

A meeting of the Inverclyde Council will be held on Thursday 7 December 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 6 December 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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1. Apologies and Declarations of Interest	Page
NEW BUSINESS	
2. Minutes of Meetings of The Inverclyde Council, Committees, Sub-Committees, Panels and Boards	
Inverclyde Council (28 September 2023)	(pp 281-288)
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Social Work & Social Care Scrutiny Panel (31 October 2023)	(pp 295-298)
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Local Police & Fire Scrutiny Panel (23 November 2023)	(pp 330-332)

NEW BUSINESS		
3.	Chief Social Work Officer Annual Report 2022-23 Report by Chief Social Work Officer	p
4.	Finance Strategy 2023/33 – 6 Monthly Update Report by Chief Financial Officer	p
5.	2024/26 Budget Update Report by Chief Financial Officer	p
6.	Budget Consultation Report by Head of Organisational Development, Policy & Communications	p
7.	SNP Group – Proposed Changes to Committee Membership Report by Head of Legal, Democratic, Digital & Customer Services	p
8.	Review of the Standing Orders and Scheme of Administration Report by Head of Legal, Democratic, Digital & Customer Services	p
9.	Amendments to the Scheme of Delegation (Officers) Report by Head of Legal, Democratic, Digital & Customer Services	p
10.	Future Delivery of Internal Audit Shared Services Report by Chief Executive	p
REMITTS FROM COMMITTEES		
11.	Treasury Management – Mid Year 2023/24 – Remit from Policy & Resources Committee Report by Head of Legal, Democratic, Digital & Customer Services	p
MEMBER REQUESTS		
12.	Greenock Wanderers Rugby Club 150th Anniversary – Request by Councillor Crowther Report by Head of Legal, Democratic, Digital & Customer Services	p
13.	Greenock Morton Football Club 150th Anniversary – Request by Councillor Crowther Report by Head of Legal, Democratic, Digital & Customer Services	p
14.	Royal National Lifeboat Institution – Request by Councillor Crowther Report by Head of Legal, Democratic, Digital & Customer Services	p
NOTICE OF MOTIONS		
15.	Gaza – Israel Conflict – Motion by Councillor Reynolds Report by Head of Legal, Democratic, Digital & Customer Services	p
16.	Response to Consultation on GP Out of Hours Provision in Inverclyde – Notice of Motion by Councillor Clocherty Report by Head of Legal, Democratic, Digital & Customer Services	p
17.	Better Buses for Strathclyde – Notice of Motion by Councillor Cassidy Report by Head of Legal, Democratic, Digital & Customer Services	p
18.	Palestine/Israel – Notice of Motion by Councillor McCabe Report by Head of Legal, Democratic, Digital & Customer Services	p

<p>TRUST BUSINESS</p> <p>19. Trust Funds Annual Accounts 2022-23 Report by Honorary Treasurer</p>	<p>p</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>	
<p>NEW BUSINESS</p> <p>20. Business in the Appendix</p>	
<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> <p>You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during any recording or live-streaming will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site or YouTube.</p> <p>If you are participating in the meeting, you acknowledge that you may be filmed and that any information pertaining to you contained in the recording or live-stream of the meeting will be used for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public. In making this use of your information the Council is processing data which is necessary for the performance of a task carried out in the public interest. If you are asked to speak at the meeting then your submission to the committee will be captured as part of the recording or live-stream.</p> <p>If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact the Information Governance team at dataprotection@inverclyde.gov.uk</p>	

Enquiries to – **Colin MacDonald** – Tel 01475 712113

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Chief Social Work Officer	Report No:	SWSCSP/39/23/JH
Contact Officer:	Jonathan Hinds Head of Children & Families Chief Social Work Officer Inverclyde Health and Social Care Partnership	Contact No:	01475 715282
Subject:	Chief Social Work Officer Annual Report 2022-23		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 There is a requirement on each Local Authority to submit an annual Chief Social Work Officer (CSWO) report to the Chief Social Work Advisor to the Scottish Government. This enables the Chief Social Work Advisor to present a national picture of the social work profession and practice which in turn influences the development of social work practice and delivery.
- 1.3 The Chief Social Work Officer Annual Report 2022-23 at Appendix 1 seeks to provide an overview of the delivery of social work and social care services in Inverclyde. The report provides an overview of governance and accountability arrangements and examines service quality and performance of children and families, adult services and justice social work.
- 1.4 As with previous reports, the annual report for 2022-23 seeks to highlight the positive work undertaken and the continued strong track record of participation and consultation with the communities of Inverclyde.

2.0 RECOMMENDATIONS

- 2.1 Members of Inverclyde Council are asked to note the content of the Chief Social Work Officer Annual Report 2022-23 and approve its submission to the Office of the Chief Social Work Advisor to the Scottish Government.

Jonathan Hinds
Chief Social Work Officer

3.0 BACKGROUND AND CONTEXT

- 3.1 The requirement for each Council to have a Chief Social Work Officer (CSWO) was initially set out in section 3 of the Social Work (Scotland) Act 1968 and is also contained within section 45 of the Local Government etc. (Scotland) Act 1994.
- 3.2 During 2022-23, the role of CSWO in Inverclyde was undertaken by the Head of Health and Community Care. Since May 2023, the role of CSWO in Inverclyde has been fulfilled by the Head of Children and Families.
- 3.3 The role of the CSWO is to ensure professional oversight of social work practice and service delivery. This includes professional governance, leadership and accountability for the delivery of social work and social care services, whether provided by the local authority or purchased through the third sector or independent sector.
- 3.4 The CSWO Annual Report has been prepared in line with national guidance: 'The Role of the Chief Social Work Officer' (Scottish Government: 2016). This report also fulfils the statutory requirement for each CSWO to produce an annual report on the activities and performance of social work services within the local area.
- 3.5 The CSWO Annual Report for 2022-23 provides information on the statutory work undertaken on the Council's behalf, including a summary of governance arrangements, service delivery, resources and workforce.

4.0 PROPOSALS

- 4.1 CSWOs produce annual reports, based on a template agreed with the Office of the Chief Social Work Adviser. The report guidance and template developed for this year focuses on local governance arrangements, service delivery, resources and workforce.
- 4.2 The annual report will be submitted to the Office of the Chief Social Work Advisor and, along with reports from all other CSWOs in Scotland, will be used to prepare a national overview in due course.

5.0 IMPLICATIONS

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

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

5.2 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					

5.3 Legal/Risk

Provision of statutory social work services requires appropriately qualified and skilled staff; analysis of activity and demand is intended to inform future service planning to continue to meet statutory duties.

5.4 Human Resources

N/A.

5.5 Strategic

N/A.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

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

	YES – Assessed as relevant and an EqIA is required.
x	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.

(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?

	YES – A written statement showing how this report’s recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
x	NO – Assessed as not relevant under the Fairer Scotland Duty.

(c) Children and Young People

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

	YES – Assessed as relevant and a CRWIA is required.
x	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.

5.7 Environmental/Sustainability

Summarise any environmental / climate change impacts, positive or negative, which relate to this report.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
x	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.8 Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
x	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

6.0 CONSULTATION

6.1 The CSWO Annual Report has been informed by information provided by managers across the HSCP; members of the HSCP Senior Management Team have also been consulted on the report content.

7.0 BACKGROUND PAPERS

7.1 Appendix 1: Chief Social Work Officer Annual Report 2022-23

INVERCLYDE
HSCP

Health and Social
Care Partnership

Appendix 1



Inverclyde Health and Social Care Partnership

CHIEF SOCIAL WORK OFFICER

ANNUAL REPORT 2022-2023

This document can be made available in other languages, large print, and audio format upon request.

Arabic

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.

Cantonese

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

Gaelic

Tha an sgrìobhainn seo cuideachd ri fhaotainn ann an cànanan eile, clò nas motha agus air teip ma tha sibh ga iarraidh.

Hindi

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

Kurdish

Li ser daxwazê ev belge dikare bi zimanên din, çapa mezin, û formata dengî peyda bibe.

Mandarin

本文件也可应要求，制作成其它语文或特大字体版本，也可制作成录音带。

Polish

Dokument ten jest na życzenie udostępniany także w innych wersjach językowych, w dużym druku lub w formie audio.

Punjabi

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

Soraini

ئەم بەلگەنامەیە دەتوانرێت بە زمانەکانی تر و چاپی گەورە و فۆرماتێکی دەنگی لەسەر داواکاری بەردەست بکەیت.

Tigrinya



እዚ ሰነድ እዚ ብኸልእ ቋንቋታት፡ ብዓቢ ፊደላትን ብድምጺ ቅርጽን ምስ ዝሕተት ክቕርብ ይኸእል።

Urdu

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

Ukrainian

За запитом цей документ може бути доступний іншими мовами, великим шрифтом та аудіоформатом.

 Inverclyde HSCP, Clyde Square, Greenock, PA15 1NB  01475 715365

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1. Foreword

I am pleased to present the Inverclyde Chief Social Work Officer Annual Report for 2022-23. Having taken up post near the end of the reporting period, I have been keenly aware of the continued commitment and dedication of the entire Health and Social Care Partnership workforce as we continue to recover from the pandemic phase of Covid-19.

The impact of the pandemic on our communities, services and staff, however, has continued alongside the cost-of-living crisis and its significant, adverse effect on communities already struggling with multiple deprivation. The national landscape within which social work and social care services are provided has also continued to be shaped by resource pressures and policy developments including the National Care Service and our commitment to #Keep the Promise.

Strong collaborative working with our partners and the strength of our communities continue to be our greatest assets to tackle these challenges. I hope this report provides a helpful insight into social work activity in Inverclyde over the past year and how we will continue to work with our communities to improve lives with compassion and kindness in the year ahead.

Jonathan Hinds
Chief Social Work Officer

2. Local Profile

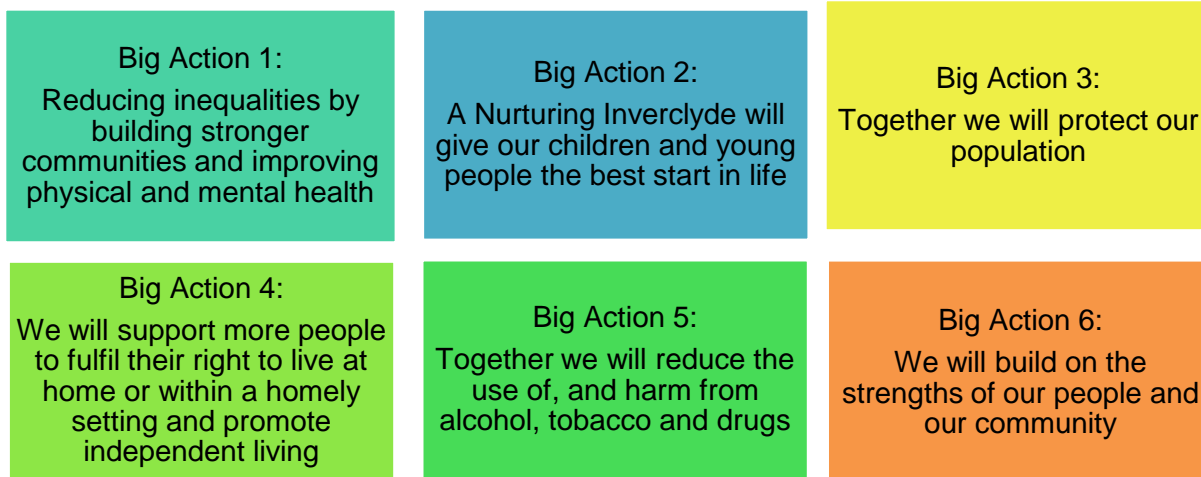
Our Vision

“Inverclyde is a caring and compassionate, community working together to address inequalities and assist everyone to live active, healthy and fulfilling lives.”

Strategic Vision

Inverclyde Integration Joint Board (IJB) set out, through its five-year Strategic Plan (2019-24) and the Six Big Actions, our ambitions and our vision. These reflected the many conversations we have with the people across Inverclyde including our professional colleagues; staff; those who use our services including carers; and our children and young people across all sectors and services. Within Inverclyde we fully support the national ambition of ensuring that people get the right care, at the right time, in the right place and from the right service or professional.

Our Priority 6 Big Actions



This plan was refreshed throughout 2022/23 to reflect updated priorities and key deliverables for 2023/24. The refreshed plan has retained the Six Big Actions which link clearly with the nine National Outcomes for Scotland and the National Outcome Framework for Children, Young People and Community Justice.

This refreshed Strategic Plan and associated Implementation Plan and Performance Framework will lead the IJB forward for 2023/24 and plans are already underway for development of the next Strategic Plan for 2024/25 onwards.

The refreshed plan and associated documents can be accessed here [Strategies, Policies and Plans - Inverclyde Council](#)

Inverclyde Key Population (estimates) Information

Population



76,700

Inverclyde's population estimated for mid-year 2021.

21.8% of Inverclyde's

population is aged over 65 years compared to

19.6% for Scotland.

Overall Deprivation

43.6% of the population live in the most deprived SIMD quintile.

This shows a heightened gap in deprivation compared to Scotland.

Life Expectancy

Male 74.1 Female 78.9



Both the life expectancy for males and females is lower than the Scottish average (M 76.6; F 80.8).

Healthy

Life Expectancy

Male 57.7 Female 59.3



Healthy life expectancy in Inverclyde is lower than the Scottish average. (M 60.4 F 61.1).

Births 2022

654

Male 50.8% Female 49.2%

An increase of 8.1% from the previous year

Our Population Projections

The size and make-up of the population is a key consideration when planning and delivering health and social care services. Inverclyde is expected to continue experiencing a population decrease.

23.8% child poverty estimates after housing costs.

207 Number of children who are looked after.

28 Child Protection registrations with Parental Alcohol/Drug Misuse concerns.

Rates of Crime recorded by Police per 10,000 population 2020-21

Inverclyde **511** Scotland **451**

Adult Claiming Incapacity Benefit/Severe Disability Allowance **3941**

3. Governance and Accountability

Role of the Chief Social Work Officer (CSWO)

Local authorities are required, under Section 3 (1) of the Social Work (Scotland) Act 1968 as amended, to appoint a Chief Social Work Officer (CSWO). The role of CSWO in Inverclyde is fulfilled by the Head of Service, Children and Families.

The role of the CSWO is to ensure professional oversight of social work practice and service delivery. This includes professional governance, leadership and accountability for the delivery of social work and social care services, whether provided by the local authority or purchased through the third sector or independent sector. Social work services are delivered within a framework of statutory duties and powers and are required to meet national standards and provide best value.

In July 2016, the Scottish Government issued revised national guidance on the role and function of the CSWO (The Role of the Chief Social Work Officer: Principles, Requirements and Guidance pursuant to Section 5 (1) of the Social Work (Scotland) Act 1968), replacing guidance previously issued in 2009.

Delivery of Statutory Functions

The CSWO has specific responsibilities in respect of statutory decision making and ensuring the provision of appropriate advice in the discharge of a local authority's statutory functions.

The CSWO also has oversight of practice standards relating to services delivered by registered social workers, which will involve public protection and / or the restriction of individual liberty. This requires consideration of individual circumstances, regarding rights, risks, needs and capacity. These judgements are rarely simple, and often require taking account of a range of issues, including the risks to the wider community.

These legislative provisions include the placement of children in secure accommodation, transfers of children subject to supervision requirements, adoption, fostering, Community Payback Orders, statutory interventions linked to the Mental Health Officer role, Adults with Incapacity measures and the protection of children and adults at risk.

It has long been recognised nationally that the role of the CSWO is a complex one and recent years have seen several additional duties and responsibilities added to the role. This is within the context of the vast majority of CSWOs holding a full remit in respect of professional leadership for key service areas and increasingly general management responsibility for often complex, integrated services. The Covid-19 pandemic has resulted in a new focus on this issue. Over the period of the pandemic, CSWOs were required to conduct an increased range and depth of functions associated with the role. This is an area that is subject to discussion within Social Work Scotland and between Social Work Scotland and the office of the Chief Social Work Advisor to the Scottish Government.

Key legislation relevant to the Chief Social Work Officer responsibilities are noted below.

Social Work (Scotland) Act 1968	Children (Scotland) Act 1995
Criminal Procedure (Scotland) Act 1995	Adults with Incapacity (Scotland) Act 2000
Mental Health (Care and Treatment) (Scotland) Act 2003	Adult Support and Protection (Scotland) Act 2007
Children's Hearings (Scotland) Act 2011	Social Care (Self Directed Support) (Scotland) Act 2013
Children and Young People (Scotland) Act 2014	Public Bodies (Joint Working) (Scotland) Act 2014
Mental Health (Scotland) Act 2015	Community Justice (Scotland) Act 2016
Carers (Scotland) Act 2016	Domestic Abuse (Scotland) Act 2018
Duty of Candour (Scotland) Regulations 2018	Health and Care (Staffing) (Scotland) Act 2019

The CSWO meets at regular intervals with the Chief Executive of the Council about matters relating to the delivery of social work and social care and is a non-voting member of the Integrated Joint Board (IJB) and a member of the HSCP Strategic Planning Group (SPG).

In representing the unique contribution of social work services in the delivery of public protection, the CSWO attends the Inverclyde Public Protection Chief Officers Group, which includes multi-agency oversight of inspection improvement plans and learning reviews. During the reporting period, no strategic inspections were undertaken by scrutiny bodies in Inverclyde. One significant case review continued to be progressed, led by the Adult Protection Committee; this will be published later in 2023.

The CSWO is Chair of Inverclyde Child Protection Committee, a member of the Adult Protection Committee and the North Strathclyde Multi-Agency Public Protection Arrangements (MAPPA) strategic oversight group.

At the end of 2022-23, public protection arrangements were augmented by the development of an interim post of Head of Service: Public Protection. The post holder will have delegated authority for the social work and social care training board, workforce development and ensuring that the social services workforce practices within the standards and codes of practice as set out by the Scottish Social Services Council (SSSC).

4. Service Quality and Performance

How social work services are improving outcomes for children, young people and families.

Request for Assistance (RfA) Team

The focus of the Request for Assistance team is to provide a first point of contact for referrals to children and families social work, undertaking initial assessments and supporting families to get the right help at the right time.

During 2022-23, the team undertook 1358 initial assessments and, in addition, provided initial provision advice and guidance on 480 occasions. A key area for development in the next year is improving how we identify and provide support to families to access the most appropriate services in a way that is timely, sustainable, non-stigmatising and needs-based with a focus on systemic whole family wellbeing. Work is progressing around the Whole Family Wellbeing Fund to develop improved cross-sectoral, trauma-informed access to services that builds capacity in our children, young people and families.



1358 initial assessments completed.



480 records of initial provision of advice and guidance.

A key partnership development in February 2023 was the Children 1st Family Wellbeing Service commencing in Inverclyde, co-located with the Request for Assistance Team. The aim of this partnership is to increase and improve families' access to early help, reduce unnecessary social work involvement and reduce the number of Interagency Referral Discussions.

By developing trusting relationships and working in partnership with families, appropriate supports to build capacity and reduce risk of further involvement in protective services will be identified. This may include Family Group Decision Making (FGDM), trauma informed systemic whole family wellbeing support and trauma-informed support to individual family members. This may also include working in partnership with other agencies to develop and contribute to multi-agency packages of support in line with GIRFEC, as well as emotional and practical support including access to the Children 1st National Money Advice Service.

A young person's feedback:

'I am not worrying about school anymore; this is something that caused me a great deal of anxiety. I am now focused on the future and looking forward to starting college in August.'

As an Early Help Test of Change, 34 families have been introduced to-date, with five currently involved in FGDM. Whilst we are in the initial stages of the journey, a high level of engagement has already been evident from the families referred to Children 1st and strong partnership working is already developing.

During 2022-23, 95 child protection investigations were undertaken involving 144 children. Of these, 10 children had more than one investigation. This is higher than last year where there were 82 child protection investigations involving 133 children.

The average number of children on Inverclyde Child Protection Register (CPR) over this year has decreased from 32.75 last year to 31 this reporting period. Inverclyde is 2% above the Scottish average for the number of children on the child protection register (5.6 per 1,000 of the population aged 0-15 years compared to the Scottish average of 3.6 per 1,000 of the population aged 0-15 years).

The majority (95.5%) of children were included on the child protection register for less than one year and 50% were included for less than six months. In addition, 4.5% were included on the register for between 12 and 18 months, reflecting a similar picture during the last reporting period. The number of children whose names were removed from the child protection register (de-registrations) remained broadly consistent across the year, with an average of 17 de-registrations taking place per quarter. There was a small rise (fewer than five) in the number of children who were re-registered within 12 months of being de-registered. It is important to understand the reasons why a family has returned to crisis, therefore quality assurance and audit activity will review decision-making in these cases to inform practice improvement activity for the next year.

Parental mental health difficulties and parental drug use remain the main categories of concern, followed by domestic abuse and parental alcohol misuse. Further analysis and improvement activity will explore how categories of neglect and emotional abuse are identified, including as a consequence of other categories of concern and how this informs assessment processes and decision-making meetings.

Inverclyde Child Protection Committee (CPC) is a locally based, multi-agency strategic partnership responsible for the design, development, publication, distribution, dissemination, implementation and evaluation of child protection policy and practice across Inverclyde. The CPC are also responsible for the quality assurance of multi-agency practice and ensuring that the performance measures put in place lead to improving outcomes for children and young people. During 2022-23 the CPC continued to meet bi-monthly and returned to in-person meetings, having moved to online meetings during the Covid-19 pandemic.

Whilst the immediate crisis of the Covid-19 pandemic may have receded over the past year, our children and their families continue to feel the impact in terms of bereavement and loss of loved ones, personal resilience in relation to ongoing adversity and its impact on mental health and wellbeing. Added to this, the cost-of-living crisis has further adversely impacted families already struggling with inter-generational poverty.

Services responded proactively, building on the Winter Fund for Social Protection which saw individual payments to families in need and widening the criteria for Section 12 and Section 22 payments for children in need, extending access beyond social work staff to Health Visitors, meaning that early help could be accessed more readily for families. Other activity over the past year included income maximisation, summer holiday hubs for children whose parents are in low paid work, support

with the cost of the school day and a fundamental commitment to working in partnership with the families we serve.

Through this activity, the Child Protection Committee and the Child Poverty Action Group (CPAG) have continued to work to reduce and mitigate the impact of child poverty, particularly given increasing evidence that children living in poverty are more likely to be subject to child protection procedures than those who are not.

Scottish Child Interview Model (SCIM) and Barnahus

This is a joint initiative, involving Inverclyde, East Renfrewshire, East Dunbartonshire, Renfrewshire, Police Divisions G and K and Children's 1st. The SCIM pilot was first rolled out across North and South Lanarkshire and has since been built on by our pilot known as the North Strathclyde consortium. Pilots are also running in Dumfries and Galloway and Glasgow and are being developed across a number of other regions in Scotland. The SCIM pilots aims are to ensure that:

- joint investigative interviews of children (interviews conducted where there is a suspicion of criminality on the part of an adult) are conducted in a trauma informed manner.
- that children and their non-abusing care giver will have access to support and advice throughout the JII process with an opportunity to express their views, needs and concerns to inform a best evidence approach.
- that all interviews take place in a safe child friendly, age-appropriate way that considers any developmental or additional needs.
- that all children and their families will receive the practical and emotional support they require to recover.

The North Strathclyde project is in the process of developing a Barnahus, renamed in Scotland as a Bairns Hoose, where children can be supported by a range of services in a single location. This will follow a Scandinavian model for supporting children and young people who are victims of abuse and aims to provide seamless support through investigation, interview and recovery. The Bairns Hoose will launch in autumn 2023.

iPromise

The iPromise Proposal November 2020 set out the plan for a small, dedicated team to work across the partnership in Inverclyde and with children, young people and their families to deliver the vision of The Promise and iPromise. The team continues to raise awareness of The Promise, what it means to Inverclyde and the role of our workforce, including opportunities to participate in activities to discuss and reflect on our local systems, practices, processes, and culture.

The current plan relating to The Promise for Scotland is the three year 'Plan 21-24' which mapped and sequenced the 80+ calls to action in The Promise and identified our five priority areas.

- ♥ a good childhood
- ♥ whole family support
- ♥ planning
- ♥ supporting the workforce
- ♥ planning and building capacity.

The Promise Scotland produced a mapping tool to help local areas track data around the progress of these areas. Locally, a tracker has been developed to measure progress in each of these areas.



In Inverclyde, the strategic direction and purpose are governed by the iPromise Board, chaired by the Council Chief Executive and three of our young people. The iPromise team are responsible for ensuring the voices of all children and young people are heard at the Board and the response is fed back, promoting Inverclyde's well-established approach/pledge to [#nothingaboutuswithoutus](#).

Fostering, adoption and Kinship

Fostering

By the end of 2022-23, there were 26 fostering households in Inverclyde. Across Scotland, the demand for foster carer placements continues to present significant challenges to capacity and locally, awareness activity including media and digital campaigns have sought to encourage people living in Inverclyde to consider becoming foster carers. Nevertheless, to expand the number of foster carers for Inverclyde children, the team are looking at more innovative ways of working alongside our third sector colleagues and the established workforce to reach a new audience.



101 Formal Kinship Carers in Inverclyde.



128 cared for Children and Young People.



26 Fostering Households in Inverclyde.



25% uplift for fostering fees.

In recognition of the value and importance of foster carers in Inverclyde, a 25% uplift in fostering fees was introduced locally within the past year. Furthermore, we continue to work as part of national activity around a national recommended allowance for foster carers, however until any Scotland-wide agreement is reached, we will finalise a proposal to uplift allowances for foster and kinship carers in Inverclyde.

Adoption

During the pandemic the number of adopters who enquired and were assessed increased, however the number of children whose permanency plans progressed remained stagnant or reduced, not least of all because of the ongoing impact of the Covid-19 pandemic upon assessment processes and staffing capacity. As a result, the number of approved adopters outweighs the number of children who are seeking adoptive families.

In response, the service focussed on the skills and knowledge of workers within the adoption and fostering team to support front line workers to progress children's permanence plans through legal processes, enabling the team to focus on re-assessing family circumstances and ensuring parents or carers are given the opportunity to take part in Parental Capacity Assessments. This is a key aspect of making permanence decisions about children and mentoring support from the adoption team enabled new workers to develop skills to undertake this work. The model has improved certainty around outcomes for children and it is intended that, with this intensive support, children who have been looked after and cannot return home will have more timely, accurate assessments around their future needs. This will offer children permanent families at a much younger age and improve capacity within foster placements locally.

Inverclyde Adoption and Permanence panel, led by an independent Chair, comprises a medical advisor and a legal advisor as well as Panel members from a range of professional backgrounds or with relevant direct experience. During 2022-23, our Panel included senior social work staff, the service manager for Specialist Children Health Services, an Educational Psychologist, Education Services representative, our Children's Rights Officer, an elected member and an adoptive parent. The panel undertook a range of duties such as registering children who required to be cared for out with their birth family, approving prospective adopters and foster carers, matching between prospective adopters and children and reviewing foster carers every three years.

Kinship

The kinship care service has grown over the past two years as there has been a steady increase in the number of formal and informal kinship carers using the service. By the end of 2022-23, there were 101 formal kinship carers caring for 128 children and young people in Inverclyde. All carers are offered ongoing support via a dedicated worker from the kinship team. They also have access

to regular support groups, financial advice, support to the children and young people in their care and a kinship allowance once formally approved. They continued to be reviewed at the Kinship Panel on an annual basis to ensure financial and other supports were provided.

The Kinship team has worked with the Kinship Advisory Service in Scotland, (KCASS) and attended their kinship forum. All kinship carers, whether formal or informal carers, were also supported to contact KCASS directly for advice. Locally, the team continue to use a range of methods to enhance communication with kinship carers and to seek their views to evaluate the kinship service.

Training is provided to kinship carers to support the children in their care. Other services have also provided input at support groups, e.g.: alcohol services and KCASS.

Supporting Young People

Within Inverclyde, 158 young people were eligible for Throughcare, Continuing Care and Aftercare support, with 99 people being actively supported during 2022-23. The focus of the team is to support young people in a relational way to increase their self-esteem through training, education and/or employment, develop practical and financial skills/knowledge and create a safe environment from where they can develop their move towards independence in adulthood.

Learning from the importance of access, communication and community through the pandemic, the team are developing a weekly drop in facility to be launched later in 2023 which will provide our young people with access to additional support services and a place where they can discuss issues which may affect their daily lives and impact on their independence.

In recognition of the need for young people to have flexible support, including out with standard working hours, we expanded our staffing capacity within a model of support packages over seven days, reflecting that young people are often most vulnerable at evenings and weekends. Established, strong links with partners in education and housing services supported individual plans for young people and enhanced key relationships.



158 Young People eligible for Throughcare, Continuing Care and Aftercare support.



99 Young people actively supported.



We have improved our offer of seven days per week support for young people.

The Throughcare team has grown during 2022-23 to provide group work and enhanced transition support to young people as they move towards independence. In addition, two full-time continuing care posts were created to provide dedicated support to young people as they prepare to take on their own tenancies.

The service has continued to offer support to young people who moved on to third and higher-level education out with Inverclyde, alongside more intensive, bespoke packages of care for young people who are more vulnerable within the local area.

Moving into 2023-24, the service will enhance continuous access to supports, recognising that, for many young people, their lives have been characterised by chaotic living and early childhood trauma

which can limit future life choices. With consistent support we hope to increase young people's future life choices and support them to achieve independence.

Disabled Children and Young People

Throughout 2022-23, the children and families service has included a small team working with disabled children, young people and their families who may require additional resources and other support where children have more complex needs. The journey for many disabled children, young people, and their families through the Covid-19 pandemic has been particularly challenging and is reflected in the service responding to more children and their families in crisis.

The forthcoming national thematic review of social work services for Disabled Children and Young People by the Care Inspectorate echoes some initial self-assessment by the team which enabled a renewed focus on areas of strength and areas for change and improvement. Work has included improved data sets to help us better understand the needs of children and young people as well as cross-sectoral support available in Inverclyde. How we provide support to disabled children and young people, their families and carers will be a key area of development into the next year to enhance the focus on early and effective help including via Self-Directed Support.

Children's Rights

Our young people designed their own flag for Care Experience Week 2022 which was flown from the Municipal Buildings. They spoke to other young people for ideas and voted on the linked hands and the colours representing the Promise. It includes our Proud to Care partnership and their "nothing about us without us".



Young people also launched a 'Council takeover' for Care Experience week, with young people from our Proud 2 Care group making a video that was shared on all social media platforms. They also took over the Council's corporate communications for a day to raise awareness of our care experienced community and show that we must work together for the benefit of our children, young people and families. The Minister for Children and Young People visited Inverclyde and met our young people, the iPromise team, social workers, and some of our Better Hearings volunteers.

Our young people led a range of discussion-based activities and attendees took part in placing handprints on each of our Inverclyde 5 stop and go pledges to show their support and their commitment in ensuring that these are undertaken.

Our young people also scripted, filmed and directed a film around "language matters" <https://youtu.be/7vrJ1CxBILY> and a corresponding jargon buster document as an easy-to-follow guide of what language we need to change. Feedback from wider agencies was very positive.



Work continued with Inverclyde schools, nurseries and learning establishments to work on their Rights Respecting School Award. This will continue to be an ongoing partnership approach with UNICEF, with Children's Rights awareness raising sessions being rolled out to all schools and a range of partner agencies to ensure that children's rights remain at the heart of all we do in Inverclyde.

Furthermore, our iPromise in the park family fun day brought over 350 people together, in partnership with Your Voice Inverclyde and Active Schools to involve the community in our Promise journey. As part of the commitment to hearing and learning from the lived experiences of the children and young people, other activity with our children and young people included:

- ♥ Co-developing the Inverclyde Rights of the Child (IROC) Award, with young people co-delivering as young assessors.
- ♥ Introduction of the Mind of My Own App for care experienced children and young people to provide their views.
- ♥ Conducting digital surveys and face-to-face engagement with children, young people and their families to inform child protection process, children's services plans, refresh of the strategic plan and Inverclyde's Promise plan.
- ♥ The iPromise in Hearings Working Group listening to children and young people to develop our iPromise in Hearings film and communication toolkit, written and produced by young people.
- ♥ Our approach to participation and engagement has continued to be guided and informed by UNCRC, Children and Young People (Scotland) Act 2014 and the Scottish Approach to Service Design framework for designing services to ensure they are designed with, not for, the people who will use the service, as well as National Standards for Community Engagement good-practice principles.

How Social Work Services are Improving outcomes for adults.

Mental Health Officer activity/Adults with Incapacity/Guardianship

The Mental Health Officer (MHO) team delivers core statutory functions contained within the Mental Health (Care and Treatment) (Scotland) Act 2003 and the Adults with Incapacity (Scotland) Act 2000. During 2022-23, the service commenced a process of service re-design and progressing an action plan following an external service review which concluded in early 2021. Most actions have been completed including:

- Creation of a dedicated MHO team leader post.
- Creation of two additional whole time equivalent MHO posts to enhance team capacity.
- Senior Practitioner status available to qualified MHOs who meet the criteria to retain staff and encourage others to take up the MHO training award.
- Annual re-validation process for MHOs.
- Move primary recording of MHO activity to the Social Work electronic recording system.
- Co-production approach with the Learning and Development team to encourage uptake of MHO award.
- Use of risk management triage process for waiting list allocations.



MHO service holds 202 Guardianships (primarily welfare and finance)



42 of these Guardianships are local authority orders with a designated MHO.



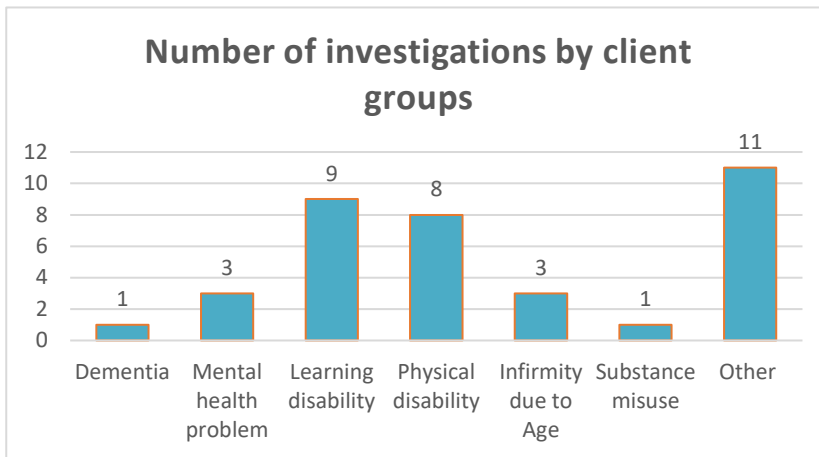
160 are private orders with a named MHO.



There is no waiting list for delayed discharge allocations or L.A. applications for AWIA intervention.

Adult Support and Protection (ASP)

Adult Support and Protection activity for 2022-23 reflected a 37.5% increase in referrals and investigation rates compared with the 5-year average. The conversion rate from referral to adult protection investigation fell slightly to 11%, from 14.1% the previous year but within the ranges for previous years despite the number of adults referred under adult protection concerns having increased. The principal categories recorded continued to be as follows:



310 Adult Protection Referrals



36 progressed to Adult Protection Investigations



12 of which Progressed to Adult Protection Conference

Local initiatives to support people where there is concern for their wellbeing and welfare included the Inverclyde Distress Brief Intervention Programme, the Emergency Department and Alcohol, Drugs and Recovery Service, Repeat Presentation meetings, alongside an increase in assertive outreach and liaison.

Following the inspection of Adult Protection services in January 2021 the service continued to progress the improvement plan, including the following:

- Roll out of training to all Council Officers and Assessment Staff about chronologies.
- Revised Risk Assessment Guidance and template reissued to staff with briefing sessions completed. Subsequent audit activity noted that risk assessments were evident in 90% of case files, compared to 71% at the time of inspection, with 76% rated good or better compared with 59% at the time of inspection.
- Established explicit recording of the application of 3-point test at all stages of the adult support and protection process - revised templates and guidance were implemented along with staff briefing sessions. Follow up audit of templates found that application of 3-point test was evident in 100% of files and in 88% of files overall when recording within case notes was included.
- New recording guidance for systems, with the ability to upload documents to the electronic document management system (CIVICA).
- Refresh of the Quality Assurance framework, Adult Protection Committee Business Plan and Quality Improvement Plan agreed, where the Business Plan 2022/2024 forms part of the Biennial Report with updates provided to the Public Protection Chief Officers Group, Inverclyde Integration Joint Board and Social Care and Social Work Scrutiny Panel.

Community Mental Health Services (CMHS)

The CMHS operates an integrated service delivery model, where social work is critical to operational service delivery for the range of interventions provided and in support of wider strategic development and improvement activity. During 2022-23, the team co-ordinated and provided essential mental health treatment and support services to adults and older people, including urgent mental health assessments. Local services worked alongside centralised Mental Health Assessment Units (MHAU) as well as delivering programmes of scheduled treatment/support and an accessible duty service.

During the past year, recruitment challenges across all disciplines continued both locally and across the NHS Greater Glasgow & Clyde Health Board area, with several positions subject to multiple rounds of recruitment due to limited suitable applicants. Hybrid working arrangements, accelerated by the Covid-19 pandemic along with a blended approach to delivering interventions, including face to face and 'Near Me' technology remained a key part of the CMHS operating model, informed by feedback, emerging service demands and staffing capacity to safely deliver services underpinned by individual service user assessed need, risk, vulnerability, and associated legislation.

At the onset of the pandemic caseloads were reviewed and individuals allocated a risk assessed priority of Red, Amber or Green (RAG) to inform frequency and type of contact, with regular review to ensure status remains current. This continued during 2022-23 and is now embedded as a critical element in supporting safe service delivery for individuals, alongside the management of service demand/capacity issues.

Adult Community and Older People's Mental Health Teams (CMHT and OPMHT)

Our integrated Adult Community Mental Health Team (CMHT) and Older People's Community Mental Health Team (OPMHT) continued to provide specialist multi-disciplinary assessment and evidence-based interventions determined by assessment of risk and vulnerability for individuals experiencing severe and enduring mental health conditions.

During 2022-23, the aims of the teams were to:

- Reduce the stigma associated with mental illness.
- Work in partnership with service users and carers.
- Provide assessment, diagnosis and treatment, working within relevant Mental Health legislative processes.
- Focus upon improving the mental and physical well-being of service users.

Partnership working within the HSCP, inpatient mental health services, with families and carers, primary care and other agencies were critical elements of service delivery. These continued to support the design, implementation, and oversight of comprehensive packages of health and social care to support people with complex mental health needs in suitable settings that meet the needs of individuals and their carers.

Over the past year, an important development was the establishment of a joint Incident Review Group for community and in-patient Mental Health and Alcohol and Drug Recovery Services, which

has provided a more robust, consistent approach to decision making as well as improving the interface between services and service users.

Evidence-based improvement work also continued within the CMHS to ensure safe, timely and effective person-centred care which supported statutory elements of service delivery as well as broadening assurance and developing a range of shared and local initiatives. These included:

- Mental Health support in key areas such as Emergency Departments.
- Implementation of Mental Health Assessment Units and Acute Psychiatric Liaison services.
- Development of the Distress Brief Intervention initiative,
- Increase capacity and develop new ways of working within the Primary Care Mental Health Team and support GP practices and
- Introduction of 'In reach worker' post to support individuals admitted to hospital are discharged home with appropriate support at the earliest opportunity.

Alcohol and Drug Recovery Service (ADRS)

Inverclyde ADRS is an integrated multidisciplinary team delivering a range of evidence-based care and treatment for adults in Inverclyde experiencing harm from alcohol and drugs. The team supports the delivery of Inverclyde Health and Social Care Partnership (HSCP) Strategic Plan - big Action 5: 'Together we will reduce the use of, and harm from alcohol, tobacco and drugs and the Scottish Government's Drug and Alcohol Strategy: Rights, Respect and Recovery which focuses on improving health by preventing and reducing alcohol and drug use, harm, and related death.

As the service recovered from the pandemic, face-to-face clinics for all scheduled contacts were re-established, with a blended approach to delivering interventions available if appropriate as part of individual care and treatment plans.

The addiction liaison team also worked within acute hospital settings and primary care, including social care drug and alcohol workers returning to support GPs, delivering shared care clinics with governance and support via addiction liaison nurses; assertive outreach to support engagement in treatment; in-reach to people involved with the Homeless Service; and nursing response to near fatal overdose. Interface with other service areas and partner agencies also increased significantly during 2022-23, including development of a Residential Rehabilitation Pathway delivered jointly by ADRS liaison nurses and lead practitioners from Turning Point Scotland (TPS).

Along with local partners from the Alcohol and Drug Partnership (ADP) and across the Health Board area, the service continues to implement and embed the requirements of the Medication Assisted Treatment (MAT) Standards, set up to ensure consistent delivery of safe, accessible, high-quality drug treatment across Scotland. The service has adapted to meet the standards with 1-5 now embedded in practice and 6-10 being progressed for full implementation by April 2024. MAT is the term for use of medication such as opioids, together with any psychological and social support. The 10 MAT standards adopt a rights-based approach, ensuring individuals have choice in their treatment and are empowered to access the right support for where they are in their recovery journey.

In 2022, there were 1,051 drug misuse deaths registered in Scotland, a decrease of 21% (279 deaths). This is the lowest number of drug misuse deaths in Scotland since 2017. Locally, within Inverclyde, the significant reduction in deaths reported in 2021 sadly did not continue into 2022 with an increase of 81% from 16 to 29, more aligned with the 5-year rolling average.

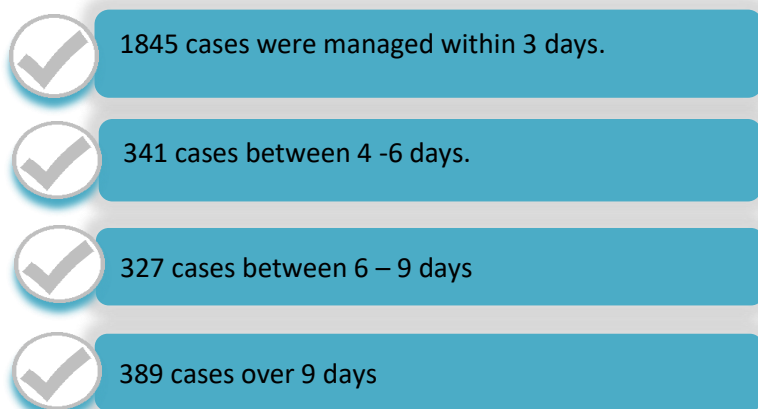
Figures published by National Records of Scotland indicated there were 1,276 alcohol-specific deaths registered in Scotland in 2022, an increase of 2% (31) since 2021. Within Inverclyde, the number of alcohol-specific deaths increased from 26 in 2021 to 28 in 2022, again in line with the 5-year local average, but higher than the Scottish average. The ADP will refresh the strategy and develop a new delivery plan to ensure that we are using resources in prevention activity, care and treatment. We will continue to focus on harm reduction, ensure easy access to care and treatment via the recovery community, ADRS, roll out of the residential rehabilitation pathway and other commissioned supports available locally including roll out of MAT Standards 6-10.

The service contributes to the wider statutory social work function in relation to public protection, overseen by a Team Leader /Senior Social Worker. The social work team returned to full staffing, adding capacity to meet ongoing demand. Improvement in partnership working between HSCP social work and acute colleagues continued to be a priority, to support reduction in delayed discharges from acute hospital settings. During 2022-23, pathways with Justice Social Work were improved, with the introduction of a Criminal Justice Support Worker (Addictions). During 2023-24, this model will be further expanded with the creation of a Young Persons Alcohol Worker to children's services to support young people experiencing harm from alcohol.

Access 1st

Access 1st is the local single point of access pathway into Health and Community Care Services. The service continued to receive, screen, and manage referrals to ensure that service users only require to contact the HSCP once and have confidence that their referral will be responded to appropriately in line with the eligibility criteria and individual need.

2902 referrals were received during 2022-23:



This table indicates performance in completing and closing cases from the date received. Overall, 86.6% of referrals were managed and closed within 0 to 9 days. 13.4% of referrals continued beyond the 9-day target timescale, largely due to challenges making initial contact with the service user and waiting for information, feedback or responses from other services.

The Advice Service continued to see an increase in demand for face-to-face services during 2022-23 because of developing advice services within local GP practices and other community venues.



2165 new cases opened with around half having used the service before.



152 appeals undertaken by welfare rights officers with 70% outcomes in favour of client.



Financial gains of £5,923,828.95 through benefits awarded, debt written off, grants gained.



486 new service users with a cancer diagnosis seen by our Macmillan welfare advise service.

The Financial Inclusion Partnership delivered a new Strategy in December 2022 with a focus on the following objectives:

- Mitigate the impact of the cost-of-living crisis on (1) children living in poverty and (2) our most vulnerable families/households inc. those living with disabilities and our unpaid carers.
- Engage, equip, and empower a range of “trusted intermediaries” (for example, Health Visitors and Teachers) to ensure that those who are isolated or have restricted access to information/services, are provided with support / connected to partner resources.
- Provide and promote the range of partner services available to Inverclyde Residents as support and responses to the impact of the cost-of-living crisis on their financial wellbeing.
- Provide the range of partner services via an outreach approach within local community facilities and within community focal points on a regular programmed basis.
- Promote the diverse range of partner delivered financial inclusion services and support the financial wellbeing of staff working across our services.
- Provide a programme of financial literacy and capacity building specifically targeted at young people in the 16-18 age range alongside support for schools.
- Involve those who use partner services in the design, deployment, and delivery of services.
- Put in place quality assurance measures to ensure service provision is of best possible quality.
- Establish a sequence and cycle of performance reporting, monitoring and evaluation to ensure that the key objectives are being met.

The partnership agreed the use of additional available funding from the previous IDEAS (Inverclyde Delivering Effective Advice Services) project which supported HSCP Advice Services and third sector partners to deliver on these objectives by mitigating the ending of other temporary funding and responding to the current cost of living crisis.

How Social Work Services are Improving Outcomes for people involved with Justice services.

Justice Social Work

Justice Social Work continued to provide a full range of services to individuals with involvement in the criminal justice system within Inverclyde, from early intervention and prevention work with individuals charged, but not yet convicted of crimes, through to supervising those released from prison to serve the remainder their sentences in the community on licence.

During 2022-23, the service expanded early intervention and prevention with the commencement of the Bail Supervision Service in November 2022. This has offered Greenock Sheriff Court a credible alternative to remand for individuals charged with a crime and for those convicted at Court and awaiting sentencing. The provision of Bail Supervision is a key strand in the Scottish Government's National Strategy for Community Justice (2022).

From commencement until 31 March 2023, 166 bail supervision assessments were conducted at Greenock Sheriff Court, with 66 bail supervision orders made. Local Sheriffs provided positive feedback about the service, including the quality of assessments and the professionalism of staff. Defence agents working in Greenock Sheriff Court and local Police colleagues have also spoken positively about the service.

Community-based justice social workers (CBSW) continued to work with the Scottish Prison Service to ensure that release planning for those due to be released from custody is timely and effective. During 2022-23, staff attended 102 Integrated Case Management case conferences (ICMs) for individuals with a proposed release address in the Inverclyde area, an increase of nine from the previous year. The prison-based social work (PBSW) team at HMP Greenock attended 113 ICM case conferences (an increase of 11 from the previous year), regardless of where the individual intended to be released. The service continued to work on building closer links between community and prison-based teams, to enhance benefits across the service by sharing knowledge, skills, and experience. This approach was noted by representatives of the HMIPS/Care Inspectorate team in their inspection of HMP Greenock in early March 2023.

Over the past year, the service employed an additional Justice Support Worker with a specialist focus on addictions. Funding for this post, for one year, was provided by the Alcohol and Drugs Partnership (ADP). The Addictions Support worker supported delivery of effective Drug Treatment and Testing Orders (DTTO) and provided early assessment and intervention to those involved with the service through Bail Supervision or Diversion from Prosecution. This postholder has been proactive in reducing barriers restricting service users' ability to access addiction treatment and recovery services.

The expansion of availability of section 12 funding enabled staff to offer support to individuals in financial crisis including assistance to purchase food and utilities as well as supporting service users to purchase clothing for job interviews. Staff supporting the Unpaid Work Service worked to ensure that food was available for service users during their shift, having noticed people attending hungry and with no means to purchase food. At the end of March 2023, Community Justice Scotland published their annual report on the use of Community Payback Orders (CPOs) which featured a

case study from the Inverclyde CPO annual report reflecting efforts to respond effectively to poverty and deprivation.

The TARL (Throughcare Assessment for Release) process was rolled out to Justice Social Workers in both community and custody settings in November 2022 to support an integrated approach to social work assessment and information to the Parole Board around the prospective release of long-term prisoners.

This replaced the previous system of separate reports and was the culmination of many years of work by practitioners and managers to develop and pilot the current process and guidance. Around 80% of the workforce attended training delivered by Community Justice Scotland prior to the new template coming into practice.

The anticipated benefits of the TARL include stronger communication and consensus between community and prison-based teams around risk assessment and about any identified risk of serious harm.

Multi Agency Public Protection Arrangements (MAPPA)

The fundamental purpose of MAPPA is public protection and managing the risk of serious harm posed by statutorily defined categories of individuals. MAPPA is a statutory framework through which Responsible Authorities discharge their statutory responsibilities and protect the public in a co-ordinated manner.

The North Strathclyde MAPPA Unit is located within Greenock and supports six local authorities, three Police Divisions and two Health Boards. The Unit consists of two MAPPA Co-ordinators (one part-time), a resource worker, and an admin worker.

In 2022/23 the MAPPA Unit produced a short, animated video outlining the MAPPA process, to support staff induction across all agencies within the North Strathclyde area which can be followed up with more formal training where appropriate. The video was well received, leading to the Scottish Government requesting that a national video be created for use by all MAPPA areas. The North Strathclyde MAPPA Unit assisted in producing the updated video which has since been incorporated into Police and Prison Officer training, whilst work is ongoing with Health colleagues to integrate the video to relevant training programmes.

During 2022-23, the North Strathclyde MAPPA Unit also commenced work to refresh the training provided to Housing and Homelessness colleagues. This work is significant as having access to stable housing has been shown to impact positively in reducing an individual's risk of re-offending. Preparatory work involved senior housing colleagues from local Registered Social landlords (RSLs) and HSCP Homelessness Services. This was supplemented by input from Inverclyde Justice Social Work and the Inverclyde Community Justice Lead Officer to consider the wider Justice landscape and to identify potential opportunities for early engagement to sustain a tenancy or to prevent the need for individuals to make a homelessness presentation.

Finally, the Unit continued to organise MAPPA meetings for all level 2 and 3 offenders, bringing individuals together from various services and agencies to create Risk Management Plans to

manage individuals who pose a risk of serious harm to their community. The MAPPA Unit provided local training for meeting Chairs who also were able to access further, national training provided by Professor Hazel Kemshall.

Community Justice Partnership

The Inverclyde Community Justice Partnership hosted by Inverclyde Health and Social Care Partnership continued to meet during 2022-23. This year, the Partnership focused on the preparation of a new Inverclyde Community Justice Outcomes Improvement Plan following publication of a revised national strategy for Community Justice in June 2022. A Strategic Needs and Strengths Assessment helped partners to understand local needs and the services and interventions available or needed locally. This indicated:

- a third of people liberated from prison registered as homeless on their release.
- The use of remand and prison for people from Inverclyde is consistently higher than the national average.
- The number of people on community-based sentences who have, (i) left school without qualifications, (ii) are currently not in employment and live in Scottish Index of Multiple Deprivation areas is significantly above the wider Inverclyde population.

This activity has led to a review of governance arrangements for the partnership to reflect the local community justice outcome improvement plan. Aligned to this, other work during the reporting period by the Community Justice Partnership included.

- Working with the Inverclyde Alcohol and Drug Partnership supported the Inverclyde Early Help in Police Custody project.
- creation of the Inverclyde Community Justice Voluntary and Third Sector Forum recognising the role this wider sector plays in delivery justice services or supporting those people who use justice services.
- reviewed the functions of the Unpaid Work Operations Group to have a specific focus on group and individual placements in Inverclyde.
- Contributed to the forthcoming Inverclyde Local Housing Strategy including a focus on individuals experiencing severe and multiple disadvantage (including involvement in justice services) and its impact on housing and homelessness services.
- Supported Justice Social Work in the establishment of a Short Life Working Group to further develop practice around housing needs for people subject to MAPPA.

Early Action System Change Project

Inverclyde HSCP currently hosts an externally funded Early Action System Change Project – Women Involved in the Criminal Justice System. The Project Team are co-producing system change with a group of women in Inverclyde who are involved in the Criminal Justice System.

Two tests of change were agreed to improve outcomes for women engaged with services: development of trauma informed and responsive services and staff and a commitment to make referral pathways to supportive community resources more accessible and inclusive.

Work from across the reporting year included:

- managers and leaders participating in the Scottish Trauma Informed Leadership Training (STILT). During the reporting year 33 HSCP staff completed this.
- A workshop with those managers and leaders agreeing the cascading of trauma informed systems, services, and practice to staff across Inverclyde HSCP and third sector organisations. This resulted in a series of proposed recommendations across five broad themes; action planning, leadership, staff recruitment and retention, staff supervision, and wellbeing and lived experience.
- An operational STILT Conference in September 2022 bringing together operational managers from HSCP (Criminal Justice, Children and Families, Homelessness, Alcohol and Drug Recovery Service), CVS Inverclyde and Your Voice Inverclyde. This conference supported those services to identify actions to become trauma informed.
- Staff engaging in the trauma training agenda, supported by their managers and embedding this into their practice with people who use Justice services. During 2022-23, 22 staff members completed the Level 3 Trauma Enhanced Training with further training planned for next year.

Challenges and Improvements

Cost of Living – Section 12

During 2022/23, the Integration Joint Board agreed to create a Cost-of-Living Fund of £430,000 to support residents via the use of Section 12 and Section 22 legislation for a larger range of staff: grants via the third sector to community organisations and distribution of warm boxes to those in need.

These funds were utilised to combat food and fuel poverty and to support people in need due to the overall cost of living crisis. Spend of £0.165m was recorded in 2022/23, with the remaining funds earmarked for continuation of assistance during 2023/24 financial year.



£0.430m Cost of Living Fund granted in 2022/23



£0.165m spend recorded in 2022/23



401 Individuals and families supported.



284 supported families in SIMD areas 1-5

During 2022/23, 401 individuals and families were supported via the Section 12 and 22 process, a further 194 through grants to community organisations and 500 warm boxes were distributed over the winter period.

The review of home care services which includes both internal and external commissioned services has continued since it began in January 2022. It has considered the additional service requirements due to changes in the Care Inspectorate Standards and the requirements of the Ethical Care Charter. This included thinking about the shape, scope, resilience, and sustainability of internal and external care at home services, informed by increased demand and complexity emerging from the pandemic, whilst managing reducing staffing capacity due to the local and national crisis in social care recruitment and retention.

Throughout the review the HSCP and commissioned providers recognised that recruitment and retention remain a significant challenge. Several initiatives were implemented to attract more people to work in the sector. Although there has been some success, the staff turnover rate has remained high. Analysis of staff leaving the service shows that 47% go on to work within the retail sector for a higher hourly rate.

As part of the review, several initiatives were progressed including incentives such as training opportunities, pension scheme and a career path being promoted. Within the HSCP, joint work with Human Resources, Corporate Communications and Finance teams was progressed around recruitment and retention. Further examples include.

- HR, Corporate Communications, Graphics, DWP regular liaison with dedicated staff resource.
- Recruitment Huddle twice weekly for home care operational staff to monitor and progress and address any delays.
- Fast track events began in priority geographic areas, overview of job role sessions ongoing with Trust Development and DWP.
- TV advertising, posters, social media, internal, my job Scotland all updated and distributed with intention to expand.
- Partnership set up with Inverclyde Development Trust and WCS Head of Social Care Social Care with regular sessions in the Greenock waterfront campus, exploring Clydebank and Paisley with discussion around a bespoke course.

Community Hub

Over the past year, Inverclyde HSCP and the Council's Property Services worked with professional partners to complete the technical design stages for a new Learning Disability community hub. Detailed planning permission will be applied for by the end of the financial year.

Day Opportunities and the Community Learning Disability Team (an integrated team of social work and health professionals) will be co-located in the new build to ensure a more coordinated approach to improving health and wellbeing.



Consultation and engagement with service users, parents and carers, staff and other stakeholders has been integral to this design process. It is intended that the new building will support adults with learning disability and people with autism, particularly those with complex needs.

New energy performance and low carbon emission standards have been included in the design – to work towards achieving net zero emissions. A successful bid was made to the Low Carbon Vacant & Derelict Land Investment Programme, adding £990k of grant funding.

Facilities in the new building will include rebound therapy with a specially designed trampoline installed in the floor, track hoisting, sensory rooms, an Autism zone, and outdoor sensory areas including an accessible woodland walk.

New Scots

During 2022-23 there was a notable increase in the range and scope of refugee, resettlement and asylum work undertaken. The New to Scotland Team continued to support the established resettlement schemes whilst a range of partnership work developed new pathways of support for refugees and asylum seekers within Inverclyde. During 2022, the conflict in Ukraine led to the UK Government issuing visas for travel to the UK, Scottish Government introducing a super- sponsor scheme and local host families offering accommodation to those fleeing the conflict as well as the opening of dedicated contingency hotel accommodation.

This was a different approach to other resettlement schemes which required a range of partnership working with health, education, housing and third sector colleagues to respond to quickly changing pathways and processes and with families often arriving at very short notice. In addition, Inverclyde also saw the opening of an asylum contingency hotel where single males awaiting asylum outcome decisions were accommodated under the care of MEARS (the UK Government support partner) alongside the provision of dispersed accommodation within the community also supported by MEARS. In response, an asylum health team was created in Inverclyde, which attends the asylum contingency hotel twice weekly, and Ukraine contingency hotel as required, providing a full health assessment, registration with a GP, advice, signposting and onward referral as necessary for every arrival. The team was recognised for their work in the past year when they received a Pride of Inverclyde Award for Outstanding Achievement.

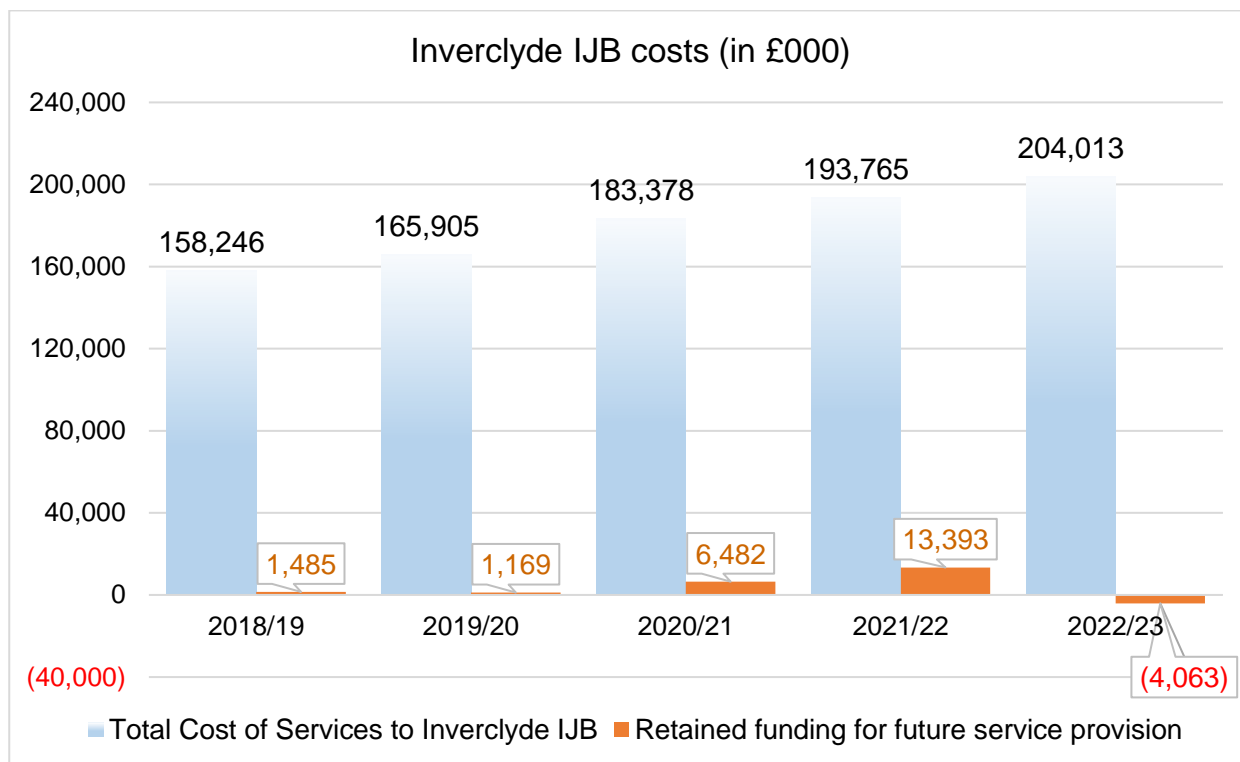
5. Resources

Financial Summary

	2018/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23* £000
Strategy and Support Services	2,416	2,111	2,133	1,881	1,751
Older Persons	27,020	28,407	30,383	31,015	34,482
Learning Disabilities	11,898	12,545	12,299	13,286	14,427
Mental Health – Communities	6,712	7,101	7,485	7,807	7,292
Mental Health – In Patients	8,729	9,737	10,607	10,689	11,844
Children and Families	13,738	14,114	14,711	16,571	17,152
Physical and Sensory	3,117	3,203	2,939	3,166	3,498
Addiction / Substance Misuse	3,464	3,181	3,826	3,807	4,146
Assessment and Care Management / Health and Community Care	8,258	9,981	10,789	13,055	12,604
Support / Management / Administration	4,174	4,339	450	2,840	7,938
Criminal Justice / Prison Service	26	49	148	85	39
Homelessness	791	1,043	1,173	1,240	1,516
Family Health Services	25,547	27,056	29,618	25,911	27,331
Prescribing	18,591	18,359	18,242	19,166	20,569
Covid-19 pandemic Funding			10,400	7,288	3,388
Change Fund	1,133	1,044	0	0	
Cost of Services directly managed by Inverclyde IJB	135,614	142,270	155,201	157,805	167,977
Set aside	22,632	23,635	28,177	35,960	36,036
Total cost of Services to Inverclyde IJB	158,246	165,905	183,378	193,765	204,013
Taxation and non-specific grant income	(159,731)	(167,074)	(189,860)	(207,158)	(199,950)
Retained (deficit) funding for future service provision	1,485	1,169	6,482	13,393	(4,063)

*At the time of publishing the 2022/23 figures were provisional and still to be approved by committee.

The IJB collaborates with all partners to ensure that best value is delivered across all services. As part of this process the IJB has continued to review services to seek opportunities for developing services, delivering service improvement and generating additional efficiencies.



Budgeted Expenditure vs Actual Expenditure per annum

	2018/19	2019/20	2020/21	2021/22	2022/23
	£000	£000	£000	£000	£000
Projected surplus / (deficit) at period 9 (22/23 – Period 11)	(897)	(37)	(690)	855	(6,302)
Actual surplus / (deficit)	1,485	1,169	6,482	13,393	(4,603)
Variance in Under/(Over) Spend	2,382	1,206	7,172	12,538	1,699

Explanation of variances

2022/23 – the last reported position to the IJB was Period 11 which showed a projected deficit of (£6.302m). The year end position shows an overall deficit on provision of services of (£4.603m), being a favourable movement of £1.699m before year end. This related to movements in client package costs offset by an under recovery in homelessness arrears income and in relation to new and additional reserves created to earmark underspends for use in future years including Cost of Living Funds, refugee funds, children’s residential placements and pay contingency.

6. Workforce

Social Worker Recruitment

Recruitment and retention of social workers continued to be challenging during 2022-23 across the social care sector. In Inverclyde, services have been similarly impacted by recruitment challenges. In response, in January 2023, the Integration Joint Board approved an innovative £150,000 scheme to recruit newly qualified social workers.

This new support scheme will provide funding for the final year of studies for up to 10 Master's students who are not already employed by the council/HSCP to complete their studies. Fees will be paid upon successful completion of the Master's course on the basis the student agrees a three-year contract as a newly qualified social worker.

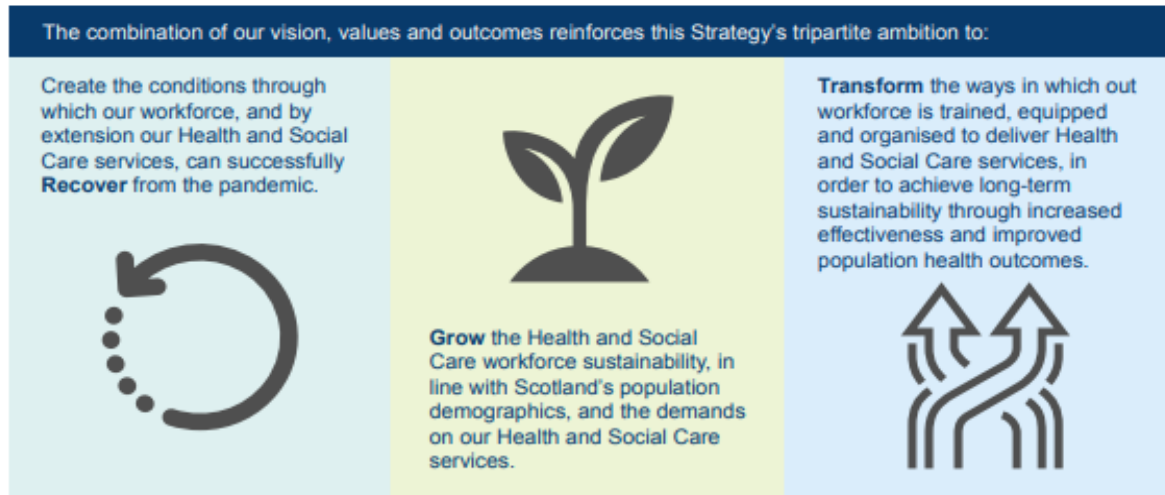
Homecare Recruitment Drive

As referred to above, Care and Support at Home recruitment and retention of staff continued to impact directly on internal and external service provision. In a bid to combat persistently high vacancy rates, a recruitment campaign was launched including radio, TV/Digital and multi-media.

The campaign led to 50% of vacancies being filled with a spike in web traffic to the landing page over the campaign period, with 1,872 page visits from 1 September to 15 November 2022.

Workforce Plan

A three-year workforce plan 2022 - 2025 was developed in line with guidance provided by the Health Workforce Directorate of Scottish Government in DL 2022 (09) 'National Health and Social Care Workforce Strategy: Three Year Workforce Plans'. This builds on both the previous plans of 2020-24 and the comments received from Health Workforce Directorate on the 2020/21 HSCP Interim Workforce Plan. The National Workforce Strategy for Health and Social Care (2022) has been used to guide development of the HSCP plan focussing on the Five Pillars of the Workforce Journey:



National Workforce Strategy for Health & Social Care 2022

Core values and principles also apply to services for children and families, as indicated in the Inverclyde Integrated Children's Services Plan 2020-2023 which is the overarching plan that supports all aspects of work with children, young people and families, and these values and principles support our commitment to achieving the National Outcomes for Children. In addition to is the legal requirement to adhere to the National Outcomes and Standards for Social Work Services in the Criminal Justice System.

Other local and national policies and strategies continue to guide planning during the timescale of this plan:

- Refresh and update the Business Support review.
- Continue to implement the Primary Care Improvement Plan and build the multi-disciplinary team. Complete new Learning Disability Services hub building.
- Commence Homeless Service review.
- Continue to develop our Digital Strategy and digital capabilities.
- Further development of Compassionate Inverclyde and Inverclyde Cares.
- Develop a Trauma informed workforce and organisation.
- Continue to promote and support staff health & wellbeing.
- Support and implement formalised hybrid/ home working policies.
- Remobilisation and Covid recovery in line with Scottish Government plans.

Workplace Wellbeing Matters

The local three-year plan 2020-23 supports the HSCP's organisational recovery and to ensure that support for the mental health and wellbeing of the HSCPs staff remains a priority. The overall aim of the plan is:

“Across Inverclyde we will deliver on integrated and collaborative approaches to support and sustain effective, resilient, and a valued health and social care workforce.”

This aim will be fully supported by the primary drivers of:

- Embed and support organisational cultures, where all staff are valued.
- Staff Feel Supported in their Workplaces.
- Staff maintain a sense of connectedness to their team, line manager and organisation.
- Staff, where possible, have the tools and resources to work flexibly (Home, Office, and Community)
- Staff, where possible, have the tools and resources to work in a blended approach (Home, Office, and Community)

As the plan has progressed, key achievements include:

- **Wellbeing Fund:** to support and promote health and wellbeing across the health and social care workforce. Staff and teams can apply for funds to support health and wellbeing initiatives. Staff teams have made the most of the fund by applying for various team activities e.g., team building outdoor events such as paddle boarding, kayaking, scavenger hunts, creating a safe outdoor fire and pizza making.
- **Leisure Activities:** with Inverclyde Leisure to provide closed fitness classes for Inverclyde Council employees, including Nutrition/health classes and staff challenges i.e., March into Spring walking challenge.

- **Central Repository/Hub:** with Inverclyde Council, an online wellbeing hub available to all staff (and the local community). Within this, the HSCP has a dedicated page for staff to find local and national health and wellbeing resources.
- **Monday Messages:** regular information provided, signposting local and national resources, training etc. to the entire HSCP workforce, third sector and independent sector colleagues.
- **Healthy Working Lives:** The 2020 annual assessment was on 'pause' whilst the national team focussed on other priorities. During the past year, the working group has restarted and is working towards meeting the criteria to retain the Gold Award.

Training, Learning and Development

Training Board

Several initiatives were progressed during the past year, including a 'grow your own' scheme to support employees to undertake training to become qualified social workers. This approach recognised that Inverclyde HSCP has experienced, skilled, local, and committed social care workers and would benefit from improved career progression opportunities. The Training Board will continue to develop employee support to encourage career development.

During the next year, a Training Board development day will enable teams to discuss and prioritise future training needs across the HSCP. Service needs and staff development will be considered and expertise from practitioners will be used to develop training.

Newly Qualified Social Workers: Inverclyde has been part of the early implementation of the Scottish Social Services Council (SSSC) supported year for newly qualified social workers (NQSW) and this has helped to make Inverclyde a more attractive employer. The supported year offers increased supervision, a protected caseload, increased training opportunities and protected learning time. NQSWs have a mentor to offer support to meet the new SSSC standards.

Homecare Training Programme

The training and development of our Care at Home Staff is crucial to ensure that our workforce have the necessary skills, knowledge, and expertise to provide high-quality care to our service users. Well trained staff are more likely to adhere to best practices, infection control protocols and safety measures, reducing the risk of incidents and errors.

Specific training over the past year enabled staff to keep up to date with requirements to ensure regulatory compliance with the SSSC to ensure that they meet the professional standards and qualifications required for providing quality care services.

7. Looking Ahead

The next year will present several opportunities and challenges for the development and delivery of social work and social care services in Inverclyde, in line with many wider national changes. As the model for a National Care Service is further developed, the Chief Social Work Officer will continue to contribute to national discussions on the implications for the social work profession, operational delivery of services, governance and professional standards.

Services will need to continue to respond to changing demand that reflects both the needs of local communities as well as the impact of Scottish Government priorities around early intervention, prevention and managing risk for the most vulnerable. The impact of the cost-of-living crisis will continue to affect people already facing multiple indicators of deprivation, whilst pathways into and out of services will be critical to managing demand and improving outcomes.

The development of an interim post of Head of Public Protection will strengthen the strategic oversight and co-ordination of child, adult and public protection activity, planning and resources. This will be informed by national strategic scrutiny activity and will provide additional capacity to lead on recruitment, retention and staff development.

For children and families' services, we will review and develop our practice model, including scoping accredited programmes to upskill the workforce and ensure that we provide strengths-based interventions that support improved outcomes for children and young people.

We will improve our data collection and analysis to inform continuous improvement of services that protect children and young people from harm as well as working to shift the balance of care towards earlier help and family support to prevent placement breakdown and enable families to remain together where it is safe to do so.

The financial landscape for social work services will continue to be challenging, where limited budgets and existing resources are likely to be impacted by Safer Staffing legislation, ring-fenced grants coming to an end and the potential impact of reducing or flat cash settlements. It will therefore be important to work within financial parameters whilst highlighting areas of risk and uncertainty that could impact on the provision of social work and social care services.

The voices and views of people who use our services will therefore be critical as we move into the next year. Involving people in decision-making and planning can lead to more tailored and effective care, with empowerment of children, young people and adults continuing to be an opportunity for social work and social care services in Inverclyde to grow and develop within a culture of continuous improvement that can adapt to changing needs.

Finally, I would like to thank my social work, social care and health colleagues, as well as our partners, for their continued dedication, commitment and support to working together with our communities to improve the lives of people in Inverclyde.



Inverclyde Health and Social Care Partnership (HSCP)

Hector McNeil House

Clyde Square

Greenock

PA15 1NB

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Chief Financial Officer	Report No:	FIN/78/23/AP
Contact Officer:	Alan Puckrin	Contact No:	01475 712090
Subject:	Finance Strategy 2023/33 – 6 Monthly Update		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to present the updated Financial Strategy to the Council for review and approval. The Strategy reflects the OBR economic assumptions included in the Chancellor's Autumn Statement and the assumptions included in the Medium Term Financial Strategy from the Scottish Government issued 25 May 2023.
- 1.3 All funding models and appendices have been updated and reviewed with a short commentary on each included in the body of the report. All remain sustainable in the medium/longer term. A number of recommendations are included based on the review of the funding models.
- 1.4 The Strategy clearly sets out the continued considerable financial challenges facing the Council in the short, medium and longer term and ties in with the on-going development of the Revenue and Capital Budgets due to be approved in March 2024.
- 1.5 A saving proposal to use £3.0 million from the projected surplus internal resources income to achieve an annual £500,000 loans charges saving from 2025/26 is included in the body of the report.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Council approve the latest update to the Council's Financial Strategy, including the updated funding models in the appendices and note the continued significant challenges arising from the UK economic position and reflected in the Scottish Government's Medium Term Financial Strategy.
- 2.2 It is recommended that the Council note the remaining mid-range estimated 2024/27 funding gap of £15.4 million set out in table 4a in the Financial Strategy.
- 2.3 It is recommended that the Council note the estimated further £3.5 million increase in Internal Resources Interest over 2023/27 and approve the use of £3.0 million of this sum to generate a recurring loans charges saving of £500,000 per year from 2025/26.
- 2.4 It is recommended that the Council agree to transfer the Energy Efficiency element of the Repairs & Renewal Fund to the Net Zero earmarked reserve.

Alan Puckrin
Chief Financial Officer

3.0 BACKGROUND AND CONTEXT

- 3.1 The six monthly review of the Financial Strategy takes into account the latest forecasts from the OBR which formed part of the Chancellor's Autumn Statement, latest inflation and interest rate projections, and the decisions taken by the Council to date in relation to the 2024/26 Budget. The report also reflects the of main messages from the Scottish Government's Medium Term Financial Strategy issued on 25 May.
- 3.2 It can be seen from table 3 in paragraph 7.7 that the 2023/26 estimated net funding gap is £8.6 million following the approval of over £3.9million savings/adjustments since August. The detail of the delivery of the Savings Workstream element of these savings however, still requires to be reported and approved.
- 3.3 Table 4a confirms that based on this latest information and the local assessment of certain figures by the Chief Financial Officer, the mid-range scenario shows that the Council faces a net potential funding gap of £15.4 million over the 2024/27 period. This represents a reduction of £2.7million since the June update due to the approval of the above-mentioned savings/adjustments partly offset by an increased allowance for pay based on the recent pay award. In line with Best Practice, Tables 4b and 4c illustrate scenarios for the 2024/27 funding gap using different assumptions around Government Grant income, inflation, and budget pressures. These tables show potential funding shortfalls of £9.5 million to £20.5 million. All scenarios are prior to any increase in Council Tax.
- 3.4 Table 5 in paragraph 7.12 shows that overall, the 2023/26 Capital Programme has a £3.6 million funding shortfall which is marginally within the 5% over commitment limit set by the Council. As the Scottish Government has also confirmed a "flat cash "settlement for capital until 2026 at least, the Council will need to consider any investment in new projects very carefully and also review existing assets to ensure those remaining can be adequately maintained. This is a key matter for consideration as part of the March 2024 Budget.

3.5 Funding Models

All funding models and appendices have been updated and are within appropriate affordability parameters in the medium/longer term. A commentary on each is given below.

- 3.6 **Appendix 4- General Fund Reserves** - The estimated level of unallocated reserves at 31 March 2024 is £16.6million which is £12.6 million above the minimum recommended level. This includes an estimated £9.4million relating to the time limited employers pension contribution savings for both the Council and Inverclyde Leisure as reported to November's Policy & Resources Committee.
- 3.7 **Appendix 5 – Capital Fund** – The Capital Fund has returned to a surplus and projects a healthy balance going forward based on anticipated receipts. However, as the timing and quantum of receipts remains uncertain, it is not currently proposed to write back any sums.
- 3.8 **Appendix 6 – Repairs & Renewals Fund** – The 5 separate sub-funds within the Repairs & Renewals Fund are all projecting to remain in surplus for the rest of the strategy period. Officers propose that the Energy Efficiency Fund balance be transferred to the Net Zero earmarked reserve. The Leisure Strategy balance is expected to reduce further from 2025/26 onwards as more 3G pitches are refreshed/replaced.
- 3.9 **Appendix 7 – Insurance Fund** – The Insurance Fund balance shows a significant reduction over the next decade due to both the Council contribution to the Scottish Child Abuse Redress Scheme and two £100,000 internal insurance premium "holidays" ending in 2027/28 and 2029/30 respectively, approved as part of previous budgets. Additionally, the Fund will require to contribute to the settlement of ex-SRC child abuse claims. It is not possible to accurately estimate the likely cost at this time, but officers expect costs to be in excess of £1 million and may require an allocation from Reserves to the Insurance Fund.

3.10 **Appendix 8 – City Deal** – With one of the main projects complete and the second on site and progressing well, there is greater certainty on the costs the Council will incur. Less certainty exists on the timing of the grant due from the UK and Scottish Governments as this is dependent upon both the overall programme passing the 5 yearly milestone assessments plus the progress of projects in other Councils. Based on the assumptions made, whilst the model is projected to remain in a deficit position in the longer term, the deficit will reduce, and no action is proposed at this time.

3.11 **Appendix 9 – Loans Charges** – Loans charge projections continue to be more fluid than was the case for the last 15 years due to the increases in interest rates, the repayment of £30 million of market loans in the last 6 months and the Council's plans to borrow £45million over the next 3 years as the Council's cash backed reserves reduce.

In preparing the updated model officers estimate a further £3.5 million in internal resources interest (IRI) income will be charged to loans charges over 2023/27 due to interest rates being higher for longer than previously estimated. A proposal to use this the bulk of this extra income to generate a significant recurring reduction in loans charges is shown below.

4.0 PROPOSALS

4.1 It is positive that, despite the many external financial pressures, all funding models and funds are showing a sustainable medium/longer term outlook. Once again, the Council has received a significant one-off boost to reserves, this time largely arising from the actuarial pension review and higher than previously projected IRI income. The use of these reserves will form a crucial part of the forthcoming Budget deliberations.

4.2 Over the period of the Loans Charge funding model shown in Appendix 9, loans charges reduce despite the previously approved £1.5 million annual extra prudential borrowing to 2030/31 approved as part of the June 2023 Strategy. This occurs due to Council prudential borrowing from the early part of the century beginning to drop out of the loans fund. This affords the opportunity to take a saving as part of the planned 2024/26 Budget in the knowledge that, based on current projections, this is a sustainable proposal in the longer term.

4.3 It is therefore proposed that £3.0 million of the projected increase in IRI income is allocated to the Loans Charges funding model over 2024/27 thus allowing an annual saving of £500,000 to be taken from 2025/26. Appendix 10 in the Strategy demonstrates the affordability of this proposal.

4.4 It is proposed that the Energy Efficiency balance within the Repairs & Renewals Fund is transferred to the Net Zero earmarked reserve to create a single budget focussed on energy efficiency and reductions in the carbon footprint.

5.0 IMPLICATIONS

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

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

5.2 Finance

The financial messages remain the same as they have for several years in terms of the challenges facing both revenue and capital budgets, the need for clear prioritisation of budgets and the need to robustly review the Council's asset base.

The worth of longer term funding models is demonstrated in the loans charges saving proposal.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
Earmarked Reserves	Net Zero	2023/24	(£0.121million)		Transfer of the energy efficiency fund
General Fund Reserves		2023/27	(£3.5 million)		Increased IRI due to higher interest rates
Funding Models	Loans Charges	2024/27	£3.0million		Spend to save loan charges proposal

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
Loan Charges		2025/26	(£0.500 million)		Subject to the allocation of £3.0 million from reserves above.

5.3 Legal/Risk

Section 11 of the Financial Strategy contains a list of risks identified by the Chief Internal Auditor and associated mitigations in relation to the overall financial position of the Council and the assumptions used in arriving at the figures presented.

5.4 Human Resources

There are no HR implications arising from the report and Strategy.

5.5 Strategic

The Financial Strategy is a key strategic document and forms part of the Council's Performance Management Framework feeding into the development of Council Plan and Committee Delivery & Improvement Plans

6.0 CONSULTATION

6.1 The Corporate Management have been consulted and support the proposals in this report.

7.0 BACKGROUND PAPERS

7.1 None.



Financial Strategy

2023/24 – 2032/33

December, 2023

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2. Why have a Financial Strategy?
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Appendix 3 – Long-Term Issues

Appendix 4 – General Fund Reserves

Appendix 5 – Capital Fund

Appendix 6 – Repairs & Renewals Fund

Appendix 7 – Insurance Fund

Appendix 8 – City Deal

Appendix 9 – Loan Charges

1.1 Foreword

This latest revision of the Council's Financial Strategy has been prepared at time when the impact of the pandemic, global economics, supply issues and most recently the impact of the war in Ukraine are resulting in financial and economic pressures without precedent in recent decades and the impact on the community and the country's finances will be felt for many years.

Given the challenging economic situation, and the significant financial issues we will face over future years, it is essential that the Council updates its Financial Strategy regularly to ensure it provides a practical framework within which policy choices can be identified, debated and approved.

The approval of this revised Financial Strategy demonstrates that we are clear both about the outcomes we want to achieve for our communities and the financial challenges that need to be addressed if we are to successfully deliver on these outcomes.

To provide a clear, consistent strategic direction for the Council the following outcomes were agreed for the Financial Strategy – it will ensure that:

- **the Council has a comprehensive, sustainable, balanced budget;**
- **the Council reviews the level of Council Tax annually in the context of the Financial Strategy, to determine an appropriate level in the best interests of the people of Inverclyde;**
- **resources are allocated and deployed to facilitate delivery of the outcomes in the Council Plan/Partnership Plan and Committee Delivery Improvement Plans;**
- **all key strategic decisions on the allocation and deployment of resources are made within the appropriate financial context;**
- **Members can take full account of the impact of decisions on the overall financial resources of the Council in the short, medium and long term;**
- **there is a high level of confidence in the financial management of the Council;**
- **the Council has flexibility to address new policy requirements, or significant changes to existing policies, within overall available financial resources;**
- **resources are invested effectively, efficiently and on a sustainable basis;**
- **there is continued improvement in the delivery of major projects;**
- **there remains a focus on securing efficiencies across the organisation;**
- **the Council continues to invest in improving service quality, delivering new infrastructure, enhancing service levels and upgrading existing assets;**
- **there is an increased level of understanding on behalf of the wider community with regard to the finances of the Council.**

The primary financial challenge facing the Council over the coming period, given the continued pressure on public sector budgets, will be to stay within the approved revenue budget and deliver a capital programme that continues to maintain the required level of investment in key infrastructure whilst contributing to the Net Carbon Zero targets and support the needs of the local community.

The 2023 Scottish Government Medium Term Financial Strategy (MTFS) has confirmed a very challenging core settlement for Local Government over the 2023/28 period. Whilst discussions

are on going regarding the Fiscal Framework and the associated “New Deal for Local Government” it is unlikely that this will offset the potential pressures flagged up in the MTF5. This will become clearer when the draft Scottish Budget for 2024/25 is announced later this month.

Given the difficult position the Council faces on capital expenditure, it is essential that future capital expenditure proposals are largely self-financing through the use of Government grants, the release of other capital assets, as well as delivering efficiencies which will secure ongoing revenue savings.

The Council has also approved corporate policies to charging and income generation – including maximising external funding to supplement existing resources and support service delivery. The Council increased the level of income generated by charging as part of previous Budgets and the need to further increase charges will need to be reviewed in coming months/years.

We also need to ensure that the Financial Strategy continues to support the Council Plan directly, the Partnership Plan and effectively link this Strategy to our Committee Delivery Improvement Plans.

The Financial Strategy is a dynamic document and will be monitored on an ongoing basis by the Corporate Management Team and it will continue to be formally reviewed by the Council twice yearly, in June and in December.

This Financial Strategy is key to the future success of the Council – it is about making sure we have sufficient resources in place when required to deliver the outcomes we realistically can achieve for the communities of Inverclyde.

Councillor Stephen McCabe
Leader of the Council

Louise Long
Chief Executive

2.0 Why have a Financial Strategy?

- 2.1 The purpose of our Financial Strategy is to provide clear direction, supported by a practical framework and explicitly defined parameters, on how the Council will structure and manage financial resources in the medium to long term to ensure they are deployed effectively to achieve corporate objectives.
- 2.2 This is not just another financial process – the Financial Strategy is integral to our Strategic Planning and Performance Management Framework which underpins the achievement of the outcomes identified in the Council Plan, and is an integral part of the Committee Delivery and Improvement Plans.
- 2.3 The requirement to develop a medium to long term financial strategy covering the next three to ten years (and in some areas longer) is a vital component of decision making.
- 2.4 The Council has taken into account guidance from CIPFA when developing the Financial Strategy as well as best practice from other local authorities.
- 2.5 Our ambition is to maintain a single, coherent Financial Strategy that brings together the corporate objectives of the Council along with all the relevant financial information in a clear, accessible document.
- 2.6 The value of such a Strategy is that it enables the Council to develop a better understanding of the wider policy and financial environment within which it operates, identify and respond flexibly to opportunities and threats, manage and mitigate risks and ensure that financial resources are contributing to achieving corporate objectives.
- 2.7 The Strategy will also provide information to a range of stakeholders:

Table 1 – Stakeholder Information

For the Council and Elected Members	to decide how available financial resources will be used
For Chief Officers, managers and employees	To help optimise the available resources and reinforce their roles in financial management arrangements
For residents	to show how the Council's Financial Strategy impacts upon service provision
For Council Tax payers	to demonstrate how the Council looks after public resources
For partners	to share the Council's vision and help identify opportunities for joint working and resource deployment.

- 2.8 Inevitably some of the information of the Financial Strategy will be based on forecasts and these will change over time - the Strategy is reviewed regularly so that the Council can respond proactively to any such changes.
- 2.9 The inclusion of information in the Financial Strategy does not infer approval and all financial projections and issues will have to be subject to approval through the budget process.
- 2.10 The Strategic Planning and Performance Management Framework continues to develop links between the strategic planning and budgeting processes. This allows services to plan ahead, taking into account the resources available and proactively identify opportunities to achieve efficiencies or secure alternative funding sources. This process also encourages the development of joint resourcing opportunities within the Inverclyde Alliance.

3.0 Financial Summary

- 3.1 On 2 March 2023 the Council agreed the 2023/24 Revenue Budget. The Council also took strategic decisions on the use of Reserves and agreed the 2023/26 Capital Programme which took into account the latest Government Grant settlement information.

Table 2 – Short Term Summary – Approved Revenue and Capital Budgets

	2023/24 £million
<u>General Fund Revenue Budget</u>	229.046
<u>Financed by</u>	
Government Grant (Including NDR)	(190.719)
Council Tax	(35.327)
Approved Contribution from General Reserve	(3.000)
	0
<u>Capital Programme (2023/24)</u>	
Approved Spend	22.10
<u>Financed by</u>	
Government Grants	8.23
Capital Receipts	0.89
Other Grants/CFCR	5.13
Prudential Borrowing	6.21
Resources Carried Forward from prior year	11.82
Surplus in Resources in 2023/24	10.18

4.0 Overall Economic Position

UK Context

- 4.1 The Covid pandemic elicited a fiscal response from the UK Government which was without precedent in peace time. The UK Government borrowed large sums of funding to support the economy, households and frontline services battling against the virus and to help protect as many jobs as possible as part of the recovery. The Autumn Budget in October 2021 set out the plans to bring the UK Budget back into some form of balance as part of the 2022/25 Spending Review.
- 4.2 The Spring Statement in March 2022 reported a much-changed position due to the emergence of higher and more persistent inflation, some linked to the anticipated impact of the war in Ukraine. This necessitated a change of thinking on tax and spend with higher inflation, lower growth and higher interest levels forecast for the 2022-2025 period.
- 4.3 The Autumn Statement in November 2023 provided updates on the main indicators and showed reductions in GDP forecasts in the short/medium term, higher inflation, and interest rates but higher receipts largely arising from tax receipts resulting from “Fiscal Drag”.
- 4.4 The increased receipts are swallowed up in increased inflationary pressures and reductions in taxes especially, National Insurance. This means that the funding for public services looks challenging for the medium term especially for those areas not protected which includes Local Government.
- 4.5 Inflation is not expected to fall as low as previously forecast and interest rates, now at 5.25% will decrease more slowly than previously anticipated.
- 4.6 The Office of Budget Responsibility (OBR) November 2023 forecasts are shown in the table below.

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
GDP (real) annual % change	0.6	0.7	1.4	2.0	2.0
Inflation (CPI) annual % change	7.5	3.6	1.8	1.4	1.7
Unemployment Rate (%)	4.2	4.6	4.6	4.4	4.2
Public Sector Borrowing (Bn)	124	85	77	68	49
Debt as a % of GDP	89	92	93	93	93
Interest Rates %	5.1	5.0	4.4	4.2	4.0

Scottish Context

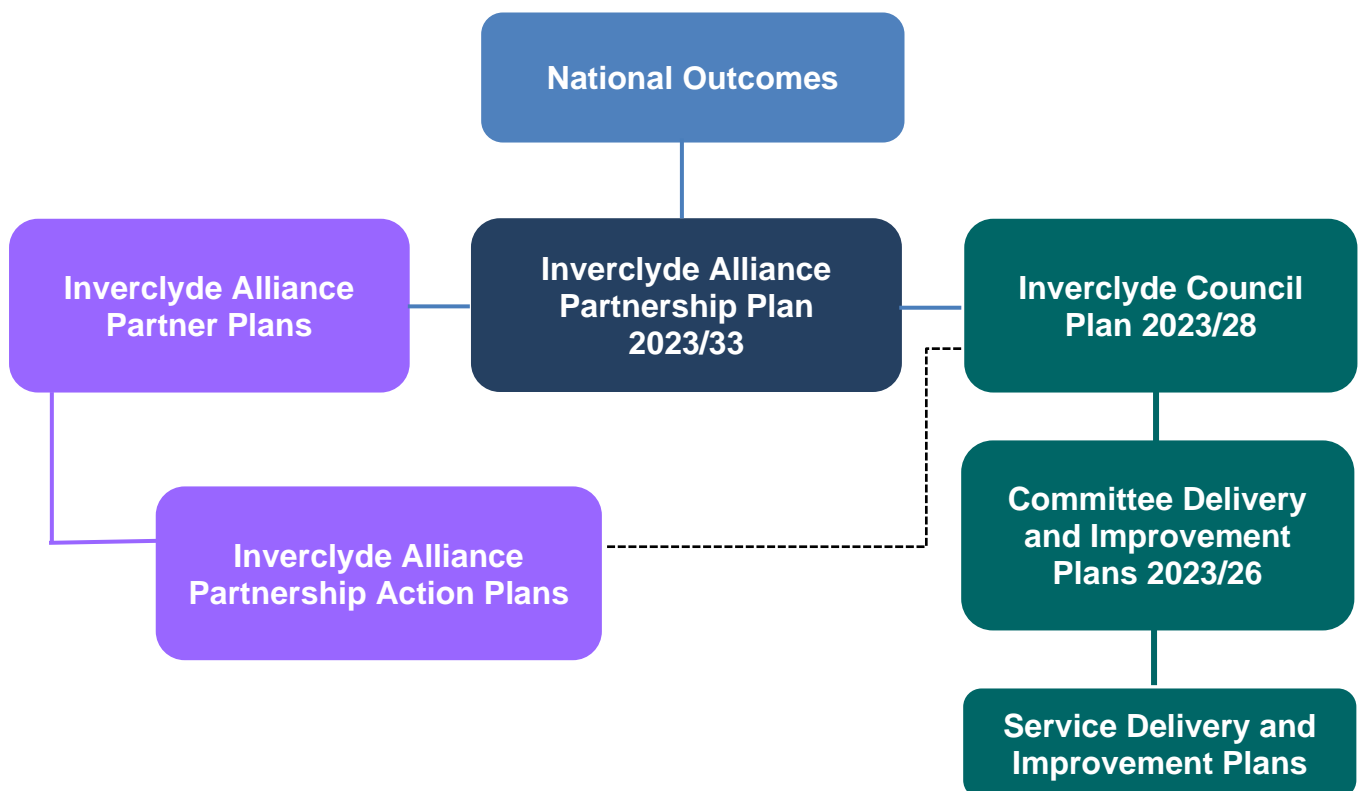
- 4.7 After a challenging Local Government grant settlement in 2023/24, indications are that there is limited prospect for real term improvements in the overall level of funding to the Councils. In the absence of real term funding increases then a reduction in the ring fenced/mandated funding would give Councils greater flexibility to target funding where it is needed at a local level. The Council awaits to see whether the Verity House agreement will deliver improvements in this area.
- 4.8 On 25 May the Scottish Government published its Medium Term Financial Strategy covering 2023/28. The headlines from the Strategy were:
- Cash and Real Terms increases in funding over 2024/28 however this being outstripped by increases in spending resulting in an estimated funding gap of just over £1 billion in 2024/25.
 - In 2024/25 there is a one off £0.7 billion negative tax reconciliation relating to 2021/22.
 - Capital resources are expected to decline in cash and real terms with the gap between capital spending plans and resources of almost £1 billion by 2025/26.

- Assumption for pay is 2.0% from 2024/25 but the plan from May 2022 that the pay bill is held at the same level i.e: increased wages paid by reduced employee numbers, has been relaxed.
- Health spend assumed to grow by 4% per year putting more pressure on remaining portfolios including Local Government.

- 4.9 Over the intervening 6 months several significant commitments have been made by the Scottish Government including funding for the 2023/24 pay award and the Council Tax Freeze grant. These commitments will place greater pressure on the Scottish Government finances making the level of “Barnett Consequentials” arising from the November 2023 Autumn Statement and the use of these by the Scottish Government, a key matter to be clarified in the coming months.
- 4.10 The Autumn Statement results in an estimated £545million in Barnett Consequentials between 2023/24 and 2024/25. A significant proportion of this relates to Health pay awards in England and is expected to be allocated to Health in Scotland. Whilst there is £264million relating to NDR reliefs, much of this is not recurring and how the Scottish Government decide to use this sum is less certain.
- 4.11 The UK and Scottish Governments have agreed a new Fiscal Framework which included a mechanism by which the Block Grant is adjusted, increasing the resource borrowing powers for managing forecast errors associated with tax and social security powers from £300 million to £600 million and uprating all limits in line with inflation albeit the exact inflation measure has yet to be agreed.

5.0 Local Context

- 5.1 The local environment within which the Council operates has changed significantly in recent years and will alter further in future years due to the impact of national legislation and policy, further economic turbulence, societal changes and developing customer expectations.
- 5.2 The overall strategic framework within which the Council operates is outlined in the Strategic Planning and Performance Management Framework (SPPMF). The Framework was refreshed towards the end of 2022 as part of the Council's development work for the new Inverclyde Alliance and Inverclyde Council strategic plans. The SPPMF consists of a new ten year Partnership Plan 2023/33 and a five year Council Plan 2023/38, underpinned by Committee Delivery and Improvement Plans, Service Delivery and Improvement Plans and the Financial Strategy.
- 5.3 The new Strategic Planning and Performance Management Framework, approved in early 2023, is shown in the diagram below.



- **National Outcomes** are set by the Scottish Government and sit within a National Performance Framework. These 11 outcomes are an overarching guide for the local community planning partnership document, the Inverclyde Outcomes Improvement Plan.
- The **Inverclyde Alliance Partnership Plan 2023/33** is a high level strategic partnership document setting out the vision and direction for the Inverclyde area over a ten year period, as agreed by all the Inverclyde Alliance partner organisations and communities. The outcomes are based on evidence of the key issues and challenges for the Inverclyde area and through community engagement. They set out what we want to achieve for all the communities of Inverclyde.
- The **Partnership Action Plans** are currently being developed and will set out the Partnership actions and projects which will contribute to the achievement of the Partnership Plan outcomes.
- The **Council Plan 2023/28** is a public facing document and sets out the ways in which Inverclyde Council hopes to improve the lives of the people of Inverclyde through the delivery of a range of high level outcomes. The outcomes within the Plan are structured across the themes of People; Place and Performance.
- The **Committee Delivery and Improvement Plans 2023/26** contain strategic service delivery

actions for the Council's Policy and Resources, Education and Communities and Environment and Regeneration Committees, aligned to the delivery of the overarching Council Plan. The Committee Plans will be reviewed on an annual basis. In addition, the HSCP has developed a Strategic Plan 2019/24 which supports the Inverclyde Integration Joint Board.

- **Service Delivery and Improvement Plans** sit beneath the Committee Delivery and Improvement Plans in the planning structure and will be developed for each Head of Service. These Plans, will set out the operational tasks and activities for each Council Service and will be refreshed annually.

Outcomes for Inverclyde

The focus of the Strategic Planning and Performance Management Framework is on addressing the main challenges facing the area. The Inverclyde Alliance Partnership Plan 2023/33 builds on the achievements of the Inverclyde Outcomes Improvement Plan 2017/23 to deliver the Vision: **Success For All – Getting It Right for Every Child, Citizen and Community**. The Plan focuses on the themes of Empowered People, Working People, Healthy People and Places, A Supportive Place, and a Thriving Place.

THEME 1: EMPOWERED PEOPLE

- Communities can have their voices heard, and influence the places and services that affect them
- 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
- 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
- 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
- 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
- Easy access to attractive and safe public spaces, and high-quality arts and cultural opportunities

- 5.4 A key challenge for the Inverclyde Alliance, and the public agencies, operating in Inverclyde, over the next ten years will be to ensure better alignment between available resources, across all agencies, and the outcomes and priorities identified in the Partnership Plan 2023/33.

5.5 Demographics and Population

The most significant challenge facing Inverclyde is depopulation and associated demographic

change. The fundamental issue for the Council is that at some point, if the decline in population continues, then the area could become no longer sustainable as a unit of administration which would have an associated impact on other services such as health, police and fire. In recent years, the population decline in Inverclyde has been largely driven by fewer births than deaths in the area. The Inverclyde Alliance will continue to have a focus on Repopulation through the delivery of action plans developed in support of the thematic priority: A Thriving Place.

- 5.6 In the 2011 Census the population for Inverclyde was 81,485, a decrease of 3.2% from 84,200 in the 2001 census. Census 2022 data, published in September 2023, estimated the Inverclyde population to be 78,400, which is a decrease of 3,100 (3.8%) from the Census 2011 and the second largest population decrease in Scotland. Inverclyde's population in 2022 was however 1,700 (2.2%) higher than the NRS mid-2021 population estimate for Inverclyde, 76,700.
- 5.7 -According to the Census 2022 data, 14.3% of Inverclyde's population is aged 0-14 years, which is slightly less than the percentage for Scotland, 15.3%. 63.3% of Inverclyde's population is aged 15-64 years compared to 64.6% in Scotland, whilst 22.4% of the local population is aged 65 years and older, compared to 20.1% in Scotland.
- 5.8 Since 1985, Inverclyde's total population has fallen overall whilst Scotland's population has risen over this period, although the rate of population growth in Scotland has slowed.
- 5.9 It is anticipated that re-based population projections for Scottish areas will be published in early 2025. The latest available data therefore remains the 2018-based projections, published in March 2020 which forecast a long term decline in Inverclyde's population. By 2043 the population of Inverclyde is projected to be 65,517, a decrease of -16.2% compared to the population in 2018. The population of Scotland is projected to increase by 2.5% per cent between 2018 and 2043. It should be noted that the 2018 based population projections were produced prior to the pandemic and Census 2022
- 5.10 Over the 25 year period the age group that is projected to increase the most in size in Inverclyde is the pensionable and over age group with a 9.9% increase. In Scotland, it is estimated that there will be a projected 23.2% increase in the pensionable age population by 2043.
- 5.11 The population aged under 16 in Inverclyde is projected to decline by 25.6% over the 25 year period, compared to a 10.5% decrease nationally.
- 5.12 Between SIMD 2016 and SIMD 2020, the number of Inverclyde data zones in the 5% most deprived in Scotland increased from 11 to 21. This equates to 18.4% of all 114 Inverclyde data zones in the 5% most deprived category and is the second highest local share in Scotland. Inverclyde also has the second highest local share of data zones in the 20% most deprived in Scotland, with Glasgow having the highest.
- 5.13 Demographic change will have significant impact on services as funding allocated from the Scottish Government is partly based on the population of an area. Even with additional allocations to take account of deprivation the budget is expected to reduce in real terms over the next five years.
- 5.14 In terms of indicators of deprivation the profile for Inverclyde differs from the national picture, these include:
- 3.6% of working age (16-64) benefit claimants are claiming unemployment benefits. Of this, a higher proportion of 18 – 24 year olds (6.0%) are claiming than 25 – 49 year olds (4.6%) or 50+year olds (2.0%). (As at September 2023).
 - Economic inactivity rates in Inverclyde are once again higher than the national rate, 26.3% compared to 22.6% (July 2022 – June 2023).
 - The percentage of workless households in Inverclyde is 18.4% compared to 17.8% in Scotland (January – December 2022)
 - Median earnings for full time workers living in the area (Gross Weekly Pay) increased between 2021 and 2022 from £568.00 to £633.90. The Scottish average was £640.30.
 - The population aged 15-64 years accounts for 63.3% of all people in Inverclyde (Census

2022). This is 1.3% lower than for Scotland as a whole.

- 5.15 The projected population changes will have an impact on all service areas, particularly Education and Social Care, where there will be a need to actively manage the transition from current service delivery arrangements to new models that are built around the needs of the future population.
- 5.16 The deprivation profile will have major implications for services as research indicates that those most vulnerable to poverty are more likely to require greater interventions and experience greater levels of health inequalities and a targeted focus to move individuals out of poverty will come at a significant cost to public agencies.
- 5.17 The predicted demographic changes also have other implications. A decline in younger economically active people and a growth in the older, more vulnerable age group can mean there will be fewer informal carers which could result in a higher dependency on the services provided by the Health & Social Care Partnership.

The public sector landscape in Inverclyde

- 5.18 The public sector landscape in Inverclyde has changed significantly over the last 10-15 years. The development of this mixed economy of public service provision presents new challenges for the Council as it seeks to ensure that outcomes are achieved and that resources are being deployed effectively and efficiently. This is particularly relevant in the context of the Partnership Plan where there will need to be a robust appraisal of whether existing service delivery arrangements across all partner agencies can effectively deliver on the agreed outcomes.
- 5.19 Whilst the Council has to tackle the problems associated with poverty, health inequalities and deprivation now, it also has to look to the future, and ensure that effective intervention is put into place now, to prevent further problems from developing, which will ultimately require expensive interventions. Investment in the lives of our children and young people early on in their lives will result in a better outcomes and quality of life for them as they grow up in the Inverclyde area.
- 5.20 The Community Empowerment (Scotland) Bill placed duties on the Council and its partners to provide new rights for community bodies. The Council and its partners are responding to this in a number of ways including the development of locality planning; introduction of participatory budgeting and asset transfer.

5.21 *Riverside Inverclyde*

Riverside Inverclyde remains a joint initiative between the Council and Scottish Enterprise to regenerate the Clyde Waterfront. It was originally scheduled to run from 2006/7 until 2017/18.

Following a governance review in 2018 it was agreed by the Council and Scottish Enterprise to change the operational governance model due to the reduction in major regeneration projects being progressed by Riverside Inverclyde. The revised arrangements became operational in the summer of 2019. RiPH continued a positive trading performance through-out Covid-19 but the longer term impact on RiPH continues to be assessed.

5.22 *River Clyde Homes*

River Clyde Homes is a not-for-profit housing organisation, which is run by a Board of Tenants, Council nominees and community members. It is regulated by the Government to ensure that it manages housing in the best interests of the tenants of Inverclyde, and the community as a whole.

The transfer to River Clyde Homes of all the Council housing stock was based on significantly more money being available to invest in homes and neighbourhoods and give tenants a real say in the decisions that are made about their housing, with tenants on the Board influencing policies and investment decisions. The Council and RCH plus other agencies continue to work together to address the challenges brought on by low demand stock, increased investment needs and a declining population.

5.23 *Inverclyde Leisure*

Inverclyde Leisure is a 'company limited by guarantee', not having share capital and recognised by HMRC and OSCR as having charitable status. In October 2001, the Trust was asked to take responsibility for the management and delivery of Inverclyde Council's sport and recreational services.

The Leisure Trust works in close partnership with Inverclyde Council and other internal and external agencies in order to develop the optimum service for residents and visitors to Inverclyde and so to ensure the Trust's Mission Statement is implemented.

The Council's Community Facilities transferred to Inverclyde Leisure in April 2010 and the transfer of the management of Outdoor Leisure Facilities to Inverclyde Leisure took place in April 2015. Whinhill Golf Course transferred to Inverclyde Leisure from 2020/21 Season. Inverclyde Leisure's Business Plan is reviewed annually by the Council. The Council's percentage contribution to the Leisure Trust had reduced considerably but the recent increases in utility costs and reductions in income due to Covid required a significant increase in funding from 2023/24.

5.24 *Inverclyde Health and Social Care Partnership (HSCP)*

The Council and Greater Glasgow and Clyde Health Board established an integrated Community Health and Care Partnership (CHCP) in October 2010. This resulted in greater partnership working and efficiencies in line with the Government's stated objective of integrating aspects of Health & Social Care.

The Public Bodies (Joint Working) Act 2014 resulted in the creation of a HSCP Integrated Joint Board (IJB) during 2015/16 and required a revised Governance and Financial framework. The IJB is a separate legal entity and receives resources from and delegate resources to the Council and Health Board.

The financial integration became live in April 2016 at a time of continued increasing demands on Council Budgets as the Partnership focuses on building community resources to support the delivery of health and social care services, including the acute sector. To date this arrangement has proven successful with the finances of the IJB being well managed with reserves increased in order to meet the demographic demands.

The impact of the Feeley review into the provision of Adult Social Care and proposals to create a National Care Service has the potential to have a major impact on the delivery model of the Inverclyde IJB and in particular its governance and financing. This is likely to also impact upon the Council and is being closely monitored by officers.

6.0 Financial Management

Corporate Governance

- 6.1 The Council positively promotes the principles of sound corporate governance within all aspects of its activities. From a financial management perspective the Council adheres to the CIPFA Financial Management Code. Formal adoption of the code by the Council was approved early 2023.
- 6.2 Corporate governance is about the structures and processes for decision-making, accountability, controls and behaviour throughout the Council. It is based around key principles of openness, equality, integrity and accountability.
- 6.3 The fundamental principles of corporate governance should be reflected in the various dimensions of Council business, including;
- Ensuring a community focus underpins the Council's vision and priorities;
 - Ensuring the effective delivery of local services on a sustainable basis;
 - Establishing effective management structures and processes which include clearly defined roles and responsibilities for officers;
 - Developing and maintaining effective risk management systems that form part of the Council's strategic decision making process;
 - Ensuring high standards of propriety and probity in the stewardship of the Council's funds and the management of the Council's affairs;
 - A commitment to openness in the Council's affairs and the provision of full, accurate and clear information to all stakeholders.
- 6.4 The Chief Financial Officer has been designated as "the proper officer" and is responsible for advising the Council on all financial matters.
- 6.5 The Financial Regulations were refreshed and approved in February 2022 and are an essential component of the corporate governance of the Council.
- 6.6 The Financial Regulations are designed to facilitate the smooth running of the Council, protect its interests and the interests of members and officers, and ensure the proper administration of all the Council's financial affairs, including, Partnerships, The Common Good and Sundry Accounts.
- 6.7 Head Teachers must also comply with the Financial Regulations, with the exception of virement which is defined in the Devolved Management of Resources Scheme.

Roles and Responsibilities

- 6.8 It is important to set out clearly the roles and responsibilities of the key parties involved in the Financial Strategy and the management of overall financial resources of the Council.

Elected Members

- 6.9 Elected Members, through full Council and Committees are responsible for considering and approving budgets and the Financial Strategy for the Council. Approved budgets must be financially balanced and demonstrate value for money and sustainability.

- 6.10 Throughout the year Committees receive reports which allow progress against approved budgets to be scrutinised. All members receive appropriate training in the areas of Financial Strategy, Local Government Finance and key specialist areas such as Treasury and Risk Management.

Corporate Management Team

- 6.11 The Chief Executive, Directors, Section 95 Officer, Monitoring Officer and Head of Organisational Development, Policy and Communications form the CMT, chaired by the Chief Executive, who are responsible, individually and collectively, for ensuring effective financial management across the organisation.
- 6.12 As Budget Holders the Directors are responsible for the budgets delegated to deliver the services within their Directorate in line with the priorities of the Council. Whilst they may delegate this responsibility within their Directorate they remain accountable in exercising overall financial control.
- 6.13 The CMT set aside time each reporting cycle to consider corporate financial matters including employee costs, key budget lines, earmarked reserves and savings delivery progress.

Section 95 Officer

- 6.14 The Section 95 Officer has a statutory role to ensure appropriate arrangements are in place for the proper administration of the financial affairs of the Council. He has the authority to comment and advise CMT, Chief Executive and Elected Members on all financial matters.

Heads of Service

- 6.15 Heads of Service are individually responsible for ensuring that the services within their remit are delivered in line with the agreed policy, and support the strategic direction of the Council. As Budget Holders they are responsible for the budgets delegated to them to deliver their service in a manner which demonstrates value for money in line with the priorities in the Committee Delivery and Improvement Plans.

Budget Managers

- 6.16 Responsibility for budgetary control lies with the Directors and as delegated budget holders, their Heads of Service and Service Managers. In recognition of the need to ensure budget holders are appropriately supported and trained, Finance Services delivers training to all Heads of Service and Managers on Financial Governance and budgetary control issues.

Financial Support to Services

- 6.17 Each Directorate has a dedicated Finance Manager and Principal Accountant who prepare and monitor the Directorate budget as well as providing a full range of financial advice to the Directorate.

Internal Audit

- 6.18 Internal Audit provide assurance to Elected Members, the Chief Executive and management that the internal processes of the Council are being managed appropriately in line with the overarching policies and outcomes are being delivered in an efficient and effective manner.

External Audit

- 6.19 The role of External Audit is to provide assurance to the Auditor General and the Accounts Commission that the Council has spent public money properly to deliver outcomes in an efficient and effective manner. They also provide assurance to the Elected Members, the CMT and general public that the Council's performance is reported in accordance with the financial standards and presents a fair account of the Council's activities. The current External Auditors, until 2028, are KPMG.

Managing the Budget

- 6.20 Committees receive five budget monitoring reports throughout the year. These are jointly prepared by the Section 95 Officer and the relevant Director.
- 6.21 The Corporate Management Team receive and discuss a budget overview every budget monitoring cycle covering key budget lines, employee costs, earmarked reserves, progress on the approved savings and key projects with financial implications.
- 6.22 All Services receive detailed budget information five times per year and in addition receive system generated budget reports in intervening months plus having access to real time information held on the Council's Finance Management System.
- 6.23 The Council operates a risk based approach to budget monitoring ensuring that focus is given to larger and more volatile budgets. The identification of key budgets is agreed annually between Directorates and Finance.

7.0 Financial Outlook

- 7.1 Key financial issues are known or anticipated events and activities that have to be addressed within overall financial resources in the short-term (within 2 years), medium-term (within 4 years) or longer (over 4 years).
- 7.2 Events and activities include efficiencies, planned savings, changes to service priorities and delivery, and known potential pressures. The financial impact of an event or activity may be one-off, recurring or time-limited.
- 7.3 The 2023/24 Budget was based on the Council receiving Revenue Grant/Non-Domestic Rates Income of £190.719m.
- 7.4 When the Council's own projection of Council Tax Income based on 96.8% collection rate (£35.327m) and the use of reserves is added then the income for the Council in 2023/24 is projected to be £229.046m.
- 7.5 The Financial Strategy covers the period 2023/33 in terms of identifying potential issues, but the revenue forecasts are limited to the period which can be reasonably forecast. A new requirement from 2019/20 was the production and approval of a Capital Strategy which covers a period of 10 years plus. This examines a number of long term issues including the sustainability and affordability of borrowing and investment decisions.
- 7.6 The Council has agreed a Reserve Strategy which requires a minimum unallocated General Fund Reserve of approximately 2% of turnover. Based on the 2023/24 Budget this equates to £4.0 million. The overall position of the Reserves shown in Appendix 5 and has been updated to reflect the latest projections. The Reserve Strategy was reviewed and approved by the Policy & Resources Committee in March 2023. Earmarked Reserves and the level of unallocated reserves are reviewed annual as part of the budget process.
- 7.7 The projected budget position in the short to medium term, is set out in the following tables and notes for both revenue and capital. Details of the short, medium and long-term issues identified in consultation with Services are contained at Appendices 1, 2 and 3.

Table 3

Finance Strategy - December 2023

	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>
	<u>£m</u>	<u>£m</u>	<u>£m</u>
Base Budget for Prior Year	218.230	226.046	227.413
<u>UPLIFTS FROM PRIOR YEAR</u>			
<u>Inflation (Note 1)</u>			
Pay Inflation	7.836	3.400	3.500
Other Inflation	5.400	1.500	1.000
	<u>13.236</u>	<u>4.900</u>	<u>4.500</u>
<u>Budget Increases (Note 2)</u>			
General Pressures	1.860	0.500	0.500
Increased Prudential Borrowing	0.100	0.100	0.100
	<u>1.960</u>	<u>0.600</u>	<u>0.600</u>
<u>Adjustments (Note 3)</u>			
Other Adjustments Applied	0.313	0.000	0.000
New Funding Per SG Settlement	2.304	0.000	0.000
Reduced Use of Reserves	1.000	1.000	1.000
One off Share of £120m Grant	-1.858	0.000	0.000
Share of Capital £120.6m for Pay Award	-1.867	1.867	0.000
Net Revenue Budget Before Savings	<u>233.318</u>	<u>234.413</u>	<u>233.513</u>
<u>Funded by: (Note 4)</u>			
Revenue Grant/NDR Income	190.719	192.086	191.586
Council Tax Income (Net of CTR)	35.327	35.327	35.327
	<u>226.046</u>	<u>227.413</u>	<u>226.913</u>
Annual Budget Before Savings (Surplus)/Deficit	<u>7.272</u>	<u>7.000</u>	<u>6.600</u>
Cumulative Budget Gap before Savings	<u>7.272</u>	<u>14.272</u>	<u>20.872</u>
<u>Savings Applied (Cumulative)</u>			
Savings Approved December 2020 Full Council	-0.027	-0.027	-0.027
Savings Approved December 2021	-0.030	-0.030	-0.030
Savings Approved February 2022 Full Council	-0.084	-0.084	-0.084
Adjustments Approved August 2022 P&R	-0.135	-0.135	-0.135
Savings Approved September 2022 P&R	-0.608	-0.608	-0.608
Savings Approved November 2022 P&R	-0.610	-0.635	-0.635
Savings Approved December 2023 Full Council	-2.748	-3.399	-3.399
Savings Approved January 2023 P&R	-1.940	-1.940	-1.940
Savings Approved March 2023 Full Council	-1.090	-1.431	-1.438
Savings Workstreams September 2023 P&R	0.000	-1.320	-2.500
Savings Approved September 2023 P&R	0.000	-0.421	-0.421
Savings Approved November 2023 P&R	0.000	-0.870	-1.020
Approved Budget (Surplus)/Deficit	<u>0.000</u>	<u>3.372</u>	<u>8.635</u>

Finance Strategy Notes – Dec 2023

Note 1 Inflation

- a) Pay – The allowance for pay inflation is an allowance available over the 3 year period to fund all pay related pressures including the annual pay award, impacts of living wage, increases in employers national insurance/pension costs, and movement in service bottom up employee budgets. Figures for 2023/25 reflect proposals identified in the 2023/24 budget set March 2023, excluding the Social Work estimated pay award for 2023/24 onwards, and reflects recent information resulting from the negotiated pay award. As a result, an allowance of 6% is included for 2024/26. 2023/24 budget figures includes funding allocated for 2022/23 after the approved budget was set.
- b) Other Inflation – Inflation had been at a low rate until recent times and as such the allowances have been greatly reduced. However, there has been a significant increase in inflation over the last 18 months leading to significant increases in sums added to 2023/24.

Note 2 Budget Increases

- a) General Pressures – Reflects allowance identified in the 2023/24 budget set March 2023.
- b) Increased Prudential Borrowing – Reflects decisions taken at the 2023/24 budget set March 2023.

Note 3 Adjustments

- a) Other Adjustments – Reflects budget decisions taken December 2022.
- b) New Funding – Reflects new funding received as part of the Settlement March 2023. The majority of the funding relates to new funding for Health & Social Care Partnership and empty property relief.
- c) Reduced Use of Reserves – As part of the 2021/22 budget process, the Council approved use of reserves to fund the 2021/23 budget. The 2023/24 budget process approved to reduce the use of reserves by £1 million until 2026/27. The 2023/24 budget uses £3 million of reserves to balance the budget.
- d) One Off Share of Grant – In 2022/23, the Council received a one-off share of £120 million grant from the Scottish Government. This is now included within the General Revenue Grant from 2023/24 onwards.
- e) Share of Capital Grant £120.6m – The Scottish Government agreed to part fund the 2022/23 pay award from a capital grant for 2 years. It is expected that the Council will receive its share of the £120.6 million in the General Revenue Grant from 2024/25 onwards.

Note 4 Funded By

- a) Reflects 2023/24 Finance Settlement included in Scottish Government Circular 3/2023. The Scottish Government held back £0.655m of funding in relation to teachers pay. The 2024/25 figures are estimated based on continuing grant loss due to Depopulation.
- b) Council Tax Income is shown net of Council Tax Reduction (CTR) Scheme. Grant is included within Council General Revenue Grant for CTR. Figures reflect decision to increase Council Tax by 5.3% on 2 March 2023. No uplift has been assumed for year 2024/25 or 2025/26.

Other Short to Medium Term Revenue Issues

The significant risk associated with the short to medium term budget position will be around inflation allowances, including utilities, contracts and any unresolved pay award plus increasing demand for certain services. Close monitoring and regular reporting to Committee will ensure officers report any significant variances at the earliest opportunity. The Medium Term Financial Strategy by the Scottish Government has provided greater clarity regarding the challenges faced by the Council over the medium term. In light of this the Council Strategy is to provide clarity on service levels, investment and job security at the earliest possible time.

7.8 Long Term Revenue Issues

Looking beyond 2026 becomes increasingly difficult with uncertainty around the level of funding likely to be available.

The incremental impact of current major initiatives have been fully incorporated the overall Budget.

Post 206/27 the main issues impacting on the revenue budget will be:

- **Funding will be impacted by future population change/demographic shifts and any changes to the way local government in Scotland is funded.**
- **Decisions of the Scottish Government regarding any protection afforded to Local Government or other parts of the Budget plus the use that is made available tax raising powers including the future of non-domestic rates.**
- **The current global UK and Scottish economic situation and the resultant speed with which inflation will return to pre-covid/Brexit levels.**
- **The extent to which the current “cost of living crisis” will continue to impact on Council Services from both a demand and funding perspective.**
- **Health and Social Care integration is due to undergo further changes but the fundamental fact is that there is not enough money in current budgets to meet increasing demand.**
- **Pension costs influenced by the impact of auto-enrolment, the changes to LGPS and Teachers Pensions, plus costs associated with the Council resizing its workforce in order to balance its budgets.**
- **Costs associated with sustainability including waste disposal and recycling, energy and fuel costs and general procurement inflation due to increased global demand for raw materials.**

7.9 The fundamental issue for the Council is that at some point if the squeeze on the public sector finances and the decline in population continues then this will have an associated impact on other local services such as health, police and fire.

7.10 Table 4 shows the high level estimate of the 2024/27 budget gap based on the above. In line with good practice tables 4b and 4c provide two further scenarios based on different assumptions. Table 4b represents an “optimistic” scenario and Table 4c representing a “pessimistic” scenario. These figures are heavily caveated due to the major uncertainty caused by the changing position in the short/medium term impact of inflation, the economy and funding for the Public Sector.

Table 4a**2024/27 Budget Gap - Mid-Range Scenario**

	2024/25	2025/26	2026/27	2024/27
	£m	£m	£m	£m
Block Grant Increase	0.0	0.0	0.0	0.0
Continuing Impact of Depopulation	0.5	0.5	0.5	1.5
Inflation - Pay	3.4	3.5	3.6	10.5
- Non-Pay	1.5	1.0	1.0	3.5
Pressures				
- General Pressures	0.5	0.5	0.5	1.5
- Prudential Borrowing	0.1	0.1	0.1	0.3
Savings Approved to Nov 2023	(3.6)	(1.3)	0.0	(4.9)
Reduced Use of Reserves	1.0	1.0	1.0	3.0
Funding Gap	3.4	5.3	6.7	15.4

a/ £3.0m from Reserves used in 2023/24 is reduced by £1.0m/year over 2024/27.

b/ Reduced impact of depopulation assumes 0.3% Floor for 2024/27

c/ Pay & Non-Pay inflation and Pressures excludes HSCP

d/ Assumes no new Prudential Borrowing above that already contained in the Loans Charges Model.

e/ Includes no Council Tax increase (3% annual increase would raise £1.0 million per year)

f/ The movement in Block Grant excludes hypothecated funding increases as these are ring fenced for specific purposes

	2024/25	2025/26	2026/27
Key Assumptions	%	%	%
GRG/NDRI Cash Movement	0.0	0.0	0.0
Pay Inflation	3.0	3.0	3.0

Table 4b**2024/27 Budget Gap - Optimistic Scenario**

	2024/25	2025/26	2026/27	2024/27
	£m	£m	£m	£m
Block Grant Increase	(0.5)	(1.0)	(1.0)	(2.5)
Continuing Impact of Depopulation	0.5	0.5	0.5	1.5
Inflation - Pay	3.4	2.4	2.4	8.2
- Non-Pay	1.0	0.8	0.6	2.4
Pressures				
- General Pressures	0.5	0.5	0.5	1.5
- Prudential Borrowing	0.1	0.1	0.1	0.3
Savings Approved to March,2023	(3.6)	(1.3)	0.0	(4.9)
Reduced Use of Reserves	1.0	1.0	1.0	3.0
Funding Gap	2.4	3.0	4.1	9.5

a/ £3.0m from Reserves used in 2023/24 is reduced by £1.0m/year over 2024/27.

b/ Reduced impact of depopulation assumes 0.3% Floor for 2024/27

c/ Pay & Non-Pay inflation and Pressures excludes HSCP

d/ Assumes no new Prudential Borrowing above that already contained in the Loans Charges Model.

e/ Includes no Council Tax increase (3% annual increase would raise £1.0 million per year)

f/ The increase in Block Grant excludes hypothecated funding increases as these are ring fenced for specific purposes

	2024/25	2025/26	2026/27
Key Assumptions	%	%	%
GRG/NDRI Cash Movement	0.25	0.50	0.50
Pay Inflation	3.0	2.0	2.0

Table 4c**2024/27 Budget Gap - Pessimistic Scenario**

	2024/25	2025/26	2026/27	2024/27
	£m	£m	£m	£m
Block Grant Decrease	0.0	0.5	0.5	1.0
Continuing Impact of Depopulation	1.0	1.0	1.0	3.0
Inflation - Pay	4.5	4.1	3.6	12.2
- Non-Pay	1.5	1.0	1.0	3.5
Pressures				
- General Pressures	0.8	0.8	0.8	2.4
- Prudential Borrowing	0.1	0.1	0.1	0.3
Savings Approved to March,2023	(3.6)	(1.3)	0.0	(4.9)
Reduced Use of Reserves	1.0	1.0	1.0	3.0
Funding Gap	5.3	7.2	8.0	20.5

a/ £3.0m from Reserves used in 2023/24 is reduced by £1.0m/year over 2024/27.

b/ Reduced impact of depopulation assumes 0.6% Floor for 2024/27

c/ Pay & Non-Pay inflation and Pressures excludes HSCP but assumes some demand pressures from HSCP

d/ Assumes no new Prudential Borrowing above that already contained in the Loans Charges Model.

e/ Includes no Council Tax increase (3% annual increase would raise £1.0 million per year)

f/ The movement in Block Grant excludes hypothecated funding increases as these are ring fenced for specific purposes

	2024/25	2025/26	2026/27
Key Assumptions	%	%	%
GRG/NDRI Cash Movement	0.0	(0.25)	(0.25)
Pay Inflation	4.0	3.5	3.0

2024/25 pay assumption allows for 2023/24 pay shortfall

7.11 Short to Medium Term Capital Projections

The Council agreed a 3 year Capital Programme covering 2023/26 in March 2023. A 5% overprovision was built in to allow for increased resources/project cost reductions.

7.12 Long-Term Capital Projections

There is greater certainty around capital spend for the post 2023/24 period due to the fact that asset management plans will continue to utilise nearly all available funding i.e. Schools, Operational Properties, Roads, Lighting, Vehicles, Open Spaces and ICT, whilst the 5 year Scottish Government Capital Funding Plan indicates that in the period to 2026, core Local Government Capital Grant will be frozen at 2021/22 levels. This will leave the Council over £3 million/year short against the core investment requirements.

Given the difficult position the Council faces on revenue expenditure, it is essential that future capital expenditure proposals are largely self-financing through the release of other capital assets, use of Reserves as well as delivering efficiencies which will secure ongoing revenue savings.

Even were Local Government Capital Grants to increase in the longer term, given the major revenue financial pressures the Council needs to seriously consider using any increase in grant to reduce prudential borrowing/use of reserves rather than identifying new projects.

Table 5 - Capital Programme 2023/2026 (Medium Term Capital Projections)

Table 5

<u>Expenditure/Projects by Committee</u>	<u>2023/24</u> <u>£m</u>	<u>2024/25</u> <u>£m</u>	<u>2025/26</u> <u>£m</u>	<u>Totals</u> <u>£m</u>
Policy & Resources	0.74	0.64	2.59	3.97
Environment & Regeneration	13.16	21.78	9.46	44.40
School Estate	1.34	4.08	5.00	10.42
Education & Communities (Exc School Estate)	1.38	0.57	0.05	2.00
CHCP	0.96	8.24	0.17	9.37
	17.58	35.31	17.27	70.16
<u>Financed By</u>				
Government Grant	10.23	6.00	6.00	22.23
Sales/Contributions	0.51	0.32	0.32	1.15
Other Income	4.56	0.00	0.00	4.56
Revenue	0.06	6.07	3.09	9.22
Prudential Borrowing	4.06	10.59	2.64	17.29
Resources Carried Forward	12.45	0.00	0.00	12.45
	31.87	22.98	12.05	66.90
				3.26
Shortfall in Resources				

Notes

1 As per Nov 2023 P&R Committee

8.0 Treasury Management

- 8.1 Inverclyde Council has adopted the CIPFA “Treasury Management in the Public Services – Code of Practice” which sets out good practice for treasury management governance. The Council complies with legal and regulatory requirements in relation to its Treasury Management activities and has appointed consultants to provide advice on Treasury Management issues, including technical issues and the formulation of views on interest rates.
- 8.2 In complying with the Code of Practice, the Council produces a Treasury Management Practices document which sets out how the Council will manage and control its Treasury Management activities. This document is submitted to Committee for approval every three years with approval also being sought for any amendments in the intervening period.
- 8.3 The requirements for Treasury Management reporting following the implementation of the revised CIPFA Treasury Management Code of Practice has resulted in the following:
- An annual Treasury Management Strategy submitted at the start of the financial year and which includes the Council’s Prudential Indicators and covers issues such as the economic situation, the prospects for interest rates, and the Council’s borrowing and investment strategy for the coming year.
 - A mid-year review of the Strategy which include details of the Council’s debt and investment position, activity undertaken during the quarter, and performance to date against the Council’s Prudential Indicators and agreed policy limits.
 - An Annual Report for Treasury Management which is submitted to Members before the end of September each year and which advises Members of the Treasury Management activities during the previous financial year.
 - Since 2018/19 there is the requirement to produce a Capital Strategy which is also reviewed annually.

It should be noted that whilst all the above reports will go to the Policy & Resources Committee for initial scrutiny, all now require to go before the Full Council for approval.

- 8.4 Table 6 below shows the Council’s debt and investments position as at 31/10/23.

Table 6 – Council’s Debt and Investment Position – 31/10/23

The Council’s treasury portfolio position at 31/10/23 comprised:

		Principal		Average Rate
		<u>£000</u>	<u>£000</u>	
Fixed rate funding	PWLB	99,414		4.03%
	Market	56,000	154,414	
Variable rate funding	PWLB	0		4.92%
	Market	13,820	13,820	
TOTAL DEBT			169,234	4.10%
TOTAL INVESTMENTS			20,761	5.26%

9.0 Reserves

- 9.1 A key aspect of the consideration of the Financial Strategy is the position of the General Fund Reserves. The Reserves Strategy was last reviewed and approved by the Policy & Resources Committee in March 2023.
- 9.2 Reserves can be held for three main purposes:-
- A working balance to help cushion the impact of uneven cash flows - this forms part of General Reserves.
 - A contingency to cushion the impact of unexpected events or emergencies which also forms part of General Reserves.
 - A means of building up funds, often referred to as earmarked reserves, to meet known or predicted liabilities.
- 9.3 The Reserves Strategy is based on the core General Fund Reserve being maintained at a level of 2% of turnover. A turnover of just over £200 million results in a core General Fund Reserve of £4.0 million. In the event that the Reserves are projected to fall below this level then Members must have a clear route for bringing Reserves back up to the level over the subsequent three financial years.
- 9.4 The Reserves Strategy also assumes the continued use of earmarked reserves. In this way, earmarked reserves can be separated from the core General Fund Reserve which should allow Members to more transparently track the underlying reserves position. Earmarked Reserves are reviewed annually as part of the budget process.
- 9.5 Within Inverclyde Council the main Reserves/Funds comprise; General Fund Reserve, Insurance Fund, Capital Fund and Repairs & Renewals Fund. The latest projected position is shown below.
- 9.6 (a) General Fund “Free” Reserves – This Reserve represents the Council’s contingency for unforeseen/unquantifiable events. The level of the Reserve is determined by the Reserve Strategy whilst the projected balance is reported to each Policy and Resources Committee. See Appendix 4.

Balance 31/03/23 = £7.700 million

- (b) Insurance Fund – The Insurance Fund balance is required to meet Insurance Liabilities not covered by external Insurance Policies. The balance on the Fund is reviewed every 3 years by an independent actuary who comments upon not only the balance of the Fund but also the on-going internal contributions to the Fund. See Appendix 7.

Balance 31/03/23 = £4.816million

- (c) Capital Fund – The Capital Fund is a Fund into which Capital Receipt income can be paid and used to fund either capital investment or repay the Principal element of debt repayments. The balance and planned usage of the Capital Fund is incorporated into the Financial Strategy. See Appendix 5.

Projected Balance 31/03/24 = £(1.395) million

- (d) Repairs & Renewals Fund – The Repairs & Renewals Fund consists of sums received from external parties or allocated directly from Council resources which are thereafter released on a phased basis to maintain specific assets. Use of specific allocations to the Fund are agreed by Policy & Resources Committee and the overall position will be reported as part of the Financial Strategy. See Appendix 6.

Projected Balance 31/03/24 = £3.124million

10.0 Monitoring, Reporting and Review Processes

- 10.1 The Financial Strategy should be a dynamic, relevant document and will be monitored on an ongoing basis by Finance - it will also be formally reviewed twice yearly, in May and then in November.
- 10.2 The formal review of the Financial Strategy will be reported to CMT and Full Council on a six monthly basis – there will also be capacity to review the Strategy as and when required, particularly when a new issue arises or the impact of major policy or initiative becomes clearer.
- 10.3 The Financial Strategy will only be revised if there are material changes to estimates, projections or policy which will have a financial impact however issues which may impact will be flagged up in the regular General Fund Budget reports to Policy & Resources Committee.
- 10.4 The deminimus level for a major impact requiring immediate review is 50% of the core General Fund reserves, £2.0 million, subject to the opinion of the Section 95 Officer.
- 10.5 The financial management principles and expectations have been communicated and are understood by all Chief Officers and budget holders.
- 10.6 The Financial Strategy has been drawn up with the full involvement of the CMT and, will be communicated throughout the organisation.

11.0 Risk Management

- 11.1 The Council has developed a Corporate Risk Register, Directorate Risk Registers and individual service risk registers where appropriate.
- 11.2 Further work has also been undertaken to develop a Risk Register for the Financial Strategy and the required actions to mitigate risks – these are set out in the table below.
- 11.3 The risk assessment below considers the risks to our financial position arising out of matters considered in this Financial Strategy and utilises the same methodology used for the Corporate, Directorate and Service Risk Registers.

Risk	Management of Risk
<p>The Financial Strategy does not reflect in financial terms the objectives set out in other strategic plans of the Council.</p>	<p>The Financial Strategy provides a high level overview of the various strategic plans the Council has signed up to – it acknowledges that there will inevitably be financial implications arising from the Council Plan but it is not possible to quantify all of these at present.</p> <p>The Financial Strategy is updated as further information becomes available regarding these strategic plans.</p>
<p>The strategic planning process will identify a range of additional budget pressures over and above those currently considered in this Financial Strategy.</p>	<p>The Strategic Planning Guidance identifies that Committee Delivery and Improvement Plans (CDIP) should reflect the resources allocated – the need for additional resources to achieve a particular priority should be specifically identified via the Financial Strategy prior to the preparation of the CDIP.</p>
<p>Forecasts within the Financial Strategy are not accurately determined or reviewed on a regular basis.</p>	<p>The Budget and Financial Strategy set out the expected levels of expenditure and income for the future. The forecasts are arrived at through careful consideration of historic trends and actual expenditure levels and any factors which may have an impact in the future.</p> <p>Three scenarios are included in the Strategy based on Pessimistic, Mid-Range and Optimistic. This provided a broad range of potential outcomes.</p> <p>Throughout the financial year, the Council regularly monitors its financial performance against its budgets and will revise them where necessary, subject to remaining within the agreed overall budget for the Council.</p>
<p>There is a continuing need to deliver significant cuts and efficiencies over the medium to long term. Robust and detailed plans will be required on an operational level to ensure that this risk is mitigated and savings are duly delivered.</p>	<p>The risks relating to the delivery of savings will be mitigated by robust monitoring and financial control through the budget monitoring process, with action plans being required to find compensating savings for any overspends identified.</p> <p>Individual savings are reviewed by Change Boards and lead officers on a regular basis with material issues reported to the CMT and if required, Committee.</p>

<p>Income budgets not achieved or become unsustainable.</p>	<p>Chief Officers are consulted on proposed increases in income budgets/fees and charges and have the opportunity determine the levels of individual charges to achieve the budgeted income target.</p> <p>Equally, income budgets are monitored throughout the financial year and where a shortfall in income is anticipated, this is highlighted in reports to Committee.</p> <p>Proposals to increase fees and charges are reviewed in line with the Council's Charging Policy prior to reporting to Committee.</p>
<p>The Council has insufficient capital resources to sustain capital commitments.</p>	<p>The Council has already identified through the Financial Strategy a reduced reliance on capital receipts and Government Grants in the medium term.</p> <p>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.</p> <p>The Council has Asset Management Plans for all its assets with all the above issues captured within the Financial Strategy.</p> <p>The Council produces a Capital Strategy which looks at the longer term need, funding & sustainability of the capital programme.</p>
<p>Bankruptcy of a major supplier or customer which could result in the Council having to pay twice for the same service or see artificially inflated prices if a replacement service needs to be obtained at very short notice.</p>	<p>The Council has reviewed its procurement process and a procurement manual has been developed which includes supplier financial appraisal at PQQ stage. This will ensure that the financial position of new contractors is vetted prior to ITT stage and entering into any large contracts.</p> <p>The Council only pays in advance for Services by exception.</p> <p>Regular reviews of financial position are undertaken for key suppliers on an ongoing basis.</p>
<p>Legislative changes are not anticipated and the financial impact is not addressed through the budget process of Financial Strategy.</p>	<p>Chief Officers are required to highlight the impact of legislative changes through the strategic planning and budgeting process and the likely resource requirement.</p> <p>In addition COSLA has a key role in assessing the financial impact of changes in legislation and lobbying for Councils to be funded appropriately.</p>

<p>Interest rates on borrowing may be higher than forecast.</p>	<p>Regular review of treasury management decisions. Prudent assumptions on likely interest rates have been incorporated into Financial Strategy. Borrowing is spread to reduce impact of short-term changes.</p>
<p>Reserves are required to fund unanticipated budget shortfalls and fall below minimum recommended level.</p>	<p>Reserve Strategy is in place which clearly states that there must be a clear route to bring reserves back up to the minimum level over the subsequent 3 financial years.</p>
<p>Revenue implications of capital programme/projects are not fully anticipated.</p>	<p>All capital projects identify revenue implications and link into Council priorities. All capital projects are subject to a robust approval process which includes a review of revenue implications.</p>
<p>The current significant deterioration in the economic outlook and the impact this has on the local community has an unsustainable impact on Council budgets.</p>	<p>There is regular reporting to Members on the budget position and forecasts. Cosla continues to lobby Scottish and UK Governments for funding. Directors of Finance share common information and assumptions.</p>

Short-Term Issues (2023/25)

The tables in Appendices 1, 2 and 3 have been developed through ongoing consultation with the CMT to highlight the issues to inform the Financial Strategy and future budget setting.

<u>Service</u>	<u>Issues Identified</u>	<u>Issues & Potential Impacts</u>	<u>Action Taken</u>	<u>Responsible Officer</u>	<u>Timescale to report back</u>
Corporate	Inflation	Uncertainty over the length of inflation pressures are not fully clear over the period.	Inflation allowances are regularly reviewed. Regular monitoring and reporting to CMT/Members.	Alan Puckrin	Ongoing
Social Care	Relationship with Service Providers.	Managing provider expectations whilst in a period of uncertainty over the future of the National Care Home Contract along with expectations from those providers out with this contract to fund inflation/impact of pensions/living wage.	Monitor development and report as required.	Kate Rocks	Ongoing
	Children's Services	Significant demand in the system will lead to increased costs.	Strategy put in place as part of the 2022/23 Budget. Monitor and report as required.	Kate Rocks	Ongoing
Education & Communities	Inverclyde Leisure – Reduction in Income and increased Utility costs.	A major source of income for IL comes from its fitness gyms. Competitors have moved into the area added to which customer behaviours changed following Covid.	Regular joint monitoring of income levels and utility costs is on-going with the aim of reducing the level of Council funding.	Ruth Binks	January 2024.

Medium-Term Issues (2025/27)

Appendix 2

<u>Service</u>	<u>Issues Identified</u>	<u>Issues & Potential Impacts</u>	<u>Action to be Taken</u>	<u>Responsible Officer</u>	<u>Timescale to report back</u>
Corporate	Reductions in other public sector partner's funding streams	As Public Sector funding reductions continue, partners are reducing their contributions to key Council priorities.	Continue dialogue with partners.	Chief Executive/Directors	Ongoing
	Removal of key services from Council control.	Scottish Government could review Public Sector landscape which could result in loss of large parts of the Council remit and resultant impact on corporate viability.	Keep track of developments and report to Committee as required.	Louise Long	Ongoing
	Increased cost for externally provided contracts and services due to inflationary pressure including the Living Wage.	In line with Fair Work First, there is a clear desire to ensure suppliers of Council Services pay the Living Wage. This could add significant costs to the Council if passed on by suppliers.	Monitor developments and report to Committee when required.	Corporate Management Team	Ongoing
	Potential changes to funding of Local Government	Scottish Government to review Council Tax and will potentially review NDR.	Monitor developments and report as required.	Alan Puckrin	Ongoing
	Pay & Grading. Impact of £15/hour implementation	If the "bottom loading" of pay settlements continues then it is likely the Council will require to revisit the Pay & Grading model.	Monitor developments including aspiration to achieve £15/hour.	Morna Rae	Ongoing issue.
	Equal Pay	No provision for outstanding claims.	Provision will continue to be monitored and reviewed taking account of relevant legal judgements and advice from the Council's legal advisors.	Morna Rae	On Going

<u>Service</u>	<u>Issues Identified</u>	<u>Issues & Potential Impacts</u>	<u>Action to be Taken</u>	<u>Responsible Officer</u>	<u>Timescale to report back</u>
	Capital Accounting – Potential changes.	If the Scottish Government agreed to move to depreciation accounting rather than loans charge accounting this could significantly increase the costs to the recurring budget.	Monitor developments, respond to consultations and actively engage in lobbying by professional bodies.	Alan Puckrin	Ongoing.
Social Care	Review of future of Adult Social Care Impact of inclusion of elements of the Acute Health Services within the IJB Budget. Childrens Services Funding Pressures.	Potential major impacts on IJB and Council Budgets if not appropriately funded. Potential for the Council to have to meet a proportion of any overspend caused by increasing pressure on Health Budgets. Covid has had a considerable impact on demand for support within Children & Families. Identified one off funding will only address the short term pressure. A fundamental review of service delivery is needed.	Monitor developments, contribute to relevant forums and report as required. Regular monitoring of the IJB Strategic Plan and financial projections added to supporting robust financial scrutiny by the IJB. Develop proposals to change service delivery and report back via CMT to Council and IJB.	Kate Rocks Kate Rocks Kate Rocks	Late 2023 Ongoing Initial reports 2024.
	Homelessness – Revised Delivery Model.	Utilisation of the Inverclyde Centre under review. New delivery model will require significant capital investment with revenue implications	Review is part of Delivering Differently with reports back to CMT/Council and IJB.	Kate Rocks	Initial Reports 2024.
Environment & Regeneration	Ability to maintain Council assets.	Capital allocations insufficient to maintain assets (property and roads) in the medium term.	Refresh Asset Management Strategy aligned to prioritising investment.	Stuart Jamieson	Asset Management Strategy – October 2024

Long-Term Issues (Post 2027 Onwards)

<u>Service</u>	<u>Issues Identified</u>	<u>Issues & Potential Impacts</u>	<u>Action to be Taken</u>	<u>Responsible Officer</u>	<u>Timescale to report back</u>
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Corporate	Depopulation and Change of Demographics	Continued loss of grant income, over provision of infrastructure. Viability of area under threat.	Population/Demographic trends to be monitored and reported to the Council and Alliance on a regular basis.	Morna Rae	Ongoing
Social Care	Impact of National Care Service	Cost, disruption and impact on rest of the Council.	Monitor and report to Council/IJB.	Louise Long/Kate Rocks	Ongoing
Education & Community	School Estate.	Plans will be required for recommencement of a new School Estate Plan from the late 2020's. This will have significant financial and policy challenges.	Commence consideration at the appropriate time and factor into any investment plans.	Ruth Binks/Stuart Jamieson	Ongoing.
Environment & Regeneration	Flood and coastal protection arising from global warming.	The frequency and severity of extreme weather will require significant investment Council assets.	Funding for surveys and thereafter funding for priorities	Stuart Jamieson	Asset Plan by 2025.

Environment & Regeneration	Regeneration of Greenock and Port Glasgow Town Centres.	Reports to Committee have identified significant investment needs within the Greenock and Port Glasgow Town Centre areas. Whilst contributions will be sought from Partners and the Private Sector the Council will require to provide a large amount of the funding.	Utilisation of £20million Town Centre Fund. Develop a funding model with clear outputs and funding sources.	Stuart Jamieson	Ongoing
	Net Zero Carbon Strategy	To achieve the required targets will require significant capital investment not currently included in financial plans beyond 2025/26.	Prepare detailed delivery plan and obtain funding approval for delivery.	Stuart Jamieson	Next report 2024
		Closure of major local employer could further increase rate of depopulation and would significantly impact of areas regeneration efforts.	Work with all partners to identify areas of risk and mitigating actions.		As required.

Finance Strategy
General Fund Reserves
Dec 2023

	£000	
Reserves Balance at 31st March 2023	7,700	
Budgeted Contribution to Reserves: Note 1		
2022/23 Outhurn Earmarked for 2023/24	5,608	
	0	5,608
Planned Use of Reserves 2023/27 Note 2		(24,308)
Projected Surplus (Deficit) 2023/27 Note 3		27,600
Projected Free Reserves Balance 31st March 2024	16,600	

GRG/NDR/Council Tax is approximately £200 million. Recommended minimum level of reserves is 2% / £4 million.

Notes:

- 1/ 2023/24 figures reflect £3m use of reserves to fund the revenue budget as approved at 2023/24 budget setting process. 2024/26 figures reflect a further use of reserves of £3m to fund the revenue budget.
- 2/ Represents decisions taken between March 2018 and March 2023 and based on latest phasings.

<u>Approved Use of Reserves</u>	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'001	Total £000
March 2018 - £8.858m	(128)	0	0	0	(128)
March 2020 - £8.207m	(325)	0	0	0	(325)
February 2022 - £9.175m	(2,876)	0	0	0	(2,876)
December 2022 - Finance Strategy	(477)	(1,200)	0	0	(1,677)
January 2023 -£0.602m	(254)	(348)	0	0	(602)
March 2023 - £18.7m	(5,069)	(7,901)	(5,730)	0	(18,700)
	(9,129)	(9,449)	(5,730)	0	(24,308)

- 3/ Figure reflects projected surplus reported to Policy & Resources Committee November 2023 (Period 6) and Budget set full Council March 2023 :

	2023/24 £000	2024/25 £000	2025/26 £'000	2026/27 £'000	Total £000
Projected Surplus / (Deficit) (Period 6)	(500)	0	0	0	(500)
Service Concession (Jan 23)	14748	0	0	0	14,748
IRI Interest 2023/26 (Jan 23)	1100	1200	1200	0	3,500
Use of Reserves 2022/23	452	0	0	0	452
Actuarial Review (Nov 23)	0	4500	4500	0	9,000
IL Smoothing Reserve (Nov 23)	400	0	0	0	400
	16,200	5,700	5,700	0	27,600

AP/AE
10/11/23

Finance Strategy
Capital Fund

		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		315	(1,395)	(2,113)	(2,283)	(2,564)	(2,639)	(2,716)	(2,796)	(2,878)	(2,962)
Additions (Estimate)	a	(2,726)	(649)	(99)	(214)	0	0	0	0	0	0
Interest (Estimate)		16	(69)	(71)	(67)	(75)	(77)	(80)	(82)	(84)	(87)
Other Payments	b	1,000	0	0	0	0	0	0	0	0	0
Balance at Year End	c	(1,395)	(2,113)	(2,283)	(2,564)	(2,639)	(2,716)	(2,796)	(2,878)	(2,962)	(3,049)

- Notes
- a 2023/24 SEMP Receipts, £1.666, Greenock Academy, Holy Cross
 Other Receipts, £1.060m, Unit 45 PG Industrial Estate, Kempock Place, Leperstone Avenue & other receipts
- 2024/25 SEMP Receipts, £0.385, Sacred Heart
 Other Receipts, £0.264m, former Garvel Centre, Crescent St, Leperstone Avenue
- 2025/26 Other Receipts, £0.099m, Leperstone Avenue
- 2026/27 Other Receipts, £0.214m, Leperstone Avenue
- b Other Payments:
 2023/24 £1m payment to fund Capital Programme (approved March 2021)

Finance Strategy
Repairs & Renewals Fund

	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	(3,062)	(3,124)	(3,195)	(3,218)	(3,137)	(3,194)	(3,252)	(3,273)	(3,334)	(3,345)
Additions:										
Energy Efficiency Fund	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Maintenance Payments:										
Environmental Maintenance	41	36	36	36	36	37	75	37	88	37
Leisure Strategy	b 0	0	0	141	0	0	0	0	0	0
Affordable Housing Fund	c 50	50	50	0	0	0	0	0	0	0
Interest										
Environmental Maintenance	(26)	(25)	(17)	(14)	(13)	(13)	(12)	(10)	(9)	(7)
Leisure Strategy	(54)	(58)	(41)	(37)	(34)	(35)	(36)	(37)	(38)	(39)
Former Housing Repairs & Renewals Fund	(56)	(59)	(42)	(38)	(39)	(40)	(41)	(43)	(44)	(45)
Affordable Housing Fund	(10)	(8)	(4)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Energy Efficiency Fund	(6)	(6)	(4)	(4)	(4)	(4)	(4)	(5)	(5)	(5)
Balance:										
Environmental Maintenance	d (505)	(494)	(475)	(453)	(430)	(406)	(343)	(316)	(237)	(207)
Leisure Strategy	(1,151)	(1,209)	(1,250)	(1,146)	(1,180)	(1,215)	(1,251)	(1,288)	(1,326)	(1,365)
Former Housing Repairs & Renewals Fund	(1,195)	(1,254)	(1,296)	(1,334)	(1,373)	(1,413)	(1,454)	(1,497)	(1,541)	(1,586)
Affordable Housing Fund	(152)	(110)	(64)	(66)	(68)	(70)	(72)	(74)	(76)	(78)
Energy Efficiency Fund	(121)	(128)	(133)	(138)	(143)	(148)	(153)	(159)	(165)	(171)
Balance at Year End	(3,124)	(3,195)	(3,218)	(3,137)	(3,194)	(3,252)	(3,273)	(3,334)	(3,345)	(3,407)

Finance Strategy
Repairs & Renewals Fund

Notes

- a Future contribution to Leisure Strategy subject to confirmation of available funds.
- b Leisure Strategy commitments:
Pitches/MUGA's Lifecycle costs
- c Contribution towards Acquisitions of Affordable Housing, £150k total allocation (agreed E&R Committee October 2021)
- d Environmental Maintenance is a combined fund used for ongoing maintenance of Greenock Cut, Gallaghers (Port Glasgow) Development and Inverkip Footbridge.
- f It is intended that any unused Repairs budget for the Greenock Ocean Terminal will be transferred to the Repairs and Renewals Fund each year to provide for future major repairs to the facility. This will be included in future Repairs and Renewals models.

Insurance Fund

	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	<u>2028/29</u>	<u>2029/30</u>	<u>2030/31</u>	<u>2031/32</u>	<u>2032/33</u>	<u>2033/34</u>
	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>
Opening Balance	4.816	3.435	3.355	3.135	2.880	2.575	2.335	2.050	1.820	1.547	1.362
Contribution to Fund (a)	0.350	0.350	0.350	0.350	0.350	0.450	0.450	0.550	0.550	0.550	0.550
Payments Made From Fund (b)	(0.410)	(0.430)	(0.450)	(0.470)	(0.490)	(0.510)	(0.540)	(0.570)	(0.600)	(0.630)	(0.660)
MMI Clawback/Ex-SRC Abuse Claims (c)	-	-	-	-	-	-	-	-	-	-	-
Other (d)	(0.090)	-	(0.120)	(0.135)	(0.165)	(0.180)	(0.195)	(0.210)	(0.223)	(0.105)	-
	4.666	3.355	3.135	2.880	2.575	2.335	2.050	1.820	1.547	1.362	1.252
Estimated Outstanding Charges at 31 October 2023 (e)	(1.231)										
Balance for Future Claims	3.435	3.355	3.135	2.880	2.575	2.335	2.050	1.820	1.547	1.362	1.252

Notes

(a) Amount paid by Services and not paid to external insurers. Currently a £100,000 annual reduction is being applied which ends in 2029/30.

A further £100,000 annual reduction will be applied from 2023/24 for 5 years and ending in 2027/28.

(b) Estimate for charges paid from Fund net of interest income.

(c) Movement on allowance for Council contribution to legacy MMI and ex-SRC abuse claims (to be reviewed at the year-end). The total allowance at 31 March 2023 was £0.374 million.

(d) Estimated Council contribution of £1.5 million to Scottish Child Abuse Redress Scheme (contributions started in 2022/23 and will be made over a 10 year period with 2024/25 deferred to 2032/33).

(e) Estimated cost to Fund of outstanding claims as at 31 October 2023. Includes estimated £350,000 to make safe the former Clune Park Primary School.

City Deal - As at 30.09.23

<u>Capital</u>	<u>£m</u> <u>15/23</u>	<u>£m</u> <u>23/24</u>	<u>£m</u> <u>24/25</u>	<u>£m</u> <u>25/26</u>	<u>£m</u> <u>26/27</u>	<u>£m</u> <u>27/28</u>	<u>£m</u> <u>28/29</u>	<u>£m</u> <u>29/30</u>	<u>£m</u> <u>30/31</u>	<u>£m</u> <u>31/32</u>	<u>£m</u> <u>Total</u>
Overall Grant	355	15	30	60	60	60	60	60	60	60	820
Inverclyde's Grant Received/ Estimated	10.866	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	19.866
<u>Project Spend</u>											
Ocean Terminal	10.261	0.177	0	0	0	0	0	0	0	0	10.438
Inverkip	0.023	0.100	3.677	0	0	0	0	0	0	0	3.800
Inchgreen	4.709	5.018	0	0	0	0	0	0	0	0	9.727
Council Contribution	0	(1.400)	(0.550)	0	0	0	0	0	0	0	(1.950)
Grant Eligible Costs	14.993	3.895	3.127	0	0	0	0	0	0	0	22.015
Annual Grant (Shortfall)/Surplus	-4.127	-2.895	-2.127	1.000	1.000	1.000	1.000	1.000	1.000	1.000	-2.149
Cumulative (Shortfall)/Surplus	-4.127	-7.022	-9.149	-8.149	-7.149	-6.149	-5.149	-4.149	-3.149	-2.149	Est Debt 31.3.32
<u>Revenue</u>	<u>£000</u> <u>15/23</u>	<u>£000</u> <u>23/24</u>	<u>£000</u> <u>24/25</u>	<u>£000</u> <u>25/26</u>	<u>£000</u> <u>26/27</u>	<u>£000</u> <u>27/28</u>	<u>£000</u> <u>28/29</u>	<u>£000</u> <u>29/30</u>	<u>£000</u> <u>30/31</u>	<u>£000</u> <u>31/32</u>	
Revenue Budget	1,536	220	220	220	220	220	220	220	220	220	
PMO Central Team Costs	(56)	(59)	(62)	(65)	(68)	(71)	(75)	(79)	(83)	(87)	
Interest Charge	(40)	(326)	(414)	(262)	(205)	(181)	(157)	(133)	(108)	(84)	
Contribution to Inchgreen	0	(1,400)	0	0	0	0	0	0	0	0	
Dividend (Inchgreen JV)	310	0	0	0	0	0	0	0	0	0	
Planned Write Back to Reserves	0	0	0	0	0	0	0	0	0	0	
Balance at Year End	1,750	185	(71)	(178)	(231)	(263)	(275)	(267)	(238)	(189)	

Notes

- 1/ Project spend profiles reflect the latest reported figures to the Cabinet. Costs to be firmed up as part of detailed Business preparation for Inverkip. Figures exclude partner contributions. Ocean Terminal cost approval increased by £400k in 2022 and £345k in 2023. Inchgreen cost approval increased by £300k in 2023. Council Contribution represents a £1.4m contribution to Inchgreen in 2023/24 funded via the existing City Deal Revenue Reserve and £0.550m contribution to Inverkip in 2024/25 funded £0.3m from the Medium Term Capital Programme Support budget and £0.25m from Roads capital budgets, either through grant award from partner organisations or from the
- 2/ The Council initially set aside up to £400,000 per year but approved saving an £80k saving in Sept 2019. From 2023/24 it reflects a further £100,000 savings. A £1.4million contribution to the Inchgreen Project is to come from the cumulative balance in 2023/24.
- 3/ Assumes that the City Deal will pass the 2nd milestone in 2024 and as such the UK and Scottish Government will honour their grant commitments.
- 4/ Regional projects have first call on the grant hence why from 2025/26 the Council's level of grant falls. Estimates only at this time as Regional projects are under review. Grant phasing for 2023/24 and beyond is therefore indicative at this stage.

5/ The Interest Charge is based on the investment return foregone by the Council on the assumption the capital investment will be funded from cash balances and fully repaid by 2035.
Interest rates used , 2023/24 (5.03%), 2024/25 (5.00%), 2025/26 (3.44%) 2026/27 & onwards (3.00%)

Finance Strategy
Loan Charges

		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	2033/34 £'000
Balance B/fwd		1,645	1,797	1,198	405	(171)	(168)	(145)	27	255	641	1,412
Projected Loan Charges	a	17,950	17,601	17,895	17,778	17,299	17,379	17,330	17,374	17,216	16,831	16,769
Available Budget	b	16,902	17,002	17,102	17,202	17,302	17,402	17,502	17,602	17,602	17,602	17,602
Loan Charge Surplus/(Deficit)		(1,048)	(599)	(793)	(576)	3	23	172	228	386	771	833
Other Adjustments:												
Transfer from Reserves Agreed Dec 2022		1,200	0	0	0	0	0	0	0	0	0	0
		1,200	0	0	0	0	0	0	0	0	0	0
Balance at Year End		1,797	1,198	405	(171)	(168)	(145)	27	255	641	1,412	2,245
Interest Rate (Assumed):		4.39%	4.18%	3.90%	3.83%	3.71%	3.76%	3.90%	4.05%	4.11%	4.17%	4.30%

Notes

Revised projections as at November 2023 and excludes Loan Charges relating to City Deal and Birkmyre Trust. 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 to 2025/26. £100k annual cost increase from 2023/24 to reflect prudential borrowing of £1.5m to 2030/31 (June 2023 Finance Strategy). Projected principal repayments on new projects are calculated on annuity basis.
- b Adjustments to Available Budget:
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 to 2030/31 (June 2023 Finance Strategy). Budget adjusted for £5k reduction in loan charges for Food Waste Collection saving.

Finance Strategy
Loan Charges

		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	2033/34 £'000
Balance B/fwd		1,645	1,797	2,198	1,905	1,829	1,332	855	527	255	141	412
Projected Loan Charges	a	17,950	17,601	17,895	17,778	17,299	17,379	17,330	17,374	17,216	16,831	16,769
Available Budget	b	16,902	17,002	16,602	16,702	16,802	16,902	17,002	17,102	17,102	17,102	17,102
Loan Charge Surplus/(Deficit)		(1,048)	(599)	(1,293)	(1,076)	(497)	(477)	(328)	(272)	(114)	271	333
Other Adjustments:												
Transfer from Reserves	c	1,200	1,000	1,000	1,000	0	0	0	0	0	0	0
		1,200	1,000	1,000	1,000	0	0	0	0	0	0	0
Balance at Year End		1,797	2,198	1,905	1,829	1,332	855	527	255	141	412	745
Interest Rate (Assumed):		4.39%	4.18%	3.90%	3.83%	3.71%	3.76%	3.90%	4.05%	4.11%	4.17%	4.30%

Notes

Revised projections as at November 2023 and excludes Loan Charges relating to City Deal and Birkmyre Trust.
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 to 2025/26.
£100k annual cost increase from 2023/24 to reflect prudential borrowing of £1.5m to 2030/31 (June 2023 Finance Strategy).
Projected principal repayments on new projects are calculated on annuity basis.
- b Adjustments to Available Budget:
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 to 2030/31 (June 2023 Finance Strategy).
Budget adjusted for £5k reduction in loan charges for Food Waste Collection saving.
For 2025/26
Budget reduced by £500k from 2025/26 onwards
- c £1.2m agreed December 2022
£3m agreed December 2023, allocated £1m each year 2024/25 to 2026/27

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Chief Financial Officer	Report No:	FIN/80/23/AP/LA
Contact Officer:	Alan Puckrin	Contact No:	01475 712090
Subject:	2024/26 Budget Update		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of the report is to update the Council on the latest position of the planned 2024/26 Revenue Budget and the imminent Scottish Government Draft Budget for 2024/25.
- 1.3 The report and appendices contain updates and seeks decisions in respect of Savings Workstreams. Further savings/adjustments and the latest potential 2024/26 funding gap are also included in the report and recommendations.
- 1.4 The report also seeks agreement that a special Council meeting take place in January to consider the implications of the Scottish Government Draft Budget and to take further decisions including the date of the Council Budget.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Council note the latest update in relation to the 2024/26 Budget and agree that a special Council meeting take place in January 2024, the date to be agreed by the Chief Executive in consultation with the Provost, to consider the implications of the Scottish Government Draft Budget and to take further decisions including the Council Budget setting date.
- 2.2 It is recommended that the Council note the update from the CMT in relation to Savings Workstreams in Appendix 1 and agree the proposal to increase fees and charges by 5% in 2024/25 and 2025/26 plus the addition of the CLD review to the 2024/26 Savings Workstream programme.
- 2.3 It is recommended that the Council agrees the adjustments/savings in Appendix 2 including the Loans Charge funding model saving reported as part of the Financial Strategy update earlier in the agenda.
- 2.4 It is recommended that the Council agrees that the £2.5 million income previously planned to be raised from increased Council Tax in 2024/25 be factored into the 2024/26 Budget as a minimum figure via the use of Scottish Government Council Tax Freeze grant and, if required, the use of further reserves.

2.5 It is recommended that the Council notes the latest estimated 2024/26 funding gap based on all the proposals contained in this report.

Alan Puckrin
Chief Financial Officer

3.0 BACKGROUND AND CONTEXT

- 3.1 The Scottish Government have confirmed that the Draft Budget will be announced on 19 December and that the draft circular which advises individual councils of their individual settlements for 2024/25 will not be issued until 21 December, which is the day before the Christmas/New Year shut down for large parts of the Council, Cosla and Scottish Government.
- 3.2 The later than anticipated date for the Draft Scottish Budget, largely attributed to the later than usual Autumn Statement announcement on 22 November, requires a rethink of the previously envisaged timescales for the Council Budget setting process.
- 3.3 Discussions are continuing between Cosla and the Scottish Government regarding the sum required by Local Government to ensure that the announced Council Tax Freeze is “fully funded”. On 7 November Cosla wrote to the Scottish Government listing areas where it requires Scottish Government to demonstrate commitment towards the Verity House agreement in return for councils agreeing to the Council Tax Freeze. The Scottish Government response to this should become clearer in the Draft Budget statement on 19 December.
- 3.4 The Council had previously agreed a planning assumption of a £5.0million increase in Council Tax income over 2024/26. Elected members may wish to consider using reserves plus any Council Tax Freeze grant to maintain the 2024/25 share of that planning assumption.
- 3.5 In September the Policy & Resources Committee agreed a Savings Workstream programme estimated to deliver £2.5 million over the 2024/26 period. The first update is attached in Appendix 1 and it can be seen that good progress is being made towards the 2024/25 initial target of £1.32 million. The CMT recommend the addition of the Community Learning & Development service review, already included within Delivery Differently programme, to the Savings Workstreams. A saving target of £180,000 is recommended.
- 3.6 Appendix 2 includes further recurring adjustments/savings including the £500,000 saving in loans charges covered in more detail in the Financial Strategy 6 monthly update included earlier in the agenda.
- 3.7 The Members Budget Working Group (MBWG) have commenced reviewing the position in respect of reserves. This includes, potential write backs and options for utilising the estimated £12.6 million of free reserves, which includes the significant one-off increase in reserves arising from the reduction in employers’ superannuation contributions over 2024/26.
- 3.8 On 14 November the Council received notification of a 3.0% increase in the Teachers employers pension contribution. It is estimated this will cost the Council more than £1 million. Officers are not proposing to build this cost into the 2024/26 funding gap on the assumption that the Scottish Government will pass on the consequential funding from the UK Government.

4.0 PROPOSALS

- 4.1 It is proposed that a special meeting of the Council takes place in January to consider the implications of the Draft Scottish Budget, the impact this has on potential savings, associated Budget Consultation plus the date for the Council to approve the 2024/26 Budget.
- 4.2 As part of achieving the Income Savings Workstream target of £700,000 over 2024/26, it is proposed that all relevant fees & charges are increased by 5% in both 2024/25 and 2025/26. This is estimated to raise approximately £500,000 extra income by 2025/26. This does not include charges set by statute and parking charges which will be the subject of a separate report to the Environment & Regeneration Committee in January.

- 4.3 In order to provide greater certainty to the MBWG in finalising savings options, it is proposed that the Council confirms that, between any Council Tax Freeze grant from the Scottish Government and use of free reserves, at least £2.5 million will be generated to close the estimated 2024/25 funding gap. Elected Members are asked to note that, to maintain the benefit of this proposal in 2025/26, an increase in the use of reserves in 2025/26 could be required. This will be dependent on the level of the Council Tax Freeze grant in 2024/25.
- 4.4 Appendix 3 shows the latest estimated 2024/26 funding gap on the basis that the proposals in the report are agreed.

5.0 IMPLICATIONS

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

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

5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
Funding Models	Loans Charges	2024/27	£3.0million		Funded from excess IRI to generate a recurring £500,000 saving from 2025/26.
Reserves	General Fund Free Reserves	2025/26	TBC		Extent is dependent on SG Council Tax Freeze grant

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
Savings Workstreams	Income	2024/26	(£500,000)		5% increase in fees & charges in both 2024/25& 2025/26
Savings Workstream	CLD Review	2024/26	(£180,000)		

Various	Various	2024/25	(£539,000)		Savings target recommended by the CMT
Overall Funding	SG Grant/Reserves	2024/25	(£2.5 million)		Per Appendix 2, phased £39k 24/25, £500k 25/26 Guaranteed minimum increased funding to be built into the 2024/25 Budget

5.3 Legal/Risk

There are many matters which require to be clarified in relation to the 2024/25 Grant settlement and these will only become clearer after the 19 December. The projected level of free reserves will help mitigate these risks as will regular review by officers and reporting to elected members including discussion at the MBWG.

5.4 Human Resources

There are no HR implications arising from this report.

5.5 Strategic

The development of the 2024/26 Revenue Budget and 2024/27 Capital Programme will be led by the priorities set out in the Council Plan and CDIPs.

6.0 CONSULTATION

6.1 The MBWG support the proposals in this report.

7.0 BACKGROUND PAPERS

7.1 None.

2024/26 Budget Process**Theme: Workstreams**

Saving Title	CMT Lead Officer	Proposal	Est Saving 2024/25 £000's	Est Saving 2025/26 £000's	Est Saving 2026/27 £000's	Est Saving Total £000's	Est FTE Impact	Progress update as at 21.11.23
Income Generation	A Puckrin	General Uplift over 2024/26, Other above inflation charges and commercial income	300	400	0	700	0.0	Propose 5 % per year general fee uplift for 2024/25 & 2025/26 to December 2023 Council. Would generate approximately an extra £250k per year leaving a remaining target of £200k.
Procurement	S Jamieson	Residual Waste, Agency Workers, Scotland Excel opportunities	670	-70	0	600	0.0	Waste saving £671k from 1.1.24. Negative target in 2025/26 is a contingency for potential shortfalls in other workstream targets
Energy	A Puckrin	Energy efficiencies and tariff reductions	400	100	0	500	0.0	Savings being reported in P5/6 monitoring. Adjustment will be included in January Council Budget report
Asset Management	S Jamieson	Property savings relating to reductions to the office, leisure, community and other operational buildings estate	50	350	0	400	Note 1	Initial saving will be achieved via Hector McNeil House closure/demolition planned later in 2024/25. All closures will be reported to Committee for approval
Management Restructure Ph3	L Long	Reductions in Team Leader and above posts. FTE is maximum net reduction.	0	200	0	200	3.0	Report due December 2024/January 2025
Digital & Customer Services	I Strachan	Efficiencies arising from Digital Modernisation processes and a review of customer interfaces with the Council. FTE reduction represents the maximum to meet the target	20	80	0	100	3.0	There are risks with this target due to increased on going maintenance costs of new systems/applications plus the small size of many teams in the Council making reductions in employees impractical.
Community Learning & Development- Delivering Differently Review	R Binks	Policy & Resources Committee approved that a review of CLD be added to Delivering Differently in August 2023. The review will encompass the full service and the savings target equates to an approximate 11% reduction in budget	40	140	0	180	tbc	The review will identify options and highlight the impacts which will be reported to the Education & Communities Committee via the MBWG by the autumn of 2024
Totals			1,480	1,200	0	2,680	6.0	

Note 1- Asset Management Target is net of any reinvestment in either capital or recurring spend in remaining buildings.

Note 2- MBWG recommend the addition of a teachers workstream if reductions are permitted by the Scottish Government as part of the Verity House agreement. The target would be based on a 29FTE reduction (3.8%) which would save approximately £1.80 million

**2024/26 Budget
December Council- Savings/Adjustments**

E&R	Savings 2024/25 £000	Savings 2025/26 £000	Comments	FTE
1/				
2/				
3/				
ECOD				
1/ Revised funding arrangement for all weather pitch crawl hole management	19	0	It has been agreed with Inverclyde Leisure that the opening/closing of crawl holes connected to some all weather pitches, will be carried out by IL at no cost to the Council. IL currently bill CLD separately for this task.	0
2/ Reduce school transport grant budget	20	0	Based on the last 2 years demand, the secondary school transport grant budget can be reduced by £20,000 with no impact on pupils.	0
3/				
HSCP				
1/				
Corporate				
1/ Loan Charge saving proposal contained in the Financial Startegy	0	500	By allocating a one off sum of £3.0million to the loans charges funding model, a recurring saving of £500,000 / year can be generated from 2025/26. As the £3.0 million is funded from an increase of £3.5 million in internal resources interest charged to loan charges, the one off cost has no impact on existing reserve projections.	0
2/				
3/				
Total	39	500		0

21/11/23

2024/26 Estimated Funding Gap- December 2023 Council

	2024/25 <u>£000</u>	2025/26 <u>£000</u>
Gap per June 2023 Financial Strategy	5983	6593
Sept P&R Committee Decisions:		
Savings Workstreams	-1320	-1180
Savings/Adjustments	-421	0
Nov P&R Committee Decisions:		
Savings Adjustments	-870	-150
Balance Remaining Post P&R 21.11.23	<u>3372</u>	<u>5263</u>
Council Tax contribution	-2500	-2500 Note 1
Add CLD Review to Workstreams	-40	-140 Appendix 1
Savings/Adjustments	-39	-500 Appendix 2
Balance Remaining Post Council 7.12.23	<u>793</u>	<u>2123</u>

Notes

1. Based on proposal in recommendation 2.4 of the report plus assumes a planning assumption of a £2.5million (7%) increase in Ctax income (25/26)

AP- 21.11.23

Report To:	The Inverclyde Council	Date:	7 December 2023
Report By:	Head of OD, Policy and Communications	Report No:	IC/04/23/MR
Contact Officer:	Morna Rae	Contact No:	07385434459
Subject:	Budget Consultation		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to seek agreement on the approach to the public consultation on the Council Budget 2024/26 savings proposals.

1.3 As part of the process for setting the next Council Budget public consultation is required. This will assist Elected Member understanding of what the impact of the Budget proposals might be and, in turn, inform decision-making. It also has a specific role to play in influencing the content of equality impact assessments in order that the potential effects on people with protected characteristics and related mitigations might be better understood. There are a range of methods that the Council can use to support this consultation. These have been evaluated and proposals devised.

2.0 RECOMMENDATIONS

2.1 It is recommended that The Inverclyde Council agrees to the following for actions relating to the public engagement on the 2024/26 Budget:

- An online Smart Survey;
- Targeted engagement in relation to equality groups with support from an external partner, and
- Targeted engagement appropriate to individual proposals.

Morna Rae
Head of OD, Policy and Communications

3.0 BACKGROUND AND CONTEXT

- 3.1 Effective public engagement on the Council Budget 2024/26 savings proposals is required both so that officers and Elected Members understand public perceptions of local priorities as well as the potential impact of savings decisions.
- 3.2 Research has been undertaken on the range of mechanisms that the Council might use to support this public engagement, as well as on the approaches of other local authority areas. These have been evaluated in terms of implementation costs, officer time to support, accessibility and effectiveness. This has included consideration of budget simulator models, surveys, online engagement sessions, and in person events. The following is recommended:
- An online Smart Survey for the public to prioritise various areas. This would also be available for hard copy submission via libraries, and be promoted via the Communication and Engagement Groups;
 - Targeted engagement in relation to equality groups with support from an external partner and
 - Targeted engagement appropriate to individual proposals.

More detail on each of these is available below. Consultancy support will be used to help with the analysis and reporting of results. The results would be compiled and analysed and an overview provided to Elected Members as part of the decision making process.

3.3 SMART SURVEY

Smart Survey is a survey platform, offering opportunities to create online surveys, web forms and questionnaires to collect and analyse data. This is a tool already used by the Council and would not attract additional costs. It has the advantages of being able to save partially incomplete surveys and return to them later, it is simple to use and can generate useful reports.

Noted below is draft content for the survey, which will be refined in collaboration with the CMT. It is proposed that the following questions are posed (following introductory and contextual information). Short explanatory information on each service will also be provided.

Rank in order of importance:

ENVIRONMENT

1. *Roads maintenance*
2. *Parks and grounds maintenance*
3. *Public Toilets*
4. *Streetscene*
5. *Burial grounds services*

Rank in order of importance:

SCHOOLS AND EARLY YEARS

1. *Teachers*
2. *School transport and crossing patrols*
3. *School clothing grants and free school meals*
4. *Cleaning levels in schools*
5. *Family and additional support services*

Rank in order of importance:

COMMUNITY

1. *Support for community organisations*
2. *Community centres*
3. *Library services*
4. *Community learning and development*

Rank in order of importance:

PEOPLE

1. Council Customer Services
2. Employability services
3. Free swimming and swimming lessons for children
4. Community wardens
5. CCTV services

Free text box for each themed heading: What concerns would you have if budget savings were taken in relation to these?

3.4 The survey will also include questions on Council Tax levels as per below:

At the time of undertaking this consultation the Council faces an estimated Budget gap over the next 2 years of £5.4million before any increase in Council Tax.

1. *A 1% increase in Council Tax raises an extra £350,000 per year and reduces the need for reductions in services in the areas covered by the earlier questions, do you support an increase in Council Tax in order to reduce service cuts?
Yes/No*
2. *The Council's planning assumption is based on a 7% increase in Council Tax which would raise approximately £2.5 million. Do you believe an increase of this level is:
too high/ too low/ about right*
3. *Please indicate the level of Council Tax increase you believe is appropriate: 0%, 1-3%, 4-6%, 7-9%, 10-15%*

3.5 TARGETED ENGAGEMENT IN RELATION TO EQUALITY GROUPS

In order that we can best understand the potential impact of decisions on those with protected characteristics and any mitigations that should be put in place we require to consult with equality groups. This will allow equality impact assessments to be revised and updated. The services of an external organisation should could be used to support this engagement.

3.6 TARGETED ENGAGEMENT APPROPRIATE TO INDIVIDUAL PROPOSALS

There are a number of proposals that, if taken, would have a direct impact on service provision. It is important therefore that the views of current service users are taken into account. Specific consultation should be undertaken with them. Giving these groups particular opportunities to input should be balanced with the wider public consultation exercise.

3.7 TIMING

It is proposed that the survey is carried out in December with results available for the January special meeting of The Inverclyde Council. The targeted engagement in February could then align with decisions of Elected Members on which budget savings proposals should progress to the next stage of consideration. There will be a requirement to allow sufficient time to collate and analyse the results and to update equality impact assessments accordingly. A timeline is available in Appendix 1.

3.8 IMPACT ASSESSMENTS

It should be noted that the robustness of the equality impact assessments has taken on greater importance, given the nature of the options the Council is now forced to consider, and recent legal challenges/adverse publicity faced by other authorities on budget savings proposals. In addition, following the Council decision in September, the Council is also now treating care experience as a protected characteristic, with the Armed Forces Covenant Duty also now needing

to be taken into account, where appropriate. In order to ensure officers and members are fully aware of the considerations around the preparation and consideration of these assessments training sessions will be arranged including one for members. The MBWG is asked to encourage all members to attend this session.

4.0 PROPOSALS

4.1 It is recommended that The Inverclyde Council agrees to the following for actions relating to the public engagement on the 2024/26 Budget:

- An online Smart Survey;
- Targeted engagement in relation to equality groups with support from an external partner, and
- Targeted engagement appropriate to individual proposals.

5.0 IMPLICATIONS

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

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

5.2 Finance

The financial implications will include the costs of engaging an external organisation and consultancy costs for analysis. These will be confirmed and will be contained within the Budget Delivery Reserve.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A	Budget Delivery Reserve	2023/24	TBC		Unlikely to be significant

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 requirements for the Council to conduct effective and inclusive public consultation on the Budget proposals with a particular focus on the potential impacts on those with protected characteristics. The proposals in this report will help mitigate the legal risk around this, including to make sure that the views of those at risk of digital exclusion can also be taken into account.

5.4 Human Resources

There are no human resources implications associated with this report beyond the requirement for employee time to support its implementation.

5.5 Strategic

These proposals support the outcome “High quality and innovative services are provided, giving value for money”.

6.0 CONSULTATION

6.1 None.

7.0 BACKGROUND PAPERS

7.1 None.

Appendix 1

Timeline

Date	Action
7 December 2023	Approval of Budget engagement approach
8 December 2023	Launch of Smart Survey
5 January 2024	Close of survey
January 2024	Analysis of results and sharing with Elected Members prior to January special meeting of The Inverclyde Council
February 2024	Targeted engagement with equality groups on refined list of savings proposal
February 2024	Targeted engagement with service users related to refined list of savings proposals
February 2024	Analysis of results, updates to Equality Impact Assessments and sharing with Elected Members prior to meeting of The Inverclyde Council

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/156/23
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	SNP Group – Proposed Changes to Committee Membership		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to ask the Council to consider changes proposed by the SNP Group to its membership of the Audit Committee and Planning Board. These are as follows:

Audit Committee

Councillor Curley to be replaced by Councillor Robertson

Planning Board

Councillor Daisley to be replaced by Councillor Armstrong

2.0 RECOMMENDATIONS

2.1 That the Council considers the proposed changes to SNP Group representation on the Audit Committee and Planning Board.

Iain Strachan

Head of Legal, Democratic, Digital & Customer Services

3.0 BACKGROUND AND CONTEXT

- 3.1 Committee membership was agreed at the Statutory Meeting of the Council on 19 May 2022. The Council is able to reconsider membership to its Committees, Boards and Scrutiny Panels at any time, subject to the terms of its Standing Orders.
- 3.2 Under Standing Order 58, the Council shall ensure that appointments to its Committees reflect, as far as practicable, the balance of political representation on the Council.
- 3.3 The SNP Group has proposed certain changes to its membership of the Council's Committees as follows.

Audit Committee

Councillor Curley to be replaced by Councillor Robertson

Planning Board

Councillor Daisley to be replaced by Councillor Armstrong

4.0 PROPOSAL

- 4.1 It is recommended that the Council considers the proposed changes to SNP Group representation on the Audit Committee and Planning 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
Financial		x
Legal/Risk	x	
Human Resources		x
Strategic (Partnership Plan/Council Plan)		x
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		x
Environmental & Sustainability		x
Data Protection		x

5.2 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					

5.3 Legal/Risk

The legal implications are considered in this report. In addition, it is recommended that any members who are appointed to a quasi-judicial Board, such as the Planning Board, undertake training for the same.

5.4 Human Resources

N/A

5.5 Strategic

N/A

6.0 CONSULTATION

6.1 N/A

7.0 BACKGROUND PAPERS

7.1 None.

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/163/23
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	Review of 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 a number of proposed amendments to the Standing Orders and Scheme of Administration.
- 1.3 The Head of Legal, Democratic, Digital & Customer Services has recently conducted a review of the Standing Orders and Scheme of Administration, in which Elected Members, the Extended Corporate Management Team and other relevant officers were consulted.
- 1.4 Following that review, a number of amendments are proposed, as summarised in this report.

2.0 RECOMMENDATION

- 2.1 It is recommended that the Council approve the amendments that are proposed to the Council's Standing Orders and Scheme of Administration, as referred to at paragraphs 3.3 to 3.18 of this report, the amendments being as shown in tracked changes in Appendix 1 to this report.
- 2.2 It is recommended that the Council grant delegated authority to the Head of Legal, Democratic, Digital & Customer Services to make the amendments to the Council's Standing Orders and Scheme of Administration that are approved at this meeting, including to take account of any other decisions taken by the Council at this meeting.

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

3.0 BACKGROUND AND CONTEXT

- 3.1 The Head of Legal, Democratic, Digital & Customer Services has recently conducted a review of the Standing Orders and Scheme of Administration, in which Elected Members, the Extended Corporate Management Team and other relevant officers were consulted.
- 3.2 Following this, there are a number of amendments proposed. Excluding the self-explanatory and minor updates, the proposed amendments can be summarised as follows.

Explanatory Notes

- 3.3 Feedback received suggested it might be helpful to include an explanatory note at the start of the Standing Orders and Scheme of Administration, and to be clearer on which Standing Orders only applies to Full Council or Committees, which has been done. Please see the front section of Appendix 1.

Meetings of the Council

- 3.4 In Standing Order 5, wording has been deleted as the definition of Committees (on the numbered page 8 of Appendix 1) includes the Scrutiny Panels, Sub-Committees and *quasi judicial* Boards.

Procedures for Notices of Motion

- 3.5 In Standing Order 22, it is made clear that email is a sufficient means of submitting a Notice of Motion and confirming the identity of a seconder. In addition, and noting questions that have been raised in connection with this, further clarification has been included around the competency of motions. This clarification includes that to be competent the proposal must be within the powers of the meeting in question and may only seek to commit the Council to the use of funds or other resources if an appropriate budget is identified in the Motion, save in respect of the proposed use of funds or other resources which are of an insignificant nature which the relevant Director confirms can be accommodated within existing budgets.

Points of Order

- 3.6 In Standing Order 39, clarification is added on the nature of a point of order, which is to identify a possible irregularity in the conduct of the meeting, and the need for the Member raising it to identify the irregularity in question when doing so.

Automatic Break

- 3.7 A new Standing Order 43 is proposed, to provide for an automatic 10 minute comfort break when the Council/Committee has been sitting for over 2 hours, with the Provost/Convenor having the discretion to extend the break to up to 30 minutes.

Committee Business

- 3.8 In Standing Order 61, wording has been included to make it clear that a Convenor can call a special meeting, following their consideration of a written request for one from the Chief Executive or other relevant senior officer. This reflects existing custom and practice, but it is considered helpful to have it included in the Standing Orders too.

Application of Standing Orders to Committees

- 3.9 In Standing Order 64, wording has been included to be clear that, other than the actual number needed for a quorum to be present, the same provisions that apply to Full Council meetings apply to the Committees and other meetings too.

Participation of Members not on a Committee

- 3.10 In Standing Order 65 (a) similar wording is included as for Notices of Motion, around the competency of a request from a Member who is not a Member of a Committee to have an item considered at one of its meetings.

Scheme of Administration – Functions Retained by Council

- 3.11 At Section 6 of the Scheme of Administration, wording is included to reserve to Full Council the making of a Firework Control Zone in terms of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022. This follows the Environment & Regeneration Committee's consideration of this at its meeting on 2 November 2023. The power to appoint the Returning Officer is also moved here, and deleted from the Policy & Resources delegated functions, as it is expected that Council would make this appointment, as it does for the Chief Executive.

Scheme of Administration – Functions Delegated to the Policy & Resources Committee

- 3.12 At Section 7.1 of the Scheme of Administration, amendments are proposed to the wording around the policies the Committee has oversight on, which is (i) policies related to those functions delegated to the Committee, (ii) policies formulated by another Committee but where those policies may have significant impact upon the existing policies or corporate resources of the Council and (iii) new policies not falling within the terms of reference of any other Committee. References to community planning and partnership working have also been deleted, this now being under the remit of the Inverclyde Alliance, the community planning partnership for Inverclyde.

Scheme of Administration – Functions Delegated to the Audit Committee

- 3.13 At Section 7.3 of the Scheme of Administration, the remit of the Audit Committee is the subject of quite extensive proposed amendments. As members will recall, at the 10 January 2023 meeting of the Audit Committee, the Committee considered a report, on the updated CIPFA guidance on Audit Committees within Local Authorities, and subsequently approved an action plan at its 25 April meeting. This action plan included an action to review the terms of reference for the Committee. Links to each of those meetings are included here:-

<https://www.inverclyde.gov.uk/meetings/meeting/2516>

<https://www.inverclyde.gov.uk/meetings/meeting/2549>

- 3.14 While the amendments might look notable, to a large degree the changes only express in more detailed terms the role the Committee was already fulfilling.

Scheme of Administration – Functions Delegated to the Social Work & Social Care Scrutiny Panel

- 3.15 At Section 7.4 of the Scheme of Administration, an amendment to the remit of the Social Work & Social Care Scrutiny Panel is proposed, to clarify its role to scrutinise Directions issued by the IJJB and compliance with the same.

Scheme of Administration – Functions Delegated to the General Purposes Board

- 3.16 At Section 7.7 of the Scheme of Administration, the licensing of HMOs and short-term lets is added into the remit of the General Purposes Board.

3.17 Scheme of Administration – Functions Delegated to Shared Services Joint Committee

The Council is considering a separate report on the agenda for this meeting, recommending the dissolution of the Shared Services Joint Committee between the Council and West Dunbartonshire Council. Subject to the Council's decision in respect of that report, the references to the Shared Services Joint Committee in Section 10 of the Scheme of Administration will require to be deleted. It is also proposed to update Section 10 to reflect the changed name of the Glasgow City Region Cabinet, previously the Glasgow and Clyde Valley City Deal Cabinet.

Appendix 1 & 2 – Terms of Reference for the Strategic Leadership Forum and Members Budget Working Group

3.18 At Sections 8 and 9 of the Scheme of Administration and Appendices 1 and 2, a change is proposed to be clear that the Strategic Leadership Forum and Members Budget Working Group does not just comprise Members who are in political party groups.

4.0 PROPOSAL

4.1 It is proposed that the Council approve the proposed 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. A guidance note on this key governance document will also be prepared for officers, and placed on the Council's intranet site.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial		X
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & 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.

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 and all Elected Members 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]20-APRIL 2023

Explanatory Note

This document, being Inverclyde Council's Standing Orders and Scheme of Administration, is the principal document that regulates the manner in which the Council formally takes decisions, and how its formal meetings are conducted.

Commented [IS1]: Feedback was provided that some sort of explanatory note might be helpful.

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It would be impractical and inefficient for Inverclyde Council, i.e. a formal meeting of all 22 Elected Members, to meet every time a decision was required from the Council. As such, the Council, like all local authorities, has an established decision-making system, under which the majority of non-operational decisions that need to be taken are considered by one of the Council's thematic Committees, or else one of its Boards that considers quasi-judicial matters, such as planning or licensing.

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The Scheme of Administration sets out the terms of reference and delegated functions for each of the Council's Committees, Sub-Committees, Boards and Scrutiny Panels.

As noted above, these decision-making arrangements are generally not concerned with operational matters, unless it is a particularly notable or significant matter. Instead, given the breadth of services delivered by the Council, most operational decisions will be taken by officers. Such operational decision-making is principally regulated by Inverclyde Council's Scheme of Delegation (Officers).

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As regards the Council's Social Care Services, in terms of the Public Bodies (Joint Working) (Scotland) Act 2014, the Council has entered into a statutory strategic partnership with NHS Greater Glasgow & Clyde Health Board, being the Inverclyde Health & Social Care Partnership. Under the Partnership's Integration Scheme any non-operational decisions required in respect of those Council functions and services within the remit of the Partnership are delegated to the Inverclyde Integration Joint Board.

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These Standing Orders and Scheme of Administration are subject to the overarching legal and regulatory framework that the Council operates within, both statutory and also common law.

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Further information about the Council, its governance and decision-making arrangements can be found on the Council's website. The website also contains details on decisions taken by the Council at its formal meetings, including those of its Committees, Sub-Committees, Boards and Scrutiny Panels.

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Applicability of Standing Orders to Meetings of Committees, Sub-Committees, Boards and Scrutiny Panels

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Certain provisions of the Standing Orders are only applicable to meetings of Inverclyde Council, and are **not** applicable to meetings of the Council's Committees, Sub-Committees, Boards and Scrutiny Panels.

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This is set out in more detail at Standing Order 64, (page [20 – TBC]), with the Standing Orders that are not applicable being as follows:-

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Standing Order	Provision
<u>Standing Order 2</u>	<u>Meetings of the Council</u>
<u>Standing Order 3</u>	<u>Special Meetings</u>
<u>Standing Order 8</u>	<u>Notice of Meetings</u>
<u>Standing Order 20</u>	<u>Approval of Committee etc Minutes</u>
<u>Standing Order 29</u>	<u>Need for Seconder for Motions and Amendments</u>
<u>Standing Order 36</u>	<u>Speeches</u>

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In addition, Standing Order 64, sets out which Standing Orders are the subject of amendment in their application to Committees, Sub-Committees, Boards and Scrutiny Panels. These are as follows:-

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Standing Order	Provision
<u>Standing Order 4</u>	<u>Location of Meetings</u>
<u>Standing Order 11</u>	<u>Quorum</u>
<u>Standing Order 14</u>	<u>Convenor</u>
<u>Standing Order 19(b)</u>	<u>Order of Business</u>
<u>Standing Order 40</u>	<u>Closure of Debate</u>

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There are also certain Standing Orders that only apply to Committees, Sub-Committees, Boards and Scrutiny Panels, and **not** meetings of Inverclyde Council. These are as follows:-

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Standing Order	Provision
<u>Standing Order 65</u>	<u>Participation of Members not on a Committee</u>
<u>Standing Order 66</u>	<u>Scheme of Administration</u>
<u>Standing Order 67</u>	<u>Quorum of Committees, Sub-Committees, Boards and Scrutiny Panels.</u>
<u>Standing Order 68</u>	<u>Committees acting in Quasi-Judicial Capacity</u>
<u>Standing Order 69</u>	<u>Petitions Committee Protocol</u>
<u>Standing Order 70</u>	<u>Remits between Committees</u>

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**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, and where appropriate shall include the **Chair and Vice Chair**, respectively;

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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;

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, Scrutiny Panel, the Local Review Body and any Committees acting in a *quasi-judicial* capacity;

any reference to a statute, statutory instrument or similar such regulation or directive shall be to the same as amended, supplemented or replaced from time to time;

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

Meetings of the Council

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 ~~and ,-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.

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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:

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- (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;

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- 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 (or emailed) to the Proper Officer at least 7 clear days prior to the meeting of the Council at which the Motion is to be considered (an email from the other Member confirming them as the seconder being sufficient as a countersignature). 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, including that to be competent the proposal must be within the powers of the meeting in question. In addition, a Notice of Motion may only seek to commit the Council to the use of funds or other resources if an appropriate budget is identified in the Motion, save in respect of the proposed use of funds or other resources which are of an insignificant nature which the relevant Director confirms can be accommodated within existing budgets.

- 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 Member's Request~~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, including that the proposal is within the powers of the meeting in question.
- 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 the relevant Director confirms 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, namely an objection which is submitted to the Provost where it is considered there has been some irregularity in the conduct of the meeting, with the Member in question being obliged to specify the irregularity in question when raising the point of order. 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.

Automatic Break (Comfort Break)

43. After the Council has been sitting for two hours and not longer than two and a half hours, there will be an automatic break of at least 10 minutes. At the discretion of the Provost the break may be extended to not more than 30 minutes.

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Voting

- 443. 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.
- 454. 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.
- 465. 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.
- 476. 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.
- 487. 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

498. 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

- 5049. (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

519. 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

524. 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

532. 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

- 543. No decision made by the Council shall be subject to review by any Committee unless such review is specifically authorised by the Council.
- 554. 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

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

Committees

- 576. The Council shall establish such Committees, Sub-Committees, Scrutiny Panels 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, Scrutiny Panels and Boards for the purpose of arranging for the discharge of the functions of the Council.
- 587. The Council shall appoint Conveners, Vice-Conveners and Members to such Committees, Sub-Committees, Scrutiny Panels and Boards as it establishes in terms of **Standing Order 576** at the statutory meeting of the Council and otherwise as it considers necessary from time to time.

COMMITTEES

Committee Business

- 598. 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.
- 6059. Any business requiring consideration by the Council shall, unless considerations of time otherwise dictate, be placed before the appropriate Committee.
- 610. 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 the Convener, where they agree to this following their consideration of a written request for the same from the Chief Executive or other relevant senior officer specifying the business proposed to be transacted at the meeting; or
 - (d) 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 (de) above, such meeting shall be held within 14 clear days of receipt.

624. 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.

632. 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

643. 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, and more generally references in them to the Council shall be read as references to the Committee in question, unless the context other requires:

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 11 – Quorum

The quorum for the Committee in question is as set out at **Standing Order 67**, but otherwise the provisions of **Standing Order 7** will apply to a meeting of a Committee.

Standing Order 14 - Convener

- (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.

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Standing Order 19(b) – Order of Business

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.

For all Standing Orders that apply to Committees, references in them to the Council shall be read as references to the Committee in question, unless the context otherwise requires.

The following additional Standing Orders shall apply to Committees:

Participation of Members not on a Committee

- 654. (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 and providing such advice as they consider appropriate. 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, provided that such item of business may only seek to commit the Council to the use of funds or other resources if an appropriate budget is identified in the said item of business, save in respect of the proposed use of funds or other resources which are of an insignificant nature which the relevant Director confirms can be accommodated within existing budgets;
- (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

- 665. (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

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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

- 676. (a) The quorum of all Committees (except the Petitions Committee), Scrutiny Panels, 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 shall be 4, or the membership of the Sub-Committee whichever is the lesser;
- (d) The quorum of the Human Resources Appeals Board shall be 3.

Committees Acting in Quasi-Judicial Capacity

687. 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

698. 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

7069. 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, Scrutiny Panels and Boards of the Council; and
- (b) the delegation to Committees, Sub-Committees, Scrutiny Panels 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, Scheme of Delegation (Officers), Standing Orders Relating to Contracts and Financial Regulations.

3. PROVISIONS APPLICABLE TO ALL COMMITTEES AND OTHERS

3.1 Committees, Sub-Committees, Scrutiny Panels and Boards shall consider only matters within their terms of reference.

3.2 Where the Council has delegated any class of functions to a Committee, Sub-Committee or Scrutiny Panel, 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, Sub-Committee, Scrutiny Panel or Board.

4. DELEGATED FUNCTIONS

4.1 The following functions shall be delegated to Committees, Sub-Committees, Scrutiny Panels and Boards (save as noted):

- (a) The powers required to carry out their functions provided that the decisions made by any Committee, Sub-Committee, Scrutiny Panel or Board 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:

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(a) A Committee, Sub-Committee, Scrutiny Panel or Board may further delegate authority to an officer of the Council to undertake or discharge any function which is delegated to that Committee, Sub-Committee, Scrutiny Panel or Board. The Local Review Body may delegate authority to an officer of the Council to undertake or discharge 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, Sub-Committee, Scrutiny Panel or Board under delegated powers which conflicts with or potentially conflicts with a decision of another Committee, Sub-Committee, Scrutiny Panel or Board shall be referred to the Council.

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

Committees/Scrutiny Panels

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)

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, Sub-Committee, Scrutiny Panel or Board is unable to attend a meeting, that Member may make arrangements with another Member who is not a Member of that Committee, Sub-Committee, Scrutiny Panel or

| **Board** 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;
- (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;
- (x) The appointment of the Returning Officer/Counting Officer (and equivalent for alternative electoral events);
- (w)(y) The making of a Firework Control Zone in terms of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022.

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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;
- (l) To ~~develop~~ ~~consider~~ and approve (i) Council corporate policies, including changes to the same, relative to the functions delegated to the Committee, including community planning and partnership working (ii) policies or changes to the same formulated by Committees relative to functions delegated to them but where those policies or changes may have significant impact upon the existing policies or corporate resources of the Council and (iii) new policies not falling within the terms of reference of any other Committee;
- (b)
- (c) To adopt and implement the management framework for planning, implementing, reporting and reviewing corporate service delivery;

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- | (d) To ensure the Council meets its statutory responsibilities in terms of Best Value;
- | (e) To monitor implementation of the Council ~~'s Corporate Plan~~ (being the Inverclyde Council Plan 2023/28, as amended or replaced from time to time);
- (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, Scrutiny Panel or Board 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 respect of homelessness services where the taking of any such decision is delegated to the Environment & Regeneration Committee);

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(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, 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;~~

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(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)~~ (p) To be responsible for formulation and approval of the Council's Procurement Strategy;

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~~(r)~~(g) 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)~~(r) To approve formulation and implementation of the Anti-Poverty policy.

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;

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- (f) To oversee insurances;
- (g) To be responsible for the administration of all matters relating to Housing Benefits.

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, Democratic, Digital & Customer Services

- (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)

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.

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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 Noting that the purpose of the Audit Committee is to provide independent assurance on the adequacy of arrangements for risk management, governance and internal control, Power is delegated to the Audit Committee as follows:

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Audit Activity

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- (a) To consider the Chief Internal Auditor's Internal Audit Annual Assurance Statement, including a summary of Internal Audit activity (actual and proposed) and the level of assurance in terms of the Council's arrangements for risk management, governance and internal control. To consider reports on the Council's audit plan and on arrangements for implementing best value;
- (b) To consider summaries of Internal Audit reports. To consider reports relating to Annual Accounts, subject to the Council's approval thereof, and Financial Accounting issues;
- (c) To consider periodic summary reports from Internal Audit on services' progress with implementing agreed Internal Audit action plans. 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;

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~~(d) To consider periodic summary reports from Internal Audit on services' progress with implementing agreed External Audit action plans. To review the adequacy of internal control systems and policies;~~

~~(e) To approve (but not direct) Internal Audit's Charter and plan, and monitor performance;~~

~~**Risk and Regulatory Frameworks**~~

- ~~• To maintain an overview of and approve the Council's Local Code of Corporate Governance.~~
- ~~• To monitor the adequacy, effective development and operation of arrangements for the management of risk in the Council, including the Council's Risk Management Strategy and the Council's Corporate Risk Register.~~
- ~~To monitor the adequacy, effective development and operation of arrangements for the prevention and investigation of fraud and irregularity.~~
- ~~• To monitor the adequacy, effective development and operation of whistle-blowing arrangements.~~
- ~~• To prepare and refer to Inverclyde Council an annual report on the performance of the Audit Committee in terms of its delegated functions.~~
- ~~• To receive and consider external reports on best practice relating to risk management, governance and internal control.~~

~~**Accounts**~~

- ~~• To consider the unaudited Annual Accounts of the Council.~~
- ~~• To review the unaudited Annual Accounts of the Council, including as required by the Local Government in Scotland Act 2003 consideration as to whether appropriate accounting policies have been observed and whether there are concerns arising from the financial statements or from the audit that require to be brought to the attention of the Council.~~
- ~~• To hold an annual private meeting with the Council's external auditors, on such matters as the external auditors or the Committee consider appropriate.~~

- ~~(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;~~
- ~~• To scrutinise and comment on the Council's Financial Regulations and Standing Orders relating to Contracts.~~

~~(l) • To ensure that areas of concern identified by the Committee are reported to Council, including those that may require further scrutiny either by a Committee or Council, and to consider issues which are referred to it by the Council.~~

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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:

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- (a) To scrutinise the Council's relationship with the Inverclyde Integration Joint Board;
(b) To scrutinise the Council's compliance with Directions issued to the Council by the Inverclyde Integration Joint Board, the Council's compliance with the same 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; and

To scrutinise Directions issued to the Council by the Inverclyde Integration Joint Board; and

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(d) 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.

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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, the Council's Procurement Strategy.

Environmental and Public Protection Services

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- (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, 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

Classification - No Classification

- (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

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;
- (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) To exercise the Council's functions in respect of the licensing of short-term lets under the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022.-
- (m) To exercise the Council's functions in respect of the licensing of houses in multiple occupation (HMOs) in terms of the Housing (Scotland) Act 2006.
- (n) _____

7.8 HUMAN RESOURCES APPEALS BOARD

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;

Classification - No Classification

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

Classification - No Classification

- (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*.

8 STRATEGIC LEADERSHIP FORUM

The Strategic Leadership Forum is not a formal decision-making meeting, but an internal informal forum for ~~cross-party~~the sharing of significant and/or high profile matters ~~with a cross-Council group of Members (both those in political party groups and those not)~~ 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.

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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 ~~with a cross-Council group of Members (both those in political party groups and those not)~~. 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.

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

The Council has established ~~(i) the Shared Services Joint Committee, with West Dunbartonshire Council, and (ii) the Glasgow City Region Cabinet (formerly the Glasgow and Clyde Valley City Deal Cabinet)~~ with various other local authorities, ~~thisese both~~ having been established as ~~a~~ 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 Region (formerly City Deal)~~ arrangements on 4 December 2014, including the respective governance arrangements, remits and delegated functions.

APPENDIX 1

STRATEGIC LEADERSHIP FORUM

APPROVED TERMS OF REFERENCE

Introduction and Membership

1. The Strategic Leadership Forum (SLF) has been established by the Council for some time. The SLF is an internal, Members' Working Group and is an informal forum for ~~cross-party~~the sharing of significant and/or high profile matters with a cross-Council group of Members (both those in political party groups and those not) in respect of which officers believe senior elected member awareness and/or input would be beneficial.
2. The SLF is comprised of the following Elected Members, namely (i) the Leader of each political party represented on the Council, (ii) the Depute Leader of the Council and (iii) a representative of those Members not representing a particular political party, and supplemented by additional Members to reflect as far as practicable the political representation on the Council and to assist in openness, transparency and inclusiveness. The SLF may unanimously decide to invite other persons as it considers appropriate to attend its meetings but any such decision will not confer membership of the SLF.
3. The Chair of the SLF will be the Leader of the Council or their Depute.
4. The Chief Executive and such members of the Corporate Management Team as are relevant will attend the meetings of the SLF to provide information and advice and to provide such secretariat support as may be required.

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Role and Purpose

5. The meetings of the SLF enable open and frank discussion which shall seek to achieve consensus insofar as possible in respect of significant and/or high profile matters which officers believe senior elected member awareness and/or input would be beneficial.
6. The SLF does not carry out responsibilities on behalf of the Council or its committees and does not seek to duplicate the role of the Council's committee structure and the Standing Orders and Scheme of Administration.
7. The SLF allows significant and/or high profile matters to be considered informally on a non-political basis outwith the Council's committee process with a view to discussing any areas of possible consensus prior to any relevant, formal reports subsequently being presented to Committee. The SLF will engage with Officers in respect of relevant information and advice and will have broad discussions seeking to arrive at consensus, when possible.
8. The SLF will engage on these issues on a private and non-attributable basis and its discussions and views expressed in those discussions will not be ascribed to any of its Members during subsequent political process and challenge. The aim of the SLF is to strive for consensus in the best interests of the Council, its staff and the public of Inverclyde and to secure provision of critical services to the community but it is recognised that different political dimensions will exist. These divergent views will be respected and it is the aim of the SLF to focus on the key issues of challenge. Within

the course of its meetings, contentious issues will be debated in full but privacy and the principle of non-attribution will apply during the course of these meetings. The SLF will seek to be inclusive whilst respecting the different political objectives.

9. The role of Officers will be respected and open, impartial advice on all issues will be given and the same respect for different views maintained and observed by all persons attending.
10. The SLF will review any relevant consultations and responses which are received from stakeholders within Inverclyde.

Accountability

11. Each member of the SLF will have an equal say.
12. The SLF is not a decision making body as its purpose is to identify, where possible, consensus in respect of those significant and/or high profile matters that are considered by it.
13. It is not intended that the SLF will operate on a basis of majority voting; the opinions of each member of the SLF will contribute to any identification of consensus or way forward.
14. Meetings of the SLF will commence with an oral update from the Chief Executive and/or from the relevant member of the Corporate Management Team on key issues for discussion.
15. Any papers or reports that are shared with Members of the SLF are done so on a confidential basis: these are internal, working group papers or reports that will not necessarily be reported to committees. However, Members of the SLF may share these papers or reports on the same internal and confidential basis with members of their respective Groups. These said papers or reports may be accessible under Freedom of Information (FOI) requests and only relevant exemptions may permit withholding of such items. The Council is committed to open and accountable local government and it is only in the case of relevant exemption that minutes will be withheld from an FOI request.
16. The frequency of meetings will be agreed after consideration of management capacity to effectively support the SLF and complete officer action points.

APPENDIX 2

MEMBER BUDGET WORKING GROUP

APPROVED TERMS OF REFERENCE

Introduction and Membership

1. The Member Budget Working Group (MBWG) was established by the Council in 2014 meeting. The MBWG is an internal, Members' Working Group and is an informal forum with a cross-Council group of Members (both those in political party groups and those not) for ~~cross-party~~the scrutiny, consideration and developing of the Council's budget proposals in the light of the severe financial pressures the Council is under.
2. The MBWG is comprised of the Members of the Strategic Leadership Forum and supplemented by additional Members to reflect as far as practicable the political representation on the Council and to assist in openness, transparency and inclusiveness, all in terms of the Council's decision, above. The MBWG may unanimously decide to invite other persons as it considers appropriate to attend its meetings but any such decision will not confer membership of the MBWG.
3. The Chair of the MBWG will be the Leader of the Council or their Depute.
4. The Chief Executive and such members of the Corporate Management Team as are relevant will attend the meetings of the MBWG to provide information and advice and to provide such secretariat support as may be required.

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Role and Purpose

5. The meetings of the MBWG enable open and frank discussion which shall seek to achieve consensus insofar as possible in the developing of the Council's future budget proposals.
6. The MBWG enables the political leadership to engage in an informal basis with a view to developing sustainable budget proposals to minimise the impact on the provision of Council Services and for the interests of the community of Inverclyde.
7. The MBWG does not carry out responsibilities on behalf of the Council or its committees and does not seek to duplicate the role of the Council's committee structure and the Standing Orders and Scheme of Administration.
8. The MBWG allows significant and sensitive issues to be considered informally on a non-political basis outwith the Council's committee process with a view to discussing any areas of possible consensus prior to any relevant, formal reports subsequently being presented to Committee. The MBWG will focus on the key budget challenges facing the Council and on the outcome and progress of any budget consultations. The MBWG will engage with Officers in respect of relevant information and advice and will have broad discussions seeking to arrive at consensus, when possible.
9. The MBWG will engage on these issues on a private and non-attributable basis and its discussions and views expressed in those discussions will not be ascribed to any of its Members during subsequent political process and challenge. The aim of the MBWG is to strive for consensus in the best interests of the Council, its staff and the public of Inverclyde and to secure provision of critical services to the community but it is recognised that different political dimensions will exist. These divergent views will

be respected and it is the aim of the MBWG to focus on the key issues of challenge and to implement an effective and sustainable response to future financial pressures in the best interests of all. Within the course of its meetings, contentious issues will be debated in full but privacy and the principle of non-attribution will apply during the course of these meetings. The MBWG will seek to be inclusive whilst respecting the different political objectives.

- 10. The role of Officers will be respected and open, impartial advice on all issues will be given and the same respect for different views maintained and observed by all persons attending.
- 11. The MBWG will review and consider any current or proposed budget consultation processes and any consultation feedback or observations, including from members of the public, relevant stakeholders and/or from Members of Parliament, Members of the Scottish Parliament and any other stakeholders or persons on significant and cross-Councilparty policy issues in order to secure a sound budget response for the Council.
- 12. The MBWG will be active in bringing to the attention of the Council or its Committees those issues which its Members agree are likely to be of major significance or controversy in the setting of the Council's budget strategy.

Accountability

- 13. Each member of the MBWG will have an equal say.
- 14. The MBWG is not a decision making body as its purpose is to identify, where possible, consensus in the developing of a budget response to future financial pressures.
- 15. It is not intended that the MBWG will operate on a basis of majority voting: the opinions of each member of the MBWG will contribute to any identification of consensus or way forward.
- 16. The members of the MBWG will have complete access to the latest and most up-to-date data on the budget setting process, with the agenda and papers being submitted by officers in advance of the meeting.
- 17. At the conclusion of the MBWG's meetings, the ~~Interim Director – Finance & Corporate Governance~~ Chief Financial Officer will arrange for a note of the meeting to be prepared, which shall be shared with the MBWG prior to the next meeting.
- 18. Any papers or reports that are shared with Members of the MBWG are done so on a confidential basis: these are internal, working group papers or reports that will not necessarily be reported to committees. However, Members of the MBWG may share these papers or reports on the same internal and confidential basis with members of their respective Groups. These said papers or reports may be accessible under Freedom of Information (FOI) requests and only relevant exemptions may permit withholding of such items. The Council is committed to open and accountable local government and it is only in the case of relevant exemption that minutes will be withheld from an FOI request.
- 19. The MBWG will act as a cross-Councilparty forum to discuss topics related to the implementation of the Council's approach to future budgets.
- 20. The frequency of meetings will be agreed after consideration of management capacity to effectively support the MBWG and complete officer action points.

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/164/23
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 note amendments which have been made in implementation of recent Council decisions and consider a relatively small number of other proposed amendments to the Scheme of Delegation (Officers).
- 1.3 The Inverclyde Council meeting held on 18 May 2023, after consideration of a report by the Chief Executive, approved phase 2 of the management restructure, with authority being delegated to the Head of Legal, Democratic, Digital & Customer Services to update the Scheme of Delegation (Officers) to reflect the decision of the Council.
- 1.4 The Inverclyde Council meeting held on 8 June 2023, after consideration of a report by the Director of Environment & Regeneration on The Stopping Up of Road and Footpath, Inverclyde (Arther Street, Greenock) Order 2022, approved amendments to the Scheme of Delegation (Officers) to the effect that where there are no maintained objections to Stopping Up Orders the Head of Legal, Democratic, Digital & Customer Services will be authorised to make such Stopping Up Order on behalf of the Council.
- 1.5 Following a review of the Scheme of Delegation (Officers), in addition to updates which have been made further to the above-mentioned decisions, there are a relatively small number of additional changes, as noted in paragraphs 3.5 to 3.13 of this report, which are also proposed.

2.0 RECOMMENDATIONS

- 2.1 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 3.1 to 3.4 of this report, the amendments being as shown in tracked changes in Appendix 1 to this report.
- 2.2 It is recommended that the Council approve the other amendments that are proposed to the Scheme of Delegation (Officers), including as referred to at paragraphs 3.5 to 3.13 of this report, the amendments being as shown in tracked changes in Appendix 1 to this this report;

- 2.3 It is recommended that the Council grant delegated authority to the Head of Legal, Democratic, Digital & Customer Services to make the amendments to the Scheme of Delegation (Officers) that are approved at this meeting, including to take account of any other decisions taken by the Council at this meeting.

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

3.0 BACKGROUND AND CONTEXT

Phase 2 Management Restructure)

- 3.1 The Inverclyde Council meeting held on 18 May 2023, after consideration of a report by the Chief Executive, approved phase 2 of the management restructure, with authority being delegated to the Head of Legal, Democratic, Digital & Customer Services to update the Scheme of Delegation (Officers) to reflect the decision of the Council. The restructure has meant a large number of changes to the Scheme of Delegation, however these largely relate to changes in job titles and the location of delegations to reflect the revised structure. The changes are shown in tracked changes in Appendix 1 to this report.
- 3.2 A link to the 18 May 2023 report can be found here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2562>

Stopping Up Orders

- 3.3 The Inverclyde Council meeting held on 8 June 2023, after consideration of a report by the Director of Environment & Regeneration on The Stopping Up of Road and Footpath, Inverclyde (Arther Street, Greenock) Order 2022, approved amendments to the Scheme of Delegation (Officers) to the effect that where there are no maintained objections to Stopping Up Orders the Head of Legal, Democratic, Digital & Customer Services will be authorised to make such Stopping Up Order on behalf of the Council. A link to the report can be found here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2566>
- 3.4 An amendment to the Scheme of Delegation to make this change is shown in tracked changes on page 28 of Appendix 1 to this report.

Review of Scheme of Delegation (Officers)

- 3.5 As previously reported to the Council, and further to the above mentioned amendments, the Head of Legal, Democratic, Digital & Customer Services has recently conducted a review of the Scheme of Delegation (Officers). Elected Members, the Council's Extended Corporate Management Team and other relevant officers have been consulted on proposed changes. Following this, there are only a relatively small number of additional amendments proposed, which can be summarised as follows.
- 3.6 Feedback received suggested it might be helpful to include an explanatory note at the start of the Scheme of Delegation, which has been done.
- 3.7 In the General Delegations (page 1), wording has been included to have consistency around the use of "Director", recognising the differing job titles, to be clear that approved budgets cannot be exceeded and to be clear that where a Head of Service has a particular authority delegated to them then their Director/the Chief Executive can exercise the same, unless it is personal to that officer, for instance powers available to the Chief Social Work Officer.
- 3.8 On page 4, the use of Emergency Powers for matters that require urgent attention is set out, at paragraphs 5.1 and 5.2. As Members are aware, on such matters the practice is to consult the relevant Convenor and Vice-Convenor, and also the Group Leader of the largest non-Administration group. It has been noticed that the identification of this third Member is not dealt with consistently throughout the Scheme, and there is also the possibility that such a Group Leader might not be a member of the relevant Committee, and they might wish to nominate an alternative. As such, revised wording has been proposed to clarify this process here and elsewhere in the Scheme (on page 26), and to also provide that the Group Leader of the largest

non-Administration group can nominate an alternative Member(s) from their Group to be the Member that is consulted.

- 3.9 On page 6, the existing role of the Head of Legal, Democratic, Digital & Customer Services as the Senior Responsible Officer for RIPSAs matters is included, to reflect the Council's RIPSAs Policy.
- 3.10 On page 15, the authority of the Head of OD, Policy Communications, to establish and to set and amend the grades of post up to Grade 11 is changed to Grade 12, to reflect changes in grading, Chief Officers now being Grade 13 and above.
- 3.11 On pages 17, 18 and 19, and following feedback from other authorities, the financial limits on certain specified powers of the Chief Social Work Officer have been removed, to enable them to have suitable flexibility, with any such spend being in accordance with Council policy and other controls, such as the Financial Regulations. For the same reason, it is proposed to remove the need for the Chief Social Work Officer to consult Members before authorising an additional allowance to foster carers, where considered necessary in relation to the construction of additional accommodation which is required to provide for the foster child/ren in question, this being on page 20 of the Scheme.
- 3.12 There have been a number of updates to various pieces of legislation, including to make reference to the Planning (Scotland) Act 2019 (on page 39), the Transport (Scotland) Act (on pages 36 and 42) and the Countryside (Scotland) Act 1967 (in respect of public paths, on page 36).
- 3.13 The Council's licensing powers in respect of houses in multiple occupation (HMOs), the licensing of short-term lets, sexual entertainment venues and mobile homes, all in accordance with Council policy, are included, delegated to the Head of Legal, Democratic, Digital & Customer Services (all on page 29). In the usual way, any such applications which are objected to would be determined by the General Purposes Board.

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. A guidance note on this key governance document will also be prepared for officers, and placed on the Council's intranet site.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial		X
Legal/Risk	X	
Human Resources		X
Strategic (LOIP/Corporate Plan)		X
Equalities, Fairer Scotland Duty & 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 and all Elected Members 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]~~20 April~~ 2023

Index

Commented [IS1]: Will be updated following Council meeting

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Explanatory Note

This document, being Inverclyde Council's Scheme of Delegation (Officers), is the principal document that regulates the manner in which Council employees take decisions about the delivery of Council services.

It would be impractical and inefficient for Inverclyde Council, i.e. a formal meeting of all 22 Elected Members, to meet every time a decision was required from the Council. As such, the Council, like all local authorities, has an established decision-making system, under which the vast majority of operational decisions that need to be taken are considered by Council employees.

These decision-making arrangements are generally only concerned with routine operational matters. If a matter was particularly notable or significant, or concerned with matters of policy or strategy, then it would generally be considered by one of the Council's thematic Committees, or else one of its Boards that considers quasi-judicial matters, such as planning or licensing.

The Council's Scheme of Administration sets out the terms of reference and delegated functions for each of the Council's Committees, Sub-Committees, Boards and Scrutiny Panels.

As regards the Council's Social Care Services, in terms of the Public Bodies (Joint Working) (Scotland) Act 2014, the Council has entered into a statutory strategic partnership with NHS Greater Glasgow & Clyde Health Board, being the Inverclyde Health & Social Care Partnership. Under the Partnership's Integration Scheme any non-operational decisions required in respect of those Council functions and services within the remit of the Partnership are delegated to the Inverclyde Integration Joint Board.

This Scheme of Delegation is subject to the overarching legal and regulatory framework that the Council operates within, both statutory and also common law.

Further information about the Council, its governance and decision-making arrangements can be found on the Council's website. The website also contains details on decisions taken by the Council at its formal meetings, including those of its Committees, Sub-Committees, Boards and Scrutiny Panels.

Commented [IS2]: Feedback was provided that some sort of explanatory note might be helpful.

SCHEME OF DELEGATION (OFFICERS)

A. GENERAL PROVISIONS

~~1~~⁴ 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 ~~the Chief Executive~~, a Corporate Director, ~~a Director~~, ~~the Chief Officer (Inverclyde Integration Joint Board)~~ or a Head of Service to deal with routine and operational matters within the scope of their respective service responsibilities;

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~~2~~ In this Scheme the ~~term "Director" shall be taken to include the relevant Corporate Director, Director or the Chief Officer (Inverclyde Integration Joint Board) as the case may be, regardless of their official job title;~~

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~~3~~ For ~~the avoidance of doubt, where in this Scheme or otherwise, including by way of a decision of the Council or one of its Committees, a power is delegated to a Head of Service, then the relevant Director and/or the Chief Executive shall also have the authority to exercise the said power, subject to the terms of that delegation and this Scheme, and subject to this not applying where by way of the context of the same, or legal requirements, the exercise of the said power is specific to the Head of Service in question.~~

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~~32~~ 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 ~~p~~Policies;
- (b) have regard to approved budgets, ~~and do not exceed their approved budgets in exercising such powers;~~
- (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, 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/hettheir~~ 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;

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~~43~~ 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/hettheir~~ Service for the exercise and/or further sub-delegation of the delegated powers as ~~he/shethey~~ shall deem appropriate. Details of such arrangements shall be recorded in writing;

~~54~~ 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 ~~6~~For the avoidance of doubt, it is declared that:-

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- (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;

~~7~~ 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.

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

The following powers are (save as aftermentioned and subject to the terms hereof) delegated to the Chief Executive, Directors and Heads of Service.

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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 ~~A 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 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~~their 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 ~~Physical Assets~~~~property~~ ~~Services~~, authorised to approve terms and conditions for projects relating to ~~his/her/their~~ 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 ~~and the like etc.~~, providing ~~the~~ 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 ~~p~~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 ~~of a Director or 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~~ ~~Director or~~ that Head of Service shall be entitled to refer the matter for deliberation by (i) the Convener and Vice-Convener of the Committee, (ii) ~~the Leader of the Minority Group or their nominate (in this Scheme of Delegation "the Minority Group" shall mean 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) a Member not having the same political affiliation as the Convener and Vice-Convener~~ and (iii) the Chief Executive. In any instance where the Chief Executive is not available, the person duly authorised on ~~his or her/their~~ behalf shall be entitled to act in ~~his or her/their~~ stead and where the Convener or Vice-Convener of the Committee is not available for consultation with ~~that Director or that~~ the Head of Service, the Convener of the Policy & Resources Committee shall be entitled to act in ~~his or her/their~~ stead. If the Convener, Vice-Convener, the ~~Leader of the Minority Group (or their nominate)~~ ~~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 ~~Director or~~ 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 ~~Director or~~ 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;

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- 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 (i) the Convener and Vice-Convener of the Policy and Resources Committee and (ii) the Leader of the Minority Group ~~(as defined at paragraph 5.1 above) or their nominate (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)~~. 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

Chief Financial Officer;

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.

The Head of Legal, Democratic, Digital & Customer Services shall be the Council's Senior Responsible Officer for matters related to 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/their absence, Vice-Convener of the appropriate Committee. In the absence of the Chief Executive, the person duly authorised to act on his/her/their 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 shall be consulted before any action is taken;
- 2 In cases of civil emergencies, the Chief Executive, or in his/her/their absence, the person duly authorised to act on his/her/their stead, is authorised to take any and all actions necessary, within the powers of the Council;
- 3 Authorised to direct, in circumstances he/she/they 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 Human Resources 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 Human Resources 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/they~~ deems it appropriate, and following consultation with the Chief Financial Officer and the Head of Legal, Democratic, Digital & Customer 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 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 £2,000 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/their 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~~their 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~~their 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/their discretion, the amount of grant awarded to school pupils attending any part-time approved arts activities courses, all in accordance with current Council pPolicy;
- 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 pPolicy;
- 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, 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 124, 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, to compromise Employment Appeal settlements where the interests of the Council and the requirements of Best Value can be demonstrated (in terms of the Local Government in Scotland Act 2003);
- 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.

Commented [IS6]: Change so that establishment of Service Manager posts are within scope of delegated authority, and not needing committee approval. They are covered by SJC and aren't Chief Officers.

| **Directorate** Inverclyde Health & Social Care Partnership

| **Officer:** Chief Officer (Inverclyde 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 Inverclyde 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 £1,000 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;

Commented [IS7]: Removed to give CSWO suitable flexibility, and consultation with other LAs indicates only 1 other has such a monetary restriction

Commented [IS8]: Deleted, as above.

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/they are~~ 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 £1,000 in any one month in respect of any one family;~~
 - (ii) give any other appropriate assistance;

Commented [IS9]: As above

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/their~~ family, and also imposes a duty on the Council to carry out an assessment of the child to identify ~~his/her/their~~ 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~~ they 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 ~~they/he/she~~ they 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 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 Services) and medical expenses;
- 15 Authorised; ~~after consultation with the Chair and Vice Chair of the Social Work & Social Care Scrutiny Panel 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 **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 Services;

Directorate Chief Executive

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

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 ~~j~~udicial or ~~q~~uasi-~~j~~udicial ~~h~~earing under the Mental Health (Care and Treatment) (Scotland) Act 2003;
- 20 Authorised, after consultation with the ~~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/they~~ 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/they 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/the Leader of the Minority Group (as defined at paragraph 5.1 above on page [TBC]) or their nominate (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;

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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 the Leader of the Minority Group (as defined at paragraph 5.1 above on page [TBC]) or their nominate 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;

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- 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, where no objections have been lodged and there are no unusual features about the application;
- 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 Director of Environment and Regeneration and the Head of Regeneration, Planning & 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, and grant certificates of exemption in respect of the same, 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/shethey 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;
- 47 Authorised, where there are no maintained objections to any proposed Stopping Up Order, to make such Order, in terms of Part IX "Roads, Footpaths and Rights of Way" and Schedule 16 of the Town and Country Planning (Scotland) Act 1997;
- 47 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.
- 52 Authorised to grant licences, and take or instruct other action, in respect of houses in multiple occupation, in terms of the Housing (Scotland) Act 2006, but only to grant such licences where there are no objections to the same, and in accordance with relevant Council policy;

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53 Authorised to grant licences, and take or instruct other action, in respect of short-term lets, in terms of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, but only to grant such licences where there are no objections to the same and in accordance with relevant Council policy;

54 Authorised to grant licences, and take or instruct other action, in respect of sexual entertainment venues, in terms of the Air Weapons and Licensing (Scotland) Act 2015, but only to grant such licences where there are no objections to the same and in accordance with relevant Council policy;

55 Authorised to grant licences, and take or instruct other action, in respect of mobile home sites with permanent residents, in terms of the Caravan Sites and Control of Development Act 1960, but only to grant such licences where there are no objections to the same and in accordance with relevant Council policy;

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Directorate Environment & Regeneration

Officer: Interim Head of Physical Property Assets Services

Delegation:

Assets

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1 Authorised, in conjunction (where appropriate) with the 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;

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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 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 Plan 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;

- 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/they~~ 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.

Roads

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;

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- (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;
- (ij) 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 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 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) Transport (Scotland) Act 2005;
- 26 Authorised, in terms of existing contracts 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 Section 51 of the Roads (Scotland) Act 1984 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;

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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 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) 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, such as under the Transport (Scotland) Act 2019;

36. Authorised to carry out the Council's powers, duties and obligations in respect of public paths under the Countryside (Scotland) Act 1967 and the Countryside (Scotland) Regulations 1982;

37. Authorised to carry out the Council's powers, duties and obligations in respect of road humps and traffic calming measures under the Roads (Scotland) Act 1984, the Road Humps (Scotland) Regulations 1998, the Road Humps and Traffic Calming (Scotland) Amendment Regulations 1999 and the Road Humps and Traffic Calming (Scotland) Amendment Regulations 2002, subject to consultation with the Chief Constable as appropriate.

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Directorate Environment, Regeneration & Resources

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

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Delegation:

Regeneration

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- 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;
- ~~4~~ 3 Authorised to award rent abatement assistance to local companies, within the Council's Policies and following consultation with the Chief Financial Officer;
- ~~3~~ With reference to all properties in the Commercial and Industrial Portfolio, authorised to:
 - ~~3.1~~ 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;
 - ~~3.2~~ 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;
 - ~~3.3~~ agree the terms of and conclude missives in respect of assignations, variations or renunciations of leases or licences for such properties
 - ~~3.4~~ agree the terms of and conclude any consents under leases or licences for such properties;
 - ~~3.5~~ terminate leases or licences of such properties at ish;
 - ~~3.6~~ 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; and
 - ~~3.7~~ to agree rental levels at review periods for leases of such properties;
 - ~~3.8~~ to proceed with repairs to such properties.

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Planning & Building Standards

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- 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, 1970 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, 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/they~~ 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, the Chief Constable and the Chief Officer, Scottish Fire and Rescue Service

~~22 22~~ Authorised to fix the annual date for the inspection of any certified sports ground;
~~23 Authorised to exercise the Council's powers, rights and duties under the Planning (Scotland) Act 2019;~~

~~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~~

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~~£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.~~

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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: Head of Regeneration, Planning & Public Protection

Commented [IS12]: Following Council meeting will all be joined in single section. Retained as separate for now to ease review, with there being less tracked changes.

Delegation:

Public Protection

- 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/shethey 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;

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- 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, which may include in terms of the Transport (Scotland) Act 2019;
- 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 and Demolition Orders under the Housing (Scotland) Act 1987 in respect of Below Tolerable Standard properties;

Waste Services

1. 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;

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Commented [IS13]: Below all taken from Head of Roads/Waste Shared Service

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- 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;
- i) 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;

Grounds

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).

Other

- 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;

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Building (Scotland) Act 2003;
Cancer Act 1939;
Caravan Sites and Control of Development Act 1960;
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;
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;
Transport (Scotland) Act 2019:
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)

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Delegation:

1. — Authorised to have responsibility for the delivery of the integration of services and the strategic outcomes for the Partner Council;
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 Council 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 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;

Commented [IS16]: Moved to Head of Physical Assets

Commented [IS17]: Next section moved under Waste to HoRPPP

- 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;~~

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- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm
- ~~(o) Under Section 58, in relation to the granting of permission for the deposit of building materials on roads;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(r) Under Section 61, in relation to granting permission to place and thereafter maintain apparatus in or under a public road;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(t) Under Section 63, in relation to the imposition of the requirement to construct new accesses across road verges or footways where appropriate;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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);~~ **Formatted:** Indent: Left: 0 cm
- ~~(v) Under Section 66, in relation to enforcing maintenance of vaults, arches, cellars, tunnels and related structures within the vicinity of a road;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(z) Under Section 83, in relation to the prevention of obstruction of the view of road users at or near corners, bends and junctions;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(aa) Under Section 85, in relation to granting permission for the location of builders' skips on roads;~~ **Formatted:** Indent: Left: 0 cm

- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(cc) Under Section 87, in relation to the removal from roads of unauthorised structures and the consequent reinstatement of the site;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(dd) Under Section 88, in relation to the removal of projections interfering with safe or convenient passage along a road;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm
- ~~(ii) Under Section 93, in relation to the protection of road users from dangers near a road;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(jj) Under Section 94, in relation to the infill of dangerous ditches adjacent to or lying near a public road;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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.;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(ll) Under Section 96 (1), to act as the Proper Officer to issue a certificate as provided in the said Section;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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);~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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);~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm
- ~~(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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- 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;~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm
- ~~(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.~~ **Formatted:** Indent: Left: 0 cm, Hanging: 1.27 cm

~~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;~~

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~~— (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;~~

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~~— (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;~~

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~~(d) — Under Section 12, to serve notice on owners of land where protection works are necessary;~~

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~~(e) — Under Section 25, in relation to the authorisation of persons taking entry to land for the purposes specified therein;~~

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~~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;~~

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~~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:~~

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~~(a) — To act as Client's Agent and appoint Designer, Planning Supervisor, Principal Contractor and/or Contractor;~~

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~~(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;~~

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~~(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;~~

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~~(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;~~

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~~(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;~~

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~~(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;~~

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~~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~~

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~~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).~~

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Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Chief Executive	Report No:	LS/162/23
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	Future Delivery of Internal Audit Shared Services		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to seek a decision from Inverclyde Council in respect of the future delivery of Internal Audit within the Council.
- 1.3 Whilst there are a variety of potential options for the future delivery of Internal Audit within Inverclyde, it is the recommendation of officers that, at least for the time being, the Council and West Dunbartonshire Council continue with the current Shared Service Manager post for Internal Audit Services, being the Council's Chief Internal Auditor. However, medium-term sustainability of the sharing arrangement with West Dunbartonshire also needs to be considered and as such it is recommended that a wider sharing arrangement, to create a larger, more resilient Internal Audit function across the "Clyde Councils" area, should be investigated further.
- 1.4 Irrespective of the recommended option there is a need to consider the future of the Shared Services Joint Committee given that Internal Audit is the only remaining shared arrangement with West Dunbartonshire Council. Given this, it is recommended that the Council agree to the winding up of the Shared Services Joint Committee.
- 1.5 The recommendations in this report have already been considered and agreed to in principle by the Shared Services Joint Committee on 23 November 2023. A report in similar terms to this report is going to the meeting of West Dunbartonshire Council on 20 December 2023.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Council agree to the continued sharing of Internal Audit services with West Dunbartonshire Council in the short term to medium term, subject to a service level agreement being put in place between the two authorities to regularise this arrangement.
- 2.2 It is recommended that the Council agree to the winding up of the Shared Services Joint Committee, the associated Minute of Agreement and the cancellation of the Inverclyde Council Elected Member appointments to the same, all with immediate effect.

- 2.3 It is recommended that the Council delegate authority to the Head of Legal, Democratic, Digital & Customer Services to take all actions necessary to (i) finalise the terms of the service level agreement referred to above, and enter into the same on behalf of the Council and (ii) update the Council's governance documents, including the Standing Orders and Scheme of Administration, to give effect to the winding up of the Shared Services Joint Committee
- 2.4 It is recommended that the Council note that wider discussions will continue with other local authorities on possible options for a more sustainable delivery model for Internal Audit/Fraud shared services over the longer-term.

Louise Long
Chief Executive

3.0 BACKGROUND AND CONTEXT

- 3.1 A shared service model was developed between the Council, West Dunbartonshire Council and East Dunbartonshire Council in 2017, to share Roads and Transportation services. Over time, the remit was expanded to include Waste, Fleet, Grounds and Internal Audit. Further to this arrangement, the Council and West Dunbartonshire entered into a shared service agreement for the delivery of Internal Audit Services (including Corporate Fraud). The Shared Service officially started in April 2020 via the sharing of the Chief Internal Auditor (CIA) post, saving £40,000/ year. A second phase involving Fraud services was not progressed and the previously approved £20,000 saving was reversed in April 2021.
- 3.2 The Council's then Inverclyde CIA took on the shared post and transferred to West Dunbartonshire Council and the two authorities agreed a cost sharing formula made up of a fixed element and a management element based on the number of employees at that time. The outcome of this is that any shared costs (effectively the CIA salary) are shared 41.6% Inverclyde/58.4% West Dunbartonshire.
- 3.3 East Dunbartonshire Council did not pursue participation in the shared service arrangements and formally withdrew from the Shared Services Committee in January 2022.
- 3.4 An independent evaluation of Shared Services was jointly commissioned in October 2022 by the Council and West Dunbartonshire Council, to consider the future of the shared service model. The review undertaken by MVA Economics in early 2023 highlighted a number of positives, as well as a number of negatives, however concluded that the current model was unsustainable.
- 3.5 In relation to the delivery of Internal Audit services specifically, the evaluation highlighted that there are a number of different considerations and there are examples in other Scottish local authorities where a shared service arrangement is understood to work well. The evaluation did, however, note underlying weaknesses in the current arrangements especially in terms of staff capacity. The report also recommended that consideration be given to moving to a Lead Authority Model.
- 3.6 At its meeting on 18 April 2023, the Shared Services Joint Committee agreed to discontinue the joint approach in the Roads, Waste, Fleet and Grounds areas of operation, whilst seeking a further report in respect of the Internal Audit service. On 4 May 2023 Inverclyde Council confirmed its agreement to this approach, West Dunbartonshire Council doing likewise. A link to that report is included here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2555>

4.0 PROPOSALS

- 4.1 There are a variety of potential options for the future delivery of Internal Audit within the Council. As previously reported to the Council in May 2023, officers have considered potential options for future delivery of Internal Audit services, this work having been included within the Policy & Resources Delivering Differently Programme. This work has concluded, and the Corporate Management Team has assessed an options appraisal in respect of them. Having done so, it is clear that unless the Council is able to move to a model that provides greater staff capacity and resilience, then any option taken will, at best, only be suitable for the short to medium-term. In particular, whilst a Lead Authority model does offer potential benefits, it is considered that without greater scale, i.e. beyond Inverclyde and West Dunbartonshire Councils, it would likely still not be in the Council's best interests to move to that.

- 4.2 Recognising the more immediate staff capacity challenges within the Council’s Internal Audit/Corporate Fraud team, responsibility for operational and strategic risk management advice has already been removed from the CIA. As reported to the Audit Committee on 24 October, a new Corporate Risk Adviser post has been created and is currently being recruited to, to provide the operational advice and support that is required to further embed risk management across the Council/IHSCP. The updated Risk Management Strategy was also approved by the Policy & Resources Committee on 21 November 2023. Links to both of those reports are included here:-
<https://www.inverclyde.gov.uk/meetings/meeting/2594>
<https://www.inverclyde.gov.uk/meetings/meeting/2608>
- 4.3 With this action having been taken, and having considered the possible alternative options, the Corporate Management Team consider that the current shared internal audit arrangements with West Dunbartonshire Council should continue, i.e. the shared CIA post. However, the medium-term sustainability of this arrangement remains, at best, uncertain. Given this, and recognising the need to identify a model which has the resilience and officer capacity that the Council requires, it is recommended that a wider sharing arrangement to create a larger, more resilient Internal Audit function across the “Clyde Councils” area should be investigated.
- 4.4 Irrespective of the service delivery model adopted moving forward there is a need to consider the future of the Shared Services Joint Committee given that Internal Audit is the only remaining shared arrangement with West Dunbartonshire Council (and in practical terms is only overseeing the sharing of the above-mentioned shared post). Given this, it is recommended that the Council agree to the winding up of the Shared Services Joint Committee, the associated Minute of Agreement and the cancellation of the Inverclyde Council Elected Member appointments to the same, all with immediate effect.
- 4.5 If the proposals in this report are approved, then officers will take forward discussions with other local authorities around the creation of a wider shared internal audit arrangement. The outcome of those discussions will be reported to a future meeting of the Council.
- 4.6 The recommendations in this report have already been considered and agreed to in principle by the Shared Services Joint Committee on 23 November 2023. A report in similar terms to this report is going to the meeting of West Dunbartonshire Council on 20 December 2023. A link to the Shared Services Joint Committee report is included here:-
<https://wdccmis.west-dunbarton.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/9276/Committee/570/SelectedTab/Documents/Default.aspx>

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	x	
Legal/Risk	x	
Human Resources	x	
Strategic (Partnership Plan/Council Plan)	x	
Equalities, Fairer Scotland Duty & Children/Young People’s Rights & Wellbeing	x	
Environmental & Sustainability		x
Data Protection		x

5.2 Finance

The financial implications will vary depending on the option progressed. Based on the recommendations in this report the financial implications are as follows:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
-		-	-		-

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
Internal Audit	Employee costs	2023/24	£60k (tbc)		Cost of Grade 9 RM post
			£(30k)		50% contribution from the HSCP
Legal Services	Recharge	2023/24	£(30k)		Recharge to the Insurance Fund

5.3 Legal/Risk

There are a number of legal and risk implications from this report, including from a contractual, employee and operational perspective. The discussions that have been undertaken to date with West Dunbartonshire Council, and through the Shared Services Joint Committee, will enable both authorities to withdraw from and adapt the remaining shared services arrangements in a manner that still enables both to meet their regulatory obligations and duties as employers, and do so in an open and transparent manner. Moving forward, it is considered that the proposals will provide continuity of service delivery, and address some of the current issues around resilience and workforce capacity. The current Minute of Agreement that regulates the shared services arrangements provides for at least an 18 month notice period should one party wish to withdraw, with that party also being responsible for the costs associated with such withdrawal, including severance costs. Despite this, through the above-mentioned discussions, this notice period will not be required, and each authority will also each meet their own costs. As noted elsewhere, if the recommendations in this report are approved the existing governance arrangements will be dissolved and replaced with a new Service Level Agreement in respect of the shared CIA post.

Separately, action is already being taken to enhance the risk management activity across the Council/IHSCP as referred to in this report. The proposals outlined in this report will also support the continued delivery of Internal Audit/Corporate Fraud services, whilst an alternative model for the longer-term delivery of these services is explored.

5.4 Human Resources

There are a number of HR implications arising out of this report, but the directly affected Council staff, the trades union and the CIA have been spoken to and consulted as part of this assessment and the preparation of this report.

5.5 Strategic

The Shared Service arrangement with West Dunbartonshire was a significant strategic decision, but has been effectively unwound already, and Internal Audit remains the only aspect still operating. The proposals in this report will help support the delivery of Council's strategic objectives in the Council Plan (2023-28), in particular Theme 3 – Performance, and ensuring the Council provides high quality and innovative services, giving value for money, and that the Council's employees are supported and developed.

6.0 CONSULTATION

6.1 West Dunbartonshire Council are understood to be in agreement with the proposed approach, as are the Council staff who are affected most directly by this. The Council Trades Union representatives are also supportive.

7.0 BACKGROUND PAPERS

7.1 None

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/115/23
Contact Officer:	Colin MacDonald	Contact No:	01475 712113
Subject:	Treasury Management – Mid-Year Report 2023/24 – Remit from the 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 that the Council consider a remit from the Policy & Resources Committee

1.3 The Policy & Resources Committee at its meeting on 21 November 2023 considered a report by the Chief Financial Officer (a) advising of the operation of the treasury function and its activities for the first six months of 2023/24 as required under the terms of Treasury Management Practice 6 on 'Reporting Requirement and Management Information Arrangements', and (b) requesting that the report be remitted to the Full Council for approval. A copy of the report to the Policy & Resources Committee is attached as appendix 1.

1.4 The Policy & Resources Committee decided the following:

- (1) that the contents of the Mid-Year Report on Treasury Management for 2023/24 and the ongoing work to seek to ensure the delivery of financial benefits for the Council during the current uncertainty and beyond, be noted;
- (2) that the early repayment of three Market Loans totalling £29.9 million, and that Officers believe this will generate savings for the Council in the medium to long term, be noted; and
- (3) that the report be remitted to the Full Council for approval.

2.0 RECOMMENDATIONS

2.1 The Council is asked to approve the Treasury Management – Mid-Year Report 2023/24 as required under the terms of the Treasury Management Practice 6 (TMP6) on 'Reporting Requirements and Management Information Arrangements'.

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

Report To:	Policy & Resources Committee	Date:	21 November 2023
Report By:	Chief Financial Officer	Report No:	FIN/71/23/AP/KJ
Contact Officer:	Alan Puckrin	Contact No:	01475 712223
Subject:	Treasury Management – Mid-Year Report 2023/24		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is:

- a. To advise the Committee of the operation of the treasury function and its activities for the first six months of 2023/24 as required under the terms of Treasury Management Practice 6 (“TMP6”) on “Reporting Requirements and Management Information Arrangements”.
- b. To request that the Committee remits the report to the Full Council for their approval.

1.3 As at 30 September 2023 the Council had gross external debt (including PPP) of £227,214,873 and investments (cash balances managed in house) of £27,734,104. This compares to gross external debt (including PPP) of £239,408,384 and investments of £26,127,010 at 31 March 2023.

1.3 Since August 2023, the Council has repaid 3 long-term Market Loans totalling £29,900,000 and funded those repayments from new PWLB borrowing of £20,000,000 and from Deposit Account balances. The loan repayments were made following contractual requests from a lender for the interest rate to be increased on 2 loans (or the Council could instead repay the loans) and an offer from another lender for the Council to repay the loan that the Council had from them. No premiums were paid on repaying these 3 loans.

1.4 The Council operated within the required treasury limits and Prudential Indicators for the year set out in the Council’s Treasury Policy Statement, annual Treasury Strategy Statement, and the Treasury Management Practices.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee notes the contents of the Mid-Year Report on Treasury Management for 2023/24 and the ongoing work to seek to ensure the delivery of financial benefits for the Council during the current uncertainty and beyond.

2.2 It is recommended that the Committee notes the early repayment of three Market Loans totalling £29.9m and that Officers believe this will generate savings for the Council in the medium to long term.

2.3 It is requested that the Committee remits the report to the Full Council for approval.

Alan Puckrin
Chief Financial Officer

3.0 BACKGROUND AND CONTEXT

- 3.1 The Council is required by the revised CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities to produce a mid-year treasury management review of activities and prudential and treasury indicators for 2023/24.
- 3.2 Treasury Management in this context is defined as: “The management of the local authority’s investments and cash flows, 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.”
- 3.3 The treasury management issues arising since the start of 2023/24 were:
- a. The Council’s debt (including PPP) has reduced during the period by £12,193,511 due largely to the early repayment of a £10,000,000 Market Loan plus regular monthly repayments on the PPP contract.
 - b. The Council’s investments have increased by £1,607,094 due to net cash flows into the Council.
 - c. As at 31 March 2023 the Council had under borrowed against its capital financing requirement by £62,030,000. The latest projection is for the under borrowing to increase to £65,649,000 as at 31 March 2024. Under borrowing means that the Council is using funds it currently has to cash flow capital expenditure rather than bringing in funds from borrowing. The projected level of under borrowing is considered manageable but the position is kept under review in light of Council capital financing and other funding requirements.
 - d. There remains considerable financial market volatility and economic uncertainty in the UK and around the world largely caused by the impact of inflation, increased interest rates, commodity prices and supplies, and the conflict in Ukraine.
 - e. The forecast in February 2023 was for the Bank Rate to rise to 4.50% by June 2023 and then start falling to reach 4.00% by the end of March 2024, 2.75% by the end of March 2025 and 2.50% by the end of March 2026. The forecast in September 2023 is for rates to remain at 5.25% until September 2024 then fall to 4.00% by the end of March 2025 and to 2.75% by the end of March 2026.
 - f. PWLB rates for new borrowing had been expected to fall slightly through to March 2024 but rates have instead increased by between 0.90% and 1.03%. The volatility during the 6-month period resulted in spreads between the high and low rates for some loan periods of up to 1.87% (e.g. borrowing rates for 3 years of 4.35% in April were 6.22% in July and at 5.43% in late September).
 - g. The Council’s treasury advisers expect PWLB rates to fall with most rates below 4.50% by the fourth quarter of 2024 but the extent and speed of any changes to rates will depend on the economic and other factors affecting the UK and global markets.
 - h. The Market Loans that the Council has includes some LOBO loans. The term “LOBO” relates to “Lender Option Borrower Option” loans in which the interest rate is fixed but the lender can seek to increase the interest rate on the loan at fixed dates during the loan period. Where this happens, the borrower (the Council) can either accept the new interest rate or, if not, repay the loan without any premium costs. In August 2023, Commerzbank proposed to increase the interest rate on a £10,000,000 LOBO loan from 4.88% to 6.35%. The Council did not accept the new rate and has instead repaid the loan from Deposit Account balances.
 - i. In October 2023, Commerzbank proposed an increase on their other LOBO loan for £4,900,000 from 4.99% to 5.89% and Bayerische Landesbank, with whom the Council had a £15,000,000 LOBO loan at 4.99%, offered the Council the opportunity to repay the loan. The Council did not accept the new Commerzbank loan rate and accepted Bayerische’s offer and so has repaid both loans without paying any premiums. The loan repayments have been funded from £20,000,000 of new PWLB borrowing (£12,500,000 for 1 year and £7,500,000 for 1½ years, both loans at 5.65%). The PWLB borrowing has been done for short periods to allow the Council to repay the LOBO loans now and refinance at a time when PWLB borrowing rates are forecast to have fallen well below current levels.
 - j. The Council did not undertake any other debt restructuring during the first six months of 2023/24 and remained within its Prudential Indicator and Treasury Management limits.

- k. The Bank Rate increased during the period from 4.25% to 5.25% and many interest rates available for new investments are above the current Bank Rate.
- l. The Council's investments earned a rate of return of 4.46% during the period. This was 0.02% higher than the SONIA benchmark.
- m. All investments were in accordance with the Council's investment policy and no institutions with which investments were made had any difficulty in repaying those investments and interest in full during the period.
- n. The Council's investments were with counterparties that have high creditworthiness (the Bank of Scotland, Santander UK, and NatWest Bank PLC and in accordance with the Council's investment strategy).

3.4 The Council's debt position was as follows:

	At 31 March 2023	At 30 September 2023
	£	£
Total Excluding PPP	184,132,384	174,146,873
PPP Debt	55,276,000	53,068,000
Total Including PPP	239,408,384	227,214,873

Further detail is given in the following table:

	At 31 March 2023		At 30 September 2023		Movement In Period
	Principal	Rate	Principal	Rate	Principal
	£000		£000		£000
Fixed Rate Funding:					
- PWLB	79,414		79,414		0
- Market *	40,000		56,000		16,000
- Temporary	5,000		5,000		0
	124,414	3.67%	140,414	3.84%	16,000
Variable Rate Funding:					
- PWLB	0		0		0
- Market *	59,400		33,400		(26,000)
- Temporary #	318		333		15
	59,718	4.90%	33,733	4.96%	(25,985)
Total Debt (Excl PPP)	184,132	4.07%	174,147	4.06%	(9,985)
PPP Debt	55,276		53,068		(2,208)
Total Debt (Incl PPP)	239,408		227,215		(12,193)

* - Market Loans are shown as variable when they have less than 1 year to go until their next call date. The total value of Market Loans has not changed during the period, just the split between fixed and variable.

- Temporary Loans are funds held by the Council on behalf of the Common Good and Trust Funds that are treated as borrowing for Treasury Management purposes.

3.5 The Council's investment position was as follows:

	At 31 March 2023		At 30 September 2023		Movement In Period
	Principal	Return	Principal	Return	Principal
	£		£000		£000
Investments:					
- Fixed Term Deposits	22,000,000	3.21%	10,000,000	5.39%	(12,000,000)
- Notice Accounts	50,399	3.74%	51,486	4.74%	1,087
- Deposit Accounts	4,076,611	4.15%	17,682,618	5.15%	13,606,007
Totals	26,127,010	3.36%	27,734,104	5.24%	1,607,094

Maximum level of investments in period: £44,239,097 on 15 August 2023

Minimum level of investments in period: £18,058,871 on 27 April 2023

Daily average for the period: £30,491,948

An analysis of the above investments is shown in Appendix 1.

In addition to the above cash balances managed in-house, the Council has other transactions/balances required to be treated as investments under Investment Regulation 31. Appendix 2 includes these transactions/balances along with estimates for 2023/24.

3.6 2023/24 Latest Projection Compared to Estimates in 2023/24 Strategy

The latest 2023/24 projection compared to the estimates in the 2023/24 strategy:

	2023/24 Estimate	2023/24 Latest Projection
<u>Borrowing Requirement</u>	£000	£000
New borrowing	0	0
Alternative financing requirements	0	0
Replacement borrowing	5,000	30,000
TOTAL	5,000	30,000
<u>Prudential/Treasury Management Indicators</u>		
Capital financing requirement (As at 31 March 2023)	£000 286,890	£000 292,907
Gross external debt including PPP (As at 31 March 2023)	224,860	227,258
(Under)/over borrowing against CFR	(62,030)	(65,649)
Gross Capital Expenditure (Excl. Levelling Up)	£000 21,569	£000 19,457
Ratio of financing costs (including PPP) to net revenue stream	9.54%	9.81%
Ratio of net debt (debt and PPP less investments) to net revenue stream	88.5%	92.5%

3.7 2023/24 Mid-Year Position Compared to Limits in 2023/24 Strategy

The 2023/24 mid-year position compared to limits in the 2023/24 strategy:

Prudential/Treasury Management Indicators

Authorised limit for external debt

- Borrowing
- Other long-term liabilities

Operational boundary for external debt

- Borrowing
- Other long-term liabilities

Upper limit on sums invested for periods longer than 365 days (Actual is maximum in period)

Upper limits on Fixed/Variable borrowing maturing in each period (LOBOs included based on call dates and not maturity dates) at end of period

- Under 12 months
- 12 months and within 24 months
- 24 months and within 5 years
- 5 years and within 10 years
- 10 years and within 30 years
- 30 years and within 50 years
- 50 years and within 70 years

Council Policy Limits

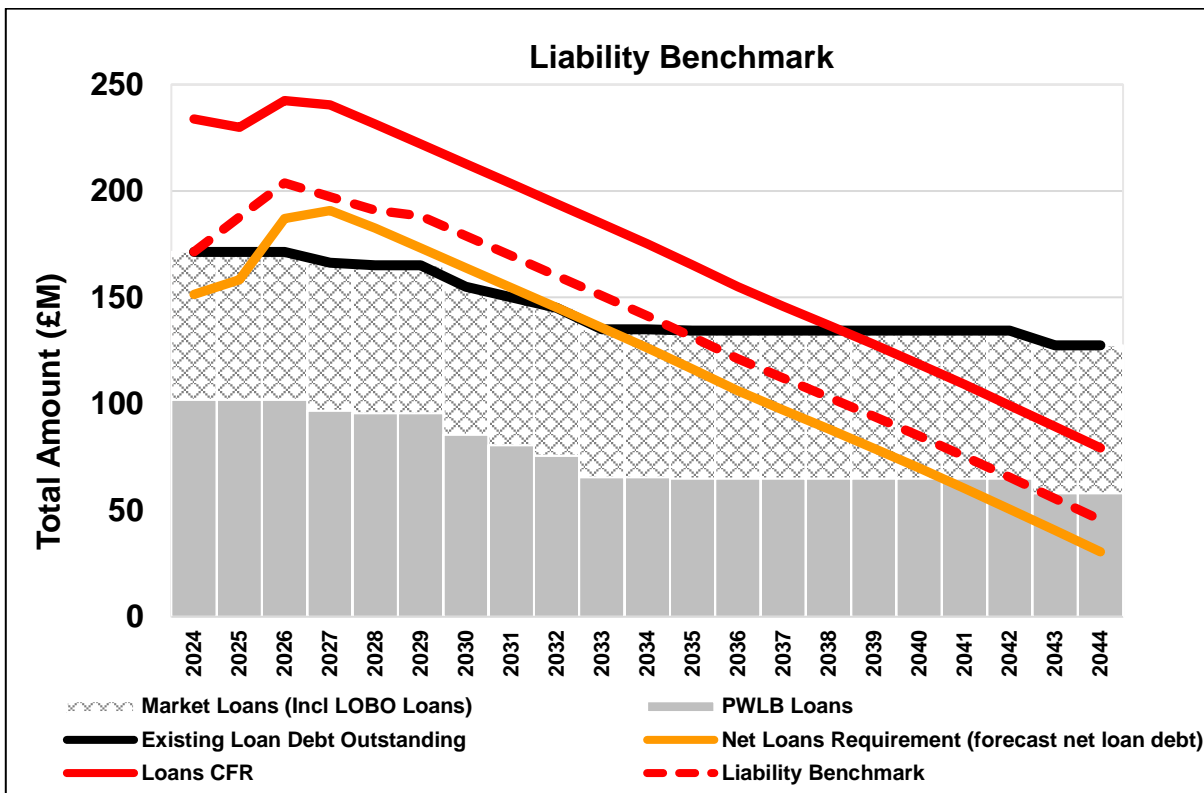
Maximum Percentage of Debt Repayable in Year

Maximum Proportion of Debt at Variable Rates

Maximum Percentage of Debt Restructured in Year

2023/24 Limits		2023/24 Mid-Year Actual Position	
£000		£000	
222,000		174,147	
56,000		53,068	
278,000		227,215	
£000		£000	
207,000		174,147	
56,000		53,068	
263,000		227,215	
£000		£000	
10,000		0	
Fixed	Var.	Fixed	Var.
45%	35%	7.2%	19.4%
45%	35%	0.0%	-
45%	35%	9.9%	-
45%	35%	14.3%	-
45%	35%	4.4%	-
45%	35%	21.8%	-
45%	35%	23.0%	-
25%		23.0%	
45%		19.4%	
30%		5.4%	

3.8 The Liability Benchmark is a requirement in the 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 2023/24 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 that the Council would be overborrowed and exposed to credit and reinvestment risks and a possible cost of carry due to different debt and investment interest rates.

3.9 The forecasts from the Treasury Advisors for the Bank Rate as at 31 March each year are:

	Forecast Per 2023/24 Strategy (February 2023)	Latest Forecast (September 2023)
2023/24	4.00%	5.25%
2024/25	2.75%	4.00%
2025/26	2.50%	2.75%

3.10 The Council's investment policy for the year is governed by Scottish Government Investment Regulations and was included in the annual investment strategy approved by the Council. This policy sets out the approach for choosing investment categories and counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data such as rating outlooks, credit default swaps, bank share prices etc.

3.11 All investments were in accordance with the policy and no institutions with which investments were made had any difficulty in repaying investments and interest in full during the period.

The result of the investment strategy undertaken by the Council in the first six months of 2023/24 is as follows:

Average Investment	Rate of Return (gross of fees)	Benchmark Return (3-month SONIA compounded)
£30,491,948	4.46%	4.44%

The Council's return was higher than the benchmark by 0.02%.

4.0 PROPOSALS

4.1 It is proposed that the Committee consider the contents of Section 3 of the report, seek any assurances from Officers, and thereafter remit the Mid-Year Report to the Council for approval.

5.0 IMPLICATIONS

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

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

5.2 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					

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.

5.3 Legal/Risk

None. Any borrowing or lending is done under the Council's legal powers.

5.4 Human Resources

None.

5.5 Strategic

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
Inverclyde Council – Treasury Management Strategy Statement and Annual Investment Strategy 2023/24-2026/27.

**CASH BALANCES MANAGED IN-HOUSE
ACTUAL AS AT 31 MARCH 2023 AND 30 SEPTEMBER 2023**

The following is an analysis of cash balances managed in-house as at 31 March 2023 and at 30 September 2023:

	As At 31 March 2023	As At 30 September 2023
	£	£
<u>Fixed Term Deposits</u>		
Bank of Scotland	12,000,000	0
NatWest Bank PLC	10,000,000	10,000,000
	22,000,000	10,000,000
Average Interest Rate	3.21%	5.39%
<u>Notice Accounts</u>		
Bank of Scotland	0	0
Santander UK	50,399	51,486
	50,399	51,486
Average Interest Rate	3.74%	4.74%
<u>Deposit Accounts</u>		
Bank of Scotland	4,076,100	17,682,100
Santander UK	511	518
	4,076,611	17,682,618
Average Interest Rate	4.15%	5.15%
TOTAL	26,127,010	27,734,104
Average Interest Rate	3.36%	5.24%

Since 30 September 2023, the Council has repaid £19.9m of LOBO debt (£4.9m Commerzbank at 4.99% and £15m Bayerische Landesbank at 4.99%), all with no premium for the early repayment. The Council has borrowed from the PWLB to fund the repayments, £12.5m for 1 year and £7.5m for 1½ years, both loans at 5.65% and to be refinanced later at borrowing rates forecast to be below 5%.

**FORECAST OF INVESTMENT BALANCES
ESTIMATE FOR 2023/24 AND ACTUAL AT 30 SEPTEMBER 2023**

Investment Regulation 31 requires the Council to provide forecasts for the level of investments. The estimate for 2023/24 and the actual as at 30 September 2023 are:

	2023/24	2023/24
	Estimate For Year	Actual For 1 April 2023 To 30 September 2023
	£000	£000
Cash balances managed in-house		
- At Start of Year	30,000	26,127
- At End of Year/Period	15,355	15,355
- Change in Year/Period	(14,645)	(10,772)
- Average daily cash balances	22,678	30,492
Holdings of shares, bonds, units (includes local authority owned company)		
- At Start of Year	2	2
- Purchases	0	0
- Sales	0	0
- At End of Year/Period	2	2
Loans to local authority company or other entity to deliver services		
- At Start of Year	297	252
- Advances	0	0
- Repayments	47	24
- At End of Year/Period	250	228
Loans made to third parties		
- At Start of Year	100	109
- Advances	0	0
- Repayments	23	10
- At End of Year/Period	77	99
Total of all investments		
- At Start of Year	30,399	26,490
- At End of Year/Period	15,684	15,684
- Change in Year/Period	(14,715)	(10,806)

The loans made to third parties includes a £50,000 loan to Shared Interest Society Limited ("Shared Interest") as approved by the Policy & Resources Committee in August 2017. Shared Interest is a company that uses funds invested by individuals and organisations to allow it to provide loans to fair trade businesses around the world.

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/157/23
Contact Officer:	Diane Sweeney	Contact No:	01475 712147
Subject:	Greenock Wanderers Rugby Football Club 150th Anniversary – Request by Councillor Crowther		

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 Crowther relative to the 150th anniversary of the Greenock Wanderers Rugby Football Club. This request is in line with the Council's established practice of giving civic recognition to local organisations celebrating their 50th anniversary, and every 50th year following that where they still remain in existence.

1.3 The terms of Councillor Crowther's request are set out below:

Council notes that Greenock Wanderers Rugby Football Club (GWRFC), founded in 1873, celebrate their 150th anniversary this year, commends officers for engaging with GWRFC in recognition of this magnificent milestone in the club's history and notes further that a civic reception for GWRFC will take place next year to mark this historical achievement.

GWRFC is an asset to the community, and Council acknowledges the sterling work of the GWRFC management committee plus players whose engagement with the community within Inverclyde and beyond is recognised herewith and Council wishes GWRFC continued success in future years.

2.0 RECOMMENDATION

2.1 That the Council considers the request by Councillor Crowther.

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/158/23
Contact Officer:	Diane Sweeney	Contact No:	01475 712147
Subject:	Greenock Morton Football Club 150th Anniversary – Request by Councillor Crowther		

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 Crowther relative to the 150th anniversary of Greenock Morton Football Club. This request is in line with the Council's established practice of giving civic recognition to local organisations celebrating their 50th anniversary, and every 50th year following that where they still remain in existence.
- 1.3 The terms of Councillor Crowther's request are set out below:

On 4th October 1874 Morton Football Club was formed making it one of the oldest senior football clubs in Scotland.

In 1994 Morton Football Club officially changed its name to Greenock Morton Football Club (GMFC).

Council notes that GMFC celebrate their 150th anniversary next year, commends officers for engaging with GMFC in recognition of this magnificent milestone in the club's history and notes further that a civic reception for GMFC will take place next year to mark this historical achievement.

GMFC is an asset to the community, and Council acknowledges the sterling work of the GMFC management committee plus players whose engagement with the community within Inverclyde and beyond is recognised herewith and Council wishes GMFC continued success in future years.

2.0 RECOMMENDATION

- 2.1 That the Council considers the request by Councillor Crowther.

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

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/159/23
Contact Officer:	Diane Sweeney	Contact No:	01475 712147
Subject:	Royal National Lifeboat Institution (RNLI) 200th Anniversary – Request by Councillor Crowther		

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 Crowther relative to the acknowledging and supporting the Royal National Lifeboat Institution.
- 1.3 The terms of Councillor Crowther's request are set out below:

As we countdown to 2024, Council is requested to celebrate the RNLI who will shortly be celebrating their 200th Anniversary of saving lives at sea.

Council recognises and applauds the RNLI staff and heroic volunteers who put to sea around the coasts of the UK, 24 hours a day, 365 days a year, in all sea conditions whenever there is a call for assistance, whether it be a Pan-Pan call or a Mayday shout.

The estuarial and inshore coastal waters around Inverclyde are the home to many sailors who moor their vessels in the sheltered waters or berth them at the local harbours or marinas and whilst Inverclyde has no RNLI station, we are amply served by RNLI stations at Largs or Rhu (Helensburgh).

The Council wishes the RNLI continued success for many years to come.

The history of the RNLI can be read at <https://rnli.org/about-us/our-history>

2.0 RECOMMENDATION

- 2.1 That the Council considers the request by Councillor Crowther.

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

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/160/23
Contact Officer:	Diane Sweeney	Contact No:	01475 712147
Subject:	Gaza – Israel Conflict – Notice of Motion by Councillor Reynolds		

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 the receipt of a Notice of Motion by Councillor Reynolds, countersigned by Councillor Armstrong, relative to the Gaza – Israel conflict.
- 1.3 The terms of the Notice of Motion are set out in appendix 1 to the report.

2.0 RECOMMENDATION

- 2.1 The Council is asked to consider the Notice of Motion by Councillor Reynolds.

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

Gaza – Israel Conflict Motion

Council is asked to follow the lead of the Scottish Government, the Irish Teoiseach, organisations of all faiths and none in:

unequivocally condemning the horrific killings by Hamas and the taking of hostages;

reaffirming that there must be an end to the collective punishment of the Palestinian people;

calling for the urgent release of all hostages and an end to the siege of Gaza to allow vital supplies of food, fuel, medicine and water to reach the civilian people;

noting the growing calls for an immediate humanitarian ceasefire from the United Nations and its aid agencies;

and therefore calling on the UK Government to uphold international law and protect all civilians in Israel and Palestine and to join with the international community in urgently pressing all parties to agree to an immediate ceasefire.

Proposed by: Councillor Sandra Reynolds

Seconded by: Councillor Pam Armstrong

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/161/23
Contact Officer:	Diane Sweeney	Contact No:	01475 712147
Subject:	Response to Consultation on GP Out of Hours Provision in Inverclyde – Notice of Motion by Councillor Clocherty		

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 the receipt of a Notice of Motion by Councillor Clocherty, countersigned by Councillor McVey, relative to a response to the consultation on out of hours GP provision in Inverclyde.
- 1.3 The terms of the Notice of Motion are set out in appendix 1 to the report.

2.0 RECOMMENDATION

- 2.1 The Council is asked to consider the Notice of Motion by Councillor Clocherty.

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

Appendix 1

Council notes:

1. That on 16th February, council adopted a motion expressing its opposition to Health Board plans not to return a full GP Out of Hours service to Inverclyde.
2. That the motion called on a full consultation to be conducted on any future plans on the GP out of hours service.
3. That following guidance from Health Improvement Scotland, Greater Glasgow and Clyde launched a public consultation in October on changes to GP Out of Hours.
4. The Health Board's plans would centralise out of hours centres at RAH in Paisley and Stobhill and the New Victoria in Glasgow. Face to face appointments would only be available in Inverclyde on Saturdays from 10-1 and public holidays, meaning that at all other times there would be no dedicated out of hours centre in Inverclyde.
5. 6000 people have signed a petition opposing these changes.

Council believes:

1. The consultation is a welcome opportunity for people across Inverclyde to express their views on this issue.
2. It is unacceptable that services should be consolidated away from Inverclyde and that our area will be left without an out of hours centre for most of each week.

Council resolves:

1. To submit the following response to the public consultation on behalf of Inverclyde Council before the end of the consultation period on 11th December:

"We welcome the opportunity to respond to the consultation on the future of GP out of hours services in the Greater Glasgow and Clyde Health Board areas.

At meetings of the council on 16th February and 7th December, the council expressed its opposition to health board plans to permanently reduce the GP out of hours provision in Inverclyde.

We do not believe that NHSGGC's proposal to make the current arrangement permanent meets the needs of patients in Inverclyde. It is unacceptable that services are to be consolidated on three sites that are very close to each other, while patients in Inverclyde face round trips of up to fifty miles in order to access out of hours treatment.

In proposing this new arrangement, we do not believe that Greater Glasgow and Clyde Health Board have adequately addressed the inequalities of access. Permanently reducing the GP out of hours centre in Inverclyde – one of the most deprived areas in the Health Board region – is not in line with the Health Board's aim of reducing health inequalities.

Opposition to the Board's proposals are widespread in the community with over 6,000 people signing a petition opposing them.

We ask that the Board reinstates a GP out of hours centre seven days a week in Inverclyde to ensure equality of access across the Board area."

Proposed: Councillor Jim Clocherty
Seconded: Councillor Tommy McVey

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/165/23
Contact Officer:	Diane Sweeney	Contact No:	01475 712147
Subject:	Better Buses for Strathclyde – Notice of Motion by Councillor Cassidy		

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 the receipt of a Notice of Motion by Councillor Cassidy, countersigned by Councillor McCluskey, relative to bus provision in the Strathclyde region.
- 1.3 The terms of the Notice of Motion are set out in appendix 1 to the report.

2.0 RECOMMENDATION

- 2.1 The Council is asked to consider the Notice of Motion by Councillor Cassidy.

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

Notice of Motion: Better Buses for Strathclyde

"This Council notes:-

- The 'Strathclyde Regional Bus Strategy and Delivery Plan: Case for Change' report presented to Strathclyde Partnership for Transport's Board on 29 September 2023.
- That the evidence-based report has found that bus use is in 'sustained, long-term decline' in Strathclyde, with bus patronage, the size of bus networks, bus service frequency and network coverage all falling.
- That despite decline in bus networks, bus fares continue to rise in Strathclyde at a higher rate than inflation and at a higher rate than the cost of travelling by other modes of transport.
- That the current model of bus service has failed to deliver integrated London-style ticketing or an integrated approach to public transport planning.
- That in 2021/22 public sector support represented 56 per cent of bus operator revenues in Scotland.
- The new powers available to transport authorities under the 2019 Transport Act.
- The calls from the 'Better Buses for Strathclyde' campaign for the SPT Board to ensure its Bus strategy sets out clear plans to use these new powers to improve bus services in Strathclyde.
- The recently published Centre for Cities report 'Miles Better: Improving public transport in the Glasgow City Region', which calls for the franchising of the bus network supported by a 10-year funding deal from the Scottish Government.

This Council believes: -

- The current deregulated model of bus provision is inadequate and that there is now a compelling case for changing the model of bus provision across Strathclyde.
- A new model of bus provision will enable bus services and public transport across Strathclyde to contribute more towards a healthier environment, inclusive economic growth and an improved quality of life for the people and communities of Strathclyde.

This Council agrees to write to SPT and the Scottish Government to communicate its view that: -

- A new model of bus provision for Strathclyde must be developed that is integrated and democratically accountable.
- A new model of bus provision must contribute towards Regional Transport Strategy objectives and policies set out by SPT.
- The Scottish Government must support local authorities and transport authorities seeking to replace deregulated bus models with models of regulation or common ownership, with fair funding and regulation that respects the autonomy and democratic wishes of Scotland's communities and regions."

Moved by: Councillor Paul Cassidy

Seconded by: Councillor Martin McCluskey

Report To:	Inverclyde Council	Date:	7 December 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/168/23
Contact Officer:	Colin MacDonald	Contact No:	01475 712147
Subject:	Palestine/Israel – Notice of Motion 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 the receipt of a Notice of Motion by Councillor McCabe, countersigned by Councillor McGuire, relative to the Palestine/Israel conflict.
- 1.3 The terms of the Notice of Motion are set out in appendix 1 to the report.

2.0 RECOMMENDATION

- 2.1 The Council is asked to consider the Notice of Motion by Councillor McCabe.

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

Notice of Motion: Palestine/Israel

This Council:

- unequivocally condemns in the strongest possible terms Hamas's barbaric and unjustifiable terrorist attacks against Israeli citizens on 7 October 2023, and demands the immediate and unconditional release of all hostages;
- while recognising Israel's right to defend itself, believes that civilians must never be targeted and innocent lives must be protected, and deplores actions that have led to the death of thousands of innocent Palestinian men, women and children;
- agrees that all human life is equal, abhors the loss of innocent lives, and affirms the right of all Israelis and Palestinians to live in peace and security; and further agrees that the killing of innocent civilians in Gaza must stop;
- expresses its solidarity with Scotland's Jewish, Muslim, Israeli and Palestinian communities and condemns antisemitism, Islamophobia or any other form of hatred;
- believes that a credible, lasting and sustainable peace can only be based on the two-state solution through reinvigorated diplomatic and political efforts in a Middle East peace process;
- recognises the agreement of a humanitarian ceasefire between Israel and Hamas to enable the release of some hostages, the release of prisoners and the admission of significantly more humanitarian aid;
- recognises that, in order for any permanent ceasefire to be achieved, it requires all sides to comply;
- is horrified by the Hamas statement that it would repeat the 7 October attacks and continue rocket fire;
- is appalled that the Israeli Prime Minister has stated that he will not even consider a permanent ceasefire;
- calls, therefore, on the international community to use every form of diplomacy to try and create the conditions on the ground to make a full and permanent ceasefire a reality;
- further calls on the International Criminal Court to investigate the conduct of all parties in this conflict, and affirms the commitment to a lasting peace with the end of illegal occupation, siege and settlements, and a two-state solution where a sovereign, independent and viable Palestinian state exists alongside a safe and secure Israel.

Moved by: Councillor Stephen McCabe

Seconded by: Councillor Natahsa McGuire

Report To:	Inverclyde Council as Trustee of Council's Charities	Date:	7 December 2023
Report By:	Honorary Treasurer	Report No:	FIN/79/23/AE/KJ
Contact Officer:	Kevin Jackson	Contact No:	01475 712226
Subject:	Trust Funds Annual Accounts 2022-23		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to ask the Council, in its capacity as the sole trustee (the Trustee) of the Birkmyre Trust and the Watt Institution Trust Fund, to adopt the examined Annual Accounts of the Birkmyre Trust and the Watt Institution Trust Fund for 2022/23.
- 1.3 The financial statements have been compiled in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom (the "Code"), the same basis as the Council.
- 1.4 Trustees have agreed to allocate up to £48,500 from the Watt Trust accounts towards the safety, security and valuation of the Trust's collections. This currently leaves just over £10,000 unallocated. The Birkmyre Trust has a healthier unallocated balance of £94,081 as at 31 March 2023.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Council, in its capacity as the sole trustee of the Birkmyre Trust and the Watt Institution Trust Fund, review and approve, respectively, the Annual Accounts for the Birkmyre Trust and Watt Institution Trust Fund for the year ended 31 March 2023 included in the attached appendices.

Alan Puckrin
Honorary Treasurer

3.0 BACKGROUND AND CONTEXT

- 3.1 It is a requirement of the Council, in its capacity as the sole trustee of the Birkmyre Trust and the Watt Institution Trust Fund to approve the examined Annual Accounts and ask that the Provost and Treasurer sign and date the Trustee's Annual Report and Balance Sheet. It is good practice that this should be no later than 9 months after the financial year end. These Trusts are not registered charities and accordingly do not require to be filed with an external agency. The Independent Examiner has confirmed that the financial statements present fairly the finances of the Trusts.
- 3.2 The two Trusts concerned are:
- Birkmyre Trust
 - Watt Institution Trust Fund

Birkmyre Trust

- 3.3 The Accounts of the Birkmyre Trust show that the Trust's expenditure exceeded income during the year and a deficit of £52,432 was drawn down from the reserves brought forward, £14,552 was deducted from the Usable Revenue Reserve and £37,880 was deducted from the Unusable Reserves. In addition, £77,323 was added to the Unusable Reserves as a result of property revaluations in 2022/23.
- 3.4 The Usable Revenue Reserves, available to support services at the discretion of Trustee, now stands at £94,081. The Unusable Revaluation Reserve holds unrealised gains or losses where the amounts would only become available to provide services if the underlying assets were sold and now stands at £1,335,921.

Watt Institution Trust Fund

- 3.5 The Accounts of the Watt Institution Trust Fund show that the Trust's income exceeded expenditure during the year and the surplus of £38 was added to the reserves brought forward. The Trust has a balance of £56,925 on its Revenue Reserve available to provide services in accordance with the objects of the Trust.
- 3.6 In June 2022, the Trustee approved the use of £25,500 from the Fund to improve the safety and security of collections at the Watt Institution. In March 2023 the Trustee agreed to allocate up to £20,000 from the Fund to carry out a revaluation of the collection over a two-year period. This funding will be drawn down over 2023/25 and leaves an allocated balance of just over £10,000.
- 3.7 During 2022/23, the Council received a substantial donation from Dr Daniel Temianka and his wife Dr Zeinab Dabbah of £8,591. The donation was used to support the ongoing development of the Creativity Space at the Watt Institution. The cost of the removal of the Dardanelles Memorial Fund Window at the Watt Institution will be drawn from the Watt Institution Trust Fund in 2023/24.
- 3.8 The independent examination of the accounts of the said Trusts has been completed by Gerard Smith ACCA, an employee of the Council, free of charge. In both cases, the certificate will confirm that the financial statements present fairly the finances of the said Trusts for the period.
- 3.9 The financial statements of both Trusts continue to be included within the audited Annual Accounts for Inverclyde Council under the Local Authority Accounts (Scotland) Regulations 2014

4.0 IMPLICATIONS

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

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

4.2 Finance

The unallocated balance of the Watt Institution Trust is now at a level that will require close monitoring.

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					

4.3 Legal/Risk

There are no legal implications arising from this report aside from those highlighted regarding the approval of the accounts. The legal background to the Council's status as sole trustee of the said Trusts is detailed in the appendices to this report. Elected members have separately been given training on the legal duties of charity trustees.

4.4 Human Resources

There are no human resources implications arising from this report.

4.5 Strategic

There are no strategic implications arising from this report.

5.0 CONSULTATIONS

5.1 The Head of Legal, Democratic, Digital & Customer Services has been consulted about the matters in this report.

6.0 LIST OF BACKGROUND PAPERS

6.1 None.

Birkmyre Trust

Annual Report and Financial Statements 2022-23



Year ended 31 March 2023

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Birkmyre Trust Background

Adam Birkmyre (1848-1906) of Shallot, Kilmacolm was a generous benefactor to Kilmacolm and donated to them Birkmyre Park. He also paid for the reading room and the library in the village.

In 1889 he purchased land in the middle of the village to provide a public park for the inhabitants of the Parish of Kilmacolm for their "use, benefit, enjoyment and recreation".

The following year after work to lay out footpaths, play areas for children and pitches for sports, Birkmyre Park was formally opened to the public. In addition to the parkland, four cottages on the land were donated.

The cottages were subsequently converted into what became known as the Pavilion. A feature of this building was the decoration of the Birkmyre name and family emblem on its end walls. The Pavilion served various purposes over the years including a children's nursery and accommodation for the park keepers.

By the turn of the Millennium, and after over 100 years of service, the Pavilion was in need of renovation. Starting in 2005, capital improvements were made to the Pavilion and its surroundings by the local authority.

In 2009, with financial assistance from the Council, a further programme of extensive refurbishment to the Pavilion was successfully completed. The building now houses modern leisure facilities.

The trust for the Birkmyre Park was established under the trust disposition of Adam Birkmyre to the Parish of Kilmacolm in 1897.

As the successor local authority Inverclyde Council is the sole trustee. The Chief Financial Officer of Inverclyde Council in his capacity as the Section 95 Officer is responsible for making arrangements for the proper administration of the Council's financial affairs and, as part of that responsibility, administers the trust and reports to Council.

Trustees' Annual Report

The trustees present their report together with the financial statements and the Independent Examiner's report for the year ended 31 March 2023.

Reference and Administrative Information

- Trust Name Birkmyre Trust
- Principal Offices C/o Inverclyde Council, Municipal Buildings,
Clyde Square, Greenock, PA15 1LY

Current Trustees

- Councillor Pam Armstrong
- Councillor Francesca Brennan
- Councillor Graeme Brooks
- Councillor Paul Cassidy
- Councillor Jim Clocherty
- Councillor John Crowther
- Councillor Christopher Curley
- Councillor James Daisley
- Councillor Colin Jackson
- Councillor Kirsty Law
- Councillor Stephen McCabe
- Councillor Martin McCluskey
- Councillor Michael McCormick
- Councillor Natasha McGuire
- Provost Drew McKenzie
- Councillor Tommy McVey
- Councillor Robert Moran
- Councillor Innes Nelson
- Councillor Lynne Quinn
- Councillor Sandra Reynolds
- Councillor Elizabeth Robertson
- Councillor David Wilson

Chair

- Provost Drew McKenzie

Honorary Secretary

- Role fulfilled by officers in Inverclyde Council's Legal, Democratic, Digital & Customer Services

Honorary Treasurer

- Role fulfilled by Alan Puckrin CPFA, Chief Financial Officer (Section 95 Officer)

Bankers

- All monies are held and managed by Inverclyde Council.

Independent Examiner

- Gerard Smith ACCA

Structure, Governance and Management

Governing Document

The legal name of the charity is Birkmyre Trust. It is an unincorporated trust governed on the basis of the available evidence of its constitution. The trust was established in terms of a disposition granted by Adam Birkmyre on 1 November 1897 and recorded in 1908.

In this deed, he conveyed to himself and others, including the Parish Council of Kilmacolm, as trustees of the trust, an area of ground known as Birkmyre Park, four cottages known as the Park Cottages and some related areas of ground. After his death, Mr. Birkmyre's testamentary trustees conveyed further ground to the trustees of the trust in terms of two further dispositions recorded in 1908 and 1916 respectively. The terms of the trust have been amended by court approved *cy pres* schemes in 1995 and in 2005.

Appointment of Trustees

The councillors of Inverclyde Council are assumed as trustees on their appointment to the Council. Councillors receive training on the responsibilities of being a trustee and the accounts of the trust.

Organisational Structure

The trustees meet to consider applications for support and that sufficient funding is available. At a special annual meeting of the Council, trustees consider the income and expenditure levels during the financial year and that suitable arrangements are in place to manage the funds of the trust.

The trustees, in order to discharge their responsibilities, rely on the advice and expertise of the officers of Inverclyde Council. The Council provides all administrative support to the trust including financial, legal and secretarial support. The Council also administers the payments from the trust.

The Council makes a charge for these services as agreed by the trustees at the meeting of 4 October 2012. There are no other costs in connection with governance.

Related Parties

Trustees hold this position because they are elected councillors of Inverclyde Council. Inverclyde Council provides support services to the trust.

Risk Management

The Council has assessed the major risks to which the trust is exposed, in particular those related to its operation and finances, and is satisfied that the systems are in place to mitigate the exposure to the major risk.

Management of Funds and Investment Policy

The trustees rely upon the expertise of officers of Inverclyde Council to manage the investments to ensure the maximum return at least risk to the trust. In this way, the income stream for the future benefit of the charity is protected while allowing income for the current year's expenditure.

The funds of the trust are deposited with Inverclyde Council and receive interest at the average market rate for the short-term borrowing. The interest received from Inverclyde Council is shown in the Income and Expenditure Statement.

Objective and Activities

Objective

Its purpose is

"the said park . . . shall be kept open and free (except as mentioned) every day Sundays and holidays included for the use, benefit, enjoyment and recreation of the public for all time coming.

The area of the park so far as not occupied by walks, trees, buildings and other fixtures shall be devoted to the purpose of games and the inhabitants of the Parish of Kilmacolm shall have the sole use of the said area for that purpose"

The end of the financial year is 31 March 2023.

Activities

The trust meets the costs of the Park and its buildings not otherwise defrayed by the Council, and receives income from chargeable activities. The balance of funds is invested with the Council.

Performance and Achievements

Birkmyre Park Fitness Gym continues to offer state of the art facilities and equipment to the local residents and larger community. The partnership with Technogym is still very strong with continuous improvement and equipment being installed in the fitness gym. The facility located within Kilmacolm's Birkmyre Park houses 60+

fitness stations, hosts gym-based classes, offers personal training, relaxation stations and more. We work in close partnership with Kilmacolm Community Centre where we take larger group fitness classes which include, metafit, kettlebells and yoga. Within the last year, we have rebranded what was the IL Fitness+ membership to what is now the IL OneLife Membership. This rebranding better encompasses all that Inverclyde Leisure have to offer, and that the membership is not just for fitness. Another change has been the addition of the Under 25 membership across Inverclyde Leisure. Birkmyre Fitness Gym has always been one of the most successful facilities at getting the younger generations using gyms and keeping fit. The previous membership ran till 18 before becoming an adult subscription, this extension to 25 is great news for the younger generations who can continue to work on their fitness and health at a reduced rate.

The staffing at Birkmyre has probably had the most changes in the previous calendar year than in most. Ainsley Thomson is now the centre manager replacing Jamie Cunningham. Brian Gilmour who was Fitness Co-ordinator has also taken a new career path in which we wish him well. Ainsley has worked at Birkmyre previously where she was Fitness Co-ordinator prior to the pandemic, so her return to the facility is great news for all.

Another change which has taken place in the previous year, is that the gym facility has gone through a refurbishment to ensure the facilities are kept at the high standard that Birkmyre is known for. New equipment has been installed which include Technogym MyRide bikes which really are top of the range, Stairmasters, SkiErg, Sled Track, Pure Strength Hip Thrust, SkillRows and new Treadmills. Smaller items such as new mats and attachments were also ordered within the refurbishment. It wasn't just the equipment however which benefited from the works, new flooring has been laid in the entire gym area, walls were painted with branding and motivational quotes displayed, new televisions on the wall and LED lighting to enhance the atmosphere for those working out. A hydromassage chair was also installed at the facility to help ease out any aches and pains which are achieved while training. This focus on recovery is becoming a huge part of the fitness industry, and we want to ensure our members are receiving as much as they can for their memberships.

In addition to the excellent gym facility, Birkmyre Café by Nardini is still an important partner, which is a great feature of the facility. Alessia and her team are a

welcome treat and refuge point after working out in the fitness facility. The café also attracts many visitors to the area which may not normally come, not all with the good intentions of also using the gym!

Within the fitness facility, we have 2 external personal trainers. Colin Cox Fitness (ran by Colin Cox) and Smart Fitness Solutions (run by Lesley Handley). Both have worked with us at Birkmyre for many years. They are a familiar face for the members, and many of our members utilise them for Personal Training.

The Technogym equipment with the Mywellness system continues to be successful at Birkmyre Fitness Gym. This technology is used as a tool to help motivate and encourage people to "get active, be active and stay active" for longer by enabling users to track their activity. Staff can update programmes and offer advice in text or video form that the members can access through their MyWellness accounts at the gym, or on their mobile phone or laptop/PC wherever they are in the world. This system has and will continue to play a key role in retention at Birkmyre Park Fitness Gym and ensuring everyone is training towards their goals.

Looking at the digital side of fitness, 2x Technogym Visio screens have now been installed at the facility. These are brand-new product by Technogym which are interactive touchscreens allowing users to plan and control their workouts from. The feedback so far has been very positive, and we are sure will be a crucial element in the fitness journey not just in Birkmyre but all of Inverclyde Leisure's OneLife facilities going forward.

Birkmyre Fitness gym views itself very much part of the community in Kilmacolm, and as such our partnerships with the Birkmyre Bears Rugby Club, St Columba's school and local business' is very important. The Duke of Edinburgh programme is also something that we offer for the St Columba's pupils, with a physical activity badge often targeted by many of its pupils.

The Kilmacolm Running Festival again is a key date in the Birkmyre and Inverclyde Leisure calendar. It is the biggest event that we have run and once again we had over 400 competitors across the events. The Half-marathon, 10K, 3K and toddle-waddle is a great community event and a date we hope the public look forward to as much as we do. The support from residents also needs to be mentioned with the Kilmacolm Unofficial Running Club always helping, which is greatly appreciated.

2022-23 has been a very positive year for the facility, with major investment already scheduled for 2023-24. The facility continues to strengthen, and we look forward to the future for all aspects of the facility.

Financial Review

Income and Expenditure for the Year ended 31 March 2023

The Income and Expenditure Statement on page 8 provides an analysis of the income and expenditure for the twelve months from 1 April 2022 to 31 March 2023.

The Trust incurred expenditure of £79,166 (2021-22: £59,349) covering insurance £551 (2021-22: £491), loan interest £1,940 (2021-22: £2,104), governance costs £333 (2021-22: £333), contribution towards works on the MUGA £27,000 (2021-22: £NIL) and annual depreciation charge £49,342 (2021-22: £49,097). Income of £26,734 (2021-22: £25,408) was received; £24,270 from rents and pitch hires (2021-22: £25,270) and £2,464 (2021-22: £138) from interest on short-term deposits with Inverclyde Council.

The deficit for the year of £52,432 (2021-22: £33,941) was deducted from the reserves brought forward: £14,552 was deducted from the Usable Revenue Reserves (2021-22: £4,174 added) and £37,880 was deducted from the Unusable Reserves (2021-22: £30,791 deducted). There was an increase in Unusable Reserves due to revaluations/indexation of £77,323 (2021-22: £NIL).

Assets and Liabilities at 31 March 2023

The balance sheet on page 9 provides an analysis for the trust of the assets and liabilities as at 31 March 2023.

The reserves of the trust are £1,373,857 (2021-22: £1,348,966). Usable revenue reserves are £94,081 (2021-22: £108,633), the unusable Revaluation Reserve stands at £1,335,921 (2021-22: £1,261,403 as adjusted) and the unusable Capital Adjustment Account balance is -£56,145 (2020-21: £22,974).

The carrying value of the land and buildings held by the trust is £1,318,706 (2021-22: £1,290,725). Within the year, no additions were added to the land and buildings held (2021-22: £7,324). Inverclyde Council holds cash of £94,081 (2021-22: £108,633) on behalf of the trust. The trust has borrowings for capital investment of £38,930 (2021-22: £50,392) advanced by Inverclyde Council of which £11,963 (2021-22: £11,462) is repayable in the next financial year.

Reserves Policy

The trust has been in existence for some time and the trustees consider that its reserves are sufficient.

The trust has always maintained a healthy balance of revenue reserves and as such there had been to-date no requirement to adopt a formal reserves policy. The free reserves at the financial year-end were £94,081 (2021-22: £108,633).

Future Plans

The Birkmyre Trust will continue to work in partnership with the local authority to support the continued operation of the parkland and buildings in the Park.

Conclusion

The trust's expenditure exceeded income during the reporting period and the deficit of £52,432 (2021-22: £33,941) has been deducted from the reserves brought forward.

The trustees look forward with some confidence. The trust has a balance of £94,081 (2021-22: £108,633) of usable revenue reserves. Funding is in place for the future with income from rents. The buildings have been extensively refurbished and house modern nursery and leisure facilities to serve the local community.

Approved by the trustees on 7 December 2023 and signed on behalf of all trustees.

Provost Drew McKenzie

Chair of the Trustees

This Trustees' Report is also counter-signed by the Chief Financial Officer of Inverclyde Council in his capacity as the Honorary Treasurer.

Alan Puckrin CPFA

Honorary Treasurer

Independent Examiner's Report to the Trustees of the Birkmyre Trust

I report on the accounts of the Trust for the year ended 31 March 2023 which are set out on pages 8 to 16.

Respective Responsibilities of Trustees and Examiner

The trustees are responsible for the preparation of the accounts in accordance with applicable law and International Financial Reporting Standards (IFRS) as adopted by the European Union, and interpreted and adopted by the Code of Practice on local authority accounting in the United Kingdom 2022-23 (The "Code"). The Chief Financial Officer of Inverclyde Council in his capacity as the Section 95 Officer is responsible for making arrangements for the proper administration of the Council's financial affairs and, as part of that responsibility, administers the trust and reports to trustees. On the advice of the Honorary Treasurer, the trustees have determined that an independent examination be conducted. My responsibility is to examine the accounts as requested and to state whether particular matters have come to my attention.

Basis of Independent Examiner's Statement

My examination includes a review of the accounting records kept by the trust and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeks explanations from the trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently I do not express an audit opinion on the view given by the accounts.

Independent Examiner's Statement

In the course of my examination, no matter has come to my attention which gives me reasonable cause to believe that in any material aspect the requirements:

- To keep accounting records, and
- To prepare accounts which accord with the accounting records have not been met, or
- To which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

Gerard Smith ACCA

Income and Expenditure Statement

This statement shows the cost of the operations of the trust in accordance with accounting standards. It shows the movement in the year on the two reserves held by the trust; usable reserves that can be applied to fund expenditure, and unusable reserves, the unrealised gains on the revaluation of the trust's land and buildings.

Total 2021-22		Note	Total 2022-23
£			£
491	Insurance Costs	3	551
0	Property Repairs		0
333	Governance Costs	4	333
49,097	Annual Depreciation Charge	5	49,342
7,324	Other Property Costs		27,000
57,245	Gross Expenditure		77,226
(10,058)	Hire of Pitches		(9,058)
(3,212)	Rental for Nursery School		(3,212)
(12,000)	Rental for Leisure Centre	3	(12,000)
(25,270)	Gross Income		(24,270)
31,975	Cost of Services		52,956
2,104	Interest Paid	3	1,940
(138)	Interest Received	3	(2,464)
1,966			(524)
33,941	(Surplus) or Deficit on the Provision of Services		52,432
33,941	Net (Increase) or Decrease before Transfers		52,432

Balance Sheet as at 31st March 2023

The balance sheet is a snapshot of the value at the reporting date of the assets and liabilities recognised by the trust. The net assets of the trust (assets less liabilities) are matched by the reserves held by the trust. Reserves are reported in two categories. The first category of reserves is usable reserves i.e. those reserves that the trust may use to provide services. The second category of reserves is those that the trust is not able to use to provide services. This category of reserves holds unrealised gains or losses where the amounts would only become available to provide services if the underlying assets are sold (in for example the Revaluation Reserve) and timing differences (as detailed in the Movement in Reserves Statement).

31 March 2022	Note	31 March 2023
£		£
Non-current Assets		
1,290,725	Property, Plant and Equipment 5	1,318,706
Current Assets		
108,633	Cash and Cash Equivalents 6	94,081
Current Liabilities		
(11,462)	Short-term Borrowing 7	(11,963)
Long-term Liabilities		
(38,930)	Long-term Borrowing 7	(26,967)
1,348,966	Net Assets	1,373,857
Reserves		
108,633	Usable Reserves	94,081
1,240,333	Unusable Reserves	1,279,776
1,348,966	Total Reserves	1,373,857
<p>The notes on pages 13 to 16 form part of the accounts. Approved by the trustees on 7 December 2023 and signed on their behalf by:</p>		
<p>Provost Drew McKenzie Chair of the Trustees</p>		<p>Alan Puckrin CPFA Honorary Treasurer</p>

Movement in Reserves Statement

This statement shows the movement in the year on the different reserves held by the Trust, analysed into 'usable reserves' (i.e. those that can be applied to fund expenditure or reduce local taxation) and 'unusable reserves'. The Movement in Reserves Statement shows how the movements in year of the Council's reserves are broken down between gains and losses incurred in accordance with generally accepted accounting practices and statutory adjustments required to return to amounts chargeable to the fund balance for the year. The net Increase/(Decrease) line shows the statutory Fund Balance movement in the year following those adjustments.

Year ended 31 March 2023

	Fund Balance (£)	Revaluation Reserve (£)	Capital Adjustment Account (£)	Total Reserves (£)
Balance at 1 April	108,633	1,261,403	(21,070)	1,348,966
Movement in reserves in the year				
Total income and expenditure	(52,432)	0	0	(52,432)
Charges for depreciation of non-current assets	49,342	0	(49,342)	0
Addition/Enhancement to Fixed Assets	0	77,323	0	77,323
Revaluation adjustment to Revaluation Reserve	0	0	0	0
Statutory provision for the principal repayment of loan charges	(11,462)	0	11,462	0
Total adjustments between accounting basis and funding basis under regulations	37,880	77,323	(37,880)	77,323
Net increase or (decrease) before Transfers to other Statutory Reserves	(14,552)	77,323	(37,880)	24,891
Difference between fair value depreciation and historical cost depreciation written off to Capital Adjustment Account	0	(2,805)	2,805	0
Balance at 31 March carried forward	94,081	1,335,921	(56,145)	1,373,857

Comparative Figures for Year ended 31 March 2022

	Fund Balance (£)	Revaluation Reserve (£)	Capital Adjustment Account (£)	Total Reserves (£)
Balance at 1 April	104,459	1,263,929	7,195	1,375,583
Movement in reserves in the year				
Total income and expenditure	(33,941)	0	0	(33,941)
Charges for depreciation of non-current assets	49,097	0	(49,097)	0
Addition/Enhancement to Fixed Assets	0	0	7,324	7,324
Revaluation adjustment to Revaluation Reserve	0	0	0	0
Statutory provision for the principal repayment of loan charges	(10,982)	0	10,982	0
Total adjustments between accounting basis and funding basis under regulations	38,115	0	(30,791)	7,324
Net increase or (decrease) before Transfers to other Statutory Reserves	4,174	0	(30,791)	(26,617)
Difference between fair value depreciation and historical cost depreciation written off to Capital Adjustment Account	0	(46,570)	46,570	0
Balance at 31 March per 2021-22 accounts	108,633	1,217,359	22,974	1,348,966
Adjustment to fair value depreciation/historical cost depreciation written off to Capital Adjust Account	0	44,044	(44,044)	0
Balance at 31 March carried forward as adjusted	108,633	1,261,403	(21,070)	1,348,966

Expenditure and Funding Analysis

The Expenditure and Funding Analysis shows how annual expenditure is used and funded from resources by the Trust in comparison with those resources consumed or earned by the Trust in accordance with generally accepted accounting practices. Income and expenditure accounted for under generally accepted accounting practices is presented more fully in the Income and Expenditure Statement.

Expenditure and Funding Analysis 2022-23

	Expenditure chargeable to the Fund balance (£)	Adjustment between the Funding and Accounting Basis (£)	Net Expenditure in the Income and Expenditure Statement (£)
Net Cost of Service – Trust	3,614	49,342	52,956
Financing and Investment (Income) and Expenditure	10,938	(11,462)	(524)
(Surplus) or Deficit on the Provision of Service	14,552	37,880	52,432
Opening Fund Balance at 1 April	108,633		
Surplus/(Deficit) on Fund Balance in the year	(14,552)		
Closing Fund Balance at 31 March	94,081		

Note

	Adjustments for Capital purposes (£)	Other Differences (£)	Total Adjustments (£)
Net Cost of Service – Trust	49,342		49,342
Financing and Investment (Income) and Expenditure		(11,462)	(11,462)
Difference between General Fund (Surplus)/Deficit and Income & Expenditure Statement (Surplus)/Deficit on the Provision of Service	49,342	(11,462)	37,880

Comparative Figures for 2021-22

	Expenditure chargeable to the Fund balance (£)	Adjustment between the Funding and Accounting Basis (£)	Net Expenditure in the Income and Expenditure Statement (£)
Net Cost of Service – Trust	(17,122)	49,097	31,975
Financing and Investment (Income) and Expenditure	12,948	(10,982)	1,966
(Surplus) or Deficit on the Provision of Service	(4,174)	38,115	33,941
Opening Fund Balance at 1 April	104,459		
Surplus/(Deficit) on Fund Balance in the year	4,174		
Closing Fund Balance at 31 March	108,633		

Note

	Adjustments for Capital purposes (£)	Other Differences (£)	Total Adjustments (£)
Net Cost of Service – Trust	49,097		49,097
Financing and Investment (Income) and Expenditure		(10,982)	(10,982)
Difference between General Fund (Surplus)/Deficit and Income & Expenditure Statement (Surplus)/Deficit on the Provision of Service	49,097	(10,982)	38,115

Notes to the Accounts

Note 1 Accounting Policies:

Basis of Preparation

The financial statements have been compiled in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom 2022-23 (the "Code"). The Code is based on International Financial Reporting Standards with interpretation appropriate to the public sector. The principal policies adopted in the preparation of the financial statements are set out below.

Going Concern

The accounts have been prepared on a "going concern" basis as it is expected revenue reserves will provide sufficient resources to finance future liabilities.

Incoming Resources

All incoming resources are included in the Income and Expenditure Statement when the trust is entitled to the income. All incoming resources are applied to usable reserves funds. Interest is included when receivable.

Resources Expended

All expenditure is included in the Income and Expenditure Statement on an accruals basis and is recognised when there is a legal or constructive obligation to pay.

Charges to Revenue for Non-current Assets

Depreciation, revaluation and impairment losses are charged to record the cost of holding fixed assets during the year. Depreciation is charged on a straight-line basis over the useful life of the assets. No depreciation is charged in the year of acquisition; a full year's depreciation is charged in the year of disposal.

Cash and Cash Equivalents

Cash is represented by deposits with the Council repayable immediately. The trust has no cash equivalents. The Council acts as the banker for the trust and all transactions are made via the Council's accounts.

Debtors

Debtors are recognised at the settlement amount due.

Borrowing

The amounts presented on the balance sheet are the outstanding principal repayable plus any accrued interest. The interest chargeable to the Income and Expenditure Statement is the amount payable for the year.

Property, Plant and Equipment

Assets that have physical substance and are held for use in the supply of services, for rental to others or for administrative purposes and that are expected to be used for more than one financial year are classified as Property.

Plant and Equipment. Assets, including donated assets are included at fair value (that would be paid for the asset in its existing use) and are revalued sufficiently regularly to ensure their carrying value is not materially different from their fair value at the year-end (but as minimum every five years) by external independent professional valuers. The last valuation was conducted at 31 March 2021 with indexation applied in 2022-23. Decreases in valuation are matched by debits to the Revaluation Reserve to recognise unrealised losses.

Reserves

The trust has two reserve funds. The Usable Reserves (Revenue) is a fund available to support services at the discretion of Trustees. The Unusable Reserves (Revaluation) holds unrealised gains or losses where the amounts would only become available to provide services if the underlying assets are sold and the Capital Adjustment Account absorbs the timing differences arising from the different arrangements for accounting for the consumption of non-current assets and for financing the acquisition, construction or enhancement of those assets under statutory provisions.

Comparative Figures and Taxation

Figures for 2021-22 are shown as appropriate for purposes of comparison. Irrecoverable tax is included in the expense or income to which it refers.

Taxation

The Birkmyre Trust is included by HMRC as part of Inverclyde Council. The trust is not liable to income tax or capital gains tax. VAT is recovered by Inverclyde Council.

Note 2 Staff Numbers and Costs:

The Birkmyre Trust has no staff. All support functions are provided by Inverclyde Council.

Note 3 Related Party Disclosures:

During the year, Inverclyde Council recharged insurance premiums of £551 to the trust (2021-22: £491). Interest of £2,464 was received from, and interest of £1,940 was paid to, Inverclyde Council (2021-22: £138 and £2,104). As at 31 March 2023, Inverclyde Council held £94,081 for the trust (2021-22: £108,633). The trust owed £38,930 to Inverclyde Council (2021-22: £50,392).

The trust received a rental of £12,000 (2021-22: £12,000) from Inverclyde Leisure as independently determined by the District Valuer. The leisure company is responsible for all running and maintenance costs under the lease.

Note 4 Governance Costs:

Inverclyde Council provides management services to the trust at £333 (2021-22: £333). The independent examination has been conducted on a "no-charge" basis and accordingly no accrual has been made for the examiner's fees.

Note 5 Analysis of Property Plant and Equipment:

The figure in the balance sheet on page 9 reflects the depreciated current value of the land and buildings of the trust.

2021-22 £		2022-23 £
	Valuation	
1,332,498	At 1 April	1,339,822
7,324	Additions in year	0
0	Disposals in year	0
0	Other Adjustments/Transfers	77,323
1,339,822	At 31 March	1,417,145
	Depreciation and Impairment	
0	At 1 April	49,097
49,097	Depreciation charge for the year	49,342
0	Other Adjustments/Transfers	0
49,097	At 31 March	98,439
1,290,725	Balance Sheet as at 31 March 2023	1,318,706

Note 6 Cash and Cash Equivalents:

The Council acts as the banker for the trust and all transactions incoming and outgoing are made via the Council's accounts. The balance is repayable on demand. Interest is paid on balances.

2021-22		2022-23	
£		£	£
104,459	Balance at 1 April 2022		108,633
Net Cash Inflow from Operating Activities			
(24,651)	Net surplus/(deficit) on the cost of services	(52,956)	
49,097	Adjustments for non-cash movements	49,342	(3,614)
Net Cash Outflow from Investing Activities			
(7,324)	Expenditure on property, plant & equipment	0	
138	Interest received	2,464	2,464
Net Cash Inflow from Financing Activities			
0	Receipts of long-term borrowing	0	
(10,982)	Repayment of long-term borrowing	(11,462)	
(2,104)	Interest paid on borrowing	(1,940)	(13,402)
108,633	Balance at 31 March 2023		94,081

Note 7 Borrowing:

The trust has secured long-term borrowing to fund capital investment on the buildings. The borrowing was undertaken in the two financial years 2011 and 2012 and is repayable over a period of 15 years. The fair value is shown in the table below, assessed on inputs that are observable for the liability.

2021-22		2022-23	
£		£	
Amounts due within 12 Months			
10,982	At 1 April 2022		11,462
0	New Borrowings		0
11,462	Transfer from Debt over 12 Months		11,963
(10,982)	Repayments to Inverclyde Council		(11,462)
11,462	Balance at 31 March 2023		11,963
Amounts due over 12 Months			
50,392	At 1 April 2022		38,930
0	New Borrowings		0
(11,462)	Transfer to Debt under 12 Months		(11,963)
38,930	Balance at 31 March 2023		26,967

Note 8 Payments to Trustees:

No trustee, or any people related to a trustee, were remunerated during the year. Nor was there any requirement for any expenses to be paid.



Watt Institution Trust Fund

Annual Report and Financial Statements 2022-2023



Year ended 31 March 2023

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Watt Institution Trust Fund Background

Greenock Corporation took over responsibility for running the Watt Library, McLean Museum, Art Gallery and Watt Hall (known collectively as the Watt Institution) from the Watt Trust in 1973.

In July 1984, the existing trustees of three bodies - the Committee of Management of the Greenock Library; the Committee of Management of the Watt Hall and Museum and Greenock Art Gallery; and the James McLean Trust - were discharged from their relative trust obligations and the whole trust estate was invested in the former Inverclyde District Council.

The Court of Session, at that time, declared a Scheme of Administration for the future management and use of the assets and funds invested in the trust and all of the land and buildings and moveable assets transferred to the Council at that time.

The Council is responsible for holding the land and buildings in trust as a memorial to the late James Watt LLD and to use it as a library, museum and hall for the benefit of the inhabitants of Greenock.

Additionally, the Council is to hold and apply the whole of the moveable property the investments from time to time representing the same and the income thereof in trust for the maintenance, preservation, repair, improvement and furnishing of the land and buildings and of the fixtures and fittings and for the provision, safekeeping and repair of suitable books and objects for the Library and Museum.

The Watt Institution Trust Fund has its own funds which are to be used for similar purposes and any expenditure from this Fund must meet the conditions listed above.

As the successor local authority Inverclyde Council is the sole trustee. The Chief Financial Officer of Inverclyde Council in his capacity as the Section 95 Officer is responsible for making arrangements for the proper administration of the Council's financial affairs and, as part of that responsibility, administers the Trust and reports to Council.

Trustees' Annual Report

The trustees present their report together with the financial statements and the Independent Examiner's report for the year ended 31 March 2023.

Current Trustees

- Councillor Pam Armstrong
- Councillor Francesca Brennan
- Councillor Graeme Brooks
- Councillor Paul Cassidy
- Councillor Jim Clocherty
- Councillor John Crowther
- Councillor Christopher Curley
- Councillor James Daisley
- Councillor Colin Jackson
- Councillor Kirsty Law
- Councillor Stephen McCabe
- Councillor Martin McCluskey
- Councillor Michael McCormick
- Councillor Drew McKenzie
- Councillor Tommy McVey
- Councillor Robert Moran
- Councillor Natasha McGuire
- Councillor Innes Nelson
- Councillor Lynne Quinn
- Councillor Sandra Reynolds
- Councillor Elizabeth Robertson
- Councillor David Wilson

Chair

- Provost Drew McKenzie

Honorary Secretary

- Role fulfilled by officers in Inverclyde Council's Legal, Democratic, Digital and Customer Services

Honorary Treasurer

- Role fulfilled by Alan Puckrin CPFA, Chief Financial Officer (Section 95 Officer).

Bankers

- All monies are held and managed by Inverclyde Council.

Independent Examiner

- Gerard Smith ACCA

Structure, Governance and ManagementStructure

The name of the trust is the Watt Institution Trust Fund. The Trust is an unincorporated trust governed on the basis of the available evidence of its constitution. The trust in its current form was established under a court approved *cy pres* scheme in July 1984.

Appointment of Trustees

The councillors of Inverclyde Council are assumed as trustees on their appointment to the Council. Councillors receive training on the responsibilities of being a trustee and the accounts of the trust.

Organisational Structure

The trustees meet to consider applications for support and that sufficient funding is available. At a special annual meeting of the Council, trustees consider the income and expenditure levels during the financial year and that suitable arrangements are in place to manage the funds of the trust.

The trustees, in order to discharge their responsibilities, rely on the advice and expertise of the officers of Inverclyde Council. The Council provides all administrative support to the trust including financial, legal and secretarial support. The Council also administers the payments from the trust.

The Council makes a charge for these services as agreed by the trustees at the meeting of 4 October 2012. There are no other costs in connection with governance.

Related Parties

Trustees hold this position because they are elected councillors of Inverclyde Council. Inverclyde Council provides support services to the trust.

Management of Funds and Investment Policy

The trustees rely upon the expertise of officers of Inverclyde Council to manage the investments to ensure the maximum return at least risk to the trust.

The funds of the Trust are deposited with Inverclyde Council and receive interest at the average market rate for the short-term borrowing. The interest received from Inverclyde Council is shown in the Income and Expenditure Statement.

Objectives and ActivitiesObjectives

Its purpose is to hold and apply the investments and income thereof for the maintenance, preservation, repair,

improvement and furnishing of the land and buildings and of the fixtures and fittings and for the provision, safekeeping and repair of suitable books and objects for the Library and Museum.

Activities

The Trust meets the costs of the Watt Institution not otherwise defrayed by the Council and invests the balance of funds with the Council.

Performance and Achievements

In line with policy adopted by the Council and the terms of the Trust, the Watt Institution Trust Fund supported the continued operation of the museum, art gallery and library in the Watt Institution in partnership with the local authority.

Museum Achievements

The start of the year saw submission by officers of the McLean Museum and Art Gallery's renewal of Accredited Museum Status – the UK wide professional standard for museums. An onsite assessment has recently been undertaken, with the final outcome of the submission to follow before the calendar year end.

Extensive work continues behind the scenes on collections management processes and procedures that meet the required accreditation standard; improve access to collections and knowledge; improve overall storage arrangements; and support the delivery of the ongoing National Lottery Heritage Fund (NLHF) Watt Voices project.

Funding secured from the British Museum Trust to make elements of the Natural Sciences collections (palaeontology, geology, entomology, oology and herbaria) more accessible enabled the purchase of specialist storage equipment. Work is ongoing with professional colleagues within the sector to support the development of the Natural History Museum's 'Setting Natural Sciences Collection Data Free' initiative, raising awareness of the extraordinary breath of collections held across British museums.

The NLHF-funded Creativity Space within the Watt Institution continues to be used weekly by community groups. This includes people with early onset dementia, wellbeing initiatives to support those dealing with mental health issues and social isolation, and groups and activities associated with the Inverclyde Culture Collective (Creative Scotland funded).

A major donation to the Watt Institution of \$10,000 was made in this financial year by Dr Daniel Temianka, and his wife Dr Zeinab Dabbah, of California, USA. Dr Temianka is the son of renowned virtuoso violinist, conductor, author and music educator Henri Temianka, who was born in Greenock in 1905. Dr Temianka was delighted to hear of the plans to create a Creativity Space within the Watt Institution and wished to contribute to the overall funding package. A sculptural bust of his father, created by acclaimed sculptor Miriam Baker and donated to the Watt Institution in 2016, now sits outside the Creativity Space.

In support of the wider Watt Voices project objectives research is ongoing to identify appropriate artefacts for display as part of the changes being made to the on-site visitor offer. Overall, the volume of collection objects on display will be increased as new stories are added to the museum's interpretative approach. A new Egypt Gallery has been created in space adjacent to the Watt Hall and will shortly open to the public. Both the art gallery and Watt Hall have recently been repainted, and new exhibitions installed.

During 2021/22, work began on creating a new digital exhibition space – Community Voices. Part of the NLHF Watt Voices project, this exhibition space launched during this financial year and allows community groups to create and exhibit compelling local stories, supported by digital storytelling. The launch exhibition was about the Port Glasgow Rovers Scout Group, and was followed by an exhibition called *Pride* - exploring Queer Histories reflected in the Watt's collections and curated by Clyde Pride Youth Group.

This most recent Community Voices exhibition will shortly be showcased as a best practice case study by Museums Galleries Scotland (MGS) – the sector body for museums in Scotland – alongside the popular 'American Abolitionists in Inverclyde' exhibition produced for Black History Month in 2022, as part of the MGS-funded OURWatt digital engagement project.

In terms of activities and events, Bookbug sessions on a Saturday morning in the Watt Hall continue to be a great success with high numbers regularly attending. 'Watty Bear' activities for children and young families continue to draw large and repeat numbers of participants and the 'quiz' offer is changed on a quarterly basis. In partnership with a range of groups and individuals including the Music Service, the Watt ran a successful and well attended programme of visual and performing arts events for Summer of Fun 2022, and hosted the Fair-Trade Market, which always proves popular.

The museum service continues to be involved in Inverclyde's Historic Links to Slavery project, in particular collating all the public submissions of sites, events and individuals connected with slavery as part of a heritage audit. This work formed the starting point for the development of an inclusive curriculum teaching pack for Inverclyde schools, and will form the basis of a heritage trail exploring these links to slavery which will launch early in 2024.

The Archive Service continues to run a successful volunteer programme in support of making the information held within the archives accessible to the public.

The Watt Institution supported Inverclyde Heritage Network in running Inverclyde's second Heritage Day as part of Local and Community History Month in May. The event gave groups and individuals with an interest in heritage the chance to get together and promote their work to the public.

Financial Review

Income and Expenditure for the Year ended 31 March 2023

The Income and Expenditure Statement on page 8 provides an analysis for the Trust of the income and expenditure for the twelve months from 1 April 2022 to 31 March 2023.

Running costs in 2022-23 were £896 (2021-22: £0) and £333 (2021-22: £333) on governance costs. There were no contributions made by the council to cover historic costs this year (2021-22: £0). Income of £1,267 (2021-22: £74) was received from interest on short-term deposits with Inverclyde Council.

The surplus of £38 (2021-22: deficit of £259) was added to the reserves of £56,887 to give a carry forward balance of £56,925.

Assets and Liabilities at 31 March 2023

The balance sheet on page 9 provides an analysis for the Trust of the assets and liabilities as at 31 March 2023.

The reserves of the Trust are £56,925 (2021-22: £56,887) and are all held by Inverclyde Council.

Reserves Policy

The Trust has been in existence for some time and the trustees consider that its reserves are sufficient.

The Trust has always maintained a healthy balance of Revenue Reserves and as such there had been to-date no requirement to adopt a formal reserves policy. The free reserves at the financial year-end were £56,925 (2021-22: £56,887).

Future Plans

The Watt Institution Trust Fund will continue to work in partnership with the local authority to support the operations of the museum, art gallery and library in the Watt Institution.

In June 2022 the Trustees approved a proposal to use £25,500 from the Fund to improve the safety and security of collections at the Watt Institution.

In March 2023 the Trustees agreed to allocate up to 50% of the costs or £20,000, whichever is the lower, from the unallocated Trust balance towards the appointment of suitably experienced experts to assist in the valuation of the Trust's heritage assets.

Conclusion

The Trust's income exceeded expenditure during the reporting period and the surplus of £38 (2021-22: deficit of £259) has been added to the reserves brought forward. The Watt Institution Trust Fund has a balance of £56,925 (2021-22: £56,887) of Revenue Reserves of which £45,500 is allocated to specific projects.

Approved by the trustees on 7 December 2023 and signed on behalf of all trustees.

Provost Drew McKenzie

Chair of the Trustees

This Trustees' Report is also counter-signed by the Chief Financial Officer of Inverclyde Council in his capacity as the Honorary Treasurer.

Alan Puckrin CPFA

Honorary Treasurer

Independent Examiner's Report

I report on the accounts of the Trust for the year ended 31 March 2023 which are set out on pages 8 to 11.

Respective Responsibilities of Trustees and Examiner

The trustees are responsible for the preparation of the accounts in accordance with applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union, and interpreted and adopted by the Code of Practice on Local Authority Accounting in the United Kingdom 2022-23 (The CODE). The Chief Financial Officer of Inverclyde Council in his capacity as the Section 95 Officer is responsible for making arrangements for the proper administration of the Council's financial affairs and, as part of that responsibility, administers the trust and reports to trustees. On the advice of the Honorary Treasurer, the trustees have determined that an independent examination be conducted. My responsibility is to examine the accounts as requested and to state whether particular matters have come to my attention.

Basis of Independent Examiner's Statement

My examination includes a review of the accounting records kept by the trust and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeks explanations from the trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently I do not express an audit opinion on the view given by the accounts.

Independent Examiner's Statement

In the course of my examination, no matter has come to my attention which gives me reasonable cause to believe that in any material aspect the requirements:

- To keep accounting records, and
- To prepare accounts which accord with the accounting records have not been met, or
- To which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

Signed:

Gerard Smith ACCA

Income and Expenditure Statement

This statement shows the costs of the operations of the trust in accordance with accounting standards. It shows the movement in the year on the reserves held by the trust that can be applied to fund expenditure.

Usable Reserves : Revenue 2021-22	Note	Usable Reserves: Revenue 2022-23
£		£
	Expenditure	
0	Supplies and Services 5	896
333	Governance Costs 7	333
0	Income 6	0
333	Cost of Services	1,229
	Financing and Investment Income and Expenditure	
0	Interest paid	0
(74)	Interest received 2	(1,267)
259	(Surplus) or Deficit on the Provision of Services	(38)
0	Other Income and Expenditure	0
259	(Increase) or Decrease in the Year	(38)
(57,146)	Balance at 1 April	(56,887)
(56,887)	Balance at 31 March Carried Forward	(56,925)
<p>The Watt Institution Trust Fund has no recognised gains or losses other than the results for the year as set out above. All of the activities of the fund are classed as continuing. The notes on pages 10 to 11 form part of these financial statements.</p>		

Notes to the Accounts

Note 1 Accounting Policies

Basis of Preparation

The financial statements have been compiled in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom 2022-23 (The "Code"). The "Code" is based on International Financial Reporting Standards with interpretation appropriate to the public sector. The principal policies adopted in the preparation of the financial statements are set out below.

Going Concern

The accounts have been prepared on a "going concern" basis as it is expected that future revenue reserves will provide sufficient resources to finance future liabilities.

Incoming Resources

All incoming resources are included in the Income and Expenditure Statement when the trust is entitled to the income. All incoming resources are applied to usable reserves funds. Interest is included when receivable.

Resources Expended

All expenditure is included in the Income and Expenditure Statement on an accruals basis and is recognised when there is a legal or constructive obligation to pay.

Cash and Cash Equivalents

Cash is represented by deposits with the Council repayable on demand. The trust has no cash equivalents.

Reserves

The trust has a single reserve fund. The Usable Reserves (Revenue) is a fund available to support services at the discretion of Trustees.

Comparative Figures

Figures for 2021-22 are shown as appropriate for purposes of comparison.

Taxation

Watt Institution Trust Fund is included by HMRC as part of Inverclyde Council. The trust is not liable to income tax or capital gains tax. VAT is recovered by Inverclyde Council.

Note 2 Related Party Disclosures

Interest of £1,267 was received from the local authority (2021-22: £74). As at 31 March 2023, Inverclyde Council held £56,925 for the trust (31 March 2022: £56,887).

As part of the management arrangements of the Scheme of Administration, Inverclyde Council remains responsible for all costs and any income relating to the Watt Institution and is entitled to the unrestricted use of its assets.

Under accounting standards and the associated guidance, arrangements that convey the right to use an asset require to be accounted for as a lease even where they do not have the legal form of a lease. The local authority has assumed the risks and rewards of ownership and the arrangements have the substance of a finance lease. The Watt Institution and its collections require to be disclosed on the balance sheet of the local authority and accordingly are not included in the trust fund's accounts. The holding value of these assets in the Council's Annual Accounts is £5.1 million (2021-22: £5.0 million) for the buildings and £19.2 million (2021-22: £17.8 million) for its collections of heritage assets. The most significant heritage assets were revalued for the Council's 2022-23 Annual Accounts, with further valuations due in 2023/24.

Note 3 Staff Numbers and Costs

The trust does not employ any staff (see note 6).

Note 4 Payments to Trustees

No trustee or any connected person was remunerated during the year, nor was there any requirement for any expenses to be paid.

Note 5 Supplies and Services

There were storage and transportation costs in 2022-23 of £896 (2021-22: £0).

Note 6 Income

There was no income in 2022-23 (2021-22 £0).

Note 7 Governance Costs

Inverclyde Council provides support services to the trust at a fee of £333 (2021-22: £333). The independent examination has been conducted on a “no-charge” basis and accordingly no accrual has been made for the examiner’s fees.

Note 8 Cash and Cash Equivalents

The Council acts as the banker for the trust and all transactions incoming and outgoing are made via the Council’s bank accounts. The balance is repayable on demand. Interest is paid on balances.

2021-22 £		2022-23 £
57,146	Balance at 1 April	56,887
	Net Cash (Outflow) from Operating Activities	
(333)	Net surplus/(deficit) on the cost of services	(1,229)
0	Adjustments for non-cash movements	0
	Net Cash Inflow from Investing Activities	
74	Interest Received	1,267
0	Net Cash Inflow from Financing Activities	0
56,887	Balance at 31 March	56,925

Note 9 Creditors

There were no creditors as at 31st March 2023



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