

THE INVERCLYDE COUNCIL - 21 FEBRUARY 2013

The Inverclyde Council

Thursday 21 February 2013 at 4 pm

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

Chair: Provost Moran presided.

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

106 Apologies and Declarations of Interest 106

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

Councillors Brooks, McEleny, MacLeod and Wilson declared interests in agenda items 4 (Review of Cases in Scotland - Miners and Others Convicted during the 1984/85 Strike - Motion by Councillor Loughran) and 5 (Blacklisting of Trade Unionists - Motion by Councillor Clocherty).

107 Presentation by the Accounts Commission 107

The meeting heard a presentation by Mr John Baillie, Chair of the Accounts Commission, on the Commission's role and responsibilities, how it holds Local Authorities to account and the measures adopted to assist Councils to improve performance. During the course of his presentation, Mr Baillie commended Inverclyde Council for the improvements which had taken place since the Audit in 2005. Provost Moran thanked Mr Baillie for the presentation made, after which he left the meeting.

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

108 The Inverclyde Council - 29 November 2012 108

Approved on the motion of Provost Moran.

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Provost Moran seconded by Councillor McCabe moved in relation to paragraph 709 (Police & Fire Reform - Local Scrutiny Arrangements), (1) that Standing Orders be suspended to allow the first meeting of the Local Police and Fire Scrutiny Sub-Committee to be held on 12 March 2013 at 1.30 pm, it being confirmed that the Convener and Vice-Convener of the Sub-Committee are the Convener and Vice-Convener (Communities) of the Education & Communities Committee and (2) that delegated authority be granted to the Head of Legal & Democratic Services to amend the Scheme of Administration accordingly. This was agreed unanimously.

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| 109 | Planning Board - 5 December 2012 | 109 |
| | Approved on the motion of Councillor Wilson. | |
| 110 | Local Review Body - 5 December 2012 | 110 |
| | Approved on the motion of Councillor Wilson. | |
| 111 | General Purposes Board - 12 December 2012 | 111 |
| | Approved on the motion of Councillor Dorrian. | |
| 112 | The Inverclyde Council (Special) - 20 December 2012 | 112 |
| | Approved on the motion of Provost Moran. | |
| 113 | Audit Committee - 8 January 2013 | 113 |
| | Approved on the motion of Councillor Rebecchi. | |
| 114 | Planning Board - 9 January 2013 | 114 |
| | Approval of the minute as a correct record was moved by Councillor Wilson seconded by Councillor McIlwee.
As an amendment, Councillor Rebecchi seconded by Councillor Brooks moved that consideration of the minute be continued for further discussion and possible correction. On a vote, 7 Members voted for the amendment and 12 for the motion which was declared carried.
Decided: that the minute be approved. | |
| 115 | Local Review Body - 9 January 2013 | 115 |
| | Approved on the motion of Councillor Wilson. | |
| 116 | Policy & Resources Executive Sub-Committee - 10 January 2013 | 116 |
| | Approved on the motion of Councillor McCabe. | |

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| 117 | <p>Inverclyde CHCP Sub-Committee - 10 January 2013</p> <p>Approved on the motion of Councillor McIlwee.</p> | 117 |
| 118 | <p>General Purposes Board - 16 January 2013</p> <p>Approved on the motion of Councillor Dorrian.</p> | 118 |
| 119 | <p>Environment & Regeneration Committee - 17 January 2013</p> <p>Approved on the motion of Councillor McCormick.</p> | 119 |
| 120 | <p>Education & Communities Committee - 22 January 2013</p> <p>Approved on the motion of Councillor Loughran.</p> | 120 |
| 121 | <p>Human Resources Appeals Board - 23 January 2013</p> <p>Approved on the motion of Councillor Brooks.</p> | 121 |
| 122 | <p>Policy & Resources Committee - 5 February 2013</p> <p>Approved on the motion of Councillor McCabe.</p> | 122 |
| 123 | <p>Planning Board - 6 February 2013</p> <p>Approved on the motion of Councillor Wilson.</p> | 123 |
| 124 | <p>The Inverclyde Council (Special) - 14 February 2013</p> <p>Approved on the motion of Provost Moran.</p> | 124 |
| 125 | <p>Grants Sub-Committee - 21 February 2013</p> <p>It was noted that the minute of this meeting would be submitted to the next scheduled meeting of The Inverclyde Council.</p> | 125 |
| 126 | <p>Review of Cases in Scotland - Miners and Others Convicted during the 1984/85 Strike - Motion by Councillor Loughran</p> <p>There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a motion by Councillor Loughran, counter-signed by Councillor McIlwee, supporting a review of cases in Scotland concerning miners and others convicted during the 1984/85 strike which had been submitted in accordance with Standing Order 22 in the following terms:-</p> | 126 |

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"Council notes with concern the recent revelations regarding the actions of South Yorkshire Police and the alleged duplication of statements, fabrication of police reports, instances of perjury, assault, perverting the course of justice and misconduct in public office in relation to police conduct at Hillsborough and Orgreave; further notes that South Yorkshire Police has referred itself to the Independent Police Complaints Commission for an investigation into these complaints.

Council is keen to ensure that no similar malpractice occurred in Scotland; calls upon the Justice Secretary Kenny McAskill to initiate an independent review of all cases of miners and others convicted in Scotland and instructs the Chief Executive to write to the Scottish Government supporting the call for such a review".

Non-financial interests in this item were declared by the following Members:-

Councillor Brooks as a former member of the Transport & General Workers Union;

Councillor McEleny as (a) a founding member of Unite the Union, (b) a former Executive Council Member of Unite the Union, (c) a member of Unite the Union's Shipbuilding and Aerospace Regional Industrial Sector Committee, (d) a member of Unite Scotland's Young Members Committee and (e) an STUC Equalities Committee Member;

Councillor MacLeod as a member of the SNP Trade Union Group; and

Councillor Wilson as a member of the National Farmers Union.

All 4 Members were of the view that the nature of their interests and of the item of business did not preclude their continued presence in the Chamber or their participation in the decision-making process.

Decided: that the Council support the motion as submitted by Councillor Loughran.

127

Blacklisting of Trade Unionists - Motion by Councillor Clocherty

127

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a motion by Councillor Clocherty, counter-signed by Councillor McIlwee, concerning the operation of a blacklist against Trade Unionists which had been submitted in accordance with Standing Order 22 in the following terms:-

"This Council resolves to:-

Support the campaign by trade unions against the operation of blacklists against trade unionists;

Where permitted by legislation, exclude companies involved in blacklisting of trade unionists from future approved suppliers lists;

Where permitted by legislation, ensure that companies included in future approved suppliers lists demonstrate that they have processes in place to encourage the reporting by workers, including those who are trade union members, of workplace concerns, particularly in respect of health, safety and welfare;

Write to the Scottish Government urging the inclusion of clauses in future Scottish bills covering public procurement to prevent companies involved in the blacklisting of trade unionists from securing future public sector contracts".

Non-financial interests in this item were declared by the following Members:-

Councillor Brooks as a former member of the Transport & General Workers Union;

Councillor McEleny as (a) a founding member of Unite the Union, (b) a former Executive Council Member of Unite the Union, (c) a member of Unite the Union's Shipbuilding and Aerospace Regional Industrial Sector Committee, (d) a member of Unite Scotland's Young Members Committee and (e) an STUC Equalities Committee Member;

Councillor MacLeod as a member of the SNP Trade Union Group; and

Councillor Wilson as a member of the National Farmers Union.

All 4 Members were of the view that the nature of their interests and of the item of business did not preclude their continued presence in the Chamber or their participation in the decision-making process.

As an amendment, Councillor McEleny seconded by Councillor MacLeod moved that the Council support the following motion:-

"Council notes that the Scottish Affairs Select Committee is currently compiling a report on this matter. Council resolves to defer the matter until the report is published. Furthermore, a further report shall be brought forward before Council to ensure that our own procurement policy is in line with the spirit of the motion".

On a vote, 6 Members voted for the amendment and 13 for the motion which was declared carried.

Decided: that the Council support the motion as submitted by Councillor Clocherty.

128

Proposed Cuts to Further Education - Motion by Councillor McColgan

128

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a motion by Councillor McColgan, counter-signed by Councillor Brennan, relative to proposed cuts to further education contained in the Scottish Government's draft budget which had been submitted in accordance with Standing Order 22 in the following terms:-

"Inverclyde Council is extremely concerned at the impact the proposed cut of £34.6m to further education contained in the Scottish Government's draft budget will have on James Watt College and colleges across Scotland.

We call on the Scottish Government to support NUS Scotland's "Fund Scotland's Future" campaign, to reverse the proposed cut, and to protect college funding at current levels.

We also call on our MSP's to support the campaign to stand together with their local students, and to make college funding a personal priority through the current budget negotiations.

Colleges serve some of the most excluded communities in Scotland and we believe that funding must be protected to ensure that local access, and quality of teaching and student experience, are protected, ensuring that people from all backgrounds are able to access and benefit from a high quality college education".

As an amendment, Councillor Nelson seconded by Councillor MacLeod moved:-

"That Council notes the deep funding constraints placed upon the Scottish Government by the Lib-Dem/Tory Westminster Government. Also Council notes the Scottish Government increased the Scottish Funding Council's budget in real terms by 5.6% and applauds and supports the Scottish Government's abolition of the Graduate Endowment Fee, and supports the principle of free tuition, and the Opportunities for All Programme that will provide a suitable place in learning or training for all 16-19 year olds that require it".

On a vote, 5 Members voted for the amendment and 14 for the motion which was declared carried.

Decided: that the Council support the motion as submitted by Councillor McColgan.

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- 129 Royal Mail Closures - Motion by Glasgow City Council 129**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources appending a letter from Glasgow City Council requesting that the Council consider its motion relative to Royal Mail closures.
- Decided:** that Inverclyde Council support the motion by Glasgow City Council relative to Royal Mail closures and remit it to the Chief Executive to write to the relevant UK Government Minister to ask that legislation be amended to make formal consultation over any planned Royal Mail closures affecting front line services in communities compulsory.
- 130 Protection of Vulnerable Groups (PVG) Scheme Update 130**
- There was submitted a report by the Head of Organisational Development, HR & Communications providing an update on the introduction of the PVG Scheme and the new retrospective checks as part of safer recruitment for the Council's regulated workforce.
- Decided:** that the Council note the successful introduction of the PVG Scheme and the start of the retrospective checking process.
- 131 Kirkin' of the Council 131**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources reviewing the arrangements for the Kirkin' of the Council service.
- Decided:** that the annual Kirkin' service within the Wellpark Mid Kirk continue.
- 132 Inverclyde Council Corporate Statement 2013-17 132**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development appending the new Inverclyde Council Corporate Statement 2013-17.
- Decided:** that the Inverclyde Council Corporate Statement 2013-17 be approved subject to inclusion at page 16 of (a) wording relating to the removal of barriers preventing involvement in activities and (b) the word "accessible" within the reference to affordable housing.
- 133 Standing Orders relating to Contracts and Financial Regulations - Remit from Policy & Resources Committee 133**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Policy & Resources Committee of 5 February 2013 requesting the Council to adopt the revised Standing Orders relating to Contracts and Financial Regulations.
- Decided:** that the Council adopt the revised Standing Orders relating to Contracts and Financial Regulations as set out in the report and appendices.

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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 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

134	Policy & Resources Executive Sub-Committee - 10 January 2013	134
	Approved on the motion of Councillor McCabe.	
135	Environment & Regeneration Committee - 17 January 2013	135
	Approved on the motion of Councillor McCormick.	
136	Human Resources Appeals Board - 23 January 2013	136
	Approved on the motion of Councillor Brooks.	
137	Policy & Resources Committee - 5 February 2013	137
	Approved on the motion of Councillor McCabe.	