

THE INVERCLYDE COUNCIL - 24 FEBRUARY 2011

The Inverclyde Council

Thursday 24 February 2011 at 4.00 pm

Present: Provost McCormick, Councillors Ahlfeld, Blair, Brooks, Clocherty, Dorrian, Fyfe, Grieve, Loughran, McCabe, McCallum, McIlwee, McKenzie, Nelson, Osborne, Rebecchi, White and Wilson.

Chair: Provost McCormick presided.

In attendance: Chief Executive, Corporate Director Community Health & Care Partnership, Corporate Director Education & Communities, Corporate Director Regeneration & Environment, Chief Financial Officer, Head of Legal & Democratic Services, Mr A Wilson (for Head of Organisational Development, HR & Performance), Mr M McNab (for Head of Safer & Inclusive Communities), Legal Services Manager (Conveyancing & Planning), Legal Services Manager (Procurement & Administration), Corporate Communications Manager and Service Manager (Community Learning & Development).

Present also: Mr L Slaven and Ms P Reid (Audit Scotland).

Prior to the commencement of business, Councillor Rebecchi and Provost McCormick referred to the absence of Councillor Robert Moran due to ill health and, on behalf of the Council, wished him a speedy recovery.

116 Apologies and Declarations of Interest 116

Apologies for absence were intimated on behalf of Councillors MacLeod and Moran.

No declarations of interest were intimated.

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

117 The Inverclyde Council - 2 December 2010 117

Approved on the motion of Provost McCormick.
(Councillor Nelson entered the meeting during consideration of this item of business).

118 General Purposes Board - 8 December 2010 118

Approved on the motion of Councillor Ahlfeld.

119 The Inverclyde Council (Special) - 14 December 2010 119

Approved on the motion of Provost McCormick.

120 The Inverclyde Council (Special) - 14 December 2010 120

Approved on the motion of Provost McCormick.

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121	Appointment Panel - Head of Health & Community Care - 17 December 2010	121
	Approved on the motion of Councillor McIlwee.	
122	Planning Board - 5 January 2011	122
	Approved on the motion of Councillor Wilson.	
123	Audit Committee - 11 January 2011	123
	Approved on the motion of Councillor Blair.	
124	General Purposes Board - 12 January 2011	124
	Approved on the motion of Councillor Ahlfeld.	
125	Inverclyde CHCP Sub-Committee - 13 January 2011	125
	Approved on the motion of Councillor McIlwee.	
126	Safe, Sustainable Communities Committee - 18 January 2011	126
	Approved on the motion of Councillor McCabe.	
127	Regeneration Committee - 20 January 2011	127
	Approved on the motion of Councillor Clocherty.	
128	Education & Lifelong Learning Committee - 25 January 2011	128
	Approved on the motion of Councillor McKenzie.	
129	Planning Board - 2 February 2011	129
	Approved on the motion of Councillor Wilson.	
130	Local Review Body - 2 February 2011	130
	Approved on the motion of Councillor Wilson.	
131	Policy & Resources Committee - 8 February 2011	131
	Approved on the motion of Councillor McCabe.	
132	General Purposes Board - 9 February 2011	132
	Approved on the motion of Councillor Ahlfeld.	

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- 133 The Inverclyde Council (Special) - 10 February 2011 133**
- Approved** on the motion of Provost McCormick.
(Councillor Grieve entered the meeting during consideration of this item of business).
- 134 Labour Group Leadership - Resignation of Councillor McCabe 134**
- There was submitted a report by the Corporate Director Regeneration & Environment (1) advising that Councillor McCabe has resigned as Leader of the Council and of the Labour Group of Inverclyde Council and (2) requesting that the Council make appropriate appointments in the light of Councillor McCabe's resignation.
- Decided:**
- (1) that it be noted Councillor McCabe has intimated his resignation as Leader of the Council and of the Labour Group of Inverclyde Council;
 - (2) that Councillor McKenzie be appointed Leader of the Council;
 - (3) that Councillor Clocherty be appointed Depute Leader of the Council;
 - (4) that Councillor McKenzie be appointed Convener of the Policy & Resources Committee and the Policy & Resources Executive Sub-Committee;
 - (5) that Councillor Clocherty be appointed Vice-Convener of the Policy & Resources Committee and the Policy & Resources Executive Sub-Committee;
 - (6) that Councillor McKenzie be appointed Chair of the Inverclyde Alliance Board;
 - (7) that Councillor McKenzie be appointed to the CoSLA Convention as Council Leader; and
 - (8) that Councillor McKenzie be appointed to the Clyde Valley Community Planning Partnership.
- 135 SNP Group Leadership - Resignation of Councillor MacLeod 135**
- There was submitted a report by the Corporate Director Regeneration & Environment advising of the resignation of Councillor MacLeod as Leader of the SNP Group on 19 January 2011 and Councillor Nelson's appointment as Group Leader from that date.
- Noted**
- 136 Inverclyde Local Access Forum - Vacancies 136**
- There was submitted a report by the Corporate Director Regeneration & Environment requesting the Council to appoint two representatives to serve on the Inverclyde Local Access Forum following the resignations of Councillors Wilson and Ahlfeld.
- Decided:** that Councillors Nelson and Blair be appointed to serve on the Inverclyde Local Access Forum in place of Councillors Wilson and Ahlfeld.
- 137 Statutory Review of Polling Districts & Polling Places 137**
- There was submitted a report by the Head of Legal & Democratic Services (1) on the outcome of the consultation exercise undertaken following the Council's approval of a draft Polling Scheme at its meeting on 7 October 2010 and (2) seeking approval of the final Polling Scheme, appended to the report, which takes into account certain suggestions arising from the consultation.
- Decided:**
- (1) that approval be given to the Inverclyde Scheme of Polling Districts and Polling Places as detailed in Appendix 1 to the report;

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(2) that it be noted the next formal review of the Inverclyde Scheme of Polling Districts and Polling Places will take place in 2015; and

(3) that, in the interim, authority be delegated to the Chief Executive in his role as Returning Officer, in consultation with the appropriate Elected Members and the Electoral Registration Officer, to make suitable alternative arrangements in the event of a polling place becoming unavailable for a particular election or by-election.

138 Councillors' Code of Conduct

138

There was submitted a report by the Chief Executive on the revised Councillors' Code of Conduct following the consultation exercise carried out by the Scottish Government.

Decided: that the updated Councillors' Code of Conduct, a copy of which was appended to the report, be noted.

139 Protection of Vulnerable Groups (PVG) Scheme

139

There was submitted a report by the Head of Organisational Development, HR & Performance (1) advising of the requirement to introduce the Protection of Vulnerable Groups (PVG) Scheme and (2) seeking approval for amendments to current procedures to allow the introduction of the new scheme on 28 February 2011.

Decided:

(1) that the costs incurred for the new PVG Scheme to be introduced by the Scottish Government on 28 February 2011 be met in terms of the proposals outlined in paragraph 5.2 of the report and that these be implemented as of 28 February 2011;

(2) that no retrospective checks be carried out in respect of the PVG Scheme as the Council will automatically be alerted if an existing scheme member is being barred from undertaking regulated work and can ask for a scheme update to ascertain the reasons why;

(3) that where a scheme update request is made the cost of £41 be met by the Council and that any such request be made by the Head of Organisational Development, HR & Performance;

(4) that the cost incurred for the new Disclosure Scotland checks be met in terms of the proposals outlined in paragraph 5.5 of the report and that these be implemented as of 28 February 2011;

(5) that an exercise be conducted to look at contracts of employment in relation to employees engaged in regulated work areas; and

(6) that the PVG/Disclosure arrangements be reviewed in one year.

140 Proposed Traffic Regulation Order - McCallum Crescent, Gourock (One Way Only) Order 2011

140

There was submitted a report by the Corporate Director Regeneration & Environment on the proposed Traffic Regulation Order - McCallum Crescent, Gourock (One Way Only) Order 2011.

Resolved on the motion of Councillor McKenzie seconded by Councillor Clocherty that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc (Scotland) Act 1994, RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Sections 1(1), 2(1) and (2) and Part III of Schedule 9 of the Road Traffic Regulation Act 1984 to introduce one way driving in McCallum Crescent, Gourock, all as detailed in a copy of the Order forming a supplement to the principal minute hereof and that the Head of Environmental & Commercial Services and the Head of Legal & Democratic Services be

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authorised to take all necessary action in connection therewith.

141 Proposed Traffic Regulation Order - Cardwell Road, Gourock (Waiting Restrictions) Order 2011 141

There was submitted a report by the Corporate Director Regeneration & Environment on the proposed Traffic Regulation Order - Cardwell Road, Gourock (Waiting Restrictions) Order 2011.

Resolved on the motion of Councillor White seconded by Councillor Loughran 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 on Cardwell Road, Gourock, all as detailed in a copy of the Order forming a supplement to the principal minute hereof and that the Head of Environmental & Commercial Services and the Head of Legal & Democratic Services be authorised to take all necessary action in connection therewith.

142 Clyde Valley Partnership: Shared Services Workstreams 142

There was submitted a report by the Chief Executive requesting the Council to (1) consider continued participation in the Clyde Valley Community Planning Partnership's study of potential shared services workstreams and (2) approve shared funding, where relevant, for the development of detailed business case design proposals by the Partnership targeted for June 2011.

Decided:

- (1) that the Council continue its participation with the Clyde Valley Community Planning Partnership in the development of detailed business cases for (i) waste management, (ii) support services, (iii) integrated health and social care and (iv) social transport;
- (2) that approval be given to the participation of relevant officers in the Project Team arrangements for the detailed design phases;
- (3) that the Council note the potential funding requirements to support the detailed design phase activities as described within the report and that it be remitted to the Chief Executive in liaison with the Chief Financial Officer to deal with this matter accordingly; and
- (4) that the Chief Executive submit a report to the Council after the full business cases are considered by the Clyde Valley Partnership so that the Council may consider any outcomes and recommendations made.

143 Greenock Coastguard Centre 143

There was submitted (1) a report by the Corporate Director Regeneration & Environment providing an update on the proposals by the Maritime and Coastguard Agency (MCA) with particular regard to the proposal to close the Greenock Coastguard Centre and (2) a motion by Councillor McCabe as follows:

"This Council is concerned at the proposal by the Maritime and Coastguard Agency, contained within the consultation document 'Protecting our Seas and Shores in the 21st Century', to close the Clyde Maritime Rescue Coordination Centre at Greenock, resulting in the loss of up to 35 frontline operational coastguard posts".

This Council believes that:

- (i) these cuts to an essential front line emergency service will put the lives of Inverclyde residents and all those that use the seas of the West Coast of Scotland at risk;
- (ii) the proposals within the consultation document rely too heavily on new technology

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that has not been developed or tested and that replacing years of local knowledge by such systems as Google mapping is fundamentally wrong; and

(iii) the proposals will cause inherent delays in the emergency response causing delays to rescue helicopters and RNLI lifeboats being despatched to people in trouble.

This Council therefore supports the campaign by the PCS Union Branch and Staff at Greenock to retain the Clyde Maritime Rescue Coordination Centre and calls upon the Maritime and Coastguard Agency to reconsider its proposals.”

Decided:

- (1) that the contents of the report be noted; and
- (2) that the Council unanimously support the motion submitted by Councillor McCabe.

144 The Watt Complex: Feasibility Study and Options Appraisal - Remit from Regeneration Committee 144

There was submitted a report by the Corporate Director Regeneration & Environment requesting the Council, as Trustees of the Watt Institution, to consider a remit from the Regeneration Committee of 20 January 2011 relative to recommendations in respect of a feasibility study carried out on the Watt Library, McLean Museum, Art Gallery and the Watt Hall with a view to identifying funding and developing a bid application to the Heritage Lottery Fund and Historic Scotland.

Decided: that the Council, as Trustees of the Watt Institution, approve the recommendations from the Regeneration Committee relative to the Watt Complex.

145 Standing Orders Relating to Contracts - Remit from Policy & Resources Committee 145

There was submitted a report by the Corporate Director Regeneration & Environment on a remit from the Policy & Resources Committee of 8 February 2011 seeking approval of revised Standing Orders relating to Contracts.

Resolved on the motion of Councillor McKenzie seconded by Councillor Clocherty that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc (Scotland) Act 1994, under the powers conferred on them by the Local Government (Scotland) Act 1973 and the said Act of 1994, RESOLVE TO ADOPT, as they HEREBY ADOPT the Standing Orders relating to Contracts a copy of which forms an appendix to the principal minute hereof and that with effect from the date of this Resolution, videlicet 24 February 2011.

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 two items of business 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 and the nature of the exempt information in respect of the item thereafter being that defined in the respective paragraphs of Part I of Schedule 7(A) of the Act, as detailed in the relevant minute.

Item	Paragraph(s)
Disposal of Kilmacolm Institute - Report on Offers - Remit from Regeneration Committee	2, 6 & 9
Inverclyde Megawatt Festival Ltd - Council Representation	6

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146 Disposal of Kilmacolm Institute - Report on Offers - Remit from Regeneration Committee 146

There was submitted a report by the Corporate Director Regeneration & Environment requesting the Council, as Trustees of the Kilmacolm Institute, to consider a remit from the Regeneration Committee of 20 January 2011 relative to recommendations in respect of offers received in response to the advertisement for the sale of the Kilmacolm Institute, plus adjacent properties.

Decided: that the Council, as Trustees of the Kilmacolm Institute, approve the recommendations from the Regeneration Committee relative to disposal of the Kilmacolm Institute.

147 Inverclyde Megawatt Festival Ltd - Council Representation 147

There was submitted a report by the Corporate Director Regeneration & Environment and the Corporate Director Education & Communities on a request received from Inverclyde Megawatt Festival Ltd for two Elected Members to be appointed as Directors of the company.

(Councillor Wilson left the meeting during consideration of this item of business).

Decided: that the Council not appoint any Elected Members to the Board of Inverclyde Megawatt Festival Ltd at this time but that the situation be reviewed in 12 months' time.

Appendices to Minutes

148 Appointment Panel - Head of Health & Community Care - 17 December 2010 148

Approved on the motion of Councillor McIlwee.

149 Regeneration Committee - 20 January 2011 149

Approved on the motion of Councillor Clocherty.