

**THE INVERCLYDE COUNCIL - 11 APRIL 2013**

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**The Inverclyde Council**

**Thursday 11 April 2013 at 4 pm**

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

**Chair:** Provost Moran presided.

**In attendance:** Chief Executive, Corporate Director Environment, Regeneration & Resources, Chief Financial Officer, Head of Legal & Democratic Services, Head of Safer & Inclusive Communities, Business/Democratic Services Manager and Corporate Communications Manager.

**Apologies and Declarations of Interest**

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

Councillors McCabe, McEleny, McIlwee and Wilson declared interests in agenda items 3 (Bedroom Tax - Motion by Councillor Loughran) and 4 (Welfare Reform - Motion by Councillor MacLeod).

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

<b>264</b>	<b>General Purposes Board - 13 February 2013</b>	<b>264</b>
	<b>Approved</b> on the motion of Councillor Dorrian.	
<b>265</b>	<b>Grants Sub-Committee - 21 February 2013</b>	<b>265</b>
	<b>Approved</b> on the motion of Councillor Clocherty.	
<b>266</b>	<b>The Inverclyde Council - 21 February 2013</b>	<b>266</b>
	<b>Approved</b> on the motion of Provost Moran.	
<b>267</b>	<b>Audit Committee - 26 February 2013</b>	<b>267</b>
	<b>Approved</b> on the motion of Councillor Rebecchi.	
<b>268</b>	<b>Inverclyde CHCP Sub-Committee - 28 February 2013</b>	<b>268</b>
	<b>Approved</b> on the motion of Councillor McIlwee.	
<b>269</b>	<b>Planning Board - 6 March 2013</b>	<b>269</b>
	<b>Approved</b> on the motion of Councillor Wilson.	

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270	<b>Local Review Body - 6 March 2013</b>	270
	<b>Approved</b> on the motion of Councillor Wilson.	
271	<b>Environment &amp; Regeneration Committee - 7 March 2013</b>	271
	<b>Approved</b> on the motion of Councillor McCormick.	
272	<b>Local Police &amp; Fire Scrutiny Sub-Committee - 12 March 2013</b>	272
	<b>Approved</b> on the motion of Councillor Loughran.	
273	<b>Education &amp; Communities Committee - 12 March 2013</b>	273
	<b>Approved</b> on the motion of Councillor Loughran.	
274	<b>General Purposes Board - 13 March 2013</b>	274
	<b>Approved</b> on the motion of Councillor Dorrian.	
275	<b>Policy &amp; Resources Committee - 26 March 2013</b>	275
	<b>Approved</b> on the motion of Councillor McCabe.	
276	<b>Planning Board - 3 April 2013</b>	276
	<b>Approved</b> on the motion of Councillor Wilson.	
277	<b>General Purposes Board - 10 April 2013</b>	277
	<b>Approved</b> on the motion of Councillor Dorrian.	
	<b>The Provost being of the opinion that the undernoted report by the Corporate Director Environment, Regeneration &amp; Resources was relevant, competent and urgent moved its consideration in terms of the relevant Standing Order to allow Members to consider the report at the earliest opportunity. This was agreed unanimously.</b>	
278	<b>SNP Group - Changes to Committee and Outside Body Memberships</b>	278
	There was submitted a report by the Corporate Director Environment, Regeneration & Resources asking the Council to (1) note the appointment of Councillor McEleny as SNP Group Leader from 8 April 2013 and (2) consider a number of changes proposed by the SNP Group to Committee and Outside Body memberships.	
	<b>Decided:</b>	
	(1) that the Council note the appointment of Councillor McEleny as SNP Group Leader from 8 April 2013; and	

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(2) that approval be given to the following changes to Committee and Outside Body Memberships:-

Policy & Resources Committee - Councillor McEleny to be appointed in place of Councillor Brooks;

Policy & Resources Executive Sub-Committee - Councillor McEleny to be appointed in place of Councillor Brooks;

Education & Communities Committee - Councillor Brooks to be appointed in place of Councillor Grieve;

Environment & Regeneration Committee - Councillor Grieve to be appointed in place of Councillor McEleny;

Grants Sub-Committee - Councillor Campbell-Sturgess to be appointed in place of Councillor McEleny;

General Purposes Board - Councillor Brooks to be appointed in place of Councillor McEleny; and

CoSLA - Councillor McEleny to be appointed in place of Councillor Brooks.

**279 Bedroom Tax - Motion by Councillor Loughran**

**279**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a motion by Councillor Loughran, countersigned by Councillor McColgan, in relation to the "Bedroom Tax" which had been submitted in accordance with Standing Order 22 in the following terms:-

"This Council believes that the so-called "Bedroom Tax" is both unfair and unworkable and calls on the UK Government to abolish it as soon as possible.

The Council also calls upon the Scottish Government to introduce emergency legislation to protect the tenants of Councils and Registered Social Landlords (RSLs) from eviction for "Bedroom Tax" arrears. In addition the Council calls upon the Scottish Government to provide financial assistance to Councils and RSLs to allow them to deliver a no evictions policy in relation to "Bedroom Tax" arrears".

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

Councillor McCabe (a) as a Board Member of River Clyde Homes and (b) in his professional capacity;

Councillor McEleny as a Board Member of River Clyde Homes;

Councillor McIlwee as a Board Member of River Clyde Homes; and

Councillor Wilson as a Director of Larkfield Housing Association.

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 paragraph 2 of Councillor Loughran's motion be deleted and the following inserted:-

"The Council welcomes the actions presently being taken by the Scottish Government and praises the recent announcement by the Deputy First Minister of Scotland Nicola Sturgeon that an independent Scotland governed by the SNP will abolish the Bedroom Tax".

On a vote, 6 Members voted for the amendment and 12 for the motion which was declared carried.

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

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**280 Welfare Reform - Motion by Councillor MacLeod****280**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a motion by Councillor MacLeod, countersigned by Councillor McEleny, in relation to Welfare Reform which had been submitted in accordance with Standing Order 22 in the following terms:-

"Council notes that the Westminster Government is imposing on the people of Inverclyde the largest reforms of the welfare state in many years. This will take millions of pounds out of Inverclyde and impacts on the most vulnerable in our society. Furthermore it is noted that one of the most damaging reforms will be the "bedroom tax" on those deemed to be living in under occupied homes. This tax will have widespread ramifications for many people in Inverclyde and will likely cause considerable financial hardship.

It is the belief of Council that no resident of Inverclyde should be evicted as a result of these damaging reforms in particular the bedroom tax. Therefore Council instructs the Chief Executive to write to all Housing associations in Inverclyde to make this position clear in the hope that they will adopt a no evictions policy".

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

Councillor McCabe (a) as a Board Member of River Clyde Homes and (b) in his professional capacity;

Councillor McEleny as a Board Member of River Clyde Homes;

Councillor McIlwee as a Board Member of River Clyde Homes; and

Councillor Wilson as a Director of Larkfield Housing Association.

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 McCabe seconded by Councillor Clocherty moved that the Council note Councillor MacLeod's motion.

On a vote, 7 Members voted for the motion and 12 for the amendment which was declared carried.

**Decided:** that the Council note the motion submitted by Councillor MacLeod.

**281 Inverclyde Megawatt Festival Limited - Council Representation (Review Position)****281**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development on Council representation on Inverclyde Megawatt Festival Limited.

**Decided:** that the Council continue to provide no representation to Inverclyde Megawatt Festival Limited.

**282 Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On-Street) Order No. 4 2012****282**

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. 4 2012.

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**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.

**283 Proposed Traffic Regulation Order - Arthur Street, Greenock (Waiting Restrictions) Order 2013 283**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Arthur Street, Greenock (Waiting Restrictions) Order 2013.

**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) to (3) and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 to introduce waiting restrictions at Arthur 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.

**284 Proposed Traffic Regulation Order - Cartsburn Street, Greenock (Waiting Restrictions) Order 2013 284**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Cartsburn Street, Greenock (Waiting Restrictions) Order 2013.

**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) to (3) and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 to introduce waiting restrictions at Cartsburn 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.

**285 Proposed Traffic Regulation Order - Gateside Road, Kilmacolm (Weight Restriction Revocation) Order 2013 285**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Gateside Road, Kilmacolm (Weight Restriction Revocation) Order 2013.

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**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 Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 to permit revocation of the existing 13 tonne weight restriction on Gateside Road, Kilmacolm, 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.

**286 Proposed Traffic Regulation Order - Netherwood Road, Kilmacolm (Weight Restriction Revocation) Order 2013 286**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Netherwood Road, Kilmacolm (Weight Restriction Revocation) Order 2013.

**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 Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 to permit revocation of the existing 10 tonne weight restriction on Netherwood Road, Kilmacolm, 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.

**287 Treasury Management Strategy Statement and Annual Investment Strategy - 2013/14 - 2015/16 - Remit from Policy & Resources Committee 287**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources requesting the Council to consider a remit from the Policy & Resources Committee of 26 March 2013 relative to the Treasury Management Strategy Statement and Annual Investment Strategy 2013/14 - 2015/16.

**Decided:** that approval be given to the Treasury Management Strategy, Annual Investment Strategy, Treasury Policy Limits, Prudential Indicators, Treasury Management Indicators and List of Permitted Investments (including those for the Common Good Fund) outlined 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 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**

**288 Environment & Regeneration Committee - 7 March 2013 288**

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

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| 289 | <b>Education &amp; Communities Committee - 12 March 2013</b> | 289 |
|     | <b>Approved</b> on the motion of Councillor Loughran.        |     |
| 290 | <b>Policy &amp; Resources Committee - 26 March 2013</b>      | 290 |
|     | <b>Approved</b> on the motion of Councillor McCabe.          |     |

**AUDIT COMMITTEE - 23 APRIL 2013**

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**Audit Committee**

**Tuesday 23 April 2013 at 3pm**

**Present:** Provost Moran, Councillors Ahlfeld, Brennan, Campbell-Sturgess, Clocherty, Dorrian, Jones, Loughran, Nelson and Rebecchi.

**Chair:** Councillor Rebecchi presided.

**In attendance:** Corporate Director Environment, Regeneration & Resources, Head of Legal & Democratic Services, Chief Internal Auditor and Ms J Buchanan (for Chief Financial Officer).

**Present Also:** Ms C Bailey (Grant Thornton).

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.**

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|------------|---|------------|
| <b>291</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>291</b> |
|            | An apology for absence was intimated on behalf of Councillor MacLeod.   |            |
|            | No declarations of interest were intimated.   |            |
| <b>292</b> | <b>Risk Management Progress Report</b>  | <b>292</b> |
|            | There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising Members of the progress made on Risk Management since the meeting of the Committee on 26 February 2013. |            |
|            | <b>Noted</b>  |            |
| <b>293</b> | <b>External Audit Action Plans - Current Actions</b>  | <b>293</b> |
|            | There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising Members of the status of current actions from External Audit Action Plans at 28 February 2013.          |            |
|            | <b>Noted</b>  |            |
| <b>294</b> | <b>Internal Audit Progress Report – 4 February to 27 March 2013</b>   | <b>294</b> |
|            | There was submitted a report by the Corporate Director Environment, Regeneration & Resources presenting to Members the monitoring report of Internal Audit activities from 4 February to 27 March 2013.       |            |
|            | <b>Noted</b>  |            |



AUDIT COMMITTEE - 23 APRIL 2013

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**295 Internal Audit Annual Plan 2013-14 295**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources presenting the Internal Audit Action Plan for 2013-14.

**Decided:** that the Committee approve the Internal Audit Annual Plan for 2013-14.

**296 Changes in the 2012-13 Annual Accounts 296**

There was submitted a report by the Chief Financial Officer (1) giving advance notice of the main changes that will feature in the Council's 2012-13 Annual Accounts and (2) advising of preparations for an annual governance statement that will be incorporated into next year's (2013-2014) Accounts.

**Decided:**

- (1) that the contents of the report be noted; and
- (2) that a special meeting of the Audit Committee be held on Tuesday 25 June 2013 to review the unaudited 2012-13 Accounts prior to their submission to Audit Scotland.

Inverclyde Community Health and Care Partnership Sub-CommitteeThursday 25 April 2013 at 3.00 pm

**Present:** Councillors V Jones, J MacLeod, S McCabe, J McIlwee and L Rebecchi (Inverclyde Council); Ms D McCrone, Staff Partnership Forum; Mrs N McFadden, Public Partnership Forum, Dr H MacDonald, Clinical Director and Mr B Moore, Corporate Director Inverclyde Community Health & Care Partnership.

**Chair:** Councillor McIlwee presided.

**In attendance:** Head of Children & Families and Criminal Justice, Head of Planning, Health Improvement & Commissioning, Head of Mental Health, Addictions & Homelessness, Head of Health & Community Care, Ms L Bairden (for Chief Financial Officer), Mr F Jarvie (for Head of Legal & Democratic Services), Mr M Bingham (Corporate Communications) and Project Manager - Your Voice, Inverclyde Community Care Forum.

Councillor McIlwee welcomed to the meeting, Mr Ian Kerr of the Care Inspectorate.

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Sub-Committee.**

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|------------|---|------------|
| <b>297</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>297</b> |
|            | No apologies for absence were intimated.  |            |
|            | Councillors McIlwee and MacLeod declared interests in agenda item 10 (Governance of External Organisations: CHCP Procedures and Governance Report).   |            |
| <b>298</b> | <b>Next Meeting</b>   | <b>298</b> |
|            | It was agreed, subject to approval of the Committee timetable for 2013/14 by The Inverclyde Council on 6 June 2013, that the meeting scheduled for 29 August 2013 should be the annual meeting of the Health & Social Care Committee, required under Order 7.4.1 of the Council's Scheme of Administration.             |            |
| <b>299</b> | <b>Reshaping Care for Older People</b>  | <b>299</b> |
|            | There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership providing an update on the development and progress of the local Change Plan currently driving the Scottish Government Directive, Reshaping Care for Older People which had been the subject of previous reports. |            |
|            | The Board heard a presentation on this subject by the Head of Health & Community Care.  |            |
|            | <b>Decided:</b> that the Sub-Committee note the progress made with regard to implementing the local Change Plan.  |            |

- 300 Community Health & Care Partnership - Financial Report 2012/13 as at Period 11 to 28 February 2013 300**
- There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the 2012/13 Revenue and Capital Budget position as at Period 11 to 28 February 2013.
- Decided:**
- (1) that the Sub-Committee note the current year Revenue Budget and projected underspend of £197,000 for 2012/13 as at 28 February 2013 and that the CHCP is continuing to work to bring the NHS projected overspend in line with the budget;
  - (2) that the current position in respect of prescribing be noted;
  - (3) that the Sub-Committee note that the Social Work Capital Budget is projecting an underspend of £40,000 and that the Health Capital Budget is projected to be on budget;
  - (4) that the current earmarked reserves position be noted; and
  - (5) that approval be given to the Social Work Budget virements totalling £51,000 set out in appendix 7 to the report.
- 301 Care Inspection of Inverclyde CHCP's Fostering and Adoption Services and Residential Children's Units 301**
- There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the outcome of the inspections conducted by the Care Inspectorate in relation to Inverclyde's Fostering and Adoption Services and Residential Children's Units (Neil Street, Crosshill and Redholm (now Kylemore Children's Unit)).
- There were circulated to the Sub-Committee, copies of the inspection report in respect of the Kylemore Children's Unit.
- It was noted that all three Children's Residential Units had retained Grade 6 (Excellent) across all quality themes. Fostering and Adoption Services had been graded 5 (Very Good) across the quality themes, with Fostering Services achieving an improvement from Grade 5 to Grade 6 in terms of quality of care and support.
- Decided:**
- (1) that the Sub-Committee note the positive outcome of the inspections and Inverclyde's clear commitment to the provision of high quality Child Care Services; and
  - (2) that the Sub-Committee's appreciation be extended to all those involved in managing and delivering the services for the work undertaken to achieve the evaluations.
- 302 Care Inspection of Inverclyde CHCP's Care and Support at Home Service 302**
- There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the outcome of the inspection conducted by the Care Inspectorate in relation to Inverclyde's Care and Support at Home Service. The report advised that the service had retained Grade 5 (Very Good) for quality of care and support and quality of staffing and had improved to Grade 5 for quality of management and leadership.
- Decided:**
- (1) that the Sub-Committee note the positive outcome of the inspection and Inverclyde's ongoing commitment to the provision of high quality Care at Home Services;

(2) that the Sub-Committee's appreciation be extended to all those involved in managing and delivering the service; and

(3) that it be noted that an action plan had been developed to progress the recommendations and areas of improvement contained within the Care Inspectorate report.

**303 Care Inspection of Inverclyde CHCP's Respite Unit**

**303**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the outcome of the inspection conducted by the Care Inspectorate in relation to Inverclyde's Respite Unit.

The report advised that the service had retained Grade 5 (Very Good) for quality of care and support and quality of staffing, Grade 4 (Good) for quality of environment and had improved to Grade 5 for quality of management and leadership.

**Decided:**

(1) that the Sub-Committee note the positive outcome of the inspection and Inverclyde's ongoing commitment to the provision of high quality Respite Services;

(2) that the Sub-Committee's appreciation be extended to all those involved in managing and delivering the service; and

(3) that it be noted that an action plan had been developed to progress the recommendations and areas of improvement contained within the Care Inspectorate report.

**304 Inverclyde Childsmile Programme**

**304**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the Inverclyde Childsmile Programme and progress made in line with local Health Board targets.

**Noted**

**305 CHCP Directorate Improvement Plan 2013-2016**

**305**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership seeking approval of the final draft of the Community Health & Care Partnership's Directorate Improvement Plan for the period 2013-2016.

The Head of Planning, Health Improvement & Commissioning made a presentation to the Committee on the contents of the Plan.

**Decided:** that approval be given to the final draft of the CHCP Directorate Improvement Plan 2013-2016 as set out in the appendix to the report.

**306 Inverclyde Council Commissioned Services for Specialist Nursing Care, Older People's Dementia and Adult Mental Health Intensive Supported Living Services**

**306**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the current position with regard to the commissioning by Inverclyde Council CHCP of specialist nursing care for older persons with dementia and adult mental health intensive supported living services in Inverclyde.

The Head of Mental Health, Addictions & Homelessness provided the Sub-Committee with an update on the commissioning process with partner organisations.

**Decided:**

- (1) that the Sub-Committee note the progress of the commissioning process to identify partner organisations to provide the required mental health services in Inverclyde; and
- (2) that update reports be submitted to future meetings of the Sub-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 during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in Paragraphs 3 & 6 of Part I of Schedule 7(A) of the Act.**

**307 Governance of External Organisations - CHCP Procedures and Governance Report 307**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership (1) appending the Inverclyde CHCP governance report and (2) providing an update on progress in terms of the governance process.

Councillor McIlwee declared a non-financial interest in this matter as a Director of both Evergreen Home Support and Inverclyde Association for Mental Health and Councillor MacLeod declared an interest as a Director of Parklea Branching Out.

Both Members formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the Chamber or their participation in the decision making process.

**Noted**

**PLANNING BOARD - 1 MAY 2013**

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**Planning Board**

**Wednesday 1 May 2013 at 3pm**

**Present:** Provost Moran, Councillors Brooks, Campbell-Sturgess, Brennan (for Dorrian), Jones, Loughran, McColgan, McIlwee, Nelson, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Head of Regeneration & Planning, Development & Building Standards Manager, Mr M Higginbotham (Environmental & Commercial Services), Ms V Pollock (for Head of Legal & Democratic Services) and Mr M Bingham (for Corporate Communications Manager).

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.**

**308 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 308**

An apology for absence was intimated on behalf of Councillor Dorrian, with Councillor Brennan substituting.

Councillor Rebecchi declared an interest in Agenda Item 2(a) (erection of 2 flatted dwellings at the corner of Finnart Street and Fox Street, Greenock (11/0231/IC)).

**309 PLANNING APPLICATIONS SUBMITTED FOR CONTINUED CONSIDERATION 309**

**(a) Erection of 2 flatted dwellings:  
Corner of Finnart Street and Fox Street, Greenock (11/0231/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Mr E Reimann for the erection of 2 flatted dwellings at the corner of Finnart Street and Fox Street, Greenock (11/0231/IC), consideration of which had been continued from the meeting held on 3 April 2013 for a site visit.

Councillor Rebecchi declared a non-financial interest in this matter as a relative of the applicant and left the meeting.

**Decided:** that planning permission be granted subject to the following conditions:-

(1) that prior to the commencement of work on site, samples of all external finishes inclusive of the surfacing of areas of hardstanding, shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority, to ensure the external materials are appropriate for the existing streetscape in this part of the Greenock West End Conservation Area;

(2) that prior to the commencement of work on site, full details and the window specification shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed utilising the approved specification unless an alternative is agreed in writing by the Planning Authority. For the avoidance of doubt, the windows shall feature a stepped profile to mimic the appearance of a sash and case window, to ensure a window design appropriate for this part of the Greenock West End Conservation Area;

(3) that prior to the commencement of work on site, a landscaping scheme shall be submitted to and approved in writing by the Planning Authority. The landscaping scheme

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shall then be implemented and maintained as approved at all times thereafter, to ensure appropriate landscaping within the site;

(4) that prior to the commencement of work on site, details of all boundary treatments together with samples of all finishing materials shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed as approved unless an alternative is agreed in writing by the Planning Authority. For the avoidance of doubt, the boundary wall to Finnart Street and Fox Street shall be retained, to ensure appropriate boundary treatment;

(5) that the parking area for the new properties hereby permitted shall be completed and be available for use to the satisfaction of the Planning Authority prior to the occupation of the new dwellinghouse, to ensure off street parking is available for these properties and to prevent overspill parking, in the interest of road safety;

(6) that all surface water run off shall be intercepted on site, to ensure surface water does not encroach onto the public road, in the interests of road safety;

(7) that development shall not commence on site until a maintenance scheme for the burn, culvert and culvert grille is submitted to and approved in writing by the Planning Authority. Maintenance shall then be undertaken in accordance with the approved scheme for all times thereafter, to ensure an appropriate maintenance scheme for the burn, culvert and grille to prevent flooding;

(8) that development shall not commence until full details of the containers to be used to store waste materials and recyclable materials produced on the premises and how they will be stored on site have been submitted to and approved in writing by the Planning Authority. These containers shall then be stored as approved at all times thereafter, to ensure the provision of suitable refuse and recycling storage and a visually acceptable environment;

(9) that prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(10) that the development shall not commence until a risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant linkages has been submitted to and approved in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options, to satisfactorily address potential contamination issues in the interests of environmental safety;

(11) that on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing by the Planning Authority, confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site, to provide verification that remediation has been carried out to the Planning Authority's satisfaction;

(12) that the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to

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the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority, to ensure that all contamination issues are recorded and dealt with appropriately;

(13) that no material shall be imported onto the site until written details of the source of the imported material have been submitted for approval, in writing by the Planning Authority. The details, which shall be submitted no later than four weeks prior to the material being imported onto the site, shall include: the source of the imported material, any potential source(s) of contamination within 50 metres of the source of the material to be imported and verification analysis information. The material must not be imported on to the site until written approval has first been received from the Planning Authority. The material from the source agreed only shall be imported in strict accordance with these agreed details, to protect receptors from the harmful effects of imported contamination; and

(14) that sound insulation must be installed during construction to ensure that noise from the electrical sub station is within Noise Rating curve 20 between the hours of 23.00 and 07.00 when measured within any bedroom of the new dwellings hereby permitted, to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

Councillor Rebecchi returned to the meeting following consideration of this item of business.

**(b) Erection of detached dwellinghouse on the corner of Bentinck Street and Welbeck Street together with the formation of new off-street parking spaces for 111 and 113 Eldon Street:  
111-113 Eldon Street, Greenock (13/0044/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by A McWaters for the erection of a detached dwellinghouse on the corner of Bentinck Street and Welbeck Street together with the formation of new off-street parking spaces for 111 and 113 Eldon Street at 111-113 Eldon Street, Greenock (13/0044/IC), consideration of which had been continued from the meeting of 3 April 2013 for a site visit.

The report recommended that planning permission be granted subject to a number of conditions.

After discussion, Councillor Campbell-Sturgess moved that planning permission be refused for the following reasons:-

- (1) the proposed development is not compatible with the character and amenity of the area and is a contradiction of policy H1 and H8;
- (2) the siting, orientation, design and style of the proposal do not comply with policy HR11 Development within Conservation Areas; and
- (3) in terms of policy H14 Proposals for sub-division of plots, the proposed development conflicts with the established character and development pattern of the area.

As an amendment, Councillor Brooks moved that planning permission be granted subject to the conditions detailed in the report.

On a vote, 4 Members voted for the amendment and 7 for the motion which was declared carried.

**Decided:** that planning permission be refused for the following reasons:-

- (1) the proposed development is not compatible with the character and amenity of the area and is a contradiction of policy H1 and H8;
- (2) the siting, orientation, design and style of the proposal do not comply with policy HR11 Development within Conservation Areas; and



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(3) in terms of policy H14 Proposals for sub-division of plots, the proposed development conflicts with the established character and development pattern of the area.

**310 PLANNING APPLICATIONS**

**310**

There were submitted reports by the Head of Regeneration & Planning on the following applications which were dealt with as follows:-

**(a) Alterations to shopfronts, fascia boards and roller shutters to facilitate shop front refurbishment:**

**22, 24, 28, 30/32 and 34 Dubbs Road, Port Glasgow (13/0071/IC)**

**Decided:** that planning permission be granted subject to the following conditions:-

- (1) that prior to the commencement of works on site, full details of the colour of the painted finish of the roller shutters shall be submitted to and approved in writing by the Planning Authority. The shutters shall then be finished in the approved colour and maintained in that colour at all times thereafter unless an alternative is agreed in writing by the Planning Authority, to ensure an appropriate finish to the roller shutters; and
- (2) that prior to the commencement of works on site, full details of the colour of new window frames and doors shall be submitted to and approved in writing by the Planning Authority. The window frames and doors shall then be finished in the approved colour and maintained in that colour at all times thereafter unless an alternative is agreed in writing by the Planning Authority, to ensure an appropriate finish to the window frames and doors.

**(b) Temporary placement of hutments:**

**Sacred Heart Primary School, Westmorland Road, Greenock (13/0052/IC)**

**Decided:** that planning permission be granted subject to the following conditions:-

- (1) that the temporary classrooms hereby approved shall be removed at the expiry of 12 months from the commencement of their siting and that any works required to re-instate the site shall be completed 3 months thereafter, due to the temporary nature of the proposal and to ensure the reinstatement of the site; and
- (2) that the presence of any suspected contamination that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential remediation actions shall not be implemented unless they have been submitted to and approved in writing by the Planning Authority to ensure that all contamination issues are recorded and dealt with appropriately.

**(c) Erection of a boiler house:**

**Shambala, Cloch Road, Gourock (13/0031/IC)**

**Decided:** that planning permission be granted subject to the following conditions:-

- (1) no permission is given to the concrete wall finish and stainless steel flue finish noted in docketted drawings 2246-E-003 and 2246-E-002 and no development shall commence until a wall finish and flue colour have been submitted to and approved by the Planning Authority; development thereafter shall proceed utilising the approved wall finish and flue colour unless the Planning Authority gives its prior written approval to any alternatives, to ensure a choice of external finishes appropriate to the residential character of this part of Gourock;
- (2) that prior to the start of development, details of a survey for the presence of

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Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(3) that the presence of any ground contamination that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential remediation work shall not be implemented unless a report has been submitted to and approved in writing by the Planning Authority to ensure that all contamination issues are recorded and dealt with appropriately;

(4) that no fill or landscaping material shall be imported onto the site until written details of the source and intended reuse of the imported materials have been submitted for approval, in writing by the Planning Authority. The report shall characterise the chemical quality (including soil-leachate and organic content etc), volume and source of the imported materials with corresponding cross-sections and plans indicating spatial distribution and depth/thickness of material placement within the development site. The material from the source agreed only shall be imported in strict accordance with these agreed details, to protect receptors from the harmful effects of imported contamination;

(5) that prior to commencement on site, a drainage impact assessment to evaluate the effects of natural drainage resulting from the development shall be submitted to and approved in writing by the Planning Authority. Development shall not proceed until any identified works are completed. Any variation to identified works will require subsequent approval by the Planning Authority prior to development starting on site, to assess and, if required, control the impact of changes to the natural drainage system; and

(6) that screen planting detailed in the application plan shall be completed in the planting season immediately following completion of the development. Any planting which subsequently dies or becomes diseased, damaged or removed shall be replaced by similar species unless the Planning Authority gives prior written approval to any alternative, to ensure that the building is appropriately screened within a residential setting.

**311 PLANNING APPEAL - SHIELHILL FARM, DUNROD ROAD, INVERKIP**

**311**

There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 9 January 2013 to refuse planning permission for the erection of 1 50 Kw 34.378 metre high wind turbine at Shielhill Farm, Dunrod Road, Inverkip (12/0286/IC), an appeal against the refusal of planning permission had been made to the Scottish Government.

**Noted**

**312 PLANNING APPEAL - SITE OF DEMOLISHED RAMADA JARVIS HOTEL, CLOCH ROAD, GOUROCK**

**312**

There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 5 December 2012 to grant planning permission for the construction of 38 flatted dwellings with associated access/site entrance, access road, car parking, lock ups and landscaping at the site of the demolished Ramada Jarvis Hotel, Cloch Road, Gourock (12/0199/IC) and the subsequent appeal by the applicant to the Scottish Government against condition 6, the Reporter appointed by the Scottish Government had issued his decision which was to

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uphold the appeal and delete the condition.

**Noted**

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**Environment & Regeneration Committee**

**Thursday 2 May 2013 at 3 pm**

**Present:** Provost Moran, Councillors Ahlfeld, Clocherty, Dorrian, Campbell-Sturgess (for Grieve), MacLeod, McCabe, McCormick, Jones (for McIlwee), Nelson and Shepherd.

**Chair:** Councillor McCormick presided.

**In attendance:** Corporate Director Environment, Regeneration & Resources, Finance Manager, Mr M Thomson and Ms M McCabe (Finance Services), Ms V Pollock (for Head of Legal & Democratic Services), Head of Environmental & Commercial Services, Mr R Graham, Mr M Higginbotham, Mr G Blackie and Mr W Rennie (Environmental & Commercial Services), Head of Property Assets & Facilities Management, Property Assets Manager, Head of Regeneration & Planning, Planning Policy & Property Manager and Mr M Bingham (for Corporate Communications Manager).

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.**

- |            |  |            |
|------------|--|------------|
| <b>313</b> | <b>Apologies, Substitutions and Declarations of Interest</b>   | <b>313</b> |
|            | <p>Apologies for absence were intimated on behalf of Councillors Grieve and McIlwee, with Councillor Campbell-Sturgess substituting for Councillor Grieve and Councillor Jones substituting for Councillor McIlwee.</p> <p>Councillor McCabe declared an interest in the additional agenda item (River Clyde Homes Garden Tidy (Tender Outcome)).</p>  |            |
| <b>314</b> | <b>Environment &amp; Regeneration Revenue Budget 2012/13 - Period 11 to 28 February 2013</b>   | <b>314</b> |
|            | <p>There was submitted a report by the Chief Financial Officer and the Corporate Director Environment, Regeneration &amp; Resources on the position of the Revenue Budget 2012/13 as at Period 11 (28 February 2013) which showed a projected underspend of £269,000, excluding earmarked reserves.</p> <p><b>Decided:</b> that the Committee note the current projected underspend of £269,000 for 2012/13 as at 28 February 2013.</p>  |            |
| <b>315</b> | <b>Environment &amp; Regeneration Capital Programme 2012/13 to 2015/16 - Progress</b>  | <b>315</b> |
|            | <p>There was submitted a report by the Corporate Director Environment, Regeneration &amp; Resources and the Chief Financial Officer on the position of the projects within the Environment &amp; Regeneration Capital Programme.</p> <p>The Head of Environmental &amp; Commercial Services updated the Committee on the Highholm Park &amp; Ride contract.</p> <p><b>Decided:</b></p> <p>(1) that the Committee note the current position of the Capital Programme 2012/16 and the progress on the specific projects detailed in appendices 1 and 2 to the report; and</p> <p>(2) that with regard to the Highholm Park &amp; Ride Contract, it be remitted to officers to action the necessary repairs to the retaining wall on the south perimeter of the site, the</p> |            |

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cost to be contained within the overall project costs.

- 316 Environment, Regeneration & Resources Corporate Directorate Improvement Plan 2013 - 2016 316**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval of the Corporate Directorate Improvement Plan for the Environment, Regeneration & Resources Directorate for the period 2013 - 2016. The Corporate Director Environment, Regeneration & Resources made a presentation to the Committee on the contents of the Plan.
- Decided:**
- (1) that approval be given to the Environment, Regeneration & Resources Corporate Directorate Improvement Plan 2013 - 2016 as outlined in appendix A to the report; and
- (2) that the Service Statements for the Environment, Regeneration & Resources Directorate as outlined in appendix B to the report be noted.
- 317 Play Area Investment 317**
- There was submitted a report by the Head of Environmental & Commercial Services (1) updating the Committee on the progress of the Council's play area investment programme in respect of works in progress and (2) seeking approval with regard to the next stage of the programme.
- Decided:**
- (1) that the Committee approve the available play area investment budget of £300,000 to be spent on:-
- (a) £100,000 to deal with major repairs and minor refurbishments of existing sites, the spend prioritised by officers based on technical assessments and condition reports;
- (b) £200,000 for the installation of 3 new play areas at Devol (Barr's Brae), Port Glasgow, Drummillan Hill (Braeside), Greenock and Castle Levan (Taymouth Drive), Gourrock; and
- (2) that it be remitted to the Head of Environmental & Commercial Services to proceed to install 3 new play areas on the designated sites through further detailed design, producing tender documents, selecting tenderers and appointing the most economically advantageous tenderers.
- 318 Climate Change (Scotland) Act 2009: Public Bodies Duties - Action Plan 318**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval of an action plan devised to ensure the Council meets its obligations under Part 4 of the Climate Change (Scotland) Act 2009.
- Decided:**
- (1) that approval be given to the action plan appended to the report; and
- (2) that the Committee receive annual updates on progress with the plan's implementation.
- 319 Inverclyde Local Development Plan: Proposed Plan (2013) 319**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) presenting the finalised version of the Inverclyde Local Development Plan: Proposed Plan (2013) and (2) seeking endorsement of the Plan's content and seeking approval to publish it for public consultation.
- Decided:** that approval be given to the publication of the Inverclyde Local Development

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Plan: Proposed Plan (2013) for public consultation and, alongside it, the accompanying Action Programme.

**320 Delivery of Regeneration in Scotland Inquiry - Call for Written Evidence 320**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the Council's response to the Scottish Parliament Local Government and Regeneration Committee in respect of the Delivery of Regeneration in Scotland Inquiry.

**Decided:** that the Committee approve the consultation response to the Scottish Parliament Local Government and Regeneration Committee in respect of the Delivery of Regeneration in Scotland Inquiry as appended to the report.

**321 Youth Employment Scotland Fund 321**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval of an application to the Youth Employment Scotland Fund and acceptance of any award made.

**Decided:** that approval be given to the application to the Youth Employment Scotland Fund and that authority be delegated to the Corporate Director Environment, Regeneration & Resources to accept any award made by the Scottish Government.

**322 National Training Programmes 322**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on the outcome of the bidding process required by Skills Development Scotland in securing the Council's 2013-14 contracts to operate National Training Programmes and (2) advising of the considerable change to the Get Ready for Work Training Programme which has been subsumed into the new initiative of the "Employability Fund".

**Decided:**

(1) that the Committee note the successful proposal bids in securing 2013-14 contracts with Skills Development Scotland, securing additional funding support to enhance the Council's National Training Programmes, at an increased financial level from 2012-13;

(2) that the change from the Get Ready for Work Training Programme to that of the Employability Fund be noted; and

(3) that the Committee note the ongoing recruitment process for the 2013-14 National Training Programmes.

**323 Heritage Inverclyde - Coastal Communities Fund and Heritage Lottery Fund 323**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the progress of the application to the Coastal Communities Fund and Heritage Lottery Fund seeking resources for further development of Heritage Inverclyde and the Coastal Trail.

**Decided:** that authority be delegated to the Corporate Director Environment, Regeneration & Resources to proceed with acceptance of grant awards as appropriate, including the appointment of appropriate staff resources.

**324 Area Renewal Fund - Earmarked Reserves 324**

There was submitted a report by the Corporate Director Environment, Regeneration &

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Resources on the position of projects funded through Area Renewal Fund Earmarked Reserves.

**Decided:** that the Committee note the progress being made in relation to the Area Renewal Fund.

**325 Environmental Improvement Fund Projects 325**

There was submitted a report by the Head of Environmental & Commercial Services on the progress of projects funded from the Environmental Improvement Fund.

**Decided:** that the Committee note the programme of works being funded by the Environmental Improvement Fund and grant delegated authority to the Head of Environmental & Commercial Services to revise and amend the programme of works as required in order to contain costs within the approved budget.

**326 Birkmyre Park, Port Glasgow, Improvement Project 326**

There was submitted a report by the Head of Environmental & Commercial Services providing an update on the progress of the proposed improvement works to the former bowling green site within Birkmyre Park, Port Glasgow.

**Decided:**

(1) that approval be given to the landscape proposals in respect of Birkmyre Park, Port Glasgow; and

(2) that it be remitted to the Head of Environmental & Commercial Services to progress the landscape proposals to conclusion through further detailed design, producing tender documents, selecting tenderers and appointing the most economically advantageous tenderers.

**327 Road Occupation Permits - Revised Skip Charges 327**

There was submitted a report by the Head of Environmental & Commercial Services seeking approval to revise the Road Occupation Permit charges for skips.

**Decided:** that approval be given to the introduction of a weekly charge of £25.00 for skips occupying the public road.

**328 Environmental & Commercial Services (Roads) - SPT Grant Funded Projects (2013/15) 328**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising the Committee in relation to the approved programme of projects to be undertaken in 2013/15 using grant funding from Strathclyde Partnership for Transport (SPT).

**Decided:**

(1) that the Committee note the SPT approved project list detailed in the report for 2013/14; and

(2) that the Committee note the investment by SPT for improvements to the Quality Bus Corridor, extension of the N753 National Cycle Route and design of the National Cycle Route N753 Inverkip to Wemyss Bay.

**329 Decriminalised Parking Enforcement - Progress and Detail Approvals 329**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on the progress of the implementation of Decriminalised Parking

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Enforcement (DPE) in Inverclyde and (2) seeking approval for detailed elements of the scheme.

**Decided:**

(1) that approval be given to a standard Penalty Charge throughout the Council area for all contraventions, this being a penalty charge of £60 which will be discounted to £30 for payment within 14 days and increased to £90 for late payment after the service of a Charge Certificate;

(2) that the Committee approve the initial vehicle removal, storage and disposal charges if and when introduced, as follows:-

Vehicle Removal - a charge of £105;

Vehicle Storage - a charge of £12 for each 24 hours or part thereof; and

Disposal of Unclaimed Vehicle - a charge of £50

All these charges are initial charges and may be increased by notice in the future should such increases be necessary to adequately cover the Council's expenses in providing these services;

(3) that the Committee approve the delegation of the Council's authority in terms of the Road Traffic Act 1991 to Parking Attendants employed by the Council;

(4) that approval be given to the delegation of the Council's authority appropriate to an Authorised Person, as defined in the Traffic Regulation Orders for DPE in Inverclyde and assigned to them by the Road Traffic Act 1991, to the Head of Safer & Inclusive Communities and the Community Safety and Wellbeing Service Manager; and

(5) that the Committee note the progress towards implementation of DPE to date.

**330 Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On Street) Order No. 1 2013 330**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources recommending the making of a Traffic Regulation Order to accompany the provision of parking bays for the disabled.

**Decided:** that The Inverclyde Council be recommended to make the Traffic Regulation Order - Disabled Persons' Parking Places (On Street) Order No. 1 2013 and that it be remitted to the Head of Environmental & Commercial Services and the Head of Legal & Democratic Services to arrange for implementation of the Order.

**331 Proposed Traffic Regulation Order - A761 Kilmacolm Road, Port Glasgow (Part Time 20 MPH) Speed Limit Order 2013 331**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources recommending the making of a Traffic Regulation Order - A761 Kilmacolm Road, Port Glasgow (Part Time 20 MPH) Speed Limit Order 2013.

**Decided:** that The Inverclyde Council be recommended to make the Traffic Regulation Order - A761 Kilmacolm Road, Port Glasgow (Part Time 20 MPH) Speed Limit Order 2013 and that it be remitted to the Head of Environmental & Commercial Services and the Head of Legal & Democratic Services to arrange for implementation of the Order.



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**332 Proposed Traffic Regulation Order - Kilmacolm Cross, Kilmacolm, Waiting Restrictions (Amendment No. 2) Order 2012 332**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources recommending the making of a Traffic Regulation Order - Kilmacolm Cross, Kilmacolm, Waiting Restrictions (Amendment No. 2) Order 2012.

**Decided:** that The Inverclyde Council be recommended to make the Traffic Regulation Order - Kilmacolm Cross, Kilmacolm, Waiting Restrictions (Amendment No. 2) Order 2012 and that it be remitted to the Head of Environmental & Commercial Services and the Head of Legal & Democratic Services to arrange for implementation of the Order.

**333 Comet Canopy 333**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval to allocate £143,000 from the Port Glasgow Regeneration allocation to the Comet Canopy.

**Decided:**

- (1) that it be agreed to allocate £143,000 from the Port Glasgow Regeneration allocation to allow the Comet Canopy to be completed; and
- (2) that it be remitted to the Policy & Resources Committee to vire £89,000 of the SV Comet allocation back to the Common Good Fund.

**334 John Wood Street and Bay Street, Port Glasgow 334**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources recommending that the Committee request the Policy & Resources Committee to approve funding of £95,000 from the Common Good Fund for the refurbishment of shop premises belonging to the Common Good Fund in John Wood Street and Bay Street, Port Glasgow.

**Decided:**

- (1) that the contents of the report be noted; and
- (2) that the Policy & Resources Committee be requested to approve funding of £95,000 from the Common Good Fund for refurbishment of shop premises belonging to the Common Good Fund in John Wood Street and Bay Street, Port Glasgow.

**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 during consideration of the following items 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.**

Item	Paragraph(s)
<b>Non Operational Property Portfolio Information</b>	<b>2, 6 &amp; 9</b>
<b>Scheme of Delegation Register</b>	
<b>Lease of Premises - Sir Michael Street, Greenock</b>	<b>2, 6 &amp; 9</b>
<b>Lease of Premises - John Wood Street, Port Glasgow</b>	<b>2, 6 &amp; 9</b>
<b>Lease of Premises - Church Street, Port Glasgow</b>	<b>2, 6 &amp; 9</b>
<b>Update on Progress of Site Disposals</b>	<b>6 &amp; 9</b>
<b>Property Assets Management Report</b>	<b>2, 6 &amp; 9</b>

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<b>Dangerous Building Enforcement Action: Albert Road, 2, 6 &amp; 9</b>	
<b>Gourock</b>	
<b>Use of Powers Delegated to the Chief Executive - Waterfront 6</b>	
<b>Leisure Complex</b>	
<b>Use of Powers Delegated to the Chief Executive - James Watt 6 &amp; 8</b>	
<b>Dock LLP</b>	
<b>Use of Powers Delegated to the Chief Executive - Premises at 2, 6 &amp; 9</b>	
<b>Nicolson Street, Greenock</b>	
<b>River Clyde Homes Garden Tidy (Tender Outcome) 6 &amp; 9</b>	

**335 Non-Operational Property Portfolio Information 335**  
**Scheme of Delegation Register**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources providing information relative to non-operational property for the period May 2012 to March 2013.

**Noted**

**336 Lease of Premises - Sir Michael Street, Greenock 336**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval to grant a lease of premises at Sir Michael Street, Greenock and the Committee agreed to the action recommended, all as detailed in the appendix.

**337 Lease of Premises - John Wood Street, Port Glasgow 337**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval to grant a lease of premises in John Wood Street, Port Glasgow and the Committee agreed to the action recommended, all as detailed in the appendix.

**338 Lease of Premises - Church Street, Port Glasgow 338**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval to grant a lease of premises in Church Street, Port Glasgow and the Committee agreed to the action recommended, all as detailed in the appendix.

**339 Update on Progress of Site Disposals 339**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising of progress being made to dispose of certain sites and the interim management of the vacant sites until a disposal is effected.

**Decided:**

- (1) that the Committee note the report prepared by the consultants outlining a range of options for the masterplanning of each of the sites referred to in the report;
- (2) that the proposals for marketing of each site be noted;
- (3) that it be noted any definitive proposals for the disposal of any site will be brought back to the Committee for approval and remitted to the Policy & Resources Committee for any financial implications; and
- (4) that the Committee note the proposals for the interim management and use of

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the sites pending disposal.

- 340 Property Assets Management Report 340**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on activities and proposals for the management of the Council's property assets. Following consideration, the Committee agreed to the action recommended in respect of (1) land at Garvald Street, Greenock, (2) land at Earnhill Road, Greenock, (3) land at Sir Michael Street, Greenock and (4) entering into a Deed of Dedication for a site at Sir Michael Street, Greenock, all as detailed in the appendix.
- 341 Dangerous Building Enforcement Action: Albert Road, Gourock 341**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources providing an update on enforcement action on premises at Albert Road, Gourock and the Committee agreed to the action recommended, all as detailed in the appendix.  
Councillor MacLeod left the meeting during consideration of this item of business.
- 342 Use of Powers Delegated to the Chief Executive - Waterfront Leisure Complex 342**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive for approval to issue tenders for replacement refrigeration plant at the Waterfront Leisure Complex to a restricted list of tenderers.  
**Noted**
- 343 Use of Powers Delegated to the Chief Executive - James Watt Dock LLP 343**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive for approval to appoint specialist surveyors to assist with the review of the assets transferred to and financial mechanisms of the James Watt Dock Limited Liability Partnership (JWD LLP) at an estimated cost of up to £9,000 excluding VAT.  
**Noted**
- 344 Use of Powers Delegated to the Chief Executive - Premises at Nicolson Street, Greenock 344**
- There was submitted a report by the Property Assets Manager and Manager Health Improvement, Inequalities and Personalisation advising of the use of the powers delegated to the Chief Executive for approval to grant continuation of the occupation of premises in Nicolson Street, Greenock for a period as set out in the report.  
**Noted**
- The Convener being of the opinion that the undernoted report by the Corporate Director Environment, Regeneration & Resources was relevant, competent and urgent moved its consideration in terms of the relevant Standing Order to allow the Committee to be apprised of the position at the earliest opportunity. This was agreed unanimously.**
- 345 River Clyde Homes Garden Tidy (Tender Outcome) 345**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the outcome of the tender process for River Clyde Homes Garden Tidy Scheme Contract.

Councillor McCabe declared a non-financial interest in this matter as a member of the board of River Clyde Homes. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the Chamber or his participation in the decision making process.

**Noted**

**EDUCATION & COMMUNITIES COMMITTEE - 7 MAY 2013**

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**Education & Communities Committee**

**Tuesday 7 May 2013 at 3 pm**

**Present:** Provost Moran (for Councillor McColgan), Councillors Brennan, Campbell-Sturgess, Clocherty, Brooks, Jones, Loughran, McCabe, McEleny, Shepherd and Wilson, Rev F Donaldson and Father M McMahon, Church Representatives, Mr R Thomson, Parent Representative and Mr T Tracey, Teacher Representative.

**Chair:** Councillor Loughran presided.

**In attendance:** Corporate Director Education, Communities & Organisational Development, Head of Education, Head of Inclusive Education, Culture & Corporate Policy, Ms L Wilkie and Mr D Smith (Education Services), Ms M Paterson (Community Learning & Development), Head of Safer & Inclusive Communities, Community Safety & Wellbeing Service Manager, Head of Property Assets & Facilities Management, Mr E Montgomery (Property Assets & Facilities Management), Mr I Cameron (for Chief Financial Officer), Mr F Jarvie (for Head of Legal & Democratic Services), Corporate Policy & Partnership Manager and Mr M Bingham (for Corporate Communications Manager).

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.**

**346      Apologies, Substitutions and Declarations of Interest      346**

Apologies for absence were intimated on behalf of Councillor McColgan, with Provost Moran substituting, and Rev MacLean.

Declarations of interest were intimated as follows:-

Agenda Item 3 (Clune Park Regeneration: Progress Report) - Councillor Wilson.

Agenda Item 4 (Strategic Local Programme Update) - Councillors McCabe, McEleny and Wilson.

Agenda Item 12 (Use of Parklea - Ongoing Negotiations) - Councillor McEleny.

**347      Communities 2012/13 Revenue Budget Report - Period 11 and Capital Report 2012/16 - Progress      347**

There was submitted a report by the Chief Financial Officer and the Corporate Director Education, Communities & Organisational Development on (1) the 2012/13 Revenue Budget position as at Period 11 to 28 February 2013 and (2) the status of the projects forming the Communities Capital Programme 2012/16 and highlighting the overall financial position.

**Decided:**

(1) that the Committee note the current projected underspend of £40,000 for the 2012/13 Revenue Budget as at Period 11 to 28 February 2013; and

(2) that the Committee note the progress of the projects forming the Communities Capital Programme 2012/16.

- 348 Clune Park Regeneration: Progress Report 348**
- There was submitted a report by the Head of Safer & Inclusive Communities providing an update on the proposed regeneration of the Clune Park area of Port Glasgow. Councillor Wilson declared a non-financial interest in this matter as a Director of Link Housing Association. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the Chamber or his participation in the decision making process.
- Decided:**
- (1) that the Committee note the current progress towards the regeneration of the Clune Park area of Port Glasgow;
  - (2) that further progress updates be submitted to future meetings of the Committee; and
  - (3) that a report on a review of the Clune Park Regeneration Plan be submitted to the next meeting of the Committee.
- 349 Strategic Local Programme Update 349**
- There was submitted a report by the Head of Safer & Inclusive Communities advising of updates to the Strategic Local Programme 2012-2015 (the SLP) arising out of additional awards of funding for the Inverclyde Council area from the Scottish Government's Affordable Housing Supply Programme (AHSP). Councillors McCabe and McEleny declared non-financial interests in this matter as members of the Board of River Clyde Homes and Councillor Wilson declared a non-financial interest as a Director of Link Housing Association. They also formed 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:**
- (1) that the Committee note the contents of the updated Strategic Local Programme 2012-2015 as set out in the appendix to the report;
  - (2) that the request from the Scottish Government for Inverclyde Council to submit a new Strategic Housing Investment Plan for the 5 year period from 2013-2018 be noted; and
  - (3) that approval be given to the updated Strategic Local Programme 2012-2015 submitted by Inverclyde Council to the Scottish Government in April 2013.
- 350 Governance Report - External Organisations 350**
- It was noted that this item had been withdrawn from the agenda.
- 351 Inverclyde Community Safety Partnership Strategic Assessment 2013 - 2017 351**
- There was submitted a report by the Head of Safer & Inclusive Communities on the review of the Inverclyde Community Safety Strategic Assessment and seeking the Committee's endorsement of the document, a copy of which was appended to the report.
- Decided:** that the Committee endorse the Inverclyde Community Safety Partnership Strategic Assessment review document as an evidence based and outcome focused approach to the delivery of services.

**352 Scottish Statutory Instrument: The Requirements for Community Learning and Development (Scotland) Regulations 2013 352**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) on the Scottish Government's intention to strengthen the legislative base for community learning and development through subordinate legislation under powers granted by the Education (Scotland) Act 1980, (2) advising the Committee of the response made to the consultation on behalf of Inverclyde Council and (3) seeking approval for the delegation of further powers to the Corporate Director Education, Communities & Organisational Development to develop the implementation plan for the Strategic Guidance for Community Planning Partnerships: Community Learning & Development in line with the new legislation.

**Decided:**

- (1) that the Committee note the Scottish Government's intention to strengthen the legislative basis for Community Learning and Development;
- (2) that the response to the consultation on "Scottish Statutory Instrument: The Requirements for Community Learning & Development (Scotland) Regulations 2013" submitted on behalf of Inverclyde Council be noted; and
- (3) that approval be given to the delegation of further powers to the Corporate Director Education, Communities & Organisational Development to develop the implementation plan for the Strategic Guidance for Community Planning Partnerships: Community Learning & Development in line with the new legislation.

**353 Request for Loan of a Painting from McLean Museum and Art Gallery 353**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development informing the Committee of a request for the loan of 2 paintings from the McLean Museum and Art Gallery (the James Watt Trust).

**Decided:** that agreement be given to the loan of the paintings "Cassis" by J D Fergusson to the Scottish National Gallery of Modern Art from July to October 2014 and "The Bridge and Shiehallion" by J D Fergusson to Perth & Kinross Council from December 2013 to June 2014, subject to matters of transport, security and insurance being arranged to the satisfaction of the Libraries Manager.

**354 Use of Powers Delegated to the Chief Executive: The Scottish National War Memorial Campaign 354**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive to approve a request submitted by the Trustees of the Scottish National War Memorial for a contribution of £1,500 to mark the 100<sup>th</sup> anniversary of the beginning of the Great War to enable the organisation to undertake a project which includes creating a website, updating and refurbishing their archives and Rolls of Honour and publishing a book to commemorate the memorial.

**Noted**

- 355 Letting Policy for Sport and Community Facilities 355**
- There was submitted a report by the Head of Safer & Inclusive Communities advising of a delay in the original timescale for reviewing the letting policy for sport and community facilities.
- Decided:** that the Committee note the current position with the review of the letting policy for sport and community facilities and approve the submission of a detailed report after the summer recess.
- 356 Inverclyde Leisure Business Plan 356**
- It was noted that this item had been withdrawn from the agenda.
- 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 during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 & 9 of Part I of Schedule 7(A) of the Act.**
- 357 Use of Parklea - Ongoing Negotiations 357**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development on the current position with regard to the ongoing negotiations with Greenock Morton Youth Academy and Greenock Morton Senior Team for access to the facilities at Parklea Community Football Stadium.
- Councillor McEleny declared a non-financial interest in this matter as a registered player of Port Glasgow Juniors Football Club. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the Chamber or his participation in the decision making process.
- Following a vote, the Committee agreed (1) that the request from Greenock Morton Youth Academy could not be accommodated, (2) that the request from Greenock Morton Senior Team be approved and (3) to delegate authority to the Corporate Director Education, Communities & Organisational Development to develop a detailed memorandum of understanding with Greenock Morton Football Club on access to facilities and co-operation between the Club and the Council, all as detailed in the appendix.
- The Committee commenced consideration of the Education items of business at 4.25 pm with Rev Donaldson, Father McMahon, Mr Thomson and Mr Tracey joining the meeting at this point.**
- 358 Education 2012/13 Revenue Budget - Period 11 to 28 February 2013 358**
- There was submitted a report by the Chief Financial Officer and the Corporate Director Education, Communities & Organisational Development on the position of the 2012/13 Revenue Budget as at Period 11 to 28 February 2013.
- Decided:** that the Committee note the current projected underspend of £211,000 for 2012/13 as at 28 February 2013.



**EDUCATION & COMMUNITIES COMMITTEE - 7 MAY 2013**

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| <b>359</b> | <b>Education Capital Programme 2012-2015/16 - Progress</b>   | <b>359</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development and the Chief Financial Officer (1) on the status of the projects forming the Education Capital Programme and (2) highlighting the overall financial position.</p> <p><b>Noted</b></p>   |            |
| <b>360</b> | <b>Update on Progress with the Implementation of Curriculum for Excellence</b>   | <b>360</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development providing information on the progress being made with the implementation of Curriculum for Excellence.</p> <p><b>Noted</b></p>   |            |
| <b>361</b> | <b>Governance Report - Partner Providers</b>   | <b>361</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development updating the Committee on the governance arrangements and outcomes for Partner Providers.</p> <p><b>Noted</b></p>  |            |
| <b>362</b> | <b>Governance Report - Ardfern</b>   | <b>362</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development updating the Committee on the governance arrangements and outcomes for Ardfern.</p> <p><b>Noted</b></p>  |            |
| <b>363</b> | <b>Education, Communities &amp; Organisational Development Corporate Directorate Improvement Plan</b>  | <b>363</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development seeking approval of the Corporate Directorate Improvement Plan for the Education, Communities &amp; Organisational Development Directorate.</p> <p>The Corporate Director Education, Communities &amp; Organisational Development made a presentation to the Committee on the contents of the Plan.</p> <p><b>Decided:</b> that approval be given to the Education, Communities &amp; Organisational Development Corporate Directorate Improvement Plan.</p> |            |
| <b>364</b> | <b>The Equality Act 2010: Specific Duties - Education Authority Equality Outcomes and Mainstreaming Report</b>   | <b>364</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development providing a set of draft Equality Outcomes and Mainstreaming Report both of which required to be published by 30 April 2013 as part of the Education Authority legislative duties under the Equality Act 2010.</p> <p><b>Decided:</b> that approval be given to the draft Education Authority Equality Outcomes and Mainstreaming Report appended to the report.</p>   |            |

- 365 Community Planning Partnership Report - Skills Development Scotland, February 2013 365**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing information on school leaver destination results, national training and 16-19 year olds who are unemployed and seeking relating to the Inverclyde Council Community Planning Partnership Report, produced by Skills Development Scotland and released in February 2013.
- Noted**
- 366 Admissions and Placing Requests for Primary 1 and Secondary 1 Pupils in School Session 2013/14 366**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing details of the decisions agreed by the Pupil Placement Panel relating to admissions and placing requests for school session 2013/14 affecting Primary 1 and Secondary 1 pupils.
- Noted**
- 367 Speech and Language Therapy Contract 2013/14 367**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development on renewal of the Speech and Language Therapy (SLT) contract with the NHS for 2013/14.
- Decided:**
- (1) that agreement be given to the purchase, via a contract for the period 2013 to 2014, of speech and language services for children and young people to be contracted from NHS Greater Glasgow & Clyde at the costs specified in the report; and
  - (2) that a review of speech and language therapy services contracted by Education Services during 2013/14 be undertaken, with a view to future improvements.
- 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 during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 & 6 of Part I of Schedule 7(A) of the Act.**
- 368 Early Years Provision in Port Glasgow 368**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on Early Years Provision in Port Glasgow following the closure of Tree Tops Community Nursery.
- Ms Wilkie updated the Committee with regard to the relocation of children attending Tree Tops Community Nursery.
- Decided:**
- (1) that the Committee note the contents of the report;

- (2) that agreement be given to the adjustment to staffing in Rainbow Family Centre and the reallocation of funding to the Partner Provider budget;
- (3) that the shortfall in the budget savings proposal be noted; and
- (4) that a further report on provision across the authority be submitted when the Children & Young People Bill is published.

**GENERAL PURPOSES BOARD - 8 MAY 2013**

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**General Purposes Board**

**Wednesday 8 May 2013 at 3.00pm**

**Present:** Councillors Ahlfeld, Brennan, Brooks, Campbell-Sturgess, Dorrian, Grieve, Jones, Loughran, McColgan, McIlwee and Rebecchi.

**Chair:** Councillor Dorrian presided.

**In attendance:** Mr F Jarvie (for Head of Legal & Democratic Services) and Inspector S Adams, Police Scotland.

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.**

**369      Apologies, Substitutions and Declarations of Interest      369**

There were no apologies or substitutions intimated.

Councillor Rebecchi declared an interest in Agenda Item 3 (Application for Taxi Driver's Licence: Henry McLucas).

**370      Civic Government (Scotland) Act 1982      370**  
**Provision of Taxi Ranks**  
**Taxi Stance at Scarlow Street, Port Glasgow**

There was submitted a report by the Head of Legal & Democratic Services asking the Board to consider the request submitted by the Head of Environmental & Commercial Services to revoke the appointment of the existing stance for 7 cabs at Scarlow Street, Port Glasgow with effect from 5 June 2013.

Mr Jarvie advised the Board the Head of Environmental & Commercial Services is currently preparing new Traffic Regulation Orders (TRO's) for all waiting restrictions in Inverclyde as part of the introduction of Decriminalised Parking Enforcement which includes taxi stances. There followed a brief discussion on the terms of the report.

**Decided:** agreed to revoke the taxi stance at Scarlow Street, Port Glasgow with effect from 5 June 2013.

**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 during consideration of the following items on the grounds that the business involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7(A) of the Act.**

**371      Application for Taxi Driver's Licence: Joseph Cunningham      371**

There was submitted a report by the Head of Legal & Democratic Services on the renewal of a Taxi Driver's Licence by Mr Cunningham following a Police objection and medical examination.

Mr Cunningham was present.

**GENERAL PURPOSES BOARD - 8 MAY 2013**

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Mr Jarvie advised the Board on the background of the application and the updated position of the medical report.

The Board heard Inspector Adams in support of the Police objection and Mr Cunningham in support of his application.

**Decided:** the application be continued to the next meeting of the Board for further information to be provided.

Councillor Rebecchi declared a non-financial interest in the following item as he is known to the applicant which precluded his continued presence in the Chamber and his participation in the decision making process, he then left the meeting.

**372 Application for Taxi Driver's Licence: Henry McLucas 372**

There was submitted a report by the Head of Legal & Democratic Services on the renewal of a Taxi Driver's Licence by Mr McLucas following a Police representation.

Mr McLucas was present.

The Board heard Inspector Adams in support of the Police representation and Mr McLucas in support of his application.

**Decided:** the application be granted.

Councillor Rebecchi returned to the meeting following consideration of this item.

**373 Consideration of Taxi Driver's Licence: Alan Robertson 373**

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider the Taxi Driver's Licence granted to Mr Robertson following the suspension of his licence on 13 March 2013.

Mr Jarvie advised the Board on the background of the report and confirmed receipt of the medical report from Dr Blyth. The letter dated 25 April 2013 from Dr Blyth and Partners was circulated to Members.

The Board heard Inspector Adams in support of the initial suspension and Mr Robertson in support of his licence.

**Decided:** consideration of the licence be continued to the next meeting of the Board for further information to be provided.

**374 Application for Taxi Driver's Licence: Henry Paton 374**

There was submitted a report by the Head of Legal & Democratic Services on the grant of a Taxi Driver's Licence by Mr Paton following a Police representation and medical examination.

Mr Paton was present.

Mr Jarvie advised the Board on the background of the application and the results of the medical examination.

The Board heard Inspector Adams in support of the Police representation and Mr Paton

**GENERAL PURPOSES BOARD - 8 MAY 2013**

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in support of his application.

**Decided:** the application be granted.

**375      Application for Market Operator's Licence      375**  
**Continental Market Limited, West Blackhall Street, Greenock**

There was submitted a report by the Head of Legal & Democratic Services on the grant of a Market Operator's Licence by Continental Market Limited to hold a market in West Blackhall Street, Greenock between the hours of 9 am and 7 pm on the following dates:-

**2013**

1 - 5 May, 17-21 July, 25-29 September and 11-15 December

**2014**

12-16 March, 18-22 June, 17-21 September and 10-14 December.

**2015**

4-8 March, 17-21 June, 16-20 September and 2-6 December.

Mr Ali Yaich, Manager was present.

Mr Jarvie advised the Board on the background of the application and the consultation responses received.

The Board heard Mr Yaich in support of his application.

**Decided:** the application be granted.

**POLICY & RESOURCES COMMITTEE - 21 MAY 2013**

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**Policy & Resources Committee**

**Tuesday 21 May 2013 at 3 pm**

**Present:** Provost Moran, Councillors Clocherty, Loughran, Campbell-Sturgess (for MacLeod), McCabe, McCormick, McEleny, McIlwee, Nelson, Shepherd (for Rebecchi) and Wilson.

**Chair:** Councillor McCabe presided.

**In attendance:** Chief Executive, Corporate Director Environment, Regeneration & Resources, Corporate Director Education, Communities & Organisational Development, Corporate Director Inverclyde Community Health & Care Partnership, Head of Legal & Democratic Services, Chief Financial Officer, Interim Head of ICT, Head of Organisational Development, HR & Communications, Head of Education, Head of Mental Health & Addictions, Head of Property Assets & Facilities Management, Corporate Policy & Partnership Manager, Corporate Procurement Manager, Finance Manager, Legal Services Manager (Litigation, Licensing & Advice), Community Safety & Wellbeing Service Manager, Legal Services Manager (Procurement & Conveyancing), Mr A Hughes (Human Resources) and Mr M Bingham (Corporate Communications).

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.**

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| <b>376</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>376</b> |
|            | <p>Apologies for absence were intimated on behalf of Councillors MacLeod and Rebecchi, with Councillor Campbell-Sturgess substituting for Councillor MacLeod and Councillor Shepherd substituting for Councillor Rebecchi.<br/>Councillors McCabe, McEleny, McIlwee and Wilson declared interests in agenda item 12 (Welfare Reform Update).</p>  |            |
| <b>377</b> | <b>The Equality Act 2010 - Specific Duties: Equality Outcomes and Mainstreaming Report</b>  | <b>377</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development providing a set of draft Equality Outcomes and a Mainstreaming Report both of which required to be published by 30 April 2013 as part of the Council's legislative duties under the Equality Act 2010.<br/>The Head of Education gave a presentation on the Equality Outcomes and Mainstreaming Report.<br/><b>Decided:</b> that approval be given to the draft Equality Outcomes and associated Mainstreaming Report appended to the report.</p> |            |
| <b>378</b> | <b>Policy &amp; Resources Capital Programme - 2012/13 - 15/16 - Progress Report</b>   | <b>378</b> |
|            | <p>There was submitted a report by the Corporate Director Environment, Regeneration &amp; Resources and the Chief Financial Officer (1) providing an update on the status of the projects forming the Policy &amp; Resources Capital Programme 2012/13 - 15/16 and (2) highlighting the actual spend as at 28 February 2013.<br/><b>Noted</b></p>   |            |

## POLICY &amp; RESOURCES COMMITTEE - 21 MAY 2013

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| <b>379</b> | <b>Capital Programme 2012/16</b>   | <b>379</b> |
|            | <p>There was submitted a report by the Chief Financial Officer on the latest position of the 2012/16 Capital Programme.</p> <p><b>Noted</b></p>  |            |
| <b>380</b> | <b>Policy &amp; Resources Committee 2012/13 Revenue Budget - Period 11 to 28 February 2013</b>   | <b>380</b> |
|            | <p>There was submitted a report by the Chief Executive, Corporate Director Environment, Regeneration &amp; Resources, Corporate Director Education, Communities &amp; Organisational Development and the Chief Financial Officer on the 2012/13 projected out-turn for the Policy &amp; Resources Committee as at Period 11 (28 February 2013).</p> <p><b>Decided:</b></p> <p>(1) that the Committee note the projected underspend of £1,287,000 for the Policy &amp; Resources Committee Revenue Budget as at Period 11; and</p> <p>(2) that the virement request of £38,450 set out in appendix 4 to the report be approved.</p> |            |
| <b>381</b> | <b>General Fund Revenue Budget 2012/13 as at 28 February 2013</b>  | <b>381</b> |
|            | <p>There was submitted a report by the Chief Financial Officer (1) on the position of the General Fund Revenue Budget as at 28 February 2013 and (2) providing an update in respect of the Reserves and Workstream Savings.</p> <p><b>Decided:</b></p> <p>(1) that the Committee note the latest position in respect of the 2012/13 Revenue Budget and the General Fund Reserve; and</p> <p>(2) that the Committee note the 2013/16 Workstream Savings position.</p>   |            |
| <b>382</b> | <b>General Fund Revenue Budget 2013/14</b>   | <b>382</b> |
|            | <p>There was submitted a report by the Chief Financial Officer (1) on the opening position of the 2013/14 General Fund Revenue Budget and (2) highlighting the latest position in respect of delivering and managing budgets within the Council.</p> <p><b>Decided:</b></p> <p>(1) that the Committee note the initial position of the 2013/14 Revenue Budget; and</p> <p>(2) that approval be given to the framework of budget reporting and monitoring for the Council for the 2013/16 budget period as set out in the report.</p>   |            |
| <b>383</b> | <b>Procurement - Update</b>  | <b>383</b> |
|            | <p>There was submitted a report by the Chief Financial Officer on the progress being made with procurement since the last report to the Committee in February 2013.</p> <p><b>Decided:</b></p> <p>(1) that the Committee note progress on the Strategic Procurement Framework; and</p> <p>(2) that the Committee note the progress made in savings delivery.</p>   |            |



## POLICY &amp; RESOURCES COMMITTEE - 21 MAY 2013

- 384 Environment, Regeneration & Resources Corporate Directorate Improvement Plan 2013 - 2016 384**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval of the Corporate Directorate Improvement Plan for the Environment, Regeneration & Resources Directorate for the period 2013 - 2016.
- Decided:**
- (1) that approval be given to the Environment, Regeneration & Resources Corporate Directorate Improvement Plan 2013 - 2016 as outlined in appendix A to the report; and
- (2) that the Service Statements for the Environment, Regeneration & Resources Directorate as outlined in appendix B to the report be noted.
- 385 Education, Communities & Organisational Development Corporate Directorate Improvement Plan 385**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking approval of the Corporate Directorate Improvement Plan for the Education, Communities & Organisational Development Directorate.
- Decided:** that approval be given to the Education, Communities & Organisational Development Corporate Directorate Improvement Plan.
- 386 An Overview of Local Government in Scotland 2013 - Accounts Commission Report 386**
- There was submitted a report by the Chief Financial Officer (1) on the Accounts Commission document "An Overview of Local Government in Scotland 2013" published in late March 2013 and (2) seeking the Committee's views on any actions arising from the document.
- Decided:**
- (1) that the contents of the Accounts Commission document "An Overview of Local Government in Scotland 2013" and the action points for Councillors set out in appendix 1 to the document be noted;
- (2) that the Committee agree to the action points identified in paragraph 2.5 of the report; and
- (3) that the report be remitted to the Audit Committee for further consideration.
- 387 Welfare Reform Update 387**
- There was submitted a report by the Chief Financial Officer providing an update in respect of Welfare Reform, specifically on the Scottish Welfare Fund and Discretionary Housing Payments.
- Councillors McCabe, McEleny and McIlwee declared non-financial interests in this matter as members of the Board of River Clyde Homes and Councillor Wilson declared a non-financial interest as a Director of Link Housing Association. They also formed 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.

## POLICY &amp; RESOURCES COMMITTEE - 21 MAY 2013

**Decided:**

- (1) that the Committee note and welcome the successful implementation by the Council of its new responsibilities under the Welfare Reform Act 2012; and
- (2) that agreement be given to expand the eligibility criteria for Discretionary Housing Payments as outlined in Section 6 of the report and that these changes become effective from 1 April 2013.

**388 Inverclyde Alliance Repopulation Outcome Delivery Group - Funding Allocation****388**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources outlining the allocation of the £1m funding approved by The Inverclyde Council across a range of initiatives to promote the repopulation of Inverclyde.

**Decided:**

- (1) that the Committee approve the Repopulation Outcome Delivery Group Action Plan outlined in appendix 1 to the report;
- (2) that authority be delegated to the Corporate Director Environment, Regeneration & Resources to vary the allocations as outlined in consultation with the Repopulation Outcome Delivery Group; and
- (3) that the Repopulation Outcome Delivery Group monitor and scrutinise performance against each of the initiatives and provide regular updates every other cycle to the Policy & Resources Committee and Single Outcome Agreement and Alliance Boards.

**389 Services to Gypsies/Travellers****389**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership (1) on the outcome of the work carried out by the short-term Gypsies/Travellers Working Group set up by the Safe, Sustainable Communities Committee on 31 August 2011, (2) seeking approval of a reviewed and updated policy and procedures guide on the management of unauthorised Gypsies/Travellers encampments in Inverclyde, (3) seeking approval for further works to secure access arrangements to the car park facility at Newark Castle, in addition to works already completed, and to commence work on other sensitive sites to allow their continued use as intended, and (4) recommending the establishment of an official transit site and associated services for Gypsies/Travellers in Inverclyde, that will be consulted on and subject to planning approval.

**Decided:**

- (1) that the Committee note the work of the short-term Working Group on Gypsies/Travellers and the proposals made by the Group outlined at Section 11 of the report;
- (2) that approval be given to the content of the updated policy and procedures on the management of unauthorised Gypsies/Travellers encampments as set out in appendix A of the report, to be formally adopted from 1 June 2013;
- (3) that the Committee note the upgrading works carried out at Newark Castle and other sensitive sites and approve further measures to secure sensitive sites in Inverclyde in terms of car park and park management rules and regulations, that will be consulted on and subject to planning approval; and
- (4) that the Committee support in principle the establishment of an official transit site for Gypsies/Travellers in Inverclyde, that public consultation be undertaken in respect of the possible location of an official transit site at Kelburn Park and that a report on the outcome of the public consultation exercise, options for charging and the design of the site be submitted to the Committee for consideration in due course.

## POLICY &amp; RESOURCES COMMITTEE - 21 MAY 2013

**390 Suspension of Standing Orders to Pilot New Electronic Tendering System 390**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on the proposed use of a new e-tendering system and (2) seeking approval to suspend Contract Standing Orders 6.5 and 6.6 to enable Corporate Procurement to pilot the new system.

**Decided:**

(1) that approval be given to the suspension of Contract Standing Orders 6.5 and 6.6 for the period to the September 2013 meeting of the Policy & Resources Committee to enable Corporate Procurement to pilot the new electronic tendering system, PCS-Tender; and

(2) that a report on the outcome of the pilot be submitted to the meeting of the Policy & Resources Committee to be held in September 2013.

**391 Comet Canopy: Remit from Environment & Regeneration Committee 391**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 2 May 2013 relative to the Comet Canopy.

**Decided:** that the Committee agree to vire £89,000 of the SV Comet allocation back to the Common Good Fund.

**392 John Wood Street and Bay Street, Port Glasgow: Remit from Environment & Regeneration Committee 392**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 2 May 2013 relative to the refurbishment of shop premises belonging to the Common Good Fund in John Wood Street and Bay Street, Port Glasgow.

**Decided:** that the Committee approve funding of £95,000 from the Common Good Fund for refurbishment of shop premises belonging to the Common Good Fund in John Wood Street and Bay Street, Port Glasgow.

**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 during consideration of the following items 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.**

Item	Paragraph(s)
Appendices C and D relative to Agenda Item 14	6
Property Services - Transfer to New Services and Re-Structure	1
Lease of Premises - John Wood Street, Port Glasgow: Remit from Environment & Regeneration Committee	2, 6 & 9

## POLICY &amp; RESOURCES COMMITTEE - 21 MAY 2013

- 393 Appendices C and D relative to Agenda Item 14 393**
- There were submitted appendices C and D relative to agenda item 14 (Services to Gypsies/Travellers) comprising information on and maps of sites in private ownership.  
**Noted**
- 394 Property Services - Transfer to New Services and Restructure 394**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on proposals in respect of a revised structure for Property Assets & Facilities Management and (2) advising of the transfer of services to the new Legal & Property Services and Environmental & Commercial Services.
- Decided:**
- (1) that the Committee note the transfer of employees to the new Legal & Property Services and Environmental & Commercial Services as set out in appendix A of the report;
  - (2) that the structure of Property Services from April 2014 as set out in appendix B be noted;
  - (3) that it be agreed to reduce the size of Property Services in accordance with the changes to the structure and as shown in appendix C;
  - (4) that voluntary severance be offered to employees who may have to be released in March 2015 and 2016;
  - (5) that authority be delegated to the Chief Executive to release employees under the Council's Voluntary Severance scheme subject to the Council's agreed value for money criteria;
  - (6) that the Committee note that officers will explore options for shared services for Property Services; and
  - (7) that, should there be any difficulties in implementing the revised structures, a report be submitted to the Committee.
- 395 Lease of Premises - John Wood Street, Port Glasgow: Remit from Environment & Regeneration Committee 395**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 2 May 2013 relative to the lease of premises in John Wood Street, Port Glasgow and the Committee agreed to the request, all as detailed in the appendix.

**PLANNING BOARD - 5 JUNE 2013**

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**Planning Board**

**Wednesday 5 June 2013 at 3pm**

**Present:** Provost Moran, Councillors Brooks, Campbell-Sturgess, Dorrian, Jones, Brennan (for Loughran), McColgan, McIlwee, Nelson, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Head of Regeneration & Planning, Development & Building Standards Manager, Mr M Higginbotham (Environmental & Commercial Services) and Ms V Pollock (for Head of Legal & Democratic Services).

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.**

**396 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 396**

An apology for absence was intimated on behalf of Councillor Loughran, with Councillor Brennan substituting.

Councillor Dorrian declared an interest in Agenda Item 2 (a) (erection of a single 225 kW, 30m to hub, 42m to blade tip wind turbine plus associated works at Kelly Mains Farm, Kelly Road, Wemyss Bay (13/0077/IC).

**397 PLANNING APPLICATIONS 397**

**(a) Erection of a single 225kW, 30m to hub, 42m to blade tip wind turbine plus associated works:  
Kelly Mains Farm, Kelly Road, Wemyss Bay (13/0077/IC)**

The report recommended that planning permission be granted subject to a number of conditions.

Councillor Dorrian declared a non-financial interest in this matter in relation to a business interest and left the meeting.

The Head of Regeneration & Planning advised Members that the application was for the erection of a single 100 kW wind turbine plus associated works rather than a 225 kW wind turbine as stated in the report.

After discussion, Councillor Wilson moved that planning permission be granted subject to the conditions detailed in the report.

As an amendment, Councillor Nelson moved that planning permission be refused for the following reasons:-

(1) as the proposal would lead to an unacceptable cumulative impact on the landscape character of the West Renfrewshire Scenic Hills area when considered in conjunction with other turbine developments in close proximity. This is in contradiction to Local Plan Policies UT6, HR1 and HR5;

(2) as the proposal compromises the aims of the Clyde Muirshiel Regional Park in contradiction to Local Plan Policy UT6, LR6 and DS11; and

(3) as the development would have an adverse impact on the CMRP population of hen harriers, which are listed as a threatened species. This is in contradiction to the EC Birds Directive, the Wildlife and Countryside Act, Local Plan Policies UT6 and DS11.

On a vote, 3 Members voted for the motion and 7 for the amendment which was declared carried.

**PLANNING BOARD - 5 JUNE 2013**

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**Decided:** that planning permission be refused for the following reasons:-

- (1) as the proposal would lead to an unacceptable cumulative impact on the landscape character of the West Renfrewshire Scenic Hills area when considered in conjunction with other turbine developments in close proximity. This is in contradiction to Local Plan Policies UT6, HR1 and HR5;
  - (2) as the proposal compromises the aims of the Clyde Muirshiel Regional Park in contradiction to Local Plan Policy UT6, LR6 and DS11; and
  - (3) as the development would have an adverse impact on the CMRP population of hen harriers, which are listed as a threatened species. This is in contradiction to the EC Birds Directive, the Wildlife and Countryside Act, Local Plan Policies UT6 and DS11.
- Councillor Dorrian returned to the meeting following consideration of this item of business.

**(b) Proposed two storey extension to existing hotel to provide an additional 22 bedrooms, with alterations to car parking and landscaping:  
Premier Inn, James Watt Way, Greenock (13/0087/IC)**

The report recommended that planning permission be granted subject to a number of conditions.

After discussion, Councillor Brooks moved that planning permission be granted subject to the conditions detailed in the report. As an amendment, Provost Moran moved that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

On a vote, 3 Members voted for the amendment and 7 for the motion which was declared carried.

**Decided:** that planning permission be granted subject to the following conditions:-

- (1) that prior to their use samples of all facing materials shall be submitted to and approved in writing by the Planning Authority, in the interests of achieving a complementary finish to the existing hotel;
- (2) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas, to control runoff from the site to reduce the risk of flooding;
- (3) that all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption", to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption;
- (4) that the applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the development shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes in place, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds;
- (5) that prior to the extension hereby permitted being brought into use, 6 disabled parking spaces shall be marked out and 13 cycle racks shall be provided, to ensure appropriate disabled and cycle parking provision; and
- (6) that prior to the commencement of development, details of flood resilience measures in the proposed plant and linen rooms shall be submitted to and approved in writing by the Planning Authority, to ensure that potential flooding risk is minimised.

**PLANNING BOARD - 5 JUNE 2013**

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- (c) **Alterations to facilitate the formation of new betting office including the installation of external air conditioning condenser units, satellite dishes and the removal of existing ATM:**

**Former Royal Bank of Scotland, 49 Princes Street, Port Glasgow (13/0051/IC)**

The report recommended that planning permission be granted subject to the condition that due to the tonal aspect of the conditioning units hereby permitted, the noise from them shall be within Noise Rating Curve 25 between the hours of 23:00 and 07:00 and Noise Rating Curve 35 between the hours of 07:00 and 23:00 when measured within the nearest noise sensitive property, to protect nearby residents from undue noise and disturbance.

**Decided:** that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

- (d) **Alterations to facilitate the formation of new betting office including internal alterations, the installation of external air conditioning condenser units, satellite dishes, the removal of existing ATM and new illuminated and window signage:**  
**Former Royal Bank of Scotland, 49 Princes Street, Port Glasgow (13/0004/LB)**

The report recommended that planning permission be granted subject to a number of conditions.

**Decided:** that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

**398 ADVERTISEMENT APPLICATION**

**398**

There was submitted a report by the Head of Regeneration & Planning on an application for advertisement consent by Coral Racing Limited for the installation of illuminated and window signage at the former Royal Bank of Scotland, 49 Princes Street, Port Glasgow.

The report recommended that advertisement consent be granted subject to conditions.

**Decided:** that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

**399 PLANNING APPLICATION**

**399**

**Change of use from children's home (Class 8) to house (Class 9):**  
**Redholm Children's Home, Alderwood Road, Port Glasgow (13/0078/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Inverclyde Council for change of use from children's home (Class 8) to house (Class 9) at Redholm Children's Home, Alderwood Road, Port Glasgow (13/0078/IC).

**Decided:** that planning permission be granted.