

**THE INVERCLYDE COUNCIL - 12 JUNE 2008**

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**The Inverclyde Council**

**Thursday 12 June 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, White and Wilson.

**Chair:** Provost McCormick presided.

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

Rev Sorensen opened the proceedings with a prayer.

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

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|------------|---|------------|
| <b>451</b> | <b>Human Resources Appeals Board - 17 April 2008</b>            | <b>451</b> |
|            | <b>Approved</b> on the motion of Councillor McCallum.           |            |
| <b>452</b> | <b>The Inverclyde Council - 17 April 2008</b>                   | <b>452</b> |
|            | <b>Approved</b> on the motion of Provost McCormick.             |            |
| <b>453</b> | <b>Health &amp; Social Care Committee - 29 April 2008</b>       | <b>453</b> |
|            | <b>Approved</b> on the motion of Councillor McKenzie.           |            |
| <b>454</b> | <b>Safe, Sustainable Communities Committee - 1 May 2008</b>     | <b>454</b> |
|            | <b>Approved</b> on the motion of Councillor Moran.              |            |
| <b>455</b> | <b>Education &amp; Lifelong Learning Committee - 6 May 2008</b> | <b>455</b> |

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 367 (Admission to Greenock Academy - Request from Councillor Blair) that the decision of the Committee as minuted be approved. As an amendment, Councillor Blair seconded by Councillor White moved that the capping limit of the S1 roll of Greenock Academy be increased from 80 to 87 to allow the admission of siblings of pupils already attending the school. On a vote, 5 Members voted for the amendment and 10 for the motion which was declared carried.

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

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<b>456</b>	<b>Planning Board - 7 May 2008</b>	<b>456</b>
	Approved on the motion of Councillor Wilson.	
<b>457</b>	<b>Regeneration Committee - 8 May 2008</b>	<b>457</b>
	Approved on the motion of Councillor Clocherty.	
<b>458</b>	<b>Audit Committee - 13 May 2008</b>	<b>458</b>
	Approved on the motion of Councillor Blair.	
<b>459</b>	<b>Policy &amp; Resources Executive Sub-Committee - 14 May 2008</b>	<b>459</b>
	Approved on the motion of Councillor McCabe.	
<b>460</b>	<b>General Purposes Board - 14 May 2008</b>	<b>460</b>
	Approved on the motion of Councillor Ahlfeld.	
<b>461</b>	<b>Grants Sub-Committee - 15 May 2008</b>	<b>461</b>
	Approved on the motion of Councillor Clocherty.	
<b>462</b>	<b>Education &amp; Lifelong Learning Committee - 22 May 2008</b>	<b>462</b>
	Approved on the motion of Councillor McCabe.	
<b>463</b>	<b>Education Appeals Board - 26 May 2008</b>	<b>463</b>
	Approved on the motion of Councillor Moran.	
<b>464</b>	<b>Policy &amp; Resources Committee - 27 May 2008</b>	<b>464</b>
	Approved on the motion of Councillor McCabe.	
<b>465</b>	<b>Planning Board - 4 June 2008</b>	<b>465</b>
	Approved on the motion of Councillor Wilson.	
<b>466</b>	<b>Education Appeals Board - 10 June 2008</b>	<b>466</b>
	Approved on the motion of Councillor Moran.	
<b>467</b>	<b>General Purposes Board - 11 June 2008</b>	<b>467</b>
	Approved on the motion of Councillor Ahlfeld.	
<b>468</b>	<b>Membership of Committees and Outside Bodies</b>	<b>468</b>
	There was submitted a report by the Corporate Director Regeneration & Resources asking the Committee (1) to consider a request from Councillor White relative to the	

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membership of Committees and outside bodies and (2) following the resignation of Councillor Osborne, to appoint representatives to fill vacancies on outside bodies.

After discussion, Councillor White seconded by Councillor Blair moved that Councillor Fyfe be appointed to the Glasgow & Clyde Valley Structure Plan Joint Committee. As an amendment, Councillor McCabe seconded by Councillor McKenzie moved that Councillor Moran be so appointed. On a vote, 4 Members voted for the motion and 10 for the amendment which was declared carried.

**Decided:**

- (1) that Councillor White be appointed to the ROSPA (Home Safety) Committee in place of Councillor Rebecchi;
- (2) that Councillor Wilson be appointed to the Local Outdoor Access Forum in place of Councillor White;
- (3) that Councillor White be appointed to the Regeneration Committee in place of Councillor Fyfe;
- (4) that Councillor Fyfe be appointed to the Education & Lifelong Learning Committee in place of Councillor White;
- (5) that Councillor Moran be appointed to the Glasgow & Clyde Valley Structure Plan Joint Committee in place of Councillor Osborne; and
- (6) that following the resignation of Councillor Osborne, Councillor McCallum, currently the Council's substitute representative, be appointed to Sir Gabriel Wood's Mariners' Home Management Committee and that Councillor Clocherty be appointed substitute representative.

**469 Administrative Arrangements: Cycle of Council, Committee and Board Meetings 469**

There was submitted a report by the Corporate Director Regeneration & Resources setting out for approval the schedule of Committee cycles for the period to June 2009.

**Decided:** that the cycle of Council, Committee and Board meetings for the year to June 2009 as set out in the timetable forming an appendix to the report be approved.

**470 Decision Making Structure 470**

There was submitted a report by the Chief Executive reviewing the current decision making structure approved by the Council at the meeting held on 24 May 2007 (para 379).

**Decided:**

- (1) that no amendments be made to the Council's decision making structure; and
- (2) that the decision making structure be kept under review with a further report being presented to the Council in June/July 2009.

**471 Provost's Forum 471**

There was submitted a report by the Corporate Director Regeneration & Resources seeking the appointment of Elected Members to the Provost's Forum.

Following discussion, Councillor Osborne seconded by Councillor Grieve moved that Councillor Brooks be appointed as the main opposition group's representative on the Forum and this was agreed. Councillor White seconded by Councillor Fyfe then moved that Councillor Rebecchi represent the other minority groups. As an amendment, Councillor Wilson seconded by Councillor Loughran moved that Councillor Ahlfeld be so appointed. On a vote, 9 Members voted for the motion and 10 for the amendment which was declared carried.

**Decided:** that the Provost, Depute Provost, Councillor Brooks and Councillor Ahlfeld be

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appointed to the Provost's Forum.

- 472 Healthy Lifestyles Champion** **472**
- There was submitted a report by the Corporate Director Education & Social Care seeking the appointment of a Healthy Lifestyles Champion to represent the Council.  
**Decided:** that Provost McCormick be appointed as the Council's Healthy Lifestyles Champion.
- 473 Proposed Traffic Regulation Order - The A78 Trunk Road Greenock Schools (Part Time 20 MPH Speed Limit) Order 2008** **473**
- There was submitted a report by the Corporate Director Regeneration & Resources on the proposed Traffic Regulation Order - The A78 Trunk Road Greenock Schools (Part Time 20 MPH Speed Limit) Order 2008.  
**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 83(2) and Part III of Schedule 9 of the Road Traffic Regulation Act 1984 to permit the introduction of a part time 20 MPH speed restriction on sections of Flatterton Road, Auchmead Road, Gateside Avenue, Aileymill Gardens and Dunlop Street, all as detailed in a copy of the Order forming a supplement to the principal minute hereof, and that the Head of Planning, Housing & Transportation and the Head of Legal & Administration be authorised to take all necessary action in connection therewith.
- 474 Transfer of Inverclyde District Court to Scottish Court Service** **474**
- There was submitted a report by the Head of Legal & Administration (1) advising of the prospective transfer of Inverclyde District Court to the Scottish Court Service and (2) requesting authorisation for the Head of Legal & Administration to make the necessary arrangements with the Scottish Court Service for the transfer to take place.  
**Decided:**  
 (1) that the prospective transfer of Inverclyde District Court to the Scottish Court Service be noted;  
 (2) that the Head of Legal & Administration be authorised to make the necessary arrangements with the Scottish Court Service for the transfer to take place; and  
 (3) that Members' comments and concerns regarding the future use of the building be noted and that it be remitted to the Corporate Director Regeneration & Resources to include the Court Complex in the review of the Council's property portfolio reported to the Regeneration Committee at its meeting on 17 January 2008.
- 475 Use of Powers Delegated to the Chief Executive - First Periodical Review of Scottish Parliament Boundaries - Response to Consultation** **475**
- There was submitted a report by the Head of Legal & Administration advising of the use of the powers delegated to the Chief Executive since the last ordinary meeting of the Council for approval to submit a response to the Boundary Commission for Scotland on the provisional proposals for Scottish Parliamentary Constituencies which affect The Inverclyde Council area.  
**Noted**
- 476 Maternity Services in Clyde** **476**

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There was submitted a report by the Corporate Director Education & Social Care seeking approval of the response appended to the report as the Council's response to the consultation by Greater Glasgow & Clyde NHS on the future of maternity services in the Clyde area following consideration of the matter by the Policy & Resources Executive Sub-Committee at the meeting held on 14 May 2008 (para 397).

(Councillors McKenzie, Clocherty, Wilson and Ferguson left the meeting during consideration of this item of business).

**Decided:**

(1) that the consultation response appended to the report be approved subject to the inclusion of comments relative to (a) the distance up to which women will require to travel from Inverclyde to receive maternity services, which is well in excess of the 12 miles stipulated by Greater Glasgow & Clyde NHS as safe, and (b) Greater Glasgow & Clyde NHS, as a member of Inverclyde Alliance, having a responsibility to Inverclyde; and

(2) that a copy of the response be forwarded to Ms Nicola Sturgeon MSP, Deputy First Minister and Cabinet Secretary for Health & Wellbeing.

**477 Birkmyre Park Play Equipment - Expenditure**

**477**

There was submitted a report by the Corporate Director Regeneration & Resources on a request from the Policy & Resources Committee that the Council, as local authority and Trustee with responsibility to manage the Trust property in accordance with the conditions of the Trust, approve expenditure of Birkmyre Trust funds in accordance with option 3 as detailed in the report to the Policy & Resources Committee.

**Decided:** that the Council, as local authority and Trustee with responsibility to manage the Trust property in accordance with the conditions of the Trust, approve expenditure of Birkmyre Trust funds in accordance with option 3 as detailed in the report to the Policy & Resources Committee.

**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**

**478 Human Resources Appeals Board - 17 April 2008**

**478**

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

**479 The Inverclyde Council - 17 April 2008**

**479**

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

**480 Regeneration Committee - 8 May 2008**

**480**

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

**481 Education Appeals Board - 26 May 2008**

**481**

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

**482 Education Appeals Board - 10 June 2008**

**482**

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