

POLICY & RESOURCES COMMITTEE – 6 FEBRUARY 2024

Policy & Resources Committee

Tuesday 6 February 2024 at 3pm

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

Chair: Councillor McCabe presided.

In attendance:

Louise Long	Chief Executive
Alan Puckrin	Chief Financial Officer
Stuart Jamieson	Director Environment & Regeneration
Ruth Binks	Corporate Director Education, Communities & Organisational Development
Iain Strachan	Head of Legal, Democratic, Digital & Customer Services
Morna Rae	Head of Organisational Development, Policy & Communications
Craig Given	Head of Finance, Planning & Resources (Inverclyde HSCP)
Angela Edmiston	Finance Manager (Corporate Services & Strategic Finance)
Tracy Bunton	Revenues and Benefits Manager
David Aitken	Procurement Manager
Arlene Mailey	Service Manager – Quality and Development Service (Inverclyde HSCP)
Karen MacVey	Members' & Committee Services Team Leader
Colin MacDonald	Senior Committee Officer
Diane Sweeney	Senior Committee Officer
PJ Coulter	Corporate Communications Officer (Media Relations)

This meeting was held at the Municipal Buildings, Greenock with Councillors Law, McCormick and McGuire attending remotely.

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

50 Apologies, Substitutions and Declarations of Interest 50

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

No declarations of interest were intimated.

51 2023/24 Policy & Resources Committee and General Fund Revenue Budget Update as at 30 November 2023 51

There was submitted a report by the Chief Financial Officer, Corporate Director Education, Communities & Organisational Development and Chief Executive advising the Committee of (1) the 2023/24 Revenue Budget position as at 30 November 2023, (2) the overall General Fund Revenue Budget projection, and (3) the position of the General Fund Reserve at the same date.

Councillor McCormick left the meeting during consideration of this item of business.

Decided:

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- (1) that the current projected Committee underspend for 2023/24 of £379,000 as at 30 November 2023 be noted;
- (2) that the projected overspend of £140,000 for the General Fund and the projected surplus reserves of £3.96 million as at 30 November 2023 be noted; and
- (3) that the projected 2023/24 surplus of £4,830 for the Common Good Budget, as detailed in appendix 6 of the report, be noted.

52 Policy & Resources Capital Budget and Council 2023/26 Capital Programme 52

There was submitted a report by the Chief Financial Officer providing an update on (1) the latest position of the Policy & Resources Capital Programme, (2) the 2023/26 Capital Programme, and (3) the impact of the draft 2024/25 Capital Grant settlement announced by the Scottish Government.

Councillor McCormick rejoined the meeting during consideration of this item of business.

Decided:

- (1) that (a) the current position of the 2023/26 Policy & Resources Capital Budget, and (b) the current position of the 2023/26 Capital Programme, be noted; and
- (2) that it be noted that the 2023/26 programme overcommitment is now over the 5% tolerance and will need to be addressed through the budget process.

53 Finance Services Update 53

There was submitted a report by the Chief Financial Officer providing an update on various matters being progressed by the Finance Service relating to (1) Council Tax collection, (2) migration to Universal Credit, and (3) Treasury activity.

Decided: that the update be noted.

54 Corporate Policy and Performance Update: November 2023 – February 2024 54

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on Corporate Policy and Performance matters relating to (1) Public Service Improvement Framework, (2) Equalities, (3) Best Value, and (4) Local Government Benchmarking Framework 2022/23 update.

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

55 Workforce Information and Activity Report (WIAR) 2022/2023 55

There was submitted a report by the Head of Organisational Development, Policy & Communications advising of key workforce information and activity for the year 1 April 2022 to 31 March 2023.

Decided: that the content of the Workforce Information and Activity Report for 2022/2023, as outlined in appendix 1 of the report, be noted.

56 Non-Domestic Rates Empty Property Relief Policy 56

There was submitted a report by the Chief Financial Officer providing the outcome of the results from the public consultation on proposed amendments to the Non-Domestic Rates Empty Property Relief Policy (NDR EPR) including views on economic development support to encourage businesses to occupy empty premises.

Decided:

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- (1) that the results of the public consultation on proposed amendments to the NDR EPR Policy, as detailed in appendix 1 of the report, be noted;
- (2) that the potential estimated financial implications of the proposed amendments to the updated NDR EPR Policy and the intention that the EPR Budget is ringfenced to smooth out demand and provide support for empty properties to be occupied be noted;
- (3) that it be noted that the Director Environment & Regeneration will present a report to the Environment & Regeneration Committee on the type of support to be provided to bring empty properties back into use; and
- (4) that the amended policy, as detailed in appendix 2 of the report, be approved.

57 Council Tax Long Term Empty and Second Homes Policy 57

There was submitted a report by the Chief Financial Officer (1) providing the outcome of the results from the public consultation on proposed amendments to the Council Tax Long Term Empty and Second Homes Policy, and (2) seeking approval for a new Policy to come into effect from 1 April 2024.

Decided:

- (1) that the results of the public consultation on Council Tax on second homes, summarised in section 4 and detailed in appendix 1 of the report be noted;
- (2) that the potential estimated additional income to be raised from the proposed amendments to the updated Policy, and that the extra income will be factored into the 2024/26 Budget, be noted;
- (3) that the amended Policy, as detailed in appendix 2 of the report, be approved; and
- (4) that the amendment to the Policy regarding the restriction on the power to vary council tax on unoccupied dwellings undergoing repairs or renovations, where certain conditions are met, be noted.

58 Proposal – Reduction in the Standard Working Week 58

There was submitted a report by the Head of Organisational Development, Policy & Communications providing an update in relation to the proposal of a reduction in the standard working week with no detriment to pay.

Decided:

- (1) that the employee, finance and service impacts of the proposal be noted;
- (2) that the anticipated costs of implementation be noted; and
- (3) that it be agreed that in the context of current financial pressures these costs cannot be resourced and therefore the reduction in the standard working week with no detriment to pay cannot be progressed at this time.

59 Bereavement Charter Mark 59

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing information on the development of a Bereavement Charter for Inverclyde Council to improve the experience that staff have when they are affected by bereavement.

Decided: that it be agreed to support the Bereavement Charter work for Inverclyde Council.

60 Corporate Health and Safety Report and Plan 60

There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking approval for the Corporate Health and Safety report

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for 2022/23 and the Corporate Health and Safety Plan for 2024/2027 as detailed in appendices 1 and 2 of the report, respectively.

Decided: that the Corporate Health and Safety Report for 2022/23 and the Corporate Health and Safety Plan for 2024/2027 be approved.

61 Use of Powers Delegated to the Chief Executive to Appoint SOLACE to assist with a Chief Officer recruitment 61

There was submitted a report by the Corporate Director Education, Communities & Organisational Development noting the use of Emergency Powers in December 2023 for the Council to appoint SOLACE to assist in the recruitment of a new Head of Legal, Democratic, Digital & Customer Services.

Decided: that it be noted that the Chief Executive used their powers under the Scheme of Delegation (Officers) to appoint SOLACE to assist in the recruitment of a new Head of Legal, Democratic, Digital & Customer Services.

62 Use of Powers Delegated to the Chief Executive to vote on Member for the Values & Principles Board of the Cooperative Councils Innovation Network 62

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services noting the use of Emergency Powers in January 2024 to enable the Council to cast its vote to elect one new member to the Values & Principles Board of the Cooperative Councils Innovation Network.

Decided:

(1) that it be noted that the Chief Executive used their powers under the Scheme of Delegation (Officers) to agree that the Council cast its vote to elect one new member to the Values & Principles Board of the Cooperative Councils Innovation Network, which vote was to be cast by the Leader of the Council, Councillor McCabe, in terms of the Network's constitution; and

(2) that delegated authority be granted to the Chief Executive to cast votes in respect of the future appointment of members to the Committees and Boards of the Cooperative Councils Innovation Network, which vote was to be cast by the Leader of the Council, Councillor McCabe, in terms of the Network's constitution.

63 Corporate Risk Register – Remit from Audit Committee 63

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services requesting consideration of a remit from the Audit Committee relative to the Corporate Risk Register.

Decided: that the most significant corporate risks facing the Council and the key actions being taken by the Council in response to them, as detailed in appendix 2 of the report, be noted.

64 Fire Risk Assessment, Fire Safety Policy 64

There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking approval for the adoption of a reviewed Fire Risk Assessment and Fire Safety Policy.

Decided: that the Fire Risk Assessment and Fire Safety Policy be approved.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting during

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consideration of the following items on the grounds that the business involved the likely disclosure of exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act as are set opposite each item.

Item	Paragraph(s)
Tender for the Provision of a School Aged Counselling Service	6, 8 & 9
Contract Authorisation Report – External Care at Home	6, 8 & 9
Contract Authorisation Report – Carers Contract	6, 8 & 9
65 Tender for the Provision of a School Aged Counselling Service	65
<p>There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership seeking approval to change the tender weightings for the forthcoming tender process for a School Aged Counselling Service in Inverclyde, as noted in Contract Standing Order 16.3.</p> <p>Decided: following consideration, the Committee agreed to the actions recommended, all as detailed in the private appendix.</p>	
66 Contract Authorisation Report – External Care at Home	66
<p>There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership seeking approval to conclude a tender and award of contract for the External Care at Home Services, as per Council Standing Order 20.3(ii).</p> <p>Decided: following consideration, the Committee agreed to the actions recommended, all as detailed in the private appendix.</p>	
67 Contract Authorisation Report – Carers Contract	67
<p>There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership seeking approval to conclude the tender and award the contract for the provision of a Carers Information Advice Service in Inverclyde.</p> <p>Decided: following consideration, the Committee agreed to the actions recommended, all as detailed in the private appendix.</p>	

PLANNING BOARD – 7 FEBRUARY 2024

Planning Board

Wednesday 7 February 2024 at 3pm

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

Chair: Councillor McVey presided.

In attendance:

Stuart Jamieson	Director Environment & Regeneration
Daniel Henderson	Planning and Building Standards Service Manager
Gordon Leitch	Team Leader – Consultancy
Jim Kerr	Solicitor (for Head of Legal, Democratic, Digital & Customer Services)
Colin MacDonald	Senior Committee Officer
Diane Sweeney	Senior Committee Officer
PJ Coulter	Corporate Communications Officer (Media Relations)

The meeting was held at the Municipal Buildings, Greenock with Councillors Jackson, Law, McCabe and McGuire attending remotely.

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

68 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST

68

No apologies for absence were intimated.

Councillors Armstrong, Crowther, Curley, and Law declared an interest in Agenda Item 2(a) (formation of single dormer window on rear elevation with rooflights on principal and side elevations at 68 Cloch Road, Gourrock (23/0203/IC)) and Councillors Brooks, Law and McGuire declared an interest in Agenda Item 2(b)(new patio at rear garden at 58A Newton Street, Greenock (23/0265/IC)).

Provost McKenzie and Councillors Clocherty, McCabe, McGuire and McVey intimated a connection in Agenda Item 2(a) (formation of single dormer window on rear elevation with rooflights on principal and side elevations at 68 Cloch Road, Gourrock (23/0203/IC)) and Councillor McGuire intimated a connection in Agenda Item 2(b)(new patio at rear garden at 58A Newton Street, Greenock (23/0265/IC)).

69 PLANNING APPLICATIONS

69

**(a) Formation of single dormer window on rear elevation with rooflights on principal and side elevations:
68 Cloch Road, Gourrock (23/0203/IC)**

There was submitted a report by the Director Environment & Regeneration for the formation of a single dormer window on rear elevation with rooflights on principal and side elevations at 68 Cloch Road, Gourrock (23/0203/IC).

Councillors Armstrong, Crowther, Curley and Law declared an interest in this matter as social acquaintances and members of the same political party as the applicant and left the meeting during consideration of this item.

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Provost McKenzie and Councillors Clocherty, McCabe, McGuire and McVey declared a connection as they knew of the applicant as the Member of Parliament for Inverclyde. They also formed the view that the nature of their connection and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and they were declaring for transparency.

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

- (1) that the development to which this planning permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended); and
- (2) that for the avoidance of doubt, obscure glazing shall be installed in the dormer window hereby approved. Development shall not commence until details of the obscure glass to be used have been submitted to and approved in writing by the Planning Authority. The approved glass shall be installed prior to the first use/occupation of the ensuite/attic conversion. The installed obscure glass shall be then maintained in position unless any alternative is agreed in advance in writing with the Planning Authority, in order to safeguard the privacy and amenity of neighbouring properties.

Councillors Armstrong, Crowther and Curley returned to the meeting at this juncture.

**(b) New patio at rear of garden:
58A Newton Street, Greenock (23/0265/IC)**

There was submitted a report by the Director Environment & Regeneration for a new patio at the rear garden of 58A Newton Street, Greenock (23/0265/IC).

Councillors Brooks declared an interest in this matter as the applicant, Councillor Law declared an interest as a long-term personal acquaintance of the applicant's family and Councillor McGuire declared an interest due to social and professional connections with the applicant and left the meeting.

Provost McKenzie and Councillors Clocherty, McCabe and McVey declared a connection as professional acquaintances of the applicant. They also formed the view that the nature of their connection and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and they were declaring for transparency.

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

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

LOCAL REVIEW BODY – 7 FEBRUARY 2024

Local Review Body

Wednesday 7 February 2024 at 4pm

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

Chair: Councillor McVey presided.

In attendance:

Margaret Pickett	Senior Planner (Planning Adviser)
Daniel Henderson	Planning and Building Standards Manager
Jim Kerr	Solicitor, Legal, Democratic, Digital & Customer Services (Legal Adviser)
Colin MacDonald	Senior Committee Officer
Diane Sweeney	Senior Committee Officer

The meeting was held at the Municipal Buildings, Greenock with Councillors McCabe and McGuire attending remotely.

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

70 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 70

No apologies for absence or declarations of interest were intimated.

71 PLANNING APPLICATION FOR REVIEW 71

**(a) Proposed small ground floor extension and alterations to front of house including balcony at first floor level:
3 St Andrews Drive, Gourrock (23/0145/IC)**

There was submitted papers relative to the application for review for a proposed small ground floor extension and alterations to front of house including balcony at first floor level 3 St Andrews Drive, Gourrock (23/0145/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

Decided:

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

1. the proximity of the balcony element of the proposal to neighbouring properties will result in an adverse amenity impact for neighbouring properties, in relation to the potential for noise impacts as a result of the use of the balcony. The upper balcony does not reflect urban form. It therefore fails to accord with the "Safe and Pleasant" and "distinctive" factors of Policy 1 within both the adopted 2019 and proposed 2021 Inverclyde Local Development Plan and Policy 20 of the proposed 2021 Inverclyde Local Development Plan. The proposal also fails to accord to Policy 16 of the National Planning Framework (NPF4) as the proposal may result in an amenity impact on neighbouring properties and has a detrimental impact on the character of the house and surrounding area.

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**(b) Replacement of shopfront:
75 Kempock Street, Gourock (23/0062/IC)**

There was submitted papers relative to the application for review for the replacement of a shopfront at 75 Kempock Street, Gourock (23/0062/IC) to enable the Local Review Body to consider the matter afresh.

Following discussion, Councillor McGuire moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reason:

1. the proposal would have an adverse visual impact on the streetscape and on the character and amenity of the Gourock – Kempock Street/Short Street Conservation Area, as the overall form and design of the proposed shopfront fails to meet the principles of preserving and enhancing the historic environment. Accordingly, the proposal is contrary to: Policy 7(d) and 14 of NPF4; Policy 1 and Policy 28 of both adopted and proposed Inverclyde Local Development Plans, both adopted and draft PAAN 11 on 'Shopfront Design' and Historic Environment Scotland's policy and guidance.

As an amendment, Councillor Brooks moved that (1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) in terms of Regulation 16 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal, Democratic, Digital & Customer Services in consultation with the Chair.

Following a roll call vote, 3 Members, Councillors Brooks, Crowther and McCabe voted in favour of the amendment and 4 Members, Councillors Clocherty, Curley, McGuire and McVey voted in favour of the motion which was declared carried.

Ms Pickett acted as Planning Adviser relative to this case.

Decided:

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

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

1. the proposal would have an adverse visual impact on the streetscape and on the character and amenity of the Gourock – Kempock Street/Short Street Conservation Area, as the overall form and design of the proposed shopfront fails to meet the principles of preserving and enhancing the historic environment. Accordingly, the proposal is contrary to: Policy 7(d) and 14 of NPF4; Policy 1 and Policy 28 of both adopted and proposed Inverclyde Local Development Plans, both adopted and draft PAAN 11 on 'Shopfront Design' and Historic Environment Scotland's policy and guidance.