

Thereafter the development shall proceed in accordance with the approved form unless otherwise first agreed in writing by the Planning Authority, to ensure that the design matters referred to are given full consideration and are acceptable;

- (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 in respect of the detailed landscape strategy paying particular attention to the following:
  - a) a scheme of strategic landscaping and open space provision, detailing all existing landscape features and vegetation to be retained as well as trees to be felled;
  - b) the locations of new trees, shrubs, hedges, grassed areas and water features;
  - c) a schedule of trees and plants including species, plant sizes and proposed numbers and density;
  - d) the layout, design and materials of all hard landscaping works;
  - e) other structures such as street furniture;
  - f) proposed levels;
  - g) the extent and distribution of public open space within the development;
  - h) details of the phasing of these works;
  - i) a detailed programme for the completion and subsequent maintenance of the proposed landscaping.

Thereafter the development shall proceed in accordance with the approved form unless otherwise first agreed in writing by the Planning Authority, to ensure that the landscaping

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details and open space provision are given full consideration and are acceptable;

(6) that the landscaping scheme shall ensure that where trees/shrubs are to be planted adjacent to the railway boundary these are to be positioned at a minimum distance from the boundary which is greater than their predicted mature height. The applicant shall agree with Network Rail and confirm in writing to the Planning Authority the species to be planted prior to the commencement of development, to control the impact of leaf fall on the operational railway;

(7) 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 a scheme for the provision of equipped play area(s). The scheme shall include:-

- a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
- b) details of the surface treatment of the play area(s), including the location and type of safety surfaces to be installed;
- c) details of fences to be erected around the play area(s);
- d) details of the phasing of these works; and
- e) details of the future maintenance of the play area(s).

Thereafter the development shall proceed in accordance with the approved form unless otherwise first agreed in writing by the Planning Authority, to ensure that the play provision details are given full consideration and are acceptable;

(8) that all domestic garden dimensions, open space, play provision within the development shall accord with the requirements of the Council's adopted Planning Application Advice Note 3 on "Public and Private Open space within New Residential Development" or any successive draft or adopted replacement document, to ensure appropriate domestic garden dimensions, open space and play provision in the interests of amenity;

(9) that any of the trees, areas of grass or planted shrubs approved as part of the landscaping scheme that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season, to ensure the retention of the landscaping scheme;

(10) 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 daylighting and de-culverting of watercourses within the site. Works shall then proceed as approved unless an alternative is first agreed in writing by the Planning Authority, to ensure that the details relating to the daylighting and de-culverting of watercourses are given full consideration and are acceptable;

(11) that the applications for the approval of matters specified in conditions for each phase of the development shall be accompanied by an updated flood risk assessment which takes account of the detailed layout and design proposals. For the avoidance of doubt the recommendations set out within the "recommendations and conclusions" section of the Flood Risk Assessment dated May 2020 shall be incorporated into the detailed layout and design proposals. For the avoidance of doubt flow paths of the surface water through the site to prevent any property flooding shall be demonstrated, in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(12) that prior to the commencement of works on site, mitigation measures to address the flood risk in respect of the access to and from the site shall be submitted to and approved in writing by the Planning Authority either as part of an updated version of the submitted Flood Risk Assessment or as a standalone document in association with the requirements of condition 12 above, in the interests of the avoidance of flooding affecting the access to the development hereby permitted;

(13) that all proposed new buildings, both residential and commercial in any form, shall have a finished floor level 600mm above the 1 in 200 year flood event plus climate

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change, in the interests of the avoidance of flooding affecting the development hereby permitted;

(14) that the applications for the approval of matters specified in conditions for each phase of the development shall be accompanied by a drainage impact assessment and full drainage details inclusive of future maintenance arrangements in accordance with the Council's policy which takes account of the detailed layout and design proposals. Works shall then proceed as approved unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt the drainage scheme must comply with the principles of Sustainable Drainage Systems (SuDS) as set out in CIRIA SuDS Manual (C753) and all surface water during and after development should be attenuated to that of greenfield run off, to ensure the adequacy of the drainage regime and associated maintenance in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(15) that SuDs must not be sited within 10 metres of the railway boundary, to protect the stability of the adjacent railway lines and the safety of the rail network;

(16) that all surface water shall be managed and diverted through the approved drainage infrastructure both during and on completion of the development to prevent flooding beyond the boundary of the application site, to avoid surface water run-off from the site in the interests of the avoidance of flooding;

(17) that it shall be demonstrated beyond doubt to the Planning Authority that no additional flooding or surface water run-off will occur to the adjoining part of the Spango Valley Priority Place designation in the adopted and proposed Local Development Plans, to ensure that the remaining part of the Priority Place designation is not affected by flooding and surface water run-off resulting from the development, impacting on the delivery of development on the neighbouring site;

(18) that prior to the commencement of works on any phase of the development, confirmation that all the requirements of Scottish Water can be fully met, including confirmation of Scottish Water's acceptance of the foul and surface water drainage proposals. Confirmation shall be submitted to and approved in writing by the Planning Authority, to ensure Scottish Water's acceptance of the drainage regime for the application site, in the interests of the provision of a satisfactory drainage regime;

(19) that the applications for the approval of matters specified in conditions for each phase of the development which contains new residential properties shall be accompanied by an updated noise impact assessment which takes account of the detailed layout and design proposals. Required noise mitigation measures inclusive of acoustic barriers and screening which generally follow those identified in the submitted noise impact assessment dated January 2020 shall be incorporated into the design and layout for each phase, to ensure noise impact is fully considered;

(20) that prior to the occupation of any residential unit hereby permitted in any phase of the development noise mitigation measures relating to that phase of the development shall be completed as approved under condition 20 and be maintained on site at all times thereafter unless agreed in advance in writing by the Planning Authority, to ensure the installation of appropriate noise mitigation measures in the interests of the amenity of future residents;

(21) that prior to the commencement of works on each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include:

a) a site specific CEMP outlining the details of all construction works and mitigation to be undertaken in relation to that phase together with an indicative timetable of the activities;

b) a site waste management plan (dealing with all aspects of waste produced during the construction period), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;

c) details of the formation of the construction compound, welfare facilities, turning

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areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;

- d) a dust management plan;
- e) a pollution prevention and control method statement, including arrangements for the storage of oil and fuel on the site;
- f) soil storage and management;
- g) management to prevent to the spread of invasive species;
- h) a water management plan to include a drainage management strategy, demonstrating how all surface and waste water arising during construction activities will be managed and prevented from polluting any watercourses or sources;
- i) sewage disposal and treatment;
- j) temporary site illumination;
- k) the construction of the access into the relevant area within the site and the creation and maintenance of associated visibility splays;
- l) details of any required ecological, ornithological and nature conservation mitigation measures including a toolbox talk for protected species to ensure all personnel are aware of what to do should evidence of species be discovered during construction;
- m) hours of operation on site;
- n) post-construction restoration/ reinstatement of the working areas not required during the operation of the relevant phase, including construction access tracks, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas.

The CEMP for each phase of the development shall thereafter be implemented on site as approved unless otherwise first agreed in writing with the Planning Authority, to ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the EIA relating to the development, or as otherwise agreed, are fully implemented;

(22) that no works shall commence on the development hereby approved until an independent and suitably qualified Ecological Clerk of Works (ECoW) has been appointed by the developer(s), at their expense, to oversee the implementation the development and Construction Environmental Management Plan (CEMP). Full details of the ECoW (including name, qualifications and contact details) appointed shall be submitted in writing not less than 14 days before development commences, to secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development;

(23) that prior to appointing the ECoW in accordance with condition 23 above, a 'scope of works' for that person shall be submitted to and approved in writing by the Planning Authority. The Scope of Works shall specify the stages of the process that the ECoW will be present on site for and how regularly they will otherwise inspect the site. All works shall be carried out in accordance with the agreed scope of works to the satisfaction of the Planning Authority, to secure a suitable scope and works and appropriate access for the ECoW in the interests of the effective monitoring of and compliance with the environmental mitigation and management measures associated with the development;

(24) that the recommendations set out within the submitted Preliminary Ecological Appraisal dated June 2019 in respect of mitigation and further surveys shall followed and implemented unless otherwise- agreed in advance in writing by the Planning Authority, in the interests of the protection of ecology;

(25) that for the avoidance of doubt, compliance with condition 25 above shall include following the recommendation in respect of annual updates to maintain a valid data set and accordingly where 12 months or more has elapsed between the timing any ecological survey and development commencing in any phase, further updated survey(s) shall be undertaken to determine the presence of any statutorily protected species and be submitted to and approved in writing by the Planning Authority before any

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development commences in respect of any phase, to ensure that an up-to-date position is maintained in the interests of the appropriate protection of ecology;

(26) that notwithstanding the requirements of condition 25 above, prior to the commencement of works on site in respect of any phase, a pre-construction survey for all European Protected species together with all priority Local Biodiversity Action Plan species shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required, to ensure the appropriate protection of European Protected species and other wildlife;

(27) that the recommendations set out within the submitted Bat Survey dated August 2019 shall be fully followed inclusive of undertaking the demolition of the concrete retaining wall out with the winter hibernation period for bats from December to March inclusive; to ensure the appropriate protection of Bats;

(28) that no tree works or scrub clearance shall occur on site from March through to August (inclusive) each year unless otherwise agreed in writing with this Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to August (inclusive), a suitable bird survey shall be carried out by a suitably qualified ecologist covering the proposed clearance area and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves should be carried out within a specified and agreed timescale, to ensure the appropriate protection of breeding birds;

(29) that no tree works or scrub clearance shall occur and no other development or construction works shall commence during the bird breeding season March through to August (inclusive) in the north-eastern part of the site generally from a point level with the existing north-easternmost access to the north-eastern site boundary. Prior to the commencement of any works on site, a site plan of a scale not less than 1:500 setting out a clear boundary of the restricted area shall be submitted to and agreed in writing by the Planning Authority. Works shall then proceed as approved, to ensure the appropriate protection of breeding birds;

(30) that prior to the commencement of works on site in any phase, a biodiversity enhancement scheme inclusive of a timetable for implementation shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved, to ensure appropriate biodiversity enhancement for within the new habitats created;

(31) that prior to the commencement of works on site in any phase, tree protection measures for all trees to be retained both within or adjacent to the application site shall be erected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012 and shall not be removed during the course of construction work, to ensure the retention of and avoidance of damage to trees during development.;

(32) that no tree felling shall be undertaken on site unless in accordance with an approved landscape framework or strategy or otherwise first agreed in writing by the Planning Authority, to ensure the retention of and avoidance of damage to trees during development;

(33) that prior to the commencement of works on site in any phase, full details of mitigation measures generally following those set out within Section 12.135 of the EIA to reduce the temporary visual effects resulting from construction shall be submitted to and agreed in writing by the Planning Authority. Works shall then proceed as approved, to minimise the visual effects from construction;

(34) that the details set out within the Landscape Mitigation Strategy in Figure 12.6 of the EIA shall be incorporated into the detailed design of the development, to minimise the visual effects of the development;

(35) that prior to the start of development in any phase, details of a survey for the

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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;

(36) that the development in any phase 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;

(37) that before the development of any building in any phase 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 to confirm successful completion of remediation measures in the interest of human health and environmental safety;

(38) 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 the 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;

(39) that prior to commencement of the development works within any phase, an Environmental Monitoring Plan for trichloroethene and associated contaminants present at the site shall be submitted to and approved in writing by the Planning Authority; this plan shall include an emergency contingency response plan to deal with any watercourse pollution events. Development shall not proceed until the Environmental Monitoring Plan is implemented. Any variation to the agreed Environmental Monitoring Plan shall be submitted for approval in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues resulting from trichloroethene and associated contaminants present at the site in the interests of human health and environmental safety;

(40) that prior to the commencement of any works on site, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing together with the timescale for implementation shall be submitted to and approved in writing by the Planning Authority. Thereafter the works shall proceed as approved and the fence shall be maintained in position at all times thereafter, in the interests of public safety and the protection of Network Rail infrastructure;

(41) that all proposed roads, footpaths and parking shall be provided in accordance with the National Roads Development Guide. The details shall allow for:

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- a. Residential parking:
    - i. (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. visitor parking shall be at a standard of 0.25 space per house;
    - iii. the minimum dimensions of driveways shall be 3 metres wide by 5.5 metres long per bay; the driveway gradients shall not exceed 10%; driveways shall be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road; and the gradient of driveways shall not exceed 10%;
    - iv. any visitor parking spaces shall be a minimum of 2.5 metres by 5.0 metres.
  - b. Employment, Industrial, Retail, Community and Leisure parking:
    - i. Parking requirements as stated in the National Roads Development Guide;
  - c. The roads shall be designed to a 20mph speed limit with traffic calming;
  - d. All roads within the site shall be a minimum of 5.5m wide and have a gradient of 8% or less;
  - e. All footways within the site shall be a minimum of 2.0m wide, to ensure appropriate roads and parking layout and provision;
- (42) that prior to the occupation of any building regardless of the proposed use, the off-street parking approved in association with condition 42 above shall be formed and available for use. The parking shall remain in place and available for use at all times thereafter unless its removal is agreed in advance in writing by the planning authority, to ensure appropriate parking provision for new buildings;
- (43) that prior to the occupation of each dwellinghouse hereby permitted all new roads and footways leading to it shall be surfaced to a sealed base course and operational street lighting shall be provided, to ensure the provision of acceptable safe access facilities during construction;
- (44) that within 4 weeks of the last of the dwellinghouses hereby permitted being completed all roads and footways within the application site shall be completed to a final wearing course, to ensure the provision of acceptable safe access facilities following construction;
- (45) that prior to the completion of each phase of the development all visitor parking spaces approved in association with condition 42 above shall be formed and available for use. The parking shall remain in place and available for use at all times thereafter unless otherwise agreed in writing by the Planning Authority, to ensure the provision of appropriate visitor parking facilities;
- (46) that prior to the commencement of any phased development, the existing grade-separated junction, proposed to be used as a means of access to the trunk road, shall be upgraded to an adoptable standard, generally in line with Drawing 19137-SK-21 Revision D (Dated 04 August 2021), to be approved by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Any existing walking and cycle user infrastructure affected by the upgrade shall also be upgraded to conform to current standards, to ensure that the standard of access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished;
- (47) that prior to the commencement of any works on site, the proposed signal-controlled means of access to the trunk road shall be constructed to a layout generally in line with Drawing 108901/I/GA/001 Revision A (Dated October 2019), and type (and method) of construction to be approved by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished;
- (48) that prior to the commencement of any phased development, a scheme for the closure of the existing central site access junction with the A78(T) shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport

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Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(49) that prior to the commencement of any phased development, a Sustainable Transport Strategy shall be prepared and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities;

(50) that prior to the occupation of any part of the phased development, any footpath link must be approved and then constructed and completed to the satisfaction of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road;

(51) that prior to the occupation of any part of the phased development, a scheme for the closure of the existing sub-standard footway across the site frontage with the A78(T) should be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities;

(52) that prior to the commencement of any phased development, a Public Transport Strategy shall be submitted to and agreed in writing with the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, that considers the various public transport improvements cited in the Transport Assessment, to ensure that the development is adequately served by public transport services; and to minimise any interference with the safety and free flow of traffic on the trunk road network;

(53) that for the avoidance of doubt, the Public Transport Strategy required under condition 53 above shall include (but not be limited to) details on the provision of all modes public transport inclusive of the re-establishment of rail services at IBM Halt, infrastructure inclusive of park and ride facilities, phasing and implementation and details of funding mechanisms required, to ensure all public transport matters are considered by the Public Transport Strategy;

(54) that prior to the commencement of any phased development, a scheme for the closure and relocation of the existing bus stop and uncontrolled pedestrian crossing on the northbound A78(T) carriageway at the existing central site access shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(55) that prior to the commencement of any works on site, a Transport Assessment Addendum shall be prepared and approved in writing by the Local Authority, in consultation with Transport Scotland as the Trunk Roads Authority, that considers the potential impacts of the development at A78(T) / Dunlop Street Roundabout. Any mitigation shall be identified and, prior to the commencement of any works on site, shall be constructed conforming to current standards to be approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(56) that prior to the commencement of any works on site, a scheme for the delivery of A78(T) / Cumberland Road junction improvement measures shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(57) that prior to the occupation of any part of the phased development, a comprehensive Travel Plan that sets out proposals for reducing dependency on the



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private car shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. The Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan, to be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport;

(58) that prior to the commencement of any works on site, details of the lighting within the site shall be submitted for the approval of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished;

(59) that there shall be no drainage connections to the trunk road drainage system, to ensure that the efficiency of the existing drainage network is not affected;

(60) that prior to the commencement of any works on site, a Construction Traffic Management Plan (CTMP) for each phase of the development, covering the construction of that phase, shall be submitted for prior approval of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, before any works commence on site, to minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities; and to be consistent with current guidance and best practice;

(61) that all vehicles transporting construction material to and from the proposed development shall be sheeted, to ensure that material from the site is not deposited on the trunk road to the detriment of road safety;

(62) that prior to the commencement of any works on site, vehicle wheel cleaning facilities shall be installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of the planning authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure that material from the site is not deposited on the trunk road to the detriment of road safety;

(63) that prior to the commencement of any works on site, details of the connection of the site to the core path network, inclusive of timing of the implementation, shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved, to ensure the development links to the core path network;

(64) that all proposed new buildings, both residential and commercial in any form hereby permitted shall be designed to ensure that at least 15%, rising to 20% by the end of 2022 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, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the first house on site, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(65) that the applications for the approval of matters specified in conditions for each phase of the development shall detail the provision of electrical vehicle charging points. For the avoidance of doubt this shall include each dwellinghouse provided with an electric vehicle charging point prior to its occupation, to ensure appropriate electric vehicle charging provision;

(66) that no dwellinghouse shall be occupied until the contents of a Travel Information Pack (largely in line with the example submitted within the Transport Assessment) which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents. The Travel Information Pack shall be updated by the applicant as deemed necessary by the Planning Authority to take account of the progression of the development, to encourage sustainable travel behaviour and reduce the reliance on the private car;

(67) that a minimum 5% of the dwellinghouses to be constructed on site shall be fully wheelchair accessible, to ensure provision of wheelchair accessible housing in

## PLANNING BOARD – 1 MARCH 2023

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accordance with Policy 21 of the proposed Inverclyde Local Development Plan; and (68) that each residential phase of the development shall be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:

- i. meeting local housing requirements, including affordable homes;
- ii. providing or enhancing local infrastructure, facilities and services; and
- iii. improving the residential amenity of the surrounding area, to accord with Policy 16 b) of National Planning Framework 4.

Councillor McVey returned to the meeting at this juncture and resumed the Chair.

**(b) Residential development comprising 30 units, associated landscaping, access and other ancillary works:  
Site of former Greenock Academy, Madeira Street, Greenock (22/0234/IC)**

There was submitted a report by the Director Environment & Regeneration on an application for planning permission by CCG Homes Limited for a residential development comprising 30 units, associated landscaping, access and other ancillary works at site of former Greenock Academy, Madeira Street, Greenock (22/0234/IC).

After discussion, Councillor Brooks moved that planning permission be refused as the proposal is contrary to Policies 35 and 36 and Planning Application Advice Note No. 3 of the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.

As an amendment, Councillor McCabe moved that planning permission be granted subject to the conditions detailed in the report.

Following a roll call vote, 1 Member, Councillor Brooks, voted in favour of the motion and 9 Members, Provost McKenzie, Councillors Clocherty, Crowther, Curley, Daisley, Jackson, Law, McCabe and McVey voted in favour of the amendment which was declared carried.

**Decided:** that planning permission be granted subject to the following conditions:-

- (1) that prior to their use on site, details of all external materials (inclusive of houses, boundary treatments, walls, paving and hard surfacing) shall be submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority, to ensure the external materials are appropriate in the interests of visual amenity;
- (2) that prior to each dwellinghouse hereby permitted being occupied, all new roads and footways and parking provision leading to it and for it shall be surfaced to a sealed base course, in the interests of vehicular and pedestrian safety;
- (3) that within 4 weeks of the last of the dwellinghouses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course, in the interests of vehicular and pedestrian safety;
- (4) that all visibility splays as approved shall be maintained and kept clear of obstruction at all times in the future to the satisfaction of the Planning Authority, in the interests of vehicular and pedestrian safety;
- (5) that blocks 7 & 8, facing Newark Street, shall achieve a visibility splay of 2.4m x 43.0m x 1.05m from each driveway and accord with condition 4, in the interests of vehicular and pedestrian safety;
- (6) that driveway parking spaces shall be completed and available for use prior to the occupation of each associated dwellinghouse and visitor parking spaces shall be completed and be available for use prior to the occupation and completion of the final dwellinghouse. All parking spaces shall remain as per the approved dimensions, free from obstruction, be identified on site to dwelling, and as per the approved dimensions and available for use at all times thereafter, to ensure suitable parking provision, in the

**PLANNING BOARD – 1 MARCH 2023**

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interests of road safety;

(7) that all roads and footpaths shall have a gradient not more than 8% and all parking spaces (driveway and visitor) shall have a gradient of not more than 10%, to ensure suitable road, footpath and parking space gradients, in the interests of road safety;

(8) that prior to the commencement of development full details of the landscaping scheme shall be submitted to and approved in writing by the Planning Authority. Details of soft landscaping shall include species of trees and bushes to be planted and should be approved by the Planning Authority prior to planting. The approved scheme shall thereafter be implemented in full prior to the occupation of houses, in the interest of visual amenity;

(9) that any of the landscaping approved in terms of condition 8 above which dies, is damaged, becomes diseased or is removed within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species, in the interest of visual amenity;

(10) that details of maintenance and management for the landscaping be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping, in the interest of visual amenity;

(11) that all surface water run off shall be intercepted within the site both during construction and on completion of the development, to avoid surface water run-off from the site in the interests of avoiding flooding;

(12) that prior to the commencement of works on site Scottish Water's approval of the drainage regime shall be submitted to and approved in writing by the Planning Authority. Confirmation is required that the outlet pipe connecting to the culverted watercourse will be adopted by Scottish Water, to ensure the implementation of the drainage regime in the interests of avoiding flooding;

(13) that the recommendations in respect of the "toolbox talk" and requirements for future surveys set out in the "Discussion and Recommendations" section of the submitted Ecological Constraints Survey report by Wild Surveys dated 9 May 2022 shall be fully followed to the satisfaction of the Planning Authority, in the interests of the protection of European Protected Species;

(14) that if the existing trees are to be removed during the bird nesting season March to August shall be preceded by a nesting bird survey the methodology and findings of which shall be submitted to the Planning Authority, in the interests of the protection of nesting birds;

(15) that the dwellinghouses hereby permitted shall be designed to ensure that at least 20% 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, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the first house on site, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(16) that 5% of the development is wheelchair accessible housing. Details of which shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the final two dwellinghouses, to facilitate wheelchair accessible housing in accordance with Policy 21 of the proposed Plan;

(17) that no part of the development shall be occupied until the contents of the Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents, to encourage sustainable travel behaviour;

(18) that each of the dwellinghouses hereby permitted shall be provided with an electric vehicle charging point prior to its occupation, in the interests of sustainable

## PLANNING BOARD – 1 MARCH 2023

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development and to accord with the Inverclyde Council Supplementary Guidance on Energy;

(19) 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;

(20) 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;

(21) 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; and

(22) 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.

**(c) Proposed installation of French doors and footpath connecting new doors to existing patio:**

**1 Levan Point, Gourock (22/0280/IC)**

There was submitted a report by the Director Environment & Regeneration on an application for planning permission by Mr Terry Hamilton for the proposed installation of French Doors and footpath connecting new doors to existing patio at 1 Levan Point, Gourock (22/0280/IC).

After discussion, Councillor Curley moved that planning permission be refused as the proposal would create an area of congregation detrimental to the amenity of neighbours. As an amendment, Councillor McCabe moved that planning permission be granted subject to the condition detailed in the report.

Following a roll call vote, 2 Members, Councillor Clocherty and Curley, voted in favour of the motion and 8 Members, Provost McKenzie, Councillors Brooks, Crowther, Daisley, Jackson, Law, McCabe and McVey voted in favour of the amendment which was declared carried.

**Decided:** that planning permission be granted subject to the following conditions:-

**PLANNING BOARD – 1 MARCH 2023**

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(1) that the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

**137 PLANNING APPEAL****137****Land West of Quarry Drive, Kilmacolm**

There was submitted a report by the Director Environment & Regeneration advising that following (a) the decision of the Board at the Pre-Determination Hearing held on 28 April 2021 to recommend the granting of planning permission in principle for proposed residential development to include access, roads, open space, landscaping, drainage and other associated works (planning permission in principle) (major) at land west of Quarry Drive, Kilmacolm (20/0245/IC); (b) the decision of Inverclyde Council on 4 May 2021 to grant planning permission in principle; and (c) the subsequent request from Scottish Ministers that the application be referred to them for determination, the Reporter appointed by the Scottish Government has issued his decision which is to grant planning permission in principle subject to conditions.

**Decided:** that the position be noted.

**LOCAL REVIEW BODY – 1 MARCH 2023**

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**Local Review Body**

**Wednesday 1 March 2023 at 4:10pm**

**Present:** Councillors Brooks, Clocherty, Crowther, Curley, McCabe and McVey.

**Chair:** Councillor McVey presided.

**In attendance:**

Margaret Pickett	Senior Planner (Planning Adviser)
Jim Kerr	Solicitor, Legal & Democratic Service (Legal Adviser)
Colin MacDonald	Senior Committee Officer
Diane Sweeney	Senior Committee Officer

The meeting was held at the Municipal Buildings, Greenock.

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

**138 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 138**

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

No declarations of interest were intimated.

**139 CONTINUED PLANNING APPLICATION FOR REVIEW 139**

**(a) Construction of detached single garage in front garden:  
The Shack, Broomknowe Road, Kilmacolm (22/0124/IC)**

There was submitted papers relative to the application for review for the proposed construction of a detached single garage in front garden at The Shack, Broomknowe Road, Kilmacolm (22/0124/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 1 February 2023 for an unaccompanied site visit.

Not having attended the site visit, Councillors Crowther and Curley did not participate in consideration of this item.

Ms Pickett acted as Planning Adviser relative to this case.

After discussion, Councillor Brooks 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:

1. the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;
2. prior to the garage hereby approved being brought into use, the access shall be paved for a minimum distance of 2 metres from its junction with Broomknowe Road, to ensure the provision of adequate driveways and to prevent loose material being carried onto Broomknowe Road;
3. the driveway access shall have a gradient of no greater than 10%, to ensure the usability of the driveway access; and
4. for the avoidance of doubt, all surface water run-off shall be managed within the site,

## LOCAL REVIEW BODY – 1 MARCH 2023

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to ensure the development does not increase the risk of flooding to neighbouring properties or to the road network.

As an amendment, Councillor McVey 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 dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons: 1. the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan, specifically as due to the choice of materials, scale and position of the proposal, it fails to respect landscape setting and character, and urban form under the "Distinctive" quality;

2. the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan, specifically as it fails to demonstrate that the garage can be safely accessed without having a detrimental impact on the traffic and parking on the street scene, contrary to the "Safe and Pleasant" quality; and

3. the position of the garage would disrupt the existing urban form and results in a visually dominant, uncharacteristic feature on the streetscape, which would cause an overall adverse impact to the character and appearance of the existing property, neighbouring properties and wider residential area. It therefore fails to accord with the requirements of Policy 20 of the proposed 2021 Inverclyde Local Development Plan.

Following a roll call vote, 1 Member, Councillor Brooks, voted in favour of the motion and 3 Members, Councillors Clocherty, McCabe and McVey 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 Appointer Officer's determination) for the following reasons:-

### **Conditions**

(1) the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan, specifically as due to the choice of materials, scale and position of the proposal, it fails to respect landscape setting and character, and urban form under the "Distinctive" quality;

(2) the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan, specifically as it fails to demonstrate that the garage can be safely accessed without having a detrimental impact on the traffic and parking on the street scene, contrary to the "Safe and Pleasant" quality; and

(3) the position of the garage would disrupt the existing urban form and results in a visually dominant, uncharacteristic feature on the streetscape, which would cause an overall adverse impact to the character and appearance of the existing property, neighbouring properties and wider residential area. It therefore fails to accord with the requirements of Policy 20 of the proposed 2021 Inverclyde Local Development Plan.

## **140 PLANNING APPLICATION FOR REVIEW**

140

- (a) **Proposed small ground floor extension and alterations to front of house including balcony at first floor level:  
3 St Andrews Drive, Gourock (22/0163/IC)**

**LOCAL REVIEW BODY – 1 MARCH 2023**

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There was submitted papers relative to the application for review for a proposed small ground floor extension and alterations to front of house including balcony at first floor level at 3 St Andrews Drive, Gourrock (22/0163/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

**Decided:**

- (1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be continued to a future meeting of the Local Review Body to facilitate a written submission from the appointed officer in relation to the dimensions of the proposed extension and balcony in terms of Regulation 15 of the Town and Country (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.



**THE INVERCLYDE COUNCIL – 2 MARCH 2023**

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**The Inverclyde Council**

**Thursday 2 March 2023 at 4pm**

**Present:** Provost McKenzie, Councillors, Brennan, Brooks, Cassidy, Clocherty, Crowther, Curley, Daisley, Jackson, Law, McCabe, McCluskey, McCormick, McGuire, McVey, Moran, Nelson, Quinn, Reynolds, Robertson and Wilson.

**Chair:** Provost McKenzie presided.

**In attendance:**

Louise Long	Chief Executive
Alan Puckrin	Interim Director Finance & Corporate Governance
Ruth Binks	Corporate Director Education, Communities & Organisational Development
Stuart Jamieson	Director Environment & Regeneration
Iain Strachan	Head of Legal & Democratic Services
Steven McNab	Head of Organisational Development, Policy & Communications
Gail MacFarlane	Shared Head of Roads and Environmental Services
Mary McCabe	Finance Manager (Education & Communities)
Matt Thomson	Finance Manager (Environment & Technical)
Angela Edmiston	Finance Manager (Corporate Services & Strategic Finance)
Angela Rainey	Human Resources Team Leader (Operations)
Diane Sweeney	Senior Committee Officer
Colin MacDonald	Senior Committee Officer
Karen MacVey	Member' & Committee Services Team Leader
Allan MacDonald	ICT Services Manager
George Barbour	Service Manager Communications, Tourism and Health & Safety

The meeting was held at the Municipal Buildings, Greenock with Councillors Daisley and Law attending by video-conference.

**141 Apologies and Declarations of Interest**

**141**

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

No declarations of interest were intimated.

Prior to the commencement of business, the Provost referred to the sinking of the tugboat Biter on 24 February and the loss of crewmen George Taft, from Greenock, and Ian Catterson, from Millport. The Provost sent his condolences to the family and friends of both men and paid tribute to the rescue services for their efforts.

The Provost also referred to the death of Allan McGraw, former Inverclyde Councillor and Greenock Morton F.C. player and manager, on 1 March. The Provost acknowledged the high esteem in which Mr McGraw was held and sent his condolences to Mr McGraw's family and friends.

**142 Approval of the 2023/24 Budget, 2023/26 Capital Programme and Approval of the Level of Band D Council Tax for 2023/24**

**142**

## THE INVERCLYDE COUNCIL – 2 MARCH 2023

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There was submitted a report by the Interim Director Finance & Corporate Governance, together with addenda 2a and 2b which provided additional information, seeking approval of (1) the 2023/24 Revenue Budget, (2) the 2023/26 Capital Programme, and (3) thereafter seeking approval of the Band D Council Tax for the year 2023/24.

Following discussion, Councillor McCabe, seconded by Councillor McGuire, moved that the Council approve the recommendations as contained within the report and appendices, subject to addendum 2b, with the specific savings and increase in Council Tax required to set a balanced Budget being that summarised at appendix 10a (appendix 1 to the minute).

As an amendment Councillor Wilson, seconded by Councillor Brooks, moved that the Council approve the recommendations as contained within the report and appendices, subject to addendum 2b, with the specific savings and increase in Council Tax required to set a balanced Budget being that summarised at appendix 10b (appendix 2 to the minute).

Following a roll call vote, 2 Members, Councillors Wilson and Brooks, voted for the amendment, and 18 Members, Provost McKenzie, Councillors Brennan, Cassidy, Clocherty, Crowther, Curley, Daisley, Law, McCabe, McCluskey, McCormick, McGuire, McVey, Moran, Nelson, Quinn, Reynolds and Robertson voted for the motion which was declared carried. Councillor Jackson abstained from voting.

### **Decided:**

(1) that the latest update regarding the Council's 2023/24 Revenue and Capital Grant settlement from the Scottish Government, the associated conditions and the representations made by the Council seeking an improved settlement and increased flexibility in how resources can be utilised, including those in addenda 2a and 2b to the report, be noted;

(2) that (a) anticipated reduction in the previously reported increase in non-domestic rates be noted and, (b) it be agreed that in light of the volatility around inflation and the latest position in respect of the 2023/24 pay award the Interim Director Finance & Corporate Governance manage the 2023/24 inflation allowances as a single budget;

(3) (a) that the adjustment, as detailed at appendix 3 to the report, be approved;

(b) That, following consideration, due regard be had to the responses to the previously reported Budget Consultation and the overall and individual Equality Impact Assessments relating to the savings, as detailed at appendix 4 and referred to at section 5 of the report;

(c) that, subject to 6a, 6b and 6c below (i) the savings relating to Early Years 1140 hours grant, as detailed at appendix 5 of the report, be approved, and (ii) it be noted that a more detailed report will be presented to the next Education & Communities Committee on this matter;

(d) that (i) the Council contribution to the Inverclyde Integration Joint Board (IJJB), as detailed at appendix 6 of the report, be approved, and (ii) it be noted that this requires approval by the IJJB at their meeting on 20 March 2023;

(e) that, subject to 6a, 6b and 6c below, the 2023/26 Capital Programme, as detailed at appendix 7 of the report, be approved;

(f) that, subject to 6a, 6b and 6c below (i) the utilisation of £18.7million of unallocated reserves as set out in appendix 8 of the report be approved, and (ii) it be noted that reports will be presented to the relevant Committees, all as set out in the appendix;

(g) that the 2023/24 Common Good Budget, as detailed at appendix 9 of the report, be approved; and

(h) that, subject to 6a, 6b and 6c below, the specific savings and increase in Council Tax required to set a balanced Budget, as detailed at appendix 10a of the report, be approved (appendix 1 to the minute);

(4) that the estimated Revenue Budget funding gap of £18.1million over 2024/27, as

## THE INVERCLYDE COUNCIL – 2 MARCH 2023

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detailed at appendix 11 of the report, and the remaining 2023/24 Budget risks identified by the Interim Director of Finance & Corporate Governance, as detailed at section 5 of the report, be noted;

(5) that the Council Tax Resolution be approved and that the level of Band D Council Tax for Inverclyde for 2023/24 be £1,429.77;

(6) (a) that the changes to the figures included in the report and appendices arising from the Local Government Finance (Scotland) Order 2023 on 1 March 2023, as detailed in addendum 2b to the report, be noted;

(b) that it be agreed the resultant additional £106,000 funding gap in the 2023/24 Revenue Budget, as detailed in addendum 2b to the report, be addressed by reducing the 2023/23 non-pay inflation allowance; and

(c) that (i) the removal of £928,000 set aside for capital works to facilitate the Universal Provision of Free School Meals from the 2023/26 Capital Programme, as detailed in addendum 2b to the report, be noted, and (ii) it be remitted to the Corporate Director Education, Communities and Organisational Development to report to the Education & Communities Committee on the implications of the expansion of the Universal Free School Meals to primary 6 and 7 pupils from August 2023.

### 143 Valuation of Moveable Heritage Assets

143

There was submitted a report by the Honorary Treasurer seeking agreement from the Council as Trustee of the Watt Institution Trust Fund to allocate up to £20,000 from the unallocated Trust balance of approximately £40,000 towards the appointment of suitably experienced experts to assist in the valuation of the Trust's heritage assets.

**Decided:** that it be agreed that up to 50% of the costs or £20,000, whichever is the lower, from the unallocated Trust balance be allocated towards the appointment of suitably experienced experts to assist in the valuation of the Trust's heritage assets.

Appendix 10aMajority MBWG Proposal - 2023/24 Budget

	<u>£m</u>
Funding Gap per Appendix 1	3.83
Increase use of Reserves in 2023/24 to £3.0million	(1.00)
Adjustments per Appendix 3	(0.13)
Savings per Appendix 4	(0.95)
Charge £10/hr for lets to uniformed organisations	(0.01)
5.3% Council Tax Increase	<u>(1.74)</u>
Balance Remaining	<u>0</u>

Finance Services  
February 2023

**Majority MBWG Proposal- 5.3% Council Tax Increase- Impact by Band**

Appendix 10a

Band	Chargeable Properties*	Band Value	Multiplier	Annual Increase	Weekly Increase	2023/24 Council Tax
A*			200/360	£39.98	£0.77	£794.32
A	17,487 (46.43%)	£0 - £27,000	240/360	£47.98	£0.92	£953.19
B	5,981 (15.88%)	£27,001 - £35,000	280/360	£55.97	£1.08	£1,112.04
C	3,667 (9.74%)	£35,001 - £45,000	320/360	£63.97	£1.23	£1,270.91
D	3,385 (8.99%)	£45,001 - £58,000	360/360	£71.96	£1.38	£1,429.77
E	3,608 (9.58%)	£58,001 - £80,000	473/360	£94.55	£1.82	£1,878.56
F	1,903 (5.05%)	£80,001 - £106,000	585/360	£116.94	£2.25	£2,323.38
G	1,419 (3.77%)	£106,001 - £212,000	705/360	£140.93	£2.71	£2,799.97
H	214 (0.57%)	£212,0001 +	882/360	£176.31	£3.39	£3,502.94

Note - Estimated to be 37,664 Chargeable Properties

AP/TB

13/02/2023

## Appendix 10b

Alternative Proposal - 2023/24 Budget

	<u>£m</u>
Funding Gap per Appendix 1	3.83
Increase use of Reserves in 2023/24 to £3.0million	(1.00)
Adjustments per Appendix 3	(0.13)
Savings proposed - See <b>Note 1</b>	(1.07)
4.95% Council Tax Increase	(1.63)
Balance Remaining	<u>0</u>

**Note1-** Adjustments to Proposals in Appendix 4

1/ Remove Council support staff from Auchmountain Halls
2/ Close Gourock Civic Amenity Site
3/ Leave Crawl Holes permanently open
4/ Reduce Summer Playscheme Sidsidy by 20%
2023/24 Savings per Appendix 4
2023/24 Savings proposed by Conservative Group

## Impact in 2023/24

	£000	FTE Impact
	18	1.0
	71	2.4
	19	-
	11	-
	<u>950</u>	
	<u>1069</u>	<u>3.4</u>

Finance Services  
 February 2023

**Alternative Proposal- 4.95% Council Tax increase- Impact by Band**

Band	Chargeable Properties*	Band Value	Multiplier	Annual Increase	Weekly Increase	2023/24 Council Tax
A*			200/360	£37.34	£0.72	£791.68
A	17,487 (46.43%)	£0 - £27,000	240/360	£44.80	£0.86	£950.01
B	5,981 (15.88%)	£27,001 - £35,000	280/360	£52.28	£1.01	£1,108.35
C	3,667 (9.74%)	£35,001 - £45,000	320/360	£59.75	£1.15	£1,266.69
D	3,385 (8.99%)	£45,001 - £58,000	360/360	£67.21	£1.29	£1,425.02
E	3,608 (9.58%)	£58,001 - £80,000	473/360	£88.31	£1.70	£1,872.32
F	1,903 (5.05%)	£80,001 - £106,000	585/360	£109.22	£2.10	£2,315.66
G	1,419 (3.77%)	£106,001 - £212,000	705/360	£131.63	£2.53	£2,790.67
H	214 (0.57%)	£212,001 +	882/360	£164.67	£3.17	£3,491.30

Note - Estimated to be 37,664 Chargeable Properties

AP/TB

13/02/2023

## EDUCATION AND COMMUNITIES COMMITTEE – 7 MARCH 2023

### Education and Communities Committee

Tuesday 7 March 2023 at 2pm

**Present:** Councillors Brennan, Clocherty, Daisley, Law, McGuire, McVey, Moran, Quinn, Reynolds, Robertson and Wilson, Mr J Docherty, Church Representatives, and Ms P McEwan, Teacher Representative.

**Chair:** Councillor Clocherty presided.

**In attendance:**

Ruth Binks	Corporate Director Education, Communities & Organisational Development
Tony McEwan	Head of Culture, Communities & Educational Resources
Michael Roach	Head of Education
Anne Sinclair	Managing Solicitor (for Head of Legal & Democratic Services)
Hugh Scott	Service Manager, Community Learning & Development, Community Safety & Resilience and Sport
Eddie Montgomery	Interim Head of Property Services
Iain Cameron	Principal Accountant (Education & Communities) (for Interim Director Finance & Corporate Governance)
Mary McCabe	Finance Manager (Education & Communities)
Susan Chambers	Head Teacher, Inverclyde Virtual School
Yvonne Gallacher	Manager, Education Services
Mark Coyle	Project Leader, Scottish Attainment Challenge, Education Services
Diane Sweeney	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Karen MacVey	Member' & Committee Services Team Leader
PJ Coulter	Corporate Communications Officer (Media Relations)

The meeting was held at the Municipal Buildings, Greenock with Councillors Daisley, McGuire and Reynolds attending by video-conference.

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

#### 144 **Apologies, Substitutions and Declarations of Interest**

144

An apology for absence was intimated on behalf of Councillor Armstrong, with Councillor Reynolds substituting.

No declarations of interest were intimated, but certain connections were intimated for the purposes of transparency as follows:

Agenda Item 2 (Communities Revenue Budget Report – 2022/23 Projected Outturn at 31 December 2022) – Councillors Clocherty, Quinn and Reynolds.

Agenda Item 3 (Communities Capital Programme Progress and Asset Related Items) – Councillors Clocherty, Law, Quinn and Reynolds.

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

Agenda Item 5 (Free Swimming for Under 16s) – Councillors Clocherty, Quinn and



## EDUCATION AND COMMUNITIES COMMITTEE – 7 MARCH 2023

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Reynolds.

Agenda Item 13 (Appendix relative to Agenda Item 5 providing additional information on the proposed Under 16 Free Swimming Policy) - Councillors Clocherty, Quinn and Reynolds.

### 145 **Communities Revenue Budget Report – 2022/23 Projected Outturn at 31 December 2022** 145

There was submitted a report by the Interim Director Finance & Corporate Governance and the Corporate Director Education, Communities & Organisational Development advising Committee of the 2022/23 Communities Revenue Budget position at 31 December 2022.

Councillors Clocherty, Quinn and Reynolds declared connections as members of the Board of Inverclyde Leisure. They also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process and were declaring for transparency.

**Decided:** that (a) the current projected overspend for 2022/23 of £15,000 as at 31 December 2022 be noted, and (b) it be noted that this overspend is more than offset by a projected underspend on the Education side of the Committee.

### 146 **Communities Capital Programme Progress and Asset Related Items** 146

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

Councillor Law declared a connection as a family member is involved with Caddlehill Community Gardens, and Councillors Clocherty, Quinn and Reynolds declared connections as members of the Board of Inverclyde Leisure. They also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process and were declaring for transparency.

**Decided:**

(1) that the current position of the 2022/25 Capital Programme be noted;  
 (2) that the progress on the following projects be noted (a) Lady Alice Bowling Club, (b) Indoor Sports Facility for Tennis, (c) Leisure Pitches Asset Management Plan/Lifecycle Fund, (d) Waterfront Leisure Centre Training Pool Moveable Floor, (e) Community Hub King George VI, (f) Craigend Resource Centre, (g) Inverclyde Shed Meet, Make + Share, (h) Parklea Branching Out, and (i) the Asset Transfer Working Group; and

(3) that thanks be conveyed on behalf of the Committee to the Lady Alice Bowling Club Committee and all Council officers connected with the work which has recently commenced at the club.

### 147 **Communities Update Report – Overview of Local and National Initiatives** 147

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

Councillors Clocherty, Quinn and Reynolds declared connections as members of the Board of Inverclyde Leisure. They also formed the view that the nature of their

## EDUCATION AND COMMUNITIES COMMITTEE – 7 MARCH 2023

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connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process and were declaring for transparency.

The Corporate Director advised the Committee of a typographical error in the report, and accordingly the second recommendation should read 'agrees to increasing the cost of school lets and pitch hire by 5% for 2023/24'.

**Decided:**

- (1) that the updates on the following be noted (a) Early Adopter Afterschool Service, (b) Warm Spaces (Warm Hand of Friendship Funding), (c) Whole School Community Approach to Substance Use Project, (d) Community Food Growing Strategy, (e) supporting Participatory Budgeting, (f) libraries success, (g) implications for CLD from budget setting process, and (h) annual increase in the cost of pitch hire; and
- (2) that an increase in the cost of school lets and pitch hire by 5% for 2023/24 be agreed.

### 148 Free Swimming for Under 16s

148

There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking the agreement of the Committee for a proposed Under 16s Free Swimming Policy.

Councillors Clocherty, Quinn and Reynolds declared connections as members of the Board of Inverclyde Leisure. They also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process and were declaring for transparency.

**Decided:**

- (1) that the provision of swimming during the Easter, Summer and October school holidays and early bird slots for the weekends, as detailed at paragraph 4.2 of the report, be agreed;
- (2) that the virement from CLD employee costs to the free swimming budget, as detailed at paragraph 4.3 of the report, be agreed, this being subject to the Policy & Resources Committee agreeing to fund the one-off early release costs connected with the removal of a post from the Youth Work and Sports Team, as detailed in the private appendix to this item which forms agenda item 13; and
- (3) that (a) it be agreed that the Council return to a fixed fee payment to Inverclyde Leisure for the provision of swimming as detailed at paragraph 4.2 of the report, in order to give greater financial certainty to the Council, and (b) it be noted that Inverclyde Leisure will continue to gather and share uptake data.

### 149 Appendix relative to Agenda Item 5 providing additional information on the proposed Under 16 Free Swimming Policy

149

There was submitted an appendix relative to agenda item 5 providing additional information on the proposed Under 16 Free Swimming Policy.

**Decided:** that the additional appendix be noted.

### 150 Community Safety Update

150

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing the Committee with an update on strategic matters pertaining to Community Safety in Inverclyde.

**Decided:**

- (1) that the updates on the following be noted (a) Inverclyde Multi-agency Risk

## EDUCATION AND COMMUNITIES COMMITTEE – 7 MARCH 2023

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Assessment, (b) Inverclyde Sex Offender Liaison Officer, (c) Police Scotland Local Partnership and Initiative Fund – Friday night youth project, (d) Community Safety and Violence Against Women Strategy 2023-2026, and (e) Control the Bleed kit public access cabinet; and

(2) that thanks be conveyed on behalf of the Committee to the emergency response services involved in a number of recent incidents which have occurred locally.

**The Communities business concluded at 3.20pm. The Committee commenced consideration of the Education items of business at 4pm with Ms McEwan joining the meeting by video conference and Mr Docherty attending the Municipal Buildings.**

### 151 Presentation on The Promise and Virtual Schools 151

The Committee heard a presentation given by Susan Chambers, Head Teacher of Inverclyde Virtual School, on The Promise and Virtual Schools. Thereafter Ms Chambers, the Head of Education and the Corporate Director Education, Communities and Organisational Development answered a number of questions from Members.

**Decided:**

- (1) that thanks be conveyed on behalf of the Committee to Ms Chambers and all staff connected with The Promise and Virtual Schools; and  
 (2) that the presentation be noted.

The Committee adjourned at 4.50pm and reconvened at 5pm.

### 152 Education Revenue Budget Report – 2022/23 Projected Outturn at 31 December 2022 152

There was submitted a report by the Interim Director Finance & Corporate Governance and the Corporate Director Education, Communities & Organisational Development advising Committee of the 2022/23 Education Revenue Budget position at 31 December 2022.

**Decided:** that the current projected underspend for 2022/23 of £543,000 as at 31 December 2022 be noted.

### 153 Education Capital Programme 2022/25 - Progress 153

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 2022/25 Capital Programme be noted; and  
 (2) that the progress on the following projects be noted (a) Gourock Primary School extension, (b) general lifecycle works, (c) free school meals, and (d) 1140 Hours expansion – various establishments minor works.

### 154 Education Update Report – Overview of Local and National Initiatives 154

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on local and national projects and initiatives linked to education.

**Decided:**

## EDUCATION AND COMMUNITIES COMMITTEE – 7 MARCH 2023

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(1) that the updates on the following be noted (a) Care Inspectorate inspection outcomes, (b) exceptional closure – King’s Coronation Public Holiday May 2023, (c) Education Authority Equality Mainstreaming Report 2023 and progress on Education Equality Outcomes Improvement Plan 2021/25, (d) education reform update, and (e) recent announcement from the Scottish Government on the maintenance of the pupil week and teacher numbers;

(2) that it be noted that a further report will be brought to the next Education & Communities Committee on the implications of the requirement to maintain teacher and pupil support assistant numbers for Inverclyde; and

(3) that it be remitted to the Convenor to write to the Scottish Government on behalf of the Committee on the maintenance of the pupil week and teacher numbers.

### 155      **Scottish Attainment Challenge Refresh Year 1 Plan 2022/23 Update**      155

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on progress relating to the first year of the refreshed Scottish Attainment Challenge Programme within Inverclyde.

**Decided:** that the content of the report be noted.

### 156      **1140 Budget Update – Grant Reduction**      156

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on (1) the grant funding of the 1140 hours programme, and (2) the work undertaken to contain the 2022/23 pay award and manage the grant reduction, which also forms part of the Inverclyde Council budget setting process.

**Decided:**

(1) that the content of the report be noted;

(2) that (a) the recommendations, as detailed at section 4 and appendix 1 of the report, be noted, and (b) it be noted that these recommendations were considered by Inverclyde Council at its meeting on 2 March 2023 as part of the budget process; and

(3) that it be noted that the Chief Executive has agreed, through Delegated Powers, to commence a trawl of 52-week Early Years Education & Child Care Officers on the basis that the proposals in the report are supported.

**GENERAL PURPOSES BOARD – 8 MARCH 2023**

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**General Purposes Board**

**Wednesday 8 March 2023 at 3pm**

**Present:** Provost McKenzie, Councillors Brennan, Crowther, Curley, Moran, McCluskey, Quinn, Reynolds and Robertson.

**Chair:** Councillor Moran presided.

**In attendance:**

David Keenan	Solicitor (for Head of Legal & Democratic Services)
Fiona Denver	Senior Paralegal Licensing Officer
Siobhan MacMaster	Solicitor
Diane Sweeney	Senior Committee Officer

**In attendance also:** Sergeant I Robertson (Police Scotland).

The meeting was held at the Municipal Buildings, Greenock with Councillors Brennan and Reynolds attending by video-conference.

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

**157      Apologies, Substitutions and Declarations of Interest      157**

Apologies for absence were intimated on behalf of Councillor Armstrong, with Councillor Robertson substituting, and Councillors Cassidy and Wilson.

No declarations of interest were intimated.

**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 of Part 1 of Schedule 7(A) of the Act.**

**158      Application for Grant of a Taxi Driver's Licence      158**

There was submitted a report by the Head of Legal & Democratic Services on an application for the grant of a Taxi Driver's Licence which was refused, all as detailed in the Appendix.

**159      Application for Grant of a Taxi Licence      159**

There was submitted a report by the Head of Legal & Democratic Services on an application for the grant of a Taxi Licence which was refused, all as detailed in the Appendix.

## ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023

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### Environment & Regeneration Committee

Thursday 9 March 2023 at 3pm

**Present:** Councillors Brooks, Cassidy, Clocherty, Crowther, Curley, Jackson, McCabe, McCormick, Quinn and Robertson.

**Chair:** Councillor McCormick presided.

**In attendance:**

Stuart Jamieson	Director Environment & Regeneration
Gail MacFarlane	Shared Head of Roads & Environmental Services
Eddie Montgomery	Interim Head of Property Services
Iain Strachan	Head of Legal & Democratic Services
Martin McNab	Public Protection Manager
Matt Thomson	Finance Manager (Environment & Technical)
Julie Ann Wilson	Principle Accountant
Jennifer Horn	Regeneration Manager
Gordon Leitch	Supervisory Engineer – Roads Design
Jim Kerr	Solicitor, Legal & Democratic Services
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Karen MacVey	Members' and Committee Services Team Leader
George Barbour	Service Manager, Communication, Tourism and Health & Safety

This meeting was held at the Municipal Buildings, Greenock with Councillors Cassidy and McCabe attending by video-conference.

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

**160 Apologies, Substitutions and Declarations of Interest 160**

No apologies for absence were intimated.

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

Agenda Item 11 (Landlord Registration Process) – Councillor Curley

**161 2022/23 Environment & Regeneration Revenue Budget as at 31 December 2022 161**

There was submitted a report by the Interim Director Finance & Corporate Governance and the Director Environment & Regeneration advising the Committee of the 2022/23 Revenue Budget projected position at 31 December 2022.

**Decided:** that it be noted that the Revenue Budget is currently projected to underspend in 2022/23 by £286,000 based on figures as at 31 December 2022.

**162 Environment & Regeneration Capital Programme 2022/25 - Progress 162**

There was submitted a report by the Director Environment & Regeneration and Interim Director Finance & Corporate Governance providing an update on the status of the

## ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023

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projects within the 2022/25 Environment & Regeneration Capital Programme.

The Director Environment & Regeneration provided a verbal update to the report, advising that the Lord-Lieutenant of Renfrewshire has formally requested that the new trees at Birkmyre Park, Kilmacolm be dedicated as part of the Queen's Green Canopy in memory of the late Queen Elizabeth II.

**Decided:**

(1) that the current position and progress on the specific projects of the 2022/25 Capital Programme and City Deal, as detailed in the report and appendices, be noted; and

(2) that the request from the Lord-Lieutenant of Renfrewshire to dedicate the yew trees at Birkmyre Park, Kilmacolm as part of the Queen's Green Canopy in memory of the late Queen Elizabeth II be agreed.

**163 Environment and Regeneration Corporate Directorate Improvement Plan Progress Report 2022/23 163**

There was submitted a report by the Director Environment & Regeneration providing an update on the status of the Environment, Regeneration and Resources Corporate Directorate Improvement Plan 2022/23.

**Decided:** that the progress made by the Environment and Regeneration Service in delivering its Corporate Directorate Improvement Plan improvement actions in 2022/23 be noted.

**164 General Update 164**

There was submitted a report by the Director Environment & Regeneration providing an update on (1) the Levelling Up Fund bid and (2) the Shard Prosperity Fund.

**Decided:** that the updates on (a) the Levelling Up Fund bid, and (b) the Shared Prosperity Fund, be noted.

**165 Roads & Transportation – Proposed RAMP/Capital Programme for 2023/24 165**

There was submitted a report by the Director Environment & Regeneration seeking approval for a proposed programme of projects to be undertaken in 2022/23 using RAMP/Capital Funding and a grant offer of funding by the Scottish Government for Cycling, Walking and Safer Routes (CWSR) Projects.

**Decided:**

(1) that the 2023/24 RAMP/Capital list of programmes and CWSR grant aided roads related projects, as detailed in the report, be approved; and

(2) that delegated authority be granted to the Shared Head of Roads & Environmental Services to achieve full spend of the RAMP/Capital budget through the substitution of projects from a reserve list when necessary.

**166 New Speed Limit Order Procedure 166**

There was submitted a report by the Shared Head of Roads & Environment Services seeking permission to introduce a new procedure in relation to the promotion of permanent Speed Limit Orders, to reduce the timescales associated with implementing proposed restrictions.

**Decided:**

(1) that the use of the new procedure and decision making process involved in the promotion of permanent Speed Limit Orders in terms of the Local Authorities' Traffic Order (Procedure)(Scotland) Regulations 1999 as amended, be approved;

## ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023

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(2) that the making of Speed Limit Orders by either the Head of Legal & Democratic Services or the Environment & Regeneration Committee be approved; and

(3) that it be noted that a separate report will be submitted to the Inverclyde Council seeking approval to amend the Scheme of Delegation.

### 167 Business Parking Permits – Terms and Conditions

167

There was submitted a report by the Shared Head of Roads & Environmental Services seeking approval for the Terms and Conditions of Business Parking Permits following the decision of the Inverclyde Council of 15 December 2022 to introduce Business Parking Permits.

**Decided:**

(1) that the Terms and Conditions for applying for, obtaining and using Business Parking Permits be agreed;

(2) that the requirement to promote a variation to “The Inverclyde Council (Off-Street Parking Places) Order 2013”, as varied which will be subject to the due legal process outlined in “The Local Authorities’ Traffic Orders (Procedure)(Scotland) Regulations 1999” be noted;

(3) that it be noted that the cost of a permit will be £150 per year (including VAT) and that this cost will be reviewed annually; and

(4) that it be remitted to the Shared Head of Roads and Environmental Services to submit a report to the Committee reviewing the operation of the Business Parking Permits scheme in 9 months’ time.

### 168 20mph Town & Village Centres Speed Limit Orders – Maintained Objections

168

There was submitted a report by the Shared Head of Roads & Environmental Services providing information on the outcome of the consultation procedure undertaken for the following six Speed Limit Orders, (1) “The Inverclyde Council Kilmacolm Village Centre (20mph Speed Limit) Order 2022”, (2) “The Inverclyde Council Port Glasgow Town Centre (20mph Speed Limit) Order 2022”, (3) “The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022”, (4) “The Inverclyde Council Gourock Town Centre (20mph Speed Limit) Order 2022”, (5) “The Inverclyde Council Inverkip Village Centre (20mph Speed Limit) Order 2022” and (6) “The Inverclyde Council Wemyss Bay Village Centre (20mph Speed Limit) Order 2022”.

**Decided:**

(1) that it be noted that there are no objections to the Speed Limit Orders associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock;

(2) that (a) it be agreed to recommend to the Inverclyde Council the making of Speed Limit Orders associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area, and (b) delegated authority be granted to the Shared Head of Roads & Environmental Services and the Head of Legal & Democratic Services to arrange for their implementation;

(3) that the requirement to hold a public hearing to consider the maintained objections to the Speed Limit Orders associated with Inverkip and Wemyss Bay be noted;

(4) that it be agreed to hear the Speed Limit Orders for Inverkip and Wemyss Bay through an independent Reporter;

(5) that it be remitted to the Shared Head of Roads & Environmental Services and the Head of Legal & Democratic Services to make the necessary arrangements for the public hearings;

(6) that it be agreed that if, prior to the public hearing, the maintained objections to the Inverkip and/or Wemyss Bay Speed Limit Orders are withdrawn, that the Speed Limit Orders can be made without further consideration by the Environment & Regeneration



## ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023

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Committee and that in these circumstances it be remitted to the Shared Head of Roads & Environmental Services and the Head of Legal & Democratic Services to arrange for their implementation;

(7) that it be remitted to the Head of Legal & Democratic Services to submit a report to submit a report to a future meeting of the Committee reviewing the custom and practice of Elected Members making objections to proposed Orders; and

(8) that the matter of Elected Members formally objecting to proposed Orders be referred to the Strategic Leadership Forum.

### 169 Commercial Waste Services

169

There was submitted a report by the Director Environment & Regeneration advising of an under recovery of income within the Council's Commercial Waste Service and to advise of the proposed increase in charges for 2023/24 and plans to develop proposals to completely remove the subsidy as part of the 2024/25 budget.

**Decided:**

(1) that the financial under recovery of the Commercial Waste Service be noted;

(2) that a 10% increase in 2023/24 commercial trade waste charges, to reflect the increase in inflationary costs to the service and to eliminate the current income shortfall, be approved;

(3) that the alignment of internal Trade Waste Charges to those levied commercially be approved; and

(4) that it be agreed that officers will develop proposals to delivery a non-subsidised service as part of the 2024/25 Budget.

### 170 Landlord Registration Process

170

There was submitted a report by the Director Environment & Regeneration recommending a change to the way in which the Council considers concerns that have been raised in respect of the suitability of private residential landlords under the Antisocial Behaviour etc. (Scotland) Act 2004.

Councillor Curley declared a connection as a registered landlord in Inverclyde. 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 he was declaring for transparency.

**Decided:**

(1) that (a) it be agreed to change the way in which the Council considers concerns that have been raised in respect of the suitability of private residential landlords under the Antisocial Behaviour etc. (Scotland) Act 2004, with such matters instead being considered by the General Purposes Board and the Housing (Landlord Registration) Sub-Committee being removed, and (b) this decision be remitted to the full Council for consideration of the associated changes to the Council's Standing Orders and Scheme of Administration; and

(2) that it be noted that the Committee will receive an annual update on Private Residential Landlord Registration.

### 171 Property Asset Management – Public Report

171

There was submitted a report by the Director Environment & Regeneration requesting that the Committee note (1) the results of two Open Space consultations relative to lower Kempock Street, Gourrock and Market Place, Kilmacolm, and (2) the outcome of further discussions with Permallet regarding the previous Open Space consultations relating to land at Papermill Road, Greenock.

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**ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023**


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**Decided:**

(1) that (a) the outcome of the open space and common good consultation for land at lower Kempock Street, Gourrock be noted, and (2) in relation to a lease of this land and the terms of the representations received as detailed in appendix 1 of the report, and having regard to those representations, it be agreed to proceed to obtain a valuation of the site from the District Valuer and to commence a court action seeking consent for the proposed lease in terms of Section 75 of the Local Government (Scotland) Act 1973;

(2) that (a) the outcome of the open space consultation for land at lower Market Place, Kilmacolm be noted, and (2) in relation to the proposed sale of this land and the terms of the representations received as detailed in appendix 2 of the report, and having regard to those representations, it be agreed to further consider the terms of the sale as detailed in the private Property Assets Management report that is before the Committee for later consideration.

(3) that it be noted that Permallet are no longer interested in pursuing the proposed lease of land at Papermill Road, Greenock.

**172 Business Development Service****172**

There was submitted a report by the Director Environment & Regeneration providing an update on the services provided by the Council's Business Development Service.

**Decided:** that the services offered by the Council's Business Development Service, including the contracted service through Business Gateway, be noted.

**173 Roads & Transportation – General, EVCP & PCN Charges for 2023/24****173**

There was submitted a report by the Director Environment & Regeneration (1) advising of changes to specific General Charges approved via the Budget Savings Exercise for 2023/24, and (2) seeking approval to amend the charges associated with the public use of electric vehicle charge points (EVCP).

The Shared Head of Roads and Environmental Services advised the Committee of errors in appendix 1 and 2 of the report, and accordingly the figures detailed in appendix 1 of this minute are as corrected at the meeting.

Following discussion, Councillor Brooks moved recommendations (a) and (b) as corrected and detailed in the report, omitting recommendation (c).

As an amendment, Councillor McCormick moved the recommendations contained in the report, as corrected.

Following a roll call vote, 1 Member, Councillor Brooks, voted in favour of the motion and 9 Members, Councillors Cassidy, Clocherty, Crowther, Curley, Jackson, McCabe, McCormick, Quinn and Robertson voted in favour of the amendment which was declared carried.

**Decided:**

(1) that the changes to specific General Charges approved via the Budget Savings Exercise for 2023/24, as detailed in appendix 1 of the report, as corrected, be noted;

(2) that changes to EVCP charges for 2023/24, as detailed in appendix 2 of the report, as corrected, be approved; and

(3) that changes to the Penalty Charge Notice (PCN), in line with the Scottish Government review of PCN charges, be approved.

**174 Naming of Private Road Serving New Development at Whitelea Road, Kilmacolm****174**

There was submitted a report by the Director Environment & Regeneration seeking approval to recognise and name a private road serving two new houses under construction off Whitelea Road, Kilmacolm.

**ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023**

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**Decided:** that it be agreed to (a) officially recognise the road serving the new development off Whitelea Road, Kilmacolm as a private road, and (b) name the new private road 'Whitelea Lane' and that the new houses will have addresses attached to that road.

**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 items 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 are set opposite each item.**

<b>Item</b>	<b>Paragraph(s)</b>
<b>Clune Park Update</b>	<b>8 &amp; 9</b>
<b>Property Asset Management – Private Report on (a) proposed sale of land at William Street, Port Glasgow (b) sale of Murdieston Park Cottage (c) proposed sale of land at Market Place, Kilmacolm</b>	<b>6 &amp; 9</b>
<b>Commercial and Industrial Portfolio Information – Scheme of Delegation Register</b>	<b>2, 6 &amp; 9</b>

- |            |   |            |
|------------|---|------------|
| <b>175</b> | <p><b>Clune Park Update</b></p> <p>There was submitted a report by the Director Environment &amp; Regeneration providing an update on the current position in relation to Clune Park.</p> <p><b>Decided:</b> Following consideration, the Committee agreed to the actions recommended all as detailed in the Appendix.</p>  | <b>175</b> |
| <b>176</b> | <p><b>Property Asset Management – Private Report on (a) proposed sale of land at William Street, Port Glasgow (b) sale of Murdieston Park Cottage (c) proposed sale of land at Market Place, Kilmacolm</b></p> <p>There was submitted a report by the Director Environment &amp; Regeneration making recommendations in respect of a number of property assets.</p> <p><b>Decided:</b> Following consideration, the Committee agreed to the actions recommended, all as detailed in the Appendix.</p> | <b>176</b> |
| <b>177</b> | <p><b>Commercial and Industrial Portfolio Information – Scheme of Delegation Register</b></p> <p>There was submitted a report by the Director Environment &amp; Regeneration advising of the exercise by officers of power delegated to them in terms of the Scheme of Delegation and to provide an update on the management of Inverclyde Council's commercial and industrial portfolio.</p> <p><b>Decided:</b> that the terms of the report be noted.</p>   | <b>177</b> |

**APPENDIX 1**  
**ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023**

**173 Roads & Transportation – General, EVCP & PCN Charges for 2023/24**

173

The Shared Head of Roads and Environmental Services advised the Committee of errors in appendix 1 and 2 of the report, and accordingly the following figures as detailed were corrected at the meeting.

Appendix 1 – Changes to Charges Via Budget Savings Exercise

Fee Type	<i>£Unit Cost</i> 22/23	<i>£Unit Cost</i> 23/24
<b>Road Opening Permit</b>		
All Works (per month)	158.45	Deleted
Minor Works (not more than 3 days)		130.00
Standard Works (all works, except emergency, which take between 4 and 10 working days)		250.00
Major Works (works normally planned 6 months in advance and require longer than 10 working days to complete)		500.00
<b>Burial Grounds Charges</b>		
Cremation and Burial Grounds charges – increase by 10% all charges		
Simple Cremation (including CAMEO charge)*	408.15	446.55
Cremation All person over 18 (including CAMEO charge)*	764.95	839.05
Burial all persons over 18	974.70	1,072.15
Burial all person over 18 (Double interment in single lair)	1,462.05	1,608.25
Purchase of Lairs	1,050.15	1,155.15
Purchase of Cremation casket lairs	578.60	636.45
Garden Waste Permits. Increase to £40	32.00	40.00

\*10% increase not applied to statutory CAMEO charge of £29.50 (£29.00 in 2022/23)

Appendix 2 – Proposed Changes to EVCP Charges

Fee Type	<i>£Unit Cost</i> 22/23	<i>£Unit Cost</i> 23/24
<b>Electric Vehicle Charging</b>		
Connection fee for all chargers (per connection) (incl VAT)	1.00	1.00
22kw and lower, Fast and Slow chargers (per kilowatt hour) (incl VAT)	0.20	0.50
43kw and higher, Rapid charger (per kilowatt hour) (incl VAT)	0.30	0.75

**PETITIONS COMMITTEE – 16 MARCH 2023**

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**Petitions Committee**

**Thursday 16 March 2023 at 3pm**

**Present:** Councillors Brooks, McCluskey (for Cassidy), Curley, Daisley and McCabe.

**Chair:** Councillor Curley presided.

**In attendance:**

Gail MacFarlane	Shared Head of Roads & Environmental Services
Steven Walker	Service Manager - Roads
Gordon Leitch	Supervisory Engineer – Roads Design
Peter MacDonald	Solicitor (for Head of Legal & Democratic Services)
Lindsay Carrick	Senior Committee Officer
Colin MacDonald	Senior Committee Officer
Karen MacVey	Members' and Committee Services Team Leader
George Barbour	Service Manager Communication, Tourism and Health & Safety

This meeting was held at the Municipal Buildings, Greenock with Councillors Daisley, McCabe and McCluskey attending by video-conference.

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

**178      Apologies, Substitutions and Declarations of Interest      178**

Apologies for absence were intimated on behalf of Councillor Cassidy with Councillor McCluskey substituting, and Provost McKenzie.

No declarations of interest were intimated.

**179      Petitions Update Report      179**

There was submitted a report by the Head of Legal & Democratic Services updating the Committee on the position relative to petitions previously reported on and new petitions received since the last meeting.

**Decided:** that the position relative to the petitions previously reported on and new petitions received since the last meeting of the Committee be noted.

**180      Petition for Consideration – Pedestrian Crossing, Lochwinnoch Road, Kilmacolm      180**

There was submitted a report by the Head of Legal & Democratic Services providing details of a petition calling on the Council to consider the construction of a new Pelican Crossing on Lochwinnoch Road, Kilmacolm in the vicinity of the shops. The report advised that the petition met the petitions criteria and had received the level of public support required in terms of the approved petitions procedures. The Committee heard Mr S Walker and Mr G Leitch for Roads and Environmental Services. Following discussion, Councillor Daisley moved that the Committee rejects the petition, bringing matters to an end. As an amendment Councillor Curley moved that the Committee considers the issues raised in the petition have merit and that it be remitted to the Shared Head of Roads & Environmental Services to submit a report to a future meeting of the Environment and Regeneration Committee with recommendations on this matter.

**PETITIONS COMMITTEE – 16 MARCH 2023**

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Following a roll call vote, 2 Members, Councillors Brooks and Daisley, voted in favour of the motion and 3 Members, Councillors Curley, McCabe and McCluskey voted for the amendment which was declared carried.

**Decided:** that the Committee considers the issues raised in the petition have merit and remits it to the Shared Head of Roads & Environmental Services to submit a report to a future meeting of the Environment & Regeneration Committee with recommendations on this matter.

**POLICY & RESOURCES COMMITTEE – 21 MARCH 2023**

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**Policy & Resources Committee**

**Tuesday 21 March 2023 at 3pm**

**Present:** Councillors Clocherty (for McCluskey), Curley, Daisley (for Law) McCabe, McCormick, McGuire, McVey, Moran, Reynolds (for Armstrong), Robertson and Wilson.

**Chair:** Councillor McCabe presided.

**In attendance:**

Louise Long	Chief Executive
Alan Puckrin	Interim Director Finance & Corporate Governance
Stuart Jamieson	Director Environment & Regeneration
Iain Strachan	Head of Legal & Democratic Services
Steven McNab	Head of Organisational Development, Policy & Communications
Tony McEwan	Head of Culture, Communities & Educational Resources
Anne Sinclair	Legal Services Manager (Licensing, Litigation & Committees)
Matt Thomson	Finance Manager (Environment & Technical)
Angela Edmiston	Finance Manager (Corporate Services & Strategic Finance)
Tracy Bunton	Revenues and Benefits Manager
Morna Rae	Service Manager Corporate Policy, Performance and Partnerships
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Allan McDonald	ICT & Customer Service Manager
George Barbour	Service Manager Communications, Tourism and Health & Safety

This meeting was held at the Municipal Buildings, Greenock with Councillors Curley, Daisley, McCormick and McGuire attending by video-conference.

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

**181 Apologies, Substitutions and Declarations of Interest**

**181**

Apologies for absence were intimated on behalf of Councillor Armstrong, with Councillor Reynolds substituting, Councillor Law with Councillor Daisley substituting and Councillor McCluskey with Councillor Clocherty substituting.

No declarations of interest were intimated, but certain connections were intimated for the purposes of transparency as follows:

Agenda Item 13 (Remit from Education and Communities Committee to fund early release costs in order to source funding for the provision of free swimming for under 16s) – Councillor Clocherty and Councillor Reynolds.

**182 2022/23 Policy & Resources Committee and General Fund Revenue Budget Update as at 31 January 2023**

**182**

There was submitted a report by the Interim Director Finance & Corporate Governance, Corporate Director Education, Communities & Organisational Development and the Chief Executive advising the Committee of (1) the 2022/23 Committee Revenue Budget

**POLICY & RESOURCES COMMITTEE – 21 MARCH 2023**

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projected position as at 31 January 2023, (2) the overall General Fund Revenue Budget projection and (3) the position of the General Fund Reserve.

**Decided:**

(1) that the current projected overspend for 2022/23 of £809,000 as at 31 January 2023 within the Committee's Budget be noted;

(2) that the projected 2022/23 surplus of £18,340 for the Common Good Budget be noted; and

(3) that the (a) projected underspend of £861,000 for the General Fund; and (b) projected surplus reserves of £2.081million as at 31 March 2023, be noted.

**183 Policy & Resources Capital Budget and 2022/26 Capital Programme 183**

There was submitted a report by the Interim Director Finance & Corporate Governance providing the latest position of the Policy & Resources Capital Programme budget and the 2022/26 Capital Programme.

**Decided:** that the following be noted (a) the current position of the 2022/26 Policy & Resources Capital Budget; and (b) the current position of the 2022/26 Capital Programme.

**184 Finance Update 184**

There was submitted a report by the Interim Director Finance & Corporate Governance providing an update on a number of matters being progressed by the Finance Service relating to (1) cost of living / welfare supports, (2) Council Tax & Annual Billing, (3) Accounts Commission Housing Benefit thematic study, (4) Non-Domestic Rates, and (5) Recent Treasury activity.

**Decided:** that the contents of the report and the various updates provided be noted.

**185 Corporate Policy Update Report 185**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on a number of performance and policy matters relating to (1) equalities, (2) a new approach to Best Value auditing (3) the Corporate Services' Corporate Directorate Improvement Plan Progress Report, (4) The Programme for Government, and (5) use of emergency powers to approve funding for an external review of the Human Resources & Organisational Development Team.

**Decided:** that the latest updates in relation to Corporate Policy and Performance be noted.

**186 Capital Strategy 2023-2033 and Treasury Management Strategy Statement & Annual Investment Strategy 2023/24-2026/27 186**

There was submitted a report by the Interim Director Finance & Corporate Governance requesting that the Committee considers the 2023-33 Capital Strategy and the Treasury Management and Annual Investment Strategy 2023/24 – 2024/27 and that they be remitted to the Inverclyde Council for approval.

**Decided:**

(1) that (a) having considered the Capital Strategy 2023-33, the significant financial challenges the Council faces in maintaining the existing asset base be noted, and (2) the Capital Strategy be remitted to the Inverclyde Council for approval; and

(2) that (a) the contents of the report and the Treasury Management and Investment Strategy as detailed in appendix 2 of the report be noted, and (b) the report and



**POLICY & RESOURCES COMMITTEE – 21 MARCH 2023**

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Treasury Management and Investment Strategy be remitted to the Inverclyde Council for approval.

**187 Council Plan and Partnership Plan from 2023 and New Performance Management Strategy 187**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development proposing a vision and high-level outcomes for the new Council and Partnership Plans and the adoption of an associated Performance Management Strategy.

**Decided:**

- (1) that (a) the vision and high-level outcomes for the Inverclyde Council Plan 2023-2028 be agreed, and (b) it be agreed that the plan will form the basis of a report to Council on 20 April 2023;
- (2) that the vision and high-level outcomes for the Inverclyde Alliance Partnership Plan 2023-2033 be endorsed; and
- (3) that the adoption of an associated Performance Management Framework be agreed.

**188 SOLACE Improving Local Government Benchmarking Framework 2021/22 188**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an overview of the Local Government Benchmarking Framework data 2021/22 and Inverclyde Council's performance across a range of indicators.

**Decided:**

- (1) that it be noted that the Local Government Benchmarking Framework data for reporting year 2021/22 is now published and that Inverclyde Council continues to be a highly performing Council; and
- (2) that it be noted that an Elected Member briefing on this subject will be held on 19 April 2023.

**189 Anti-Poverty Funding Update 189**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the financial position of the anti-poverty recurring budget and position of the anti-poverty ear-marked reserve.

**Decided:**

- (1) that the changes to the recurring anti-poverty budget detailed in the report be noted;
- (2) that the allocation of the recurring anti-poverty budget as detailed in appendix 1 of the report be agreed;
- (3) that the position of the anti-poverty ear-marked reserve as detailed in appendix 2 of the report be noted; and
- (4) that it be agreed that a report on the evaluation of current initiatives and proposals for the unallocated ear-marked reserve is brought to a future meeting of the committee.

**190 Digital Modernisation Programme 190**

There was submitted a report by the Head of Legal & Democratic Services advising as to how the Council's Digital Modernisation Programme is to be taken forward, the

principles it will adopt and the governance arrangements.

**Decided:**

- (1) that it be noted that following a review of the business case for the corporate roll out of an Electronic Records and Document Management System it is not intended to progress with the project due to the estimated level of resourcing that would be required, as detailed in the report;
- (2) that (a) the content of the report be noted, and (b) it be noted that a Digital Modernisation Project Board has been established, chaired by the Chief Executive, to oversee delivery of the Council's Digital Modernisation Programme;
- (3) that the projects intended to form part of the Digital Modernisation Programme, as detailed in paragraph 4.6 of the report, and subject to the provision of suitable business cases and with approval of the Committee being required for the use of the Digital Modernisation Reserves, be noted; and
- (4) that it be noted that updates on the progress of the Programme will be reported to the Committee.

**191 Energy Bills – Notice of Motion by Councillors Reynolds**

191

There was submitted a report by the Head of Legal & Democratic Services advising of the receipt of a Notice of Motion by Councillor Reynolds relative to energy bills. Following discussion, Councillor Wilson moved that no action be taken in relation to this matter.

As an amendment, Councillor Reynolds moved that it be remitted to the Chief Executive to write to the Secretary of State for the Department for Energy Security and Net Zero in relation to the impact of rising costs on Inverclyde residents and businesses and demand that the UK Government use its powers to address these concerns, in consultation with the Convenor, Vice-Convenor, Leader of the largest non-administration group on the Committee and Councillor Reynolds.

Following a roll-call vote 1 Member, Councillor Wilson voted in favour of the motion and 10 Members, Councillors Clocherty, Curley, Daisley, McCabe, McCormick, McGuire, McVey, Moran, Reynolds and Robertson voted in favour of the amendment which was declared carried.

**Decided:** that it be remitted to the Chief Executive to write to the Secretary of State for the Department for Energy Security and Net Zero in relation to the impact of rising costs on Inverclyde residents and businesses and demand that the UK Government use its powers to address these concerns, in consultation with the Convenor, Vice-Convenor, Leader of the largest non-administration group on the Committee and Councillor Reynolds.

**192 Inverclyde Council Criminal Finances Act 2017 Policy – Remit from Audit Committee**

192

There was submitted a report by the Head of Legal & Democratic Services to consider a remit from the Audit Committee regarding the Inverclyde Council Criminal Finances Act 2017 Policy.

**Decided:** that (a) the requirement for the Council to have in place adequate prevention procedures in relation to tax evasion offences in terms of the Criminal Finances Act 2017 be noted, (b) the Criminal Finances Act 2017 policy, as detailed in appendix 1 of the report, be approved, and (c) that it be remitted to the Head of Legal & Democratic Services and the Chief Financial Officer to take all necessary action to implement the policy.

## POLICY &amp; RESOURCES COMMITTEE – 21 MARCH 2023

**193 Remit from Education and Communities Committee to fund early release costs in order to source funding for the provision of free swimming for under 16s**

193

There was submitted a report by the Head of Legal & Democratic Services to consider a remit from the Education & Communities Committee to fund early release costs linked to the funding for the provision of under-16 free swimming, and to return £35,000 from the salary saved to the Education & Communities Committee to fund the revised under -16s free swimming policy.

Councillors Clocherty and Reynolds declared a connection as Members of the Board of Inverclyde Leisure. They also formed the view that the nature of their connection and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and they were declaring for transparency.

**Decided:** that (a) the request from the Education and Communities Committee of 7 March 2023 to fund the one off VER costs be agreed, and (2) it be agreed to return £35,000 from the £46,900 saved to the Education & Communities Committee to fund the revised under-16s free swimming policy to provide the preferred model for free swimming.

**The Convener being of the opinion that the undernoted report by the Corporate Director Education, Communities & Organisational Development was relevant, competent and urgent moved its consideration in terms of the relevant Standing Order to allow the Committee to consider the matter and to give Parklea Branching Out the opportunity to accept the tender for the proposed work by the Scottish Government deadline of 31 March 2023, should the Committee be minded to provide financial support. This was agreed unanimously.**

**194 Parklea Branching Out Community Garden Hub – Funding Gap**

194

There was submitted a report by the Corporate Director Education, Communities and Organisational Development seeking agreement of the Policy & Resources Committee, for Inverclyde Council, to provide £250,000 funding in support of the Parklea Branching Out Community Garden Hub project.

**Decided:**

- (1) that the contents of the report and the imminent deadlines for the area to secure a significant capital grant be noted;
- (2) that (a) it be agreed to provide up to £250,000 to the Parklea Branching Out capital project in order to construct a community garden hub and to address the estimated funding shortfall, and (b) the agreement by the Scottish Government to allocate a further £201,000 towards the project be noted; and
- (3) that authority be delegated to the Director Education, Communities and Organisational Development to agree the terms and conditions upon which the additional funding will be released to Parklea Branching Out, in consultation with the Head of Legal & Democratic Services and the Interim Director Finance & Corporate Governance.

## LOCAL POLICE & FIRE SCRUTINY PANEL – 23 MARCH 2023

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### Local Police and Fire Scrutiny Panel

**Thursday 23 March 2023 at 3pm**

**Present:** Provost McKenzie, Councillors Brennan, Clocherty, Crowther, Daisley, McGuire, Moran, Quinn, Reynolds and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:**

Tony McEwan	Head of Culture, Communities and Educational Resources (for Corporate Director Education, Communities and Organisational Development)
Hugh Scott	Service Manager Community Learning & Development, Community Safety & Resilience and Sport
Roisin Dillon	Trading Standards and Enforcement Team Leader
Jim Kerr	Solicitor (for Head of Legal & Democratic Services)
Lindsay Carrick	Senior Committee Officer
Diane Sweeney	Senior Committee Officer
Pauline Ramsay	Health and Safety Team Leader
Allan MacDonald	ICT & Customer Service Manager
George Barbour	Service Manager, Communication, Tourism and Health & Safety

**In attendance also:**

Laura Waddell	Chief Superintendent, Local Police Commander, Renfrewshire and Inverclyde Division, Police Scotland
Damien Kane	Chief Inspector, Area Commander – Inverclyde, Police Scotland
Derek Laird	Detective Sergeant, Cybercrime Harm Prevention Partnerships, Prevention and Community Wellbeing, Police Scotland
Mary Wilson	Police Sergeant, Cybercrime Harm Prevention Partnerships, Prevention and Community Wellbeing, Police Scotland
David McCarrey	Area Commander, Service Delivery, Scottish Fire & Rescue Service, East Renfrewshire, Renfrewshire and Inverclyde
Paul Storrie	Area Group Commander Prevention and Protection, East Renfrewshire and Inverclyde, Scottish Fire & Rescue Service

This meeting was held at the Municipal Buildings, Greenock with Councillors, Brennan, Daisley, McGuire and Reynolds attending by video-conference.

Prior to the commencement of business, the Convener welcomed the representatives from Police Scotland and Scottish Fire & Rescue Service to the meeting.

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

**195 Apologies, Substitutions and Declarations of Interest**

**195**

No apologies for absence or declarations of interest were intimated.

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**LOCAL POLICE & FIRE SCRUTINY PANEL – 23 MARCH 2023**


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- 196 Presentation on Cybercrime 196**
- The Panel heard a presentation by Detective Sergeant D Laird and Sergeant M Wilson highlighting the work of Police Scotland’s Cybercrime Harm Prevention Team. Thereafter Detective Sergeant Laird and Sergeant Wilson answered a number of questions from Members.
- Decided:** that the information contained in the presentation be noted.
- 197 Scottish Fire & Rescue Service – Time for Change – Reducing Unwanted Fire Alarm Signals 197**
- There was submitted a report from Scottish Fire and Rescue Service providing an overview of the New Response Model which comes into force on 1 July 2023 and detailing the future response of the Fire Service to unwanted fire alarm signals in commercial premises and workplace premises following the Scottish Fire & Rescue Service public consultation in 2021.
- Decided:** that the information contained in the report be noted.
- 198 Presentation on Reducing Unwanted Fire Alarm Signals (UFAS) 198**
- The Panel heard a presentation by Group Commander P Storrie, Scottish Fire & Rescue Service highlighting the changes that will come into force on 1 July 2023 and detailing the future response of the Fire Service to unwanted fire alarm signals in commercial premises and workplace premises. Thereafter Group Commander Storrie and Area Commander McCarrey answered a number of questions from Members. It was noted that Inverclyde Council’s Health and Safety Team have convened a working group to discuss the implications and to ensure compliance, considering the changes coming into force.
- Decided:** that the information contained in the presentation be noted.
- 199 Police Scotland Performance Report 199**
- There was submitted a report on the performance and activities of Police Scotland during the reporting period 1 April 2022 to 31 December 2022. During the course of discussion on this item, Chief Inspector Kane referred to the continued rise in drug related deaths in Inverclyde during the reporting period, noting that there have been 21 deaths. Chief Inspector Kane gave assurances that officers are working closely with partners to reduce the number of drug related deaths in Inverclyde.
- There followed discussion on the Naloxone programme. Chief Inspector Kane informed Members that an enhanced roll out of the programme to Constables, Sergeants, Inspectors and First Response Officers had commenced locally. It was noted that a Police Scotland spotlight report on the Violence Against Women and Girls Strategy would be submitted to a future meeting. At the conclusion of discussion of this item of business the Panel conveyed its thanks to the emergency response services in relation to a number of recent incidents which have occurred locally.
- Decided:** that the information contained in the report be noted.
- 200 Local Police and Fire Scrutiny Panel Update Report 200**
- There was submitted a report by the Corporate Director Education, Communities and Organisational Development (1) providing an update on current and emerging issues relating to Police Scotland and Scottish Fire & Rescue Services and (2) appending the Inverclyde Local Policing Plan 2023-26 by Police Scotland for approval by the Panel

**LOCAL POLICE & FIRE SCRUTINY PANEL – 23 MARCH 2023**

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before submission to the Scottish Police Authority.

**Decided:**

- (1) that the updates on the following matters be noted (a) Scottish Police Authority (SPA) Corporate Strategy 2023-26 Consultation, (b) Local Police Plans 2023-26 Consultation, (c) Local Police Plans – A Framework for Scrutiny, (d) Police Scotland Violence Against Women and Girls Strategy Engagement; and (e) Fire Brigades Union Strike Action;
- (2) that the responses to the consultations on the draft Scottish Police Authority corporate strategy and the draft Local Policing Plan be noted; and
- (3) that the Local Policing Plan be approved.

## EDUCATION AND COMMUNITIES COMMITTEE – 27 MARCH 2023

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### Education and Communities Committee

Tuesday 27 March 2023 at 1.30pm

**Present:** Councillors Clocherty, Daisley, McCormick, McGuire, McVey, Moran, Quinn, Reynolds, Robertson and Wilson, and Rev F Donaldson, Church Representative.

**Chair:** Councillor Clocherty presided.

**In attendance:**

Ruth Binks	Corporate Director Education, Communities & Organisational Development
Michael Roach	Head of Education
Tony McEwan	Head of Culture, Communities & Educational Resources
Anne Sinclair	Managing Solicitor (for Head of Legal & Democratic Services)
Iain Cameron	Principal Accountant (Education & Communities) (for Interim Director Finance & Corporate Governance)
Mary McCabe	Finance Manager (Education & Communities)
Elaine McLoughlin	Education Officer
Diane Sweeney	Senior Committee Officer
Colin MacDonald	Senior Committee Officer
Peter MacDonald	Solicitor, Legal Services
George Barbour	Service Manager, Communications, Tourism and Health & Safety

The meeting was held at the Municipal Buildings, Greenock with Councillors McCormick and McGuire attending by video-conference.

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

**201 Apologies, Substitutions and Declarations of Interest 201**

Apologies for absence were intimated on behalf of Councillor Armstrong, with Councillor Reynolds substituting, Councillor Brennan, with Councillor McCormick substituting, Councillor Law, Mr J Docherty, Church Representative and Ms P McEwan, Teacher Representative.

No declarations of interest were intimated.

**202 Provision of Secondary Gaelic Education in Inverclyde 202**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development advising the Committee of the outcome of the options appraisal and the subsequent recommendation from the Advisory Group for the implementation of Secondary Gaelic Education within Inverclyde.

Following discussion, Councillor Clocherty moved the recommendations as detailed in the report.

As an amendment, Councillor Wilson moved that no action be taken.

On a roll call vote, 1 Member, Councillor Wilson, voted for the amendment, and 10 Members, Councillors Clocherty, Daisley, McCormick, McGuire, McVey, Moran, Quinn, Reynolds and Robertson and Mr Donaldson voted for the motion, which was declared

carried.

**Decided:**

(1) that (a) approval be given to officers developing a proposal to establish an offer of Gaelic Secondary Education provision for the academic year beginning August 2024 within Inverclyde Academy, and (b) it be agreed that the final proposal for statutory consultation be brought to a future meeting of the Education & Communities Committee; and

(2) that delegated powers be granted to the Corporate Director of Education, Communities and Organisational Development to explore the potential provision for Gaelic Secondary Education and identify resources for the academic year 2023/24, which would be actioned if there was a demand for provision.