

THE INVERCLYDE COUNCIL - 4 DECEMBER 2008

The Inverclyde Council

Thursday 4 December 2008 at 4.00 pm

Present: Provost McCormick, Councillors Ahlfeld, Blair, Brooks, Clocherty, Dorrian, Fyfe, 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 Performance Management & Procurement, Head of Corporate Communications & Public Affairs, Head of Environmental Services, Head of Property Resources & Facilities Management, Chief Internal Auditor and Managing Solicitor (Procurement, District Court & Administration).

Apologies: Councillors Ferguson and Grieve.

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

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| 836 | The Inverclyde Council - 9 October 2008 | 836 |
| | Approved on the motion of Provost McCormick. | |
| 837 | Audit Committee - 21 October 2008 | 837 |
| | Approved on the motion of Councillor Blair. | |
| 838 | Health & Social Care Committee - 23 October 2008 | 838 |
| | Approved on the motion of Councillor McIlwee. | |
| 839 | Safe, Sustainable Communities Committee - 28 October 2008 | 839 |
| | Approved on the motion of Councillor Moran. | |
| 840 | Regeneration Committee - 30 October 2008 | 840 |
| | Approved on the motion of Councillor Clocherty. | |
| 841 | Grants Sub-Committee - 30 October 2008 | 841 |
| | Approved on the motion of Councillor Clocherty. | |
| 842 | Education & Lifelong Learning Committee - 4 November 2008 | 842 |
| | Approved on the motion of Councillor McKenzie. | |
| 843 | Education Appeals Board - 5 November 2008 | 843 |

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Approved on the motion of Councillor Moran.

844 Planning Board - 5 November 2008 844

Approved on the motion of Councillor Wilson.

845 General Purposes Board - 12 November 2008 845

Approved on the motion of Councillor Ahlfeld.

846 Policy & Resources Committee - 18 November 2008 846

Approved on the motion of Councillor McCabe.

847 Safe, Sustainable Communities Committee - 25 November 2008 847

Approved on the motion of Councillor Moran.

848 Planning Board - 3 December 2008 848

Approved on the motion of Councillor Wilson.

849 Annual Report to Members and the Controller of Audit on the 2007/08 Audit 849

There was submitted a report by the Corporate Director Improvement & Performance advising the Council of the publication of the Annual Report to Members and the Controller of Audit on the 2007/2008 Audit prepared by Audit Scotland on behalf of the Accounts Commission.

Mr Peter Tait and Ms Elaine Boyd of Audit Scotland were present and Mr Tait briefly addressed the Council in relation to the contents of the Report.

Decided:

- (1) that the Council endorse the findings of the Annual Report to Members and the Controller of Audit on the 2007/2008 Audit;
- (2) that it be agreed to refer the Annual Report to the Audit Committee for consideration of those issues which fall within its remit; and
- (3) that it be agreed that progress against the planned management actions be monitored by the Chief Internal Auditor, utilising the process already in place for managing internal and external audit actions.

850 Briefing Note by Chief Executive 850

There was circulated a briefing note by the Chief Executive advising that the Council was required to review the political balance of its Committees, Sub-Committees and its representation on Outside Bodies following Councillor McCallum's resignation from the Labour Party and recommending that, for this purpose, a special meeting of the Council be convened at 4 pm on Thursday 18 December 2008. The briefing note also advised that the requirement to review the political balance did not affect the recommendations contained in the following two reports which could be progressed at this time.

Decided: that a special meeting of The Inverclyde Council be convened at 4 pm on Thursday 18 December 2008 to consider a report by the Chief Executive on the re-balancing, where necessary, of Committee and Sub-Committee membership and representation on Outside Bodies.

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- 851 Councillor Ahlfeld - Resignation from Education Appeals Board 851**
- There was submitted a report by the Corporate Director Regeneration & Resources requesting the Council to fill the vacancy on the Education Appeals Board following the resignation of Councillor Ahlfeld.
- Decided:** that Councillor McCabe be appointed to the Education Appeals Board to fill the vacancy resulting from the resignation of Councillor Ahlfeld.
- 852 Councillor McCallum - Resignations 852**
- There was submitted a report by the Corporate Director Regeneration & Resources requesting the Council to fill the vacancies in the posts of (a) Vice-Convenor of the Regeneration Committee, (b) Depute Provost and (c) Chair of the Human Resources Appeals Board following the resignation of Councillor McCallum.
- Following discussion, Councillor McCabe seconded by Councillor McKenzie moved that Councillor Ahlfeld be appointed Vice-Convenor of the Regeneration Committee. This was agreed unanimously. Councillor McCabe seconded by Councillor McKenzie moved that Councillor Wilson be appointed Depute Provost. As an amendment, Councillor White seconded by Councillor MacLeod moved that Councillor McCallum be appointed to the post. On a vote, 7 Members voted for the amendment and 10 for the motion which was declared carried. Councillor McCabe seconded by Councillor McKenzie moved that Councillor Brooks be appointed Chair of the Human Resources Appeals Board and this was agreed unanimously.
- Decided:**
- (1) that Councillor Ahlfeld be appointed Vice-Convenor of the Regeneration Committee;
 - (2) that Councillor Wilson be appointed Depute Provost; and
 - (3) that Councillor Brooks be appointed Chair of the Human Resources Appeals Board.
- 853 Older People's Champion 853**
- There was submitted a report by the Corporate Director Education & Social Care seeking approval for the appointment of an Older People's Champion to represent the Council. Following discussion, Councillor McCabe seconded by Councillor McKenzie moved that Councillor McIlwee be appointed as the Council's Older People's Champion. As an amendment, Councillor MacLeod seconded by Councillor White moved that Councillor Rebecchi be so appointed. On a vote, 8 Members voted for the amendment and 10 for the motion which was declared carried.
- Decided:** that Councillor McIlwee be appointed as the Council's Older People's Champion.
- 854 Scottish SPCA: Firework Legislation - Request by Councillor McCabe 854**
- There was submitted a report by the Corporate Director Regeneration & Resources advising of a request received from Councillor McCabe that consideration be given to a letter from the Scottish SPCA seeking support of proposed changes to the legislation governing the sale of fireworks which they are intending to submit to the Government.
- Decided:** that the Council support the proposed changes to the legislation governing the sale of fireworks as contained in the letter from the Scottish SPCA.
- 855 European Parliamentary Elections - 4 June 2009 855**
Proposed Polling Scheme - Inverclyde County Constituency

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There was submitted a report by the Chief Executive as Returning Officer seeking approval for the proposed Polling Scheme to be adopted for use at the European Parliamentary Elections due to be held on 4 June 2009.

Decided:

- (1) that approval be given to the proposed Polling Scheme forming Appendix 1 to the report; and
- (2) that delegated authority be granted to the Chief Executive, in his role as local Returning Officer, (a) to make any alterations which may be required to the Polling Scheme prior to the date of the European Parliamentary Elections and (b) to make any alterations which may be required in the event of a UK General Election being called in 2009.

856 Proposed Traffic Regulation Order - On-Street Parking Places (Without Charges) Order No 2 2008 856

There was submitted a report by the Corporate Director Regeneration & Resources on the proposed Traffic Regulation Order - On-Street Parking Places (Without Charges) Order No 2 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 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 the Head of Legal & Administration be authorised to take all necessary action in connection therewith.

857 Proposed Traffic Regulation Order - Craigends Bridge, Kilmacolm (13 Tonne Weight Restriction Revocation) Order 2008 857

There was submitted a report by the Corporate Director Regeneration & Resources on the proposed Traffic Regulation Order - Craigends Bridge, Kilmacolm (13 Tonne Weight Restriction Revocation) 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 Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 to permit revocation of the 13 tonne weight restriction on Craigends Bridge, Kilmacolm 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 the Head of Legal & Administration be authorised to take all necessary action in connection therewith.

858 Review of Financial Strategy 2008/09 - 2017/18 858

There was submitted a report by the Corporate Director Improvement & Performance seeking approval of the latest version of the Council's Financial Strategy, appended to the report, which had been reviewed and amended in line with the process agreed in April 2008.

Decided:

- (1) that approval be given to the revised Financial Strategy set out in Appendix A to the report;

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(2) that the Council note the progress made over the last six months in delivering the Action Plan to support the development of the Financial Strategy, as set out in Appendix B; and

(3) that agreement be given to a further review of the Financial Strategy being undertaken following approval of the 2009/2011 Budget in February 2009 and for its submission to the appropriate Committee for approval.

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 for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 13 of Part I of Schedule 7(A) of the Act and for the item thereafter, the nature of the exempt information being that 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.

859 Proposed Compulsory Purchase Order 859

There was submitted a report by the Corporate Director Regeneration & Resources seeking the Council's approval to promote a Compulsory Purchase Order which was agreed, all as detailed in the appendix.

Appendices to Minutes

860 Health & Social Care Committee - 23 October 2008 860

Approved on the motion of Councillor McIlwee.

861 Regeneration Committee - 30 October 2008 861

Approved on the motion of Councillor Clocherty.

862 Education Appeals Board - 5 November 2008 862

Approved on the motion of Councillor Moran.

863 Policy & Resources Committee - 18 November 2008 863

Approved on the motion of Councillor McCabe.