

THE INVERCLYDE COUNCIL - 4 OCTOBER 2012

The Inverclyde Council

Thursday 4 October 2012 at 4 pm

Present: Provost Moran, Councillors Ahlfeld, Brennan, Brooks, Campbell-Sturgess, Clocherty, Dorrian, Grieve, Jones, Loughran, MacLeod, McCabe, McColgan, McCormick, McEleny, McIlwee, Nelson, Rebecchi and Shepherd.

Chair: Provost Moran presided.

In attendance: Chief Executive, Corporate Director Inverclyde Community Health & Care Partnership, Corporate Director Education, Communities & Organisational Development, Corporate Director Environment, Regeneration & Resources, Head of Legal & Democratic Services, Chief Financial Officer, Business/Democratic Services Manager and Corporate Communications Manager.

Prior to the commencement of business, the Council observed a minute's silence as a mark of respect following the recent death of Mr Freddie Fletcher, former Councillor and Provost of Inverclyde District Council. Councillor Rebecchi paid tribute to the achievements of Mr Fletcher and, on behalf of the Council, conveyed his condolences to his widow and family.

541 Apologies and Declarations of Interest 541

An apology for absence was intimated on behalf of Councillor Wilson.

No declarations of interest were intimated.

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

542 Grants Sub-Committee - 28 June 2012 542

Approved on the motion of Councillor Clocherty.

543 Audit Committee (Special) - 28 June 2012 543

Approved on the motion of Councillor Rebecchi.

544 The Inverclyde Council - 28 June 2012 544

Approved on the motion of Provost Moran.

545 The Inverclyde Council (Special) - 28 June 2012 545

Approved on the motion of Provost Moran.

546 Appointment Panel - Head of Health & Community Care, Inverclyde CHCP 546

Approved on the motion of Councillor McIlwee.

THE INVERCLYDE COUNCIL - 4 OCTOBER 2012

547	Planning Board - 1 August 2012	547
	Approved on the motion of Councillor Brooks.	
548	Local Review Body -1 August 2012	548
	Approved on the motion of Councillor Dorrian.	
549	General Purposes Board - 8 August 2012	549
	Approved on the motion of Councillor Dorrian.	
550	Policy & Resources Committee - 14 August 2012	550
	Approved on the motion of Councillor McCabe.	
551	Audit Committee - 21 August 2012	551
	Approved on the motion of Councillor Nelson.	
552	Inverclyde CHCP Sub-Committee - 28 August 2012	552
	Approved on the motion of Councillor McIlwee.	
553	Environment & Regeneration Committee - 30 August 2012	553
	Approved on the motion of Councillor McCormick.	
554	Education & Communities Committee - 4 September 2012	554
	Approved on the motion of Councillor Loughran.	
555	Planning Board - 5 September 2012	555
	Approved on the motion of Councillor Brooks.	
556	Human Resources Appeals Board - 11 September 2012	556
	Approved on the motion of Councillor Brooks.	
557	General Purposes Board - 12 September 2012	557
	Approved on the motion of Councillor Dorrian.	
558	Policy & Resources Committee - 18 September 2012	558
	Approved on the motion of Councillor McCabe.	

THE INVERCLYDE COUNCIL - 4 OCTOBER 2012

- 559 Human Resources Appeals Board - 13 and 26 September 2012 559**
- Approved** on the motion of Councillor Brooks.
- 560 Audit Committee (Special) - 27 September 2012 560**
- Approved** on the motion of Councillor Rebecchi.
- 561 Planning Board - 3 October 2012 561**
- Approved** on the motion of Councillor Brooks.
- 562 Council's Standing Orders and Scheme of Administration 562**
- There was submitted a replacement report by the Head of Legal & Democratic Services seeking approval to amend Standing Order 60(c) of the Council's Standing Orders and Scheme of Administration.
- Decided:** that Standing Order 60(c) of the Council's Standing Orders and Scheme of Administration be amended to read as follows:
- " A Member who is not a Member of a particular Committee shall be entitled to attend a meeting of that Committee while there is under discussion any item in which the Member has a local or other interest. Except where a Committee, Sub-Committee, Regulatory Board or the Local Review Body is dealing with an item of business in a judicial or quasi judicial capacity, such Member shall, with the consent of the Chair, be entitled to participate in the discussion of the item but shall not be entitled to vote. For the avoidance of doubt, where an item of business is one of a judicial or quasi judicial nature, a Member who is not a Member of the particular Committee shall not be entitled to participate in discussion of the item and shall not be entitled to vote".
- 563 Strathclyde Concessionary Travel Scheme Joint Committee - Appointment of Substitute Member 563**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources requesting the Council to appoint a substitute member to the Strathclyde Concessionary Travel Scheme Joint Committee.
- Decided:** that Councillor Clocherty be appointed as substitute member to the Strathclyde Concessionary Travel Scheme Joint Committee.
- 564 Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On-Street) Order No. 1 2012 564**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Disabled Persons' Parking Places (On-Street) Order No. 1 2012.
- Resolved** on the motion of Councillor McCabe 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 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

THE INVERCLYDE COUNCIL - 4 OCTOBER 2012

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.

565 Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On-Street) Order No. 2 2012 565

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Disabled Persons' Parking Places (On-Street) Order No. 2 2012.

Resolved on the motion of Councillor McCabe 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 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 Environmental & Commercial Services and the Head of Legal & Democratic Services be authorised to take all necessary action in connection therewith.

566 Proposed Traffic Regulation Order - Union Street, Greenock (18 Tonne Weight Restriction) Order 2012 566

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Union Street, Greenock (18 Tonne Weight Restriction) Order 2012.

Resolved on the motion of Councillor McCabe 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 an 18 tonne weight restriction at Union Street, Greenock, 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.

567 Proposed Traffic Regulation Order - Mearns Street, Greenock (7.5 Tonne Weight Restriction) Order 2012 567

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Mearns Street, Greenock (7.5 Tonne Weight Restriction) Order 2012.

Resolved on the motion of Councillor McCabe 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 a 7.5 tonne weight restriction at Mearns Street, Greenock, 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.

THE INVERCLYDE COUNCIL - 4 OCTOBER 2012

- 568 Scheme of Establishment Review 568**
- There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership appending the reviewed Scheme of Establishment with a view to the Council authorising its submission to the Scottish Government for approval.
- Decided:** that the Council approve the Scheme of Establishment revised as at July 2012, appended to the report, and that it be remitted to the Corporate Director Inverclyde Community Health & Care Partnership to submit this to the Scottish Government for Ministerial approval.
- 569 Inverclyde Council Commissioned Services for Specialist Nursing Care for Older Persons with Dementia and Adult Mental Health Intensive Supported Living Services 569**
- There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership (1) providing an update on the current position on the commissioning of specialist nursing care for older persons with dementia and adult mental health intensive supported living services in Inverclyde and (2) requesting the Council to note the position and endorse proposals for future action.
- Decided:**
- (1) that the Council note the present position and endorse the proposed way forward as set out in the report;
 - (2) that the Council note the intention to commission locally 12 specialist older persons nursing care dementia places for clients with highly complex needs from a suitably qualified independent sector provider(s);
 - (3) that the Council note the intention to commission locally for 8 adults with specialist mental health conditions and associated behaviours, intensive supported living places from a suitably qualified independent sector provider(s); and
 - (4) that the Council note the ongoing development of community based provision in addition to the proposed commissioned services.
- 570 Flood Risk Management (Scotland) Act 2009: Representation on Clyde and Loch Lomond Local Plan District Joint Committee - Remit from Environment & Regeneration Committee 570**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 30 August 2012 in respect of representation on the Clyde and Loch Lomond Local Plan District Joint Committee.
- Decided:** that Councillor Dorrian be appointed as Member and Councillor McCormick as substitute Member to the Clyde and Loch Lomond Local Plan District Joint Committee.
- 571 Treasury Management - Annual Report 2011/12: Remit from Policy & Resources Committee 571**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a request from the Policy & Resources Committee of 14 August 2012 that approval be given to the Annual Report on Treasury Management for 2011/12.

THE INVERCLYDE COUNCIL - 4 OCTOBER 2012

Decided: that the Council approve the Annual Report on Treasury Management 2011/12.

572 "Living Streets" - Motion by Councillor MacLeod 572

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a motion by Councillor MacLeod, countersigned by Councillor Nelson, relative to the "Living Streets" initiative which had been submitted in accordance with Standing Order 22 in the following terms:-

"The SNP group calls on Inverclyde Council to support the recent report issued by the national charity "Living Streets" where it looks at how we can transform our streets into welcoming spaces that build communities and improve the happiness and wellbeing of everyone".

Decided: that a report be submitted to the Environment & Regeneration Committee outlining the policy and financial implications of the proposals contained in the report issued by the national charity "Living Streets".

573 Trust Funds Annual Accounts 2011-2012 573

There was submitted a report by the Chief Financial Officer (1) requesting the Council, as Trustees, to review and approve the Annual Accounts for two Trust Funds which are not registered charities and (2) seeking Trustee approval to charge a nominal governance fee for both Trusts with effect from 2012/13.

Decided: that the Council, as Trustees:

(1) approve the Annual Accounts of the Birkmyre Trust and Watt Institution Trust Fund for the year ended 31 March 2012; and

(2) agree that from 2012/13, the Trusts pay £500 per year each to reflect the Council Officer support and advice which they receive.

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 basis that it contained exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act as detailed in the relevant Minute.

Appendices to Minutes

574 The Inverclyde Council - 28 June 2012 574

Approved on the motion of Provost Moran.

575 Appointment Panel - Head of Health & Community Care, Inverclyde CHCP 575

Approved on the motion of Councillor McIlwee.

576 Environment & Regeneration Committee - 30 August 2012 576

Approved on the motion of Councillor McCormick.

THE INVERCLYDE COUNCIL - 4 OCTOBER 2012

- 577 Human Resources Appeals Board - 11 September 2012 577**
Approved on the motion of Councillor Brooks.
- 578 Human Resources Appeals Board - 13 and 26 September 2012 578**
Approved on the motion of Councillor Brooks.