

A meeting of the Inverclyde Council will be held on Thursday 20 April 2023 at 4pm.

Members may attend the meeting in person at Greenock Municipal Buildings or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Wednesday 19 April 2023 how they intend to access the meeting.

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

Please note that this meeting will be live-streamed via YouTube with the exception of any business which is treated as exempt in terms of the Local Government (Scotland) Act 1973 as amended.

Further information relating to the recording and live-streaming of meetings can be found at the end of this notice.

IAIN STRACHAN
Head of Legal, Democratic, Digital & Customer Services

BUSINESS

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General Purposes Board (Special) (22 February 2023)	(pp 58)
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4.	Appointment of Chair of Social Work & Social Care Scrutiny Panel Report by Head of Legal, Democratic, Digital & Customer Services	p
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10.	Single Use Nicotine Vaping Products (Disposable Vapes) – Request by Councillor McCabe Report by Head of Legal, Democratic, Digital & Customer Services	p
<p>The documentation relative to the following item has been treated as exempt information in terms of the Local Government (Scotland) Act 1973 as amended, the nature of the exempt information being that set out in the paragraphs of Part I of Schedule 7A of the Act as detailed in the minute of the relevant Committee, Sub-Committee or Board.</p>		
NEW BUSINESS		
11.	Business in the Appendix	
<p>The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.</p> <p>Please note: this meeting may be recorded or live-streamed via YouTube and the Council's internet site, where it will be capable of repeated viewing. At the start of the meeting the Provost/Chair will confirm if all or part of the meeting is being recorded or live-streamed.</p>		

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Enquiries to – **Diane Sweeney** – Tel 01475 712147

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Corporate Director, Education, Communities & Organisational Development	Report No:	PR/08/23/MR
Contact Officer:	Morna Rae	Contact No:	01475 712042
Subject:	Council Plan and Partnership Plan from 2023		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 This report proposes a vision and high-level outcomes for the Council Plan 2023-28 and seeks endorsement of the new Alliance Partnership Plan 2023-33.

2.0 RECOMMENDATIONS

2.1 It is recommended that Council:

- Agrees the vision and high-level outcomes for the Inverclyde Council Plan 2023-28; and
- Endorses the vision and high-level outcomes for the Inverclyde Alliance Partnership Plan 2023-33.

Ruth Binks
**Corporate Director, Education, Communities &
Organisational Development**

3.0 BACKGROUND AND CONTEXT

3.1 The current Inverclyde Council Corporate Plan and Inverclyde Alliance Outcome Improvement Plan both run to 2023. There has been significant development work undertaken in relation to the creation of a new Council Plan and Partnership Plan for Inverclyde Council and Inverclyde Alliance.

DEVELOPMENT PROCESS FOR NEW PLANS

3.2 The development process to date has included:

- A Strategic Needs Assessment;
- Public, partner and Inverclyde Council employee consultation;
- Corporate Management Team and Extended Corporate Management Team workshops and reports;
- Workshop with Elected Members on shared priorities for Inverclyde;
- Consideration of statutory requirements and guidance;
- Alliance reports and discussion with partners;
- Elected Member Briefings on 13 February 2023 and 21 March 2023;
- Discussion with the Leader of the Council and Chair of Inverclyde Alliance; and
- Research on approaches across other areas.

STRATEGIC NEEDS ASSESSMENT

3.3 The Strategic Needs Assessment is available on the Council website via this link: [Strategic Needs Assessment 2022](#). It includes a wide range of information about Inverclyde, including the population profile, overview of the economy, analysis of deprivation trends, statistics on health and environment related information.

3.4 As well as giving a baseline against which we can measure progress through the implementation of the new plans the Strategic Needs Assessment identifies issues that the Council Plan and Partnership Plan can try to address.

3.5 Some of the issues highlighted include:

- An increasing concentration of older people within Inverclyde's communities, with the proportion of people aged 75+ set to increase by 55.5% over the next 20 years;
- An anticipated population reduction of 5% over the next 5 years, driven by there being fewer births than deaths;
- Emergency hospital admission and alcohol related hospital admission statistics being higher than Scottish average levels;
- Annual earnings at a lower level than the Scottish average;
- Significant deprivation issues with 45% of all datazones being in the 20% most deprived in Scotland; and
- Life expectancy for males and females sitting below Scottish average levels.

CONSULTATION

3.6 The consultation involved six different research methods over eight weeks of consultation. There was a total of 2801 participants. Elected Members will note that increasing employment and improving the quality of job opportunities was ranked highly across the different consultation methods and participants. The top themes were:

- Employment and Jobs,
- Community,

- Young People,
- Health and Wellbeing, and
- Housing.

The consultation report is available at Appendix 1.

- 3.7 As well as identifying key priorities respondents also suggested a wide range of ways in which they could be addressed. These will be taken into account in action planning. The consultation report will also be used to better understand public perceptions of the Council and Alliance and shape related public communication.

APPROACH USED TO DEVELOP THE PLANS

- 3.8 A collaborative approach has been undertaken throughout the development of the plans as outlined at para 3.3. There has been a balancing of:
- What the consultation has told us;
 - The issues identified through the Strategic Needs Assessment;
 - Elected Member/Council Officer/Alliance partner aspirations;
 - An understanding of the resources available to deliver on the plans; and
 - Statutory responsibilities of the Council and Alliance.
- 3.9 The Corporate Management Team have considered alternative models and best practice from elsewhere to inform the Inverclyde plans.
- 3.10 While the Council Plan and Partnership Plan require to be consistent in approach they serve different purposes. The Council Plan requires to reflect the range of work undertaken by the Council, across its Services. The Partnership Plan focuses on partnership work to address inequalities.

PROPOSED VISION AND HIGH LEVEL OUTCOMES

- 3.11 It is proposed that the same vision is used across both plans. This is The Inverclyde Commitment: *“Success For All – Getting It Right for Every Child, Citizen and Community”*. There was strong support through the public consultation to continue with *Getting It Right for Every Child, Citizen and Community*.
- 3.12 The lifespan of the Council Plan is five years, from 2023-28, and the Partnership Plan ten years, from 2023-33. This will run the Council Plan into the next Council term and allow time for the establishment of the administration and the development process for a new plan. The ten-year term of the Partnership Plan recognises the long term nature of inequalities to be addressed. A mid-term review will be undertaken.
- 3.13 A designed version of the Council Plan is available at Appendix 2. Members will note that the section of the document entitled Appendices is incomplete. The Strategic Delivery Plan for the Council Plan is currently being drafted alongside the new Committee Delivery and Improvement Plans. The Strategic Delivery Plan will be added to the Appendices section once agreed. The structure and high-level outcomes for the Council Plan will be:

THEME 1: PEOPLE

Outcomes we will achieve:

- Our young people have the best start in life through high quality support and education;
- Gaps in outcomes linked to poverty are reduced;
- People are supported to improve their health and wellbeing;
- More people will be in employment, with fair pay and conditions; and

- Our most vulnerable families and residents are safeguarded and supported.

THEME 2: PLACE

Outcomes we will achieve:

- Communities are thriving, growing and sustainable;
- Our strategic housing function is robust;
- Our economy and skills base are developed;
- We have a sufficient supply of business premises; and
- Our natural environment is protected.

THEME 3: PERFORMANCE

Outcomes we will achieve:

- High quality and innovative services are provided, giving value for money; and
- Our employees are supported and developed.

3.14 At its meeting on 13 March 2023 the Alliance approved the structure and high-level outcomes for the Partnership Plan:

THEME 1: EMPOWERED PEOPLE

- Communities can have their voices heard, and influence the places and services that affect them; and
- Gaps in outcomes linked to poverty are reduced.

THEME 2: WORKING PEOPLE

- More people will be in sustained employment, with fair pay and conditions;
- Poverty related gaps are addressed, so young people can have the skills for learning, life and work; and
- Businesses are supported and encouraged to reduce their carbon footprint and develop green jobs.

THEME 3: HEALTHY PEOPLE AND PLACES

- People live longer and healthier lives;
- Supportive systems are in place to prevent alcohol and drug misuse; and
- Our natural capital is looked after, and we are effectively adapting and mitigating the effects of climate change.

THEME 4: A SUPPORTIVE PLACE

- Vulnerable adults and children are protected and supported, ensuring they can live safely and independently;
- We recognise where people are affected by trauma, and respond in ways that prevent further harm and support recovery; and
- Public protection and community safety are improved through targeting our resources to reduce the risk of offending and harm.

THEME 5: A THRIVING PLACE

- Growth in our working age population by encouraging people to stay here, and attracting new people to settle here;
- Development of strong community-based services that respond to local need;
- Homes are energy efficient and fuel poverty is reduced;
- Increased use of active travel and sustainable transport options; and
- Easy access to attractive and safe public spaces, and high-quality arts and cultural opportunities.

NEXT STEPS

3.15 The key next steps include:

- Review of the delivery groups supporting the work of the Alliance;
- Finalisation of the Strategic Delivery Plan for the Council Plan, which will be reported six monthly to the Policy and Resources Committee; and
- Presentation of the Committee and Service Delivery and Improvement Plans (against which performance will be reported at every second Committee meeting) to the next round of Committees for approval.

4.0 PROPOSALS

4.1 It is proposed that the Committee

- Agrees the vision and high-level outcomes for the Inverclyde Council Plan 2023-28 and that this forms the basis of a report to Council on 20 April; and
- Endorses the vision and high-level outcomes for the Inverclyde Alliance Partnership Plan 2023-33.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial			X
Legal/Risk			X
Human Resources			X
Strategic (LOIP/Corporate Plan)	X		
Equalities and Fairer Scotland Duty	X		
Children and Young People's Rights & Wellbeing	X		
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

There are no financial implications arising from this report.

One off Costs

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

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

There are no legal implications arising from this report.

5.4 Human Resources

There are no human resources implications arising from this report.

5.5 Strategic

The issues referred to within this report will assist the Council and Alliance to respond to key strategic issues through an updating of plans and improved performance management arrangements.

5.6 Equalities and Fairer Scotland Duty

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

X	YES – Assessed as relevant and an EqIA is required and will be made available on the Council website (https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments)
	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

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

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

X	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed and will be made available on the Council website (https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments)
	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

5.7 Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

X	YES – Assessed as relevant and a CRWIA is required and will be made available on the Councils website (https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments)
	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children’s rights.

6.0 CONSULTATION

6.1 There has been consultation with the public, Alliance partners, Elected Members, Council employees, the Corporate Management Team and Extended Corporate Management Team.

7.0 BACKGROUND PAPERS

7.1 None.

Inverclyde Council and Partnership Plan Consultation

Corporate Policy Team

January
2023

inverclyde.gov.uk @inverclyde



Inverclyde Alliance

Inverclyde
council

Appendix 1





Executive Summary

Inverclyde Council and the Inverclyde Alliance, the Community Planning Partnership (CPP), are developing new plans that are due to run from 2023 onwards. To support the development of these plans a consultation was undertaken with residents of Inverclyde; this report details the findings from this consultation.

The consultation had six different research methods, half of which were quantitative based and the other half qualitative.

Quantitatively there was an online public survey, specific questions in the Citizens' Panel/Autumn 2022 Survey, and a question in the Inverclyde Council Employee Survey 2022. Through these the participants were able to rank what they thought the Council and the Inverclyde Alliance should prioritise. Participants could also expand on their thoughts by commenting in textboxes.

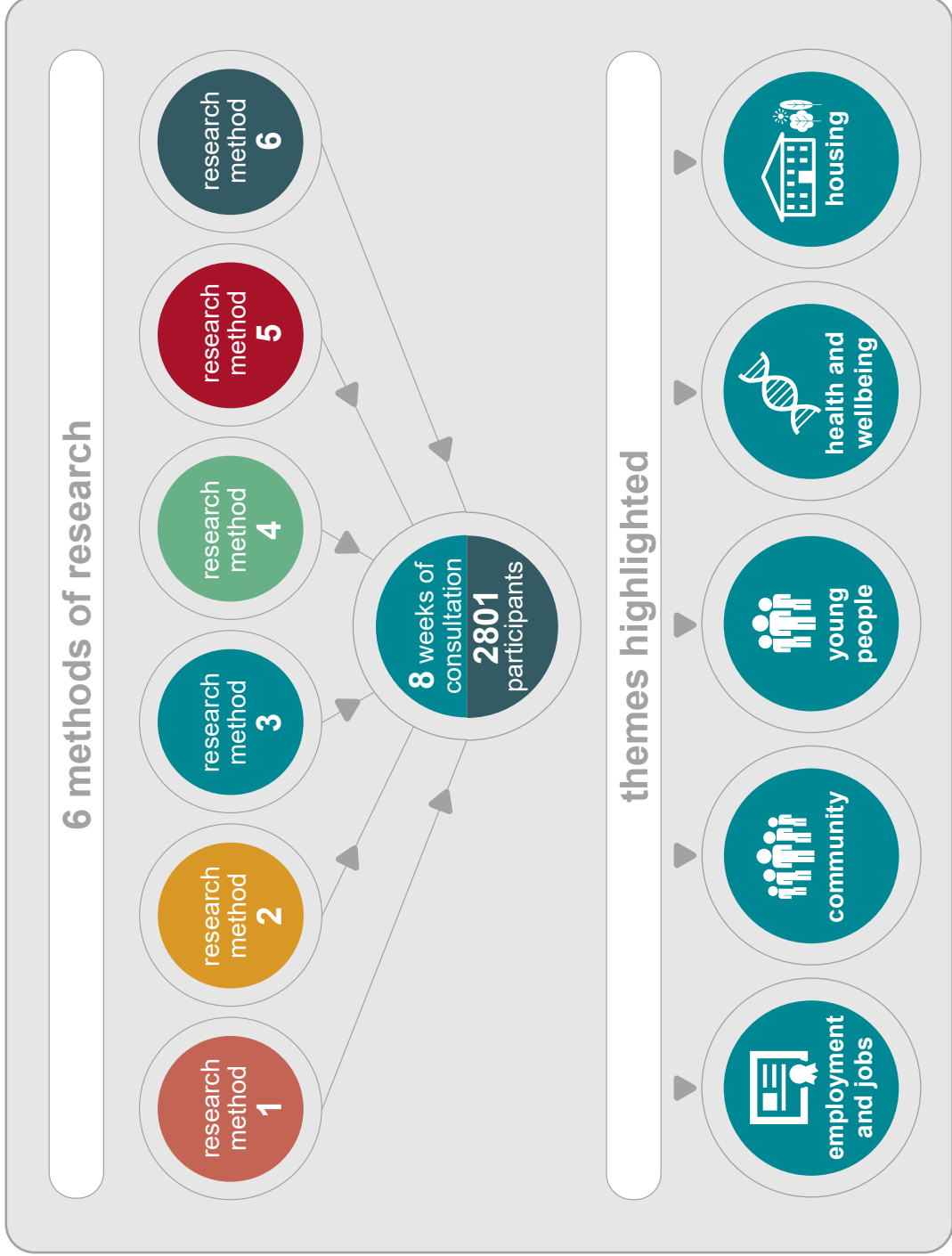
Qualitatively there were theme based digital listening events, an in-person consultation event, and focus groups with school pupils. These events were moulded around themes that are important to Inverclyde, such as depopulation, inequality, economy, and culture/heritage. A mediator would prompt discussion around these topics allowing participants to voice their thoughts and their own solutions. Through all these different research facets the consultation was able to gather findings from just over 2,800 people.

The findings from all the different research methods have a clear thread of themes connecting them. Firstly, all the quantitative methods that asked participants to rank their priorities offered similar results. The public survey showed participants ranking increasing employment and good jobs as number one and two, with 'improving health and wellbeing' as three. The Citizens' Panel respondents offered the same top two results, with number three changing to 'reducing drug and alcohol misuse'. The

Employee Survey 2022 responses offered slightly different results, rank one was to focus on the cost-of-living, two was focusing on education, and three health and wellbeing. The public survey and the Citizens' Panel questionnaire offered the chance for participants to comment on what would make the biggest difference to Inverclyde, and both sets of research offered similar resulting themes. These included jobs, employment, housing, young people and community. The golden thread through all the quantitative research was the emphasis on jobs and employment.

The qualitative side of the consultation was based on the predetermined themes of Depopulation, Economy, Inequalities, Environment, Culture and Heritage, Health, Wellbeing, Housing, Communities, and Alcohol and Drugs. Participants discussed and agreed that all these themes are issues that Inverclyde needs to tackle, however, the emphasis was again on the employment and economy side. The discussions suggested that they see tackling these two issues as a foundational to tackling the other issues that were noted. The discussions included participants' thoughts on the causes, and their own suggestions for tackling these issues. These ranged from emphasising the Council's role to stressing the role of the community, as well as other methods.

This consultation provided the Council and the Alliance Board with the opportunity to have dialogue with the communities they serve. The findings gathered from the consultation are extremely valuable and have provided the Council and the CPP with direction on the priorities of their new plans. Tantamount to any plan the Council and Partnership produce is the input of the population it is going to serve, and through this consultation this has been achieved.





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1 Introduction

Inverclyde Council and the Inverclyde Alliance are developing new Council and Partnership Plans that are due to run from 2023 onwards.

The Partnership Plan is a commitment by the Inverclyde Alliance Partners to work together towards shared aims, with a focus on tackling inequalities and the added value of partnership working. The Inverclyde Alliance includes public sector organisations, along with the voluntary sector and businesses. The Council Plan provides a strategic framework for the work of the Council services.

Vital to the development of our plans are the opinions of the community it is going to serve. With this in mind, we have consulted through various methods; surveys, focus groups and community listening events. These were coordinated by Inverclyde Council Community Learning and Development. It must also be noted that under Part Two of The Community Empowerment (Scotland) Act 2015 that it is a statutory duty for the Council and Partnership to allow and promote the involvement of the community in development of plans that relate to areas of community life.

The responses we have gathered will be presented and discussed in this report.





2 Open Public Consultation

For this consultation four different pieces of research were undertaken. Three of which were undertaken using a survey format. These were the public consultation, Citizens Panel and employee survey. There was a qualitative consultation that utilised listening events with members of the public and school groups.

The open public consultation used the SmartSurvey platform to survey residents of Inverclyde. The survey was open to all residents of Inverclyde and it generated 315 responses. The survey itself was promoted using a variety of channels. Participants were firstly able to rank seven priorities in order of what they think are of most importance.

Questions on community empowerment and ‘Getting it Right for Every Child’ were also asked. Then participants were invited to expand on three questions; How should we, working together, tackle your top key areas? And is there anything else that should be a key area?

2.1 Ranking 1 to 7

This part of the survey asked the participants to rank seven areas which would make the biggest difference to Inverclyde.

“Which of these do you think are the key areas in which the Council, our partners, and communities can make the biggest difference? Rank these statements from 1 to 7 (1 being the most important) Either click and drag or number in order of preference”

The highest scoring item was ‘increasing employment levels’, followed by ‘creation of good jobs’ and ‘improving health and wellbeing’. These three items are arguably interlinked, and this is

highlighted further on through participants comments linking job creation to higher employment and poor health and wellbeing to Inverclyde’s economic challenges.

Item	Total Score*	Overall Rank
Increasing employment levels	1512	1
Supporting the creation of good jobs with fair pay and conditions	1289	2
Improving health and wellbeing	1288	3
Having more good quality housing	1231	4
Reducing drug and alcohol misuse	1188	5
Improving our town centres and public spaces	1092	6
Increasing participation in community life	912	7

* Score is a weighted calculation. Items ranked first are valued higher than the following ranks, the score is a sum of all weighted rank counts.

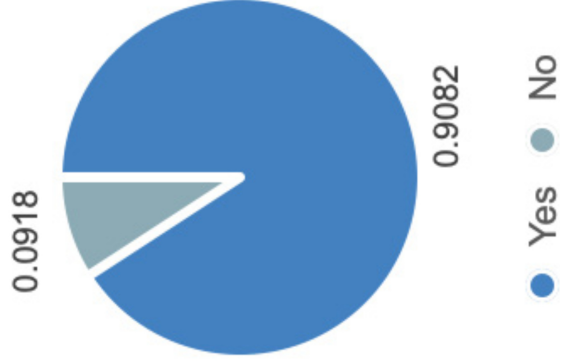


2.2 Getting Right for Every Child

Getting it right for every child (GIRFEC) is the Inverclyde Council's and the Alliance Board's commitment to provide all children, young people and their families with the right support at the right time. This is so that every resident can reach their full potential.

The survey asked:

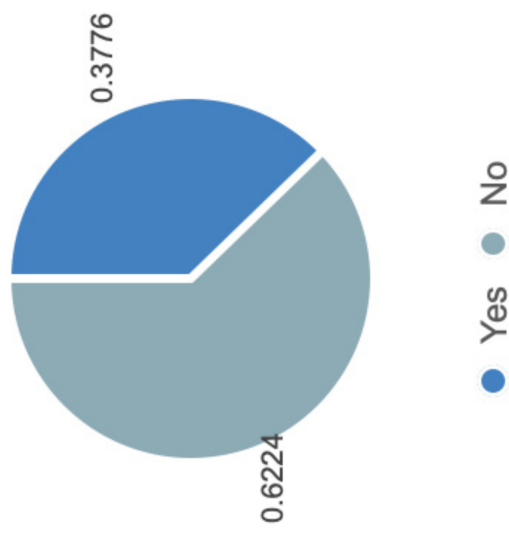
“Getting it right for every child, citizen and community in Inverclyde” is a shared vision across Inverclyde Council and Inverclyde Alliance so that we have a consistent approach. Do you agree with this vision?



2.3 Community Empowerment

The survey asked:

Would you like to be more involved in your local community, for example, have your say on you local priorities and how funding is allocated?





2.4 What one thing matters to you the most, that would make a difference to Inverclyde over the next 10 years?

Theme	Mentions	Context
Community/ies	32	This was the most commonly used word. However, the use of it is quite varied due to how the broadness of its meaning. Participants used the word in relation to safety, policing, and wellbeing. More specific to communities though were the themes of community regeneration, community events, keeping a 'sense' of community, togetherness, centres/ groups, and inclusivity. What can be sensed through these themes is the desire for a strengthened community, as well as opportunities for communities to bond and flourish.
Jobs	27	As expected, the other most popular theme was that of Jobs. Participants noted the need for long-term and permanent jobs in the area, as well as being 'well paid' jobs. There was also the call to attract employers and investors to the area in order to create jobs. The common thread throughout participants comments was that there needs to be investment in the area to create a long-term jobs that are able to retain a population. The sense that this should stem from new infrastructure and industrialisation was apparent in their comments. This bolsters the idea that residents want long term and not precarious employment.
Employment	20	'Employment', much as the same as above was in relation to long term investment to create sustainable jobs. Attracting employment opportunities was the thread here, and this touches on the fact that the participants do not see the current labour market in Inverclyde as one that can grow. Instead, they see the need for something new to happen, rather than building on the existing. Employment opportunities for young people was also mentioned and this again touches on retaining the younger population in order to combat the ongoing depopulation that Inverclyde faces.
Young People	20	'Young People' was a theme that was cross cutting and linked into the broader issues Inverclyde faces. Participants comments explicitly and implicitly saw the interlinked nature of these issues and their direct relation to young people. However, there was not just one main issue participants linked to young people, but a handful of the ones such as poor job opportunities, poor recreational opportunities, and the ageing and declining population. Participants could see that young people are the future of Inverclyde and making sure that the area that can retain young people will help tackle the inter-linked issues facing the Inverclyde. One issue that did reoccur was that there should be an increase in youth club provision. Participants saw this as a way of engaging younger people and keeping them away from anti-social behaviour.



Theme	Mentions	Context
Housing	18	<p>Housing comments were quite broad and mainly related to the belief that there is poor housing and not enough of an affordable supply. Comments were also made about both young and old people, and that these should be a priority demographic to get housing.</p> <p>Building more social housing that can accommodate larger families was also noted. Other than this, participants were not too specific. The overarching consensus was that the condition and supply of affordable houses needs to be increased.</p>
Roads/Pavements	15	<p>Comments on 'Roads' related both to the condition of the roads as well as traffic. 'Pavement' comments were mainly concerned with the condition as well as overgrown foliage.</p> <p>When traffic was mentioned, it mostly was in relation to congestion and there being no alternative routes.</p>
Bus	14	<p>Whilst Transport in general was mentioned, comments relating to Buses were high. When participants elaborated further, they mentioned wanting 'more buses', affordability, and making sure routes reach new and future developments.</p>
Shops	14	<p>Shops were mentioned in relation to both attracting people into the area and for employment opportunities. Participants referred to current shops in Inverclyde as needing regenerated as well as being insufficient.</p> <p>'Better shops' was the general consensus, whilst this is vague other participants stated that they would like to see affordability prioritised.</p> <p>From the comments, participants made it clear that shops do not just fulfil the purpose of being a store where locals can purchase things, they see them as a means of attracting visitors as well as potential new residents.</p> <p>Dismay at the current selection of shops and the need for 'regeneration' also shows that locals have pride in their locality and want to see it revamped and flourishing.</p>
Regeneration	14	<p>The broader comments regarding regeneration were concerned with specific areas of Inverclyde, or things such as opportunities for activities.</p> <p>Participants comments were varied, however, the general thread connecting them was that they wanted Inverclyde to show off its beauty in a modern way that remains in touch with the history of the area. For example, one participant suggested that the empty buildings should be used "creatively". Another participant emphasized that Inverclyde should be a place where you would want to spend time.</p> <p>This rhetoric shown by participants displays the civic pride they have in the area, and it highlights that the Council can do more to expand this amongst the general population.</p>
Education	13	<p>Comments on education were quite broad. However, some comments tied education to employability in the local area and others linked it to keeping young people away from crime.</p>



Theme	Mentions	Context
Greenock	13	Greenock was the most mentioned locality. Again, reference to Greenock was in relation to regeneration and the town centre was the main area that participants wanted to see 'improvement'. All the comments seem to acknowledge the potential of Greenock Town Centre, but also dismay at its current state. With Greenock being the most populous area in Inverclyde it is not unforeseen that this would be the most mentioned locality. With it also being the historic centre of Inverclyde, as well as the most deprived, it is the locality that often garners the most attention in the public sphere.
Transport	11	Transport in general was mentioned in reference to both travelling into Inverclyde, commuting in/out, and the overall provision. Some participants felt that increased provision could help attract people to visit the area, as well as move to the area and commute out from it. Other participants stated that the current provision of transport was unsatisfactory and hardly meets the needs of the current population in Inverclyde. Overall, there was a general sense of dissatisfaction with the transport infrastructure and the feeling that any improvement could greatly benefit the area.
Drug(s)	11	Participants main concern was reducing/tackling the amount of drug use. They suggested that this would benefit the area's health and wellbeing, and also the way Inverclyde is portrayed.
Poverty	11	Again, participants noted that tackling/decreasing the level of poverty in the area would benefit it in the next 10 years.
Crime	10	Crime was often mentioned next to anti-social behaviour and drug use. General comments on 'reducing' crime was the rhetoric amongst participants.
Traffic	9	Participants comments on Traffic related mainly to congestion. The participants who mentioned traffic just generally felt that reduction of congestion would help the area.
Gourock	8	Gourock was mentioned by participants in comparison to Greenock and other areas in Inverclyde. Participants noted that other areas in Inverclyde sometimes get more attention than Gourock, and that that should not be the case. Another noted the provision for public transport outside of Port Glasgow and Greenock is 'terrible'. Comments relating to regeneration were quite general but referred to the sea front and more street cleaning.
Sustainable	7	Sustainable was solely mentioned in relation to employment. The participants who mentioned it talked about making sure that the employment was sustainable in the sense that the opportunities were long-term and could hold skilled workers in the area.
Schools	6	Comments relating to schools revolved around funding and making sure that young people have equal opportunities to gain qualifications.
Mental Health	6	Comments made around mental health related to making sure that there was enough accessible provision and resources around to help tackle it.



2.5 How should we, working together, tackle your top key areas?

Theme	Mentions	Context
Community/ies	46	Participants when mentioning Community in relation to this question were calling for the Council to work closer with, or to empower communities to undertake work. Participants noted things like “involving” the community, “educating” community members to participate, promoting “involvement” in the community, and “communication” with the community. Participant reaction to this question highlights that they think the Council needs to collaborate more with the community in the first instance. The fact that this question was about ‘working together’ and the majority of the replies were about how Council and Community need to work together suggests that there is a gap in the Council’s existing relationship with the community.
Attract	21	‘Attract’ was mentioned in reference to attracting employers/businesses and people into the area, both often being inter-linked.
Employment	19	Much the same as has been previously mentioned, is that participants want to see sustainable/long-term employment in the area.
Housing	19	The comments here mainly referred to the supply of housing, whether that be “social” or “appropriate” housing.
Drugs	14	Again, comments on this were aimed at reducing the amount of illegal drugs consumed in Inverclyde.
Listen	14	This ties to the theme of Community mentioned above. Participants comments were aimed at the Council and how the communities need to be listened to, and feel listened to.
Funding	14	Funding was a theme that was quite broad as participants asked for extra funding in a variety of different areas; housing, vulnerable people, older people, education, health, green spaces, the community.
Education	13	Education was quite broadly mentioned. However, a lot of the comments suggested that there needs to be “better” education on issues like drug use. They suggested that this would aid the prevention of usage.
Shops	11	References to shops by participants was that the area should have “better” shops. This is linked, again, to employment and both retention and growing the population.
Police	7	Police were mentioned as a way to reduce crime.



2.6 Is there anything else that should be a key area?

Theme	Mentions	Context
Young People	17	Comments here were mainly made in reference to both education and "activities" for young people.
Community	16	Again, Community was mentioned by participants in reference to supporting existing communities/groups or working more closely in the first place.
Improve	15	The phrase 'improve' was used in reply to this question. However, it was used in reference to a broad range of things such as CCTV, transport, built environment and a range of the other topics that have been previously mentioned. What is interesting about the use of the word 'improve' is that it shows that participants believe that there is a base that can be worked upon, rather than a desire to have something different/new. This is a positive position as it shows that the basis is there for the Council and Alliance.
Support	14	Comments regarding Support were mainly made in reference to vulnerable groups such as low-income families, people with health conditions, and people with Additional Support Needs.
Education	10	Much the same sentiment as has already been expressed by participants was shown here.
Transport	9	Similar comments on transport as outlined above were repeated here.



2.7 Summary of Findings

What is perceptible from the findings are the reoccurring issues of Jobs and Employment, with interlinked mentions of housing and young people. There was also the overarching sentiment of strengthening the 'community'. These are the main areas that participants wanted to draw Inverclyde Council and Alliance Board's attention to.

Since the deindustrialisation of Inverclyde, the area has had challenges in relation to an economic base that could provide and sustain the area with well-paying and steady employment. The participants could see that from having a strong economic base there is a 'trickle down' effect in the sense that an employed and well-paid population will improve housing demand and thus stock/condition. As well as this it will retain the population (young people) to stay in Inverclyde. From there high street footfall increases and this all circulates and benefits Inverclyde.

Other areas that participants pointed to were education, crime, drug use, and transport. Education and crime were often mentioned together as participants stated that 'better' or 'more' education could lead to less crime. This 'better education' referred to education on the effects of drug use and the criminal aspects of it. As well as this education was discussed as a means of providing people with the skills to achieve and create new opportunities. Reducing crime, which was often drug use, was an issue that kept cropping up. Participants see this a priority issue that needs to be tackled and the fact that education was referenced shows that they do not consider just policing as a means to tackling it.

Transport was generally mentioned due to perceptions of how poor the service is and its affordability. Busses and trains were both mentioned, and the general sentiment was that these services need improvement locally as well as their links to Glasgow.

There were a number of mentions regarding community. The positive aspect is that there is real hunger for the community to be strengthened and empowered to do things of their own accord. Participants comments alluded to the fact the that community participation and involvement are routes to tackling some of the issues that the region faces. This gives the council and its partners direction and impetus to bolster the empowering of Inverclyde's communities to tackle their local issues. This will benefit everyone as Inverclyde's communities know themselves better than anyone else does, and that means they may know how to tackle their issues best.

gourock
bus drug mental
regeneration people communities
greenock housing roads transport
employment jobs
schools shops young education
poverty pavements crime
traffic sustainable health



3 Listening Events

The listening events were based around three different research methods. There were digital listening events, a physical listening event and focus groups with secondary school pupils.

Each of the digital listening events were centred on specific topics that are seen as key issues in Inverclyde: Inequalities, Local Economy and Repopulation. Keeping the individual listening events focused on these specific topics kept the participants discussion detailed and in-depth, allowing for greater data to be collected. The format was based around two questions. Firstly, participants were asked Do you think (insert issue) should remain a priority for the Council and its partners? Then they were asked What are the key issues we need to tackle to (insert issue)?

The focus groups with the young participants were centred on all these topics as well as the addition of 'Environment, Heritage and Culture'.

The in-person consultation took place in Post Glasgow Town Hall. The themes in this event differed slightly to the previous events. The themes included Health and Wellbeing, Economy, Housing, Population, Alcohol and Drugs, and Communities.

3.1 Digital Listening Events

3.1.1 Topic 1: Inequalities

Responses - Do you think reducing inequalities should remain a priority for the Council and its partners?

The response to this question was unanimously in favour of keeping Inequalities as a priority.

Participants put emphasis on helping those who “are most in need” and that the council and partners need to promote how those people can access help.

Responses - What are the key issues we need to tackle to reduce inequalities?

A variety of things were mentioned in response to this question such as education attainment, fuel poverty, low income, employment, communication and “warm banks”.

Education was mentioned in reference to the attainment gap and that those from different backgrounds may be disadvantaged going forward.

Fuel poverty, spurred by the current energy crisis, was centred on the fact that Inverclyde has high fuel prices. Participants stated that “pressure” should be put on suppliers to lower costs, as they see the high prices as “greed”.

Low income was discussed with reference to childcare and how the cost is unsustainable for low-income families and single parents. Breakfast clubs were mentioned in relation to this and that they should run five days a week. In a similar vein, employment was mentioned and the need for more opportunities as well as the council helping smaller businesses. Foodbanks were mentioned and the fact that it is “appalling” that they must exist.

There was considerable mention of “warm banks. This may be partly because around the period of researching there were news articles proposing them. However, participants attitudes towards them were mixed: both a disbelief that they have to exist and an acceptance that they might be necessary due to the rising price of energy. Participants



proposed that they should be marketed differently such as being a social event where community members can come to meet.

3.1.2 Topic 2: Repopulation

Do you think tackling population decline should remain a priority for the council & its partners? Why?

Participants comments on repopulation shifted focus to the conditions of Inverclyde and the perceived lack of infrastructure and facilities for the current population. The consensus was that there is not enough to sustain the current population so repopulation will be difficult.

This is where maybe the wording comes into play, is it Depopulation or Repopulation that is the priority? Tackling depopulation can be done in various ways such as improving existing infrastructure and sustaining and then growing the current population base. Whereas Repopulation is connotated with bringing new people into the area specifically.

What do you think are the key issues that should be tackled to encourage people to stay in Inverclyde?

Participants comments on encouraging people to stay in Inverclyde revolved around employment, amenities/infrastructure, and the cost. Employment was mentioned in reference to attracting employers and industry to the area. Participants acknowledged the need to build up an economic base in order for Inverclyde to sustain, attract and grow the population.

The amenities and infrastructure of Inverclyde were noted by participants. Regarding amenities, participants discussed the lack of them as well as the quality of the existing ones. Participants linked better quality amenities as a way to attract people as well as improve

employment. Infrastructure was generally mentioned as being poor, and that improving the infrastructure, whether that be housing or high streets, would have knock on benefits such as population retention and growth.

Cost was an important factor at the time of research due to the prevalence of the cost-of-living crisis and this is echoed in the participants discussions. Mentions of business rates being unaffordable and the general high price of leisure activities were all stated as something that should be reduced. Participant's discussions linked the fact that lowering these costs could be a way to attract more people and businesses to Inverclyde.

3.1.3 Topic 3: The Local Economy

Do you think the local economy should remain a priority for the Council and its partners? Why?

Participants comments were all unanimously in favour of keeping the Local Economy as a priority. Reasons why were similar; they discussed the fact that growing the local economy ultimately provides Inverclyde with a solid base for local business to flourish. Participants noted that developing the local economy is a way to tackle the other priorities, i.e., one participant noted that growing the local economy could have the knock-on effect of tackling inequality as more employment opportunities would be created.

Entrepreneurship was mentioned by a few participants. Comments regarding this were concerned with providing 'support' to local entrepreneurs and 'encouragement'. Participants who mentioned this suggested that developing local entrepreneurship would stimulate the local economy into a position that can sustain Inverclyde.



What are the key issues we need to tackle in order to improve the local economy?

There was an overwhelming number of comments on transport. Participants perceived that that “transport links” were poor as well the road network. It is interesting that participants see that improving transport would improve the local economy. This potentially stems from the fact that footfall is low and if transport were better, it would provide more people with the opportunity to visit. Arguably the call for better transport can be linked to depopulation, as it is an almost implicit call for more people to be in the area.

What are the key barriers our communities face to accessing employment?

The comments participants made regarding this were:

- Good transport links are vital.
- There needs to be support for people who are working.
- Felt this was a long-term national issue.

Again, transport is mentioned. This time participants could be referring to the difficulties in commuting around Inverclyde and out of it. In the wider survey that was completed, participants noted the cost of transport as a detriment to them using it. This could be a factor that is feeding the prevalence of transport as a reoccurring issue regarding the local economy. Referring to the survey again, there was a consensus that transport links/public transport was poor in the area. So, it is not surprising to see transport mentioned here as something that is detrimental to the local economy, especially since the local economy can be seen as the most encompassing issue in Inverclyde.

There were comments on supporting people in work as the wage levels and hours cannot provide a good quality of life. Research has shown that in-work poverty is at an all-time high, and the

people who are living under these conditions are only just surviving. The comments regarding this might speak to the fact that there is a prevalence of in-work poverty, and this will only have been heightened by the cost-of-living crisis.

3.2 Summary

Participants confirmed that these issues should remain a priority for the council and its partners. The topics that arose in these discussions are in line with what was found in the survey that was undertaken. Participants overwhelmingly noted the issues with the local economy and connected the poor economy, i.e. employment and wages, with tackling the other priorities. The current climate has also played a role, as the cost-of-living-crisis' effects are being felt, as well as the energy crisis. The anxiety caused by these crises is conveyed through the comments where participants displayed both disbelief and anger. Participants noted the council alone cannot solve these issues and pointed to partnership working with the third sector as well as community groups. They also acknowledged the difficulties regarding funding for local government.

As mentioned, it was noted that participants saw the interlinked nature of these issues and the fact the local economy was the foundation to tackling them. To tackle depopulation participants noted the need for better paying jobs and opportunities, and on top of this the need for better housing and transport. Again, this was echoed in methods of tackling inequalities. Participants acknowledged that a better local economy would provide people with the tools to tackle the inequalities that exist both in their own lives and their local community.



3.3 Young People - Focus Groups

3.3.1 Topic 1: Repopulation

Do you think tackling this issue should remain a priority for the Council and its partners?

All the groups answered yes to this question.

What do you think are the key things that should be looked at/improved/changed to encourage people to stay in Inverclyde?

Shopping opportunities was an area two of the three groups commented on. They suggested that more shopping opportunities would encourage people into area. One group also noted that that these opportunities must come with better wages for shop workers as well as lower rents for the shops. This comment arguably stems from the view that current shopping opportunities in Inverclyde are not sustainable for both the employees and the longevity of businesses.

Group one noted that they would like to see the swimming pool upgraded as well as keeping the gym/swim free. Keeping public facilities free/affordable in their eyes is way to help repopulate the area. In this same vein, another group asked for trains to be “free”. With national entitlement cards buses are currently free for under 22s, so applying that to trains is something that they see would benefit repopulation.

Green spaces, and more social and recreational activities were mentioned. Another group felt that “most things are aimed” towards the older generation.

It was commented that welcoming more refugees would help repopulation.

Drugs were mentioned. Group members noted that supporting people with addiction and preventing drug dealers would make the streets safer. They suggested that through safer streets the area would be more lucrative for newcomers as well as the current population.

Are there other things you think are important to make Inverclyde a better place to live, learn, work and enjoy?

“Nicer” and more affordable housing were mentioned in reference to this question.

Better promotion of Inverclyde was mentioned as a means to attract non-residents to move into the area and stimulate the tourism industry. Having more ‘attractions’ in Inverclyde was also noted regarding tourism.

Other things mentioned were:

- Reduced cost of living
- Make council website user friendly
- Deal with the addiction/drink and drugs culture
- Reduce crime

Who can help make these things happen?

All the below were mentioned in reference to this question.

- Government/ local Council/ local business
- Inverclyde Council – more Community Warden
- Inverclyde Council – look to put more focus and funding into things for young people to do
- More police patrols.
- One group also mentioned pedestrianizing West Blackhall St.

Any other points to note:

Holding more community events such as the Farmers Market in Battery Park and having bands play were mentioned.

Youth clubs aimed at the young people aged 16-21 was discussed as they stated there are “no places” catering to this demographic. They suggested that better advertisement through social media should be utilised.



3.3.2 Topic 2: Reducing Inequalities

Do you think tackling this issue should remain a priority for the Council and its partners?

All groups answered yes.

What do you think are the key things that should be looked at/improved/changed to help local people and families who are affected by poverty and deprivation?

Wages were discussed in detail. One group stated that “even student jobs are very low paid in Inverclyde compared to other areas”. The need for better paid jobs has been a constant theme throughout this consultation, and the younger participants already see this as an issue that feeds into the broader inequalities of Inverclyde.

Access to cheaper food and free school meals were discussed. In general, the discussion revolved around making things free and accessible. Rising prices were mentioned in relation to this and can be seen as a direct result of the current cost-of-living crisis. Specific costs such as bills and fuel were mentioned and the general need to make things affordable.

Increasing voluntary opportunities was also mentioned.

Are there other things you think are important to make Inverclyde a better place to live, learn, work and enjoy?

Again, better wages and more free activities was discussed. A general comment on improving education was also made. Other comments included refurbishing the Ice Rink, school uniform/blazer provision, more ESOL classes and better integration within schools for asylum seekers.

Who can help make these things happen?

The main organisations mentioned here were the Council, Voluntary organisations, the Government, schools, and younger volunteers. Another comment was made suggesting that help should be given to parents with cooking such as providing them with ingredients.

3.3.3 Topic 3: Environment Heritage and Culture

Do you think this issue should remain to be a priority for the Council and its partners?

All participants agreed.

What are the key things we need to do to improve the environment for communities including children and young people?

The main issue that arose here was of various facilities and public places that need upgrading or developed. Participants felt that there are areas with no or old play parks, restricted access to football pitches, high price to use indoor courts, poor skate parks, lack of indoor entertainment venues, and a lack of general areas for young people to go.

Combating the alcohol and drug culture by creating alcohol free social spaces/venues was discussed. Further comments on extending national entitlement to trains was mentioned as this would make traveling around Inverclyde easier.

How do we get more local people involved in culture?

The general comment here were that young people were unaware of what “culture is available”. Participants noted that they did not know of McLean Museum or Newark Castle. They were also unaware if the Galoshaians Festival was still taking place. Other comments stated that more local history should be taught in schools.

Are there other things you think are important to make Inverclyde a better place to live, learn, work and enjoy?

Comments made here revolved around both improving facilities and infrastructure. One discussion centred on the look of Inverclyde. They stated that “Inverclyde needs to be cleaner, grass needs cut, bushes cut and tidy”, and they also discussed the need for more bins in areas where there is a lack of them.



Who can help make these things happen?

Groups mentioned the council, government, third sector and the local community. Another group discussed that younger people should be mobilised, and that this should be done via social media advertising as well as flyers in schools.

Any other points to note:

Comments on parking were made here. They noted that more people shop in Port Glasgow as parking is free, whilst it is also easier to access shops. Regeneration of Oak Mall was noted, participants stated that it needs new shops if it wants to stay “relevant”.

3.3.4 Topic 4: Economy

Do you think this issue should remain a priority for the Council and its partners?

All groups answered yes.

What do you think are the key things that should be looked at/improved/changed to improve the local economy?

A variety of comments were made in response to this. Groups discussed the need for more shops, however, they also noted the need for rent and business rates to be lowered. This is a theme that has echoed through all the responses, and its origin is likely due to the perceived low survival rate of businesses in Inverclyde. The condition of shops on certain high streets will also have had an effect here, previous comments noted that shops in Inverclyde need improved.

Free parking was noted. This ties to the comments in the previous section where it was stated that Port Glasgow has free parking, suggesting that that attracts more shoppers to the area.

More young enterprise projects were noted as something that is needed. Again, the consensus from the younger participants was that they want to be empowered to help their local area.

Are there other things you think are important to make Inverclyde a better place to live, learn, work and enjoy?

Only two themes arose here; more shops and more enterprise projects.

Who can help make these things happen?

The same organisations as mentioned before were discussed (Council, Government etc.) The Oak Mall was also mentioned as a hub that has potential to help the area.

Any other points to note:

A few different comments were made here. School laptops and computers were mentioned and described as requiring improvement.

Other points made were somewhat similar to previous sections:

- Improve the hospita
- Access to free dentists
- Build a mosque in Inverclyde
- More school trips
- Promote Inverclyde better to outside Inverclyde

3.4 Summary of Findings

The discussions with younger residents were engaging and enabled Inverclyde Council and Alliance Board to capture the ideas of the younger people of Inverclyde. The younger participants all agreed that the priorities put forward to them should remain as priorities for the council and its partners. The main issues that were raised correspond to the previous issues highlighted in the survey and the listening events. However, more attention was given to things such as shops and youth orientated events/facilities. The main themes that arose with younger people correspond to their interests, this can be seen in the prevalence of the theme regarding facilities aimed at younger people.



The broader themes that arose were linked to the local economy, transport and the condition of Inverclyde. The local economy was present in discussions regarding the lack of “good” shops and other private/public facilities that are available.

With bus travel being free participants suggested that they would like to see this extended to trains. They noted this would make travelling around Inverclyde easier for them, as well making fast travel accessible to those on lower incomes. Participants noted the general condition of streets as well the perceived neglected areas. They suggested that improving this would aid tackling depopulation as it would encourage people to both stay and move to the area.

The way the council and partners communicate with younger people was noted. They stated that using social media effectively would engage younger people in local issues and events. As the discussions unveiled that some younger people do not know how to help Inverclyde, what the area has to offer, or the history of the area. They stated that using social media to tackle these issues would educate younger people as well as making them prouder of the area.

The actions participants suggested were quite varied, but mainly revolved around expanding infrastructure and resources. Health and fitness provision was mentioned, and this referred to increasing and maintaining the number of gym facilities, providing volunteer personal trainers, community exercise events, fitness programmes with dedicated teams in each locality, and the making sure that current fitness centres are affordable and accessible. These actions relating to health and fitness stem from participants trying to tackle the issue head on. However, other participants noted that tackling systemic issues surrounding health and wellbeing would have greater effect. These actions came in the form of better education and communication around health and wellbeing, better advertisement of what facilities/opportunities are available, and easier access to GPs. Another action, that ties into 20-minute-neighbourhoods, was that participants noted that getting around by foot was difficult due to poor pavements and routes. They also felt that walking at night is dangerous as the streetlighting is poor. They suggested that fixing this could lead to more enthusiasm surrounding walking and general outdoor fitness during the darker months and nights.

3.5.2 Economy

The issues identified regarding the economy were fairly similar to what was found in the survey. The issues noted were the lack of jobs, lack of sustainable opportunities, and having mainly low paying opportunities. Some participants perceived a lack of available land and resources, as well as bigger businesses getting contracts rather than local companies. The actions participants noted were all mainly around stimulating the economy. For example, they stated that there needs to be more a “innovative” use of space for new businesses and others emphasised the need to give local business priority to utilise the vacant spaces in the area. Young people were also mentioned, this was in reference to building up their work/employability skills and providing them with the opportunity to use them in the local area.

3.5 In-Person Listening Event - Port Glasgow Town Hall

Participants were asked to identify the issues surrounding several different themes, and then to offer an action to tackle the theme. The themes included health and wellbeing, economy, communities, population, housing, and alcohol and drugs.

3.5.1 Health and Wellbeing

The issues that were raised surrounding health and wellbeing related to things such as alcohol and drugs misuse, diet, exercise, poor mental health, poor health facilities, access to health services, walking/footpath maintenance and general a lack of resources.



3.5.3 Communities

One of the main issues identified relating to communities was communication. Participants felt that the communication within the community is poor, as well as the communication from community groups. They explained that sometimes they only find out there are community events on until the day of the event. Participants noted some actions to tackle the communication void, these included better advertisement of community projects, greater involvement from the council in a facilitator role, and expanding 'Community Conservations' to make sure community engagement is high. Other actions included utilising local assets to increase local pride, better access to community facilities, adult learning classes as a means to bring people together, and community newsletters. There were also discussions surrounding transparency with funding. Participants suggested that the council should be more open with decisions surrounding this.

3.5.4 Population

Comments on population were almost all connected to employment. Participants noted that there needs to be an increase in work/employment opportunities and an expansion of locally based business. To tackle this, participants emphasised making the employment opportunities in Inverclyde more sustainable. They suggested that this should be done through lower rates and easier routes for local entrepreneurs to set up. The interconnected nature of population and employment is evident here. This has been something that has appeared throughout the consultation process, and it highlights that Inverclyde's residents see the route to tackling depopulation must come through economic means.

3.5.5 Housing

The issues raised surrounding housing were generally aimed at the perception that the current housing stock is not meeting the needs Inverclyde's current communities. Other comments reported the maintenance of the existing stock was poor, and with there being an ageing population this could be hazardous. Lack of disabled housing options was also mentioned, as well as anti-social behaviour appearing in certain pockets. Actions to tackle the housing issues varied. To tackle the poor condition of stock participants suggested that the Council and Housing Associations should be doing more to help tenants. Other participants suggested that tenants should have the onus and be giving more tools to undertake the upkeep themselves. Other comments noted that there should be more consultation with residents about housing and that their views should be considered when new developments arise.

3.5.6 Alcohol and Drugs

Participants noted the perceived ease of access to drugs and alcohol, especially for young people. The main way participants suggested to tackle this was through early intervention. Early intervention through schools was one of the main talking points. Other participants noted the need to have more recreational facilities for young people, they suggested that these can combat the routes into antisocial behaviour. Sport and leisure facilities were mentioned as key institutions.



3.5.7 Summary

Port Glasgow Town Hall event was fruitful in two ways. Firstly, it was a productive data gathering session that has provided the consultation with rich findings. Secondly, it allowed the Inverclyde Council, Alliance Board and the public to have a face-to-face meeting. This meeting has also highlighted the willingness to collaborate and listen to the public. Developing this type of relationship is important as it can show the public that engaging with Inverclyde Council and Alliance Board can have results.

The findings gathered from this event delved into different themes of importance for Inverclyde and has shown that there is consensus throughout the consultation. The main themes of this event were independently identified in other areas of this consultation. The root causes of these issues such as poor employment opportunities, lack of investment, and deprivation are consistent with what has been raised already. However, this event also offered the chance for participants to suggest how to tackle these issues. Whilst again, there are some similarities with other areas of the consultation, the participants of this event emphasised some different areas. The role of the council was more a prominent answer at this event, with participants suggesting that the council needs to facilitate and aid community Groups more. The Health and Wellbeing theme prompted a discussion that offered different suggestions. The participants focused on tackling Health issues on the community level, this manifested in suggestions such as deploying teams to localities to undertake fitness/wellbeing classes. This shows participants believe issues like this can be tackled from the ground up rather coming from above.

groups early space
vacant street education
localities pavements poor
community opportunities
condition facilities lighting
council fitness housing rates
walking centres stock business
intervention
employment innovative



4 Citizens Panel

The Citizens' Panel was established in 2007 to enable Inverclyde Council to regularly consult with Inverclyde residents on a wide range of issues. The Panel comprises around 1,000 local residents, with membership refreshed annually by one third. Membership is almost evenly split between males and females and just under half (426) of respondents live in the most deprived 15% of datazones in Inverclyde.

The responses to the Autumn 2022 survey totalled 616, this is around 62% of the total membership of the Panel which is a very good response rate for a questionnaire of this type.

4.1 What key policy areas do you think the council, our partners and communities should develop to make the biggest difference in Inverclyde?

	Total
Increasing employment levels	67%
Supporting the creation of good jobs with fair pay and conditions	47%
Reducing drug and alcohol misuse	42%
Having more good quality housing	40%
Improving health and wellbeing	37%
Improving our town centres and public spaces	37%
Increasing participation in community life	22%



4.2 What key policy areas do you think the council, our partners and communities should develop to make the biggest difference in Inverclyde?

Total	1	2	3	4	5	6	7	Ticked, not ranked
Increasing employment levels	25%	30%	12%	12%	7%	5%	6%	4%
Having more good quality housing	14%	8%	18%	13%	16%	19%	9%	3%
Reducing drug and alcohol misuse	11%	11%	20%	13%	12%	14%	15%	4%
Increasing participation in community life	4%	9%	9%	13%	21%	20%	23%	2%
Improving health and wellbeing	11%	11%	15%	20%	18%	10%	12%	3%
Improving our town centres and public spaces	17%	8%	12%	15%	10%	18%	15%	4%
Supporting the creation of good jobs with fair pay and conditions	17%	19%	11%	10%	13%	9%	17%	3%



4.3 Getting it right for every child, citizen and community in Inverclyde is a shared vision across the council and the Inverclyde Alliance. Do you agree with this vision?

	Total
Yes	86%
No	14%

4.4 Comments

4.4.1 What one thing would make the biggest difference to Inverclyde over the next 10 years?

Theme	Mentions	Context
Employment/ Jobs	29	The thread that appears throughout this consultation is that of jobs and employment. Participants in the Citizen Panel echo what has been said before. They believe that better employment and job opportunities can make the most difference to Inverclyde over the next 10 years. The reasons they gave were familiar, they noted that jobs and employment would retain people in the area which would have knock on effects to the wider economy. These effects include larger footfall in town centres which would benefit local businesses and the 'face' of Inverclyde. They all suggest that having a strong economic base through good jobs/employment would allow stronger foundations to be built which would benefit tackling the broader existing issues such as population decline, deprivation and crime.
Town Centre	22	A common topic that appeared in this Citizens Panel was the 'town centre', overwhelmingly Greenock town centre. The participants comments revolved around issues like 'regeneration', 'upgrade', 'clean', 'improve', and 'invest'. The consensus was that the town centre is in need of upgrading. However, the participants noted the potential of the town centre and ultimately want the area to be fully utilised for local business and as an attraction for tourists. This is interlinked with jobs and employment as participants noted that for town centres to flourish there needs to be local businesses who can sustain employees whilst attracting enough customers.
Investment	20	Investment was a common term mentioned by participants. This mainly, as mentioned above, was concerned with providing the area with jobs/employment and funding for regeneration. The comments provided highlight that the area is lacking something, and the participants see that further investment would be a way to add to the area.
Shops	17	Shops were mentioned as having a dual purpose. Participants acknowledged that 'better' shops bring larger footfall which will benefit the high streets and town centres. This would then help sustain the local economy. The other purpose of shops is as an employer. Participants noted more shops would mean more jobs and again they saw this as a way to help sustain the local economy and help Inverclyde thrive.



Theme	Mentions	Context
Road/s	17	Roads were mentioned mainly in relation to needing improved or better maintained. Participants comments relating to improvement were emphasising that improved road networks would attract more people to the area due to ease of access, as well as improving the ease of traveling for locals. Comments on maintenance were concerned with potholes and overgrown areas, they noted that these were hazardous and make it harder to travel as well as giving off a bad image.
Children/ Young/sters	14	Participants comments on children and young people were mainly concerned with support and providing opportunities. The comments surrounding support were mainly aimed at helping children in poverty. Participants noted that providing free school meals, as well as affordable leisure activities were key ways to help support them. Comments on opportunities were aimed at teenagers, and these consisted of things like providing opportunities to work, leisure activities and clubs. Participants comments all stemmed from their perception that children/young people in Inverclyde have less opportunities, and by providing them with these outlets it will keep them away from anti-social/ criminal behaviour. As well as this, participants saw that investing in children will help Inverclyde in the long-term as they are the future of the area.
Houses/ing	13	Comments regarding Houses and Housing revolved around the need for 'better' housing options and affordability. The comments surrounding 'better' or 'improved' housing mainly related to family homes. Participants noted that they wanted to see families have better homes as this would help the raising of families. It was suggested that this would also help promote younger couples to have families as they would see that the housing options were suitable for this. Affordability also related to families as the cost of housing could be a deterrent to starting a family. Comments on affordability were generally suggesting that housing options were expensive.
Business	12	Comments surrounding business tie into the comments on jobs/employment. Participants comments revolved around 'attracting' and 'helping' businesses in the area. Participants see businesses as a route to tackling low employment and providing the area with jobs. Participants noted that the area needs to try and attract more businesses as well as help develop homegrown enterprises.
Clean/er/ing	10	Comments regarding the cleanliness of Inverclyde referred to both litter and the 'face' of Inverclyde. Comments on litter were generally concerned with there being more effort to make the area tidier. Participants noted this would make the area more attractive for tourists and local residents. Comments on the 'face' of Inverclyde referred to improving the high streets and town centres. This stems to earlier comments on getting more shops and businesses as participants see the perceived dereliction as something that makes the area untidy.
Community	9	Comments on community related to increasing the 'sense' of community as well as funding community spaces. The comments surrounding the 'sense' of community relate to community empowerment and the fact that participants do not feel like they are part of a cohesive community. However, it shows that participants see being part of a community is important, and that through community participation Inverclyde will get some form of benefit. Comments on funding and community spaces were vague but they inferred that the Council should take a more active role and provide community organisation with more funding so that they can effectively operate.



4.4.2 Are there any other policy areas you think should be a priority in the local area? Please state.

Theme	Mentions	Context
Road/s	11	The quality of roads was the main concern here. Participants noted that the quality of roads is important as it can deter people from coming to the area and leave a bad impression.
House/ing	8	Affordability and the quality of houses were mentioned again.
Town Centre	8	'Revamping' was mentioned in relation to town centres. Accessibility was also mentioned. The accessibility referred to parking and the need to make town centres more accessible to both residents and non-residents.
Community	8	Supporting the community was the main theme in the comments. The comments were aimed at the Council and suggested that the Council should be supporting communities further through funding and promoting engagement.
Young/sters	7	Providing 'spaces' and 'activities' were the main comments here. Again, the comments imply that this will keep young people away from anti-social behaviour.
Business	5	Support for local businesses was the reoccurring theme here. Again, this points to the perception that businesses in Inverclyde need support and this stems to deep rooted issues in the economy of the area.
Drug/s	5	Comments relating to Drugs were centred on tackling their misuse.

4.4.3 How should the Council, working with the local community, tackle your top priorities?

Theme	Mentions	Context
Groups	11	Working with local groups was the main theme that was mentioned. Participants noted that working with, funding and encouraging the existing groups in Inverclyde should be a priority.
Listen	9	The word Listen was mentioned by participants. It shows that participants are willing to be involved in their community and highlights the desire for more governance over their own communities.
Engage/ment	8	Similar to the above, the participants seek further engagement from the Council and Partnership. Again, this highlights the desire for community empowerment.
House/ing	8	Comments on housing here noted that Partners should look at refurbishing old housing stock as well creating more affordable and quality stock.
Young/sters	8	Participants here noted that they would like to see more work done with young people, such as capturing their views and opinions and trying to cater towards them. Working with groups that focus on young people was also a theme that arose, and it ties to the previously mentioned reasons.
Business	7	Comments here echo previous statements about working with, encouraging existing and attracting new businesses.



4.4.4 What do you think should be the shared vision for the Inverclyde area?

Theme	Mentions	Context
Employment/Jobs	13	Participants put emphasis on jobs and making sure that there are secure and varied opportunities that retain and attract people into the area.
Child/ren	13	Supporting and helping children was the main thread throughout these comments. There was an emphasis on children who live in poverty and making sure that they have 'equal access' to amenities, education and leisure.
Health/y	13	Comments on health revolved around improving health and making sure people have access to health enhancing facilities.
Safety	10	Being safe and safety all referred to community safety and making sure that areas are made safe.
Live	8	Comments regarding 'Live' almost all centred on participants wanting Inverclyde to be a place where people come and can currently 'live'. This links to the depopulation of the area as participants can see that this is an issue that needs combated.
Improve/ing	8	Improvement was a phrase that participants commonly noted. Areas they noted were in quality of life, standard of living, local image, lifestyles and services.
Education	7	Comments on education noted that there needs to be better quality as well as access.
Drugs	7	Comments on drugs link to the sections on safety and health. Participants noted that they want to see drug abuse tackled as this would lead to safer streets.

4.5 Summary of Findings

The responses gathered from Inverclyde's Citizen Panel are similar to what other participants have said in our other consultations. However, one noteworthy theme that arose more frequently was that of the town centres, and mainly Greenock Town Centre. Participants in the citizens panel displayed concern over the current state of the town centre, reference to the closed shops, quality of shops, and the overall cleanliness were discussed. They linked the regeneration of town centres as a path to creating an economic base that could provide the area with more employment. They also acknowledged that this would make the town centres attractive for people who may move into the area. Participants believed that having a thriving town centre would help tackle the systemic issues that Inverclyde faces

in the form of deprivation, low employment and depopulation. Other than this theme, the issues noted by participants can be seen in every facet of the consultation and this bolsters the common threads that the council and partnership need to focus on.

community
houses
investment centres
safe shops
health
roads
town
employment
education
young
children
housing
business
clean
live
wellbeing



5 Employee Survey

The Inverclyde Council employee survey is carried out every three years. Most recently it took place from August until October 2022. Employees were asked a range of questions regarding their employment. However, there was the addition of a question on Inverclyde Council and its partners priorities. The question asked employees “What should the council and its partners priorities be over the next five years?”. A total of 1,737 employees responded to this question.

5.1 Findings

The respondents indicated that the most important issues in Inverclyde that the council, and its partners, should focus on over the next five years are as follows:

1. Cost of living crisis/poverty
2. Education
3. Health and wellbeing
4. Staff morale and wellbeing
5. Council budget

5.2 Summary

There are outlying answers in this section; ‘staff morale and wellbeing’ and ‘council budget’. The inclusion of these as answers will stem from the nature of who was being surveyed. However, the inclusion of ‘council budget’ as an answer has larger implications than employees’ personal job security. The implication is that a reduction in the council’s budget may negatively affect the provision of council services.

The top two answers to this question are more in line with what has been raised throughout the consultation. Number two was education, and this can correspond to various issues in Inverclyde. Throughout the consultation education has been linked to tackling health outcomes, alcohol and drug use, and as a source of creating new employment opportunities. The encompassing nature of education is a reason why it constantly appears as a source to tackling various issues. The cost of living and poverty was selected as the top priority. The direct inclusion of this as a priority is not surprising as the current economic climate, stemming from energy prices, has inflated the cost of living in almost every regard.



6 Conclusion

6.1 Summary and the Golden Thread

The Council Plan and Partnership Plan should align to Inverclyde's residents needs and wants. This consultation has allowed these needs and wants to become articulated and has provided the Council and Partnership with direction and insight into Inverclyde's residents priorities. It must be noted that it is a statutory responsibility for the Council to engage with residents and make sure that their views are incorporated into the planning of the area.

This consultation was undertaken in a meaningful environment, giving residents a platform to influence their community. Close to 12000 different attitudes and desires have been captured. Common threads arose through the different methods of research, and these specific themes were highlighted as areas that should be prioritised. The sections below highlight these common themes.

6.1.1 Employment and Jobs

The highest ranking and recurring issue that arose was employment and jobs. Participants highlighted the lack of jobs, the pay of the existing jobs and the sustainability of long-term employment in the area. Participants acknowledged that this is an issue that cannot be resolved quickly, however, they could see the long-term benefits of having a stronger employment base. A range of participants discussed how building an employment base will have knock on effects that help tackle the issues the area faces. They noted that depopulation, deprivation and poorer health and wellbeing can be linked to the erosion of Inverclyde previous manufacturing base.

6.1.2 Community

Another theme that arose in comments was surrounding community. Participants emphasised their desire that the Council and Partners work closer with communities and the already existing community groups. This highlights that there is a desire amongst Inverclyde's communities to be empowered and undertake more responsibility.

6.1.3 Young People and Children

The theme of young people arose in relation to several issues; employment opportunities, housing, leisure activities/facilities, and anti-social behaviour. The consensus amongst the participants was that there was a lack of employment opportunities and leisure facilities for younger people and this void has pushed them to engage in anti-social behaviour. Participants comments acknowledged that these people are the future of Inverclyde, but the area has challenges regarding the infrastructure to retain these people. This ties into the comments on housing where participants reported that there was a lack of access to housing for young people. The comments on young people show that the participants are concerned about the future of Inverclyde which will stem from the depopulation that the area is facing.

Comments on children often revolved around supporting those children that are living in poverty. The comments were aimed at providing these children with 'equal access' to things such as school meals, uniforms and other activities that they may not be able to take part in due to their socio-economic situation.



6.1.4 Housing

Housing was an issue that cropped up in every consultation. The comments predominately focused on difficulty of accessing housing due to affordability. Certain comments were also concerned with the quality of housing and the suitability of it for families. The clear thread through the comments on housing were orientated towards the future. Again, arguably stemming from the depopulation the area faces the participants emphasised the need to ensure that the current population has affordable housing so that they are retained in the area. However, other participants suggested that better housing opportunities would also attract new people into the area. Thus, the narrative of these comments was generally concerned about population retention and attraction.

6.1.5 Health and Wellbeing

The theme of Health and Wellbeing was interlinked to a wide range of issues. Participants suggested that improving the general health and wellbeing of residents should be a priority as this can have long-term effects regarding life expectancy, hospital admissions and overall life fulfilment. They also noted the negative effects that alcohol and drug consumption can have on health and wellbeing. The lack of, and closure of leisure/fitness facilities was also suggested as being a source of poor mental and physical health and wellbeing. Much like the other main themes, poor health and wellbeing was viewed as a symptom of deep-rooted issues in the area such as a deprivation and economic stagnation. However, participants did suggest some direct actions on how to improve the general health and wellbeing in the area. The most illuminating suggestions came from the in-person consultation in Port Glasgow. The participants suggested deploying locality tailored health and wellbeing teams into communities to get residents involved in different classes and events. The suggestion of community led action highlights that Inverclyde's residents have a desire to tackle issues on the community level.

6.3 Next Steps

Now that the findings from the consultation have been analysed, they will be used to inform both the Council and Partnership Plans. In order for this to happen the findings will be shared with Inverclyde's Elected Members and the Alliance Board membership. The public perceptions and ambitions for Inverclyde will be considered alongside the Strategic Needs Assessment (SNA), the National Performance Framework, and the Council and Alliance resources in order to develop local priorities.

6.3.1 Inverclyde Council and Partnership Plan

The two plans that the findings will inform are the Council Plan, and the Partnership Plan. Whilst there are similarities between the plans, there are significant differences in regard to their purposes.

The Partnership Plan is a commitment by Inverclyde Alliance partners to work together towards shared aims, with a focus on tackling inequalities and the added value of partnership working. Inverclyde Alliance includes public sector organisations, along with voluntary section and businesses. Whereas, the Council Plan explains how Inverclyde Council will operate, what its priorities will be, and how it will support delivery of the Partnership Plan.



**Inverclyde Council and
Partnership Plan Consultation**
Corporate Policy Team
January 2023

inverclyde.gov.uk @inverclyde



Inverclyde Alliance

Inverclyde
council

Inverclyde
council

Inverclyde Council Plan

2023 - 28



Inverclyde Council Plan 2023 - 2028



The Inverclyde Commitment

*Success For All – Getting
It Right for Every Child,
Citizen and Community*

Theme 1

PEOPLE



- Outcome 1.1** Our young people have the best start in life through high quality support and education
- Outcome 1.2** Gaps in outcomes linked to poverty are reduced
- Outcome 1.3** People are supported to improve their health and wellbeing
- Outcome 1.4** More people will be in employment, with fair pay and conditions
- Outcome 1.5** Our most vulnerable families and residents are safeguarded and supported

Theme 2

PLACE



- Outcome 2.1** Communities are thriving, growing and sustainable
- Outcome 2.2** Our strategic housing function is robust
- Outcome 2.3** Our economy and skills base are developed
- Outcome 2.4** We have a sufficient supply of business premises
- Outcome 2.5** Our natural environment is protected

Theme 3

PERFORMANCE



- Outcome 3.1** High quality and innovative services are provided, giving value for money
- Outcome 3.2** Our employees are supported and developed

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Foreword

Council Leader, Councillor Stephen McCabe
and Chief Executive Louise Long



Welcome to Inverclyde Council's Plan for 2023-28.

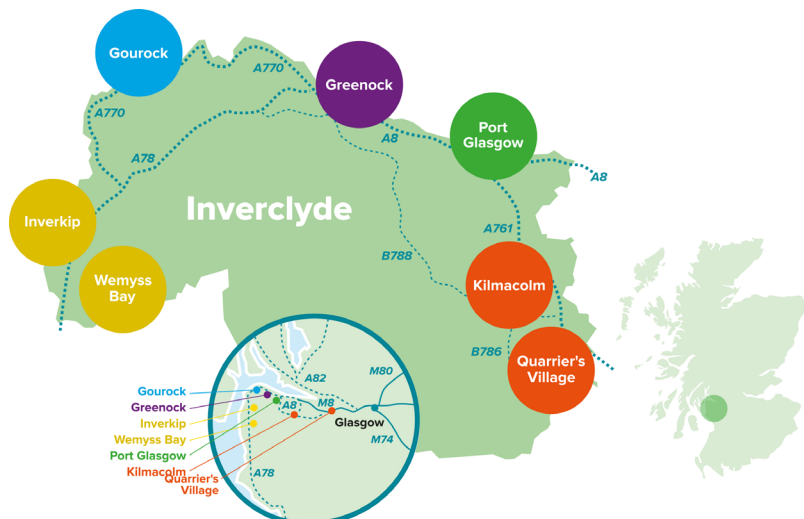
This Plan sets out our vision for the Council as a whole and the ways in which we hope to improve the lives of, and deliver better outcomes for, the people of Inverclyde. In striving to deliver this strategic plan, and by working with our Inverclyde Alliance partners, we will achieve: 'Success for All - Getting it Right For Every Child, Citizen and Community'.

At its heart this plan aims to ensure that Inverclyde Council is a dynamic service provider, able to respond to the needs of all our communities and one that plays its part actively as part of public life locally and nationally.

Our forward planning aims to make sure that we focus on areas of need that support our citizens now and that at the end of the plan we are a more resilient Council, ready for any challenge and able to seize opportunities quickly.

The Council Plan aligns to and supports the 10 year Alliance Partnership Plan, ensuring that partners work together to create conditions that promote success for all and addresses inequalities.

We are very proud of the achievements of our Council, community and partners as we look back over our previous 2018-22 plan, as we came together to address the impact of the Covid-19 pandemic. The legacy of the pandemic continues but we see Inverclyde now on the brink of new opportunities with a renewed energy and enthusiasm to provide excellent services to our communities. Looking ahead, we recognise the many challenges we face in order to realise these ambitions. We need to ensure that our limited resources are appropriately targeted in order to make the greatest impact. We are committed to working with our partners and local communities to deliver a stronger, more responsive organisation. We will continue to engage, empower and listen to our communities, recognising that with their collective assets, knowledge, skills and experience, we can successfully achieve our vision together.



What the Council Does



540,418 Library visits
(online and virtual)



Served an estimated population of 76,700



1,235,823 visits to service users by the Care and Support at Home Service



12,906 tonnes of household waste recycled



1,500 potholes made safe



4,453 people employed by Inverclyde Council



Responsible for 373km of road network



1,200 Business Support Grants processed and approved



3,000 involved in Participatory Budgeting



49 educational establishments to educate and support young people

What the Council Does

Inverclyde Council is the democratically elected body for the area and delivers services aimed at providing a better quality of life for the people of Inverclyde.

We are responsible for providing a range of valuable public services to local communities such as:

- Education, including pre-school and school education, adult and community education.
- Maintenance of the roads network, footpaths and street lighting.
- Planning and Building Control.
- Maintenance of parks, open spaces and cemeteries.
- Council Tax/non-domestic rates billing and collection.
- Economic Development.
- Environmental Health.
- Cultural services, including libraries.
- Waste Management including refuse disposal and recycling services.
- Licensing, such as pubs, taxis and nightclubs.
- Electoral registration.

In addition to directly providing the services noted above, the Council has statutory responsibilities in relation to social work services, although the delivery of these functions has been integrated into the Inverclyde Health and Social Care Partnership.

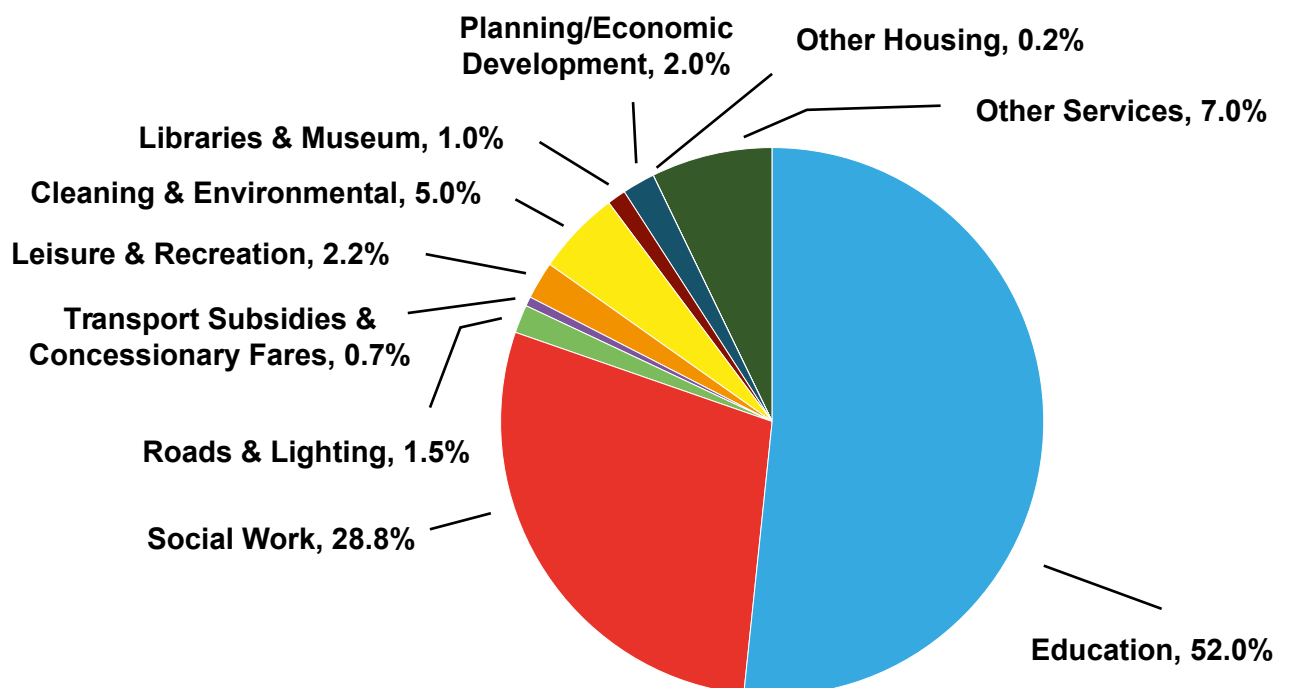
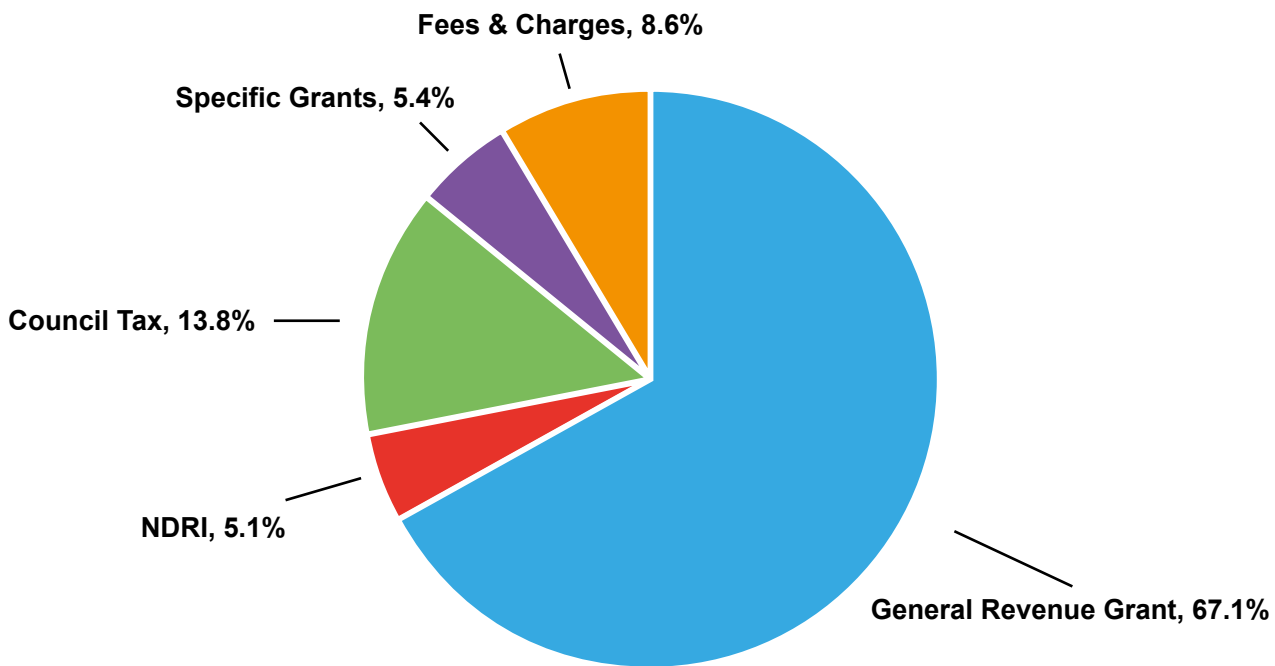
Inverclyde Council although no longer a provider of social rental housing since 2007, we maintain a strategic role in relation to housing locally and work with housing providers to deliver the Inverclyde Local Housing Strategy (LHS).

The Council also pays a management fee to Inverclyde Leisure, which is an arms length external organisation (ALEO), to manage sport and leisure facilities, community centres, swimming pools and parks and pitches on behalf of Inverclyde Council.

We also work closely with our community planning partners, known as the Inverclyde Alliance, to collectively improve local services to make a difference to the lives of our residents.

Inverclyde Council delivers these services against a very challenging financial picture. The Council has experienced inflationary pressures over 2022/23 at a level not seen within the lifetime of this Council and these pressures, plus the impact of economic pressures on household income are not expected to significantly reduce over the remainder of 2023. Alongside this is the further real terms reduction in funding which will impact on the way in which we deliver our services. This means that we are required to continually become more efficient in ways in which we operate and make difficult decisions about which services to prioritise.

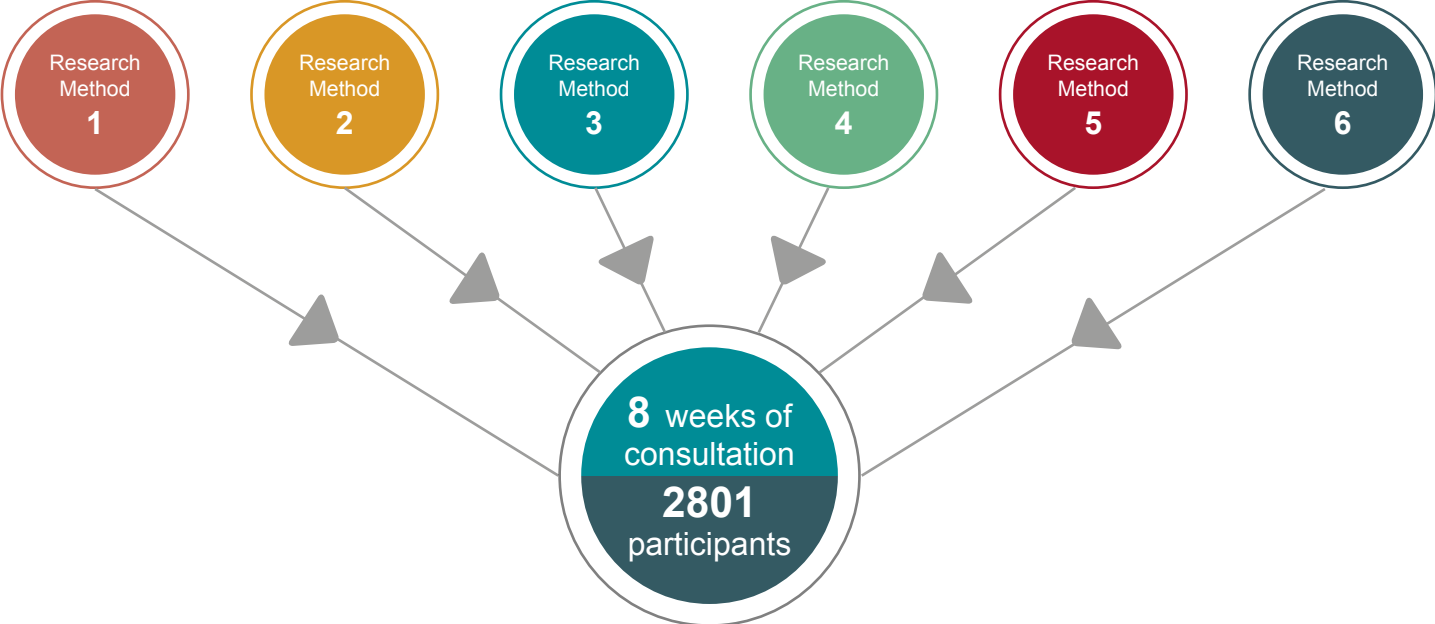
What the Council Does



Developing The Plan

In developing this plan a wide range of factors were taken into account. A key part of this was our public consultation. 2800 people gave us feedback on the key priorities for Inverclyde and how we might achieve them. A separate report on the consultation is available on our website and on request via our contact details at the end of this document.

6 Methods of Research



Themes Highlighted



Developing The Plan



We also benefitted from a Strategic Needs Assessment. It includes a range of information about Inverclyde, including the population profile, overview of the economy, analysis of deprivation trends, statistics on health and environment related information.

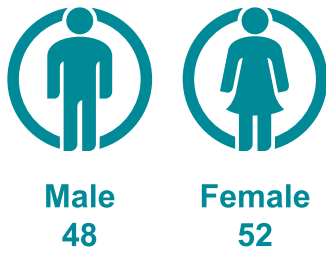
As well as giving a baseline against which we can measure progress through the implementation of the new plans the Strategic Needs Assessment identifies issues that the Council Plan and Partnership Plan can try to address.

Some of the key challenges for Inverclyde are:

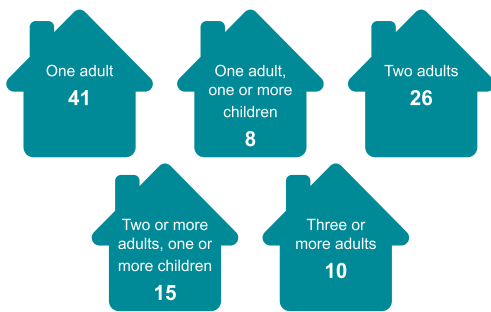
- An increasing concentration of older people within Inverclyde's communities, with the proportion of people aged 75+ set to increase by 55.5% over the next 20 years;
- An anticipated population reduction of 5% over the next 5 years, driven by there being fewer births than deaths;
- Emergency hospital admission and alcohol related hospital admission statistics being higher than Scottish average levels;
- Annual earnings at a lower level than the Scottish average;
- Significant deprivation issues with 45% of all datazones being in the 20% most deprived in Scotland;
- Life expectancy for males and females sitting below Scottish average levels.

The Strategic Needs Assessment is available on our website and on request via our contact details at the end of this document.

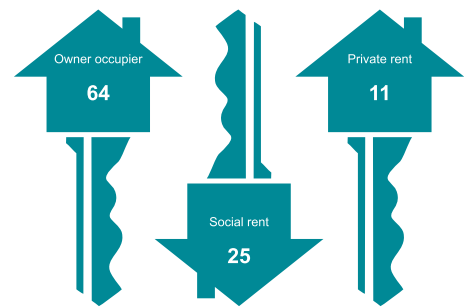
If Inverclyde had 100 People



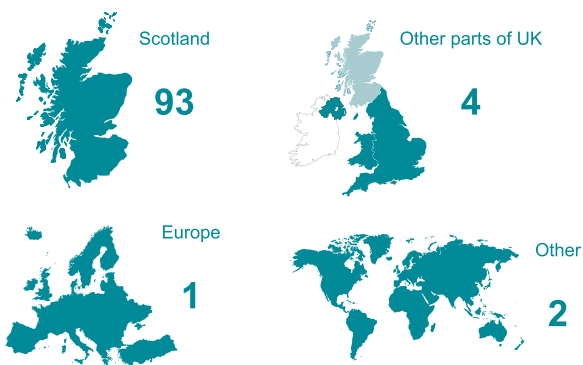
Household Size



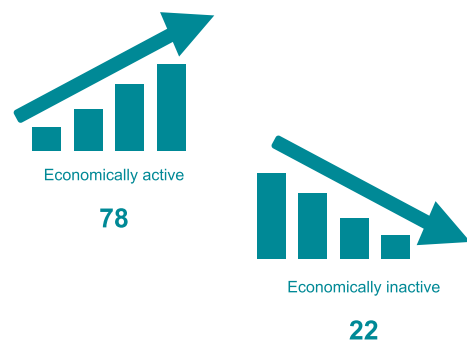
Housing Tenure



Country of Birth



Employment



Child Poverty



Long-term Activity Limiting Health Problem



Our Vision and Priorities

The Inverclyde Commitment is Success For All – Getting It Right for Every Child, Citizen and Community

We are very aware that life opportunities vary across our population and there are significant challenges in relation to deprivation and inequality. We want to achieve success for all, with everyone in our communities being able to easily access high quality Council services.

We will work across three themes.



THEME 1: PEOPLE

The people of Inverclyde and the people employed by the Council to deliver our services are the lifeblood of the area.

Making sure everyone has an equal opportunity to benefit from successes and to move forward in every area of their work and life is at the heart of how we develop individuals to reach their true potential, and ensure our community and Council are resilient to challenge.

Outcomes we will achieve:

- Our young people have the best start in life through high quality support and education.
- Gaps in outcomes linked to poverty are reduced.
- People are supported to improve their health and wellbeing.
- More people will be in employment, with fair pay and conditions.
- Our most vulnerable families and residents are safeguarded and supported.



THEME 2: PLACE

Inverclyde is a collection of places – its towns and villages – each with its own identity but with a keen sense that by being part of a wider group moving forward together helps make sure we are all benefitting from success and opportunities.

Outcomes we will achieve:

- Communities are thriving, growing and sustainable.
- Our strategic housing function is robust.
- Our economy and skills base are developed.
- We have a sufficient supply of business premises.
- Our natural environment is protected.



THEME 3: PERFORMANCE

We are an ambitious Council, always striving to improve and develop. Performance is therefore the third theme in our Council Plan priorities.

Outcomes we will achieve:

- High quality and innovative services are provided, giving value for money.
- Our employees are supported and developed.

Our Vision and Priorities

Our Values and Our Approach



We are nurturing

we care, we deliver our work in a supportive way



We are inclusive

we challenge inequalities and ensure that all our citizens can access services



We are focused on wellbeing

we support good health and wellbeing for our citizens and employees



We support empowerment

we believe we can produce better results through collaboration with communities



We are focused on achieving

we are positive and ambitious for everyone who lives in Inverclyde



We are respectful and responsible

we deliver our work with honesty and integrity, we listen



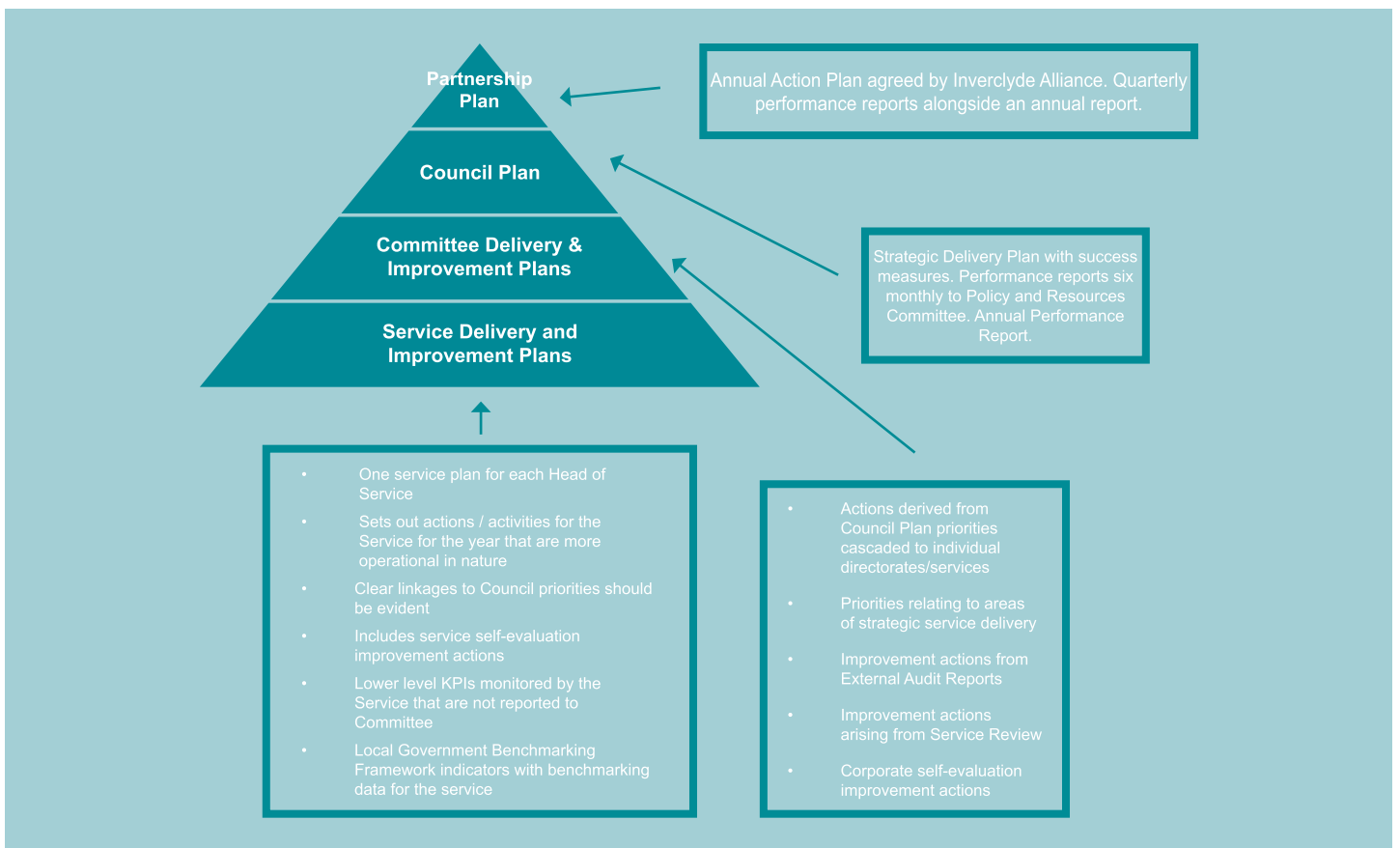
We provide a safe environment

we work with partners to ensure Inverclyde is a safe place to work and live

Delivering on The Plan

Our Performance Management Strategy explains how we report on, scrutinise and manage progress against achieving our outcomes. This sits alongside the Inverclyde Council Self Evaluation Framework which helps us to understand areas of high performance as well as areas for improvement within Council services.

Our structure for our delivery plans and their reporting is outlined in the diagram below.



The overarching strategic plan for Inverclyde is the Inverclyde Alliance Partnership Plan. This plan sets out the priorities that all partners within the Community Planning Partnership will seek to deliver to improve the wellbeing and quality of life of the residents of Inverclyde, with a particular focus on reducing inequalities. The Council Plan directly contributes to the achievement of these partner priorities.

The Financial Strategy establishes the policy framework for resource allocation within the Council over the medium term and is designed to support the delivery of the priorities contained within the Council Plan and the Partnership Plan.

The People and Organisational Development Strategy sets out how we will meet the challenges that the Council will face over the short term to ensure that our workforce is positive, motivated and well managed.

Impact

We demonstrate our impact through measuring our success of our Council Plan and strategies. We focus on data and triangulate this with feedback from our staff, partners and citizens.

What drives us

Our values define our culture and it describes how we do things.

Contact Us

For further information please contact:

Email corporate.policy@inverclyde.gov.uk

Telephone 01475 717171

***Write to Corporate Policy and
Performance Team***

Inverclyde Council Municipal Buildings
Greenock Inverclyde PA15 1LY

This document is available in other
formats. Please contact us to request this.

Appendices

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/039/23
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	Appointment of Chair of Social Work & Social Care Scrutiny Panel		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to request that the Council appoint a Chair for the Social Work & Social Care Scrutiny Panel and confirm the Special Responsibility Allowance currently allocated to that position.
- 1.3 This report also requests that the Council make two further appointments, associated with the Chair of the Social Work & Social Care Scrutiny Panel, namely to the Inverclyde Alcohol and Drugs Partnership and as a proxy for Cllr Moran on the Inverclyde Integration Joint Board.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Council appoint a Chair for the Social Work & Social Care Scrutiny Panel and confirm the Special Responsibility Allowance currently allocated to that position.
- 2.2 It is recommended that the Council appoint the new Chair of the Social Work & Social Care Scrutiny Panel to the Inverclyde Alcohol and Drugs Partnership and as the proxy for Cllr Moran on the Inverclyde Integration Joint Board.

Iain Strachan
Head of Legal, Democratic, Digital & Customer Services

3.0 BACKGROUND AND CONTEXT

- 3.1 The Council's Social Work & Social Care Scrutiny Panel comprises 11 Elected Members, its terms of reference being as set out in the Council's Standing Orders and Scheme of Administration.
- 3.2 The membership of the Panel comprises Cllrs Armstrong, Brennan, Brooks, Cassidy, Daisley, Jackson, McCluskey, McKenzie, Quinn, Reynolds and Robertson. Cllr Jackson was appointed as the Chair of the Panel at the Council's Statutory Meeting on 19 May 2022, but has resigned from that position. Cllr McCluskey is the appointed Vice-Chair. By way of explanation, in May 2022 the role was Convenor of the then Health & Social Care Committee, this being prior to revisions to the Council's decision-making arrangements which were agreed at the 30 June 2022 meeting of the Council.
- 3.3 Standing Order 58 of the Council's Standing Orders and Scheme of Administration requires the Council to ensure, as far as practicable, that in making Committee appointments the balance of political representation on the Council is reflected. On the assumption that there are no proposed changes to actual membership of the Panel, or the associated appointments referred to below, then the existing membership will continue to fulfil these requirements.
- 3.4 At its Statutory Meeting the Council also approved the remuneration payable to certain Elected Members, in terms of the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2022 and the Local Government (Allowances and Expenses)(Scotland) Regulations 2007 as amended. As part of this, it was agreed that the Chair of the Social Work & Social Care Scrutiny Panel, as it is now known, would be designated as a Senior Councillor, and entitled to the associated special responsibility allowance. With the recent national change in Elected Member salaries, in terms of the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2023, this would mean a salary of approximately £22,613 for the Elected Member holding this position. This assumes that the Council does not wish to otherwise review the previous decision of May 2022 in respect of Elected Member remuneration.
- 3.5 At the Statutory Meeting Cllr Jackson was also appointed to two other positions, associated with being the Chair of the Social Work & Social Care Scrutiny Panel, namely to the Inverclyde Alcohol and Drugs Partnership and as a proxy for Cllr Moran on the Inverclyde Integration Joint Board. Cllr Jackson has also confirmed his resignation from both of those appointments.
- 3.6 A link to the 19 May 2022 report is provided here:
<https://www.inverclyde.gov.uk/meetings/meeting/2450>

4.0 PROPOSALS

- 4.1 It is proposed that the Council appoint a Chair for the Social Work & Social Care Scrutiny Panel and confirm the Special Responsibility Allowance currently allocated to that position.
- 4.2 It is also proposed that the Council appoint the new Chair of the Social Work & Social Care Scrutiny Panel to the Inverclyde Alcohol and Drugs Partnership and as the proxy for Cllr Moran on the Inverclyde Integration Joint Board.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial	X		
Legal/Risk	X		
Human Resources		X	
Strategic (LOIP/Corporate Plan)			X
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

The Council is not permitted to increase the current overall spend on Elected Member remuneration, in terms of the relevant legislative provisions. There is budget in place to continue the current arrangements, including the recent national uplift which was effective from 1 April 2023.

One off Costs

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

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

The legal considerations are contained within this report.

5.4 Human Resources

There are no human resources implications directly arising from this report.

5.5 Strategic

There are no strategic implications directly arising from this report.

6.0 CONSULTATION

6.1 The Chief Executive, Chief Financial Officer and Head of OD, HR and Communications have been consulted on this report.

7.0 BACKGROUND PAPERS

7.1 N/a

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/038/23
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	Amendments to the Scheme of Delegation (Officers)		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to request that the Council consider some proposed amendments to the Scheme of Delegation (Officers) and note other amendments which have been made in implementation of recent Council and Committee decisions.

1.3 The Environment & Regeneration Committee meeting held on 27 October 2022, after consideration of a report by the Director of Environment & Regeneration on The Fireworks and Pyrotechnic Articles (Scotland) Act 2022, recommended that a proposed amendment to the Scheme of Delegation (Officers) be remitted to the Council for its approval and subsequent implementation, namely to delegate to officers the authority to carry out the Council's powers, rights and duties under the said Act and any regulations made thereunder.

1.4 The Environment & Regeneration Committee meeting held on 9 March 2023, after consideration of a report by the Head of Roads and Shared Services on proposed changes to the procedure for the making of Speed Limit Orders (SLOs), recommended that a proposed amendment to the Scheme of Delegation (Officers) be remitted to the Council for its approval and subsequent implementation. The proposed amendment, if approved, would update the Scheme of Delegation (Officers) to the effect that where there are no maintained objections to any SLO, the Head of Legal, Democratic, Digital & Customer Services will be authorised to make such SLO on behalf of the Council.

1.5 In addition to the recommended amendment in respect of SLOs and the above-mentioned Act, there have been other recent Council and Committee decisions that have authorised the Head of Legal, Democratic, Digital & Customer Services to make certain other amendments to the Scheme of Delegation (Officers). This report also provides Council with confirmation of those amendments.

1.6 Finally, the review of the Scheme of Delegation (Officers), in connection with the above, has highlighted the requirement for a small number of other amendments, which are also proposed.

1.7 This report is not the outcome of a complete review of the Scheme of Delegation (Officers), but only in response to those matters covered above. The Head of Legal, Democratic, Digital & Customer Services is, however, intending to undertake such a review, and bring a report back to a future meeting of the Council, later in 2023.

2.0 RECOMMENDATION

- 2.1 It is recommended that the Council approve the proposed amendment to the Scheme of Delegation (Officers) so that authority is delegated to officers to carry out the Council's powers, rights and duties under The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 and any regulations made thereunder, this proposed amendment being as shown in tracked changes on page 37 of Appendix 1 to this report
- 2.2 It is recommended that the Council approve the proposed amendment to the Scheme of Delegation (Officers) so that the Scheme is amended to the effect that, where there are no maintained objections to any Speed Limit Order, the Head of Legal, Democratic, Digital & Customer Services will be authorised to make such Speed Limit Order on behalf of the Council, this proposed amendment being as shown in tracked changes on page 28 of Appendix 1 to this report;
- 2.3 It is recommended that the Council note the amendments that have been made to the Scheme of Delegation (Officers) by the Head of Legal, Democratic, Digital & Customer Services, under authority delegated from several recent Council decisions, as referred to at paragraphs 3.8 to 3.16 of this report, the amendments being as shown in tracked changes in Appendix 1 to this report.
- 2.4 It is recommended that the Council approve the other amendments that are proposed to the Scheme of Delegation (Officers), as referred to at paragraphs 3.17 to 3.19 of this report, the amendments being as shown in tracked changes in Appendix 1 to this this report.
- 2.5 It is recommended that the Council note that the Head of Legal, Democratic, Digital & Customer Services is intending to undertake a full review of the Scheme of Delegation (Officers), and bring a report back to a future meeting of the Council, later in 2023, with approval of amendments in respect of this report being subject to that future review.

Iain Strachan

Head of Legal, Democratic, Digital & Customer Services

3.0 BACKGROUND AND CONTEXT

Fireworks and Pyrotechnic Articles (Scotland) Act 2022

- 3.1 The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 received Royal Assent on 10 August 2022 (the 2022 Act). The Environment & Regeneration Committee meeting held on 27 October 2022 considered a report by the Director of Environment & Regeneration on the 2022 Act and its implications for the Council. The Committee agreed the proposals set out in the report, together with a proposed amendment to the Scheme of Delegation (Officers), which was to be remitted to the Council for its approval and subsequent implementation, namely to delegate to officers the authority to carry out the Council's powers, rights and duties under the 2022 Act and any regulations made thereunder, the 2022 Act not currently being included within the Scheme of Delegation (Officers). Proposed amendments to the Scheme of Delegation to make this change are shown in tracked changes on page 37 of Appendix 1 to this report.
- 3.2 A link to the October 2022 report can be found here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2497>

Speed Limit Orders

- 3.3 Following upon the decision of the Environment & Regeneration Committee at its 9 March 2023 meeting to review the Speed Limit Order (SLO) procedure, there is a remit to make consequential amendments to the Scheme of Delegation (Officers) so that, instead of the Council making an SLO to which there are no maintained objections, in future, the Head of Legal, Democratic, Digital & Customer Services may make such SLO on behalf of the Council. A link to the report can be found here:- <https://www.inverclyde.gov.uk/meetings/meeting/2537>
- 3.4 The Local Authorities' Traffic Orders (Procedure)(Scotland) Regulations 1999 as amended deal with the making of an SLO.
- 3.5 The authority to make an SLO, where there are no maintained objections, is not presently delegated to any Officer of the Council. The Council's Scheme of Administration states that the promotion of byelaws, management rules and any necessary orders is reserved to the full Council. This means that the full Council must consider an SLO, even where there are no objections to the SLO. It is therefore proposed to amend the Scheme of Delegation (Officers) to the effect that where there are no maintained objections to an SLO, the Head of Legal, Democratic, Digital & Customer Services will be authorised to make any such SLO on behalf of the Council.
- 3.6 Following completion of the necessary public consultation, if there are maintained objections in respect of an SLO, a report would be submitted to the Environment and Regeneration Committee. This would seek approval to hear the objections and the process which they should be heard i.e. a Special Meeting of the Environment and Regeneration Committee or by appointing an Independent Reporter.
- 3.7 Proposed amendments to the Scheme of Delegation to make this change are shown in tracked changes on page 28 of Appendix 1 to this report. The remit from the Environment and Regeneration Committee also requires an amendment to the Council's Standing Orders and Scheme of Administration, which is considered elsewhere on the agenda for this meeting.

Management Restructure – Phase 1

- 3.8 The full Council meeting held on 1 December 2022 considered a report by the Chief Executive and approved Phase 1 of a management restructure, and certain associated actions. One associated action was to delegate authority to the Head of Legal, Democratic, Digital & Customer Services, in consultation with other relevant officers, to update the Scheme of Delegation (Officers) to reflect the decisions of the Council in respect of that report.
- 3.9 A link to the December 2022 report can be found here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2512>
- 3.10 The Head of Legal, Democratic, Digital & Customer Services has now made the necessary updates to the Scheme of Delegation (Officers). It can be noted that the changes are largely to update job titles, but also to (i) move two delegations from the Chief Financial Officer to the Head of Legal, Democratic, Digital & Customer Services, to reflect the transfer of responsibility for ICT & Customer Services and (ii) clarify the meaning of the reference to Minority Group, given the change in political make up of the Council following the May 2022 local government elections. The proposed amendments to the Scheme of Delegation are shown in tracked changes in Appendix 1 to this report.

Redetermination Orders

- 3.11 The full Council meeting held on 16 February 2023 considered a report by the Head of Legal, Democratic, Digital & Customer Services in connection with a proposed redetermination order in respect of Mirren's Shore, Port Glasgow. In approving that report the Council approved an amendment to the Scheme of Delegation (Officers) to enable the Head of Legal, Democratic, Digital & Customer Services to make such Redetermination Orders when there are no maintained objections.
- 3.12 A link to the February 2023 report can be found here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2530>
- 3.13 The Head of Legal, Democratic, Digital & Customer Services has now made the necessary updates to the Scheme of Delegation (Officers), which are shown in tracked changes on page 28 of Appendix 1 to this report.

Delivery of Council Meetings

- 3.14 The full Council meeting held on 22 September 2022 considered a report by the Head of Legal, Democratic, Digital & Customer Services in connection with proposals around the future delivery of Council meetings. In approving that report the Council approved that authority be delegated to the Head of Legal, Democratic, Digital & Customer Services to determine the manner in which a hearing is held in respect of civic licensing matters, in terms of the Coronavirus (Recovery and Reform)(Scotland) Act 2022.
- 3.15 A link to the December 2022 report can be found here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2490>
- 3.16 The Head of Legal, Democratic, Digital & Customer Services has now made the necessary update to the Scheme of Delegation (Officers) to reflect this approval, which are shown in tracked changes on page 28 of Appendix 1 to this report.

Sub-Delegation

- 3.17 In the course of the Scheme of Delegation (Officers) being reviewed in connection with the above, it was noted that the Scheme did not explicitly provide the authority for officers to further sub-delegate authority, albeit such sub-delegation is clearly implied. As such, it is proposed that the Scheme of Delegation (Officers) is also updated to include this, this proposed amendment being as shown in tracked changes on page 1 of Appendix 1 to this report.

Prevent Duty

- 3.18 The Counter-Terrorism and Security Act 2015 places a duty on the Council to have, in the exercise of its functions, due regard to the need to prevent people from being drawn into terrorism. It is felt appropriate that this duty, and the associated powers, be included in the Scheme of Delegation (Officers), under the Director of Environment & Regeneration. It is proposed that the Chief Executive would have authority to submit the Council's Prevent Annual Assurance Return. The proposed amendments being as shown in tracked changes on pages 8 and 36 of Appendix 1 to this report.

Cost of Living Payments

- 3.19 The Scheme of Delegation authorises the Chief Social Worker Officer to pay certain payments under Section 12 of the Social Work (Scotland) Act 1968 and the Children (Scotland) Act 1995. It is proposed that the limits on these payments are increased from £300, in any one month to any one family, to £1,000, given the current Cost of Living crisis. These proposed changes can be found in tracked changes on pages 17 and 18 of Appendix 1. More generally, there is a need to review these and other monetary caps within the Scheme. However, this will be picked up a part of a wider review proposed for later in 2023.
- 3.20 This report is not the outcome of a complete review of the Scheme of Delegation (Officers), but only in response to those matters covered above. As noted above, the Head of Legal, Democratic, Digital & Customer Services is, however, intending to undertake such a review, and bring a report back to a future meeting of the Council, later in 2023.

4.0 PROPOSAL

- 4.1 It is proposed that the Council approve and note (as the case may be) the amendments to the Scheme of Delegation (Officers) which are set out in this report.
- 4.2 Subject to the decision of the Council, an updated version of the Scheme of Delegation (Officers) will be cascaded to officers and placed on the Council's website.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial		X	
Legal/Risk	X		
Human Resources			X
Strategic (LOIP/Corporate Plan)			X
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

There are no financial implications directly associated with this report.

5.3 Legal/Risk

The updating of the Scheme of Delegation (Officers) as proposed in this report will implement a number of recent Council decisions, and help ensure the Council's governance framework is kept updated to support delivery of the Council's services and implementation of its legal duties.

5.4 Human Resources

There are no Human Resources implications directly associated with this proposal.

5.5 Strategic

There are no strategic implications associated with this proposal.

6.0 CONSULTATION

The Corporate Management Team have been consulted on this report.

7.0 BACKGROUND PAPERS

7.1 None, other than as set out in Section 3 of this report.

Scheme of Delegation Officers



Inverclyde Council

Scheme of Delegation
Officers

Approved by
Inverclyde Council
[TBC April 2023]~~17~~
~~February 2022~~

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SCHEME OF DELEGATION (OFFICERS)

A. GENERAL PROVISIONS

- 1 There will stand delegated to officers of the Council the matters specified in this Scheme relative to each officer. Such delegations are additional to the powers of a Corporate Director, Director or Head of Service to deal with routine and operational matters within the scope of their respective service responsibilities;
- 2 Officers to whom powers are delegated will ensure that in exercising such powers they:-
 - (a) act in accordance with the Council's Standing Orders and Scheme of Administration, Standing Orders Relating to Contracts, Corporate Procurement Manual, Financial Regulations, all relevant statutory provisions, and relevant Council Policies;
 - (b) have regard to approved budgets;
 - (c) consult the relevant Elected Members where it appears that a proposed decision or action is likely to affect directly and particularly the ward interests of an Elected Member;
 - (d) consult the Chief Executive, Chief Financial Officer, that is, the Officer responsible for managing the financial affairs of the Council as designated by the Council in terms of Section 95 of the Local Government (Scotland) Act 1973 and/or Head of Legal, ~~and Democratic~~, Digital & Customer Services (Monitoring Officer) as appropriate, in respect of all matters where the officer considers that legal or financial guidance is necessary, or otherwise where the officer considers it appropriate to consult; and
 - (e) consult the Convener, or in his/her absence, Vice-Convener, of the appropriate Committee in respect of all matters which the officer considers to be sensitive or complex, or otherwise where consultation appears to the officer to be appropriate;
- 3 Except where prohibited by law or otherwise prohibited by the Council, any officer to whom delegated powers have been granted may make such arrangements within his/her Service for the exercise and/or further sub-delegation of the delegated powers as he/she shall deem appropriate. Details of such arrangements shall be recorded in writing;
- 4 The Council agrees to indemnify the respective Chief Officers against any damages and expenses incurred as a result of any action brought against them in the discharge or purported discharge of the functions delegated to them, provided such Chief Officers believe both that the acts complained of were carried out in the reasonable discharge of their functions and that their duty entitled them so to do;
- 5 For the avoidance of doubt, it is declared that:-
 - (a) where a statutory provision reserves the exercise of a function to the Council alone, an officer or Committee is prohibited from exercising any delegated power in that regard;
 - (b) the title of every officer referred to in this Scheme shall be read to include any alternative title which the Council may from time to time ascribe to that officer. Further, in the event that functions ascribed hereby to a particular officer are reallocated to another officer, the relevant powers delegated herein shall stand delegated to that other officer;
- 6 Any reference to an Act of Parliament or other statutory provision shall include any amendment, replacement or re-enactment thereof for the time being in force;

- 7 This Scheme of Delegation will be subject to a formal review every four years but between approval and the following four yearly review, it may be varied or revoked by the Council if requested so to do by the Chief Executive or the Head of Legal, Democratic, Digital & Customer Services~~Head of Legal and Democratic Services~~.

B GENERAL DELEGATION TO CHIEF EXECUTIVE, CORPORATE DIRECTORS, DIRECTORS AND HEADS OF SERVICE

1 Contracts

- 1.1 Authorised to award contracts to the lowest or most economically advantageous tenderer in accordance with the Council's Standing Orders Relating to Contracts, Financial Regulations and the Corporate Procurement Manual (and any delegation flowing therefrom);
- 1.2 Corporate Directors, Directors and Heads of Service are authorised, in situations where it is necessary to ensure the continued delivery of essential services and with the explicit agreement of the ~~Head of Legal, Democratic, Digital & Customer Services~~ ~~Head of Legal and Democratic Services~~ and the Chief Financial Officer, to renew a contract with an existing contractor or to negotiate a contract for a period of up to 6 months, subject to the following provisos:-
- (a) this power may only be exercised in situations where a contract is coming to an end and where, for reasons beyond the control of the Council, an existing contract is due to expire without a replacement contract having been concluded;
 - (b) the prices to be paid represent value for money; and
 - (c) the arrangement does not breach any relevant Procurement Framework or Law.

2 Human Resources Matters

- 2.1 Authorised to appoint employees within the approved establishment up to, but excluding, Chief Officer level;
- 2.2 Authorised to amend and adjust approved establishment for posts of up to (Grade 9), subject to the approval of the Chief Executive, Chief Financial Officer and Head of Organisational Development, Policy & Communications. Salary grades shall be set in accordance with the Council's approved Job Evaluation Scheme and any amendments thereto shall be made by means of an appropriate re-evaluation carried out by the Head of Organisational Development, Policy & Communications;
- 2.3 Authorised to conduct disciplinary procedures in respect of employees within the terms of the Council's approved disciplinary procedure;
- 2.4 Authorised to approve attendance at further education subject to the agreement of the Head of Organisational Development, Policy & Communications;
- 2.5 Authorised:-
- (a) to pay valid claims for damage to, or loss of, personal property of employees in his or her Service occurring during the course of their employment, up to a limit of £500 per claim in respect of any one incident, and
 - (b) to pay claims in excess of £500 in respect of any of the aforesaid occurrences after consultation with the Chief Financial Officer and Head of Organisational Development, Policy & Communications;

In all cases, the Council's Insurance Section shall be advised of any payment made in pursuance of this paragraph;

- 2.6 Only the Chief Executive in consultation with relevant officers is authorised to approve the payment of overtime in exceptional circumstances to officers who are paid at Grade 12 and above.

3 **Property**

- 3.1 In consultation with the Interim Head of Property Services, authorised to approve terms and conditions for projects relating to his/her service contained within the approved Capital Programme;
- 3.2 Authorised to grant the use of Council accommodation to outside bodies for the purpose of holding meetings and functions etc., providing same complies with the Council's policies and is within the scope of any relevant approved scheme;

4 **Charging of Fees**

- 4.1 Authorised, in consultation with the Chief Financial Officer, in appropriate circumstances and where not contrary to law or Council Policy, to charge fees to third parties with respect to services rendered to said third parties;
- 4.2 Authorised to waive fees up to £500, subject to budget availability, in appropriate circumstances in accordance with Council policy and/or procedures. If in excess of £500 then there is a requirement to consult with the Chief Financial Officer.

5 **Matters Requiring Urgent Action –Emergency Powers**

- 5.1 Where, in the opinion of a Head of Service, a matter which would normally require prior approval by a Committee requires to be dealt with as a matter of urgency, that Head of Service shall be entitled to refer the matter for deliberation by the Convener and Vice-Convener of the Committee, a Member not having the same political affiliation as the Convener and Vice-Convener and the Chief Executive. In any instance where the Chief Executive is not available, the person duly authorised on his or her behalf shall be entitled to act in his or her stead and where the Convener or Vice-Convener of the Committee is not available for consultation with the Head of Service, the Convener of the Policy & Resources Committee shall be entitled to act in his or her stead. If the Convener, Vice-Convener, the said Member and the Chief Executive concur on the appropriate course of action to be followed, the Chief Executive shall have the power to authorise the said Head of Service to deal with the matter in such a manner as may have been agreed with the three members. Following the use of any authority provided under this procedure, the said Head of Service shall report on any such action taken and the specific circumstances and reasons which gave rise to the need for the use of this procedure to the next meeting of the Committee. Where the use of emergency powers requires a financial commitment by the Council, the requirements of the Financial Regulations relating to emergency authority must be observed;
- 5.2 Where, in the opinion of the Chief Executive following consultation with the Chief Financial Officer, a matter which would result in a material financial benefit or saving of expenditure for the Council and would normally require the suspension of Standing Orders by the Council to allow it to proceed, requires to be dealt with as a matter of urgency, the Chief Executive shall be entitled to refer the matter for deliberation by the Convener and Vice-Convener of the Policy and Resources Committee and the Leader of the Minority Group (being that group of Members which does not form the ruling Administration of the Council, or the largest Minority Group should there be more than one(s)). Where they concur on the appropriate course of action to be followed, the Chief Executive shall have the power to approve the required suspension of Standing Orders to deal with the matter to allow the decision to be implemented. Following the use of any authority provided under this procedure the Chief Executive shall report on any such action taken and the specific circumstances and reasons which gave rise to the need for the use of this procedure to the next meeting of the Council.

6 **Health & Safety**

6.1 Authorised in terms of the Health & Safety at Work Act 1974 to carry out all duties set out in the Statements of the Council's Health & Safety Policies.

7 **Regulation of Investigatory Powers (Scotland) Act 2000**

There stands delegated to the following Officers:-

Chief Executive;
Corporate Director of Education, ~~Communities & Organisational Development~~
~~Head of Legal, Democratic, Digital & Customer Services~~Head of Legal and Democratic
~~Services~~
~~Interim Director Finance & Corporate Governance~~Chief Financial Officer;
~~Interim~~ Director Environment & Regeneration
Chief Officer Integration Joint Board (Health & Social Care Partnership)

the power to grant authorisations for directed (covert) surveillance permitted under Sections 6 and 7 of the Regulation of Investigatory Powers (Scotland) Act 2000.

8 **Consultation Documents**

Authorised to submit responses to consultation documents which concern operational and/or technical and professional issues, subject to consultation with the Convener and Vice Convener of the relevant committee, where necessary and practicable.

C SPECIFIC DELEGATION TO OFFICERS

Officer: Chief Executive

Delegation:

- 1 Authorised in an emergency or in cases of urgency to instruct executive action on a report from the appropriate Officer on any matter delegated or referred to a Committee, after consultation with the Convener or, in his/her absence, Vice-Convener of the appropriate Committee. In the absence of the Chief Executive, the person duly authorised to act on his/her behalf may exercise this power. Where the action has financial implications, the Chief Financial Officer shall be consulted before any action is taken, and where there are legal or governance issues, the [Head of Legal, Democratic, Digital & Customer Services](#)~~Head of Legal and Democratic Service~~ shall be consulted before any action is taken;
- 2 In cases of civil emergencies, the Chief Executive, or in his/her absence, the person duly authorised to act on his/her stead, is authorised to take any and all actions necessary, within the powers of the Council;
- 3 Authorised to direct, in circumstances he/she deems appropriate, that an Officer shall not exercise a delegated function;
- 4 Authorised, in appropriate circumstances, to approve applications by employees charged in the course of their employment with offences under the Health and Safety at Work Act 1974, the Factories Act 1961, the Offices, Shops and Railway Premises Act 1963, or similar legislation, for assistance with legal expenses in connection with their defence, subject to the right of an employee aggrieved by any decision of the Chief Executive to appeal to the HR Appeals Board;
- 5 Authorised, in appropriate circumstances, to approve applications by employees convicted and fined under the aforesaid legislation, for offences committed whilst acting in the course of their employment, for payment of the fine imposed, subject to the right of an employee aggrieved by a decision of the Chief Executive to appeal to the HR Appeals Board;
- 6 Authorised to act as the Proper Officer in terms of Section 194 (1) of the Local Government (Scotland) Act 1973 and to sign all deeds and other documents which require to be sealed with the Common Seal of the Council other than Stock Certificates, Bonds and Mortgages;
- 7 Authorised to sign contracts, missives and similar documents binding the Council except where otherwise provided for in this Scheme;
- 8 Authorised to issue and/or review licences in respect of all licensing matters not specifically delegated to other Officers or Council Services;
- 9 Authorised to act as the Proper Officer in terms of Section 190 of the Local Government (Scotland) Act 1973, for the receipt of notices of any legal proceedings served on the Council and for the receipt of any notice, order or other document required or authorised by any Act to be sent, delivered or served to or upon the Council and to the Proper Officer thereof;
- 10 Authorised to act as the Proper Officer in terms of the Local Government (Access to Information) Act 1985 for the purpose of determining prior to a meeting whether documents should be made available to the public;
- 11 Authorised to make suitable arrangements for the recruitment and appointment of Chief Officers within the approved establishment;

- 12 Authorised to approve, in appropriate circumstances, applications from employees for reimbursement of reasonable legal expenses incurred in defending Court Actions raised personally against them, providing such Court Actions relate to acts carried out (a) within the course of their employment; (b) in accordance with Service procedures; and, (c) in good faith;
- 13 Authorised in exceptional circumstances where he/she deems it appropriate, and following consultation with the Chief Financial Officer and the Head of Legal, Democratic, Digital & Customer Services ~~Head of Legal and Democratic Services~~ to make ex gratia payments up to a limit of £500 to those in receipt of services from the Council and/or who reside in the area;
- 14 Authorised to approve, in consultation with the Chief Financial Officer and the Head of Organisational Development, Policy & Communications, the release of employees under the Council's Voluntary Severance Scheme where a value for money test has been satisfied and the release relates to an approved Committee/Council decision;
- 15 In consultation with the Chief Financial Officer ~~Interim Director, Finance & Corporate Governance~~ and Head of Organisational Development, Policy & Communications to exercise all discretions available to the Council in terms of The Local Government Pension Scheme (-Administration) (-Scotland-) Regulations 2008, The Local Government Pension Scheme (Benefits, Membership and Contributions-) (-Scotland-) Regulations 2008,, The Local Government Pension Scheme (-Transitional Provisions-) (-Scotland-) Regulations 2008, The Local Government (-Discretionary Payments and Injury Benefits) (-Scotland-) Regulations 1998, the LGPS (-Scotland-) Regulations 2018, the LGPS (Transitional Provisions and Savings-) (-Scotland-) Regulations 2014 and the LGPS (-Scotland-) Regulations 2014 in line with the Councils agreed Pension and Retirement Policy.
- 16 Appointed to act as the Returning Officer for all elections in terms of Sections 25 and 41 of the Representation of the People Act 1983 (as amended);
- 17 Authorised to take all steps necessary in relation to the administration of national and local elections, referendums and all other electoral processes;

18 Authorised to submit the Council's Prevent Annual Assurance Return in respect of the Prevent Duty, in terms of the Counter-Terrorism and Security Act 2015.

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Directorate Education, Communities & Organisational Development

Officer: Head of Education

Delegation:

- 1 Authorised to amend the levels of tuition fees, examination expenses, dependant's allowances, maintenance allowances and contribution scales;
- 2 Authorised to make grants up to £2000 to pupils to enable them to attend courses and conferences and to undertake educational visits and excursions at home and abroad;
- 3 Authorised to approve or refuse applications received from schools for arrangements to be made for visits during school terms in accordance with approved policy;
- 4 Authorised to provide courses in education training as requested by outside agencies and to negotiate appropriate charges for these services;
- 5 Authorised to consider and determine all placing requests under Section 28 of the Education (Scotland) Act 1980 in accordance with the guidelines formulated by the Council, taking into account the requirement imposed on the Council by Section 2 (2) of the Standards in Schools etc. Act 2000;
- 6 Authorised to accept placing requests in terms of the Education (Scotland) Act 1980 and to make whatever transport arrangements are deemed to be appropriate in individual cases brought to his/her attention, where supporting documentation satisfies him/her that the child concerned has serious emotional or psychological problems;
- 7 Authorised to grant, in consultation with the Head of Organisational Development, Policy & Communications, unpaid leave of absence up to a maximum of two years to enable teachers to undertake voluntary service;
- 8 Authorised to accept and administer all existing Trusts and endowments as well as any new Trusts or small endowments which may be offered to the Council for schools or for educational purposes in their area;
- 9 Authorised to exercise the functions of the Council in terms of Section 50 of the Education (Scotland) Act 1980 (provision of travelling facilities and accommodation in exceptional circumstances);
- 10 Authorised to make payment of reasonable daily travel expenses subject to the relevant provisions of the conditions of service for teachers in schools who have been compulsorily transferred;
- 11 Authorised to appoint and supervise staff contracted in accordance with the service conditions set by the Scottish Negotiating Committee for Teachers (SNCT) and in terms of any local agreement entered into with the Council's Local Negotiating Committee (LNCT) within the complements approved by the Council;
- 12 Authorised to transfer teachers within the Council's policy and where appropriate to pay transfer expenses;
- 13 Authorised to review staffing levels to ensure compliance with national and local priorities for education, establish posts for staff employed in terms of the conditions of service for Local Government employees subject to available budgets;
- 14 Authorised to carry out the functions of the Council as Education Authority in relation to adequate and efficient education for children with additional support needs in terms of Section 1 of the Education (Scotland) Act 1980 and the Education (Additional Support for Learning) (Scotland) Act 2004, including placement in day and residential schools and other appropriate establishments;

15. Authorised to exercise at his/her discretion the powers available to the Council as Education Authority, in terms of Section 23 of the Education (Scotland) Act 1980 and to pay the agreed fees for the placement of pupils normally resident in the area of the Council into schools operated by other education authorities;
16. Authorised to exercise, at his/her discretion, the powers available to the Council as Education Authority in relation to the exclusion of pupils from schools;
17. Authorised to exercise discretionary power available in implementation of conditions of service in relation to teachers in the Council's employment, following consultation with the Head of Organisational Development, Policy & Communications;
18. Authorised, in consultation with the Head of Organisational Development, Policy & Communications, to grant paid leave of absence to enable teachers to undertake part-time or full-time courses approved by him/her, provided such leave of absence does not give rise to or increase the incidence of part-time education in schools;
19. Authorised to exercise the duties and responsibilities of the Council as Education Authority under the Children and Young People (Scotland) Act 2014;
20. Authorised in an emergency or in cases of urgency to instruct the temporary closure of any or all Council educational establishment(s) provided every reasonable step has been undertaken to consult with the Corporate Director Education, Communities & Organisational Development and the Chief Executive.
21. Authorised to exercise the functions of the Education Authority in relation to the irregular attendance of pupils at schools under the Authority's management all in terms of Sections 36 to 41 of the Education (Scotland) Act 1980, after appropriate consultation.

Directorate Education, Communities & Organisational Development

Officer: Head of Culture, Communities & Educational Resources

Delegation:

- 1 Authorised to determine applications for the provision of footwear and clothing for pupils at public schools, in terms of Section 54 of the Education (Scotland) Act 1980 outwith the guidelines approved by the Council;
- 2 Authorised to exercise the power to disregard parental income, in part or in total, where the parents of the students are divorced or living apart;
- 3 Authorised to amend the levels of tuition fees, examination expenses, dependant's allowances, maintenance allowances and contribution scales;
- 4 Authorised to issue licences in terms of the Children (Performances and Activities) (Scotland) Regulations 2014;
- 5 Authorised to increase, in cases of hardship and at his/her discretion, the amount of grant awarded to school pupils attending any part-time approved arts activities courses, all in accordance with current Council Policy;
- 6 Authorised to satisfy himself/herself that dance, music, drama, and other arts courses are at an establishment accredited by the approved material body and that support for them is reasonable. Grants to be awarded to pupils attending such courses shall be in accordance with current Council Policy;
- 7 Authorised to incur costs and pay fees for the transport of pupils placed by the Council:-
 - (a) in schools outwith the area;
 - (b) for pupils attending all special schools, units and establishments in the Council's area; and
 - (c) for pupils where there is a medical or special educational need who attend any school operated by the Council.
- 8 Authorised to exercise discretionary powers in terms of Section 37 of the Standards in Schools etc. Act 2000 to provide transport for children receiving pre-school education;
- 9 Authorised to exercise the functions of the Council in terms of Section 51 (1) of the Education (Scotland) Act 1980 to make such arrangements as considered necessary to fulfil the statutory obligation for the provision of free school transport;
- 10 Authorised to grant or refuse requests for access to and amendment of records in terms of the Pupils Educational Records (Scotland) Regulations 2003, subject to the requirement of the Data Protection Act 2018;
- 11 Authorised to make payments for the education provision of children attending residential establishments who are looked after in terms of the Children (Scotland) Act 1995;
- 12 Authorised to pay appropriate fees for the education provision of children normally resident in the Council's area placed in residential establishments under a supervision order made by a children's hearing;
- 13 Authorised to make emergency grants to Voluntary Organisations, up to a limit of £10,000 subject to budget availability;

- 14 Authorised to implement, apply and enforce Management Rules relating to Sports Centres, Leisure Complexes, Swimming Pools, Athletic Stadiums, Tennis Courts, Golf Courses, Bowling Greens, Community Centres, Tenants' Halls and all other facilities within the remit of the Corporate Director Education, Communities and Organisational Development;
- 15 Authorised to ensure that requisite provision is made for any pupil entitled in terms of Section 53 (3) of the Education (Scotland) Act 1980 to receive refreshment in the middle of the day;
- 16 Authorised to make temporary loans of archival material for submission and research and to accept private archives which may be offered to the Council.
- 17 Authorised to make arrangements for the publishing of the Council's annual asset transfer report in terms of section 95 of the Community Empowerment (Scotland) Act 2015.

Directorate **Education, Communities & Organisational Development**

Officer: **Head Teachers**

Delegation:

- 1 Authorised to carry out the specific functions and responsibilities delegated to them in terms of (a) the Delegated Management of Resources Scheme and (b) the Pupil Equity Funding Scheme, as approved by the Council and the Scottish Ministers;
- 2 Authorised to carry out the function delegated to them by the Scottish Ministers in accordance with duties outlined in the document "A Teaching Profession for the 21st Century" and conditions of service;
- 3 Authorised to exclude pupils in terms of the Council's policy and in accordance with the relevant statutory provisions.
- 4 Authorised to make grants to pupils from schools within the Council area or who are normally resident within the Council area, who are elected to join worthy musical or sports organisations, in respect of fees for attendance at course related to their membership of the organisation.

Directorate Education, Communities & Organisational Development

Officer: Head of Organisational Development, Policy & Communications

Delegation:

- 1 Authorised to instruct the immediate implementation of any Circular from any officially recognised body which allows no discretion to the Council;
- 2 Authorised, subject to the approval of the Chief Executive, to approve appointments of temporary staff where considered necessary, subject to six monthly review;
- 3 Authorised, subject to the approval of the Chief Executive and after consultation with the Chief Financial Officer, to approve requests by the Chief Executive, Corporate Directors, Directors, or Heads of Service for the establishment of temporary posts, up to Chief Officer level and to establish Chief Officer posts after consultation with the appropriate convener;
- 4 Authorised, subject to the approval of the Chief Executive, to approve requests by the Chief Executive, Corporate Directors, Directors, or Heads of Service for the secondment of employees to external agencies where the cost of the secondment is recoverable from the external agency and to approve the appointment where necessary of a temporary replacement for the duration of the secondment;
- 5 Authorised to consider and determine applications for extension of leave for overseas visits from employees who have not completed the necessary period of continuous service in terms of the Council's Conditions of Service;
- 6 Authorised to approve, in conjunction with the appropriate Head of Service, special leave with or without pay where the period of leave is in excess of the provisions of the Council's Conditions of Service;
- 7 Authorised to approve, in conjunction with the appropriate Head of Service, unpaid leave of absence for employees to undertake courses of further education and to approve where necessary, temporary replacements for the duration of the absences;
- 8 Authorised to grant, in accordance with the guidelines approved by the Policy & Resources Committee, unpaid leave of absence, up to a maximum of two years, to enable employees to undertake voluntary service with a voluntary organisation and to approve where necessary, temporary replacements for the duration of the absence;
- 9 Authorised in exceptional cases where the five years' service rule is not met, to approve, at the request of a Corporate Director, Director or Head of Service, an extension to a holiday period but without pay;
- 10 Authorised to approve changes in post designations, with the exception of Chief Officer posts, where there is no change in salary grade, in consultation with the appropriate Head of Service;
- 11 Authorised in consultation with the appropriate Chief Officer:-
 - (a) to approve initial placing within approved salary grades; and
 - (b) to review salary placing in appropriate circumstances, within approved salary grades in conformity with accepted practice;
- 12 Authorised to exercise the discretionary powers available in implementation of the conditions of service in respect of all employees in the employment of the Council;

- 13 Authorised, after consulting with the Chief Financial Officer and the Head of Legal, ~~and Democratic, Digital & Customer~~ Services, to approve ex gratia payments or advance of salary to employees where the circumstances are not covered by the Council's Scheme of Conditions of Service;
- 14 Authorised, subject to the approval of the Chief Executive and after consultation with the Chief Financial Officer, to establish posts and to set and amend the grades of jobs, up to and including Grade 11, that are covered by the single status agreement in terms of the Scottish Joint Council (SJC) National Job Evaluation Scheme and with the procedures agreed by the Council up to but not including Chief Officer level;
- 15 Authorised, subject to the approval of the Chief Executive and after consultation with the Chief Financial Officer and the ~~Head of Legal, Democratic, Digital & Customer Services~~ Head of Legal and Democratic Services, to compromise Employment Appeal settlements where the interests of the Council and the requirements of best value can be demonstrated;
- 16 Authorised to approve and apply all matters which conform to the national conditions of service and local conditions of service of all categories of employees of the Council;
- 17 Authorised to apply national agreements and legislative requirements and where appropriate the amendment of local conditions of service and contracts of employment of employees unless there exists opposition to such changes from management, employees or trades unions or where such changes involve matters of principle or policy;
- 18 Authorised to pay salary and wages and to make associated arrangements for payment of Council paid employees;
- 19 In consultation with the Chief Executive and the Chief Financial Officer, to determine requests to introduce a Spend to Save scheme to 'buy out' inherited conditions and personal preservations.

Directorate **Health & Social Care Partnership**

Officer: **Chief Officer (Integration Joint Board)**

Delegation:

- 1 Authorised to take any action in connection with any function delegated or specified under the Integration Scheme between Inverclyde Council and NHS Greater Glasgow and Clyde, or otherwise conferred upon the Inverclyde Integration Joint Board or its constituent authorities by virtue of the Public Bodies (Joint Working) (Scotland) Act 2014, including but not limited to any function directed to any of them by the Scottish Ministers.

Directorate **Health & Social Care Partnership**

Officer: **Chief Social Work Officer**

Delegation:

- 1 Authorised to act as the proper officer in terms of Section 3 of the Social Work (Scotland) Act 1968;
- 2 Authorised to carry out the functions of the Council under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 (as amended) and subsequent legislation;
- 3 Authorised to carry out the functions of the Council in terms of the following sections of the Social Work (Scotland) Act 1968:-
 - (a) Section 12, under which the Council is required to promote social welfare by making available advice, guidance and assistance on such a scale as may be appropriate for its area, including authority to (i) make grants in accordance with the Policy approved by the Council up to a limit of £1,300 in any one month in respect of any one family, and (ii) give any other appropriate assistance, including provision for the storage of furniture in cases of emergency;

 In calculating the amount given or loaned for the purposes of this provision, account shall be taken of any additional payment made in terms of Section 12, otherwise authorised by the Council. Further, with respect to such grants, the Chief Social Work Officer is empowered to abate or waive loan repayments to avoid hardship according to personal and financial circumstances of the client in accordance with guidelines agreed with the Chief Financial Officer;
 - (b) Section 13, under which the Council may assist in the disposal of the produce of work undertaken by persons in need;
 - (c) Section 14, under which the Council is required to provide home help and laundry facilities for persons in need, etc. Any charge for the provision of such facilities shall be recovered by the Chief Social Work Officer on the appropriate scale as may be determined by the Council;
 - (d) Section 28, which empowers the Council to make arrangements for the burial or cremation of any person who was in the care of or was a child being looked after by, or was receiving assistance from, the Council at their date of death and to recover where appropriate any expenses so incurred which are not recoverable under the National Insurance Act 1965;
 - (e) Section 29, which empowers the Council to pay the expenses incurred by a parent, relative or other person visiting a person in the care of the Council, or incurred in attending the funeral of a person who was in the care of, or was receiving assistance from the Council, if it appears that the parent or relative or other person would otherwise be caused unnecessary hardship in making the visit and that the circumstances warrant the making of the payment;
 - (f) Section 80, with respect to contribution orders relating to any maintainable child looked after by the Council;
- 4 Authorised to arrange or assist in arranging holidays, including holidays abroad or other temporary absences from the area, of any child being looked after by the Council, except in those cases where the cost to the Council is in excess of £1,000;
- 5 Authorised to carry out the functions of the Council under Section 48 of the National Assistance Act 1948 in relation to the temporary storage of furniture in certain circumstances on behalf of certain persons;

6 Authorised (i) to appoint a sufficient number of Mental Health Officers in terms of Section 32 of the Mental Health (Care and Treatment) (Scotland) Act 2003, and (ii) to carry out the functions of the Council under the said Act;

7 Authorised to carry out the functions of the Council in relation to the following sections of the Children (Scotland) Act 1995:-

- (a) Section 31, which places a duty on the Council to review the cases of looked after children within the recommended statutory intervals;
- (b) Section 38 which empowers the Council to provide refuge for a relevant period in a residential establishment or a designated household for a child or young person who appears to be at risk of harm and who has made such a request;
- (c) Section 36 which places a duty on the Council to consider the welfare of children in hospitals and nursing homes where the child has had no parental contact for 3 months or more;
- (d) Section 17, which places a duty on the Council, where a child is looked after by the Council:-
 - (i) to safeguard and promote the child's welfare (which in the exercise of this duty shall be the Council's paramount concern);
 - (ii) to make such use of services available for children cared for by their own parents as appear to the Council to be reasonable;
 - (iii) to take steps to promote contact on a regular basis between the child and any person having parental responsibilities for the child;
 - (iv) to provide advice and assistance to a looked after child to prepare the child for when he/she is no longer looked after by the Council;
 - (v) in making any decision in relation to a child, to ascertain and have regard to the views of the child, the child's parents, any person having parental responsibilities and any other person whose views the Council considers relevant; and
 - (vi) to have regard to the child's religious persuasion, racial origin and cultural and linguistic background;
- (e) Section 22, which imposes a duty on the Council to safeguard and promote the welfare of children in their area who are in need and so far as is consistent with that duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to the child's needs, including authority to:-
 - (i) make grants in accordance with the Policy approved by the Council up to a limit of ~~£1,300~~£1,3000 in any one month in respect of any one family;
 - (ii) give any other appropriate assistance;

In calculating the amount given for the purposes of this provision, account shall be taken of any additional payment made in terms of Section 22, otherwise authorised by the Council;

- (f) Section 23, which places a duty on the Council to ensure that services provided by the Council minimise the effects of disability on any disabled child who is within the Council's area and similarly with any child who is adversely affected by the disability of any other person in his/her family, and also imposes a duty on the Council to carry out an assessment of the child to identify his/her needs;

- (g) Section 25, which imposes a duty on the Council to look after and accommodate, in certain circumstances, any child in need within their area;
 - (h) Section 26, which imposes a duty on the Council to provide accommodation and maintenance for a child who is looked after by boarding him/her out or maintaining him/her in a residential establishment, or making such other arrangements which appear to be appropriate;
 - (i) Section 29(1), which imposes a duty of after care in respect of any child over school leaving age but not yet 19 years of age who was in the care or looked after at the time when he/she ceased to be of school age or any subsequent time but is no longer looked after. This function is only exercisable in accordance with Notes of Guidance approved by the Council;
 - (j) Section 30, which empowers the Council to grant financial assistance to persons over school age but under 21 who are now, or at any time since ceasing to be of school age have been, in the care of or looked after by the Council, to enable them to meet expenses in connection with their education or training. This function is exercisable only in accordance with Notes of Guidance approved by the Council;
 - (k) Section 32, which empowers the Council to remove any child from a residential establishment;
 - (l) Section 76(1), which allows the Council to make application to exclude any named person from the child's household where it is believed that the child has suffered or is suffering or is likely to suffer significant harm;
- 8 Authorised to carry out all of the relevant functions of the Council in terms of the Children's Hearings (Scotland) Act 2011, and without prejudice to the foregoing generality:-
- (a) In terms of Section 60, to make all necessary enquiries and provide the Principal Reporter with information where he/she believes that compulsory measures of supervision may be necessary;
 - (b) In terms of Section 83, to give effect to a Compulsory Supervision Order and any of the measures specified therein, made by a Children's Hearing for the Council's area;
 - (c) In terms of Section 86, to give effect to an interim Compulsory Supervision Order;
 - (d) In terms of Section 114, to give effect to a Compulsory Supervision Order and any of the measures contained therein, made by a Children's Hearing for the Council's area;
 - (e) In terms of Section 131, to seek a review by a Children's Hearing of the Compulsory Supervision Order in certain circumstances;
 - (f) In terms of Section 143, to arrange for the transfer of a child where necessary;
 - (g) In terms of Section 35, to instruct the Head of Legal, Democratic, Digital & Customer and Democratic Services to apply to the court for a Child Assessment Order where necessary;
 - (h) In terms of Section 37, to make an application to court for a Child Protection Order where necessary;
- 9 Authorised to carry out the relevant functions of the Council in relation to the adoption of children and Permanence Orders in terms of the Adoption and Children (Scotland) Act 2007;

- 10 Authorised to carry out the functions of the Council in relation to the fostering of children in terms of any regulations promoted under Section 5(2) to 5(4) of the Social Work (Scotland) Act 1968, Sections 17(2) and (3), 31 and 103(2) and (3) of the Children (Scotland) Act 1995 and Sections 110 and 117 of the Adoption and Children (Scotland) Act 2007;
- 11 Authorised, following the appointment to the Council of a Foster Panel in terms of Regulation 17 of the Looked After Children (Scotland) Regulations 2009 to carry out the remaining functions of the Council as the local authority under the Regulations;
- 12 Authorised, following the appointment of an Adoption Panel in terms of Regulation 3 of the Adoption Agencies (Scotland) Regulations 2009, to carry out the remaining functions of the Council as the local authority under the Regulations;
- 13 Authorised to consider and determine recommendations by the Adoption and Foster Review Panels in reviewing original decisions made in connection with fostering and adoption matters;
- 14 Authorised to consider and determine recommendations by the Adoption Panel for assistance with legal fees (up to an amount considered reasonable by the Head of ~~Head of Legal, Democratic, Digital & Customer~~Legal and Property Services) and medical expenses;
- 15 Authorised, after consultation with the ~~Chair~~Chair and Vice ~~Chair~~Chair of the ~~Social Work & Social Care Scrutiny Panel~~Health & Social Care Committee and a member of the ~~Minority Group (being that group of Members which does not form the ruling Administration of the Council, or the largest Minority Group should there be more than one)~~, to make payment to foster carers, in terms of Section 26 of the Children (Scotland) Act 1995, of special fostering allowances up to a maximum of double the ordinary allowance, considered necessary to avoid hardship to a family in financing the construction of additional accommodation required to provide for the foster child/ren concerned;
- 16 Authorised to exercise the powers conferred on the Council by the Curators ad Litem and Reporting Officers (Panels) (Scotland) Regulations 2001 with regard to the appointment of persons to Panels of Curators ad Litem and Reporting Officers in connection with proceedings under the Adoption and Children (Scotland) Act 2007;
- 17 Authorised to carry out the relevant functions of the Council in relation to the Adults with Incapacity (Scotland) Act 2000;
- 18 Authorised to carry out the relevant functions of the Adult Support and Protection (Scotland) Act 2007;
- 19 Authorised to carry out the functions of the Council in terms of the Social Care (Self-directed Support) (Scotland) Act 2013 with regard to a person who is to choose (or has chosen) one of the options for self-directed support;
- 20 Authorised to carry out the relevant functions of the Council in terms of the Children and Young People (Scotland) Act 2014 as they relate to Corporate Parenting, After Care, Continuing Care, Kinship Care and Looked After Services;
- 21 Authorised to carry out the relevant functions of the Council in terms of the Carers (Scotland) Act 2016.
22. Authorised to carry out the relevant functions of the Council in terms of the Children (Scotland) Act 2020.

23. Authorised to carry out the functions of the Council in relation to the Looked After Children (Scotland) Amendment regulations 2021.

Directorate **Finance & Corporate Governance****Chief Executive**

Officer: **Chief Financial Officer (Section 95 Officer)**

Delegation:

- 1 Authorised to act as the Proper Officer in terms of the Local Government (Scotland) Act 1973, responsible for the administration of the financial affairs of the Council;
- 2 Authorised to act as the Proper Officer in terms of the Local Government (Scotland) Acts 1973 and 1975, the Abolition of Domestic Rates etc. (Scotland) Act 1987, the Local Government Finance Act 1992 and associated delegated legislation for all administrative functions including the preparation and issue of non-domestic rates notices, collection of non-domestic rates, receiving and settling claims for exemption from non-domestic rates, handling objections to non-domestic rates levels and the abatement, remission or repayment of non-domestic rates under the relevant rating provisions;
- 3 Authorised to act as the Proper Officer in terms of the Local Government Finance Act 1992 and associated delegated legislation for all administrative functions including the preparation and issue of Council Tax Notices, the collection of Council Tax, the handling of objections to assessments and the exemption, abatements or remission of charges;
- 4 Authorised to act as the Proper Officer for the completion of certificates in terms of Section 92 of the Local Government (Scotland) Act 1973 (transfer of securities);
- 5 Authorised to make the necessary arrangements for duly authorised borrowing by all means specified in Schedule 3 of the Local Government (Scotland) Act 1975, subject to any and all statutory limitations;
- 6 Authorised to apply for the necessary consents for the issue of Stock and Foreign borrowing in terms of the Local Government (Scotland) Acts 1973 and 1975 and any and all regulations made thereunder;
- 7 Authorised to ensure a placing with the Bank of England relative to Negotiable Bonds;
- 8 Authorised to act as Registrar of Stocks, Bonds and Mortgages, except for Negotiable Bonds and to appoint, if required, any United Kingdom or foreign bank as Registrar of Stocks, Bonds and Mortgages raised either within or without the United Kingdom and whether in sterling or a foreign currency;
- 9 Authorised to authorise the signature of cheques on behalf of the Council;
- 10 Authorised to carry out temporary investment of surplus funds by making deposits with organisations approved by the Council;
- 11 Authorised to enquire into the financial standing of any tenderer, prospective tenderer or provider of services to the Council;
- 12 Authorised to take out and maintain at an appropriate and adequate level any and all insurances necessary to protect the interests of the Council;
- 13 Authorised to make arrangements with insurance companies concerning the settlement of claims;
- 14 Authorised to exercise the Council's option to tax, under and in accordance with the Value Added Tax (VAT) law in relation to supplies of land and property;
- 15 Authorised to lodge objections on behalf of the Council with respect to applications for licences in terms of the Licensing (Scotland) Act 2005 and Civic Government (Scotland) Act 1982;

- 16 Authorised to approve car loans, in line with the Council's approved scheme, up to a maximum limit of £10,000;
- 17 Authorised to make appropriate changes to Treasury Management Practices to reflect changes in organisational structures, bankers, treasury consultants, technology or credit worthiness selection methodology;
- 18 Authorised to execute letters of grant from outside bodies and agencies on behalf of the Council, in consultation, where appropriate, with the Head of Legal, Democratic, Digital & Customer Legal Services;
- ~~19 Authorised to support the Council's Data Protection Officer through ICT provision and review;~~
- ~~20 Authorised, subject to the Council's Standing Orders Relating to Contracts and the Council's Financial Regulations, to support the Council's ICT provision and where necessary to enter into agreements with the appropriate bodies for the provision of facilities from external organisations.~~

Directorate Finance and Corporate Governance Chief Executive

Officer: ~~Head of Legal, Democratic, Digital & Customer Services Head of Legal and Democratic Services (Monitoring Officer)~~

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Delegation:

- 1 Authorised to act as the Monitoring Officer in terms of Section 5 and 5A of the Local Government and Housing Act 1989 and as Proper Officer in terms of Section 2 of the said Act;
2. Authorised to act as the Proper Officer in terms of Section 235(3) of the Local Government (Scotland) Act 1973 and to sign all deeds, and other documents which require to be sealed with the Common Seal of the Council in terms of Section 235(3) of the Local Government (Scotland) Act 1973, other than Stock Certificates, Bonds and Mortgages;
3. Authorised to act as Proper Officer in terms of Sections 33A, 34, 43 and Schedule 7, 50A (-2), 50(C-) (2), 50 (F) (-2) and 231 of the Local Government (-Scotland-) Act 1973, and otherwise in relation to the arrangements for the conduct of business arising at any meeting of the Council or its Committees, Boards or sub-Committees;
4. Authorised to act as Proper Officer in terms of Section 33A of the Local Government (Scotland-) Act 1973 (-Declaration of Acceptance of Office), Section 7 of the Ethical Standards in Public Life etc (-Scotland-) Act 2000 (-Register of Members Interests-) and the relevant provisions of the Local Government (Scotland) Act 2004;
- 5 Authorised to sign missives, contracts and similar documents, binding the Council;
- 6 Authorised to engage private legal firms to carry out legal work on behalf of the Council, in appropriate instances;
- 7 Authorised to appoint Counsel to act for the Council in appropriate instances and to seek Counsel's Opinion;
- 8 Authorised to appoint Parliamentary Agents;
- 9 Authorised to discharge the Council's functions in relation to any type of judicial and quasi-judicial proceedings and in that regard, to initiate, enter, defend, settle and withdraw from such proceedings;
- 10 Authorised, after consultation with the Chief Social Work Officer, to seek leave to enter and oppose applications to the Sheriff under Section 11 of the Children (Scotland) Act 1995, seeking Parental Rights and Responsibilities, Residence, Contact and other Orders competent under the said section;
- 11 Authorised to make applications to the Sheriff under Section 35 of the Children's Hearing (Scotland) Act 2011 seeking Child Assessment Orders;
- 12 Authorised to make applications to the Sheriff under Section 37 of the Children's Hearing (Scotland) Act 2011 seeking a Child Protection Order;
- 13 Authorised to make applications to the Sheriff under Section 76 of the Children (Scotland) Act 1995 seeking Exclusion Orders;
- 14 Authorised to carry out the Council's functions in terms of Sections 80 & 81 of the Social Work (Scotland) Act 1968, as amended, relating to the raising and enforcing of actions for aliment with respect to any maintainable child looked after by the Council for whom an affiliation order has been made;

- 15 Authorised to carry out the Council's functions in terms of Section 82 of the Social Work (Scotland) Act 1968, as amended, regarding the recovery of arrears of contributions due in terms of Sections 80 and 81 of the said Act;
- 16 Authorised to make applications to the Sheriff under Sections 53, 57 and 60 of the Adults with Incapacity (Scotland) Act 2000 seeking Intervention and Guardianship Orders and orders for renewal of same; also to make application under Section 20 of the Act where appropriate in relation to Attorneys;
- 17 Authorised to make applications to the Sheriff under Section 80 of the Adoption and Children (Scotland) Act 2007, seeking Permanence Orders and Permanence Orders with Authority to Adopt and applications under Sections 92, 93, 98 and 99 seeking to vary, amend and revoke the said orders;
- 18 Authorised to make applications to the Sheriff under Sections 11, 14 and 19 of the Adult Support and Protection (Scotland) Act 2007 for Assessment, Removal and Banning Orders respectively. Also the right to vary or recall said Removal and Banning Orders in terms of Sections 17 and 24 of the said Act;
- 19 Authorised to represent the Council at any Judicial or Quasi-Judicial Hearing under the Mental Health (Care and Treatment) (Scotland) Act 2003;
- 20 Authorised, after consultation with the ~~Interim~~ Corporate Director Environment and Regeneration and the Chief Constable, to make and execute on behalf of the Council, orders under Section 63 of the Civic Government (Scotland) Act 1982, together with the relevant provisions adopted under the Public Order Act 1986 and the Police, Public Order and Criminal Justice (Scotland) Act 2006;
- 21 Authorised to settle claims arising in terms of the Land Compensation (Scotland) Act 1973, in respect of Home Loss and Disturbance Payments following compulsory acquisitions and also to settle any discretionary payments arising from acquisitions by voluntary agreement, providing that the statutory requirements have been met;
- 22 Authorised to appoint the Council's Data Protection Officer and to be the line manager thereof so that advice on all relevant Data Protection legislation, including the provision of advice on all issues which involve the protection of personal data, is available to the Council;
- 23 Authorised to act as the Proper Officer in terms of Section 190 of the Local Government (Scotland) Act 1973, for the receipt of notices of any legal proceedings served on the Council and for the receipt of any notice, order or other document required or authorised by any Act to be sent, delivered or served to or upon the Council or to the Proper Officer thereof;
- 24 Authorised to act as the Proper Officer in terms of the Local Government (Access to Information) Act 1985 for the purpose of determining, prior to a meeting, whether documents should be made available to the public;
- 25 Authorised to exercise the following powers relative to the Civic Government (Scotland) Act 1982:-
 - (a) To determine all applications for licences where no objections have been lodged, there are no unusual features about the application and, in the case of applications for Taxi/Private Hire Car Drivers' Licences, no adverse medical report has been received;
 - (b) With the exception of Taxi Operators' Licences, to accept and deal with all applications for renewal which are lodged late, providing he/she is satisfied that such failure is the result of inadvertence on the part of the applicant;

- (c) To determine applications for surrender of a Taxi Licence and grant of a new licence to a named third party where (i) no objections have been lodged, (ii) the present licence-holder has consented and (iii) there are no unusual features about the application;
- (d) To exercise the following discretions:
 - (i) discretion in terms of Paragraph 3(2) of Schedule 1 to the Act;
 - (ii) discretion in terms of Paragraph 8(3) of Schedule 1 to the Act (with respect only to Taxi/Private Hire Car Operators' Licences and licences involving premises);
 - (iii) admission of spent convictions as matters to be considered by the Council in determining applications;
- (e) To determine applications for Temporary Public Entertainment Licences for customary sites (including those to which objections have been lodged) and to impose such conditions as he/she deems appropriate;
- (f) To appoint authorised officers to inspect and test vehicles intended to be operated or being operated as taxis or private hire cars;
- (g) To carry out preliminary consultations as necessary with respect to reviewing taxi fare scales and other charges;
- (h) With respect to licences involving premises, to process requests to vary the identity of the licence-holder of the premises;
- (i) With respect to Street Traders' Licences, to determine applications for variations relating to the vehicle or range of goods pertaining to the licence;
- (j) With respect to Boat Hirers' Licences, to determine, in consultation with the Chief Financial Officer, the level of fees for inspection of the vessel or vessels to which the licence pertains;
- (k) To suspend a licence on a temporary basis following consultation with the Convener and the Vice-Convener of the General Purposes Board and a Member of the Minority Group (being that group of Members which does not form the ruling Administration of the Council) or the largest Minority Group should there be more than one;
- (l) To decide, whether on the basis of a formal complaint or not, that a licence-holder be called before the General Purposes Board for consideration, as to whether a licence should be suspended in terms of Paragraph 11 of Schedule 1 to the Act;

26 Authorised, with respect to Public Charitable Collections:-

- (a) To grant applications where (i) the Chief Constable has no objection; (ii) the applicant has no convictions; (iii) the dates do not clash with dates already allocated to other organisations; and (iv) there are no unusual features about the application;
- (b) Where the Chief Constable has lodged an objection or there is some other unusual feature about the application, authorised to determine the application in consultation with the Convener and Vice-Convener of the appropriate Committee and a Member of the Minority Group (as above) or the largest Minority Group should there be more than one;

- (c) Where the date requested by an applicant clashes with dates already allocated, authorised to determine the application;
- 27 Authorised to determine applications for Registration of a Society in terms of the Gambling Act 2005 where no objections have been lodged and there are no unusual features about the application;
- 28 Authorised, except where power is delegated hereunder to another Officer, to execute on behalf of the Council all orders made under the Civic Government (Scotland) Act 1982;
- 29 Authorised, following consultation with the Chief Constable, to determine applications for Public Processions made under the Civic Government (Scotland) Act 1982, and subsequent legislation adopted thereby;
- 30 Authorised to determine applications in respect of minibus permits under the Transport Act 1985;
- 31 In terms of the Safety of Sports Grounds Act 1975, in consultation with the Chief Constable, the Chief Officer, Scottish Fire & Rescue, the ~~Interim~~ Director of Environment and Regeneration- and the Head of Regeneration, Planning & Public Protection ~~Head of Environmental and Public Protection:-~~
- (a) Authorised, after appropriate consultation, to issue prohibition orders under Section 10(1); and
- (b) Authorised to exercise the powers of an authorised person under Section 11;
- 32 Authorised to determine applications in respect of Cinema Licences in terms of the Cinemas Act 1985, where no objections have been lodged and there are no unusual features about the application;
- 33 Authorised to determine applications for registration in terms of the Performing Animals (Regulation) Act 1925, where no objections have been lodged and there are no unusual features about the application;
- 34 Authorised to conduct reviews in respect of decisions on requests in terms of the Freedom of Information (Scotland) Act 2002;
- 35 Authorised, with respect to property previously in the ownership of the Council to complete any necessary corrective or remedial conveyancing and, in connection with neighbouring landholdings, to conclude missives in respect of sales of small areas of ground for extensions to gardens or for the construction of garages or similar miscellaneous estates for environmental purposes;
- 36 Authorised to conclude missives in respect of the acquisition of land and/or buildings required for any project in terms approved by the Council, in consultation with the Chief Financial Officer and Interim Head of Property Services
- 37 Authorised to make payment of Home Loss and Disturbance Payments in terms of the Land Compensation (Scotland) Act 1973 (as amended);
- 38 Authorised, in consultation with the Interim Head of Property Services, to settle all claims arising from the exercise of the Council's power to enter upon and take land in the discharge of its statutory powers including power to negotiate and settle claims arising in terms of the Land Compensation (Scotland) Acts 1963 and 1973 and to settle any discretionary payments arising;
- 39 Authorised, in consultation with the Interim Head of Property Services, where land and/or property have been or are declared surplus to the Council's requirements, to agree terms and conditions, conclude missives and execute deeds for and on behalf of the Council in relation to the disposal of such land and property up to the value of £50,000, subject to

the condition that he/she maintains a Register of all transactions so dealt with, which Register shall be available for inspection by Members;

- 40 Authorised, in consultation with the Interim Head of Property Services, to approve the terms and conditions of, and to conclude missives for and to enter into (i) leases or licences to occupy by or to the Council for periods not exceeding one year (ii) the renewal of such leases or licences to occupy in circumstances considered necessary and appropriate; and (iii) the variation, renunciation or otherwise termination of such leases or licences to occupy.
- 41 Authorised under Section 19 (5), of the Civic Government (Scotland) Act 1982, after consultation with the local Elected Members, to approve proposals for taxi stances;
- 42 Authorised, in consultation with the interim Head of Property to conduct consultations required in terms of the Town and Country Planning (Scotland) Act 1959 and the Community Empowerment (Scotland) Act 2015 in respect of any proposals involving disposal, appropriation and/or change of use of relevant land.
- 43 Authorised to take such measures as are necessary to protect the Council's interests should a community body register an interest in any Council property in the register held by the Scottish Government under the Land Reform (Scotland) Act 2003;
- 44 Authorised, where there are no maintained objections to any proposed Traffic Regulation Order, to make such Order.
- 45 Authorised, where there are no maintained objections to any proposed Redetermination Order, to make such Order, in terms of The Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986;
- 46 Authorised, where there are no maintained objections to any proposed Speed Limit Order, to make such Order, in terms of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999;
- 475 Authorised to act as Clerk to the Inverclyde Licensing Board in terms of the Licensing (Scotland) Act 2005;
- 48 Authorised to support the Council's Data Protection Officer through ICT provision and review;
- 49 Authorised, subject to the Council's Standing Orders Relating to Contracts and the Council's Financial Regulations, to support the Council's ICT provision and where necessary to enter into agreements with the appropriate bodies for the provision of facilities from external organisations;
- 50 Authorised to determine, in consultation with the Chair of the General Purposes Board, the manner in which a hearing is held in respect of civic licensing matters, in terms of the Coronavirus (Recovery and Reform) (Scotland) Act 2022;
- 51 Authorised to carry out the Council's functions in relation to the Marriage (Scotland) Act 2002 with respect to the approval of places in which civil marriages may be solemnised.

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Directorate Environment & Regeneration

Officer: Interim Head of Property Services

Delegation:

- 1 Authorised, in conjunction (where appropriate) with the ~~Interim~~ Director, Environment & Regeneration, to carry out the following functions of the Council in terms of the Coast Protection Act 1949:
 - (a) Under Section 4, to enter into an agreement with any other person for the carrying out by that person or the Council of any coast protection work which the Council has the power to carry out;
 - (b) Under Section 5, to arrange for the publication of notices relating to proposed works in local newspapers and the serving of like notices on affected harbour and other relevant authorities;
 - (c) Under Section 8, to arrange for the publishing of notices relating to works schemes and the serving of like notices on affected harbour authorities;
 - (d) Under Section 12, to serve notice on owners of land where protection works are required;
- ~~(e)~~ ~~(e)~~ Under Section 25, in relation to the authorisation of persons taking entry to land for the purposes specified therein;
- 2 Authorised to carry out the functions of the Council under the Reservoirs Act 1975;
- 3 Authorised for operational and other property projects in terms of the Construction (Design & Management) Regulations 2015, in cases where the Council is appointed as client's Agent, Designer, Principal Designer, Principal Contractor and/or Contractor, to carry out the duties appropriate to each such appointment;
- 4 Authorised, in consultation with the ~~Interim~~ Director, Environment & Regeneration to allocate and apportion office accommodation between the Council's Services and to arrange for any required alterations or adaptations;
5. Authorised (except in the case of office accommodation being, or to be, used for Council purposes) in consultation with the Chief Financial Officer to arrange for any required alterations or adaptations (or scheduled maintenance) for the purpose of realising the service or commercial potential of property owned or leased by the Council;
6. Authorised to enter into wayleaves, servitudes and leases to statutory bodies and other providers of utility services who require rights over land for particular purposes;
7. Authorised to make arrangements for the implementation and monitoring and review of the Council's Corporate Asset Management Strategy in accordance with Council policy;
8. Authorised to establish, publish and maintain the register of land under section 94 of the Community Empowerment (Scotland) Act 2015;
9. Authorised to proceed with repairs to all operational and Learning Estate Management Pan properties;
- 10 Authorised in terms of the Community Empowerment (Scotland) Act 2015 to make arrangements for regulating the Council's responsibilities for promoting and maintaining allotments;

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- 11 With reference to all properties and land in the ownership of or leased by the Council, other than those in the Commercial and Industrial Portfolio, to:
 - 11.1 approve the terms and conditions of and to sign missives of lease or licences to occupy in respect of such properties for a period not exceeding one year, subject to all such transactions being recorded in a Register kept for that purpose by him/her which shall be available for inspection by Elected Members of the Council;
 - 11.2 agree the terms of and conclude missives in respect of assignments, variations or renunciations of leases or licences for such properties;
 - 11.3 agree the terms of and conclude any consents under leases or licences for such properties;
 - 11.4 terminate leases or licences of such properties at ish;
 - 11.5 in relation to such properties, where arrears of rent have arisen or any other term of a lease or licence has been breached, to enter into and terminate the lease or licence and to take any action necessary to secure possession of property and to recover rent arrears, subject to maintaining a Register of transactions so dealt with, which Register shall be available for inspection by Elected Members of the Council; and
 - 11.6 agree and document rental levels at review periods for leases of such properties.
12. Authorised, after appropriate consultation with such other services of the Council as he/she may decide as appropriate, to determine applications for consent for the temporary use of Clyde Square, Greenock and other civic spaces.
13. Authorised to appoint external professional advisers in connection with dilapidation assessments, rateable valuations and other issues where appropriate and necessary.

Directorate Environment, Regeneration & Resources

Officer: **Interim Director Environment and Regeneration**

Delegation:

- 1 Authorised to award business development grants, within the Council's Policies, up to a limit of £10,000 subject to availability of budget;
- 2 Authorised to award training grants to appropriate organisations and agencies within the Council's Policies, up to a limit of £10,000 subject to availability of budget;
- 3 Authorised to award rent abatement assistance to local companies, within the Council's Policies and following consultation with the Chief Financial Officer;
- 4 Authorised to determine all planning and related decisions within the scope of the Town and Country Planning (Scotland) Act 1997 as amended in relation to:-
 - (a) Part III Control over Development, in particular, but not restricted to, the determination of applications for planning permission and applications for consent, agreement or approval required by a condition imposed on a grant of planning permission;
 - (b) Part VI Enforcement;
 - (c) Part VII Special Controls – Trees, Amenity Notices, Advertisements;
 - (d) Part IX Roads, Footpaths & Rights of Way;
 - (e) Part X Statutory Undertakers;
 - (f) Part XIV Miscellaneous & General Provisions;
- 5 Authorised to determine all planning and related decisions within the scope of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in relation to:-
 - (a) Part I Listed Buildings
Chapter 1 Sections 3 & 4 Building Preservation Notices;
Chapter II Authorisation of Works affecting Listed Buildings;
Chapter IV Enforcement;
Chapter V Prevention of Deterioration and Damage;
Sections 49 and 50 – Urgent Preservation;
Sections 51 and 52 – Grants for Repair and Maintenance;
Chapter VI - Sections 59 and 60 – Special considerations affecting Planning Functions;
 - (b) Part II Conservation Areas
Section 66 Conservation Area Consent;
Section 72 Grants for Repairing of Buildings in Town Schemes;
 - (c) Part III General
Sections 76 – 78 Miscellaneous Provisions;
- 6 Authorised to determine all planning and related decisions within the scope of the Planning (Hazardous Substances) (Scotland) Act 1997;
- 7 To determine applications for heritage fund and town scheme grants within the terms of the relevant Council policies;
- 8 Authorised to determine the street numbering of new properties;

- 9 Authorised to make all decisions and take all action required in connection with and consequent upon applications made for High Hedge Notices in terms of the High Hedges (Scotland) Act 2013 including the signing and service of Notices;
10. Authorised to determine applications for a planning certificate in terms of Section 50 of the Licensing (Scotland) Act 2005;
- 11 Authorised to respond to operational consultations from the Scottish Government, other local authorities, key agencies such as Historic Environment Scotland, the Forestry Commission, SEPA and other parties that concern matters relating to land use planning and/or the use of land which are considered to impact on the Council area;
- 12 Authorised to determine all Building Standards matters and related decisions within the scope of the Building (Scotland) Acts 1959 and 2003 in relation to:
 - (a) Part 2 - all matters necessary in the assessment and approval of applications for Building Warrant Approval to secure the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings; further the conservation of fuel and power; and further the achievement of sustainable development;
 - (b) Part 2 - all matters necessary in the acceptance and rejection of completion certificate submissions including the requirement for statutory inspections in relation to reasonable enquiry for the above purpose;
 - (c) Part 3 - Compliance and Enforcement;
 - (d) Part 4 - Defective and Dangerous Buildings;
 - (e) Part 5 - General in respect of procedural regulations, reports and information under Section 34 to the Building Standards Division of the Directorate of the Built Environment of the Scottish Government;
 - (f) Part 6 - Supplementary and Miscellaneous Provisions;
- 13 Authorised to issue consents for and carry out inspections on the erection of raised structures in terms of Section 89 of the Civic Government (Scotland) Act 1982;
- 14 Authorised to act as an authorised person under Section 11 of the Safety of Sports Grounds Act 1975 (power to enter and inspect a sports ground);
- 15 Authorised to enter and inspect certified sports grounds for the purposes of the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987 and all related and subordinate legislation;
- 16 Authorised to approve, in consultation with the [Head of Legal, Democratic, Digital & Customer Services](#)~~Head of Legal and Democratic Services~~, the amendment of any certificate granted in terms of the safety at sports grounds legislation;
- 17 Authorised to issue prohibition notices in terms of Section 10 of the Safety of Sports Grounds Act 1975 where he/she is of the opinion that the admission to a certified sports ground or any part will involve a risk so serious that, until steps are taken to reduce capacity to a reasonable level, admission of spectators ought to be prohibited;
- 18 Authorised to approve the amendment of any certificate granted in terms of the safety at sports grounds legislation;
- 19 Authorised to approve the transfer of the certificate to another qualified person responsible for the management of a certified sports ground in terms of Section 4 of the Safety of Sports Grounds Act 1975;

- 20 Authorised to approve and record any deviation from the standards set out in the Guide to Safety at Sports Grounds setting out the justification for the deviation;
- 21 Authorised to maintain all records in relation to the annual and other inspections of certified sports grounds carried out by the [Head of Regeneration, Planning & Public Protection](#)~~Head of Regeneration & Planning~~, the Chief Constable and the Chief Officer, Scottish Fire and Rescue Service
- 22 Authorised to fix the annual date for the inspection of any certified sports ground;
- 23 With reference to all properties in the Commercial and Industrial Portfolio, authorised to:
- 23.1 approve the terms and conditions of and to sign missives of lease or licences to occupy in respect of such properties in the ownership of the Council for a period not exceeding one year, subject to all such transactions being recorded in a Register kept for that purpose by him/her which shall be available for inspection by Elected Members of the Council;
 - 23.2 to grant leases in respect of such properties in the ownership of the Council at market value for periods up to 5 years in respect of property with rentals of up to £25,000 per annum, subject to the condition that he/she maintains a Register of transactions so dealt with, which Register shall be available for inspection by Elected Members of the Council;
 - 23.3 agree the terms of and conclude missives in respect of assignments, variations or renunciations of leases or licences for such properties
 - 23.4 agree the terms of and conclude any consents under leases or licences for such properties;
 - 23.5 terminate leases or licences of such properties at ish; and
 - 23.6 in relation to such properties, where arrears of rent have arisen or any other term of a lease or licence has been breached, to enter into and terminate the lease or licence and to take any action necessary to secure possession of property and to recover rent arrears, subject to maintaining a Register of transactions so dealt with, which Register shall be available for inspection by Elected Members of the Council;
 - 23.7 to agree rental levels at review periods for leases of such properties;
 - 23.8 to proceed with repairs to such properties.

Exceptions:

The above delegations are subject to the exception of the following categories of application, which are for decision by Elected Members, as follows:

To be determined by the Council:

- (a) national developments as specified in the National Planning Framework;
- (b) major developments which are significantly contrary to the local development plan;

To be determined by a Committee or Board of the Council:

- (a) which the Planning Authority decides to determine which would otherwise fall to be determined by a person appointed to do so under this scheme;
- (b) major developments as set out in the Schedule to the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009;
- (c) listed building consent for demolition of listed buildings and conservation area consent for demolition of a building in a conservation area where officers recommend approval contrary to Council policy;
- (d) advertisement consent where officers recommend approval contrary to Council policy;
- (e) the naming of new streets;
- (f) planning applications for planning permission within the category of local development and (b) applications for consent, agreement or approval required by condition imposed by a grant of planning permission for a development within that category under Section 43A of the Town and Country Planning (Scotland) Act 1997 when:-
 - (i) The approval of an application would be contrary to the approved Development Plan;
 - (ii) The approval of an application is the subject of letters of objection from 6 or more individuals and/or 2 community groups, including formally constituted groups comprising at least 10 members and community councils;
 - (iii) Applications are made by a Member of the planning authority;
 - (iv) Applications are made by employees of the Council's Regeneration and Planning Service.

Directorate Environment and Regeneration

Officer: ~~Interim Head of Regeneration, Planning & Public Protection~~
~~Director, Environment & Regeneration~~

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Delegation:

- 1 Authorised under Section 27 of the Food Safety Act 1990, to appoint and authorise a suitably qualified public analyst/s and food examiner/s to act for the Council for the purposes of the said Act;
- 2 Appointed as an authorised officer under Regulations 4 and 5 of the Public Health (Ships) (Scotland) Regulations 1971 (as amended) and authorised to carry out the duties required to ensure enforcement of the said Regulations;
- 3 Authorised to appoint and authorise suitably qualified inspectors for securing the proper exercise of those functions required of the Council in terms of the Public Health (Ships) (Scotland) Regulations 1971 (as amended), including the issue of Ships' Sanitation Certificates;
- 4 Authorised to act and appoint suitably qualified officers as Local Authority Competent Persons under the Public Health etc. (Scotland) Act 2008;
- 5 Authorised to appoint a suitably qualified and experienced Officer to act as Chief Inspector of Weights and Measures for the purposes of the Weights and Measures Act 1985;
- 6 Authorised to issue and/or renew licences under the Petroleum Acts and to issue and/or renew licences and certificates of registration and keep registers in respect of such legislation as may, from time to time, be delegated to him/her by the Council, in accordance with approved codes of practice and the statutory provisions relating thereto;
- 7 Authorised to appoint an Inspector and authorised Officers to exercise the powers and duties (including the powers of entry, inspection, sampling, purchase of goods and services, opening containers, seizure and initiating prosecutions, where appropriate) under such legislation as may from time to time be referred to him/her by the relevant Committee of the Council;
- 8 Authorised to appoint as Inspectors and authorised Officers for the purposes of the administration and enforcement of legislation referred to him/her by the relevant Committee of the Council such as he/she may deem necessary and appropriate;
- 9 Authorised to discharge the Council's functions under Section 19 of the Health & Safety at Work Act 1974 for the purposes of the enforcement of the Explosives Acts 1875 and 1923 (as amended) with respect to the licensing, registration and regulation of stores or registered premises where mixed explosives, including fireworks, are stored for sale;
- 10 Authorised to sign Suspension Notices under Section 14 of the Consumer Protection Act 1987;
- 11 Authorised to sign Notices under Section 94 of the Civic Government (Scotland) Act 1982;
- 12 Authorised to determine applications in respect of fireworks and mixed explosives licences under the Explosives Acts 1875 and 1923, where no objections have been lodged and there are no unusual features about the application;
- 13 Authorised to carry out the Council's enforcement powers, duties and obligations in relation to Decriminalised Parking Enforcement, including all enforcement provisions and functions of the Council in terms of the Road Traffic Regulation Act 1984 and the Road

Traffic Act 1991 both as modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Inverclyde Council) Designation Order 2014;

- 14 Authorised to appoint officers of the Council to act as Parking Attendants and Enforcement Officers in terms of all legislative and all local provisions and functions of the immediately preceding paragraph for the purposes of the following and without prejudice to the generality thereof: 1. The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) Order 2013; 2. The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013; 3. The Inverclyde Council (Various Roads) (Port Glasgow, Kilmacolm & Quarriers Village) (Waiting Restrictions) Order 2013; 4. The Inverclyde Council (Various Roads) (Gourock, Inverkip & Wemyss Bay) (Waiting Restrictions) Order 2013; 5. The Inverclyde Council (Off-Street Parking Places) Order 2013 and for any extension, modification, replacement or additions to the Council's approved parking strategy or traffic regulation orders or similar whatsoever and from time to time as may be in force and effect;
- 15 Authorised to carry out the functions of the Council in terms of the following sections of the Environmental Protection Act 1990:
- (i) Section 88 – under which the litter authority may appoint authorised officers to issue fixed penalty notices for littering;
- 16 Authorised to grant authorisations for directed (covert) surveillance permitted under Sections B6 and 7 of the Regulation of Investigatory Powers (Scotland) Act 2000;
- 17 Authorised to make, serve and revoke Closing Orders under the Housing (Scotland) Act 1987 in respect of Below Tolerable Standard properties;

~~Authorised to carry out the Council's functions in relation to the Marriage (Scotland) Act 2002 with respect to the approval of places in which civil marriages may be solemnised;~~

- 18 ~~Authorised to carry out the Council's powers, duties and obligations in respect of the Prevent Duty and the requirements relating to the Prevent Multi Agency Panel (PMAP), in terms of the Counter-Terrorism and Security Act 2015, with the Council's Single Point of Contact (SPOC) in respect of the said Prevent Duty being the Head of Regeneration Planning & Public Protection, subject to the submission of the Council's Prevent Annual Assurance Return being delegated to the Chief Executive in terms of Section C of this Scheme of Delegation;~~

- 19 Authorised to carry out the Council's powers, duties and obligations, including the powers of entry, inspection closure, sampling, service of notices, seizure and/or purchase of goods, gathering of information, taking of samples etc. in terms of the following Acts and all and any Regulations made thereunder and to appoint and authorise suitably qualified officers and inspectors to carry into effect the relevant statutory provisions contained within the said following Acts and all and any Regulations made thereunder:

Animal Boarding Establishments Act 1963;
Animal Health Act 1981;
Animal Health and Welfare (Scotland) Act 2006;
Animal Health and Welfare Act 1984;
Antisocial Behaviour etc. (Scotland) Act 2004;
Breeding of Dogs Act 1973;
Breeding of Dogs Act 1991;
Building (Scotland) Act 2003;
Cancer Act 1939;
Caravan Sites and Control of Development Act 1960;

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Children and Young Persons (Protection from Tobacco) Act 1991;
Chronically Sick and Disabled Persons Act 1970;
Civic Government (Scotland) Act 1982;
Clean Air Act 1993;
Climate Change (Scotland) Act 2009;
Companies Act 2006;
Consumer Credit Act 1974 (as amended);
Consumer Credit Act 2006;
Consumer Protection Act 1987;
Consumer Rights Act 2015;
Consumers, Estate Agents and Redress Act 2007;
Control of Dogs (Scotland) Act 2010;
Control of Pollution Act 1974;
Copyright, Designs and Patents Act 1988;
Customs and Excise Management Act 1979;
Dangerous Dogs Act 1991;
Dangerous Wild Animals Act 1976;
Development of Tourism Act 1969;
Dog Fouling (Scotland) Act 2003;
Dogs Act 1871;
Education Reform Act 1988;
Enterprise Act 2002;
Environmental Protection Act 1990;
Estate Agents Act 1979;
European Union (Withdrawal) Act 2018;
Explosives Acts 1875 and 1923;
Factories Act 1961;
Fair Trading Act 1973;
Fireworks Act 2003;
Fireworks and Pyrotechnic Articles (Scotland) Act 2022
Food and Environment Protection Act 1985;
Food Safety Act 1990;
Forgery and Counterfeiting Act 1981;
Guard Dogs Act 1975;
Hallmarking Act 1973;
Health and Safety at Work etc. Act 1974;
Housing (Scotland) Acts 1987, 2006 and 2010;
Knives Act 1997;
Licensing (Scotland) Act 2005;
Medicines Act 1968;
Motor Cycle Noise Act 1987;
Motor Vehicles (Safety Equipment for Children) Act 1991;
National Lottery etc. Act 1993;
Olympic Symbol etc. (Protection) Act 1995;
Performing Animals (Reg.) Act 1925;
Pet Animals Act 1951;
Petroleum (Consolidation) Act 1928;

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Petroleum (Transfer of Licences) Act 1936;
Poisons Act 1972;
Prevention of Damage by Pests Act 1949;
Prices Acts 1974 and 1975;
Property Misdescriptions Act 1991;
Public Health etc. (Scotland) Act 2008;
Refuse Disposal (Amenity) Act 1978;
Registered Designs Act 1949;
Sewerage (Scotland) Act 1968;
Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016;
Smoking, Health & Social Care (Scotland) Act 2005;
Telecommunications Act 1984;
Tobacco Advertising and Promotion Act 2002;
Tobacco and Primary Medical Services (Scotland) Act 2010;
Tobacco Products Duty Act 1979;
Trade Descriptions Act 1968;
Trade Marks Act 1994;
Unsolicited Goods and Services Acts 1971 and 1975;
Video Recordings Acts 1984, 1993 and 2010;
Water (Scotland) Act 1980;
Water Services etc. (Scotland) Act 2005;
Weights and Measures Act 1985;
Weights and Measures Etc. Act 1976;
Zoo Licensing Act 1981;
Coronavirus (Scotland) Act 2020.

Directorate Environment & Regeneration

Officer: Head of Shared Services Roads (Strategic Lead Wider Shared Services)

Delegation:

1. Authorised to have responsibility for the delivery of the integration of services and the strategic outcomes for the Partner Councils;
2. Authorised to have lead responsibility to each Council for the strategic planning and delivery of roads and transportation services and the development of further integrated services;
3. Authorised to make recommendations on strategic policy, recommend targets encompassing efficiencies and savings and to present service performance information to the Partner Councils and the Shared Services Joint Committee;
4. Authorised to have responsibility under the Council's Scheme of Delegation for service standards and performance relative to the Roads and Transportation functions to each Council;
5. Authorised to carry out the Council's powers, duties and obligations in relation to Decriminalised Parking except for enforcement (which latter responsibility is the delegated role of the Head of Regeneration, Planning & Public Protection~~Interim Head of Public Protection and COVID Recovery~~) but including all functions of the Council in terms of the Road Traffic Regulation Act 1984 and the Road Traffic Act 1991 both as modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Inverclyde Council) Designation Order 2014; including the promotion, review and variation of Traffic Regulation Orders, signage, statutory and other consultation and overall parking policy review;
6. Authorised to carry out the functions of the Council in terms of the following sections of the Environmental Protection Act 1990:
 - (a) Section 45 – under which (i) the Council is required to collect “controlled waste” and (ii) set reasonable charges for the collection of certain categories of waste;
 - (b) Section 46 – under which the Council has the power to specify the kind, number, size, construction, maintenance and placing of receptacles for the storage of household waste and the charging therefor;
 - (c) Section 47 – under which the Council has the power to specify the kind, number and construction and placing of receptacles for the storage of commercial waste and the charging therefor;
 - (d) Section 48 – relating to the deposit of controlled waste collected by the Council;
 - (e) Section 52 – under which the Council is required to pay recycling credits and/or waste disposal charges;
 - (f) Section 53 – relating to the functions of the Council in respect of (i) the disposal of waste collected by it, and (ii) the provision of civic amenity sites for the disposal of waste;
 - (g) Section 56 – under which the Council can (i) enable waste belonging to the Council to be recycled, or (ii) enable waste belonging to the Council to be used for the production of heat or electricity or both, or (iii) acquire waste for the purpose of its being recycled, or (iv) reuse, sell or dispose of waste belonging to the Council;

- h) Section 87 – under which a local authority, with a view to promoting litter abatement, may publicise the offence of littering and the associated level of fine liable on conviction;
- j) Section 90 – under which a litter authority can designate land as a litter control area;
 - (l) Section 99 – relating to abandoned trolleys and the exercise of powers to seize, remove, retain and dispose of, or set charges for the return of trolleys in terms of Schedule 4;
- 15 Authorised to carry out the functions of the Council in terms of the Waste Minimisation Act 1998;
- 16 Authorised to carry out the functions of the Council in terms of the following sections of the Refuse Disposal (Amenity) Act 1978:
 - (a) Section 3 – under which the Council has powers to remove abandoned vehicles;
 - (b) Section 4 – under which the Council has powers to dispose of any abandoned vehicles;
 - (c) Section 5 – under which the Council can recover reasonable charges in respect of the collection, storage and disposal of abandoned vehicles;
 - (d) Section 6 – under which the Council has powers to remove and dispose of “other refuse”;
 - (e) Section 8 – under which a duly authorised Officer of the Council has powers to enter land in relation to Sections 3 and 6 of the Act;
- 17 Authorised to carry out the following functions of the Council in terms of the Roads (Scotland) Act 1984:
 - (a) Under Section 1(4), in relation to Notices of Intention to add a private road to the List of Public Roads or delete a public road from the List of Public Roads;
 - (b) Under Section 12, in relation to the stopping up or diversion of roads crossing or entering public roads or proposed roads;
 - (c) Under Section 13, in relation to the imposition on frontagers of the requirements to make up and maintain private roads including the service of appropriate notices;
 - (d) Under Section 15, in relation to the completion of necessary work on private roads occasioned by an emergency (other than an emergency constituted by a danger as defined in Section 91);
 - (e) Under Section 16 (1) (b), in relation to the consideration and determination of applications for the adoption of private roads as public;
 - (f) Under Section 18, in relation to the adoption of footpaths associated with development;
 - (g) Under Section 21, in relation to applications for construction consent for new roads built by a person other than the roads authority;
 - (h) Under Section 23, in relation to stopping up or temporarily closing any new road constructed by a person other than the roads authority, without consent or in contravention of or in non-compliance with, a condition imposed by a construction consent;

- (i) Under Section 30, in relation to the serving of notices subject to Section 31(3) in connection with carrying out works for protecting roads against hazards of nature;
- (j) Under Section 31 (3), in relation to the service of notices in connection with the drainage of public roads or proposed public roads, on the owner and occupier of the land affected;
- (k) Under Section 35 (1) and (4), and after giving notice in terms of Section 35 (5) in relation to the provision of road lighting and related structures;
- (l) Under Section 51, in relation to the authorisation and withdrawal of authorisation for the planting and maintenance of trees, shrubs, grass or other plants by a person other than the roads authority within the boundaries of a public road;
- (m) Under Section 56, in relation to the authorisation of works and excavation in or under a public road;
- (n) Under Section 57, in relation to the prevention or termination of dangerous works or excavations in or under a public road;
- (o) Under Section 58, in relation to the granting of permission for the deposit of building materials on roads;
- (p) Under Section 59, in relation to the control of obstructions in roads;
- (q) Under Section 60, in relation to the issuing of consent for marking, lighting and fencing of obstructions or roadworks and for shoring buildings requiring protection in similar circumstances;
- (r) Under Section 61, in relation to granting permission to place and thereafter maintain apparatus in or under a public road;
- (s) Under Section 62, after consultation with the Chief Constable and the Chief Executive and after informing the Convener and Vice-Convener of the Environment & Regeneration Committee and the local Members, in relation to the temporary prohibition or restriction of traffic on roads for reasons of public safety or convenience;
- (t) Under Section 63, in relation to the imposition of the requirement to construct new accesses across road verges or footways where appropriate;
- (u) Under Section 64 (2), in relation to the issue of consent to statutory undertakers for work on footways, footpaths or cycle tracks maintainable by the roads authority in connection with their apparatus in terms of Section 64 (1) (b);
- (v) Under Section 66, in relation to enforcing maintenance of vaults, arches, cellars, tunnels and related structures within the vicinity of a road;
- (w) Under Section 67, in relation to enforcing safety provisions countering outward opening doors, gates, windows, window shutters or bars interfering with the safety or convenience of road users;
- (x) Under Section 78 (2), in relation to the service of notices prior to the diversion of waters where necessary in connection with the construction, improvement or protection of a public road;
- (y) Under Section 79, and after consultation with the Chief Financial Officer, to negotiate terms and enter into agreements with bridge owners in relation to future maintenance obligations;

- (z) Under Section 83, in relation to the prevention of obstruction of the view of road users at or near corners, bends and junctions;
- (aa) Under Section 85, in relation to granting permission for the location of builders' skips on roads;
- (bb) Under Section 86, in relation to the removal or repositioning of any builders' skip which is causing or is likely to cause a danger or obstruction;
- (cc) Under Section 87, in relation to the removal from roads of unauthorised structures and the consequent reinstatement of the site;
- (dd) Under Section 88, in relation to the removal of projections interfering with safe or convenient passage along a road;
- (ee) Under Section 89, in relation to the removal of accidental obstructions from roads;
- (ff) Under Section 90, in relation to the granting of consent for fixing or placing over, along or across a road any overhead bridge, beam, rail, pipe, cable, wire or other similar apparatus;
- (gg) Under Section 91, in relation to the prevention of danger to road users and the prevention of obstructions caused by roadside vegetation, fences or walls;
- (hh) Under Section 92, in relation to granting consent for planting trees or shrubs within five metres of the edge of the made up carriageway;
- (ii) Under Section 93, in relation to the protection of road users from dangers near a road;
- (jj) Under Section 94, in relation to the infill of dangerous ditches adjacent to or lying near a public road;
- (kk) Under Section 96(1), in relation to the issue of a certificate in respect of extraordinary expenses in repairing roads damaged by heavy vehicles etc.;
- (ll) Under Section 96 (1), to act as the Proper Officer to issue a certificate as provided in the said Section;
- (mm) Under Section 97, in relation to the issue of consent for trading;
- (nn) Under Section 99 (2), in relation to the issue of consent to persons undertaking works or excavations necessary to ensure compliance with Section 99 (1) (prevention of the flow of water, filth, dirt or other offensive matter onto the road);
- (oo) Under Section 99 (3), in relation to the service of notices on owners or occupiers requiring works or excavations to be undertaken to ensure compliance with Section 99 (1);
- (pp) Under Section 140, in relation to authorising persons to enter land to take any action or execute any work authorised or required to be taken or executed by the roads authority under the Act;
- (qq) To exercise the functions of the Council under Section 152 (2) to redetermine the means of exercise of a public right of passage over a road;

18 Authorised to carry out the following functions of the Council in terms of the Road Traffic Regulation Act 1984:-

- (a) Under Section 14, in relation to the temporary prohibition or restriction of traffic on roads;
 - (b) Under Section 71 (1), in relation to the power to enter land in connection with the placing, replacing, converting and removing of traffic signs.
- 19 Authorised after consultation with the Chief Constable and the local Members to arrange for the advertisement of any proposal for the making, revocation, or variation of Orders and Schemes under Sections 68, 69, 70 and 71 of the Roads (Scotland) Act 1984;
- 20 Authorised to carry out the functions of the Council under the New Roads and Street Works Act 1991 in relation to roads for which the Council is responsible, including but not limited to the issuing of fixed penalty notices in relation to Part IV of the Act;
- 21 Authorised after consultation with the Chief Financial Officer to agree terms for Bridge Agreements with the relevant Railway Body and terms of discharge of the Council's liability for annual maintenance and renewal charges in that connection;
- 22 Authorised, after consultation with the Chief Constable, to consider and, where acceptable in road safety terms, approve locations for advertisements on road safety barriers and similar structures;
- 23 Authorised to make arrangements for the management of piers, harbours, car parks, etc., including, subject to consultation with the Interim Head of Property Services, granting use of part thereof to other persons or bodies, and following consultation with the Chief Financial Officer, the imposition or waiving of charges for such use;
- 24 Authorised, in conjunction (where appropriate) with the Interim Head of Property Services, to carry out the following functions of the Council in terms of the Coast Protection Act 1949:
- (a) Under Section 4, to enter into an agreement with any other person for the carrying out by that person or the Council of any coast protection work which the Council has the power to carry out;
 - (b) Under Section 5, to arrange for the publication of notices relating to proposed works in local newspapers and the serving of like notices on affected harbour and other relevant authorities;
 - (c) Under Section 8, to arrange for the publishing of notices relating to a works scheme and the serving of like notices on affected harbour and other relevant authorities;
 - (d) Under Section 12, to serve notice on owners of land where protection works are necessary;
 - (e) Under Section 25, in relation to the authorisation of persons taking entry to land for the purposes specified therein;
- 25 Authorised to carry out the functions of the Council under the following Acts:-
- (a) Reservoirs (Scotland) Act 2011;
 - (b) Flood Prevention & Land Drainage (Scotland) Act 1997;
 - (c) Flood Risk Management (Scotland) Act 2009;
 - (d) The Road Humps and Traffic Calming (Scotland) Amendment Regulations 2002;
 - (e) Transport (Scotland) Act 2005;
- 26 Authorised, in terms of existing contracts and subject to consultation with the Interim Head of Property Services, to negotiate Service Level Agreements with Scottish Power;

- 27 In terms of the Construction (Design & Management) Regulations 2015 (CDM 2015) for roads projects:
- (a) To act as Client's Agent and appoint Designer, Planning Supervisor, Principal Contractor and/or Contractor;
 - (b) In the case of contracts in which the Council acts as agent of the Scottish Ministers in terms of Section 4 of the Roads (Scotland) Act 1984, to consent to the Council being appointed as Client's Agent;
 - (c) In the case of contracts where the Council is appointed as Client's Agent, Designer, Planning Supervisor, Principal Contractor and/or Contractor to carry out the duties appropriate to each such appointment;
- 28 Authorised to carry out the following functions of the Council in terms of the Roads (Scotland) Act 1984:-
- (a) Under Sections 36 and 37, after consultation with the Chief Constable and the local Members in relation to the construction of road humps;
 - (b) Under Section 51, in relation to the authorisation and withdrawal of authorisation for the planting and maintenance of trees, shrubs, grass or other plants by a person other than the roads authority within the boundaries of a public road;
- 29 Authorised to carry out the following functions of the Council in terms of the Road Traffic Regulation Act 1984:-
- (a) Under Section 23, in relation to pedestrian crossings on roads other than trunk roads;
 - (b) Under Section 65, in relation to the placing of traffic signs;
 - (c) Under Section 68, in relation to the placing of traffic signs in connection with the exercise of other powers of the Authority as defined in sub-section (1) thereof;
 - (d) Under Section 69, in relation to the removal of signs;
 - (e) Under Section 71 (1), in relation to the power to enter land in connection with the placing, replacing, converting and removing of traffic signs;
- 30 Authorised after consultation with the Chief Constable and the local Members to arrange for the advertisement of any proposal for the making, revocation, or variation of Orders and Schemes under the Road Traffic Regulation Act 1984
- 31 Authorised to carry out the functions of the Joint Road Safety Officer in conjunction with the Chief Constable;
- 32 Authorised, subject to consultation with the Chief Constable and the authorised representative of Strathclyde Partnership for Transport, to make requests to the Traffic Commissioner to determine and attach to operators' licences, traffic regulation conditions restricting the operations of local services, all in terms of Section 7 of the Transport Act 1985;
- 33 Authorised, after consultation with the Chief Constable, to consider and, where acceptable in road safety terms, approve locations for advertisements on road safety barriers and similar structures;
- 34 Authorised where appropriate, to enter objections on behalf of the Council to applications for Goods Vehicles Operators' Licences, under Section 12 of the Goods, Vehicles (Licensing of Operators) Act 1995;

35. Authorised to implement, apply and enforce Management Rules relating to Parks and Open Spaces, in accordance with the Civic Government (Scotland) Act 1982 (as amended).

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/040/23
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	Amendments to the Standing Orders and Scheme of Administration		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to request that the Council consider proposed amendments to the Standing Orders and Scheme of Administration and note other amendments which have been made in implementation of recent Council decisions.

1.3 In the first place, the Environment & Regeneration Committee meeting held on 9 March 2023, considered a report by the Director of Environment & Regeneration on proposed changes 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. A copy of the report is included as Appendix 1 to this report.

1.4 The report proposed that, rather than concerns over the suitability of private landlords being considered by the Director of Environment and Regeneration and the Head of Legal, Democratic, Digital & Customer Services who would decide whether a meeting of the Housing (Landlord Registration) Sub-Committee should be held, it was recommended that the process be expedited by reports being submitted directly to the General Purposes Board for consideration. The Committee approved the proposed change, and agreed to remit that decision to the full Council for consideration of the associated amendments to the Council's Standing Orders and Scheme of Administration. This report considers that remit, and proposes the necessary changes to the Council's Standing Orders and Scheme of Administration.

1.5 In the second place, the Inverclyde Council meeting held on 22 September 2022 considered a report by the Head of Legal, Democratic, Digital & Customer Services in connection with proposals around the future delivery of Council meetings. In approving that report the Council agreed certain matters which, in implementation of that decision, have now been included within the Council's Standing Orders and Scheme of Administration. This report gives Council confirmation of those changes.

1.6 In the third place, the Environment & Regeneration Committee held on 9 March 2023, after consideration of a report by the Head of Roads and Shared Services on proposed changes to the procedure for the making of Speed Limit Orders (SLOs), recommended that a proposed amendment to the Scheme of Delegation (Officers) be remitted to the Council for its approval and subsequent implementation. The proposed amendment is the subject of a separate report on this agenda. However, in order to achieve the recommended changes to the making of SLOs, there is also a need for the Standing Orders and Scheme of Administration to be amended, to

provide that the Environment & Regeneration Committee can determine SLOs where there are maintained objections. This report also proposes that change.

- 1.7 Finally, the Inverclyde Council meeting held on 1 December 2022 considered a report by the Chief Executive and approved Phase 1 of a management restructure, and certain associated actions. In connection with that, and ICT & Customer Services moving under the management of the Head of Legal & Democratic Services, now the Head of Legal, Democratic, Digital & Customer Services, there are certain consequential amendments to the Standing Orders and Scheme of Administration. Some additional proposed amendments have also been proposed, in relation the financial reporting that is reserved to full Council and clarifying that the Council's Procurement Strategy will be approved by the Policy & Resources Committee, but delivery and annual reporting overseen by the Environment & Regeneration Committee.
- 1.8 This report is not the outcome of a complete review of the Standing Orders and Scheme of Administration, but only in response to those matters covered above. The Head of Legal, Democratic, Digital & Customer Services is, however, intending to undertake such a review, and bring a report back to a future meeting of the Council, later in 2023. Elected Members would, in the usual way, be consulted on any proposed amendments.

2.0 RECOMMENDATION

- 2.1 It is recommended that the Council approve the proposed amendments to the Standing Orders and Scheme of Administration which changes 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, as referred to at paragraphs 3.1 to 3.10 of this report, together with the dissolution of the Housing (Landlord Registration) Sub-Committee and the cancellation of the current Elected Member appointments to the said Sub-Committee, the said proposed amendments being as shown in tracked changes in the relevant sections of Appendix 2 to this report;
- 2.2 It is recommended that the Council approve the amendments that have been made to the Standing Orders and Scheme of Administration by the Head of Legal, Democratic, Digital & Customer Services, including implementation of several recent Council decisions, as referred to at paragraphs 3.11 to 3.15 of this report, the amendments being as shown in tracked changes in Appendix 2 to this this report.
- 2.3 It is recommended that the Council note that the Head of Legal, Democratic, Digital & Customer Services is intending to undertake a full review of the Standing Orders and Scheme of Administration, and bring a report back to a future meeting of the Council, later in 2023, with the approval of amendments in respect of this report being subject to that future review.

Iain Strachan
Head of Legal, Democratic, Digital & Committee Services

3.0 BACKGROUND AND CONTEXT

Landlord Registration

- 3.1 The Environment & Regeneration Committee meeting held on 9 March 2023, considered a report by the Director of Environment & Regeneration on proposed changes 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. A copy of the report is included as Appendix 1 to this report.
- 3.2 Part 8 of the Antisocial Behaviour etc (Scotland) Act 2004 provides that, other than the limited exemptions contained in Section 83 of the Act, all landlords who are not a local authority or registered social landlord must register with the local authority. Failure to apply for registration is a criminal offence.
- 3.3 The Education & Communities meeting in March 2017 considered a report proposing a process whereby concerns over the suitability of private landlords were reported to an officer panel, comprising at that time the Corporate Director Education, Communities & Organisational Development and the Head of Legal & Property Services. If the officer panel was satisfied that the grounds existed for refusal or revocation of the necessary licence then the matter would be placed before the Council's Housing (Landlord Registration) Sub-Committee for ratification or rejection. A link to that March 2017 report is included here:-
<https://www.inverclyde.gov.uk/meetings/meeting/1943>.
- 3.4 This process was intended to ensure that landlords are only referred to members for consideration of their fit and proper status when senior officers are satisfied that the evidence for bringing such a referral is sufficient. In reality, officers would be very unlikely to bring a case for members' consideration without involving senior officers in all circumstances. What the process does not allow for is a straightforward process should Police Scotland raise issues about a landlord's suitability based upon previous convictions. The obvious parallel for these, admittedly rare, cases would be referrals to the General Purposes Board from Police Scotland for Taxi Drivers. To date, the Housing (Landlord Registration) Sub-Committee has never been convened.
- 3.5 Section 84 of the Anti-Social Behaviour etc. (Scotland) Act 2004 provides that the local authority shall register a landlord or agent where the appropriate information has been submitted, the appropriate fee paid and where it is satisfied that the relevant person is a "fit and proper person" to act as a landlord or agent. When considering whether someone is a fit and proper person, Section 85 of the Act provides that the local authority shall have regard (among other things) to any material specified in Section 85 subsections (2) to (4) of the Act, with more detail on this having been given in the March 2023 report to the Environment & Regeneration Committee.
- 3.6 In terms of the Council's Standing Orders and Scheme of Administration, the remit of the Housing (Landlord Registration) Sub-Committee is "[t]o consider and decide on the refusal or removal of the registration of a private landlord or agent in prescribed circumstances". General reports and updates on the private landlord registration are instead submitted to the Environment & Regeneration Committee, therefore the sole function of the sub-committee is essentially to carry out this *quasi-judicial* function, i.e., to consider whether or not a private residential landlord is a "fit and proper person".
- 3.7 It should be remembered here that Private Residential Landlord Registration is a Scottish Government scheme, large parts of which are administrative and operational. Although there are tools to encourage compliance landlords to meet the standards expected of them, such as Rent Penalty Notices, these are used operationally. It is not a licensing system, unlike many of the

Civic Government regimes, and member input is required solely in relation to the fitness of an individual to be a landlord.

- 3.8 The circumstances in which such a decision is required will arise relatively infrequently. Given this, and the *quasi-judicial* nature of such matters, it is considered appropriate for such decisions to instead be taken by the General Purposes Board which regularly deals with such considerations on civic licensing matters, and has greater experience in doing so, including in ensuring the rights of licence holders (in this case private landlords) are met, and all relevant parties able to input into such decision-making. This would also enable any such issues to be considered at the regular scheduled meetings of the General Purposes Board, rather than a special meeting of the Housing (Landlord Registration) Sub-Committee having to be arranged, potentially at short notice. As is currently the case, it would still be for the appropriate Head of Service to initially consider any concerns which are raised over the suitability of private landlords (or prospective private landlords), and only where it is assessed that such concerns have substance and/or merit consideration by the General Purposes Board, would such concerns be remitted to the General Purposes Board, failing which they would be determined by officers under delegated authority
- 3.9 It is, therefore, recommended that the Council approves a proposed 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, with such matters instead being considered by the General Purposes Board and the Housing (Landlord Registration) Sub-Committee being removed. The Environment & Regeneration Committee agreed with this proposal at its meeting on 9 March 2023, and agreed to remit this decision to the full Council for consideration of the associated changes to the Council's Standing Orders and Scheme of Administration. This would not affect the Environment & Regeneration Committee's responsibility to oversee the implementation of Private Residential Landlord Registration along with other matters affecting housing enforcement but it would streamline and improve the current process. In addition, the Committee would receive an annual update on Private Residential Landlord Registration.
- 3.10 As such, this report proposes amendments to the Standing Orders and Scheme of Administration to implement the above, together with the dissolution of the Housing (Landlord Registration) Sub-Committee and the cancellation of the current Elected Member appointments to the said Sub-Committee, the said proposed amendments being as shown in tracked changes in the relevant sections of Appendix 2 to this report.

Delivery of Council Meetings

- 3.11 The full Council meeting held on 22 September 2022 considered a report by the Head of Legal, Democratic, Digital & Customer Services in connection with proposals around the future delivery of Council meetings. In approving that report the Council agreed certain matters which, in implementation of that decision, have now been included within the Council's Standing Orders and Scheme of Administration. This report gives Council confirmation of those changes, the said proposed amendments being as shown in tracked changes on pages 3 and 5 of Appendix 2 to this report.
- 3.12 A link to the report can be found here:- <https://www.inverclyde.gov.uk/meetings/meeting/2490>

Speed Limit Orders

- 3.13 The Environment & Regeneration Committee held on 9 March 2023, after consideration of a report by the Head of Roads and Shared Services on proposed changes to the procedure for the making of Speed Limit Orders (SLOs), also recommended that a proposed amendment to the Scheme of Delegation (Officers) be remitted to the Council for its approval and subsequent

implementation. The proposed amendment, if approved, would update the Scheme of Delegation (Officers) to the effect that where there are no maintained objections to any SLO, the Head of Legal, Democratic, Digital & Customer Services will be authorised to make such SLO on behalf of the Council. The proposed amendment is the subject of a separate report on this agenda. However, in order to achieve the recommended changes to the making of SLOs, there is also a need for the Standing Orders and Scheme of Administration to be amended, to provide that the Environment & Regeneration Committee can determine SLOs where there are maintained objections, as it can for Traffic Regulation Orders and Traffic Management Orders. As such, this report also proposes that change, the proposed amendment being as shown in tracked changes on page 28 of Appendix 2 to this report.

Management Restructure

- 3.14 The full Council meeting held on 1 December 2022 considered a report by the Chief Executive and approved Phase 1 of a management restructure, and certain associated actions. In connection with that, and ICT & Customer Services moving under the management of the Head of to Legal & Democratic Services, now the Head of Legal, Democratic, Digital & Customer Services, there are certain consequential amendments to the Standing Orders and Scheme of Administration. Some additional proposed amendments have also been proposed, in relation the financial reporting that is reserved to full Council and clarifying that the Council's Procurement Strategy will be approved by the Policy & Resources Committee, but delivery and annual reporting overseen by the Environment & Regeneration Committee. The proposed amendments are as shown in tracked changes in the relevant sections of Appendix 2 to this report.
- 3.15 A link to the 1 December 2022 report can be found here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2512>

4.0 PROPOSAL

- 4.1 It is proposed that the Council approve the amendments to the Standing Orders and Scheme of Administration which are set out in this report.
- 4.2 Subject to the decision of the Council, an updated version of the Standing Orders and Scheme of Administration will be cascaded to officers and placed on the Council's website.
- 4.3 This report is not the outcome of a complete review of the Standing Orders and Scheme of Administration, but only in response to those matters covered above. The Head of Legal, Democratic, Digital & Customer Services is, however, intending to undertake such a review, and bring a report back to a future meeting of the Council, later in 2023. Elected Members would, in the usual way, be consulted on any proposed amendments

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial		X	
Legal/Risk	X		
Human Resources			X
Strategic (LOIP/Corporate Plan)			X
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

There are no financial implications directly associated with this report.

5.3 Legal/Risk

The updating of the Standing Orders and Scheme of Administration as proposed in this report will help ensure the Council's governance framework is kept updated to support delivery of the Council's services and implementation of its legal duties. In addition, in respect of landlord registration, there are legal duties on the Council under the 2004 Act, in relation to the registration of private residential landlords. The proposals in this report will help ensure the Council meets its duties under the said Act, and mitigate the risk of legal challenge to the Council in respect of the same.

5.4 Human Resources

There are no Human Resources implications directly associated with this proposal.

5.5 Strategic

There are no Strategic implications associated with this proposal.

6.0 CONSULTATION

The Corporate Management Team have been consulted on this report.

7.0 BACKGROUND PAPERS

7.1 None, other than as set out in Section 3 of this report.

Classification - No Classification

Standing Orders and Scheme of Administration





**STANDING ORDERS AND SCHEME OF
ADMINISTRATION**

APPROVED – TBC APRIL 30 ~~JUNE~~ 20232

**INVERCLYDE COUNCIL
STANDING ORDERS AND SCHEME OF ADMINISTRATION
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STANDING ORDERS OF INVERCLYDE COUNCIL

Definitions

1. In these Standing Orders, unless the context otherwise requires, the following words and expressions shall have the following meanings:

the 1973 Act means the Local Government (Scotland) Act 1973;

the 1994 Act means the Local Government etc. (Scotland) Act 1994;

the 2004 Act means the Local Governance (Scotland) Act 2004;

Administration Group means that group of Members which forms the ruling Administration of the Council;

the Council means The Inverclyde Council incorporated in terms of the 1994 Act;

Statutory Meeting means the meeting which, in terms of the relevant legislation, the Council is required to hold within 21 days of the date of the election in an ordinary election year;

Provost means the Convener of the Council elected under Section 4 of the 1994 Act;

Chair means the person at any time presiding at a meeting of the Council or a Committee;

Convener and **Vice Convener** of a Committee mean the Members appointed to those offices by the Council;

Member means a Councillor for the Council elected in accordance with the 2004 Act;

Proper Officer means the person designated as such and for the purpose specified by the Council in the Council's Scheme of Delegation;

clear days shall be interpreted to not include the day of receipt of any relevant notice and the day of the meeting;

Remote and Hybrid Meeting Protocols means those meeting protocols approved by the Council to regulate the holding of meetings, as updated from time to time with the approval of the Council or by the Head of Legal, Democratic, Digital & Customer Services under authority delegated by the Council;

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written request and **in writing** mean a letter signed by the author(s) delivered to the Proper Officer or a scanned copy of that letter delivered to the Proper Officer by electronic means;

any reference to a **Committee** shall, unless the context otherwise requires, include reference to a Sub-Committee, Board, the Local Review Body and any Committees acting in a *quasi-judicial* capacity;

unless the context otherwise requires, words imparting the singular shall include the plural and vice versa.

Meetings of the Council

Classification - No Classification

2. The Council shall meet at 4 p.m. on the following days:

- (a) A Statutory Meeting of the Council shall be held in the year of the elections to the Council under the relevant legislation within 21 days from the date of that election;
 - (b) Ordinary Meetings shall be held on the Thursday of the final week of each cycle of meetings set by the Council and, in any event, at intervals of no more than 16 weeks between each meeting, unless otherwise agreed in terms of **Standing Order 3**.
3. Special Meetings may be called at any time by the Proper Officer on being required to do so by (a) the Provost, or (b) a written request for that purpose, signed by at least 7 Members or (c) at the request of the Chief Executive or Monitoring Officer, which meeting shall be held within 7 clear days. The request shall specify the business proposed to be transacted at the meeting.
4. All meetings of the Council shall be held within the Municipal Buildings, Greenock, or such other place as the Council or the Proper Officer in consultation with the Provost may specify, it being declared that a virtual/remote or hybrid meeting arranged by the Council shall satisfy this requirement.
5. Subject to the terms of Sections 50A and 50E of the 1973 Act, all meetings of the Council shall be open to the public. All meetings of the Council, Committees, Scrutiny Panels, Sub-Committees and quasi-judicial boards shall be held on a hybrid basis, in accordance with the Remote and Hybrid Meeting Protocols, except where (i) the Convenor/Vice-Convenor or Chair/Vice-Chair is unable to attend the meeting in person or (ii) holding a hybrid meeting would be unlawful or contrary to relevant public health guidance. Notwithstanding the foregoing, authority is delegated to the Chief Executive, in consultation with the Strategic Leadership Forum, to decide whether any Council meetings should instead be held on a fully in person or fully remote basis, where that is considered appropriate, for example for public health reasons.
6. No Member or member of the public may photograph, broadcast, transmit or record any Council meeting without prior written approval from the Council. The use of mobile electronic devices by Members during meetings is permitted only to ensure the expeditious progress of the meeting, for access to Council agendas, notes or diary entries and not for any external purpose.

Notice of Meetings

7. Notice of all Council meetings is published on the Council's website.
8. All meetings of the Council shall be convened by:
 - (a) a Notice being published by the Proper Officer at least 3 clear days before the meeting which shall specify the date, time and place of the meeting; and
 - (b) a summons to attend the meeting specifying the business to be transacted being sent by post to the usual place of residence of every Member, or to such other address as any Member may notify, not later than 3 clear days before the date of the meeting.
9. If a meeting is convened at shorter notice than 3 clear days by reason of urgency, the Notice and summons referred to above shall be published and posted as soon as the meeting is convened.

10. Want of service of a summons on any Member shall not affect the validity of a meeting of the Council, only if good reason is shown for failure to send such a summons as may be decided upon by the Provost.

Quorum

11. The quorum for the Council is 7. No business may be transacted at any meeting unless a quorum is present.
- (a) If, 10 minutes after the time stated in the summons to attend a meeting, a quorum is not present, the meeting shall stand adjourned until such time and date as may be determined by the Proper Officer in consultation with the Provost. The Proper Officer shall minute the reason for the adjournment of the meeting.
 - (b) If after a meeting has started, the number of Members present falls below the quorum and after a period of 5 minutes (during which time no business shall be considered or transacted), a quorum cannot be found, the meeting shall be adjourned until such time and date as may be determined by the Proper Officer in consultation with the Provost. The Proper Officer shall minute the reason for the adjournment of the meeting.
 - (c) Any Member who has declared an interest in an item of business at the meeting and who leaves the meeting for that purpose may not be counted in the quorum for that item of business. If less than a quorum of the Council results from the Member leaving the meeting, then that item of business cannot be considered at the meeting.

Sederunt and Apologies

12. The names of the Members present at a meeting of the Council shall be recorded by the Proper Officer. Members who intimate to the Proper Officer apologies for non-attendance at a meeting of the Council shall have their apologies recorded in the Minute.

Failure to Attend Meetings

13. Subject to the provisions of Section 35 of the 1973 Act, if a Member fails throughout a period of 6 consecutive months to attend any meetings of the Council or a Committee, he or she shall, unless the failure was due to some reason approved by the Council, cease to be a Member.

Convener

14. (a) The Convener of the Council, upon being elected, shall be known as the Provost and shall subject to the provisions of Paragraph 7 of Schedule 2 to the 1994 Act, hold office until the next ordinary election or until ceasing to be a Councillor, whichever is the earlier. Notwithstanding the foregoing, the Council may specify a shorter period for the term of office of Convener at the time of that election;
- (b) At a meeting of the Council, the Provost or, in his or her absence, the Depute Provost shall preside. If the Provost and the Depute Provost are both absent from a meeting, another Member of the Council chosen by the Members present will chair the meeting.
15. Subject to the provisions of **Standing Order 14** the Council may at any time agree to remove the Provost from office with immediate effect provided that:

Classification - No Classification

- (a) a Notice of Motion in terms of **Standing Order 22** to that effect is given at one meeting of the Council and on the basis that the matter is to be considered at the next ordinary meeting of the Council; or
- (b) where no such prior Notice of Motion is given, not less than two thirds of Members present and entitled to vote at the meeting agree that the early removal from office of the Provost be considered at that meeting.

Role of Provost

- 16. The Provost shall:
 - (a) preserve order and ensure fairness in debate;
 - (b) ensure the agenda of business is properly dealt with and clear decisions are reached;
 - (c) decide on all points of order and matters of competence and relevance;
 - (d) with the assistance of the Proper Officer, ensure that Standing Orders are observed;
 - (e) decide on all questions of procedure for which no express provision is made in Standing Orders; and
 - (f) order the exclusion of any member of the public to prevent or remove disorderly conduct or any other behaviour which disrupts the business of the meeting.
- 17. The decision of the Provost on all matters within his or her responsibility shall be final and shall not be open to question or discussion.

When the Provost speaks the Member, if any, who is addressing the meeting, shall cease to speak. The Provost shall be entitled, in the event of disorder occurring, to adjourn the meeting to a time he or she may then or thereafter determine.

Restriction on Business

- 18. No business other than that set out in the notice of meeting may be dealt with unless it is brought before the Council as a matter of urgency. The Provost must rule that it is a matter of urgency and give the reasons for the ruling, to be noted in the Minute. The item must be made known at the start of the meeting when the order of business is decided. If the Provost rules that the matter is not urgent, it will be included as an item for the next ordinary meeting of the Council, unless dealt with earlier.

Order of Business

- 19. (a) At the first meeting of the Council after an ordinary election, the Council shall deal with the business in the following order:
 - note the election of Members;
 - take the sederunt, noting which Members have executed the declaration of acceptance of office;
 - elect the Provost;
 - elect the Depute Provost;
 - appoint Leader, Depute Leader and Leader of the Minority Group(s);
 - appoint Members to Committees;
 - appoint Conveners and Vice-Conveners of Committees;

- appoint Members to the Licensing Board;
 - appoint representatives to outside bodies;
 - consider arrangements for a timetable of scheduled meetings and any administrative arrangements.
- (b) At all other meetings of the Council, business shall be dealt with in the following order:
- note apologies for absence;
 - note the appointment of substitutes by Members;
 - consider notice of any urgent business;
 - note declarations of interest;
 - approve minutes of meetings of the Council and Committees;
 - ask questions on the minutes;
 - consider reports;
 - consider Member Requests
 - consider Notices of Motions;
 - consider other motions on the agenda;
 - consider business in the appendix.
- (c) The order of business may be altered by the Provost upon his or her discretion.

Minutes

- 20. Minutes of Council meetings shall be prepared by the Proper Officer. Subject to approval or correction as the case may be, the Minute shall be signed at the next suitable meeting of the Council by the person then presiding.
- 21. At the Council meeting, the Member presiding at a Committee meeting shall move acceptance of the Minute of that Committee meeting, as a correct record insofar as any such corrections of the Minute do not conflict with the proper exercise of powers delegated to the Committee. In the absence of the Member presiding at the Committee, another Member may move acceptance of the Minute of that meeting as a correct record. Any correction proposed by the presiding Member requires a seconder.

Any item in the Minute subject to referral from a Committee will require to be moved and seconded and subject to debate thereafter.

Procedure for Notice of Motion

- 22. A Member may submit a Notice of Motion for consideration at any meeting of the Council. Such Notice of Motion shall be in writing and shall be countersigned by at least one other Member and delivered to the Proper Officer at least 7 clear days prior to the meeting of

the Council at which the Motion is to be considered. The Notice of Motion shall be printed in the Agenda of the meeting of the Council without prejudice to the right of the Provost to rule as to its competency.

- 23. A Notice of Motion submitted under **Standing Order 22** may be moved by the Member who submitted the Notice of Motion or by another Member present. If it is not so moved, it shall, unless postponed by decision of the Council, be considered as withdrawn.
- 24. For the avoidance of doubt, **Standing Orders 22 and 23** do not apply to requisitioned meetings, to procedural motions and/or to motions which are moved by Members at a meeting in pursuance of a minute or report.

Procedure for a Member’s Request

- 25. A Member may submit a Member’s Request for consideration at any meeting of the Council. Such a Member’s Request shall be in writing and delivered to the Proper Officer at least 7 clear days prior to the meeting of the Council at which the Motion is to be considered. A Member’s Request does not require to be countersigned by another Member. The Notice of Motion shall be printed in the Agenda of the meeting of the Council without prejudice to the right of the Provost to rule as to its competency.
- 26. The substantive matter of a Member’s Request may not be political in nature, and neither may it seek to commit the Council to any use of funds or other resources, other than those of an insignificant nature which can be accommodated within existing budgets. Whether or not a Member’s Request can properly be categorised as such in terms of these Standing Orders will be determined by the Provost, taking officer advice as required.
- 27. A Member’s Request submitted under **Standing Order 25** may be moved by the Member who submitted the Member’s Request or by another Member present. If it is not so moved, it shall, unless postponed by decision of the Council, be considered as withdrawn.

Motions and Amendments

- 28. Any Member proposing a motion or amendment relating to any item of business at a meeting shall state precisely the terms of his or her motion or amendment to enable the Provost to rule as to its competency.
- 29. Before any vote takes place, a motion or amendment must be duly seconded.
- 30. Any motion or amendment which is not seconded shall fall and will not be recorded in the Minute.
- 31. Only a Member who has not abstained and has taken part in a vote or who has moved a motion or amendment but failed to find a seconder may, if he or she so requests, have his or her dissent to the relevant decision recorded in the Minute.
- 32. The Provost may require that any motion or amendment shall be put in writing by the Member so proposing or amending. When required by the Provost, the Proper Officer will read any motion or amendment prior to it being put to the meeting.
- 33. No Member shall move or second more than one motion or amendment on an item of business. A Member who has moved or seconded a motion or amendment shall be

entitled to move or second a new motion or amendment if the original motion or amendment is withdrawn in terms of **Standing Order 34**.

- 34. A motion or amendment which has been moved and seconded shall not be altered or withdrawn without the consent of the mover and the seconder.
- 35. A motion or amendment contrary to a decision of the Council shall not be competent within 6 months of that decision unless, in the opinion of the Provost, material information is introduced which had not previously been available or some other material change of circumstances has taken place.

Speeches

- 36. Except with the permission of the Provost, the mover and seconder of a motion or an amendment shall not speak for more than 15 minutes. Others speaking in the debate shall not speak for more than 10 minutes. No Member other than the mover of a motion shall speak more than once in the same debate unless to call attention to a point of order or, with the permission of the Provost, to make an explanation. The mover of the motion shall have the right to speak for up to 5 minutes in reply to the points raised in the debate and will strictly confine himself or herself to answering previous speakers and will not introduce any new matter. Thereafter, the question shall be put by the Provost.
- 37. Members shall address the Provost. Each Member shall confine his or her speech to the item being debated.
- 38. Except with the consent of the Provost, it shall not be competent for any Member to read a written or printed speech to the meeting but a Member shall be entitled to refer to notes.

Points of Order

- 39. Any Member may raise a point of order at any time during a meeting. Any Member who is addressing the meeting when a point of order is raised will resume his or her seat until the point of order has been decided upon by the Provost. No other Member may speak to the point of order unless with the permission of the Provost. The decision of the Provost will be final and cannot be debated.

Closure of Debate

- 40. At the conclusion of any speech, a Member who has not spoken on the item being debated may move "that the question be now put". If such a motion is moved and seconded and the Provost is of the opinion that the item has been sufficiently debated, there shall be no further debate and the vote shall be taken immediately "for" or "against" the motion "that the question be now put." If the motion "that the question be now put" is agreed, the mover of the substantive motion shall have the right to speak for not more than 5 minutes in reply to the points raised in the debate and will confine himself or herself to answering previous speakers and will not introduce any new matter. Thereafter, a vote shall be taken immediately on the substantive motion.

Adjournment

- 41. At the conclusion of any speech, any Member may move that the meeting be adjourned. If such a motion is moved and seconded there will be no further debate and the vote shall be taken immediately to "adjourn" or "not adjourn". If the motion to adjourn is agreed then, unless the time is specified in the motion, the adjournment shall take effect

immediately and the meeting shall be adjourned until such time as decided by the Provost. If the motion to adjourn is not agreed, it shall not be competent to repeat such a motion for a further 30 minutes, unless moved by the Provost.

- 42. A motion to adjourn shall take precedence over all other motions.

Voting

- 43. Except where otherwise provided by these Standing Orders, when a motion and amendment are considered by the Council, the proposal receiving the support of the majority of the Members present and voting will be declared to be the decision of the Council.
- 44. Voting shall be taken by calling the roll. For purposes of accountability, the names of all Members voting or abstaining relative to any motion or amendment shall be recorded in the Minute.
- 45. In addition to a deliberative vote, in the case of an equality of votes, the Provost, should he or she so wish, shall have a casting vote except where the matter relates to the appointment of a Member to any particular office or Committee in which case the decision shall be by lot. The Provost shall, however, have a casting vote, should he or she so wish, where the matter relates to the appointment of a Member to an outside body.
- 46. When a motion and 2 or more amendments have been moved and seconded, the vote shall be taken in the first instance between the amendment last proposed and the amendment second last proposed. The successful proposal from that vote shall be taken against the amendment third last proposed and so on until there remains only one amendment to be taken against the motion and whichever of those is carried shall be the decision of the Council.
- 47. When a vote has been taken and the accuracy of the count is immediately challenged, it shall be at the discretion of the Provost to call for a recount.

Disregarding the Authority of the Provost

- 48. If any Member disregards the authority of the Provost or behaves obstructively or offensively, a motion may then be moved and seconded to suspend the Member for the rest or any part of the meeting. The motion shall be put without discussion. If it is carried, the Council Officer shall act on any orders given by the Provost to carry out such a decision.

Questions and Agenda Items

- 49. (a) Any Member may put a question to the Provost or to any Convener at any meeting of the Council concerning relevant and competent business on the Agenda. If the Provost or Convener decides that the question is relevant and competent, the Provost or Convener shall answer it or direct that it shall be answered;
- (b) If any Member wishes to give formal notice of a detailed question arising from the business on the Agenda, that Member can submit that question in writing to the Proper Officer by 10am on the day preceding the Council meeting. The Proper Officer shall liaise with the Provost or Convener on this at the earliest opportunity;

- (c) Any Member may submit in writing to the Proper Officer an item of business for consideration at any meeting of the Council not less than 7 clear days preceding the meeting. The Proper Officer shall place the item on the Agenda notwithstanding the entitlement of the Provost or Convener to rule on its competency.

If the Member considers the item to be urgent, the reasons for this must be specified by the Member in the written submission. In such circumstances, the Proper Officer may place the item on the Agenda even though less than 7 clear days' notice has been given, notwithstanding the discretion of the Provost or Convener to decide on its urgency or otherwise and on its competency for the meeting. Failing this, the item shall not be included on the Agenda as it has not been raised within the proper timescale.

Interests of Members

50. Any Member who has an interest in any matter which, in terms of the Councillors' Code of Conduct issued under the Ethical Standards in Public Life etc. (Scotland) Act 2000, requires to be declared and is available to participate at a meeting at which such a matter is the subject of consideration, shall declare that interest as soon as practicable at the meeting where the interest arises. The declaration shall be sufficient to enable the meeting to understand the nature of the interest and shall be recorded in the Minute.

If, in terms of the Code, the nature of the interest means that the Member cannot participate in discussion and voting on the matter, the Member shall retire from the meeting and leave the meeting room until the business concerning that matter is concluded.

Suspension of Standing Orders

51. On a motion made at any time during a meeting, the Council shall be entitled to suspend one or more of these Standing Orders so far as regards any business, but only if two-thirds of the Members present and voting for that purpose shall so decide. There shall be no discussion on such a motion.

Variation and Revocation of Standing Orders

52. The Council may vary or revoke any of these Standing Orders. Any such decision will, if voted upon, be approved by a majority of Members present and voting.

Decisions of the Council

53. No decision made by the Council shall be subject to review by any Committee unless such review is specifically authorised by the Council.
54. Without prejudice to any decision taken by a Committee, in exercise of delegated powers, the Council may at any time deal with any matter included in a delegation to a Committee, notwithstanding that no report from such Committee is before it. The Council may deal with any item of business included in the delegation to a Committee even if there is no report from that Committee on the item.

Contracts and Delegation

55. The Council shall have Standing Orders Relating to Contracts, a Scheme of Delegation to Officers and Financial Regulations.

Committees

- 56. The Council shall establish such Committees, Sub-Committees and Boards as may be considered necessary from time to time and shall have a Scheme of Administration on the terms of reference and delegations to Committees, Sub-Committees and Boards for the purpose of arranging for the discharge of the functions of the Council.
- 57. The Council shall appoint Conveners, Vice-Conveners and Members to such Committees, Sub-Committees and Boards as it establishes in terms of **Standing Order 56** at the statutory meeting of the Council and otherwise as it considers necessary from time to time.

COMMITTEES

Committee Business

- 58. In making appointments to Committees and outside bodies (but in the latter instance only where more than 2 representatives of the Council to an outside body are required), the Council shall ensure that such appointments reflect, as far as practicable, the balance of political representation on the Council.
- 59. Any business requiring consideration by the Council shall, unless considerations of time otherwise dictate, be placed before the appropriate Committee.
- 60. Committees shall meet as the Council may from time to time set. Special meetings may be convened as follows:-
 - (a) by the Committee at any ordinary meeting; or
 - (b) by a written request from the Convener submitted to the Proper Officer and specifying the business proposed to be transacted at the meeting; or
 - (c) by a written request signed by at least one quarter of the Members of the Committee submitted to the Proper Officer specifying the business proposed to be transacted at the meeting.

If the Proper Officer receives a request as set out in (b) or (c) above, such meeting shall be held within 14 clear days of receipt.

- 61. At any time prior to the issue of a notice calling a meeting of a Committee, the Proper Officer, after consultation with the Convener, may determine that such meeting be cancelled or postponed to such date and time as the Convener shall determine. In which event, the Proper Officer shall, forthwith, issue a notice intimating the cancellation or adjournment of the meeting.
- 62. All meetings of a Committee shall be convened by:
 - (a) a Notice being published by the Proper Officer at least 3 clear days before the meeting which shall specify the date, time and place of the meeting; and
 - (b) a summons to attend the meeting specifying the business to be transacted being sent by post to the usual place of residence of every Member, or to such other address as any Member may notify, not later than 3 clear days before the date of the meeting.

Application of Standing Orders to Committees

63. The following Standing Orders of the Council shall not apply to Committees:

- Standing Order 2 - Meetings of the Council
- Standing Order 3 - Special Meetings
- Standing Order 8 - Notice of Meetings
- Standing Order 11 - Quorum
- Standing Order 20 - Approval of Committee Minutes
- Standing Order 29 - Need for Secunder for Motions and Amendments
- Standing Order 36 - Speeches

For Committees the following Standing Orders shall be amended to the extent detailed below:

Standing Order 4

All meetings of Committees shall be held at the Municipal Buildings, Greenock or such other place as the Committee or Proper Officer in consultation with the Convener may determine, it being declared that a virtual/remote or hybrid meeting arranged by the Council shall satisfy this requirement.

Standing Order 14

- (a) At a meeting of a Committee, the Convener, if present, shall preside;
- (b) If the Convener is absent from a meeting, the Vice-Convener shall preside; and
- (c) If the Convener and the Vice-Convener are absent from a meeting, another Member of the Committee, chosen by the Members present, shall preside.

Standing Order 19(b)

There is no requirement to approve minutes or ask questions thereon.

Standing Order 40

When any item is the subject of debate at a Committee, at any point in that debate, if the Convener is of the opinion that the item has been sufficiently debated, the Convener shall be entitled to close the debate and to decide that the question be now put to the Committee for decision. There shall be no further debate on the item and the Committee shall proceed to decide, whether by vote or otherwise, on the item.

The following additional Standing Orders shall apply to Committees:

Participation of Members not on a Committee

64. (a) Any Member who is not a Member of a Committee and who wishes to have an item considered at that Committee shall give written intimation to the Proper Officer of that item. Such intimation shall be referred to the Convener of the relevant Committee and Corporate Director. That Corporate Director shall be responsible for responding to the Member. In the event that the Member is not satisfied with the response, the Member shall be entitled to have the item considered by the Committee by giving written intimation to the Proper Officer to that effect at least 14 clear days prior to the date of the next ordinary meeting. On receipt of such written intimation, the item shall be placed on the agenda for the Committee, without prejudice to the entitlement of the Convener to rule as to its competency, it being understood that if the subject matter is within the remit of the Committee and has been raised within the time limits, it shall be deemed competent;
- (b) Any Member who is not a Member of a Committee who submits an item in terms of (a) above, shall be entitled to attend the meeting of that Committee at which that item is being considered. That Member shall be entitled to participate in the debate on that item but shall not be entitled to vote;
- (c) A Member who is not a Member of a Committee shall be entitled to attend a meeting of that Committee while there is under consideration any item in which the Member has a specific ward-based interest as a Member. Except where a Committee is considering items in its *quasi-judicial* capacity, the Member shall, with the consent of the Convener, be entitled to participate in the debate of the item but shall not be entitled to vote. Where the consideration of an item is of a *quasi-judicial* nature, a Member who is not a Member of the Committee shall not be entitled to participate in debate on the item and shall not be entitled to vote;
- (d) Any Member who is not a Member of a Committee who wishes to ask a specific question in relation to an item on the Agenda of that Committee, shall give at least 2 clear days' written notice to the Proper Officer, specifying the question. The Proper Officer shall liaise with the Convener on this at the earliest opportunity. If the Member so notifies the Proper Officer, that Member shall be entitled to attend the meeting of that Committee to ask that question on that item but shall not be entitled to ask any supplementary questions, participate in any debate or to vote thereon. This is without prejudice to the Convener's entitlement to rule on the competency of the question.

Scheme of Administration

65. (a) The arrangements for meetings of Committees and their functions shall be regulated in accordance with the Scheme of Administration;
- (b) Where a Committee makes a decision within its delegated powers, it shall be competent for at least 4 of the Members present and voting at a Committee and 2 of the Members present and voting at a Sub-Committee to require that the delegated power be not exercised and that the decision be referred for determination to the Council. This referral procedure cannot be used if the Committee is considering an item in its *quasi-judicial* capacity, in which case the decision taken shall be final;

Any referral must specify an alternative to the proposal so referred.

- (c) In addition to the detailed provisions of the Scheme of Administration:
 - (i) the Council may delegate on an *ad hoc* basis to a Committee the discharge of any function; and
 - (ii) a Committee may delegate on an *ad hoc* basis to a Sub-Committee the discharge of any function in respect of which that Committee has delegated powers.

Quorum of Committees, Sub-Committees, Boards and Local Review Body

- 66. (a) The quorum of all Committees (except the Petitions Committee), the General Purposes Board and the Planning Board shall be 6;
- (b) The quorum of the Local Review Body shall be 4 and the quorum of the Petitions Committee shall be 4;
- (c) The quorum of all Sub-Committees ~~except the Housing (Landlord Registration) Sub-Committee~~ shall be 4, or the membership of the Sub-Committee whichever is the lesser;
- (d) The quorum of the Human Resources Appeals Board ~~and the Housing (Landlord Registration) Sub-Committee~~ shall be 3.

Committees Acting in Quasi-Judicial Capacity

- 67. Where a Committee is dealing with an item of business in a *quasi-judicial* capacity, a Member shall not be entitled to take part in debate, move a motion or amendment or vote on a motion or amendment unless that Member has been present throughout consideration of that item of business, any continuation of that item of business or any site visits.

Petitions Committee Protocol

- 68. The Petitions Committee shall from time to time consider and approve its protocol and procedures for submitting petitions and determining its actions, which shall include provisions for persons or deputations making representation to that Committee.

Remits Between Committees

- 69. Any decision by a Committee to remit consideration of a matter to another Committee shall, where practicable, be considered at the next meeting of the Committee.

INVERCLYDE COUNCIL

1. SCHEME OF ADMINISTRATION

1.1 This Scheme of Administration is within the Council's Standing Orders.

2. PURPOSE OF SCHEME

2.1 These terms of reference and delegated functions (Scheme of Administration) set out the powers delegated by the Council to its Committees, Sub-Committees and Boards in terms of the Local Government (Scotland) Act 1973 and shall regulate:

- (a) the allocation of the functions of the Council to the Committees, Sub-Committees and Boards of the Council; and
- (b) the delegation to Committees, Sub-Committees and Boards, where appropriate, of authority to exercise the functions of the Council.

2.2 The Scheme of Administration is to be read with the Council's Standing Orders, Standing Orders Relating to Contracts and Financial Regulations.

3. PROVISIONS APPLICABLE TO ALL COMMITTEES

3.1 Committees shall consider only matters within their terms of reference.

3.2 Where the Council has delegated any class of functions to a Committee, it shall retain the power to delegate any one of those functions to another Committee on a particular occasion when, by reason of the nature of the matter, in the opinion of the Council, it ought to be so referred.

3.3 All functions listed as delegated functions and any further additional such functions which may be delegated by the Council are also delegated to the respective Committee.

4. DELEGATED FUNCTIONS

4.1 The following functions shall be delegated to Committees:

- (a) The powers required to carry out their functions provided that the decisions made by any Committee shall comply with the terms of policy and budget approved by the Council.
- (b) All Boards and the Local Review Body, being *quasi-judicial* bodies, shall have full powers and no decisions taken shall be referred to the Council except in the case of the Planning Board relative to those applications for major and national developments which are statutorily subject to pre-determination hearings.

5. GENERAL PROVISIONS

5.1 The following general provisions shall apply:

- (a) A Committee may further delegate authority to an officer of the Council to undertake or discharge any function which is delegated to that Committee. The Local Review Body may delegate authority to an officer of the Council to undertake or discharge

Classification - No Classification

any function delegated to it, where it is so enabled by the Town and Country Planning (Schemes of Delegation and Local Review Bodies) (Scotland) Regulations 2013;

(b) Any decision proposed to be taken by a Committee under delegated powers which conflicts with or potentially conflicts with a decision of another Committee shall be referred to the Council.

5.2 There shall be the following Committees, Sub-Committees and Boards:

Committees

Policy and Resources Committee	(11 Members)
Audit Committee	(11 Members)
Environment and Regeneration Committee	(11 Members)
Education and Communities Committee	(11 Council Members)
Social Work & Social Care Scrutiny Panel	(11 Members)
Local Police and Fire Scrutiny Panel	(11 Members)
Petitions Committee	(6 Members)

Sub-Committees

Policy and Resources Executive Sub-Committee	(6 Members)
Grants Sub-Committee	(6 Members)
Housing (Landlord Registration) Sub-Committee	(5 Members)

Boards

General Purposes Board	(11 Members)
Human Resources Appeals Board	(5 Members)
Planning Board	(11 Members)
Local Review Body	(7 Members)
Appointments Panels	(Membership per Scheme)

5.3 With the exception of the Petitions Committee, all Committees as set out in paragraph 5.2 above shall have the power to establish a Sub-Committee but for a specific purpose only and shall appoint Members, Conveners and Vice-Conveners thereof. The establishing of any such Sub-Committee shall be subject to review by the Committee at least every 12 months.

5.4 The selection process for the Chief Executive and the selection and appointment processes for all other Chief Officers shall be dealt with by formal Committees set up as Appointment Panels according to Schemes approved by the Council.

5.5(a) Where a Member of any Committee is unable to attend a meeting, that Member may make arrangements with another Member who is not a Member of that Committee to attend that meeting as his or her substitute with powers to act in his or her stead and shall ensure that the substitute has or will receive the appropriate meeting papers;

5.5(b) The Member who is unable to attend and who is appointing a substitute must inform the Proper Officer as soon as possible of the appointment of the substitute. When a substitute attends, the substitution applies throughout the duration of the meeting including any adjournment to a time later the same day or such other later date and

time as may be agreed and the appointing Member shall not be entitled to revoke the substitution or vote at the meeting or its same day adjournment. Only the substitute intimated by the appointing Member to the Proper Officer prior to the commencement of the meeting is entitled to attend and vote. The appointment of a substitute can be revoked by the appointing Member only prior to the commencement of the meeting. Where there is a substitute at any meeting and an item of business has been continued the substitution will continue to apply in relation to that particular item of business.

5.6 The Convenor of the Audit Committee shall be a Member who does not form part of the Administration Group.

6. FUNCTIONS RETAINED BY THE COUNCIL

6.1 The Council has overall responsibility for the Council Budget, the Chief Officer Management Structure and oversight of all political decision-making processes.

6.2 The following are reserved to the Council:

- (a) All functions reserved by law to the Council;
- (b) The determination of the strategic objectives of the Council;
- (c) The annual review of the revenue budget and the fixing of Council Tax;
- (d) The annual review of the Capital Programme and the approval of annual budgets of capital and revenue expenditure;
- (e) Approval of the Annual Capital Strategy, Annual Treasury Strategy and Annual Treasury Report;
- (f) The consideration of the Annual Report to Members by the Council's External Auditors;
- (g) The making of Standing Orders and a Scheme of Administration, Standing Orders Relating to Contracts, a Scheme of Delegation to Officers and Financial Regulations;
- (h) The making of an order for the compulsory acquisition of any land or interest in land;
- (i) The making of any formal resolution to co-operate or combine with other local authorities in the provision of services;
- (j) The appointment of the Provost and Depute Provost of the Council;
- (k) The establishment of Committees of the Council and their terms of reference and the delegations of function thereto;
- (l) The appointment of Members to Committees and the appointment of Conveners and Vice-Conveners;
- (m) The appointment of Members of the Council to Joint Committees, Joint Boards and outside bodies;
- (n) The approval of Schemes for the establishment of Community Councils;

Commented [IS1]: Updated to reflect current practice and terminology

Classification - No Classification

- (o) The approval of Polling Schemes for elections and referendums;
- (p) The promoting or the opposing of the making of private legislation;
- (q) The promotion of byelaws, management rules and any necessary orders;
- (r) The appointment of the Chief Executive and all matters relating to disciplinary procedures for the Chief Executive;
- (s) The making of resolutions for Housing Renewal Areas;
- (t) The consideration of Members' remuneration;
- (u) The formal adoption of the Local Development Plan;
- (v) The determination of an application for planning permission for a development of a class specified in Section 38A(1) of the Town & Country Planning (Scotland) Act 1997 (being applications that require a Pre-Determination Hearing);
- (w) The consideration of the Chief Social Worker's Annual Report.

7. FUNCTIONS DELEGATED TO COMMITTEES

7.1 POLICY AND RESOURCES COMMITTEE

7.1.1 Power is delegated to the Policy and Resources Committee:

- (a) To advise the Council on outcomes, strategic objectives and key priorities;
- (b) To develop and approve Council policies, including community planning and partnership working;
- (c) To adopt and implement the management framework for planning, implementing, reporting and reviewing corporate service delivery;
- (d) To ensure the Council meets its statutory responsibilities in terms of best value;
- (e) To monitor implementation of the Council's Corporate Plan;
- (f) To facilitate and encourage any public consultation, engagement and participation with the community, partners and key stakeholders;
- (g) To instruct such performance information as the Committee requires to fulfil its remit and monitor overall performance in the delivery of services and the Council's financial performance;
- (h) To determine any reviews under S 86 of the Community Empowerment (Scotland) Act 2015- of decisions on asset transfer requests;
- (i) To take all decisions which are not reserved to the Council or otherwise delegated (such as those delegated to another Committee of the Council or an officer), which includes any decisions the Council requires to take in respect of those functions and services delegated to the Inverclyde Integration Joint Board and listed in Annex 2 to the Inverclyde Health & Social Care Partnership Integration Scheme (other than in

Classification - No Classification

respect of homelessness services where the taking of any such decision is delegated to the Environment & Regeneration Committee);

Classification - No Classification

- (j) To have responsibility for the directorate planning, performance management reporting and financial monitoring for the following service areas:
 - Chief Executive's Office
 - Finance
 - Organisational Development, Policy and- Communications
 - Legal, ~~and~~ Democratic, Digital & Customer Services
- (k) To guide the Council in the formulation of its policy objectives and priorities, to consider the broad social and economic needs of the Council and matters of importance to its area, to advise the Council generally as to its financial and economic policies, to monitor and control the Council's Revenue Budgets and Capital Programme;
- (l) To consider new policies or changes in policy formulated by Committees where those policies or changes in policy may have significant impact upon the existing policies or the resources of the Council and to consider new policies not falling within the terms of reference of any other Committee;
- (m) To consider all aspects of the Council's Public Reporting Framework;
- (n) To ensure that the organisational and management processes of the Council are designed to make the most effective contribution to the achievement of the Council's objectives;
- (o) To keep organisation and management processes under review and make recommendations as necessary for any change in the structure of Committees or Services or the allocation of functions and responsibilities;
- (p) To appoint the Returning Officer;
- (q) To be responsible for formulation and ~~approval~~ delivery of the Council's Procurement Strategy;
- (r) To have overall responsibility for information governance and to arrange for compliance with the provisions of the Data Protection and Freedom of Information legislation.
- (s) To approve formulation and implementation of the Anti-Poverty policy.

Commented [IS2]: P&R responsible for approval of the Procurement Strategy, but delivery and annual reporting overseen by E&R

7.1.2 The Committee has service responsibilities as follows:

Finance

- (a) To regulate and manage the proper administration of the Council's financial affairs and oversee external organisational governance arrangements;
- (b) To deal with the administration of the levy, collection, payment and recovery of all income to the Council;
- (c) To arrange for all borrowing, lending and investing of money by the Council;
- (d) To keep accounts and proper records of all transactions of the Council;
- (e) To oversee banking arrangements;

- (f) To oversee insurances;
- (g) To be responsible for the administration of all matters relating to Housing Benefits;
- ~~(h) To be responsible for the formulation and delivery of the Council's Customer Services Strategy;~~
- ~~(i) To ensure effective provision of all information technology and communication services, ICT and digital access strategy;~~
- ~~(j) To exercise the powers and duties of the Council relative to registration of births, marriages and deaths;~~

Commented [IS3]: Moved to under egal, Democratic, Digital & Customer Services to reflect new structure.

Organisational Development, Policy & Communications

- (a) To advise on the overall planning required to ensure the most effective, efficient and economic use of the Council's human resources;
- (b) To oversee all matters relating to:
 - (i) Council policies and practices in relation to Council employees including the recruitment, training, salaries, wages and conditions of service of all employees of the Council;
 - (ii) service structures, establishments and job evaluation gradings;
 - (iii) the training and development, health, safety and welfare of all Council employees;
 - (iv) the ongoing maintenance of job evaluation, organisational development, strategy, planning and other such related matters;
 - (v) negotiations with the Trades Unions on matters affecting employees;
 - (vi) securing the development and effective implementation of the Council's Equal Opportunities in Employment policies;
 - (vii) co-ordinating the performance of the Council's responsibilities as an employer under the appropriate equalities legislation;
 - (viii) the promotion of good employment relations between the Council and its employees;
 - (ix) the formulation and delivery of the Council's Corporate Communications Strategy;
 - (x) to be responsible for the effective delivery of performance management, and customer consultation.
 - (xi) to oversee superannuation and pensions.

~~Legal, and Democratic, Digital & Customer Services~~

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- (a) To ensure effective provision of legal services;
- (b) To ensure effective administrative support for Members and Committees;
- (c) To ensure effective provision and support for elections and referendums;

- (d) To ensure effective provision of internal audit services:-
- (e) To ensure effective provision of information governance services, including compliance with the provisions of the Data Protection and Freedom of Information legislation;
- (f) To ensure effective provision of the Council's Customer Services;
- (g) To ensure effective provision of all information technology and communication services, ICT and digital strategies;
- (h) To ensure effective provision of the powers and duties of the Council relative to registration of births, marriages and deaths.
- (i) _____

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To exercise all of the functions delegated to the Policy and Resources Committee or other Committees in any circumstances of urgency or where a decision is required outwith the ordinary cycle of meetings subject to consultation with the Convener and Vice-Convener of the relevant Committee, where appropriate.

7.1.3 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Inverclyde Alliance
- Scotland Excel
- Renfrewshire Valuation Joint Board

7.2 POLICY AND RESOURCES EXECUTIVE SUB-COMMITTEE

7.2.1 Power is delegated to the Policy and Resources Executive Sub-Committee to exercise all of the functions delegated to the Policy and Resources Committee or the Thematic Committees in any circumstances of urgency or where a decision is required outwith the ordinary cycle of meetings subject to consultation with the Convener and Vice-Convener of the affected Thematic Committee where appropriate.

7.3 AUDIT COMMITTEE

7.3.1 Power is delegated to the Audit Committee:

- (a) To consider reports on the Council's audit plan and on arrangements for implementing best value;
- (b) To consider reports relating to Annual Accounts, subject to the Council's approval thereof, and Financial Accounting issues;
- (c) To monitor the financial governance arrangements within the Council, the effectiveness of the Council's audit and inspection, risk management and governance arrangements and of the control environment of the Council and associated anti-fraud and anti-corruption arrangements;
- (d) To review the adequacy of internal control systems and policies;

Classification - No Classification

- (e) To review all reports from the Council's External Auditors;
- (f) To monitor the Annual Audit Plan and review all Council audit and inspection work against that Plan;
- (g) To oversee the performance of the Council's Internal Audit function;
- (h) To approve changes in Accounting Policies;
- (i) To review the Council's Risk Management Policy;
- (j) To monitor and review action taken on recommendations arising from internal and external audits;
- (k) To oversee the performance of the Council with respect to the Corporate Governance Framework;
- (l) To scrutinise and comment on the Council's Financial Regulations, Standing Orders relating to Contracts.

7.3.2 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Audit Scotland
- The Accounts Commission
- The Council's External Auditors

7.4 SOCIAL WORK & SOCIAL CARE SCRUTINY PANEL

7.4.1 Noting that decisions regarding the strategic direction and funding of all functions and services listed in Annex 2 to the Inverclyde Health & Social Care Partnership Integration Scheme are delegated to the Inverclyde Integration Joint Board, and that the Council and this Panel has no decision-making powers in relation to those integrated functions and services, Power is delegated to the Social Work & Social Care Scrutiny Panel:

- (a) To scrutinise the Council's relationship with the Inverclyde Integration Joint Board;
- (b) To scrutinise the Council's compliance with Directions issued to it by the Inverclyde Integration Joint Board, and the effective deployment of Council resources to support (i) the strategic priorities of the Inverclyde Integration Joint Board, and (ii) the discharge of the above-mentioned functions and services and relevant matters relating thereto;
- (c) To scrutinise the Council's responsibilities in relation to homelessness services and, within the statutory framework, to contribute to reports on homelessness and rented residential accommodation to the Scottish Housing Regulator;
- (d) To scrutinise Directions issued to the Council by the Inverclyde Integration Joint Board; and
- (e) To consider relevant reports on the progress of the development of proposals around the introduction of a national care service, which said reports might also

be submitted to meetings of Inverclyde Council and the Policy & Resources Committee.

7.5 ENVIRONMENT AND REGENERATION COMMITTEE

7.5.1 Power is delegated to the Environment and Regeneration Committee:

To have responsibility for the directorate planning, performance management reporting and financial monitoring for the following service areas:

- Regeneration and Planning
- Asset Management and Property Estates
- Environmental and Public Protection Services
- Strategic Housing
- Emergency Planning
- Private Sector Housing
- Environmental Health and Trading Standards

7.5.2 The Committee has service responsibilities as follows:

Regeneration, Planning and Net Zero

- (a) To promote the economic development and urban regeneration of Inverclyde;
- (b) To promote competitiveness, employment growth, the physical environment and planning and quality of life;
- (c) To promote marketing and inward investment, business development and support schemes, training initiatives and processes to support young people in their transition from compulsory education, labour market activities, the marketing, management and development of industrial and commercial property and to participate and engage in effective partnership activities to support all of the above;
- (d) To encourage and stimulate economic development by the exercise of the Council's powers through providing assistance to third parties by way of services, suitable premises or financial assistance (including grants, loans and purchase of share and loan capital);
- (e) To carry out the strategic spatial planning functions of the Council;
- (f) To develop and review procedures in respect of development control and building standards, conservation and landscaping;
- (g) To develop and review effective policies in connection with strategic planning and land use issues.
- (h) To oversee delivery of the Council's Net Zero strategy.
- (i) To undertake and discharge the building standards functions of the Council as Buildings Authority and as Verifier and Enforcer in terms of the relevant legislation.

Organisational Development, Policy & Communications

- (a) To promote tourism and related activities

Property Services and Procurement

- (a) To ensure effective provision of all estate and property management services, technical services, and building services;
- (b) To acquire, dispose and market property;
- (c) To manage the repair and maintenance, improvement and preservation of all property assets within the Council's ownership or management.
- (d) To determine applications for Asset Transfer in terms of the Community Empowerment (Scotland) Act 2015.
- (e) To oversee delivery of, and annual reporting on, ~~determine~~ the Council's Procurement Strategy.

Commented [IS4]: As above

Environmental and Public Protection Services

- (a) To develop and review strategies in respect of:
 - burial grounds
 - street cleansing
 - refuse collection, recycling and disposal
 - sanitation services
 - protection of the environment
 - public conveniences
- (b) To discharge all powers and duties of the Council for the maintenance of the following:
 - open spaces
 - parks
 - horticultural nurseries
 - golf courses
 - playgrounds
 - playing fields
 - allotments
 - war memorials
- (c) To be the Roads Authority and deal with all roads and lighting in the Council's control;
- (d) To develop and review effective policies for all matters relating to the relevant legislation for public transport;
- (e) To consider and determine Traffic Management Orders, ~~and~~ Traffic Regulation Orders and Speed Limit Orders where there are maintained objections;
- (f) To deal with all matters arising from the Council's membership of Strathclyde Partnership for Transport with the exception of the Concessionary Travel Fares Scheme;
- (g) To carry out the functions of the Waste Disposal Authority.

Strategic Housing

To be responsible for the overall strategy for the provision of housing within Inverclyde whether within the public or the private sectors, including the assessment of housing need but excluding the discharge of the Council's statutory responsibility in providing support and services to homeless persons. Notwithstanding the foregoing, the Committee is also responsible for taking any decisions the Council requires to take (save to the extent delegated to officers or otherwise) in respect of functions and services related to homelessness services which have been delegated to the Inverclyde Integration Joint Board and listed in Annex 2 to the Inverclyde Health & Social Care Partnership Integration Scheme.

Private Sector Housing

- (a) To be responsible for assessing and maintaining the condition and supply of housing within the private sector;
- (b) To be responsible for
 - (i) the administration of grant and loan assistance to owners of housing within the private sector; and
 - (ii) the promotion and development of improvements in the overall condition of the private sector housing stock with the use of the Council's powers as housing authority, where such use is considered appropriate.

Environmental Health and Trading Standards

- (a) To exercise the powers and duties of the Council relative to food safety, food standards and labelling, health and safety at work, public health, pollution and environmental protection legislation;
- (b) To undertake and discharge the requirements of all legislation which imposes administrative duties and which confers enforcement powers upon the Council and its officers for Consumer Protection and Trading Standards;
- (c) To undertake and discharge the requirements of all legislation, whether of a civil law nature or of a criminal nature, which affects the work of the Consumer Protection and Trading Standards Service; and

Public Protection and Emergency Planning

- (a) To carry out the emergency planning function of the Council; and
- (b) To deal with all aspects of anti-social behaviour including CCTV, anti-social behaviour noise investigations and community wardens.

7.5.3 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Scottish Enterprise
- Riverside Inverclyde
- Strathclyde Partnership for Transport
- Glasgow City Region Deal
- River Clyde Homes

7.6 EDUCATION AND COMMUNITIES COMMITTEE

Classification - No Classification

7.6.1 Power is delegated to the Education and Communities Committee:

(a) To have the corporate responsibility for:

- Equalities
- Learning Estate Strategy

(b) To have responsibility for the directorate planning, performance management reporting and financial monitoring for the following service areas:

- Schools
- Early Learning, Childcare and Specialist Education Services
- Community learning and development and lifelong Learning
- Education Support and Development
- Safer Communities

7.6.2 The Committee has service responsibilities as follows:

General Functions

- (a) To undertake and discharge all the functions of the Council as an Education Authority in terms of the relevant legislation;
- (b) To undertake and discharge all of the functions of the Council relative to Early Learning and Childcare Services and provision therefor in terms of the relevant legislation.

Management of Education Services

- (a) To consider and approve catchment areas for schools and make provision for schools sufficient to meet the needs of pupils;
- (b) To oversee curriculum development and continued professional learning;
- (c) To oversee the quality of educational provision provided by schools;
- (d) To oversee the Council's input to supporting sustained and positive destinations for pupils;
- (e) To oversee the Council's policy on, Education Maintenance Allowances;
- (f) To oversee the development of the Young Workforce in regard to employability skills and lifelong learning;
- (g) To discharge the power to determine appeals relating to Further Education, Education Maintenance Allowances, grants and similar support;
- (h) To manage arrangements for the programme of learning estate asset management planning;
- (i) To ensure the provision of adequate health and wellbeing services in all educational establishments;

Classification - No Classification

- (j) To co-ordinate control of the specification of tenders, assess and authorise acceptance of such tenders, co-ordinate and monitor performance of contracts and authorise the termination of any contracts for the provision of a school meals service;
- (k) To co-ordinate control of the specification of tenders, assess and authorise acceptance of such tenders, co-ordinate and monitor performance of contracts and authorise the termination of any contracts for the provision of school transport services for pupils;
- (l) To formulate policy in respect of attendance of pupils at schools.
- (m) After appropriate consultation, and in so far as there is no conflict with the Council's terms and conditions of employment with respect to workforce plans, to approve school holidays.

Early Learning and Childcare and Specialist Education Services

- (a) To guide the Council in the formulation of its policy objectives and priorities in all appropriate matters relating to pre-school children and their parents;
- (b) To advise and make recommendations to any Committee of the Council on statutory functions relating to pre-school children and their parents;
- (c) To consider recommendations and make decisions relative to the management and development of services which provide activities of a kind suitable for pre-school children;
- (d) To consider recommendations and make decisions relative to training matters (including the arrangements for training staff) relating to establishments which provide activities of a kind suitable for pre-school children;
- (e) To consider recommendations and make decisions relative to the allocation and control of financial resources relating to services to pre-5 children and their parents and, where necessary, to advise and make recommendations in respect thereof to any relevant Committee;
- (f) To promote on the Council's behalf the interests of pre-5 children and their parents with all appropriate agencies on matters affecting these interests;
- (g) To oversee the Council's policy and practice with regard to the provision of out of school care and, in particular, the use of the grants budget;
- (h) To oversee the provision of a psychological service and arrangements to meet additional support needs;

Community Safety

- (a) To deal with all aspects of Community Safety including road safety and violence against women.

Community Learning, Development and Lifelong Learning

To be responsible for the management and delivery of community and lifelong learning services.

Libraries, Museums and Arts Facilities

To assess, monitor and review the need for libraries, museums and arts facilities and cultural services and to provide and manage these facilities and services.

Leisure and Community Support Services

- (a) To discharge all powers and duties of the Council for the provision and management of sporting, leisure, recreational and allied activities, public entertainment, public halls, community centres and swimming pools;
- (b) To discharge all powers and duties of the Council for sports development, community health and fitness, - and play forums;
- (c) To determine policy for the giving of grants to voluntary organisations.

7.6.3 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Further Education Bodies, in particular West College Scotland
- Inverclyde Leisure
- Cultural provision to which the Council awards significant grant funding, such as The Beacon Arts Centre
- Community Centres to which the Council provides significant grant funding.

7.7 GENERAL PURPOSES BOARD

7.7.1 Power is delegated to the General Purposes Board to undertake and discharge all of the licensing functions of the Council which are not otherwise reserved to the Council or its officers or which are delegated to any other Committee and more specifically as follows:

- (a) To exercise the functions of the Council as licensing authority in terms of the Civic Government (Scotland) Act 1982, provided such civic licensing has not been specifically remitted to any other Committee;
- (b) To determine individual applications for registration and licences under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not delegated to officers, in accordance with approved policies;
- (c) To exercise the functions of the Council in respect of the Explosives Acts 1875-1976;
- (d) To exercise the functions of the Council in respect of the Pharmacy and Poisons Act 1933 and Poisons Act 1972;
- (e) To exercise the functions of the Council in respect of permits in terms of Section 19 of the Transport Act 1985 (minibus permits);
- (f) To exercise the functions of the Council in respect of the Radioactive Substances Act 1993;
- (g) To exercise the functions of the Council in respect of the legislation relating to the control of diseases of animals;
- (h) To exercise the functions of the Council in respect of the safety of sports grounds;
- (i) To approve charges as required by statute and determine licence fees;
- (j) To exercise the Council's functions regarding notification of parades and processions insofar as not delegated to officers;
- (k) To consider and decide on the refusal or removal of the registration of a private residential landlord or agent in prescribed circumstances.
- (l) _____.

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7.8 HUMAN RESOURCES APPEALS BOARD

Classification - No Classification

7.8.1 Power is delegated to the Human Resources Appeal Board to be the internal Council appeal body for the purposes of the Council's role as an employer, in relation to workforce matters;

(a) To hear and decide disciplinary appeals and grievances by employees on their conditions of employment and working arrangements;

(b) To hear and decide appeals from teaching staff in regard to the application and interpretation of Schemes and Conditions of Service for Education staff.

7.9 PLANNING BOARD

7.9.1 Power is delegated to the Planning Board:

To undertake and discharge the development control and spatial planning functions of the Council as Planning Authority in terms of the relevant legislation.

7.10 LOCAL REVIEW BODY

7.10.1 Power is delegated to the Local Review Body:

(a) To review applications for planning permission or for consent, agreement or approval which have been refused, granted subject to conditions or which have not been determined within the prescribed period by the appointed officer under the Scheme of Delegation prepared in terms of the relevant legislation;

(b) To carry out all other functions as a Local Review Body, as described in the relevant legislation.

7.11 GRANTS SUB-COMMITTEE

7.11.1 Power is delegated to the Grants Sub-Committee:

To consider applications for funding received from voluntary organisations and to award grants to such organisations from the Grants to Voluntary Organisations Budget.

7.12 LOCAL POLICE AND FIRE SCRUTINY PANEL

7.12.1 Power is delegated to the Local Police and Fire Scrutiny Panel:

(a) To consider and recommend improvements in local Police and Fire and Rescue services;

(b) To recommend priorities and objectives for the policing of the local area;

(c) To recommend priorities and objectives for Fire and Rescue services in the local area;

(d) To agree the Police and Fire and Rescue local plans;

(e) To scrutinise and review the outcomes, priorities and objectives set out in the Police and Fire and Rescue local plans;

Classification - No Classification

- (f) To provide comments in response to consultations on matters directly relating to Police and Fire and Rescue services;
- (g) To promote engagement with all interested parties including community planning partners and neighbourhood partnerships;
- (h) To make representations to the national authorities, as required, in relation to wider scrutiny issues and concerns around the local provision of Police and Fire Rescue Services;
- (i) To consider Council reports on matters which affect local Police and Fire and Rescue services in Inverclyde providing that, where necessary, these will be remitted to the appropriate strategic Committee for decision.

7.13 PETITIONS COMMITTEE

7.13.1 Power is delegated to the Petitions Committee:

To consider petitions addressed to Inverclyde Council in accordance with the Council's approved petitions procedure and determine the appropriate action to be taken within the terms of the procedure.

7.13.2 The Petitions Committee is unable to consider petitions that relate to:

- (a) Any planning, licensing or other such matters where objections and appeals against decisions are dealt with by another, existing process;
- (b) Matters already being considered or scheduled to be considered by the Council or one of its Committees;
- (c) Decisions of the Council or one of its Committees during the previous 6 month period;
- (d) Matters that are commercially sensitive, confidential or which could cause personal distress or financial loss in any way;
- (e) Matters that are directed at a specific person or groups of persons with names or details that can be used to identify such persons;
- (f) The same or similar petitions considered within the past 24 months; and
- (g) Matters not within the Council's power and remit or functional areas of responsibility.

The Council will not accept a petition that contains:

- (a) Any false or potentially defamatory statement as may be considered by the Council;
- (b) Any details that might damage a person's reputation or which may discriminate against them in any way;
- (c) Offensive or inappropriate language;
- (d) Information protected by a court order or relating to an ongoing court or tribunal or *quasi-judicial* tribunal process or which would otherwise be considered *sub-judice*.

~~7.14 HOUSING (LANDLORD REGISTRATION) SUB-COMMITTEE~~

Classification - No Classification

~~7.14.1 Power is delegated to the Housing (Landlord Registration) Sub-Committee:~~

~~(a) To consider and decide on the refusal or removal of the registration of a private landlord or agent in prescribed circumstances.~~

8 STRATEGIC LEADERSHIP FORUM

The Strategic Leadership Forum is not a formal decision-making meeting, but an internal informal forum for cross-party sharing of significant and/or high profile matters in respect of which officers believe senior elected member awareness and/or input would be beneficial. Its membership and meeting arrangements are as set out in its terms of reference, which are included in Appendix 1 to these Standing Orders and Scheme of Administration.

9 MEMBERS BUDGET WORKING GROUP

The Members Budget Working Group is not a formal decision-making meeting, but an internal informal forum for cross-party scrutiny, consideration and developing of the Council's budget proposals. Its membership and meeting arrangements are as set out in its terms of reference, which are included in Appendix 2 to these Standing Orders and Scheme of Administration.

10 GLASGOW AND CLYDE VALLEY CITY DEAL CABINET/SHARED SERVICES JOINT COMMITTEE

The Council has established (i) the Shared Services Joint Committee, with West Dunbartonshire Council, and (ii) the Glasgow and Clyde Valley City Deal Cabinet with various other local authorities, these both having been established as joint committees in terms of S.57 of the Local Government (Scotland) Act 1973. Council approved the Shared Services arrangements on 29 September 2016 and the City Deal arrangements on 4 December 2014, including the respective governance arrangements, remits and delegated functions.

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/042/23
Contact Officer:	Diane Sweeney	Contact No:	01475 712147
Subject:	Council Timetable Change – Audit Committee		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 This report seeks the Council's agreement to reschedule the June 2023 meeting of the Audit Committee for operational purposes.

1.3 The current cycle of meetings was agreed by Elected Members at the statutory meeting of the Council which took place on 19 May 2022. The Audit Committee is scheduled to convene to consider the Unaudited Annual Accounts for the Year Ended 31 March 2023 at 3pm on Thursday 22 June 2023. It is proposed to reschedule this meeting to 3pm on Thursday 29 June 2023 in order to maximise the time for completion of the Unaudited Annual Accounts.

2.0 RECOMMENDATIONS

2.1 That the Council agrees to reschedule the meeting of the Audit Committee from 3pm on Thursday 22 June 2023 to 3pm on Thursday 29 June 2023 at 3pm.

Iain Strachan
Head of Legal, Democratic, Digital & Customer Services

3.0 IMPLICATIONS

3.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial			X
Legal/Risk			X
Human Resources			X
Strategic (LOIP/Corporate Plan)			X
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

3.2 Finance

One off Costs

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

Annually Recurring Costs/ (Savings)

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

3.3 Legal/Risk

N/A

3.4 Human Resources

N/A

3.5 Strategic

N/A

4.0 CONSULTATION

4.1 None.

5.0 BACKGROUND PAPERS

5.1 None.

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/036/23
Contact Officer:	Iain Strachan	Contact No:	01475 712147
Subject:	20mph Town & Village Centre Speed Limit Orders – Maintained Objections – Remit from Environment & Regeneration Committee		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

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

1.3 The Environment & Regeneration Committee at its meeting of 9 March 2023 considered a report by the Shared Head of Roads and Environmental Services, a copy of which forms an appendix to this report, informing the Committee of the outcome of the consultation procedure undertaken for six Speed Limit Orders (SLOs) as listed below:

The Inverclyde Council Kilmacolm Village Centre (20 mph Speed Limit) Order 2022

The Inverclyde Council Port Glasgow Town Centre (20 mph Speed Limit) Order 2022

The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20 mph Speed Limit) Order 2022

The Inverclyde Council Gourock Town Centre (20 mph Speed Limit) Order 2022

The Inverclyde Council Inverkip Village Centre (20 mph Speed Limit) Order 2022

The Inverclyde Council Wemyss Bay Village Centre (20 mph Speed Limit) Order 2022

1.4 The report noted that there were no objections to the SLOs associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock, and that the SLOs for Inverkip and Wemyss Bay each received one maintained objection. The maintained objections for Inverkip and Wemyss Bay are subject to separate processes, as detailed in the report submitted to the Environment & Regeneration Committee and agreed at that meeting. Therefore this report pertains to the SLOs for Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock only.

1.5 The Environment & Regeneration Committee agreed as follows in respect of the SLOs referred to in paragraph 1.4 above:

(a) 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;

(b) 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 of Greenock, 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.

Council is asked to note that, further to a separate decision of the Environment & Regeneration Committee at its 2 March 2023 meeting to review the SLO procedure, there is a separate report on this agenda seeking Council's approval to make consequential amendments to the Scheme of Delegation (Officers) so that, instead of the Council making an SLO to which there are no maintained objections, in future, the Head of Legal, Democratic, Digital & Customer Services may make such SLO on behalf of the Council.

2.0 RECOMMENDATIONS

It is recommended that Inverclyde Council:

Approve the making of the following Speed Limit Orders:

- 2.1 “The Inverclyde Council Kilmacolm Village Centre (20 mph Speed Limit) Order 2022”
“The Inverclyde Council Port Glasgow Town Centre (20 mph Speed Limit) Order 2022”
“The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20 mph Speed Limit) Order 2022”; and
“The Inverclyde Council Gourock Town Centre (20mph Speed Limited) Order 2022”
- 2.2 Remit it to the Shared Head of Roads and Environmental Services and the Head of Legal, Democratic, Digital & Customer Services to take all necessary action to implement the said Speed Limit Orders.

Iain Strachan
Head of Legal, Democratic, Digital & Customer Services

Report To:	Environment and Regeneration Committee	Date:	9 March 2023
Report By:	Shared Head of Roads and Environmental Services	Report No:	ERC/RT/GMcF/18.637
Contact Officer:	Gail MacFarlane	Contact No:	01475 714800
Subject:	20mph Town & Village Centres Speed Limit Orders – Maintained Objections		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and, under the Council's Scheme of Delegation, the Head of Roads and Environmental Services is responsible for the making, implementation and review of Roads Orders including Speed Limit Orders (SLO).

1.3 The purpose of this report is to inform the Committee of the outcome of the consultation procedure undertaken for the six SLOs listed below. The SLOs for Inverkip and Wemyss Bay each received one maintained objection. The report also seeks a decision on whether Committee will hear the objections relating to each of the SLOs itself or will appoint an independent Reporter.

- "The Inverclyde Council Kilmacolm Village Centre (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Port Glasgow Town Centre (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Gourock Town Centre (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Inverkip Village Centre (20mph Speed Limit) Order 2022"; and
- "The Inverclyde Council Wemyss Bay Village Centre (20mph Speed Limit) Order 2022".

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee:

- a. Notes that there are no objections to the SLOs associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock.
- b. Recommends to the Inverclyde Council the making of the SLOs associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock and remits it to the Head of Roads and Environmental Services and the Head of Legal and Democratic Services to arrange for their implementation.
- c. Notes the requirement to hold a public hearing to consider the maintained objections to the SLOs associated with Inverkip and Wemyss Bay.

- d. Decides either to hear these objections before a special meeting of this Committee or through an independent Reporter. As the maintained objections to the Inverkip and Wemyss Bay SLOs are by an Elected Member, it is recommended that a Reporter should hear the objections to both SLOs.
- e. Remits it to the Head of Roads and Environmental Services and the Head of Legal and Democratic Services to make the necessary arrangements for the public hearing(s).
- f. Decides, if, prior to the public hearing, the maintained objections to the Inverkip and/or Wemyss Bay SLOs are withdrawn, to recommend to the Inverclyde Council the making of the SLO(s) without further consideration by the Environmental and Regeneration Committee and remits it to the Head of Roads and Environmental Services and the Head of Legal and Democratic Services to arrange for their implementation.

Gail MacFarlane
Shared Head of Roads and Environmental Services

3.0 BACKGROUND

- 3.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and, under the Council's Scheme of Delegation, the Head of Roads and Environmental Services is responsible for the making, implementation and review of Roads Orders including Speed Limit Orders (SLO).
- 3.2 A report entitled "Implementation of 20mph Speed Limits in Residential Areas" was considered by the Environment and Regeneration Committee on 13 January 2022 where one of the decisions was "that approval be given to the principle of delivering 20mph speed restriction within key pedestrian generator areas within town centres and villages and in the vicinity of schools".
- 3.3 Following this decision six SLOs were drafted for key pedestrian generator areas within town centres and villages. They are entitled: -
- "The Inverclyde Council Kilmacolm Village Centre (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Port Glasgow Town Centre (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Gourock Town Centre (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Inverkip Village Centre (20mph Speed Limit) Order 2022"; and
 - "The Inverclyde Council Wemyss Bay Village Centre (20mph Speed Limit) Order 2022".

It should be noted that a 20mph SLO for West Blackhall area of Greenock is currently being promoted as part of the West Blackhall Street improvement works.

- 3.4 The proposed SLOs were all issued for public consultation on 28 November 2022 with responses invited by 19 December 2022.
- 3.5 During the period of public consultation for the TROs, one valid objection was received to the Inverkip SLO and one valid objection was received to the Wemyss Bay SLO. No objections were received to the SLOs for Kilmacolm, Port Glasgow, Gourock or Cathcart Street area of Greenock. Officers entered into correspondence with the objector who objected to the Inverkip and Wemyss Bay SLOs. Despite officers' efforts the objectors did not respond therefore their objections are considered to be maintained. The objector is an Elected Member.
- 3.6 The rules of natural justice strongly indicate that the Council should not hear objections where one of their own Elected Members is the objector. One aspect of the rules of natural justice is the right to a fair hearing. A member of the public could find it difficult to understand how elected members of a committee could act as an independent decision maker when one of the objectors is also an Elected Member. These are considerations which strongly point towards the hearing into the objections being dealt with by an independent Reporter.
- 3.7 In consequence, it is recommended that the Council should agree to the objections into the Inverkip and Wemyss Bay SLOs being heard by a Reporter. The Reporter would report directly to the Council with recommendations and it will be for the Council to make a decision, informed by the Reporter's report.

4.0 IMPLICATIONS

4.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO	N/A
Financial	x		
Legal/Risk	x		
Human Resources		x	
Strategic (LOIP/Corporate Plan)		x	
Equalities & Fairer Scotland Duty			x
Children & Young People's Rights & Wellbeing			x
Environmental & Sustainability			x
Data Protection			x

4.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
	SPT Capital Funding	2023/24	£5k	N/A	Independent Reporter
	SPT Capital Funding	2022/23	£25k	N/A	Signs associated with the 4 SLOs with no objections

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
	Lighting	2023/24	£0.5k		Contained within original Service Budget
	Signs	2023/24	£0.2k		Contained within original Service Budget

4.3 Legal/Risk

The recommendation(s) of an independent Reporter following public hearings would be reported to a future meeting of the Environment and Regeneration Committee. In the event that the Committee decides not to appoint an independent Reporter but rather decides to hear the objections itself, the decision of the Committee will be final.

4.4 Human Resources

None.

4.5 Strategic

None.

5.0 CONSULTATION

- 5.1 This report is a result of a public consultation on the 20mph Speed Limit Orders associated with town and village centres. It notes the outcome of the consultation undertaken between 28 November 2022 and 19 December 2022.

6.0 BACKGROUND PAPERS

- 6.1 This report follows one of the decisions made at the Environment and Regeneration Committee on 13 January 2022 regarding the report entitled "Implementation of 20mph Speed Limits in Residential Areas".

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/032/23
Contact Officer:	Iain Strachan	Contact No:	01475 712147
Subject:	Capital Strategy 2023-2033 and Treasury Management Strategy Statement & Annual Investment Strategy 2023/24-2026/27 – Remit from Policy & Resources Committee		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

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

1.3 The Policy & Resources Committee at its meeting of 21 March 2023 considered a report by the Interim Director, Finance & Corporate Governance a copy of which forms an appendix to this report, requesting that the Committee remits to the Inverclyde Council, for approval, the 2023-2033 Capital Strategy and the Treasury Management & Annual Investment Strategy 2023/24-2024/27.

1.4 The Policy & Resources Committee agreed that:

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

2.0 RECOMMENDATIONS

It is recommended that Inverclyde Council:

2.1 Approve the 2023-2033 Capital Strategy.

2.2 Approve the Treasury Management & Annual Investment Strategy 2023/24-2024/27.

Iain Strachan
Head of Legal, Democratic, Digital & Customer Services

Report To:	Policy & Resources Committee	Date:	21 March 2023
Report By:	Interim Director, Finance & Corporate Governance	Report No:	FIN/17/23/AP/KJ/LA
Contact Officer:	Alan Puckrin	Contact No:	01475 712223
Subject:	Capital Strategy 2023-2033 and Treasury Management Strategy Statement & Annual Investment Strategy 2023/24-2026/27		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to request that the Committee remits to the Inverclyde Council, for the approval, the 2023-33 Capital Strategy and the Treasury Management and Annual Investment Strategy 2023/24- 2024/27 and specifically the following:
- a) Prudential Indicators and Treasury Management Indicators, Authorised Limits for 2023/27 and Treasury Policy Limits (Section 2 of Appendix 2)
 - b) Policy on Environmental, Social & Governance issues for investments (paragraph 3.13 of Appendix 2)
 - c) List of Permitted Investments (including those for the Common Good Fund) (paragraph 3.17 and Appendix A of Appendix 2)
 - d) Policy on repayment of Loans Fund advances (Section 4 of Appendix 2).
- 1.3 Approval is also sought to remit to the Council for approval the clauses on Treasury Management and Treasury Management Policy Statement detailed in paragraphs 4.3 and 4.4 of the report.
- 1.4 The Capital Strategy highlights the significant challenges the Council will face in the medium term to fund the maintenance of the existing asset base and legislative requirements especially in relation to Net Zero. The Treasury Management Strategy incorporates the decision by the Council on 16 February to change the accounting treatment for service concessions which will have a material impact upon the Council's cashflow/ Treasury Strategy, over the medium term.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Committee review the Capital Strategy 2023-33, note the significant financial challenges the Council faces in maintaining the existing asset base and thereafter remits the Capital Strategy to the Full Council for approval.
- 2.2 It is recommended that the Committee considers the contents of the report, the Treasury Management and Investment Strategy set out in the Appendix 2 and remits the report and Treasury Management and Investment Strategy to the Full Council for approval.

Alan Puckrin
Interim Director, Finance & Corporate Governance

3.0 BACKGROUND AND CONTEXT

3.1 Capital Strategy

The production of a Capital Strategy which is reviewed annually is a requirement of the CIPFA Prudential Code. The document requires to be considered along with the Treasury Strategy and thereafter approved by the Inverclyde Council. It is viewed as being one of the key strategic financial documents along with the Council's Financial Strategy which help govern the strategic direction for the Council's financial planning.

3.2 Over the last 15 years the Council has undertaken a significant amount of work on Asset Management Planning (AMP) and has used a combination of internal expertise and external peer review in the development of a number of AMPs. Once created, the AMPs are embedded within the Council's Corporate Directorate Improvement Plans and Capital Programme formulation process to ensure that there is a strong alignment between the Council's overarching Priorities and capital investment decisions.

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

3.4 As at 31 March 2022 the Council owned property plant and equipment assets valued at £441million net of accumulated depreciation. Once PPP Assets and Managed Properties are included then the value of this Asset Base increased to £551million. The maintenance of such a large asset base in the context of core Capital Grant from the Scottish Government of just over £6million is not sustainable and this has been flagged during recent budget processes.

3.5 Whilst officers will continue to access capital support/grants from the Scottish Government and partner agencies, these will not be sufficient or may not be allowed, to fund core asset maintenance. Therefore, Members face a choice of either allocating significant levels of revenue resources/reserves to future capital programmes against the backdrop of the considerable revenue budget pressures, or to reduce the asset base. Officers believe that the requirements of the Net Zero agenda need to act as a catalyst for some fundamental reviews of the Council's asset base as evidenced by the recent Leisure property review and the New Ways of Working project.

3.6 Treasury Management & Investment Strategy

CIPFA revised the CIPFA Prudential Code and the CIPFA Code of Practice on Treasury Management in December 2021. Inverclyde Council have adopted the Code of Practice on Treasury Management and comply with the Prudential Code.

The revised codes had an immediate requirement that Councils must not borrow to invest primarily for financial return (which this Council does not do) with the following main changes to be implemented from financial year 2023/24:

- a. All investments are to be attributed to either Treasury Management, Service Purposes or Commercial Purposes.
- b. The risks associated with investments for Service or Commercial Purposes should be proportionate to the Council's financial capacity.
- c. Councils must not borrow to invest for the primary Commercial purpose of financial return. Where financial returns arise from a project, they should be incidental to its primary purpose.
- d. An annual review should be conducted to evaluate whether commercial investments should be sold to release funds to finance new capital expenditure or refinance maturing debt (Inverclyde Council has no commercial investments).
- e. A new prudential indicator is required for the net income from commercial and service investments as a proportion of the net revenue stream.
- f. A new treasury indicator known as the Liability Benchmark is required.
- g. The monitoring and reporting of all forward-looking prudential indicators is required at least quarterly and any significant deviations must be highlighted (this will be done as part of the regular Finance Service reporting to the Policy & Resources Committee)

- h. The knowledge and skills required by Officers and by Elected Members is to be proportionate to the size and complexity of the treasury management conducted by the Council.
 - i. The Council must create new Investment Management Practices (IMP) to manage risks associated with non-treasury investments (similar to the current Treasury Management Practices - TMPs).
 - j. Environmental, social and governance (ESG) issues are to be addressed within the Council's treasury management policies and practices (including in TMP1).
- 3.7 The Local Government in Scotland Act 2003 and supporting regulations (the Act) require the Council to 'have regard to' the CIPFA Prudential Code (the Prudential Code) and the CIPFA Code of Practice on Treasury Management (the Code) to set Prudential and Treasury Indicators for at least the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable.
- 3.8 The Act and supporting regulations require the Council to set out its Treasury Strategy for borrowing and to prepare an Annual Investment Strategy which sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.
- 3.9 It is a statutory requirement for the Council to produce a balanced budget. In particular, a local authority must calculate its budget requirement for each financial year to include the revenue costs that flow from capital financing decisions. This, therefore, means that increases in capital expenditure must be limited to a level whereby increases in charges to revenue are affordable within the projected income of the Council for the foreseeable future. The projected revenue impact of the 2023/26 Capital Programme was built into the approved 2023/24 Revenue Budget.

4.0 PROPOSALS

4.1 Capital Strategy

It is proposed that the Committee review the contents of the Capital Strategy 2023-2033 as contained in Appendix 1 and thereafter remit the Strategy to the Full Council for approval.

4.2 Treasury Management Strategy and Annual Investment Strategy

The proposed Treasury Management Strategy and Annual Investment Strategy is attached as Appendix 2 and includes:

- a. Prudential Indicators and Treasury Management Indicators, Authorised Limits for 2023/27, and Treasury Policy Limits (paragraphs 2.1 to 2.14)
- b. Policy on ESG issues for investments (paragraph 3.13)
- c. Policy on repayment of Loans Fund advances (paragraph 4.2)
- d. List of Permitted Investments (including those for the Common Good Fund) (paragraph 3.17 and Appendix A).

The Council will be requested to approve the Treasury Management Strategy and Annual Investment Strategy including indicators, policies, limits, and permitted investments.

4.3 CIPFA recommend that the following clauses from the revised Treasury Management Code are adopted by the Council:

1. This organisation will create and maintain, as the cornerstones for effective treasury and investment management:
 - a treasury management policy statement stating the policies, objectives and approach to risk management of its treasury management activities
 - suitable TMPs setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities
 - IMPs for investments that are not for treasury management purposes.

The content of the policy statement, TMPs and IMPs will follow the recommendations contained in Sections 6, 7 and 8 of the TM Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the TM Code's key principles.

2. This organisation (ie full board/council) will receive reports on its treasury and investment management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close in the form prescribed in its TMPs and IMPs.
3. This organisation delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Policy and Resources Committee, and for the execution and administration of treasury management decisions to the Chief Financial Officer, who will act in accordance with the organisation's policy statement, TMPs and IMPs, and if they are a CIPFA member, CIPFA's Standard of Professional Practice on treasury management.
4. This organisation nominates the Policy and Resources Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.

The Council will be requested to adopt the clauses in the paragraph above.

4.4 Further to 4.3 above, the Council has a formal Treasury Management Policy Statement as follows that is required to be approved by the Full Council:

1. This organisation defines its treasury management activities as: "The management of the authority's borrowing, investments and cash flows, including its banking, money market and capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks".
2. This organisation regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation and any financial instruments entered into to manage these risks.
3. This organisation acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance measurement techniques within the context of effective risk management.

The Council will be requested to approve this Treasury Management Policy Statement.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO	N/A
Financial	X		
Legal/Risk	X		
Human Resources			X
Strategic (LOIP/Corporate Plan)			X
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

Whilst there are no direct financial implications arising from approving the two strategies it is clear the need to maintain and fund the current asset base will be a prime consideration as part of future budget rounds.

The Council utilises Treasury Management as part of the overall Financial Strategy. Officers will continue to investigate borrowing and investment opportunities to bring financial benefits to the Council, all within the Treasury Management Policy.

One off Costs

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

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

Any borrowing or lending is done under the Council's legal powers.

The monitoring and management of risks on treasury activities (including borrowing, investments, and cash flow) is undertaken on a daily and ongoing basis in line with the Treasury Management Policy Statement approved by the Full Council and with Treasury Management Practices (TMPs) and Investment Management Practices (IMPs) produced and kept under review.

The Council has a Creditworthiness Policy (in Appendix 2) that is used to determine the types of permitted treasury investments and the criteria for investments and periods. The policy sets out the risks from each investment type (credit/counterparty risk, liquidity risk, market risk, interest rate risk, and legal and regulatory risk) and is submitted for Elected Member approval each year as part of the Treasury Strategy and Investments Strategy report.

5.4 Human Resources

None.

5.5 **Strategic (LOIP/Corporate Plan)**

None.

6.0 **CONSULTATION**

- 6.1 This report includes the latest advice from the Council's treasury consultants (Link Treasury Services Limited).

7.0 **BACKGROUND PAPERS**

- 7.1 CIPFA - Treasury Management in the Public Services – Code of Practice and Cross-Sectoral Guidance Notes – 2021 Edition
CIPFA – The Prudential Code for Capital Finance in Local Authorities – 2021 Edition
Scottish Parliament – The Local Government Investments (Scotland) Regulations 2010 (Scottish Statutory Instrument 2010 No. 122)
Scottish Government - Finance Circular 5/2010 – The Investment of Money by Scottish Local Authorities
Scottish Parliament – The Local Government (Capital Finance and Accounting) (Scotland) Regulations 2016 (Scottish Statutory Instrument 2016 No. 123)
Scottish Government - Finance Circular 7/2016 - The Local Authority (Capital Financing and Accounting) (Scotland) Regulations 2016 – Loans Fund Accounting
Scottish Government - Finance Circular 10/2022 – Accounting for Service Concession Arrangements, Leases and Similar Arrangements

Capital Strategy

2023 – 2033

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1.0 INTRODUCTION

- 1.1 The production of a Capital Strategy which is reviewed annually is a requirement of the CIPFA Prudential Code. The document requires to be considered along with the Treasury Strategy and thereafter approved by the Inverclyde Council. It is viewed as being one of the key strategic financial documents along with the Council's Financial Strategy which help govern the strategic direction for the Council's financial planning.
- 1.2 The traditional focus of Local Government budgeting tends to be on the Revenue Budget with the annual cycle of Grant settlements from the Scottish Government, the identification of savings and investment plans and the approval of the budget along with Council Tax in February/March. As part of this the Council will generally approve a three year Capital Programme. In recent years the capital budget has been a less contentious issue for Elected Members with the Council approving significant amounts of prudential borrowing as well as contributions from Revenue Reserves in order to deliver an ambitious Capital Programme
- 1.3 Details of the Council's asset base, borrowing and debt are included within the audited financial accounts considered by Members and attracts far less attention than the Revenue Budget and Reserve position. At the 31st March 2022 the Council owned property plant and equipment assets valued at £441million net of accumulated depreciation. Once PPP Assets and Managed Properties are included then the value of this Asset Base increased to £551million. Much of the investment in this Asset Base has been funded by borrowing over preceding decades. The Council's external borrowing as at 15th February 2023 was:-

PWLB Debt	£ 74.4 million
Market Debt	<u>£101.3 million</u>
	<u>£175.7 million</u>

The bulk of this debt is due to be repaid at the point that the loan matures with some £28.8 million of the PWLB Debt due to be repaid by 31st March 2033.

- 1.4 Allied to this the Council maintains a Loan Charges record which is an internal record of investment and is currently written down on annuity basis using the expected life span of the asset created/work carried out. For example a new school will generally be written off over 40 years whereas a roads resurfacing contract will be written off over 25 years. As at the 31st March 2023 the expected value of the Council's internal loan debt is £221.3 million. The repayment costs in 2022/23 are projected to be £17.0 million and these repayments include both Capital and Interest and are referred to as Loan Charges. It is Loan Charges which are funded by the Council's Revenue Budget.
- 1.5 Over the last ten years the Council has undertaken a significant amount of work on Asset Management Planning. The first Asset Management Plan related to the School Estate (the SEMP) which resulted in an ambitious and comprehensive new build and upgrade programme for the full School Estate. Thereafter asset plans were created in respect of the main leisure facilities, the roads assets, office and depot assets, ICT assets and most recently, open spaces. All Asset Management Plans are linked to the Corporate Directorate Improvement Plans (CDIPs) with delivery reported throughout the year as part of the cyclical Capital Programme updates.
- 1.6 The purpose of Asset Management Plans are to not only document and quantify all the assets held and their assessed condition but also create a sustainable investment plan which can then be factored into future years Capital Programmes. The creation of the Asset Management Plan will require in many cases decisions from Members regarding a whole estate investment approach which will potentially identify assets which the Council should no longer retain. This can lead to investment in fewer assets but to a higher quality. This has certainly been the case in respect of schools, offices and depots where the Council's property footprint has reduced considerably over the last 15 years with the sums saved from buildings no longer in existence reinvested in the remaining buildings and resulted in an improved estate.
- 1.7 A significant benefit of having long term Asset Management Plans is that it allows longer term Capital Planning and the Capital Strategy includes Investment Plans for the next 10 years. This allows the Council to identify whether it's longer term Capital Investment Plans are affordable and sustainable

and provides time for corrective action to be taken.

- 1.8 The Council is coming to the end of a period of ambitious investment. This has seen a significant increase in the Council's Loan Fund Debt over the last 15 years and projections indicate that the Loan Fund Debt will peak at approximately £230.8 million in 2024/25. On the basis of limited prudential borrowing in future years the Loan Fund debt will reduce to around £172 million by 2032/33. Therefore, there needs to be a correlation between the reduction in the Council's internal loan debt and the repayment of the Council's external borrowing to the PWLB over the next 10-15 years.
- 1.9 One issue which the Capital Strategy and Treasury Strategy require to demonstrate is the affordability and sustainability of the Council's Asset Management Plans, to enable Members to see the longer term financial implications of policy and investment decisions.
- 1.10 Much of the affordability assessment depends on the Council's Treasury Strategy and this is also presented to the Policy & Resources Committee annually prior to the 31st March each year. The period of the Treasury Strategy is currently four years and one product of the creation of a Capital Strategy will be to better align the timescales for the Treasury Strategy, Investment Strategy and Capital Programme. Based on the projected trajectory of the Council's loans fund and external borrowing then the overall Treasury Strategy is currently to borrow on a short to medium term basis. This approach is largely influenced by the significant value of market debt held by the Council much of which was borrowed at the time of the transfer of the housing stock in 2007. The latest possible maturity date for the market loans varies from 2066-2077 although, dependent on macroeconomic changes there is always the possibility that lenders may wish to trigger repayment of their loans with the Council.
- 1.11 The Chief Finance Officer is supported in monitoring the Council's Capital, Treasury and Investment position by both internal officers and also the Council's Treasury Advisor with whom he meets twice per year. This external support is a vital check and balance in ensuring the Council is receiving the best possible advice and support in managing the Council's considerable asset base, borrowings and future investment plans. This enables the Chief Finance Officer to provide regular reports to the Policy & Resources Committee and the Inverclyde Council on the Council's Treasury Strategy, Treasury Annual Report and Mid-Year Report as well as frequent updates on the Capital Programme.
- 1.12 The Capital Strategy pulls all these aspects together and aims to provide a valuable addition to Elected Members overall understanding of the Council's finances and the wider impacts on policy choices in coming years.

2.0 GOVERNANCE AND REGULATORY FRAMEWORK

Legal and Regulatory Framework

- 2.1 The legal framework under which treasury management operates mainly involves:
- the Local Government (Scotland) Act 1973
 - the Local Government (Scotland) Act 1975
 - the Local Government etc. (Scotland) Act 1994
 - the Local Government in Scotland Act 2003
- and
- Regulations and statutory guidance issued under powers in the above Acts.
- 2.2 In addition, CIPFA issued the Prudential Code for Capital Finance in Local Authorities and the Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes, both of which were last revised in December 2021.

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

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

- 2.3 The main regulations and statutory guidance that apply are:
- a) Local Government Capital Expenditure Limits (Scotland) Regulations 2004
These require that Councils “have regard” to the Prudential Code when determining “the maximum amount which a local authority can afford to allocate to capital expenditure”.
 - b) Local Government Investments (Scotland) Regulations 2010
Scottish Government Finance Circular 5/2010 was issued under these Regulations and requires the approval of annual Investment Strategies and Permitted Investments by Members as well as an Annual Report on Investments to Members within 6 months of the financial year-end.
 - c) The Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016
Scottish Government Local Government Finance Circular 7/2016 was issued under these Regulations and replaced provisions for local authority borrowing, lending and loans funds that were in the Local Government (Scotland) Act 1975. The Circular includes requirements in relation to the prudent annual charging against the Revenue Budget for the cost of capital projects (Loan Charges) and permitted methods of calculating those charges.
 - d) Scottish Government Local Government Finance Circular 7/2018
This Guidance replaces a Finance Circular issued in 2007 that was issued under powers in the Local Government in Scotland Act 2003. The Guidance permits accounting adjustments for some types of treasury management activities, including where Councils have incurred premiums or received discounts when refinancing PWLB loans taken out by the Council.
 - e) Scottish Government Local Government Finance Circular 10/2022
This Guidance replaces a Finance Circular issued in 2010 that was issued to address accounting arrangements for PFI and similar arrangements. It allows a change to the accounting treatment whereby the cost of the PFI arrangement can be accounted for over

the anticipated useful life of the asset rather than the contract life.

Governance

- 2.4 The Capital Expenditure budget is approved by the Council and monitored by the Policy & Resources Committee with oversight of individual projects by the Strategic Committees.
- 2.5 For Treasury Management, officers prepare a Treasury Management and Investment Strategy for each year (including Permitted Investments for the year, the Authorised Limit for External Debt, and the Treasury Management Policy Statement), a Mid-Year Report, and an Annual Report. These reports are submitted to the Policy & Resources Committee for review and for remission to the Full Council for formal approval, in line with the regulatory requirements above. Where the Council undertakes debt rescheduling, this is reported to the Policy & Resources Committee and the Full Council in line with agreed policy.
- 2.6 The cost of Treasury Management activity is included in the Revenue Budget and Budget reports to Committee as Loan Charges. Loan Charges are comprised of the annual charges for the write-off of the cost of capital projects over an appropriate period along with the interest and expenses costs from borrowing and the treasury management activities.
- 2.7 The Chief Finance Officer has delegated authority to make the necessary arrangements for authorised borrowing, the temporary investment of funds, and specified changes to the Treasury Management Practices. This authority is also delegated to each of the 3 Finance Managers where the Chief Finance Officer is absent (as approved by the Council on 30 November 2017). Treasury Management requirements are also included in the Council's Financial Regulations.
- 2.8 The Treasury Management Practices ("TMPs") is an operational document that is updated at least every 3 years and that set-out the main principles under the Treasury Management Code and how the Council will comply with those principles. The TMPs were last updated in February 2023.

Risk

- 2.9 Given the long timescales involved in capital investment and treasury decisions, risk is a fundamental consideration for consideration. Within the Capital Strategy, Appendix A summarises the main risks identified by officers whilst a separate analysis of Treasury Management & Investment risks is included in that document.

3.0 ASSET MANAGEMENT PLANS

- 3.1 A number of years ago the Council identified the need to align capital investment against the policy priorities of the Council. This resulted in the creation of a number of comprehensive Asset Management Plans (AMPs). The first Asset Management Plan related to the School Estate (the SEMP) which resulted in an ambitious and comprehensive new build and upgrade programme for the full School Estate. Thereafter asset plans were created in respect of the main leisure facilities, the roads assets, office and depot assets, ICT assets and most recently, open spaces.
- 3.2 Over the last 15 years the Council has undertaken a significant amount of work on Asset Management Planning and has used a combination of internal expertise and external peer review in their development. Once created the AMPs are embedded within the Council's Corporate Directorate Improvement Plans and Capital Programme formulation process to ensure that there is a strong alignment between the Council's overarching Priorities and capital investment decisions.
- 3.3 The Asset Management Plans not only document and quantify all the assets held and their assessed condition but also create a sustainable investment plan which can then be factored into future years Capital Programmes. In addition the creation of the Asset Management Plan will lead to Members considering a whole estate investment approach which will potentially identify assets which the Council should no longer retain.
- 3.4 A significant benefit of having long term Asset Management Plans is that it allows longer term Capital Investment Plans for a minimum of the next five years but the capability to project this forward for a further period of time. This allows the Council to identify whether it's longer term Capital Investment Plans are affordable and sustainable and provides time for corrective action to be taken. The next part of this section provides an overview of the current position of the Asset Management Plans being progressed by the Council.

3.5 Net Zero

The Environment & Regeneration Committee of 28 October 2021 approved the Net Zero Strategy 2021-2045 which sets out Inverclyde Council's route map to achieving net zero greenhouse gas emissions by 2045. The Net Zero Action Plan 2022-2027 was approved at a special meeting of the Environment & Regeneration Committee on 30th November 2022 and this sought to capture and collate current activities that are funded from existing budgets and to also identify new actions which will require additional funding and/or resources. An allocation of £3.3m for 2023/26 has been approved as part of the 2023/24 budget setting process to allow a focus on the following areas of activity:

- Reducing energy use in buildings through improved data collection, controls and targeted energy audits;
- Reducing energy demand in buildings through increased building based renewable generation;
- Introduction of low/zero carbon heating within smaller scale assets e.g. Early Years Establishments;
- Offsetting (insetting) via local peatland restoration projects;
- Fleet decarbonisation through car and light commercial vehicle transition to ULEV including expansion of charge point provision.

In terms of the impact on existing assets, it is recognised that the 2045 targets for Net Zero will involve circa 80% of the buildings currently in use. Retrofitting the existing building stock is a colossal challenge in transitioning the built environment to net zero. The sheer scale of the task has been expressed in UK wide studies which indicate that it would require one building being retrofitted every 35 seconds between 2020 and 2050 in the UK.

The current Net Zero Action Plan noted that actions towards the end of the initial five-year period include low / zero carbon heating for larger facilities such as primary schools with the current market and available technology limiting the options for heat decarbonisation. It also noted that any heat decarbonisation projects require to be considered in tandem with the action plan item dealing with

feasibility studies on deep retrofit which will address the core building fabric performance and associated heat demand beyond the basic decarbonisation of the heating systems. Costs associated with retrofit and fabric upgrades are currently not included in the action plan and will be subject to further detailed feasibility studies and reports.

There are significant technical, financial and operational considerations / barriers involved in the transition to net zero emissions for each and every retained building / asset. The capital costs will broadly be proportionate to the size / type of facility with smaller facilities at the lower end of the scale and with larger highly serviced / more complex facilities at the upper end.

3.6 School Estate Management Plan & Expansion of Early Learning & Childcare

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

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

The plan prior to the COVID-19 lockdown would have seen all major projects completed in 2020 reflecting the approval of the acceleration of the School Estate Management Plan agreed as part of the budget setting process in March 2016. The St Mary's Primary School project was completed in October 2020 with completion of the final project at Gourock Primary School in December 2022 delayed due to the impact of a combination of the insolvency of the main contractor and COVID-19. The demolition of the last remaining decant facility, the former Sacred Heart Primary School, was completed in June 2022.

In addition to the projects taken forward and completed in 2014/15 to facilitate the Scottish Government commitment to the provision of 600 hours of Early Learning and Childcare, additional expenditure was approved in March 2016 to address works required to improve asset condition and suitability across the stand-alone facilities within the Early Years estate. The Council funded elements of the Early Years estate plan have now been completed with the final project to refurbish Hillend Children's Centre operational as of October 2021.

The Scottish Government plan to further increase the entitlement of early learning and childcare from 600 hours to 1140 hours has required substantial levels of investment in workforce and infrastructure to support the expansion. Inverclyde Council submitted its initial expansion plan to the Scottish Government in September 2017 and this was reported to the October 2017 Education & Communities Committee. A revised plan and financial template was submitted in March 2018, reported to a special Education & Communities Committee in June 2018. The Scottish Government confirmed a total Capital grant of £5.98m to Inverclyde Council as part of the overall 1140 hours funding for the infrastructure and capital funded elements of the expansion plan to be delivered between 2017/21. The original plan was phased from 2017/18 onwards to ensure that the required expanded capacity would be in place by 2020 however as a result of the impact of COVID-19, in April 2020 an order revoked the change to the 2014 Children and Young People's Act that requires education authorities to secure 1140 hours of ELC provision for all eligible children from August 2020. Given the progress already made within Inverclyde in the implementation of 1140 hours, it was possible to develop contingency plans to ensure that 1140 hours was still implemented across Inverclyde as of August 2020. All core 1140 hours expansion projects were completed with the final project for the new Larkfield Early Learning Centre operational as of November 2021.

The School Estate funding model also includes a lifecycle fund designed to address maintaining the condition and suitability of the revitalised estate. The fund allocations are profiled such that the initial allocation of circa £0.4million in 2014/15 increases to circa £2.5-3m per annum. The lifecycle works address the on-going requirement for investment in the estate to maintain the overall condition of the assets at a good/satisfactory level. The allocation of this funding is based on annual review of the externally procured condition surveys and physical inspection of the various properties by the Council's Property Service. The most recent external condition surveys were undertaken via Aecom during 4th Quarter 2019. These surveys and Property Services assessment inform the allocation of future lifecycle funding across the estate and this will become increasingly important in the coming years, particularly for the properties that were included early in the original programme.

A wider Learning Estate Review and strategy is now required to address the next 10+ years and future of the Learning Estate. Work has commenced on this in respect of roll projection analysis and assessment of the possible impacts of the new Local Development Plan and potential new housing provision. The strategy will require to consider the Condition of the estate from external surveys and Property Services reviews. A full review of all suitability surveys has also been progressed in conjunction with Education Services and Heads of each establishment and this information was reflected in the 2021 Core Facts return. The strategy will also consider other works streams such as the 2021/28 Education Services Digital Learning Strategy. Energy efficiency and the implications of the Inverclyde Net Zero Strategy and 2022/27 Action Plan including the National policies around net zero carbon standards for public buildings will also have to be reflected in future property asset strategies.

3.7 Office AMP

The Council's Office rationalisation proposals were originally presented and approved in September 2010. Linked with this was the prior approval in March 2010 for the development of a Customer Service Centre within Greenock Municipal Buildings designed to transform the way the Council communicates with its customers. The programme was part of a wider programme to modernise the Council's operations and working practices which included initiatives such as mobile and flexible working, electronic document management (EDRMS) and greater use of technology. The Offices Asset Management Plan (AMP) was taken forward on the premise that fewer desks than employees would be provided with the final projects within the Offices AMP completed in Autumn/Winter 2017. The Office Rationalisation programme resulted in a reduction of circa 40% of occupied floor space and circa 28% in terms of desk numbers with an increased potential desk space ratio through more efficient use of space across the same number of retained properties.

With the completion of the Office rationalisation programme, the majority of the Council's Operational Office space is now contained within the Greenock Municipal Buildings Campus. This is comprised of the main Municipal Buildings (including the refurbished/renovated former District Court offices), the Wallace Place Building and the James Watt Building. Property Services had undertaken studies across the Campus at the end of 2019, both internally and through external specialist space planning consultants, with a view to identifying where possibilities exist for more efficient use of space and to address improvements where existing space is less suitable for current use and/or in poorer condition. The challenges posed by COVID-19 necessitated a shift to different agile working delivery models including increased flexible, mobile and homeworking arrangements. As part of the COVID-19 Organisational Recovery Plan the Council reviewed its agile working and other key policies resulting in the development of a Hybrid Working Strategy, with a 12 month pilot currently nearing completion. As part of the Council's Delivering Differently Programme, a New Ways of Working project is also being taken forward to examine the changes to the ways offices are being used within the Campus including changes in the use of technology and the potential for increased use of Electronic Document Management processes. The previously completed space studies are being revisited as part of this work stream to assess the potential property / ICT investment implications connected with new ways of working. The November 2022 Policy & Resources Committee were advised of the plan to mothball the James Watt building from early 2023/24 with minor works undertaken across various assets to facilitate the relocation of staff and with that activity currently underway.

The potential reduction in employees arising from the 2023/25 savings exercise plus the recently

announced successful Levelling-up Funding bid which will impact the Hector McNeil House building, will influence the future direction of the New Ways of Working Project.

The future maintenance and lifecycle requirements of this element of the Council's estate strategy will now be contained / addressed within the Operational Properties portfolio and the allowances for statutory and planned maintenance / lifecycle works funded from the annual £2.4m General Property Service capital allocation monitored through the Environment & Regeneration Committee.

3.8 Depot AMP

The Council's Depot rationalisation has involved the centralisation of Grounds, Waste and Transport at Pottery Street with a Gourock Civic Amenity site and the Building Service Unit (BSU) currently remaining at Devol Depot. The original Depot Asset Management Plan budget of £13m was reduced by £2.8m through a review of phasing and scope with the development of the masterplan and a refinement of the strategy / proposals. The majority of projects were completed by mid-2019 incorporating the phased works at Pottery Street including the salt barn, civic amenity site, vehicle maintenance facility / offices, fuel and vehicle wash facilities, and the refurbishment of the corner depot building / offices. The final element of the Depot AMP involving the Gourock Civic Amenity facility has been partially completed with the existing Civic Amenity facility closed at the end of January 2022 and temporarily relocated to Craigmuschat Quarry. The demolition of the existing Kirm Drive Depot building and removal of fuel tanks was completed in June 2022. Decisions in respect of the future provision were concluded as part of the 2023/24 budget setting process.

3.9 Leisure AMP

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

Following the implementation of the original Leisure Strategy above, a number of further projects were taken forward (Ravenscraig Activity Centre / Inverclyde Indoor Bowling / Lady Octavia Sports Centre / Boglestone Community Centre) through joint Council / Inverclyde Leisure funded projects.

In 2018 the Council agreed to allocate £120,000 annually to supplement the funding in the Leisure Repairs and Renewals Fund to meet the life cycle costs associated with the large 3G Pitch estate. The on-going requirements for major maintenance and lifecycle replacement of sports pitches across the Leisure Estate are addressed through the Leisure Pitches Strategy Asset Management Plan and capital allocations monitored through the Education & Communities Committee. Condition surveys were undertaken via external specialists in late 2019 across the Leisure and School Estate pitches to inform a review of the Asset Management Plans and lifecycle replacement allowances. This information together with data on individual pitches hours of use from Inverclyde Leisure formed the basis of a revised asset plan which was approved by the September 2020 Education & Communities Committee. A programme of rejuvenation and carpet replacement works commenced in 4th Quarter 2020 with 3 pitches completed to date and 2 further pitches completed in 2022.

The major maintenance and lifecycle replacement requirements of the buildings for the Leisure Estate remains with the Council and this element of the Council's estate strategy is addressed within the Operational Properties portfolio and the allowances for statutory and planned maintenance / lifecycle works funded from the annual £2.4m General Property Service capital allocation monitored through the Environment & Regeneration Committee. Minor day to day maintenance and 'consumables' are the responsibility of Inverclyde Leisure in accordance with the Service Level Agreement which regulates access, standards of maintenance and division of responsibilities. The allocations through this fund will be vital in the coming years to address significant elemental renewal of ageing assets.

As part of the Council's Delivering Differently Programme, the Council and Inverclyde Leisure have undertaken a strategic review of all indoor, outdoor and community leisure facilities in Inverclyde.

This activity has been aligned with the preparation for the 2023/25 Budget recognising the Inverclyde Leisure business model pressures such as shortfalls in income, increases in utilities, and other inflationary pressures such as pay. A report was submitted to the November 2022 Education and Communities Committee outlining proposals to reduce the funding pressure addressing a potential major reduction in the Inverclyde Leisure managed estate. The proposals have been subject to public consultation and were considered as part of the budget setting process.

3.10 Roads AMP

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

Further to this investment, a second phase of RAMP funding was allocated to the value of £15m for the period April 2018 to March 2023.. From 2023/24 the annual allowance is £2.75 million.

Over 97% of the Council's streetlights have now been upgraded to low energy LED types which has halved electrical power consumption, reduced energy and maintenance costs to the Council and has reduced the carbon footprint. Roads structural projects and programmes have delivered numerous bridge upgrades and improvements including a prioritised programme of inspection and repair. The RAMP has resulted in a reduction in the number of Inverclyde's roads, footways, street lights and road structures which require ongoing maintenance treatment while providing an increased future lifespan.

From the implementation of the RAMP in 2013 to present, the Road Condition Indicator (RCI) has continually reduced which demonstrates that the planned investment is resulting in a significant improvement to the condition of Inverclyde's road network.

The Road Condition Indicator (RCI) for carriageways as follows:

SRMCS Survey Results				
Year	Red	Amber	Green	RCI
2011/13	13.55	35.42	51.0	49.0
2012/14	12.69	36.55	50.8	49.2
2013/15	10.80	35.47	53.7	46.3
2014/16	10.11	33.18	56.7	43.1
2015/17	8.57	31.96	59.5	40.5
2016/18	7.09	30.80	62.1	37.9
2017/19	7.44	30.02	62.5	37.5
2018/20	7.41	29.88	62.7	37.3
2019/21	5.73	29.57	64.7	35.3
2020/22	4.51	28.19	67.3	32.7
2021/23	3.39	27.77	68.84	31.2

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

3.11 Vehicle AMP

The purpose of the Vehicle AMP is to provide the Council with an efficient, flexible method of

procuring and operating fleet items that reflects good fleet management practice plus a cyclical replacement of fleet assets over a 5 or 7 year cycle dependant on fleet category taking advantage of public sector collaborative procurement frameworks. A review of the replacement policy will be undertaken to reflect the budgetary position taking cognisance of the increased costs of vehicles, and requirement to move towards Ultra Low Emission Vehicles (ULEVs)

In addition it led to the introduction of a dedicated Fleet Management System and Fleet Tracking System. Without a fleet asset management plan the Council would experience a return to inefficient practices including increased fleet downtime, an increase in expensive 'spot' hire vehicles, a requirement to increase workshop staff levels and an increase in both material and sub-contractor costs. Looking to the future the Vehicle AMP will continue taking advantage of the latest technological advances both in terms of vehicle and management/telematics systems driving forward efficiencies within the fleet asset management plan.

The Council have previously taken advantage of bridge funding from Transport Scotland and technological advances allowing greater battery range has allowed a significant increase in the number of ULEVs on the Council fleet. In 2017/18 there were 4 pure electric ULEVs accounting for 8% of fleet vehicles within these categories increasing to 38 (76%) by 2020/21. This figure has remained static since 2020/2021 when no further bridge funding was made available. The Council will require to identify funding for ULEVs to meet the Scottish Government target of ending the sale of new petrol or diesel cars and light vans in Scotland by 2032 and this is being considered as part of the Council's Net Zero Strategy.

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

3.12 **Open Spaces AMP**

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

In addition, the Council has allocated over £3.0 million over the next 2 years to expand Burial Grounds provision and replace the Council's cremators. The identification of appropriate ground for burials has been challenging for the Council in the medium to long term.

3.13 **ICT Asset Plan**

The ICT Asset Management Programme intends to provide a modern ICT infrastructure providing the most appropriate level of equipment, at best value to the Council across all of Inverclyde Council's Offices and Schools. It aims to allow staff to undertake their roles and responsibilities in as efficient and flexible a manner as possible and provide teachers and pupils with modern and sustainable learning technologies. The ICT AMP has an annual budget of £0.593m.

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

- Planning & Procurement
- Lifecycle & Disposal

The Council has adopted a policy of deploying laptops as the default device for officers unless there is a technological or configuration requirement that would require a desktop. ICT implements a four-

year desktop and laptop refresh strategy and in 2021/22 completed a full refresh across the corporate estate to allow for the introduction of Hybrid working.

In 2022/23 650 teacher/class desktops were replaced with laptops and 280 computers in two of the ICT/Business Studies suites in each high school were refreshed. Phase 2 of the School Refresh programme will see the remaining suites refreshed in FY 2023/24. Phase 3 will replace devices in administration, libraries and other classroom environments.

The total number of devices in the programme is 6116

	Desktop PCs	Notebook PCs	Tablet PCs	Total
Schools	1972	2458	45	4475
Corporate	232	1334	62	1641
Total	2204	3792	107	6116

The programme also includes provision for replacement of core ICT equipment such as network storage, servers and infrastructure and the procurement and implementation of other services to support Hybrid working such as videoconferencing equipment.

3.14 Scheme of Assistance

Section 72 of the Housing (Scotland) Act 2006 requires Local Authorities to prepare and make publicly available a statement which sets out the Council's approach to providing householders with advice and/or assistance on how to repair, improve, maintain or adapt their home. The 2006 Act paves the way for applications for assistance with adaptations to be treated separately from applications for assistance with repairs and includes a general duty to provide financial assistance to make a house suitable for a disabled person. All eligible adaptation works will receive a minimum of 80% grant assistance or, at the discretion of the Council, 100% grant can be awarded.

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

Year	Number of Homes Adapted	Small Repairs Provided
15/16	174	1705
16/17	181	1587
17/18	171	1701
18/19	195	1582
19/20	169	1620
20/21	133	582
21/22	162	1818

The number of adaptations came back up in 21/22 after the pandemic. Projected figures for 2022/23 are 140 adaptations and 1400 small repairs. Although the number of adaptations is likely to be lower than in 20/21 the cost of individual adaptations is greater and there have been one or two of significantly higher cost.

3.15 HSCP Asset Management

In addition to the regular review of HSCP properties to identify opportunities for reconfiguration of services that support co-location, work has been undertaken across the NHS Greater Glasgow & Clyde area to develop a Primary Care Property Strategy which seeks to better understand the current utilisation of property and its suitability for existing and future service provision. This strategy will assist with future business cases and inform board infrastructure investment decisions.

A number of shared service offices were addressed as part of the Offices Asset Management plan and consolidation within the Hector McNeil House building completed in 2014. Two further major

HSCP projects secured Scottish Government funding support with the new Adult and Older People Complex Care Beds facility (Orchard View) completed in summer 2017 and the new Greenock Health and Care Centre which became operational in March 2021. The completion of the new Health and Care Centre facilitated further shared service / joint working with the business case predicated on the basis that the existing NHS owned Greenock Health Centre, Boglestone Clinic, Larkfield Child & Family Centre (CAMHS) Building, and Cathcart Centre, which were not fit for purpose, would be disposed of.

Further asset areas were addressed via the phased re-provisioning of Inverclyde's Children's Residential Services with one unit (Kylemore) completed in March 2013 and a further unit (Cardross – 'the View') completed in January 2018. The progression of the final unit (Crosshill) was delayed due to the impact of a combination of the insolvency of the original main contractor and COVID-19 with completion achieved in October 2022.

The Strategic Review of Services for Adults with Learning Disabilities in Inverclyde was signed off by the Integration Joint Board in December 2016. As part of the Service redesign, a number of properties historically used by the service have been decommissioned with flats at Lynedoch Street and Hope Street vacated and released back to the relevant Registered Social Landlords. Golf Road was vacated in June 2018 and the McPherson Centre decommissioned in September 2018 with full integration into the Fitzgerald Centre following work within the Fitzgerald Centre to upgrade personal care facilities, storage and sensory areas undertaken over summer 2018. The longer term plan remains for a new Inverclyde Community Learning Disability Hub with business case approved in February 2020 and design proposals currently being developed through the hub delivery model with financial close targeted in 3rd Quarter 2023.

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

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

The Scottish Government recently carried out a public consultation on its proposals for a National Care Service (NCS) to achieve changes to the system of community health and social care in Scotland. On 20th June 2022, the Scottish Government introduced the National Care Service (Scotland) Bill to the Scottish Parliament. The Bill would establish a National Care Service in Scotland, and allow Scottish Ministers to transfer responsibility for a range of social care services from local authorities to the new service. This could include adult and children's services, as well as areas such as justice and social work. New "care boards" would be responsible for delivering care locally. It is unclear what the approach to assets currently used by the proposed transferring functions will be. The uncertainty around NCS further compounds the difficulty in being able to confidently make medium and long term decisions around future asset requirements.

3.16 City Deal

Although not a specific Asset Management Plan the Council does have major investment plans in relation to the Glasgow Region City Deal which has a £1.13 billion Capital Infrastructure investment programme covering the 8 Local Authorities in the Glasgow City region. Inverclyde Council currently has 3 projects in various stages of development with an estimated total Capital cost of £32.5million, £22.8million of which is funded through the City Deal investment and Council contribution with the balance funded by external partners.

The Scottish and UK Government investment is due to be paid over a 20 year period ending in 2035. Due to the timing difference between the Council incurring expenditure by 2025 and the receipt of grant, the Council will require to finance the cashflow implications as well as loan charges in relation to the Council's projected £1.3 million contribution. The funding for this has been allowed for in the Council's recurring Revenue Budget and forms a specific appendix within the Financial Strategy.

3.17 Levelling Up Fund

Again, whilst not a specific Asset Management Plan the Council has recently received confirmation of £19.39m Levelling Up Fund grant towards a £21.6m project to redevelop Greenock Town Centre. The project will see the transformation of the town centre with demolition of the elevated A78 dual-carraigeway along with Hector McNeill House and 40% of the existing Oak Mall retail centre resulting in easier access to the area for residents and visitors, with the resultant additional space having the potential for a new college campus, town centre housing and new cultural opportunities. This project has clear implications for the Office and HSCP AMPs and is being considered within the overall New Ways of Working project.

4.0 THE CAPITAL PROGRAMME

- 4.1 The Council traditionally approves a rolling three year Capital Programme each budget cycle. The March 2023 budget cycle brings the current Capital Programme up to 2025/26.
- 4.2 Annual capital budget allocations are provided for investment in the core assets identified via the Asset Management Plans with these allocations intended to maintain the existing assets to acceptable standards. The allowances do not generally allow for expansion or replacement of existing assets which would normally be addressed through specific investment proposals.
- 4.3 The UK exit from the EU, the impact of COVID, increased global demand for materials and most recently the impact of the conflict in Ukraine continue to have a significant impact on the delivery of the capital programme. These issues have inevitably led to both cost pressures and project delays. As a result a further annual cost pressure allowance has been included in the 2023/26 budget across those areas most impacted by the pressures.
- 4.3 Current annual allocations amount to £9.696m (see table below) This amount includes the increased allocation to Roads Property and Scheme of Assistance approved as part of the 2023/24 Budget.

Recurring annual Grant Allocations:

ICT	£0.593m
Roads (RAMP)	£2.750m
Zero Waste Fund	£0.060m
Parks & Open Spaces	£0.200m
Property	£2.400m
Scheme of Assistance	£0.573m
Leisure Pitches	£0.120m
School Estate	£3.000m
Total Annual allocations	£9.696m

General Capital Grant in 2023/24 £6.079m

The Scottish Government spending review in 2021 confirmed the General Capital Grant will remain at the current level until at least 2025/26 however changes in the distribution methodology have reduced Inverclyde's share of the grant to approximately £6m. The General Capital Grant in 2023/34 then is approximately £3.6million short of the ongoing Asset Maintenance requirement. The current Financial Strategy assumes that the Council will prudentially fund £1.5 million of capital investment annually from 2023/24 which will partially address this. The remaining shortfall of approximately £2.1m per year will require to be funded from either capital receipts, revenue reserves and prudential borrowing or reductions in the asset base.

- 4.4 Other investment includes the Vehicle Replacement Programme however this is funded via ongoing prudential borrowing and is not reliant on the General Capital Grant. In addition, specific

investment proposals are considered either as part of the budget setting process or via reports to Strategic Committees. Any such proposals would require to be funded by way of prudential borrowing and/or one off allocations from reserves.

- 4.5 In addition to the core capital grant the Council receives Specific Capital Grant awards from the Scottish Government plus can apply for grants from other bodies such as Strathclyde Passenger Transport and Sustrans.
- 4.6 In recognition of potential increase in resources or cost reductions the Council will overprovide by up to 5% against available resources. It needs to be borne in mind that if extra resources or cost reductions do not occur then savings will be required.
- 4.7 A summary of the proposed 2023/26 Capital Programme is shown below. This was approved by the Council in March 2023. It should be noted the Capital Grant figure for 2023/24 includes £1.872m additional funding for the Pay Award, and £0.928m allocation for Free School Meals for which additional spend has also been included.

Proposed Capital Programme 2023/2026

<u>Expenditure/Projects by Committee</u>	<u>2023/24</u> £m	<u>2024/25</u> £m	<u>2025/26</u> £m	<u>Totals</u> £m
Policy & Resources	0.500	2.766	2.644	5.910
Environment & Regeneration	10.322	19.442	9.610	39.374
School Estate	1.897	5.287	4.000	11.184
Education & Communities	1.300	0.325	0.551	2.176
HSCP	2.550	6.600	0.174	9.324
	16.569	34.420	16.979	67.968
 <u>Financed By</u>				
Government Grant	8.879	6.000	6.000	20.879
Sales/Contributions	0.355	0.404	0.315	1.074
Other Income	3.425	-	-	3.425
Revenue	0.682	5.780	3.764	10.226
Prudential Borrowing	5.150	9.179	2.748	17.077
Resources Carried Forward	12.250	-	-	12.250
	30.741	21.363	12.827	64.931
Shortfall in Resources				3.037
Recommended maximum overcommitment (5% of Resources)				3.247
Flexibility				(0.210)

5.0 DEBT AND FIXED ASSETS

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

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

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

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

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

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

5.4 Loan Fund Debt

The Council is coming to the end of a significant period of ambitious investment in the School Estate, Leisure Estate, Roads Assets plus the rationalisation of the Office and Depot Estate. This has seen a significant increase in the Council's Loan Debt over the last ten years and projections indicate that the Loan debt will peak at approximately £231 million in 2024/25 but on the basis of limited prudential borrowing in future years the loan debt will reduce to around £172 million by 2032/33. Thereafter the debt gradually reduces and by 2043 there is only £93 million of the current debt outstanding. Given the current shortfall between Government Grant and annual capital requirements highlighted in section 4, it is likely that Prudential Borrowing and hence debt will need to increase over this period.

5.5 External Debt

The Council's external borrowing as at 15th February 2023 was:-

PWLB Debt £ 74.4 million

Market Debt £101.3 million
£175.7 million

The bulk of these loans are Maturity Loans i.e.: principal is due to be repaid at the point that the loan matures, with some £28.8 million of the PWLB Debt due to be repaid by 31st March 2033. Thereafter however there is a 25 year period where under £28 million is due to mature unless called in by the market lenders or the Council restructures its PWLB debt.

Taking 5.4 and 5.5 together then by 2037, on the basis of the Capital Expenditure plans outlined in this Strategy, the External Debt will exceed Loans Fund Debt. By 2043 the amount of External Debt would exceed Loan Charges Debt by £44 million if nothing else changes and this over borrowing would continue to grow over subsequent years.

5.6 Balance Sheet Fixed Assets

At the 31 March 2022 the Council owned property plant and equipment assets valued at £441million net of accumulated depreciation. Once PPP Assets and Managed Properties are included then the value of this Asset Base increased to £551million. This figure is significantly larger than the previous year due to the indexation process which was carried out on assets during the year.

The average Asset Life Outstanding as at 31st March 2022 for the different category of assets is shown in the undernoted table. From this it can be seen that for the 3 main non-PPP asset categories, the average remaining life is approximately 25.7 years. At a high level this shows a correlation between the remaining life of the main assets in the balance sheet and the Loans Fund Debt.

	Average	
	Asset Life	Asset Life Outstanding
AUC	58.89	56.00
Community Assets	36.81	29.57
Infrastructure	30.07	17.44
OLB	28.10	20.86
PPP	34.93	28.21
VPE	5.73	2.05

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

- 5.7 On 16th February 2023 the Council approved the use of the flexibility offered under Finance Circular 10/2022 with regards the accounting treatment of Service Concession Arrangements, ie the Council's Schools PPP contract, from 2023/24. This in effect extends the PPP debt from 30 years to 45 years, ie to 2053/54 with the asset life being amended accordingly. The impact of this change is not reflected in the above figures.
- 5.8 In summary therefore, for the Council to maintain its considerable asset base, it will need to undertake capital investment over and above the projected Scottish Government Grant/Capital Receipts. This will require future borrowing whilst ensuring that the Council achieves a closer correlation between Loans Fund Debt and External Debt in the longer term. This will be achieved by ensuring that the majority of new borrowing will be carried out for short to medium term periods i.e. up to 15 years.

6.0 LONGER TERM INVESTMENT PLANS

- 6.1 It can be seen from Section 4 of the Capital Strategy that it is unlikely that Government Grant and estimated Capital receipts will be sufficient to meet the required investment levels for the Council to maintain its current asset base. The current Financial Strategy assumes that the Council will prudentially fund £1.5 million of capital investment annually from 2023/24. Any prudential borrowing will need to be funded from savings delivered by the investment or revenue savings. This will require the Council takes a conscious decision to disinvest in certain assets, reduce the number of assets it holds or cut day to day services.
- 6.2 The current annual allocations make no allowance for the transition to Net Zero. While an allocation of £3.3m has been approved for 2023/26 to allow a focus on reducing energy use in existing buildings, decarbonisation of the Council fleet and offsetting there is no allowance for retrofitting the existing building stock. Such retrofitting will be technically and operationally challenging and will involve significant additional capital investment in the period to 2045, significant funding will require to be identified to address this.
- 6.3 It should be noted that this level of investment takes no account of any one off Capital investment requirements not included in the core life cycle maintenance allocations. Any such investment requirements will be flagged up in the relevant Asset Management Plans and following consideration as part of the normal governance processes would be factored into future Capital Strategy reports.
- 6.4 Appendices B and C show the impact of this level of capital investment on the Loan Charges earmarked reserve, loan charges and loan debt for the period to 2042/43. From Appendix C it can be seen that projected Loan Charges would drop by almost £0.4 million between 2023/24 and 2032/33 whilst over the same period the Loan Debt will drop by £44.1 million.
- 6.5 Despite the ongoing need for prudential borrowing the Council will see a reduction in the proportion of its Revenue Budget which is spent on servicing loan charges and also a significant reduction in the ratio of loan debt to revenue budget. From Appendix C it can be seen that the Loan Debt as a percentage of Revenue Budget drops by almost 22.0% over the 2023/33 period, whilst the % of the Revenue Budget spent on Loan Charges drops by 0.49% to 6.85%.
- 6.6 Looking beyond 2033 involves a significant amount of uncertainty around both the funding of Local Government, the services which it will be expected to deliver and the nature of those services. However based on past investment and current service delivery then many of the assets built or significantly refurbished since local government re-organisation will become due for replacement/refurbishment. The Council will therefore require to consider how this massive investment would be funded as part of future Capital Strategies.

7.0 CONCLUSIONS

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

- a) The Council is well advanced in its Asset Management Plan preparation and delivery with major investment in all aspects of its asset estate over the last 15 years or more.
- b) The Council keeps a long term view of its long term borrowing and funding and this informs the current Treasury Strategy.
- c) The Council has a robust governance process via the Financial Regulations, Prudential Code, Risk Management and Budget Process to ensure that Asset Management Plans and the Capital Strategy are affordable in the medium to longer term.

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

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

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

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

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

2/ The Council does not have adequate funding to fully address the Net Zero Strategy

The Net Zero Action Plan 2022-2027 collates existing activities and seeks to identify actions which will require additional funding/resources required to fully address the Net Zero Strategy 2021-2045. While funding has been allocated as part of the 2023/24 budget process to address the Action Plan no further funding is currently available to implement the Strategy. Officers will update the Net Zero plans annually, source external funds, where possible and report to Committee to ensure that plans and funding are aligned.

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

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

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

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

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

5/ The Council has insufficient capital resources to sustain capital commitments.

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

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

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

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

Finance Strategy
Loan Charges

		2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000	2028/29 £'000	2029/30 £'000	2030/31 £'000	2031/32 £'000	2032/33 £'000
Balance B/fwd		337	393	(202)	(688)	(972)	(921)	(588)	(340)	271	1,128	1,970
Projected Loan Charges	a	12,036	17,497	17,488	17,386	17,151	16,969	17,154	16,891	16,745	16,860	16,702
Available Budget	b	12,092	16,902	17,002	17,102	17,202	17,302	17,402	17,502	17,602	17,702	17,802
Loan Charge Surplus/(Deficit)		56	(595)	(486)	(284)	51	333	248	611	857	842	1,100
Other Adjustments:												
None		0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
Balance at Year End		393	(202)	(688)	(972)	(921)	(588)	(340)	271	1,128	1,970	3,070
Interest Rate (Assumed):		3.84%	4.02%	3.75%	3.67%	3.71%	3.67%	3.73%	3.76%	3.81%	3.99%	4.11%

Notes

Revised projections as at Nov 2022 and excludes Loan Charges relating to funded models (City Deal, Birkmyre Trust and, for 2022/23, SEMP). From 2018/19 onwards, general capital grant is applied to core allocations only and not to individually funded models.

- a Includes loan charges for new LD Centre based on spend between 2021/22, 2022/23, 2023/24 and 2024/25.
£100k annual cost increase from 2023/24 to reflect prudential borrowing of £1.5m.
Projected principal repayments on new projects are calculated on annuity basis.
- b Adjustments to Available Budget:
For 2022/23
Budget from 2018/19 onwards reduced by £300k annually to 2022/23 to reflect reduction in Scottish Government grant support resulting from repayment of historic debt.
£400k reduction in budget.
Budget increased by £1,130k due to budget and projected VRP loan charges now included above and not separately budgeted for.
Budget adjusted for £60k reduction in loan charges agreed in February 2022 and for Food Waste Collection saving (£14k reduced).
For 2023/24
Budget increased by £4,715k due to budget and projected SEMP loan charges now included above and not separately budgeted for.
Budget from 2023/24 onwards increased by £100k annually for annual Prudential Borrowing.
Budget adjusted for £5k reduction in loan charges for Food Waste Collection saving.

LONG TERM LOANS FUND PROJECTIONS BASED ON CAPITAL STRATEGY

	Loans Fund Debt End of Year	Total Loan Charges	Assumed Interest Rate	Revenue Stream	% of Loans Fund Debt to Revenue Stream	% of Loan Charges to Revenue Stream
	£000	£000	£000	£000		
2023/24	216,521	17,359	4.08%	236,646	91.50%	7.34%
2024/25	230,780	17,014	3.86%	238,825	96.63%	7.12%
2025/26	229,020	17,775	3.81%	240,383	95.27%	7.39%
2026/27	220,175	17,810	3.84%	241,973	90.99%	7.36%
2027/28	211,208	17,705	3.90%	242,973	86.93%	7.29%
2028/29	203,423	17,771	3.96%	243,973	83.38%	7.28%
2029/30	195,714	17,590	4.05%	244,973	79.89%	7.18%
2030/31	187,960	17,437	4.12%	245,973	76.41%	7.09%
2031/32	180,138	17,413	4.25%	246,973	72.94%	7.05%
2032/33	172,379	16,978	4.24%	247,973	69.52%	6.85%
2033/34	164,473	16,812	4.26%	248,973	66.06%	6.75%
2034/35	156,146	17,040	4.36%	249,973	62.47%	6.82%
2035/36	147,575	17,226	4.56%	250,973	58.80%	6.86%
2036/37	140,084	16,036	4.75%	251,973	55.59%	6.36%
2037/38	132,796	15,647	4.87%	252,973	52.49%	6.19%
2038/39	125,379	15,594	5.00%	253,973	49.37%	6.14%
2039/40	117,762	15,625	5.16%	254,973	46.19%	6.13%
2040/41	109,801	15,753	5.31%	255,973	42.90%	6.15%
2041/42	101,624	15,769	5.51%	256,973	39.55%	6.14%
2042/43	93,291	15,658	5.69%	257,973	36.16%	6.07%

Notes:

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

Treasury Management Strategy
and
Annual Investment Strategy
2023/24 – 2026/27

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1.0 INTRODUCTION

- 1.1 CIPFA revised the CIPFA Prudential Code and the CIPFA Code of Practice on Treasury Management in December 2021. Inverclyde Council have adopted the Code of Practice on Treasury Management and comply with the Prudential Code.

The revised codes had an immediate requirement that Councils must not borrow to invest primarily for financial return (which this Council does not do) with the following main changes to be implemented from financial year 2023/24:

- a. All investments are to be attributed to either Treasury Management, Service Purposes or Commercial Purposes.
 - b. The risks associated with investments for Service or Commercial Purposes should be proportionate to the Council's financial capacity.
 - c. Councils must not borrow to invest for the primary Commercial purpose of financial return. Where financial returns arise from a project, they should be incidental to its primary purpose.
 - d. An annual review should be conducted to evaluate whether commercial investments should be sold to release funds to finance new capital expenditure or refinance maturing debt (Inverclyde Council has no commercial investments).
 - e. A new prudential indicator is required for the net income from commercial and service investments as a proportion of the net revenue stream.
 - f. A new treasury indicator known as the Liability Benchmark is required.
 - g. The monitoring and reporting of all forward-looking prudential indicators is required at least quarterly and any significant deviations must be highlighted (this will be done as part of the regular budget monitoring to the Policy & Resources Committee)
 - h. The knowledge and skills required by Officers and by Elected Members is to be proportionate to the size and complexity of the treasury management conducted by the Council.
 - i. The Council must create new Investment Management Practices to manage risks associated with non-treasury investments (similar to the current Treasury Management Practices - TMPs).
 - j. Environmental, social and governance (ESG) issues are to be addressed within the Council's treasury management policies and practices (including in TMP1).
- 1.2 The Local Government in Scotland Act 2003 and supporting regulations (the Act) require the Council to 'have regard to' the CIPFA Prudential Code (the Prudential Code) and the CIPFA Code of Practice on Treasury Management (the Code) to set Prudential and Treasury Indicators for at least the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable.
- 1.3 The Act and supporting regulations require the Council to set out its Treasury Strategy for borrowing and to prepare an Annual Investment Strategy (as required by Investment Guidance subsequent to the Act) which sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.
- 1.4 It is a statutory requirement for the Council to produce a balanced budget. In particular, a local authority must calculate its budget requirement for each financial year to include the revenue costs that flow from capital financing decisions. This, therefore, means that increases in capital expenditure must be limited to a level whereby increases in charges to revenue are affordable within the projected income of the Council for the foreseeable future. The projected revenue impact of the 2023/26 Capital Programme was built into the approved 2023/24 Revenue Budget and 2024/27 financial projections.

2.0 CAPITAL/TREASURY MANAGEMENT POSITION, PRUDENTIAL INDICATORS, TREASURY MANAGEMENT INDICATORS AND POLICY LIMITS

Current Treasury Management Position

2.1 The Council's treasury management position at 15 February 2023 comprised:

	Principal		Average Rate
	£000	£000	
<u>DEBT</u>			
Fixed Rate funding	PWLB 74,414 Market 41,500	115,914	3.59%
Variable Rate funding	PWLB 0 Market 59,764	59,764	4.90%
		175,678	4.04%
Other Long Term Liabilities (PPP)		55,653	---
TOTAL DEBT		231,331	
<u>INVESTMENTS</u>			
Call Accounts		4,491	3.90%
Notice Accounts		50	2.09%
Fixed Term Deposits		22,000	3.21%
TOTAL INVESTMENTS		26,541	3.33%

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

Capital Expenditure and Borrowing

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

	2022/23	2023/24	2024/25	2025/26	2026/27
	Projected	Estimate	Estimate	Estimate	Estimate
	£000	£000	£000	£000	£000
Capital Programme	17,347	21,569	39,420	21,979	6,000

2.3 The Council's borrowing requirement (which takes account of the estimated Capital Expenditure, borrowing maturing and requiring to be refinanced, estimated future Council investment balances and expenditure to be incurred from using the PPP Service Concession Arrangement flexibility) is as follows:

	2022/23	2023/24	2024/25	2025/26	2026/27
	Projected	Estimate	Estimate	Estimate	Estimate
	£000	£000	£000	£000	£000
New borrowing	0	0	25,000	15,000	0
Alternative financing arrangements	0	0	0	0	0
Replacement borrowing	0	5,000	0	0	0
TOTAL	0	5,000	25,000	15,000	0

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

The Council's Gross External Debt compared to the Capital Financing Requirement as at each year-end (including the effect of the proposed borrowing in paragraph 2.3) is as follows:

	2022/23	2023/24	2024/25	2025/26	2026/27
	Projected	Estimate	Estimate	Estimate	Estimate
	£000	£000	£000	£000	£000
Capital Financing Requirement (CFR)	277,760	286,890	300,289	297,618	287,809
External Debt (Including PPP)	229,604	224,860	247,543	259,789	249,690
Under/(Over) Against CFR	48,156	62,030	52,746	37,829	38,119

The increase in the CFR and the Under/(Over) Against CFR between 2022/23 and 2023/24 above is due to a transfer from the Capital Adjustment Account to the General Fund, linked to the Service Concession Agreement (SCA) for the PPP contract. The effect of the SCA and the Under/(Over) Against CFR above is:

	2022/23	2023/24	2024/25	2025/26	2026/27
	Projected	Estimate	Estimate	Estimate	Estimate
	£000	£000	£000	£000	£000
Impact on CFR of SCA	0	16,146	17,604	19,446	21,077
Under/(Over) Against CFR Excluding SCA Adjustments	48,156	45,884	35,142	18,383	17,042

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

This report does not include the impact on borrowing/investments of the transfer of HSCP reserves held by the Council to the proposed National Care Service.

Debt Limits

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

	2022/23	2023/24	2024/25	2025/26	2026/27
	Limit	Limit	Limit	Limit	Limit
	£000	£000	£000	£000	£000
Authorised limit for external debt					
Borrowing	230,000	222,000	229,000	232,000	230,000
Other Long Term Liabilities (PPP)	58,000	56,000	54,000	51,000	49,000
TOTAL	288,000	278,000	283,000	283,000	279,000
Operational boundary for external debt					
Borrowing	212,000	207,000	214,000	217,000	215,000
Other Long Term Liabilities (PPP)	58,000	56,000	54,000	51,000	49,000
TOTAL	270,000	263,000	268,000	268,000	264,000

Approval is being sought for the Authorised Limits for 2023/24 to 2026/27.

- 2.6 The Council sets limits on the maturity of fixed rate and variable rate borrowing for the coming financial year. The limits proposed for 2023/24 are:

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

The proposed limits are the same as set in 2022. They reflect the requirement that the Council's Market debt is treated based not on when the debt is due to mature but on when the lender could request an increase in the interest rate (when the Council could accept the increase or repay the debt).

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

	2023/24	2024/25	2025/26	2026/27	2022/23
	Limit	Limit	Limit	Limit	Projected Outturn at Year-End
Maximum percentage of debt repayable in any year	25%	25%	25%	25%	22.97% (Repayable in 2077/78)
Maximum proportion of debt at variable rates	45%	45%	45%	45%	34.32%
Maximum percentage of debt restructured in any year	30%	30%	30%	30%	3.71%

The proposed limits are the same as set in 2022.

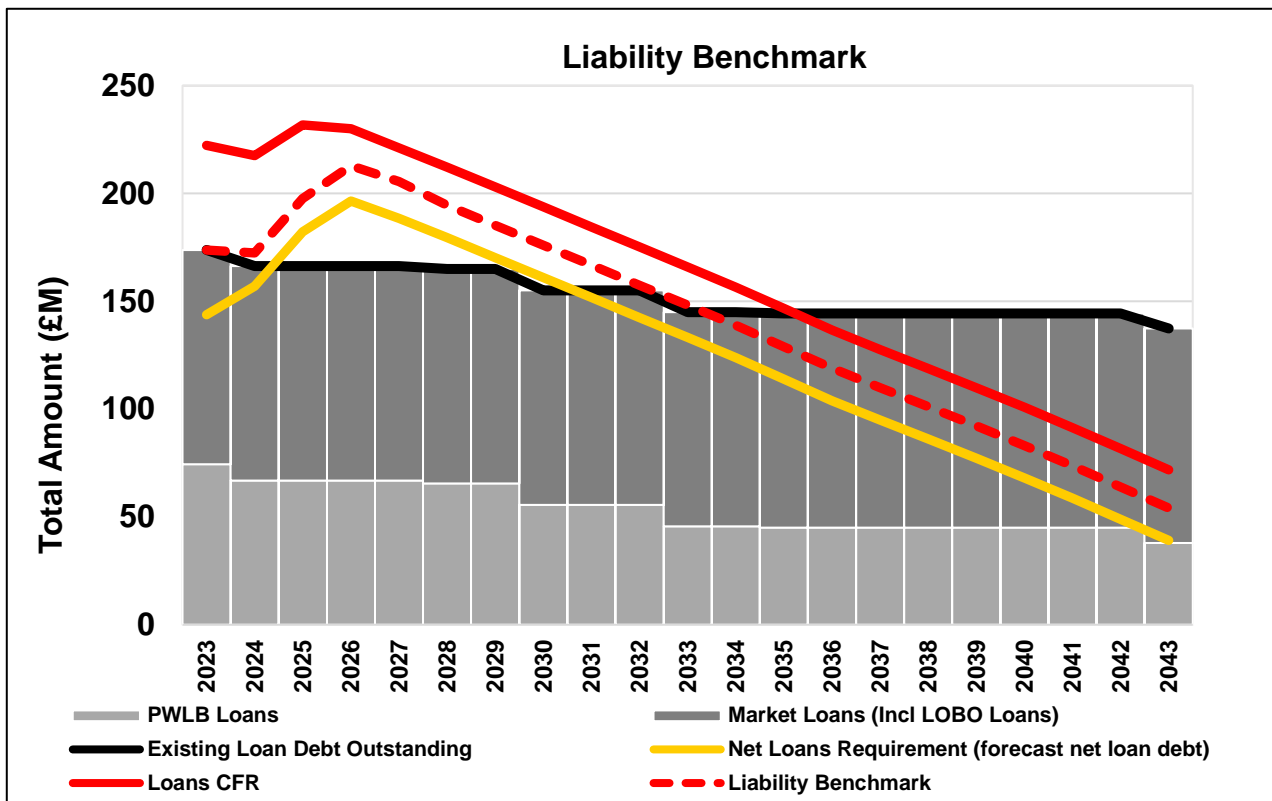
- 2.8 The Prudential Code requires that the Council states how interest rate exposure is managed and monitored:

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

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

Liability Benchmark

- 2.9 The Liability Benchmark is requirement in the revised Treasury Management Code. It is calculated from the Council's treasury management debt less investments plus an amount for cash flow/liquidity requirements and is shown in the graph below (the dashed line) with the existing loan debt (PWLB and Market Loans), the Loans CFR (Capital Financing Requirement excluding PPP), and the forecast net loan debt position.



The following points should be noted:

- The graph shows the current Liability Benchmark for 2022/23 plus 20 years (longer than the minimum recommended by CIPFA) but the Council's treasury management debt runs beyond that period.
- The graph includes the impact of the current position plus the approved capital programme (including prudential borrowing) which covers the years up to 2026/27. It does not include any projected additional borrowing or requirement beyond that (albeit that borrowing may well be required depending on plans at the time).
- Where loans outstanding are currently projected to be less than the Liability Benchmark above, this indicates a borrowing requirement (where the Council is underborrowed and exposed to interest rate, liquidity and refinancing risks). Where loans outstanding are projected to be greater than the Liability Benchmark, this indicates a borrowing requirement (where the Council is overborrowed and exposed to credit and reinvestment risks and a possible cost of carry due to different debt and investment interest rates).

Affordability

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

	2022/23	2023/24	2024/25	2025/26	2026/27
	Projected	Estimate	Estimate	Estimate	Estimate
Ratio of financing costs (including PPP) to net revenue stream	10.63%	9.54%	9.31%	9.63%	9.55%

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

	2022/23	2023/24	2024/25	2025/26	2026/27
	Projected	Estimate	Estimate	Estimate	Estimate
Ratio of net debt (debt and PPP less investments) to net revenue stream	89.8%	88.5%	97.2%	101.3%	96.1%

2.12 The ratio of net income from commercial and service investments to the Council's net revenue stream (a new requirement from 2023/24) is estimated as NIL, as follows:

	2022/23	2023/24	2024/25	2025/26	2026/27
	Projected	Estimate	Estimate	Estimate	Estimate
Ratio of net income from commercial and service investments to net revenue stream	0.00%	0.00%	0.00%	0.00%	0.00%

Investments

2.13 The Council's estimated investments position (after the proposed borrowing in paragraph 2.3) is shown in Appendix B and includes transactions treated as investments under the Investment Regulations. Included in Appendix B (as Cash balances managed in house) are the following estimated Bank Deposits:

	2023/24	2024/25	2025/26	2026/27
	Estimate	Estimate	Estimate	Estimate
Cash balances managed in house	£000	£000	£000	£000
1 April	30,000	15,355	15,444	16,373
31 March	15,355	15,444	16,373	17,063
Change in year	(14,645)	89	929	690

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

	2022/23	2023/24	2024/25	2025/26	2026/27
	Limit	Limit	Limit	Limit	Limit
Upper limit for total principal sums invested for over 365 days	£000 10,000	£000 10,000	£000 10,000	£000 10,000	£000 10,000

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

Accounting Changes – Leases

2.15 As of 31 March 2024, the accounting treatment of operating leases is planned to change and the value of those leases must be added to the Council's debt and assets. The values for the leases are being determined to comply with the changes to the accounting treatment. Any impact on the indicators and limits above will be included in future reports on Treasury Management activities.

3.0 PROPOSED TREASURY STRATEGY AND INVESTMENT STRATEGY

Interest Rate Forecasts

- 3.1 The Council has appointed Link Treasury Services Limited as treasury advisers with part of their service being to assist the Council to formulate a view on interest rates. Link's latest interest rate forecasts (as at 7 February 2023) are:

As At	Bank Rate	Investment Rates			PWLB Borrowing Rates			
		3 month	6 month	1 year	5 year	10 year	25 year	50 year
	%	%	%	%	%	%	%	%
March 2023	4.25	4.30	4.40	4.50	4.00	4.20	4.60	4.30
June 2023	4.50	4.50	4.50	↓	↓	↓	↓	↓
Sept 2023	↓	↓	4.40	4.40	3.90	4.10	4.40	4.20
Dec 2023	4.25	4.30	4.20	4.20	3.80	4.00	4.30	4.10
March 2024	4.00	4.00	3.90	3.80	3.70	3.90	4.20	3.90
June 2024	3.75	3.80	3.70	3.60	3.60	3.80	4.10	3.80
Sept 2024	3.25	3.30	3.20	3.10	3.50	3.60	3.90	3.60
Dec 2024	3.00	3.00	2.90	2.70	3.40	3.50	3.80	↓
March 2025	2.75	2.80	2.80	↓	3.30	↓	3.70	3.40
June 2025	↓	↓	↓	↓	3.20	3.40	3.60	3.30
Sept 2025	2.50	2.50	2.60	↓	3.10	3.30	3.50	3.20
Dec 2025	↓	↓	↓	↓	↓	↓	3.40	↓
March 2026	↓	↓	↓	↓	↓	3.20	↓	3.10

- 3.2 The UK Bank rate of 4.00% follows increases at each of the 7 Monetary Policy Committee meetings in 2022/23 up to February, having started the year at 0.75%. As shown above, further increases are forecast in March 2023 and early in 2023/24 before starting to fall towards the end of 2023/24.

Treasury Strategy – Borrowing

- 3.3 The proposed borrowing is as shown in paragraph 2.3 whilst the proposed authorised limit for 2023/24 is shown in paragraph 2.5.
- 3.4 Any borrowing will depend on an assessment by the Chief Financial Officer based on the Council's requirements and financial position, adopting a cautious but pragmatic approach and after seeking advice and interest rate/economic forecasts from the Council's treasury advisers.

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

3.5 Policy on Borrowing in Advance of Need

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

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

- Consider the definition of such borrowing within the Code on the Investment of Money By Scottish Local Authorities
- Ensure that there is a clear link between the capital programme and maturity profile of the existing debt portfolio which supports the need to take funding in advance of need
- Ensure the ongoing revenue liabilities created, and the implications for the future plans and for the budgets have been considered
- Evaluate the economic and market factors that might influence the manner and timing of any decision to borrow
- Consider the merits and demerits of alternative forms of funding
- Consider the alternative interest rate bases available, the most appropriate periods to fund and repayment profiles to use
- Consider/

- Consider the impact of borrowing in advance on temporarily (until required to finance capital expenditure) increasing investment cash balances and the consequent increase in exposure to counterparty risk and other risks and the level of such risks given the controls in place to minimise them.

The maximum extent to which borrowing in advance would be undertaken by this Council is the borrowing requirement identified in paragraph 2.5 above for 2023/2026.

Treasury Strategy - Debt Rescheduling

- 3.6 PWLB-to-PWLB debt restructuring would normally give rise to large premiums unless, as has been the case since the autumn of 2022, rates increased to levels at which some loans could be repaid either for low premiums payable by the Council or discounts receivable by the Council.
- 3.7 As short-term borrowing rates are expected to be cheaper than longer term rates, there may be potential opportunities to generate savings by switching from long term debt to short term debt. However, these savings will need to be considered in the light of their short-term nature and the likely cost of refinancing those short term loans, once they mature, compared to the current rates of longer term debt in the existing debt portfolio.
- 3.8 The Council is more likely to look at making savings by running down investment balances as short-term rates on investments are expected to continue to be around or lower than the rates paid on the debt currently held (albeit that the differential is expected to be lower than for some years).
- 3.9 The reasons for any rescheduling to take place will include:
- The generation of cash savings and/or discounted cash flow savings but at minimum risk;
 - Helping to fulfil the strategy outlined above; and
- Enhancing the balance of the portfolio (amending the maturity profile and/or the balance of volatility).
- 3.10 Any debt rescheduling will be reported to the Policy & Resources Committee and the Full Council and will be within the Treasury Policy Limits.

Investments – Policies/Strategy

3.11 Investment Policy

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

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

The Council will also aim to achieve the optimum return on its investments commensurate with proper levels of security and liquidity (i.e. Council’s investment priorities for treasury investments will consider security then liquidity and then yield/return). The risk appetite of this Council is low in order to give priority to the security of its investments.

- 3.12 The Treasury Management code revised in December 2021 requires that “The organisation's credit and counterparty policies should set out its policy and practices relating to environmental, social and governance (ESG) investment considerations. This is a developing area, and it is not implied that the organisation’s ESG policy will currently include ESG scoring or other real-time ESG criteria at individual investment level.”

3.13 The proposed policy for ESG considerations is as follows:

“This Council will seek to bring ESG (environmental, social and governance) factors into the decision-making process for investments.

For short term investments with counterparties, this Council utilises the ratings provided by Fitch, Moody’s and Standard & Poor’s to assess creditworthiness, which include analysis of ESG factors when assigning ratings. The Council will continue to evaluate additional ESG-related metrics and assessment processes that it could incorporate into its investment process and will update accordingly.”

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

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

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

3.17 Permitted Investment Types

There are many investment instruments that the Council could use, each having different features and risks.

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

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

There are no changes to the proposed Permitted Investments from those agreed in 2022.

3.18 Creditworthiness Policy

The Council’s proposed Creditworthiness Policy for 2023/24, as follows, is unchanged from that agreed in 2022.

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

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

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

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

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

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

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

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

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

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

3.23 All credit ratings are monitored on an ongoing basis. The Council is alerted to changes to ratings of all three agencies through its use of the Link creditworthiness service.

- If a downgrade results in the counterparty/investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
- In addition to the use of Credit Ratings the Council will be advised of information in movements in Credit Default Swap spreads against the iTraxx European Senior Financials benchmark and other market data on a weekly basis. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.

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

3.24 It is proposed that the Council will only use approved counterparties:

- a. from the UK
- or
- b. from countries with a minimum sovereign credit rating of AA- from Fitch Ratings (or equivalent from other agencies if not issued by Fitch).

Countries currently meeting this criterion (as at 17 February 2023) include Australia, Canada, France, Germany, Sweden, the USA, and the UK.

3.25 Investment Strategy

Appendix B includes forecasts of investment balances.

- 3.26 The Bank Rate was increased from 0.75% to 1.00% in May 2022 and has been increased at each Monetary Policy Committee meeting up to February 2023, currently being 4.00%. Link's forecast is for further increases to 4.25% in March 2023 then 4.50% in May 2023 before starting to fall in the first Quarter of 2024. Their Bank Rate forecasts for financial year ends (March) are as follows:
- 2023/24 4.00%
 - 2024/25 2.75%
 - 2025/26 2.50%.
- 3.27 Link advise that, for 2023/24, clients should budget for an investment return of 4.30% on investments placed during the financial year for periods of up to 100 days.
- 3.28 The Council uses an investment benchmark to assess the performance of its investments. The benchmark now being used is the 3-month SONIA compounded interest rate. This replaced LIBID rates which, for all periods, stopped being produced at the end of 2021.
- 3.29 The Council will avoid locking into longer term deals unless attractive rates are available with counterparties of particularly high creditworthiness which make longer term deals worthwhile and within the risk parameters set by this Council.

Policy on Use of External Service Providers

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

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

- 3.33 The Treasury Management Practices (TMPs) of the Council set out the operational policies and procedures in place to implement the treasury management strategy and the principles set out in the treasury management policy statement. They are intended to minimise the risk to the capital sum of investments and for optimising the return on the funds consistent with those risks.
- 3.34 The TMPs are kept under review, with a full revision every 3 years. The TMPs were updated in February 2023 to include issues required by the revised Code.
- 3.35 Investment Management Practices (IMPs) were prepared in February 2023 as required by the revised Treasury Management Code.
- 3.36 A copy of the TMPs and the IMPs may be obtained from Finance Services.

Training for Members

- 3.37 The last training session on Treasury Management was held for Members on 6 September 2022.

4.0 LOANS FUND ADVANCES

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

4.2 The Council is required to set out its policy for the repayment of loans fund advances from options set by the Scottish Government:

- a. For loans fund advances made before 1 April 2016 the policy will be to maintain the practice of previous years and use the Statutory Method with annual principal repayments being calculated using the annuity method.
- b. The annuity method is also being used for loans fund advances made after 1 April 2016. In applying the annuity method to new advances in any year, the interest rate used in the annuity calculation will be the Council's loans fund pool rate for the year (including expenses) as rounded up to the nearest 0.01%.

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

	2021/22	2022/23	2023/24
	Actual	Projected	Estimated
	£000	£000	£000
Balance As At 1 April	232,106	226,748	221,330
Add: Advances For The Year	2,917	2,765	3,228
Less: Repayments For The Year	8,275	8,183	8,036
Balance As At 31 March	226,748	221,330	216,522

4.4 For the projected loans fund advances outstanding as at 31 March 2023, the liability to make future repayments (excluding debt interest and expenses) is as follows:

	£000
Year 1	8,036
Years 2-5	31,910
Years 6-10	40,505
Years 11-15	38,749
Years 16-20	35,629
Years 21-25	33,922
Years 26-30	18,623
Years 31-35	7,658
Years 36-40	2,329
Years 41-45	1,113
Years 46-50	1,140
Years 51-55	823
Years 56-60	119
Years 61-65	53
Years 66-70	64
Years 71-75	77
Years 76-80	92
Years 81-85	110
Years 86-90	132
Years 91-95	158
Years 96-100	88
TOTAL	221,330

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

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

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

Notes:

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

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

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

Non-Treasury Investments

In addition to the table of treasury investments above, the definition of "investments" under the Investment Regulations includes the following items that the Council approves as Permitted Investments:

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

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

Independent and expert advice and scrutiny arrangements will be put in place for non-Treasury Investments where required and the powers under which new non-Treasury Investments are proposed will be determined as part of the process for proposing and agreeing such investments.

Permitted Investments – Common Good

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

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

Treasury Risks Arising From Permitted Instruments

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

1. Credit and counter-party risk

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

2. Liquidity risk

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

3. Market risk

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

4. Interest rate risk

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

5. Legal and regulatory risk

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

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

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

For liquidity, the position can be summarised as:

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

Controls on Treasury Risks

1. Credit and counter-party risk

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

2. Liquidity risk

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

3. Market risk

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

4. Interest rate risk

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

5. Legal and regulatory risk

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

Unlimited Investments

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

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

1. Debt Management Agency Deposit Facility (DMADF)

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

2. High Credit Worthiness Banks and Building Societies

See paragraphs 3.18 to 3.24 for an explanation of this authority's definition of high credit worthiness. While an unlimited amount of the investment portfolio may be put into banks and building societies with high credit worthiness, the authority will seek to ensure diversification of its portfolio with the following limits:

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

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

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

Objectives of Each Type of Investment Instrument

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

1. Deposits

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

a) Debt Management Agency Deposit Facility (DMADF)

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

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

See paragraphs 3.18 to 3.24 for an explanation of this authority's definition of high credit worthiness. This is the most widely used form of investing used by local authorities. It offers a much higher rate of return than the DMADF (dependent on term). The Council will seek to ensure diversification of its portfolio of deposits as practicable and as explained above. In addition, longer term deposits offer an opportunity to increase investment returns by locking in high rates ahead of an expected fall in the level of interest rates. At other times, longer term rates can offer good value when the markets incorrectly assess the speed and timing of interest rate increases. This form of investing therefore, offers a lot of flexibility and higher earnings than the DMADF. Where it is restricted is that once a longer term investment is made, that cash is locked in until the maturity date.

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

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

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

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

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

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

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

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

3. Securities

a) Certificates of Deposit

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

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

a) Money Market Funds (MMFs)

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

5. Non-Treasury Investments

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

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

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

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

c) Loans made to third parties

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

d) Investment property

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

FORECASTS OF INVESTMENT BALANCES

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

INVESTMENT FORECASTS	Purpose Of Investment	2023/24	2024/25	2025/26	2026/27
		Estimate	Estimate	Estimate	Estimate
		£000	£000	£000	£000
Cash balances managed in house	Treasury				
1 April		30,000	15,355	15,444	16,373
31 March		15,355	15,444	16,373	17,063
Change in year		(14,645)	89	929	690
Average daily cash balances		22,678	15,400	15,909	16,718
Holdings of shares, bonds, units (includes authority owned company)	Service				
1 April		2	2	2	2
Purchases		0	0	0	0
Sales		0	0	0	0
31 March		2	2	2	2
Loans to local authority company or other entity to deliver services (Inverclyde Leisure)	Service				
1 April		297	250	201	151
Advances		0	0	0	0
Repayments		47	49	50	52
31 March		250	201	151	99
Loans made to third parties	Service				
1 April		100	77	65	52
Advances		0	0	0	0
Repayments		23	12	13	1
31 March		77	65	52	51
Investment properties	Commercial				
1 April		0	0	0	0
Purchases		0	0	0	0
Sales		0	0	0	0
31 March		0	0	0	0
TOTAL OF ALL INVESTMENTS					
1 April		30,399	15,684	15,712	16,578
31 March		15,684	15,712	16,578	17,215
Change in year		(14,715)	29	866	637

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

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

The "holdings of shares, bonds, units (includes authority owned company)" are unredeemable bonds that have been held by the Common Good Fund for many years. Given their nature, they have been shown as being for Service Purposes rather than for Commercial Purposes.

Report To:	Inverclyde Council	Date:	20 April 2023
Report By:	Head of Legal, Democratic, Digital and Customer Services	Report No:	LS/041/23
Contact Officer:	Iain Strachan	Contact No:	01475 712147
Subject:	Single Use Nicotine Vaping Products (Disposable Vapes) – Request by Councillor McCabe		

1.0 PURPOSE AND CONSIDERATIONS

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to advise the Council of a request received from Councillor McCabe relative to single use nicotine vaping products (disposable vapes).

1.2 The terms of Councillor McCabe's request are set out below, further to the email and attachments, annexed to this report, which were received by all Elected Members.

1.3 Disposable Vapes

Inverclyde Council notes with concern the serious and damaging environmental impacts of disposable vapes and recognises an increase in these electronic devices being discarded in communities and public spaces across the Inverclyde Council area.

Research by Material Focus, an independent not-for-profit organisation, identified in 2022 that at least 1.3million so called 'disposable' vapes are littered and binned each week.

It is noted that vapes contain a range of precious materials, including lithium and copper, which can be collected if recycled in a safe and appropriate manner.

Inverclyde Council further anticipates the publication of the Scottish Government's urgent review into the environmental impact of disposable vapes, currently being undertaken by Zero Waste Scotland.

In light of the serious nature of these concerns, Council instructs the Director of Environment & Regeneration to write on behalf of Inverclyde Council to Lorna Slater, Scottish Government Minister for Green Skills, Circular Economy and Biodiversity, conveying Inverclyde Council's view that a ban on the sale of so-called 'disposable' vapes, or other actions to mitigate their harmful effects, be introduced in Scotland as soon as practicable.

2.0 RECOMMENDATION

2.1 That the Council considers the request by Councillor McCabe.

Iain Strachan

Head of Legal, Democratic, Digital and Customer Services

From: Laura Young
Sent: Friday, 31 March 2023, 21:11
To: Inverclyde Council
Subject: Ban Disposable Vapes - Inverclyde

Hello Inverclyde Councillors!

Apologies for the email out of the blue and a group email, however I wanted to introduce myself and let you know about a campaign I am leading around [banning single-use disposable vapes](#).

This campaign is a combination of both environmental and public health concerns. There has been some amazing progress so far, with the Scottish Government putting out an urgent review on the impact of disposable vapes on the environment, and now five councils support the ban! [Dundee](#), [Renfrewshire](#), [Glasgow](#), [North Ayrshire](#), and [Falkirk](#) have all put pressure on the government to see this as a vital issue to get right. You can click on the hyperlinks to go to the motions put forward by each individual council. There are several more councils lined up to do the same in the next few weeks.

A few key stats:

⚠ 1.3 million+ vapes being discarded in the UK every week, sending valuable materials to landfill.

⚠ This equates to 10 tonnes of lithium reaching landfill/incinerators each year - enough metal to make batteries for 1,200 electric cars.

⚠ Damaged batteries from vapes cause of hundreds of fires each year at recycling plants. They can also cause fires during waste transportation in [bin lorries](#), when damaged for example by grass cutters, or in the waste facilities themselves. The Fire Service suggest the recent fire which devastated the recycling plant at Altens, Aberdeen might have begun in this way.

⚠ Littering/environmental problems: discarded vapes present a leak risk of toxic chemicals and microplastics which are harmful to children, pets, wildlife and water systems. Many local litter picking groups have seen a surge in the number of vapes found in local areas.

⚠ 90% of vape retailers are failing to comply with WEEE (Waste Electric and Electronic Equipment) regulations, meaning recycling is near impossible for consumers.

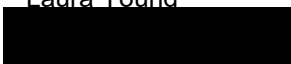
I have attached a briefing and open letter that were created through the coalition of organisations working on this issue in Scotland, but there are many others who have joined since this was drafted.

It would be amazing to know whether this is something you'd be interested in raising as a motion at your next council meeting to have Inverclyde join in support of this ban, especially as the Scottish Government is due to receive the Zero Waste Scotland urgent review on the issue in May this year. So, to help inform their decision it would be powerful to have more councils writing to the government before this time, or around when they will be deciding what to do.

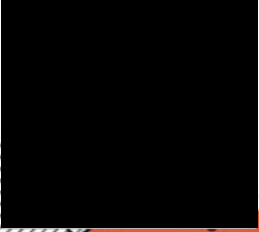
This issue has been accepted across all parties and had unanimous support with councils previously, so I truly believe this is an issue we can get right, together!

Thank you in advance for the time taken to look over this email, and I'd be very happy to discuss this issue further.

All the best,
Laura Young



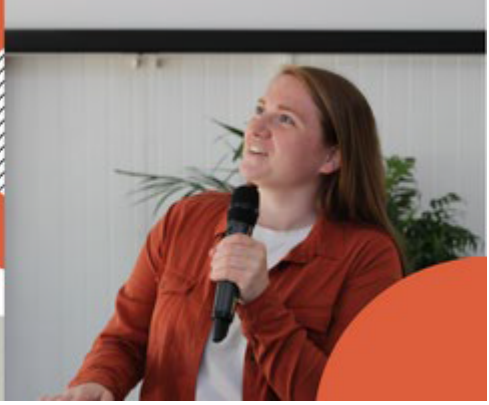
All the best,



Climate activist
Environmental scientist
Ethical influencer

Scottish Influencer of the Year - Inspiration

@LessWasteLaura
www.lesswastelaura.com



Scottish Parliamentary Briefing by the Marine Conservation Society, ASH Scotland, Keep Scotland Beautiful, Laura Young and Elliott Welch

Shutterstock / Yarrrrbright

Date Approved: January 2023

Tackling the environmental and health impacts of e-cigarettes

We call on the Scottish Government to take action to reduce the impact of disposable and refillable vapes by:

- ✔ **Banning the manufacture and sale of disposable vapes in Scotland by 2024.**
- ✔ **Increase awareness and enforcement of existing WEEE Regulations and the Waste Batteries Regulations for producers, distributors and retailers of vapes including disposal and recycling.**
- ✔ **Requiring businesses to report on the number of vapes (as a percentage sold) that are returned for recycling under WEEE.** Increased enforcement of businesses and increased awareness of both business and the public should result in significant improvement over time, otherwise additional steps should be proposed.

Background

Vapes, including disposable vapes, can be categorised under the umbrella of electronic cigarettes but are commonly known as e-cigarettes or vapes. They are a diverse group of battery-powered devices that convert a liquid into an aerosol for inhalation.¹ Vapes were invented in China in 2003² where they are still produced for export, however the Chinese Government itself banned “fruity” vapes from sale in their domestic market last year (2022) due to health concerns with underage vaping.³ Most disposable e-cigarettes on the UK market are produced in China⁴.

Compared to re-useable vapes, which are rechargeable and refillable, disposable vapes come ready to go and only last for around 600 puffs, at which point they become obsolete and require complete replacement.⁵ Consequently, disposable vapes are discarded and purchased repetitively, undermining the principles of a circular economy.

Between January 2021 and April 2022, there has been an 18-fold increase in the use of disposable vapes in the UK among those who use vaping products rising from 1.2% to 22.2%, with the trend being particularly significant among younger adults.⁶ This has occurred alongside a concerning rise in e-cigarette use among children and young people.⁷ It is reported that half a billion are sold each year in the UK with 1.3 million disposable vapes being thrown away every week.⁸



Environmental and health impacts

The rapid increase in vaping, especially by young people, is concerning the health charity ASH Scotland, as these are products that harm the health of children, young people and non-smokers that are age-restricted for good reason.⁹ Nicotine is highly addictive, and many vapes include toxic chemicals that have not been safety tested for inhalation. The long-term effect of these products remains unknown.

The littering of these items also contributes to the ongoing decline in local environmental quality in communities and neighbourhoods across Scotland. Indeed, Keep Scotland Beautiful's recent report highlighted significant public concern about litter and littering behaviour.¹⁰ In addition, there is a worrying downward trend in use of the original reusable options¹¹ at a time when the Scottish government has highlighted the need for more re-use and recycling under Circular Economy goals.¹² Disposable vapes are increasingly found discarded in Scotland's environment¹³ contributing to an increase in plastic pollution and leakage of toxic chemicals.¹⁴ Microplastics have been found in the stomachs of seabirds, turtles, cetaceans, plankton and fish, including seafood for human consumption.¹⁵

Vapes are considered e-waste under the WEEE Regulations.¹⁶ All retailers selling e-cigarettes must provide a free in-store take-back service or set up an alternative free take-back service for environmentally sound disposal.¹⁷ Under these regulations similar responsibilities exist for producers and distributors. However, many disposable vapes are binned in general waste or littered, increasing the environmental impacts and resulting in the loss of precious finite materials such as lithium.¹⁸

Recycling disposable vapes is not simple as their toxicity makes disassembling the product complex and costly to waste managers.¹⁹ Each vape consists of glass, plastic and metal, and a heating coil and lithium-ion battery which require the product to be handled in compliance with the WEEE Regulations. In addition, the vape itself as well as the e-liquid contain a variety of harmful chemicals such as flame retardants and nicotine²⁰ which present further environmental and health concerns.

We therefore call on the Scottish Government to ban disposable vapes to help move Scotland toward a sustainable circular economy and protect children and young people from risks to their long-term health.

For further information or to set up a meeting please contact: Calum Duncan, Head of Conservation Scotland on calum.duncan@mcsuk.org

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Humza Yousaf MSP, Cabinet Secretary for Health and Social Care
Lorna Slater MSP, Minister for Circular Economy, Green Skills, and Biodiversity
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

14 February 2023

Dear Cabinet Secretary and Minister,

Environmental Impact of Disposable Vapes

We write to welcome the recently announced review into the impact of disposable vapes (disposable e-cigarettes), and to further draw to your attention to the growing threat posed to the environment and public health by these items.

Disposable vapes are single-use, non-rechargeable and non-refillable items designed and placed on the market to be used and discarded. These disposable items are wholly incompatible with the circular economy principles we are working so hard toward here in Scotland. We welcome the decision of [Waitrose & Partners](#) to withdraw from sale single-use vapes and imitation cigarettes containing lithium.

It is estimated that the number of disposable vapes purchased in the UK is [168 million per year](#), and the expanding size of this market is clearly being driven by the promotion of these cheap, bright coloured and sweet flavoured products to younger people. Recent [research indicates](#) that around two vapes are disposed of every second (around 1.3 million per week). This contains the equivalent of 1,200 electric car batteries, or 10 tonnes of lithium – which is being sent to landfill or waste incinerators each year.

In addition, the littering of these items contributes to the ongoing decline in local environmental quality across communities and neighbourhoods throughout Scotland as detailed in Keep Scotland Beautiful's [recent report](#) that highlighted significant public concern with litter and littering behaviour.

The uptake of vaping amongst young people is particularly concerning, with multiple health professionals warning that instead of being used as a cessation tool to encourage existing smokers to give up the habit, disposable vapes have the potential to create a [whole new generation](#) hooked on nicotine. [ASH research](#) shows that last year e-cigarette use doubled among 11-17-year-olds, likely caused by the exponential growth of disposable e-cigarettes. Use prevalence of disposable e-cigarettes increased 7-fold between 2020 and 2021, rising from 7% to 52%, whilst the use of reusable and refillable e-cigarettes decreased.

Some vapes contain enough toxic chemicals to be classified as hazardous waste and when these are littered or improperly disposed¹ of can leach heavy metals (including mercury, lead and bromines), battery acid, and nicotine into the environment impacting upon Scotland's wildlife and indeed wider human health.

¹ In the UK vapes are classified as Waste Electrical and Electronic Equipment (WEEE) and are therefore subject to a number of obligations including being listed on the public register for WEEE producer requirements – as such they also require specialist recycling.

What's more, disposable vapes contain highly valuable and finite resources and materials including lithium which is vital to both the green and high-tech economy for use in such items as mobile phones, computers and electric cars.

We welcome the commitment to undertake a review on the environmental and public health impact of these disposable items following the question raised by Gillian Mackay MSP on 19 January 2023, and strongly encourage Scottish Government to use existing powers **to ban the sale and manufacture of disposable vapes in Scotland as soon as possible**.

An [open letter](#) has been sent to the UK Government Secretaries of State for the Environment and for Health calling for a ban on disposable vapes, signed by ASH Scotland, Keep Scotland Beautiful, and Marine Conservation Society along with a range of health and environmental organisations. The issue of the environmental impact of disposable vapes was the subject of a [Westminster Hall debate](#) on 29 November 2022. Further information can be found in this [Briefing](#) prepared by ASH Scotland, and [in this joint Scottish Parliamentary Briefing](#) by the Marine Conservation Society, ASH Scotland, Keep Scotland Beautiful, Laura Young and Elliott Welch.

This is an urgent cross-cutting issue that we believe poses a very real threat to both public health and the quality of Scotland's local environment. We would be grateful if we could schedule a meeting at your earliest convenience to discuss further the issues outlined here along with the proposed mechanisms and timeline for conducting the evidence review. We look forward to contributing to the evidence review and reaffirm our ask to consider a ban on the manufacture and sale of these items in Scotland.

We, the undersigned, look forward to hearing from you in due course. This letter is co-signed by a range of organisations who support our ask.

Signed,

ASH Scotland

Keep Scotland Beautiful

Marine Conservation Society

Laura Young

Elliott Welch

With support from:

APRS

bin twinning

Fidra

Friends of the Earth Scotland

Froglife

LANDED

Scottish Wild Land Group

Scottish Wildlife Trust