

**THE INVERCLYDE COUNCIL - 21 FEBRUARY 2008**

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**The Inverclyde Council**

**Thursday 21 February 2008 at 4.00 pm**

**Present:** Provost McCormick, Councillors Ahlfeld, Blair, Brooks, Clocherty, Dorrian, Ferguson, Fyfe, Grieve, Loughran, MacLeod, McCabe, McCallum, McIlwee, McKenzie, Moran, Osborne, Rebecchi and Wilson.

**Chair:** Provost McCormick presided.

**In attendance:** Chief Executive, Corporate Director Education and Social Care, Corporate Director Environment and Community Protection, Corporate Director Improvement and Performance, Corporate Director Regeneration and Resources, Chief Financial Officer, Head of Corporate Communications and Public Affairs, Head of Performance Management and Procurement, Mr H McNeilly, Legal Services Manager (Courts and Litigation) and Mr F Jarvie, Legal Services Manager (Procurement, District Court and Administration).

**Apologies:** Councillor White.

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

<b>118</b>	<b>The Inverclyde Council - 6 December 2007</b>	<b>118</b>
	<b>Approved</b> on the motion of Provost McCormick it being noted with regard to paragraph 799 (Inverclyde Council on Disability Ltd) that Councillor MacLeod was former Secretary/Chair and is currently Director of Inverclyde Council on Disability.	
<b>119</b>	<b>Policy &amp; Resources Executive Sub-Committee - 11 December 2007</b>	<b>119</b>
	<b>Approved</b> on the motion of Councillor McCabe.	
<b>120</b>	<b>General Purposes Board - 12 December 2007</b>	<b>120</b>
	<b>Approved</b> on the motion of Councillor McKenzie.	
<b>121</b>	<b>Policy &amp; Resources Executive Sub-Committee - 20 December 2007</b>	<b>121</b>
	<b>Approved</b> on the motion of Councillor McCabe.	
<b>122</b>	<b>Human Resources Appeals Board - 21 December 2007</b>	<b>122</b>
	<b>Approved</b> on the motion of Councillor Brooks.	
<b>123</b>	<b>Health &amp; Social Care Committee - 8 January 2008</b>	<b>123</b>
	<b>Approved</b> on the motion of Councillor McIlwee.	
<b>124</b>	<b>Planning Board - 9 January 2008</b>	<b>124</b>

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Approved on the motion of Councillor Fyfe.

**125 Safe, Sustainable Communities Committee - 10 January 2008 125**

Approved on the motion of Councillor Moran.

**126 Education & Lifelong Learning Committee - 15 January 2008 126**

Approval of the minute as a correct record was moved by Councillor McCabe seconded by Councillor Loughran. Councillor McCabe seconded by Councillor Loughran moved with reference to paragraph 30 (Consultations on Schools Estate) that the decision of the Committee as minuted be approved. As an amendment to decision (2), Councillor Blair seconded by Councillor Fyfe moved that Lady Alice Primary School be deleted from the consultation proposals. On a vote, 7 Members voted for the amendment and 10 for the motion which was declared carried.

Councillor McCabe seconded by Councillor Loughran moved with reference to paragraph 31 (Results of the Consultation on the Closure of Clune Park Primary School and Amalgamation with Newark Primary School) that the decision of the Committee as minuted be approved. As an amendment, Councillor MacLeod seconded by Councillor Osborne moved that Clune Park Primary School remain open, that the school be refurbished and adapted as necessary and that Education Services consider the number of rooms required for the projected rolls and also for any pupils who can be accommodated following a review of and consultation on alterations to the catchment areas. On a vote, 6 Members voted for the amendment and 10 for the motion which was declared carried.

**Decided:** that the minute be approved.

**127 General Purposes Board - 16 January 2008 127**

Approved on the motion of Councillor Ahlfeld.

**128 Regeneration Committee - 17 January 2008 128**

Approved on the motion of Councillor Clocherty.

**129 Audit Committee - 22 January 2008 129**

Approved on the motion of Councillor Blair.

**130 Human Resources Appeals Board - 1 February 2008 130**

Approved on the motion of Councillor McCallum.

**131 Policy & Resources Committee - 5 February 2008 131**

Approved on the motion of Councillor McCabe.

**132 Planning Board - 6 February 2008 132**

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

**133      General Purposes Board - 13 February 2008      133**

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

**134      The Inverclyde Council - 14 February 2008      134**

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

**The Provost being of the opinion that the undernoted report by the Corporate Director Regeneration and Resources was relevant, competent and urgent moved its consideration to allow the Council to take a view on the matter at the earliest opportunity. This was unanimously agreed in terms of the relevant Standing Order.**

**135      Motion by Councillor Rebecchi - Carrying of Offensive Weapons      135**

There was submitted a report by the Corporate Director Regeneration and Resources on a motion submitted by Councillor Rebecchi in terms of Standing Order 22 relative to the carrying of offensive weapons as follows:

“In recent months we in Inverclyde have seen the tragedy of death to young people due to the use of weapons, knives in particular. I feel that we must try and reduce the number of people carrying weapons and to do that a minimum custodial sentence should be introduced by the Scottish Government. This will not bring back the lives of people like Damian Muir from Inverkip who so tragically died in July 2007, but hopefully will reduce the number of unnecessary assaults and murders not only in our area but throughout Scotland.

I ask this Council to support a motion that any person convicted of carrying an offensive weapon receives a minimum custodial sentence whether the weapon was used or not. The minimum sentence can be decided by the Scottish Government who could implement a statute (act).

Inverclyde Council could lead the way and ask other Local Authorities to back this motion before we send it to the Scottish Government for their consideration.”

**Decided:**

(1) subject to suspension of Standing Orders, that the Council unanimously support the motion that any person convicted of carrying an offensive weapon receives a minimum custodial sentence whether the weapon was used or not. The minimum sentence can be decided by the Scottish Government after consultation with the judiciary who could implement a statute (act); and

(2) that other Local Authorities be asked to support this motion before it is forwarded to the Scottish Government for consideration.

**136      Council Membership on Inverclyde Alliance Board and Thematic Partnerships      136**

There was submitted a report by the Corporate Director Regeneration and Resources requesting the Council to make a number of changes to its representation on the Inverclyde Alliance Board and the four Thematic Partnerships.

**Decided:**

(1) that the Leader of the largest opposition group be appointed to the Inverclyde Alliance Board; and

(2) that an additional Elected Member be appointed to each of the four Thematic

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Partnerships as follows:-

Education & Lifelong Learning Partnership - Councillor Dorrian

Health & Wellbeing Partnership - Councillor Fyfe

Regeneration Partnership - Councillor Ahlfeld

Safe, Sustainable Communities Partnership - Councillor Blair

**137 Councillor Brooks - Resignation from Outside Bodies 137**

There was submitted a report by the Corporate Director Regeneration and Resources advising of the resignation of Councillor Brooks from a number of outside bodies and requesting the Council to fill the resultant vacancies.

**Decided:**

- (1) that Councillor Ferguson be appointed to Renfrewshire Educational Trust;
- (2) that Councillor Loughran be appointed to SSERC (Scottish Schools Equipment Research Centre) Ltd;
- (3) that Councillor Ferguson be appointed to Barlinnie Prison Visiting Committee; and
- (4) that Councillor Osborne be appointed to the West of Scotland Archaeology Service Joint Committee.

**138 Appointment to Outside Body: Lowland Reserve Forces & Cadets Association 138**

There was submitted a report by the Corporate Director Regeneration and Resources requesting the Council to appoint a representative to the Lowland Reserve Forces & Cadets Association.

**Decided:** that Councillor Ferguson be appointed to the Lowland Reserve Forces & Cadets Association.

**139 Jubilee Scotland - Affiliation Request by Councillor McCabe 139**

There was submitted a report by the Corporate Director Regeneration and Resources regarding a request by Councillor McCabe on an invitation to the Council from Jubilee Scotland to affiliate to the organisation.

**Decided:** that the Council affiliate to Jubilee Scotland at a cost of £200 per annum.

**140 Greenock Tall Ships 1999 Companies Renaming - Appointments to Boards of New Companies 140**

There was submitted a report by the Corporate Director Regeneration and Resources requesting the Council to appoint representatives to the Boards of the new charity and trading companies established to deliver the Cutty Sark Tall Ships in 2011.

**Decided:** that Councillor Clocherty represent both Inverclyde Council and Riverside Inverclyde and that Provost McCormick and Councillor Osborne represent the Council on the Boards of the new companies created to deliver the Cutty Sark Tall Ships 2011.

**141 Review of Community Councils - Establishment of Working Group 141**

There was submitted a report by the Corporate Director Regeneration and Resources requesting the Council to appoint Members to the short term Member/Officer Working

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Group established by the Regeneration Committee at the meeting on 17 January 2008 to progress the review of Community Councils.

**Decided:** that Councillors Loughran, McCallum, Grieve and Rebecchi be appointed to the Member/Officer Working Group established to progress the review of Community Councils.

**142      Audit of Best Value & Community Planning - Update      142**

There was submitted a report by the Chief Executive updating Members on preparations for the revisit by Audit Scotland in June 2008.

**Decided:**

- (1) that the Council note the current position with regard to preparations for the revisit by Audit Scotland in June 2008;
- (2) that the process and timescale proposed by Audit Scotland with regard to advancing the preparations for the submission of a new Position Statement and review by the External Audit Team be agreed;
- (3) that it be agreed the Council's draft Position Statement is considered by the Strategic Leadership Forum in early March and then submitted to Audit Scotland; and
- (4) that a further update be submitted to the Council once the final report by the Accounts Commission is published.

**143      Developing a Financial Strategy for Inverclyde Council      143**

There was submitted a report by the Corporate Director Improvement and Performance on the progress of the development of a Financial Strategy for the Council, a copy of which had been circulated, and seeking comments on the purpose, structure and initial content.

**Decided:**

- (1) that the Council note the work undertaken to date to develop the purpose, structure and initial content of the Financial Strategy; and
- (2) that it be agreed that the Financial Strategy be submitted to the Policy & Resources Committee in April 2008 for final approval.

**144      Proposed Traffic Regulation Order - On-Street Parking Places (Without Charges) Order No 2 2007      144**

There was submitted a report by the Corporate Director Regeneration and Resources on the proposed Traffic Regulation Order - On-Street Parking Places (Without Charges) Order No 2 2007.

**Resolved** on the motion of Councillor Moran seconded by Councillor Dorrian that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc (Scotland) Act 1994, RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Section 32(1) and Part III of Schedule 9 of the Road Traffic Regulation Act 1984 to permit the provision of parking places for disabled persons who hold a badge under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended, all as detailed in a copy of the Order forming a supplement to the principal minute hereof and that the Head of Planning, Housing and Transportation and the Head of Legal and Administration be authorised to take all necessary action in connection therewith.

**145      Proposed Traffic Regulation Order - Brown Street etc, Port Glasgow Waiting Restrictions      145**

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There was submitted a report by the Corporate Director Regeneration and Resources on the proposed Traffic Regulation Order - Brown Street etc, Port Glasgow Waiting Restrictions.

**Resolved** on the motion of Councillor Moran seconded by Councillor Dorrian that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc (Scotland) Act 1994, RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 to permit the introduction of waiting restrictions in the Brown Street etc area of Port Glasgow, all as detailed in a copy of the Order forming a supplement to the principal minute hereof and that the Head of Planning, Housing and Transportation and the Head of Legal and Administration be authorised to take all necessary action in connection therewith.

**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 on the grounds that consideration of the following item involved the likely disclosure of exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act, as detailed in the minute of the relevant Committee, Sub-Committee or Board.**

**Appendices to Minutes**

<b>146</b>	<b>Policy &amp; Resources Executive Sub-Committee - 11 December 2007</b>	<b>146</b>
	<b>Approved</b> on the motion of Councillor McCabe.	
<b>147</b>	<b>Policy &amp; Resources Executive Sub-Committee - 20 December 2007</b>	<b>147</b>
	<b>Approved</b> on the motion of Councillor McCabe.	
<b>148</b>	<b>Human Resources Appeals Board - 21 December 2007</b>	<b>148</b>
	<b>Approved</b> on the motion of Councillor Brooks.	
<b>149</b>	<b>Safe, Sustainable Communities Committee - 10 January 2008</b>	<b>149</b>
	<b>Approved</b> on the motion of Councillor Moran.	
<b>150</b>	<b>Regeneration Committee - 17 January 2008</b>	<b>150</b>
	<b>Approved</b> on the motion of Councillor Clocherty.	
<b>151</b>	<b>Human Resources Appeals Board - 1 February 2008</b>	<b>151</b>
	<b>Approved</b> on the motion of Councillor McCallum.	