

**THE INVERCLYDE COUNCIL - 6 JUNE 2013**

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**The Inverclyde Council**

**Thursday 6 June 2013 at 4 pm**

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

**Chair:** Provost Moran presided.

**In attendance:** Chief Executive, Corporate Director Environment, Regeneration & Resources, Corporate Director Education, Communities & Organisational Development, Chief Financial Officer, Head of Legal & Democratic Services, Head of Community Care & Health, Legal Services Manager (Litigation, Licensing & Advice), Legal Services Manager (Procurement & Conveyancing) and Mr M Bingham (Corporate Communications).

Rev A Sorensen opened proceedings with a prayer.

**400 Apologies and Declarations of Interest 400**

Apologies for absence were intimated on behalf of Councillors Grieve, Loughran and McEleny.

No declarations of interest were intimated.

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

**401 The Inverclyde Council - 11 April 2013 401**

**Approved** on the motion of Provost Moran.

**402 Audit Committee - 23 April 2013 402**

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

**403 Inverclyde CHCP Sub-Committee - 25 April 2013 403**

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

**404 Planning Board - 1 May 2013 404**

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

**405 Environment & Regeneration Committee - 2 May 2013 405**

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

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- 406 Education & Communities Committee - 7 May 2013 406**  
**Approved** on the motion of Councillor Brennan.
- 407 General Purposes Board - 8 May 2013 407**  
**Approved** on the motion of Councillor Dorrian.
- 408 Policy & Resources Committee - 21 May 2013 408**  
**Approved** on the motion of Councillor McCabe.
- 409 Planning Board - 5 June 2013 409**  
**Approved** on the motion of Councillor Wilson.
- 410 Administrative Arrangements: Cycle of Council, Committee, Sub-Committee and Board Meetings 410**  
 There was submitted a report by the Corporate Director Environment, Regeneration & Resources setting out for approval the cycle of Council, Committee, Sub-Committee and Board Meetings for the period to June 2014.  
**Decided:** that approval be given to the proposed cycle of Council, Committee, Sub-Committee and Board Meetings for the year to June 2014 as set out in the timetable appended to the report.
- 411 Labour Group - Changes to Committee Memberships 411**  
 There was submitted a report by the Corporate Director Environment, Regeneration & Resources asking the Council to consider changes proposed by the Labour Group to Committee memberships.  
**Decided:** that approval be given to the following changes to Committee memberships:-  
 Education & Communities Committee - Councillor McIlwee to be appointed in place of Councillor Jones; and  
 Environment & Regeneration Committee - Councillor Jones to be appointed in place of Councillor McIlwee.
- 412 Update of Financial Strategy 2013/2021 412**  
 There was submitted a report by the Chief Financial Officer seeking approval of the revised Financial Strategy 2013/14 - 2020/21 appended to the report.  
**Decided:** that the latest revision of the Financial Strategy 2013/14 - 2020/21 as set out in the appendix to the report be approved.
- 413 Proposed Traffic Regulation Order - A761 Kilmacolm Road, Port Glasgow (Part Time 20 MPH) Speed Limit Order 2013 413**  
 There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - A761 Kilmacolm Road, Port Glasgow (Part Time 20 MPH) Speed Limit 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 Section 83(2) and Part III of Schedule 9 of the Road Traffic Regulation Act 1984 to permit the introduction of a part time 20 MPH speed restriction on a section of Kilmacolm Road, Port Glasgow, 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.

**414 Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On-Street Order) No. 1 2013 414**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Disabled Persons' Parking Places (On-Street) Order No. 1 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 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.

**415 Proposed Traffic Regulation Order - Kilmacolm Cross, Kilmacolm Waiting Restrictions (Amendment No. 2) Order 2012 415**

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

**Resolved** on the motion of Councillor McCabe seconded by Councillor Clocherty that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc. (Scotland) Act 1994, RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Sections 1(1), 2(1) to (3) and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 to vary the waiting restrictions at Kilmacolm Cross, 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.

**416 Inverclyde Carers' Charter 416**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership asking the Council to approve the principles contained in the Carers' Charter and renew its commitment as a key partner and signatory to the implementation of the Charter.

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**Decided:**

- (1) that the Council endorse the Inverclyde Carers' Charter;
- (2) that the Council sign up to the Charter as a partner; and
- (3) that the Council direct that the principles of the Charter are upheld and implemented by staff in the Council.

**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**

<b>417</b>	<b>Environment &amp; Regeneration Committee - 2 May 2013</b>	<b>417</b>
	<b>Approved</b> on the motion of Councillor McCormick.	
<b>418</b>	<b>Education &amp; Communities Committee - 7 May 2013</b>	<b>418</b>
	<b>Approved</b> on the motion of Councillor Brennan.	
<b>419</b>	<b>Policy &amp; Resources Committee - 21 May 2013</b>	<b>419</b>
	<b>Approved</b> on the motion of Councillor McCabe.	

**POLICY & RESOURCES EXECUTIVE SUB-COMMITTEE - 12 JUNE 2013**

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**Policy & Resources Executive Sub-Committee**

**Wednesday 12 June 2013 at 1 pm**

**Present:** Councillors Clocherty, Nelson (for MacLeod), McCabe, Campbell-Sturgess (for McEleny), McIlwee and Wilson.

**Chair:** Councillor McCabe presided.

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

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

- 420      Apologies, Substitutions and Declarations of Interest      420**
- Apologies for absence were intimated on behalf of Councillor McEleny, with Councillor Campbell-Sturgess substituting, and Councillor MacLeod, with Councillor Nelson substituting.  
No declarations of interest were intimated.
- 421      Clyde Valley Community Planning Partnership - City Deal Initiative      421**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking authorisation to participate in the first stage (termed "Gateway One") of an economically focused infrastructure fund and City Deal for the Clyde Valley Community Planning Partnership Metropolitan City Region.  
**Decided:**  
(1) that agreement be given to Officer participation at the "Gateway One" level of the process, in the knowledge that there is no financial obligation on the Council at this stage; and  
(2) that delegated authority be granted to the Corporate Director Environment, Regeneration & Resources to develop the details of the proposal as outlined in paragraph 2.3 of the report and to report back to Committee in due course.
- 422      School Transport Policy Review      422**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) outlining transport issues relating to St Columba's High School's move to its permanent site in Fletcher Avenue, Gourrock in August 2013 and (2) seeking authority to make transport arrangements as outlined in Section 2 of the report until a review of the School Transport Policy has taken place.  
**Decided:**  
(1) that the transport arrangements in respect of Branchton, Braeside, Grieve Road, Bow Road and Larkfield be maintained for the academic year 2013/14 when St Columba's High School moves in August 2013 to its new permanent location in Fletcher Avenue, Gourrock; and  
(2) that as the Secondary School Management Plan is now nearing completion, it be

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remitted to the appropriate Officers to review the current School Transport Policy and submit a report to the relevant Committee in the new cycle of meetings.

## GRANTS SUB-COMMITTEE - 12 JUNE 2013

Grants Sub-CommitteeWednesday 12 June 2013 at 2pm

**Present:** Councillors Ahlfeld, Clocherty, Campbell-Sturgess, Dorrian, McIlwee, Shepherd and Wilson.

**Chair:** Councillor Clocherty presided.

**In attendance:** Lead Officer, Community Learning & Development and Mr N Duffy (for Head of Legal & Democratic Services).

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

**423 Apologies, Substitutions and Declarations of Interest****423**

An apology for absence was intimated on behalf of Councillor Wilson, with Councillor Ahlfeld substituting.

Councillor Campbell-Sturgess declared an interest in agenda item 2 (Round 1 Applications 2013/14, 3 Year Grant Payments 2013/14).

**424 Round 1 Applications 2013/14, 3 Year Grant Payments 2013/14****424**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) giving details of applications received for consideration for funding from the grants to voluntary organisations budget 2013/14, (2) seeking approval for further payments to two organisations under the 3 year grant scheme, and (3) advising of payments made under the 3 year grant scheme.

Councillor Campbell-Sturgess declared a non-financial interest in the application relating to the Weir Street Residents Group as a member of this group. 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 relative to this application.

**Decided:**

(1) that grants be made to voluntary organisations as follows:-

<b>Group</b>	<b>Recommendations</b>
Brass Sounds Inverclyde	defer
Greenock Light Opera Club	£500.00
Inverclyde Juvenile Pipe Band	£500.00
Inverclyde Pipes and Drums	£500.00
St. Bart's Art Club	£300.00
Gourock Bowling Club	£2,000.00
Grosvenor Bowling Club	£2,000.00
Hillend Bowling Club	£2,000.00
Inverkip Bowling Club	£2,000.00
Lady Alice Bowling Club	£2,000.00

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Wellington Park Bowling Club	£2,000.00
Bagatelle Court Tenants Organisation	£500.00
Branchton Digital Creations	£250.00
Broomhill Tenants and Residents Association	£2,000.00
Caddlehill Allotment Gardens	£1,000.00
Colourful Kilmacolm	£1,000.00
Cowdenknowes Residents Association	£500.00
Eastern View Residents Association (E.V.R.A.)	£500.00
Greenock Morton Supporters Club	nil
Inverclyde Phoenix Car Club	£500.00
Larkfield & District Fun Day Committee	£1,500.00
Park Farm Community Centre	£2,000.00
Park Farm Over 55's Group	£500.00
St Margaret's Court Tenants	£500.00
Upper Larkfield Community Hall	£2,000.00
Weir Street Residents Group	£100.00
Inverclyde Elderly Forum	£2,000.00
Port Glasgow Old Peoples Welfare Council	£5,000.00
Ardgowan Tennis Club	nil
Belleaire Football Club	£500.00
Fort Matilda TC	nil
Greenock & District Welfare Football Association	nil
Greenock Wanderers Youth Rugby Sections	£1,500.00
Inverclyde Athletic Club	£2,000.00
Inverclyde Globetrotters	£1,000.00
Inverclyde Phoenix American Football Club	£1,000.00
Newark Angling Club	£500.00
Port Victoria Boxing Club	£5,000.00
Royal Gourock Yacht Club	nil
Scottish Jui - Jitsu Renmei	£500.00
Branchton Community Centre Association	£5,000.00
Craigend Summer Programme	£5,000.00
Inverkip Community Enterprise	£5,000.00
Gourock Horticultural Society	£1,000.00
Inverclyde Asthmatic Caring Group	£1,000.00
Inverclyde Food Bank - Elim Pentecostal Church	£2,000.00
Inverclyde Women's Aid	nil
Kilmacolm Horticultural Society	£250.00
Starter Packs Inverclyde	£3,000.00
Wellington Allotment Gardens	£800.00
Inverclyde Youth for Christ	£1,000.00



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Inverclyde Youth Theatre	£2,000.00
St John's Youth Club	£5,000.00
Broomhill Boys Club	£500.00
<b>TOTAL</b>	<b>£77,200.00</b>

(2) that a payment of £50,000 be made to Inverclyde Voluntary Council of Social Services, payable in 2 tranches, and the payment of £9,000 to Port Glasgow Voluntary Transport Group be deferred, as defined at Appendix B of the report; and

(3) that the disbursement of funds under the 3 year grant scheme, as defined at Appendix C of the report, be noted.



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Mr Sweeney was present.

Mr Jarvie advised the Board that this item had been continued from the meeting held on 10 April 2013 awaiting the outcome of a pending case.

The Board heard Inspector Wood in support of the Police representation and decision of pending case. The Board heard Mr Sweeney in support of his application.

**Decided:** the application be granted.

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

**428**

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 that this item had been continued from the meeting on 8 May 2013 for further information to be provided. Mr Jarvie intimated that Mr Robertson had contacted him by telephone explaining that he has been unable to provide the additional information and requested consideration of his licence be continued to September to allow him to concentrate on improving his health and provide the documentation required.

**Decided:** to continue consideration of the licence to the September meeting as requested.

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

**429**

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

Mr Cunningham was present.

Mr Jarvie advised the Board that this item had been continued from the meeting on 8 May 2013 for further information to be provided. Mr Jarvie provided Members with the updated medical report which had been received from Dr Blyth.

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

**Decided:-**

- (a) the suspension be revoked; and
- (b) the renewal application be granted.

**430 Application for Taxi Driver's Licence: William Burns**

**430**

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

Mr Burns was not present or represented.

Mr Jarvie advised the Board on the background of the application.

The Board heard Inspector Wood in support of the Police representation.

**Decided:** the application be refused.

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- 431 Application for Taxi Driver's Licence: William McPherson 431**
- There was submitted a report by the Head of Legal & Democratic Services on an application for the grant of a Taxi Driver's Licence by Mr McPherson following a Police objection.
- Mr McPherson was not present or represented.
- Mr Jarvie advised the Board on the background of the application.
- The Board heard Inspector Wood in support of the Police objection.  
**Decided:** the application be refused.
- 432 Application for Taxi Driver's Licence: Robert Wilson 432**
- There was submitted a report by the Head of Legal & Democratic Services on the renewal of a Taxi Driver's Licence by Mr Wilson following a Police representation.
- Mr Wilson was present.
- The Board heard Inspector Wood in support of the Police representation and Mr Wilson in support of his application.  
**Decided:** the application be granted.
- Councillor Ahfeld 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.
- 433 Consideration of Licence: Craig Ritchie 433**
- 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 Ritchie following a representation by the Environmental Enforcement and Licensing Standards Officer.
- Mr Ritchie was present. John Cushnaghan and Donna Murphy, Environmental Enforcement Department, were also in attendance.
- Mr Jarvie advised the Board on the background of the request and the availability of CCTV recording of the incident which Members may view if wished.
- The Board heard Mr Cushnaghan in support of the Environmental Enforcement Department representation and Mr Ritchie in support of his licence.
- Members then viewed the recording provided and there followed a discussion of the incident.  
**Decided:**
- (a) not to suspend the current licence which expires on 31 August 2013; and
  - (b) the renewal application will not be granted under delegated powers in the absence of objections or representations, in the normal course of processing but instead be placed on the agenda of the next appropriate Meeting for consideration by the Board.
- The Chair advised Mr Ritchie that the Board supported the Enforcement Officers in the

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job they have to do and that serious consideration was given to suspending his licence, however noted Mr Ritchie's remorse and apology for his actions. Councillor Ahlfeld returned to the meeting following this item.

**434 Application for Taxi Driver's Licence: Andrew Grant 434**

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

Mr Grant was not present or represented.

Mr Jarvie advised the Board on the background of the application.

The Board heard Inspector Wood in support of the Police representation.

**Decided:** the application be refused.

**435 Application for Taxi Driver's Licence: Daniel Byrne 435**

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

Mr Byrne was not present or represented.

Mr Jarvie advised the Board on the background of the application.

The Board heard Inspector Wood in support of the Police representation.

**Decided:** the application be refused.

**436 Request for Suspension of Taxi Driver's Licence: Leigh Woodroffe 436**

There was submitted a report by the Head of Legal & Democratic Services requesting consideration of the suspension of Mr Woodroffe's Taxi Driver's Licence following a request by Police Scotland and a public letter of complaint.

Mr Woodroffe was not present or represented.

Mr Jarvie advised the Board on the background of the request and that no written submissions had been lodged by Mr Woodroffe.

The Board heard Inspector Wood in support of the Police request for suspension.

**Decided:** to suspend the licence for the unexpired portion to 28 February 2014.

**437 Application for Late Hours Catering Licence: Mr Hamid Gharer, Three in One, 17 Kempock Street, Gourock 437**

There was submitted a report by the Head of Legal & Democratic Services on the renewal of a Late Hours Catering Licence by Mr Gharer for premises at Three in One, 17 Kempock Street, Gourock.

Mr Gharer has applied to increase the opening hours as follows:-

- (a) Thursday 11 pm to 1.15 am;
- (b) Fridays and Saturdays 11 pm to 1.30 am

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(c) Sundays to Wednesdays 11 pm to 12.15 am

With additional hours over the festive period from 20 December to 5 January:-

(a) Thursdays 11 pm to 2.15 am;

(b) Fridays and Saturdays 11 pm to 2.30 am;

(c) Sundays to Wednesdays 11 pm to 1.30 am

Mr Gharer was present.

Mr Jarvie advised the Board on the background of the application.

The Board heard Mr Gharer in support of his application.

**Decided:**

(a) refuse additional hours requested;

(b) grant renewal application as currently held.

**438**

**Application for Taxi Driver's Licence: Andrew Galbraith**

**438**

There was submitted a report by the Head of Legal & Democratic Services on the grant of a Taxi Driver's Licence by Mr Galbraith following a Police objection.

Mr Galbraith was present.

The Board heard Inspector Wood in support of the Police objection and Mr Galbraith in support of his application.

After discussion, Councillor Brooks moved grant of the application and following a vote 9 Members voted for the motion which was declared carried.

**Decided:** the application be granted.

**HUMAN RESOURCES APPEALS BOARD – 20 JUNE 2013**

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**Human Resources Appeals Board**

**Thursday 20 June 2013 at 1pm**

**Present:** Councillors Brennan, Brooks, Jones, McColgan (for McIlwee) and Shepherd.

**Chair:** Councillor Brooks presided.

**In attendance:** Head of Legal & Democratic Services and Head of Organisational Development, HR & Communications.

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

**439      Apologies, Substitutions and Declarations of Interest      439**

An apology for absence was intimated on behalf of Councillor McIlwee with Councillor McColgan substituting.

No declarations of interest were intimated.

**It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 7(A) of the Act.**

**440      Appeal Against Dismissal: Employee in Environmental & Commercial Services      440**

The Board considered an appeal against dismissal on behalf of an employee in Environmental & Commercial Services and agreed that the grounds of the appeal had not been substantiated and that the appeal be not upheld, all as detailed in the appendix.

**AUDIT COMMITTEE - 25 JUNE 2013**

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**Audit Committee**

**Tuesday 25 June 2013 at 4pm**

**Present:** Provost Moran, Councillors Ahlfeld, Brennan, Campbell-Sturgess, Clocherty, McColgan (for Dorrian), Jones, MacLeod, Nelson and Rebecchi.

**Chair:** Councillor Rebecchi presided.

**In attendance:** Chief Executive, Chief Financial Officer, Chief Internal Auditor, Finance Manager and Mr N Duffy (for Head of Legal & Democratic Services).

**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>441</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>441</b> |
|            | Apologies for absence were intimated on behalf of Councillor Dorrian, with Councillor McColgan substituting, and Councillor Loughran.   |            |
|            | No declarations of interest were intimated.   |            |
| <b>442</b> | <b>An Overview of Local Government in Scotland 2013 - Accounts Commission Report: Remit from Policy &amp; Resources Committee</b>   | <b>442</b> |
|            | There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Policy & Resources Committee of 21 May 2013 relative to the Accounts Commission document 'An Overview of Local Government in Scotland 2013'.     |            |
|            | <b>Decided:</b> that the Committee note the content of the Accounts Commission document 'An Overview of Local Government in Scotland 2013' and endorse the decision of the Policy & Resources Committee.  |            |
| <b>443</b> | <b>Unaudited Annual Accounts for the Year Ended 31 March 2013</b>   | <b>443</b> |
|            | There was submitted a report by the Chief Financial Officer requesting that the Committee review the unaudited annual accounts for the year ending 31 March 2013 and approve the normal transmission to Audit Scotland by the statutory deadline of 30 June 2013. |            |
|            | <b>Decided:</b>   |            |
|            | (1) that the Committee approve the onward transmission of the unaudited annual accounts for the year ending 31 March 2013 to Audit Scotland; and  |            |
|            | (2) that a special meeting of the Audit Committee be held on 26 September 2013 at 3pm to consider the intimation of matters arising from the audit of the 2012/13 annual accounts.  |            |



Environment & Regeneration CommitteeTuesday 25 June 2013 at 4.50 pm

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

**Chair:** Councillor McCormick presided.

**In attendance:** Corporate Director Environment, Regeneration & Resources, Chief Financial Officer, Head of Legal & Democratic Services, Head of Regeneration & Planning, Legal Services Manager (Licensing, Litigation & Advice) and Corporate Communications Manager.

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

**444 Apologies, Substitutions and Declarations of Interest****444**

Apologies for absence were intimated on behalf of Councillors Dorrian and Grieve, with Councillor McColgan substituting for Councillor Dorrian and Councillor Campbell-Sturgess substituting for Councillor Grieve.

Councillors Clocherty and McCabe declared an interest in Agenda Item 2 (Midterm Review of Riverside Inverclyde and Delivery of Regeneration Services in Inverclyde and Associated Reports).

**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 paragraph 6 of Part I of Schedule 7(A) of the Act.**

**445 Midterm Review of Riverside Inverclyde and Delivery of Regeneration Services in Inverclyde and Associated Reports****445**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on the findings of the recent midterm review of Riverside Inverclyde (ri) carried out on behalf of the member organisations of ri by New Skills Consulting and associated reports by Deloitte and Hg Consulting and (2) making recommendations relative to the corporate governance of ri and its associated companies.

Councillors Clocherty and McCabe declared a non-financial interest in this matter as Members of the Board of Riverside Inverclyde. They also 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.

**Decided:**

(1) that the Committee approve the recommendations outlined in Section 5 of the report;

(2) that authority be delegated to the Corporate Director Environment, Regeneration & Resources to develop the new partnership arrangements in consultation with Scottish Enterprise and ri's Board and report to the Committee in due course; and

(3) that it be noted the Chief Executive has been asked by the ri Board together with

ri's Chair and Scottish Enterprise to establish appropriate interim and permanent management arrangements for ri and the subsidiary companies.

## GENERAL PURPOSES BOARD - 11 JULY 2013

General Purposes BoardThursday 11 July 2013 at 10am

**Present:** Councillors Brennan, Campbell-Sturgess, Dorrian, Loughran, Rebecchi and Shepherd.

**Chair:** Councillor Dorrian presided.

**In attendance:** Mr J Douglas (for Head of Legal & Democratic Services) and Inspector I Wood, Police Scotland.

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

The Chair adjourned the meeting to 10.20am to await the arrival of Councillor Shepherd in order for the meeting to be quorate.

**446 Apologies, Substitutions and Declarations of Interest****446**

Apologies for absence were intimated on behalf of Councillors Ahlfeld, Grieve, Jones, McColgan, Brooks and McIlwee with Councillor Shepherd substituting for Councillor Grieve.

There were no declarations of interest intimated.

**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.**

**447 Request for Suspension of Taxi Driver's Licence: John Barr****447**

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider upholding the immediate suspension of the Taxi Driver's Licence granted to Mr Barr and to consider if a further suspension is necessary.

Mr Barr was present.

Mr Douglas advised the Board that following receipt of a letter dated 5 June 2013 from Police Scotland, Mr Barr's licence had been immediately suspended on 7 June 2013 and requested the Board to uphold the decision of the suspension and to consider whether or not the suspension is continued.

The Board heard Inspector Wood in support of the Police recommendations and Mr Barr in support of his licence.

**Decided:**

- (1) to uphold the immediate suspension; and
- (2) Mr Barr's licence be suspended for the unexpired portion to 31 January 2014.

**448 Request for Suspension of Taxi Driver's Licence: Louise McGrath****448**

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider the suspension of Ms McGrath's Taxi Driver's Licence which expires on 30 November 2013.

Ms McGrath was present with her representative Mr Harvey, Blair & Bryden.

Mr Douglas advised the Board that following receipt of a letter dated 20 June 2013 from Police Scotland, Ms McGrath's taxi driver's licence had been immediately suspended on 24 June 2013 and following receipt of a letter dated 26 June 2013 from Blair & Bryden, Solicitors the suspension was lifted on 28 June 2013. Mr Douglas requested the Board to uphold this decision and consider if any further action is required.

The Board heard Inspector Wood in support of the Police recommendations and Mr Harvey in support of Ms McGrath's position.

**Decided:**

- (1) to uphold the immediate suspension on 24 June 2013;
- (2) uphold the decision to remove the suspension on 28 June 2013; and
- (3) that no further action be taken.

**PLANNING BOARD - 7 AUGUST 2013**

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**Planning Board**

**Wednesday 7 August 2013 at 3pm**

**Present:** Provost Moran, Councillors Brooks, Campbell-Sturgess, 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 (for Head of 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.**

**449 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 449**

No apologies for absence or declarations of interest were intimated.

**450 PLANNING APPLICATIONS SUBMITTED FOR CONTINUED CONSIDERATION 450**

**(a) 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)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Coral Racing Limited for alterations to facilitate the formation of new betting office including the installation of external air conditioning condenser units, satellite dishes and the removal of the existing ATM at the former Royal Bank of Scotland, 49 Princes Street, Port Glasgow (13/0051/IC), consideration of which had been continued from the meeting held on 5 June 2013 for a site visit.

Councillor Campbell-Sturgess entered the meeting during consideration of this item of business.

**Decided:** 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.

**(b) 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)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Coral Racing Limited for 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 the existing ATM and new illuminated and window signage at the former Royal Bank of Scotland, 49 Princes Street, Port

**PLANNING BOARD - 7 AUGUST 2013**

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Glasgow (13/0004/LB), consideration of which had been continued from the meeting held on 5 June 2013 for a site visit.

**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 downstands which will remain to indicate the position of original internal dividing walls and retain corning must be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved unless any alternative is agreed, in writing, by the Planning Authority, to retain and preserve evidence of the former layout in the interests of safeguarding the historic character of the building;

(2) that existing corning shall remain undisturbed during the works on site and at all times thereafter, to retain and preserve original features in the interests of safeguarding the historic character of the building;

(3) that any previously concealed original features which are exposed during the works shall be retained. Prior to undertaking any repair to the features full details of repairs shall be submitted to and approved in writing by the Planning Authority, to retain and preserve original features in the interests of safeguarding the historic character of the building; and

(4) that the face of any projecting sign shall have a maximum dimension of not more than 600mm and prior to the commencement of works on site revised details shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved, to ensure the projecting signage is appropriate for the listed building by according with the advice within PPAN 13.

**(c) Installation of illuminated and window signage:  
Former Royal Bank of Scotland, 49 Princes Street, Port Glasgow (13/0004/CA)**

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

(1) that no permission is granted for the projecting sign hanging in Church Street as it would be detrimental to the setting of the Category B listed St Andrew's Church when viewed as an integral part of the streetscape;

(2) that the face of any projecting sign shall have a maximum dimension of not more than 600mm and prior to the commencement of works on site revised details should be submitted to and approved in writing by the Planning Authority, works shall then proceed as approved, to ensure the projecting signage is appropriate for the listed building by according with the advice within PPAN13; and

(3) that the maximum level of luminance of the signage hereby permitted is 600 candelas per square metre, to prevent glare to the distraction of road users.

**451 PLANNING APPLICATIONS**

**451**

**(a) New flood defences including embankment, flood walls and flood barriers:  
Battery Park Sports Pitches, Eldon Street, Greenock (13/0138/IC)**

It was noted that this application had been withdrawn.

**(b) Alterations to shop front to replace fixed glazing panels with glazing louvres for ventilation (in retrospect):  
83 Cathcart Street, Greenock (13/0163/IC)**

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

**(c) Formation of civic amenity site and staff office:**

**Pottery Street Depot, Greenock (13/0055/IC)**

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

(1) 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;

(2) that the development shall not commence until an environmental investigation and risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant linkages have 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;

(3) 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 Authority's satisfaction;

(4) 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 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;

(5) 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;

(6) that the landscaping scheme contained within docquetted drawing PA001-A shall be completed within the first planting season following completion of the civic amenity site, hereby approved, and that in the subsequent 5 years, any specimens which die, become diseased or are damaged, shall be replaced in the next planting season with a similar specimen, unless the Planning Authority gives its prior written approval to any alternatives, to ensure the provision of a quality landscape setting for the civic amenity site, hereby approved; and

(7) that no development shall commence until a drainage impact assessment has

**PLANNING BOARD - 7 AUGUST 2013**

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been submitted to and approved, in writing, by the Planning Authority, to ensure that surface water run-off is contained within the site.

**(d) Proposed residential development (in principle):  
Land off Lithgow Way, Port Glasgow (13/0035/IC)**

The Head of Regeneration & Planning advised the Board that under the heading "Assessment", line 2 of paragraph 4 should read "... and proposed Local Development Plan policies TRA2 and ENV3".

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.

**(e) Erection of tensile fabric canopy structure over the Comet:  
Shore Street, Port Glasgow (13/0164/IC)**

**Decided:** that planning permission be granted subject to the condition that a sample of the canopy fabric shall be submitted to and approved, in writing, by the Planning Authority prior to its use, to allow for a detailed visual assessment of the finish to the canopy.

**452 ADVERTISEMENT APPLICATION**

**452**

There was submitted a report by the Head of Regeneration & Planning on an application for advertisement consent by Lidl UK for the erection of 2 hoarding signs at the Lidl Supermarket, 1 Newark Street, Port Glasgow (13/0009/CA).

The report recommended that advertisement consent be refused as, contrary to Inverclyde Planning Practice Advice Note 13 and the proposed Inverclyde Local Development Plan Supplementary Guidance Planning Application Advice Note 10, the proposal would constitute a proliferation of advertisement hoardings within the application site to the detriment of visual amenity.

**Decided:** that advertisement consent be granted.

**453 PLANNING APPEAL - 111-113 ELDON STREET, GREENOCK**

**453**

There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 1 May 2013 to refuse planning permission for the erection of a detached dwellinghouse on the corner of Bentinck Street and Welbeck Street, Greenock (13/0044/IC), an appeal against the refusal of planning permission had been made to the Scottish Government.

**Noted**

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

**454**

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 50Kw 34.378 metre high wind turbine at Shielhill Farm, Dunrod Road, Inverkip (12/0286/IC) and the subsequent appeal by the

applicant to the Scottish Government against that refusal, the Reporter appointed by the Scottish Government had issued his decision which was to uphold the appeal.



**Noted**

**LOCAL REVIEW BODY - 7 AUGUST 2013**

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**Local Review Body**

**Wednesday 7 August 2013 at 4pm**

**Present:** Provost Moran, Councillors Dorrian, Loughran, Nelson and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Mr R Gimby (Regeneration & Planning Services) and Mr J Kerr (for Head of Legal & Democratic Services).

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

**455 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 455**

No apologies for absence or declarations of interest were intimated.

**456 PLANNING APPLICATION FOR REVIEW 456**

**Proposed residential development in principle, including the formation of a new access road:**

**Barr's Brae, Port Glasgow (13/0038/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for a proposed residential development in principle, including the formation of a new access road, at Barr's Brae, Port Glasgow (13/0038/IC).

The Chair advised Members that the plans on pages 93-96 of the agenda should, in fact, be included within the section comprising the Notice of Review and supporting documents submitted by the applicant's agent.

**Decided:**

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be dismissed and that planning permission be refused (upholding the appointed Officer's determination) for the following reasons as set out in the Report of Handling dated 28 March 2013:-

(i) the development is located on land identified in the Inverclyde Local Plan as open space and will fail to safeguard open space, contrary to Policy LR1;

(ii) the development is located on land identified in the Inverclyde Local Plan as open space and will fail to safeguard the character and amenity of an existing residential area, contrary to Policies H1 and H8; and

(iii) the development will have an adverse impact on the enjoyment of users of the SUSTRANS cycle track, which is part of the core path network as referred to in Local Plan Policies LR6 and LR7.

**POLICY & RESOURCES COMMITTEE - 13 AUGUST 2013**

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**Policy & Resources Committee**

**Tuesday 13 August 2013 at 3 pm**

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

**Chair:** Councillor McCabe presided.

**In attendance:** Chief Executive, Corporate Director Environment, Regeneration & Resources, Corporate Director Education, Communities & Organisational Development, Ms V Pollock (for Head of Legal & Democratic Services), Chief Financial Officer, Finance Manager, Ms A Edmiston (Finance Services), Transitional Head of ICT, Mr A McDonald (ICT Services), Head of Property Assets & Facilities Management, Chief Internal Auditor and Corporate Communications Manager.

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

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|------------|---|------------|
| <b>457</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>457</b> |
|            | Apologies for absence were intimated on behalf of Councillor McEleny, with Councillor Brooks substituting, Councillor MacLeod, with Councillor Campbell-Sturgess substituting, and Councillor Wilson.<br>No declarations of interest were intimated.  |            |
| <b>458</b> | <b>ICT Strategy 2013-16</b>   | <b>458</b> |
|            | There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval of the ICT Strategy covering the period 2013-2016, appended to the report.<br>The Committee heard a presentation on the Strategy by the Transitional Head of ICT who answered a number of questions from Members.<br><b>Decided:</b><br>(1) that approval be given to the ICT Strategy 2013-2016; and<br>(2) that the Committee note the possibility that shared services developments may have an impact on agreed work. |            |
| <b>459</b> | <b>2013/16 Capital Programme</b>  | <b>459</b> |
|            | There was submitted a report by the Chief Financial Officer on the latest position of 2013/16 Capital Programme.<br><b>Decided:</b> that the Committee note the much reduced slippage levels experienced in 2012/13 and the current position of the 2013/16 Capital Programme.  |            |
| <b>460</b> | <b>2012/13 Efficiency Performance</b>   | <b>460</b> |
|            | There was submitted a report by the Chief Financial Officer (1) on the level of efficiencies achieved by the Council in 2012/13 and (2) seeking approval of the annual return which requires to be submitted to COSLA by 27 August 2013.<br><b>Decided:</b><br>(1) that the Committee note the achievement of £2.096m recurring efficiency savings in 2012/13; and  |            |

## POLICY &amp; RESOURCES COMMITTEE - 13 AUGUST 2013

(2) that approval be given to the submission of the annual return to COSLA by 27 August 2013.

**461 Treasury Management - Annual Report 2012/13 461**

There was submitted a report by the Chief Financial Officer on the operation of the treasury function and its activities for 2012/13 as required under the terms of Treasury Management Practice 6 ("TMP6") on "Reporting Requirements and Management Information Arrangements".

**Decided:**

- (1) that the Committee note the contents of the Annual Report on Treasury Management for 2012/13 and the ongoing work to ensure the delivery of financial benefits for the Council; and
- (2) that the Annual Report be remitted to The Inverclyde Council for approval.

**462 Revenue Budget Outturn 2012/13 462**

There was submitted a report by the Chief Financial Officer advising the Committee of the unaudited outturn of Service Committee Budgets for the year ending 31 March 2013 and the position in respect of free General Fund Reserves.

**Decided:**

- (1) that the Service Committee underspend of £2,835,000 as set out in the unaudited accounts for 2012/13 and the information contained in the various appendices be noted; and
- (2) that it be noted that decisions on the surplus free reserves are scheduled to be taken at the November meeting of the Committee.

**463 Major Capital Investments in Councils - Accounts Commission Report 463**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) highlighting the main messages arising from the Accounts Commission document "Major Capital Investments in Councils" which was published in late March 2013 and (2) advising of the implications of the report's recommendations.

**Decided:**

- (1) that the Committee note the publication of the Accounts Commission report "Major Capital Investments in Councils", its recommendations and the action proposed to implement these where they apply to Inverclyde Council; and
- (2) that a further report on progress of the implementation of the action plan appended to the report be submitted for Members' consideration in 12 months' time.

**464 Inverclyde Council - Reserves Policy 464**

There was submitted a report by the Chief Financial Officer seeking approval of the Council's revised Reserves Policy.

**Decided:**

- (1) that the Committee endorse the Reserves Policy appended to the report and agree that the next review of the Policy will be no later than August 2016; and
- (2) that it be agreed that the Strategic Housing Reserve be added to the Repairs and Renewals Fund.

## POLICY &amp; RESOURCES COMMITTEE - 13 AUGUST 2013

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|------------|--|------------|
| <b>465</b> | <b>Non-Domestic Rates - Short Term Part Empty Relief</b>   | <b>465</b> |
|            | <p>There was submitted a report by the Chief Financial Officer seeking approval of the Short Term Part Empty Relief (Non Domestic Rates) Policy appended to the report.</p> <p><b>Decided:</b></p> <p>(1) that approval be given to the draft policy for Short Term Part Empty Relief from Non-Domestic Rates as set out in the appendix to the report; and</p> <p>(2) that it be noted that a comprehensive draft Non-Domestic Rates Relief Policy document will be submitted to the November meeting of the Committee for consideration.</p>   |            |
| <b>466</b> | <b>Methods of Council Tax Payment</b>  | <b>466</b> |
|            | <p>There was submitted a report by the Chief Financial Officer seeking approval for the Council to cease accepting Council Tax payments by Standing Order with effect from financial year 2014/15.</p> <p><b>Decided:</b> that approval be given to cease accepting Standing Orders as a method of payment for Council Tax with effect from financial year 2014/15.</p>  |            |
| <b>467</b> | <b>Water Direct Pilot</b>  | <b>467</b> |
|            | <p>There was submitted a report by the Chief Financial Officer seeking approval for the Council to act as a pilot in respect of the Water Direct Scheme which the Scottish Government is keen should be progressed.</p> <p><b>Decided:</b> that agreement be given to Inverclyde Council's participation in the pilot implementation of the Water Direct Scheme.</p>   |            |
| <b>468</b> | <b>Fly a Flag for the Commonwealth - 10 March 2014</b>   | <b>468</b> |
|            | <p>There was submitted a report by the Corporate Director Education, Communities &amp; Organisational Development advising of the use of the powers delegated to the Chief Executive to agree to the Council's participation in the "Fly a Flag for the Commonwealth" event to mark Commonwealth Day on 10 March 2014 and to hold this as an annual activity in the Council calendar.</p> <p><b>Noted</b></p>  |            |
| <b>469</b> | <b>Draft Information Classification Policy</b>   | <b>469</b> |
|            | <p>There was submitted a report by the Corporate Director Inverclyde Community Health &amp; Care Partnership requesting the Committee to approve the draft Information Classification Policy appended to the report.</p> <p><b>Decided:</b></p> <p>(1) that approval be given to the Information Classification Policy set out in the appendix to the report; and</p> <p>(2) that it be agreed that the Corporate Director Inverclyde Community Health &amp; Care Partnership, through the Information Governance and Management Working Group, submit a further report on the implementation of the Policy to the Committee for approval.</p> |            |

**470 Reduction in Discretionary Housing Payment Funding****470**

There was submitted a report by the Chief Financial Officer advising the Committee of notification received from the Department for Work and Pensions (DWP) that due to an error in its calculation for Discretionary Housing Payment (DHP), the Council will be receiving reduced funding for DHP from 2014/15.

**Decided:**

- (1) that the Committee note the error in Discretionary Housing Payment funding advised by the Department for Work and Pensions;
- (2) that it be remitted to the Chief Executive to write to Mr Pete Searle, Strategy Director, Working Age Benefits, at the DWP and Mr David Mundell MP expressing the Council's deep concern at the reduction in DHP funding from 2014/15 and highlighting the potential impact this could have on those affected by the "Bedroom Tax";
- (3) that the Council set aside up to £118,000 from the previously advised surplus reserves to ensure that DHP levels are maintained for the period 2013/16 at the level approved by the Council prior to the DWP error; and
- (4) that it be noted that a further report on this matter will be submitted to the Committee prior to the end of the current financial year.

**471 Request for Delegated Authority to Accept Insurance Tender****471**

There was submitted a report by the Chief Financial Officer seeking approval for delegated authority to be granted to the Head of Legal & Democratic Services to accept the most economically advantageous tender received for Insurance Services on behalf of the Council.

**Decided:** that delegated authority be granted to the Head of Legal & Democratic Services to accept the most economically advantageous tender received for Insurance Services on behalf of the Council.



**GENERAL PURPOSES BOARD - 14 AUGUST 2013**

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Mr Neill Livingstone, Area Manager, was present.

The Board heard Mr Livingstone in support of the application and comments from Sergeant Espie.

After discussion Councillor Loughran moved grant of the application. There followed a vote with 9 Members voting for the motion and 1 refusal and 1 abstention.

**Decided:** the application be granted.

**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.**

475

**Application for Late Hours Catering Licence  
Levenvale Restaurants Limited t/a McDonalds, 5 East Hamilton Street, James Watt Way, Greenock**

475

There was submitted a report by the Head of Legal & Democratic Services on an application for Late Hours Catering Licence for the sale to or consumption by the public of food between the hours of 11 pm and 12.30 am Sunday to Thursday and 11 pm and 1.30 am Friday and Saturday for the premises known as McDonalds, 5 East Hamilton Street, James Watt Way, Greenock.

Monica McNeil, Franchise Supervisor; Simon Tiernan, Representative of McDonalds and 2 members of staff were present representing Levenvale Restaurants Limited. Mr and Mrs McGowan, objectors, were also present representing J W W Resident Committee.

Mr Douglas advised the Board on the background of the application and that additional information had been submitted dated 25 July 2013 by McDonalds, a copy of which was circulated to Board Members.

The Board heard Mr Tiernan and Miss McNeil in support of the application.

Mr Tiernan lodged a petition of support which was passed to Members. The Board heard Mr and Mrs McGowan in support of their objection.

After a full discussion, Councillor Loughran moved grant of the licence as applied for with a one year review and additional conditions on the licence with regard to signage, car park monitoring and liaison with the Residents Association as promised in Mr Tiernan's submissions. As an amendment, Councillor Ahlfeld moved refusal of the application on the grounds that the location, character or condition of the premises is not suitable or convenient for the conduct of the activity applied for.

On a vote 5 Members voted for the amendment and 5 Members for the motion, 1 Member abstained.

The Chair having casting vote declared the application granted in terms of Councillor Loughran's motion.

**Decided:**



GENERAL PURPOSES BOARD - 14 AUGUST 2013

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- (1) the application be granted for a 3 year period;
- (2) a one year review of the premises licence including updated anti-social behaviour report by Police Scotland; and
- (3) additional conditions pertaining to signage, monitoring car park and liaison with Residents Association be incorporated on the licence.

**476 Application for Taxi Driver's Licence: Andrew McBride****476**

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

Mr McBride was present.

The Board heard Sergeant Espie in support of the Police representation and Mr McBride in support of his application.

Following discussion, Councillor Loughran moved grant of the application which was unanimously agreed.

**Decided:** the application be granted.

**477 Application for Taxi Driver's Licence: Neil Munro****477**

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

Mr Munro was not present or represented.

Mr Douglas advised the Board on the background of the application and the written submission by Mr Munro.

The Board heard Sergeant Espie in support of the Police representation.

Following discussion, Councillor Rebecchi moved refusal of the application, as an amendment Councillor Campbell-Sturgess moved grant.

On a vote, 2 Members voted for the motion and 9 for the amendment which was declared carried.

**Decided:** the application be granted.

**AUDIT COMMITTEE - 27 AUGUST 2013**

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**Audit Committee**

**Tuesday 27 August 2013 at 3 pm**

**Present:** Provost Moran, Councillors Ahlfeld, Brennan, Campbell-Sturgess, Clocherty, 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 Finance Manager.

**478      Apologies, Substitutions and Declarations of Interest      478**

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

No declarations of interest were intimated.

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

**479      Risk Management Progress Report      479**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the progress made on Risk Management since the meeting of the Committee on 23 April 2013.

**Noted**

**480      External Audit Action Plans - Current Actions      480**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on the status of current actions from the External Audit Action Plan at 30 June 2013.

**Noted**

**481      Internal Audit Annual Report and Assurance Statement 2012/2013      481**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources presenting to Members the Internal Audit Annual Report & Assurance Statement for 2012/2013.

**Noted**

**482      Annual Review of Risk Management Activity 2012/2013      482**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources presenting to Members progress made in 2012/2013 in developing and monitoring a strategic approach to managing risks faced by the Council.

**Noted**

**483      Proposed Changes to 2013 - 2014 Annual Accounts      483**

**AUDIT COMMITTEE - 27 AUGUST 2013**

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There was submitted a report by the Chief Financial Officer giving advance notice of important changes that the Scottish Government wish to make to the annual accounts process and presenting to Members the Council's response to the Scottish Government's consultation on Local Authority Accounts Regulations.

**Decided:**

- (1) that the Committee approve the onwards transmission of the consultation document to the Scottish Government; and
- (2) that the content of the report be noted.

**484 Internal Audit Progress Report - 30 March to 2 August 2013**

**484**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources appending the monitoring report in respect of Internal Audit activity for the period 30 March to 2 August 2013.

**Noted**

**It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 7(A) of the Act.**

**485 Internal Audit Progress Report - Appendix**

**485**

There was submitted an appendix to the Internal Audit Progress Report providing details of a special investigation undertaken since the last meeting of the Committee.

**Noted**

**HUMAN RESOURCES APPEALS BOARD – 28 AUGUST 2013**

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**Human Resources Appeals Board**

**Wednesday 28 August 2013 at 1pm**

**Present:** Councillors Brennan, Brooks, Jones, McIlwee and Shepherd.

**Chair:** Councillor Brooks presided.

**In attendance:** Mr J Hamilton (for Head of Legal & Democratic Services) and Ms B McQuarrie (for Head of Organisational Development, HR & Communications).

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

- |            |  |            |
|------------|--|------------|
| <b>486</b> | <b>Apologies, Substitutions and Declarations of Interest</b>   | <b>486</b> |
|            | No apologies for absence or declarations of interest were intimated.   |            |
|            | <b>It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 7(A) of the Act.</b> |            |
| <b>487</b> | <b>Appeal Against Dismissal: Employee in Inverclyde Community Health &amp; Care Partnership</b>  | <b>487</b> |
|            | The Board considered an appeal against dismissal on behalf of an employee in Inverclyde Community Health & Care Partnership and agreed that the grounds of the appeal had not been substantiated and that the appeal be not upheld, all as detailed in the appendix.   |            |

Inverclyde Community Health and Care Partnership Sub-CommitteeThursday 29 August 2013 at 1.00 pm

**Present:** Councillors V Jones, J MacLeod, S McCabe, J McIlwee and L Rebecchi (Inverclyde Council); Dr M Kapasi and Mr K Winter, Non-Executive Directors, NHS Greater Glasgow & Clyde Health Board; Mrs N McFadden, Public Partnership Forum; Ms D McCrone, Staff Partnership Forum; Dr H MacDonald, Professional Executive Group and Mr B Moore, Corporate Director Inverclyde Community Health & Care Partnership.

**Chair:** Councillor McIlwee presided.

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

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

**488 Apologies, Substitutions and Declarations of Interest 488**

No apologies for absence were intimated.

Councillors McIlwee and MacLeod declared interests in agenda item 10 (Governance of CHCP Commissioned External Organisations).

**489 Healthy Child Programme (Redesign) 489**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership (1) informing the Sub-Committee of the development of the Healthy Child Programme and (2) highlighting the work of the Healthy Child Programme Board and the redesign activity taking place within health visiting and school nursing.

The Board heard a presentation on this subject by the Head of Children & Families and Criminal Justice who, along with Ms Anne Jamieson, Senior Nurse, Greenock Health Centre, answered questions from Members.

(Ms McCrone entered the meeting during consideration of this item of business).

**Decided:**

(1) that the Sub-Committee note the three main elements of the Healthy Child Programme being (a) implementation of a 30 month assessment, (b) development and implementation of an assessment and care planning tool and process and (c) workforce redesign and investment in health visiting and school nursing; and

(2) that the present position and work in progress to finalise the Healthy Child Redesign Programme be noted.

**490 Community Health & Care Partnership - Financial Report Outturn 2012/13 and 2013/14 as at Period 3 to 30 June 2013 490**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the 2012/13 Revenue outturn position and the 2013/14 Revenue and Capital Budgets current year position as at period 3 to 30 June 2013.

**Decided:**

- (1) that the 2012/13 Revenue Budget underspend of £80,000 as at 31 March 2013 be noted;
- (2) that the current year Revenue Budget and projected underspend of £83,000 for 2013/14 as at 30 June 2013 be noted;
- (3) that the Sub-Committee note that the Social Work Capital Budget is projecting an underspend of £116,000 over the life of the projects 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 £1,146,000 detailed in appendix 7 to the report.

**491 Pilot Joint Inspection of Adult (Older People's) Services 491**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership advising the Sub-Committee of the outputs and outcome of a pilot joint inspection of Health, Social Work and Social Care services for Older People carried out by the Care Inspectorate and Healthcare Improvement Scotland in Inverclyde.

**Decided:** that the Sub-Committee note the contents of the report and give support to the ongoing monitoring and implementation of the action plan based on the areas identified for improvement.

**492 Care Inspection of Inverclyde CHCP's Day Services for Older People 492**

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 Older People's Day Services based at the Hillend Centre, Greenock.

The report advised that the Service received a Grade 5 (very good) for Quality of Care and Support, Grade 6 (excellent) for Quality of Environment, Grade 5 for Quality of Staffing and Grade 5 for Quality of Management and Leadership.

**Decided:**

- (1) that the Sub-Committee note the high standard achieved by Day Services and Inverclyde's ongoing commitment to continuous improvement; and
- (2) that it be noted that there will be a review of all Older People's Day Services within Inverclyde to look at providing a spectrum of care which can support people with varying needs.

**493 Care Inspection of McPherson Centre, Gourock 493**

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 the McPherson Centre, Gourock.

The report advised that the Service had received a Grade 3 (adequate) for Quality of

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**INVERCLYDE COMMUNITY HEALTH AND CARE PARTNERSHIP SUB-COMMITTEE - 29 AUGUST 2013**


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Care and Support, Grade 4 (good) for Quality of Environment, Grade 4 for Quality of Staffing and Grade 3 for Quality of Management and Leadership which were lower than the grades achieved in previous inspections.

(Dr Kapasi entered the meeting during consideration of this item of business).

**Decided:**

(1) that the Sub-Committee note the outcome of the inspection of the McPherson Centre, Gourrock and the actions being taken to address the shortcomings highlighted in the inspection report; and

(2) that a progress report be submitted to the Sub-Committee in 6 months' time.

**494 Workforce Monitoring Report**

**494**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership providing an update on workforce issues and developments including progress in terms of workforce targets.

(Mrs McFadden left the meeting during consideration of this item of business).

**Decided:** that the Sub-Committee note the report and the progress made in meeting workforce targets.

**495 Inverclyde CHCP Freedom of Information Annual Report**

**495**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership (1) on the number, themes and sources of Freedom of Information requests received by the CHCP from July 2012 to June 2013 and (2) setting out performance in relation to response timescales.

(Mrs McFadden returned to the meeting during consideration of this item of business).

**Decided:** that the Sub-Committee note the Freedom of Information Annual Report.

**496 Potential Implications of the Public Bodies (Joint Working) (Scotland) Bill**

**496**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership (1) advising of a number of issues raised by the Public Bodies (Joint Working) (Scotland) Bill published on 28 May 2013 and (2) providing an initial basis for further discussion on potential implications of the Bill in Inverclyde.

**Decided:**

(1) that the report be noted; and

(2) that further update reports be submitted to 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 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.**

<b>Item</b>	<b>Paragraph(s)</b>
<b>Governance of CHCP Commissioned External Organisations</b>	<b>3 &amp; 6</b>

**Caladh House: Award of Negotiated Contract: 6, 8 & 9**  
**Turning Point Scotland**

**497 Governance of CHCP Commissioned External Organisations 497**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership (1) appending the Inverclyde CHCP governance report for the period 1 March 2013 to 1 July 2013 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.

**Decided:**

- (1) that the governance report be noted; and
- (2) that further update reports be submitted to the Sub-Committee.

**498 Caladh House: Award of Negotiated Contract: Turning Point Scotland 498**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership seeking approval to enter into a contract with Turning Point Scotland to provide residential care for 13 adults with a learning disability, under Rule 3.2.3 (2) of the Council's Rules of Procedure - Contracts for Procurement of Social Care Services.

**Decided:**

- (1) that approval be given to negotiate a contract directly with Turning Point Scotland in accordance with Rule 3.2.3 (2) of the Rules of Procedure - Contracts for Procurement of Social Care Services; and
- (2) that the Head of Legal & Democratic Services be authorised to enter into negotiations and conclude a 2 year contract with Turning Point Scotland from 1 November 2013 until 31 October 2015 (with an option of a further 2 year extension thereafter).



**HEALTH & SOCIAL CARE COMMITTEE - 29 AUGUST 2013**

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**Health & Social Care Committee**

**Thursday 29 August 2013 at 3 pm**

**Present:** Councillors Brennan, Campbell-Sturgess, Jones, MacLeod, McCabe, McIlwee and Rebecchi.

**Chair:** Councillor McIlwee presided.

**In attendance:** Corporate Director Inverclyde Community Health & Care Partnership, Head of Children & Families and Criminal Justice, Head of Planning, Health Improvement & Commissioning, Head of Mental Health, Addictions & Homelessness, Head of Community Care & Health, Ms L Bairden (for Chief Financial Officer) and Mr J Douglas (for Head of Legal & Democratic Services).

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

**499      Apologies, Substitutions and Declarations of Interest      499**

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

No declarations of interest were intimated.

**500      Health & Social Care Committee - Financial Report Outturn 2012/13 and 2013/14 as at Period 3 to 30 June 2013      500**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership on the 2012/13 Revenue outturn position and the current position of the 2013/14 Revenue and Capital Budgets as at Period 3 to 30 June 2013.

**Decided:**

- (1) that the 2012/13 Revenue Budget underspend of £111,000 as at 31 March 2013 be noted;
- (2) that the current year Revenue Budget and projected underspend of £77,000 for 2013/14 as at 30 June 2013 be noted;
- (3) that the current projected Capital position of £116,000 underspend over the life of the projects be noted;
- (4) that the current Earmarked Reserves position be noted;
- (5) that approval be given to the budget virements totalling £1,146,000 detailed in appendix 4; and
- (6) that the 2013/14 Revenue and Capital Budgets be delegated to the CHCP Sub-Committee.

**501      Chief Social Work Officer - Annual Report      501**

There was submitted a report by the Corporate Director Inverclyde Community Health & Care Partnership appending the Chief Social Work Officer's annual report for the period April 2012 to April 2013.

**Decided:** that the Chief Social Work Officer's annual report for the period April 2012 to April 2013 be noted.

## HEALTH &amp; SOCIAL CARE COMMITTEE - 29 AUGUST 2013

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|------------|---|------------|
| <b>502</b> | <b>Community Health &amp; Care Partnership - Complaints Procedures Annual Report 2012 - 2013</b>  | <b>502</b> |
|            | <p>There was submitted a report by the Corporate Director Inverclyde Community Health &amp; Care Partnership on the annual performance of the Community Health &amp; Care Partnership with regard to the statutory procedures as determined by the Scottish Government Guidance and Directions on the Operation of Complaints Procedures in Respect of Social Work Functions (SWSG5/1996) and NHS Greater Glasgow &amp; Clyde functions.</p> <p><b>Decided:</b> that the annual performance of the CHCP in respect of the statutory complaints procedures be noted.</p>   |            |
| <b>503</b> | <b>Inverclyde Community Health &amp; Care Partnership - Authorised Providers List Annual Report</b>   | <b>503</b> |
|            | <p>There was submitted a report by the Corporate Director Inverclyde Community Health &amp; Care Partnership (1) proposing amendments to Inverclyde CHCP's Authorised Providers List in accordance with the Council's Rules of Procedure for the Procurement of Social Care Services, Rule 2.2 and (2) advising that given the governance of external organisations procedures, changes to procurement procedures and the introduction of Self Directed Support, the maintenance of an Authorised Providers List is no longer appropriate and the list will therefore no longer be maintained or used.</p> <p><b>Decided:</b></p> <p>(1) that the Committee note the amendments to Inverclyde CHCP's Authorised Providers List; and</p> <p>(2) that it be noted that the Authorised Providers List is being dispensed with for the reasons set out in the report.</p> |            |
| <b>504</b> | <b>SOLACE Benchmarking Report</b>   | <b>504</b> |
|            | <p>There was submitted a report by the Corporate Director Inverclyde Community Health &amp; Care Partnership providing an overview of Social Work indicators included in the recently published SOLACE (Society of Local Authority Chief Executives) benchmarking data for 2010/11 and 2011/12.</p> <p><b>Noted</b></p>   |            |
| <b>505</b> | <b>Potential Implications of the Public Bodies (Joint Working) (Scotland) Bill</b>  | <b>505</b> |
|            | <p>There was submitted a report by the Corporate Director Inverclyde Community Health &amp; Care Partnership (1) advising of a number of issues raised by the Public Bodies (Joint Working) (Scotland) Bill published on 28 May 2013 and (2) providing an initial basis for further discussion on potential implications of the Bill in Inverclyde.</p> <p><b>Decided:</b></p> <p>(1) that the report be noted; and</p> <p>(2) that further update reports be submitted to the Committee.</p>   |            |

**PLANNING BOARD - 4 SEPTEMBER 2013**

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**Planning Board**

**Wednesday 4 September 2013 at 3 pm**

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

**Chair:** Councillor Brooks 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 (Corporate Communications).

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

**506 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 506**

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

No declarations of interest were intimated.

**507 PLANNING APPLICATION SUBMITTED FOR CONTINUED CONSIDERATION 507**

**Proposed residential development (in principle):  
Land Off Lithgow Way, Port Glasgow (13/0035/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Clydeport for proposed residential development (in principle) at land off Lithgow Way, Port Glasgow (13/0035/IC), consideration of which had been continued from the meeting of 7 August 2013 for a site visit.

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

After discussion, Councillor Rebecchi moved that planning permission be refused as the proposal is contrary to the Inverclyde Local Plan 2005 as the site is zoned for commercial use and the commercial zoning should remain in force for a period of 5 years.

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

On a vote, 2 Members voted for the amendment and 6 for the motion which was declared carried.

**Decided:** that planning permission be refused as the proposal is contrary to the Inverclyde Local Plan 2005 as the site is zoned for commercial use and the commercial zoning should remain in force for a period of 5 years.

**508 PLANNING APPLICATIONS 508**

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

**PLANNING BOARD - 4 SEPTEMBER 2013**

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**(a) External gas pipework (in retrospect):  
4 Ashgrove Avenue, Gourock (13/0018/LB)**

**Decided:** that listed building consent be refused as the long pipe runs across two publicly visible elevations, is harmful to the character of the Grade C listed building, fails to meet the design guidance within Historic Scotland's Managing Change in the Historic Environment design guidance series and is contrary to the Scottish Historic Environment Policy, policy HR14 of the Inverclyde Local Plan and policies HER1 and HER4 of the proposed Inverclyde Local Development Plan.

**(b) Erection of a 70 metre meteorological mast:  
Corlic Hill, Greenock (13/0116/IC)**

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.

**(c) Alteration and extension to existing primary school, formation of new teaching facilities and gymnasium/assembly hall and the provision of external play surfaces (MUGA):  
Ardgowan Primary School, Newton Street, Greenock (13/0178/IC)**

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

(1) 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;

(2) 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 has 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;

(3) that the use of the Multi Use Games Area (MUGA) is limited to between 9am and 9pm daily, to protect the amenities of occupiers of premises from unreasonable noise and vibration levels;

(4) that no development shall commence until samples of all external materials have been submitted to and approved, in writing, by the Planning Authority; development thereafter shall proceed utilising the approved materials, unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of materials in this part of the Greenock West End Conservation Area; and

(5) that the CCTV cameras shall be positioned to restrict their line of sight to within the grounds of the school only, to protect the privacy of adjacent property.

## PLANNING BOARD - 4 SEPTEMBER 2013

- (d) **Change of use of footway to outdoor seating area together with the installation of an external awning:  
Cafe Balfe, 118 West Blackhall Street, Greenock (13/0203/IC)**

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

- (1) that the outdoor area shall only be used between the hours of 11am and 8pm daily, to protect the amenity of nearby residents from noise associated with the use as an outdoor seating area;
- (2) that no amplified music shall be audible outside the building, to protect the amenity of nearby residents from noise and vibration associated with the use as an outdoor seating area; and
- (3) that no development shall commence until a detailed section of the shopfront, confirming the method of affixing the awning, hereby approved, has been submitted to and approved in writing by the Planning Authority, to ensure that the awning is recessed in accordance with the design guidance in the Council's PPAN 12 and PAAN11.

## LOCAL REVIEW BODY - 4 SEPTEMBER 2013

Local Review BodyWednesday 4 September 2013 at 4pm

**Present:** Provost Moran, Councillors Dorrian, Loughran, Nelson and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Mr R Gimby (Regeneration & Planning Services) and Mr J Kerr (for Head of Legal & Democratic Services).

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

**509 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 509**

No apologies for absence or declarations of interest were intimated.

**510 PLANNING APPLICATIONS FOR REVIEW 510**

**(a) Erection of a single wind turbine with a maximum blade tip height of up to 53.7m and associated infrastructure:  
Cairncurran Farm, Auchenfoil Road, Kilmacolm (12/0357/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the erection of a single wind turbine with a maximum blade tip height of up to 53.7m and associated infrastructure at Cairncurran Farm, Auchenfoil Road, Kilmacolm (12/0357/IC).

**Decided:**

- (1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that, in terms of Regulation 16 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

**(b) Change of use of store/workshop to hot food takeaway:  
Bute Avenue, Port Glasgow (13/0026/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for change of use of store/workshop to hot food takeaway at Bute Avenue, Port Glasgow (13/0026/IC).

The applicant's agent had raised new matters in the form of a petition in support of the development which was not before the appointed officer. Mr Kerr asked Members to consider whether they would wish to take account of this matter in reviewing the application in terms of Section 43B of the Town & Country Planning (Scotland) Act 1997. Members agreed that the petition in support of the development should be taken into consideration and copies of the petition were circulated.

**Decided:**

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be dismissed and that planning permission be

**LOCAL REVIEW BODY - 4 SEPTEMBER 2013**

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refused (upholding the appointed Officer's determination) as the proposal shall introduce late night noise and activity into a residential street, to the detriment of residential amenity and character and contrary to Policy H1 of the Local Plan, as set out in the Decision Notice dated 9 April 2013.

**(c) Installation of solar panels (in retrospect):  
31 Eldon Street, Greenock (13/0086/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the installation of solar panels (in retrospect) at 31 Eldon Street, Greenock (13/0086/IC).

After discussion, Councillor Nelson moved:-

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be upheld and that planning permission be granted subject to the condition that if the solar panels hereby permitted become redundant, obsolete or are decommissioned at any time in the future, they shall be removed and the roof fully reinstated to the satisfaction of the Planning Authority within 2 months of the date at which the panels become redundant, obsolete or are decommissioned, to ensure the removal of redundant equipment within an appropriate time period in the interests of the visual amenity within the Greenock West End Conservation Area.

As an amendment, Councillor Dorrian moved:-

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be dismissed and that planning permission be refused (upholding the appointed Officer's determination) for the following reasons as set out in the Decision Notice dated 9 May 2013:-
  - (1) the solar panels installed detract from the character and appearance of the existing building and wider terrace, and fail to preserve or enhance the appearance of the Greenock West End Conservation Area; and
  - (2) the proposal does not accord with the advice contained in policies HR1, HR11 and HR12 of the Inverclyde Local Plan, Historic Scotland's Managing Change in the Historic Environment Guidance Notes and the SHEP which seeks to preserve the historic environment.

On a vote, 2 Members voted for the amendment and 3 for the motion which was declared carried.

**Decided:**

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be upheld and that planning permission be granted subject to the condition that if the solar panels hereby permitted become redundant, obsolete or are decommissioned at any time in the future, they shall be removed and the roof fully reinstated to the satisfaction of the Planning Authority within 2 months of the date at which the panels become redundant, obsolete or are decommissioned, to ensure the removal of redundant equipment within an appropriate time period in the interests of the visual amenity within the Greenock West End Conservation Area.

**ENVIRONMENT & REGENERATION COMMITTEE - 5 SEPTEMBER 2013**

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**Environment & Regeneration Committee**

**Thursday 5 September 2013 at 3 pm**

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

**Chair:** Councillor McCormick presided.

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

- |            |   |            |
|------------|---|------------|
| <b>511</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>511</b> |
|            | <p>An apology for absence was intimated on behalf of Councillor MacLeod with Councillor McEleny substituting.<br/>Councillor Clocherty declared an interest in agenda item 7 (Monitoring of Employability Services - External Contracts).</p>   |            |
| <b>512</b> | <b>Environment &amp; Regeneration Revenue Budget 2013/14 - Period 3 to 30 June 2013</b>   | <b>512</b> |
|            | <p>There was submitted a report by the Chief Financial Officer and the Corporate Director Environment, Regeneration &amp; Resources on (1) the 2012/13 Revenue Budget outturn and (2) the 2013/14 position as at Period 3 (30 June 2013) which projected an underspend of £151,000.<br/><b>Decided:</b><br/>(1) that the Committee note the outturn for 2012/13 and the current projected underspend of £151,000 as at 30 June 2013; and<br/>(2) that approval be given to the virement detailed in appendix 4 to the report.</p> |            |
| <b>513</b> | <b>Environment &amp; Regeneration Capital Programme 2013/14 to 2015/16 - Progress</b>   | <b>513</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.<br/><b>Noted</b></p>   |            |
| <b>514</b> | <b>Scheme of Delegation</b>   | <b>514</b> |
|            | <p>There was submitted an updated report by the Corporate Director Environment, Regeneration &amp; Resources seeking approval of an amended Scheme of Delegation prepared under the terms of Section 43A of the Town &amp; Country Planning (Scotland) Act 1997 for determining local developments.<br/><b>Decided:</b><br/>(1) that the Committee agree to adopt the amended Scheme of Delegation prepared under the terms of Section 43A of the Town &amp; Country Planning (Scotland) Act 1997 for</p>                         |            |



**ENVIRONMENT & REGENERATION COMMITTEE - 5 SEPTEMBER 2013**

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determining local developments as outlined in Appendix 1 to the report and subject to approval from Scottish Ministers;

(2) that the amended Scheme of Delegation be submitted to the Scottish Ministers for approval; and

(3) that (1) and (2) above be remitted to The Inverclyde Council for approval.

**515 Scottish Government Planning Performance Annual Report and Feedback Report 515**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources informing the Committee of the findings of the Scottish Government's Planning Performance Annual Report and individual Feedback Report on Inverclyde Council.

**Decided:** that the Committee note the actions, both already undertaken and proposed, in response to the Scottish Government's Planning Performance Annual Report's proposals and individual Feedback Report on Inverclyde Council.

**516 Scottish Government Consultations on National Planning Framework 3: Main Issues Report and Scottish Planning Policy (Consultation Draft) 516**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on the publication of the Scottish Government's National Planning Framework 3: Main Issues Report and its consultation on Scottish Planning Policy and (2) seeking endorsement of the response outlined in the report and accompanying annexes.

**Decided:** that the Committee endorse the response outlined in the report to the National Planning Framework 3: Main Issues Report and the consultation draft Scottish Planning Policy, and that it be delegated to the Head of Regeneration & Planning to inform the Scottish Government of the Council's approval of the officer level submission made to it in July.

**517 Monitoring of Employability Services - External Contracts 517**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on the monitoring arrangements in place for external contracts delivering employability services and (2) providing contract performance information for the period April - June 2013.

Councillor Clocherty declared a non-financial interest in this matter as a Director of Inverclyde Community Development Trust. 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 monitoring arrangements in place for external contracts delivering employability services; and

(2) that the Committee note the performance of contracts for the period April - June 2013 as set out in annex 1 to the report.

**518 Archaeology Services 518**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on representations received on Inverclyde Council's withdrawal from the partnership agreement with the West of Scotland Archaeology Service which took effect on 1 April 2013.

**ENVIRONMENT & REGENERATION COMMITTEE - 5 SEPTEMBER 2013**

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**Decided:** that the Committee note the representations received on the withdrawal of Inverclyde Council from the West of Scotland Archaeology Service and endorse the decision of the Safe, Sustainable Communities Committee of 8 March 2011 to withdraw from the partnership agreement.

**519 Tourism Related Projects**

**519**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking the Committee's support for Waverley Excursions Ltd and Newark Castle, two key tourism related projects in Inverclyde.

**Decided:**

- (1) that the Committee support two key tourism related projects in Inverclyde by contributing £45,000 to the cost of the Waverley, subject to North Ayrshire, South Ayrshire, Argyll & Bute and Glasgow City Councils providing the full financial contribution sought from them, and a contribution of £28,000 for the illumination of Newark Castle; and
- (2) that it be remitted to the Policy & Resources Committee to consider the use of the one-off contingency as the funding source.

**520 Scotland's Only National Campaign Tackling Litter and Mess in 2013 and 2014**

**520**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval to sign a formal declaration of support for the Keep Scotland Beautiful Clean Up Scotland campaign which aims to engage with communities to highlight the negative effects of litter and mess and to adjust attitudes to prevent the behaviour which gives rise to littering occurring.

**Decided:**

- (1) that the Committee note the contents of the report and agree to the Council formally signing the declaration supporting the Keep Scotland Beautiful Clean Up Scotland campaign; and
- (2) that approval be given to a contribution of £3,000 to Keep Scotland Beautiful in support of the campaign.

**521 Parks Management Rules**

**521**

There was submitted a report by the Head of Environmental & Commercial Services seeking approval of the draft Parks Management Rules appended to the report prior to statutory public consultation.

**Decided:**

- (1) that approval be given to the draft Parks Management Rules appended to the report for the purposes of statutory public consultation;
- (2) that the Head of Environmental & Commercial Services be authorised to implement the statutory public consultation procedure in connection with the proposed Management Rules;
- (3) that it be remitted to the Head of Environmental & Commercial Services to report back to the Committee on the outcome of the public consultation exercise to allow the Committee to consider any objections received and any consequent amendments considered appropriate; and
- (4) that the Committee note the results of the public consultation exercise and the recommendations of the Committee following that exercise will in due course be reported to The Inverclyde Council and approval sought from the Council for authority to make the Management Rules.

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- 522      Maintaining Scotland's Roads - An Audit Update on Councils' Progress      522**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) on the content and conclusion of the Audit Scotland report of May 2013 "Maintaining Scotland's Roads - An Audit Update on Councils' Progress" and (2) advising of the Council's progress in meeting the report's findings and recommendations.
- Noted**
- 523      Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On Street) Order No. 2 2013      523**
- 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. 2 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.
- 524      Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On Street) Order No. 3 2013      524**
- 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. 3 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.
- 525      Proposed Traffic Regulation Order - Cardwell Road, Gourock Waiting Restrictions (Amendment No. 1) Order 2013      525**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources recommending the making of a Traffic Regulation Order - Cardwell Road, Gourock Waiting Restrictions (Amendment No. 1) Order 2013.
- Decided:** that The Inverclyde Council be recommended to make the Traffic Regulation Order - Cardwell Road, Gourock Waiting Restrictions (Amendment No. 1) 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.
- 526      Proposed Traffic Regulation Order - Manor Crescent, Gourock (Waiting Restrictions) Order 2013      526**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources recommending the making of a Traffic Regulation Order - Manor Crescent, Gourock (Waiting Restrictions) Order 2013.
- Decided:** that The Inverclyde Council be recommended to make the Traffic Regulation Order - Manor Crescent, Gourock (Waiting Restrictions) Order 2013 and that it be remitted to the Head of Environmental & Commercial Services and the Head of Legal &

**ENVIRONMENT & REGENERATION COMMITTEE - 5 SEPTEMBER 2013**

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Democratic Services to arrange for implementation of the Order.

**527 Use of Powers Delegated to the Chief Executive - Trial Purchase of Roadstone 527**

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 in terms of Standing Order 2.3.2 of the Council's Standing Orders relating to Contracts to allow a trial of a quotation for the supply of roadstone materials.

**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 consider and submit its response to the consultation timeously. This was agreed unanimously.**

**528 Consultation on Bus Regulation (Scotland) Bill 528**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources seeking approval of the proposed response outlined in the report to the consultation on the proposed Bus Regulation (Scotland) Bill.

Mr Graham advised the Committee that the deadline for submission of responses had now been extended to 11 October 2013.

After discussion, Councillor McCabe moved that the Committee approve submission of the responses to the 8 questions asked in the consultation by Iain Gray MSP on the proposed Bus Regulation (Scotland) Bill as outlined in the report as Inverclyde Council's response to the consultation. As an amendment, Councillor McEleny moved that the Committee approve submission of the responses subject to the addition of the words "... however Inverclyde Council has concerns that the cost of the scheme could lead to future budget cuts" in the response to question 6.

On a vote, 4 Members voted for the amendment and 6 for the motion which was declared carried.

**Decided:** that the Committee approve submission of the responses to the 8 questions asked in the consultation by Iain Gray MSP on the proposed Bus Regulation (Scotland) Bill as outlined in the report as Inverclyde Council's response to the consultation.

**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)
Lease of Premises - Bridgend Road, Greenock	2, 6 & 9
Lease of Premises - Angus Road, Greenock	2, 6 & 9
Lease of Premises - Tower Drive, Gourrock	2, 6 & 9
Disposal of Land at Earnhill Road, Greenock	2, 6 & 9
Disposal of Land at Garvald Street, Greenock	2, 6 & 9
Property Assets Management Report	2, 6 & 9
Use of Powers Delegated to the Chief Executive - Battery Park, Sub-Lease of Part of Pavilion	2, 6 & 9

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<b>Use of Powers Delegated to the Chief Executive - Lease Extension, Dalrymple Street, Greenock</b>	<b>2, 6 &amp; 9</b>
<b>Use of Powers Delegated to the Chief Executive - Dilapidations Payment, Cathcart House, Cathcart Square, Greenock</b>	<b>6 &amp; 9</b>
<b>Use of Powers Delegated to the Chief Executive - Mansion Avenue, Port Glasgow</b>	<b>2 &amp; 6</b>
<b>Use of Powers Delegated to the Chief Executive - Waterfront Leisure Complex, Refrigeration Plant Replacement</b>	<b>6 &amp; 8</b>
<b>Use of Powers Delegated to the Chief Executive - Central Library Offices - Servitude</b>	<b>6 &amp; 9</b>
<b>Greenock Central Residents Action Group: Play Area Project</b>	<b>2, 6 &amp; 9</b>

**529 Lease of Premises - Bridgend Road, Greenock 529**

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

**530 Lease of Premises - Angus Road, Greenock 530**

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

**531 Lease of Premises - Tower Drive, Gourock 531**

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

**532 Disposal of Land at Earnhill Road, Greenock 532**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on proposals for the disposal of land at Earnhill Road, Greenock and the Committee agreed to the action recommended and to remit the report to the Policy & Resources Committee to approve the proposals, all as detailed in the appendix.

**533 Disposal of Land at Garvald Street, Greenock 533**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on proposals for the disposal of land at Garvald Street, Greenock and the Committee agreed to the action recommended and to remit the report to the Policy & Resources Committee to approve the proposals, all as detailed in the appendix.

**534 Property Assets Management Report 534**

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 in Inverkip, (2) premises at Nicolson Street, Greenock, (3) premises at Alderwood Road, Port Glasgow and (4) premises at Hunters Place, Greenock, all as detailed in the appendix.

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- 535 Use of Powers Delegated to the Chief Executive - Battery Park, Sub-Lease of Part of Pavilion 535**
- 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 consent to the grant of a sub-lease of part of the pavilion at Battery Park.  
**Noted**
- 536 Use of Powers Delegated to the Chief Executive - Lease Extension, Dalrymple Street, Greenock 536**
- 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 extend the lease arrangement for premises at Dalrymple Street, Greenock.  
**Noted**
- 537 Use of Powers Delegated to the Chief Executive - Dilapidations Payment, Cathcart House, Cathcart Square, Greenock 537**
- 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 the full and final settlement of dilapidations at lease expiry for Cathcart House, Cathcart Square, Greenock.  
**Noted**
- 538 Use of Powers Delegated to the Chief Executive - Mansion Avenue, Port Glasgow 538**
- 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 (1) declare a site at Mansion Avenue, Port Glasgow surplus to requirements and (2) demolish the building on the site and thereafter landscape the site.  
**Noted**
- 539 Use of Powers Delegated to the Chief Executive - Waterfront Leisure Complex, Refrigeration Plant Replacement 539**
- 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 accept the lowest tender received for the Waterfront Leisure Complex refrigeration plant replacement.  
**Noted**

**540 Use of Powers Delegated to the Chief Executive - Central Library Offices - Servitude 540**

There was submitted a report by the Property Assets Manager advising of the use of the powers delegated to the Chief Executive for approval to enter into a Deed of Servitude in respect of work required in connection with the Central Library Offices.

**Noted**

**The Convener being of the opinion that the undernoted report by the Head of Environmental & Commercial Services was relevant, competent and urgent moved its consideration in terms of the relevant Standing Order to allow, subject to the Committee agreeing the action recommended, Greenock Central Residents Action Group to secure Big Lottery Funding. This was agreed unanimously.**

**541 Central Greenock Residents Action Group: Play Area Project 541**

There was submitted a report by the Head of Environmental & Commercial Services seeking approval for the Council to act as guarantor to Greenock Central Residents Action Group in respect of a Big Lottery Grant awarded to them to part-fund the construction of a play area at Sir Michael Street, Greenock.

**Decided:** that approval be given to the proposal for the Council to stand as guarantor for the Big Lottery Grant, the maximum value of which is £182,893, awarded to the Greenock Central Residents Action Group for the installation of a play area at Sir Michael Street.

**EDUCATION & COMMUNITIES COMMITTEE - 10 SEPTEMBER 2013**

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**Education & Communities Committee**

**Tuesday 10 September 2013 at 3 pm**

**Present:** Councillors Brennan, Brooks, Campbell-Sturgess, Clocherty, Loughran, McCabe, McColgan, McEleny, McIlwee, Shepherd and Wilson, Rev A MacLean, Church Representative and Mr R Thomson, Parent Representative.

**Chair:** Councillor Loughran presided.

**In attendance:** Corporate Director Education, Communities & Organisational Development, Mr I Cameron (for Chief Financial Officer), Mr F Jarvie (for Head of Legal & Democratic Services), Head of Safer & Inclusive Communities, Health Protection Service Manager, Libraries, Museum & Archives Manager, Mr M Bingham (Corporate Communications), Head of Education, Head of Inclusive Education, Culture & Corporate Policy, Head of Property Assets & Facilities Management and Mr E Montgomery (Property Assets & Facilities Management).

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

- |            |  |            |
|------------|--|------------|
| <b>542</b> | <b>Apologies, Substitutions and Declarations of Interest</b>   | <b>542</b> |
|            | <p>Apologies for absence were intimated on behalf of Father McMahon and Rev Donaldson.</p> <p>Declarations of interest were intimated as follows:-</p> <p>Agenda Item 3 (Clune Park Regeneration: Progress Report) - Councillor Wilson</p> <p>Agenda Item 4 (Support for Owners Fund: Update) - Councillors McCabe, McEleny and McIlwee</p> <p>Agenda Item 5 (Strategic Housing Investment Plan 2013-2018) - Councillors McCabe, McEleny, McIlwee and Wilson.</p>  |            |
| <b>543</b> | <b>Communities 2013/14 Revenue Budget Report - Period 3 to 30 June 2013 and Capital Report 2013/16 - Progress</b>  | <b>543</b> |
|            | <p>There was submitted a report by the Chief Financial Officer and the Corporate Director Education, Communities &amp; Organisational Development (1) on the 2012/13 Revenue Budget final outturn and the 2013/14 Revenue Budget position as at Period 3 to 30 June 2013 and (2) the status of the projects forming the Communities Capital Programme 2013/16 and the overall financial position.</p> <p><b>Decided:</b></p> <p>(1) that the Committee note the final outturn for 2012/13 and the current projected £2,000 overspend for the 2013/14 Revenue Budget as at 30 June 2013; and</p> <p>(2) that the Committee note the progress of the projects forming the Communities Capital Programme 2013/16.</p> |            |
| <b>544</b> | <b>Clune Park Regeneration: Progress Report</b>  | <b>544</b> |
|            | <p>There was submitted a report by the Head of Safer &amp; Inclusive Communities on the proposed regeneration of the Clune Park area of Port Glasgow.</p> <p>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</p>  |            |



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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;
- (3) that a report on a review of the Clune Park Regeneration Plan be submitted to the next meeting of the Committee; and
- (4) that delegated authority be granted to the Corporate Director Education, Communities & Organisational Development to instruct Property Services to negotiate to acquire flats to enable demolition to take place.

**545 Support for Owners Fund: Update**

**545**

There was submitted a report by the Head of Safer & Inclusive Communities (1) providing an update on the current position with regard to the Support for Owners Fund generated from the sale of River Clyde Homes (RCH) stock under the Right to Buy Scheme and (2) seeking approval for modifications to the administration of the fund. Councillors McCabe, McEleny and McIlwee declared non-financial interests in this matter as members of the Board of River Clyde Homes. They also 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.

**Decided:**

- (1) that the Committee note the updated position in respect of the Support for Owners Fund and the potential funding deficit for the 2013/14 financial year;
- (2) that the Committee note the options available for an equitable distribution of Support for Owners funding during 2013/14 financial year as set out in paragraphs 5.1 to 5.3 of the report; and
- (3) that approval be given to the proposed modifications to the administration of the Support for Owners Fund for 2013/14 and that it be remitted to the Head of Safer & Inclusive Communities to implement the approved changes.

**546 Strategic Housing Investment Plan 2013 - 2018**

**546**

There was submitted a report by the Head of Safer & Inclusive Communities advising of the submission to the Scottish Government of a new Strategic Housing Investment Plan covering the period 2013 - 2018 and an update to the Strategic Local Programme 2012 - 2015 arising out of additional awards of funding for the Inverclyde Council area from the Scottish Government's Affordable Housing Supply Programme.

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 Larkfield Housing Association. All four Councillors 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.

**Decided:**

- (1) that the contents of the new Strategic Housing Investment Plan for the 5 year period from 2013 - 2018 be noted;
- (2) that the contents of the updated Strategic Local Programme 2012 - 2015 as detailed in the appendix to the report be noted; and
- (3) that approval be given to the Strategic Housing Investment Plan 2013 - 2018 and the updated Strategic Local Programme 2012 - 2015 submitted by the Council to the

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Scottish Government on 28 June 2013.

- 547 Official Food and Feed Controls Service Plan 2013/14 547**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) advising the Committee of the Official Food and Feed Controls Service Plan for 2013/14 appended to the report and (2) reporting on the achievements of the Service in 2012/13.
- Decided:**
- (1) that approval be given to the Official Food and Feed Controls Service Plan for 2013/14; and
- (2) that the Committee note the delivery against the 2012/13 Plan.
- 548 Scheme of Assistance Proposed Amendment 548**
- There was submitted a report by the Head of Safer & Inclusive Communities seeking approval to amend the Inverclyde Council Scheme of Assistance (Section 72 Statement) to expand the housing options available to individuals and households with particular needs.
- Decided:**
- (1) that the Committee note the current position in respect of requests for grants under the Inverclyde Council Scheme of Assistance (Section 72 Statement);
- (2) that the Committee note the options available to home owners and to Inverclyde Council as set out in paragraphs 5.1 to 5.3 of the report; and
- (3) that approval be given to the proposed amendments to the administration of the Inverclyde Council Scheme of Assistance and that it be remitted to the Head of Safer & Inclusive Communities to implement the approved changes.
- 549 Registration of Private Landlords - Fit and Proper Person Test Procedure Review 549**
- There was submitted a report by the Head of Safer & Inclusive Communities seeking approval for reviewed criteria and assessment procedures to be applied to the Fit and Proper Person Test for private landlords.
- Decided:**
- (1) that the Committee note the current progress in respect of private landlord registration in Inverclyde; and
- (2) that agreement be given to the reviewed criteria and assessment procedures relative to the Fit and Proper Person Test as outlined in Section 5 of the report.
- 550 Proposed Management Rules: Museum 550**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development making recommendations in relation to revised draft museum management rules.
- Decided:**
- (1) that approval be given to the draft museum management rules appended to the report for the purposes of statutory public consultation;
- (2) that the Libraries, Museum & Archives Manager be authorised to implement the statutory public consultation procedure in connection with the proposed management rules;
- (3) that it be remitted to the Libraries, Museum & Archives Manager to report back to the Committee on the outcome of the public consultation exercise to allow the

**EDUCATION & COMMUNITIES COMMITTEE - 10 SEPTEMBER 2013**

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Committee to consider any objections received and any consequent amendments considered appropriate; and

(4) that it be noted that the results of the public consultation exercise and the recommendations of the Committee will in due course be reported to the Inverclyde Council and that approval will be sought from the Council for authority to make the management rules.

**551 Proposed Management Rules: Libraries**

**551**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development making recommendations in relation to revised draft libraries management rules.

**Decided:**

(1) that approval be given to the draft libraries management rules appended to the report for the purposes of statutory public consultation;

(2) that the Libraries, Museum & Archives Manager be authorised to implement the statutory public consultation procedure in connection with the proposed management rules;

(3) that it be remitted to the Libraries, Museum & Archives Manager to report back to the Committee on the outcome of the public consultation exercise to allow the Committee to consider any objections received and any consequent amendments considered appropriate; and

(4) that it be noted that the results of the public consultation exercise and the recommendations of the Committee will in due course be reported to the Inverclyde Council and that approval will be sought from the Council for authority to make the management rules.

**552 Ravenscraig Sports Barn**

**552**

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, 8 & 9 of Part I of Schedule 7(A) of the Act.**

**553 Re-provision of Community Based Services Formally Contracted under the Regeneration Programme**

**553**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing an update on relevant developments since the contracts for the provision of community based services were let in April 2011, (2) advising the Committee of the review undertaken to inform decisions about the provision of community based services formally contracted under the Regeneration Programme and (3) seeking approval to enter into funding and service level agreements with the organisations formally contracted to provide community based services.

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**Decided:**

- (1) that approval be given to the proposal that interim funding agreements be put in place, as outlined in appendix 1 to the report; and
- (2) that it be noted that further recommendations on the reprovisioning of community based services will be submitted to the November meeting of the Committee.

Councillor Wilson left the meeting at this point.

**The Committee commenced consideration of the Education items of business at 4.15 pm with Rev MacLean and Mr Thomson joining the meeting. Councillor Wilson did not return to the meeting.**

**554 Education 2013/14 Revenue Budget - Period 3 to 30 June 2013**

**554**

There was submitted a report by the Chief Financial Officer and the Corporate Director Education, Communities & Organisational Development on the 2012/13 final outturn and the 2013/14 Revenue Budget position as at Period 3 to 30 June 2013.

Mr Cameron advised the Committee that since the writing of the report, the projected overspend of £118,000 had increased to £218,000 for 2013/14 due to increased employee costs.

**Decided:**

- (1) that the Committee note the final outturn for 2012/13 and the current projected overspend of £218,000 for 2013/14; and
- (2) that approval be given to the virement of £40,000 as detailed in appendix 4 to the report.

**555 Education Capital Programme 2013 - 2015/16 - Progress**

**555**

There was submitted a report by the Corporate Director Education, Communities & 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.

**Decided:**

- (1) that the Committee note the progress of the specific projects detailed in appendix 1 to the report;
- (2) that approval be given to the temporary allocation of £36,000 from the School Estate Management Plan (SEMP) funding model to address the roads and footways improvement works as detailed in section 5.3, with the SEMP funding model receiving the return allocation from the Roads Asset Management Plan (RAMP) funding model in financial year 2014/15;
- (3) that the Committee note and approve additional expenditure on the following projects:
  - (a) St Columba's High School Project - £540,046 as detailed in section 6 and appendix 2
  - (b) Lomond View Academy Project - £159,720 as detailed in section 7 and appendix 3
  - (c) Whinhill Primary School Project - £569,340 as detailed in section 8 and appendix 4; and
- (4) that approval be given to utilisation of the overall SEMP programme contingency allowance and reduction in Port Glasgow Community Campus contingency to address the over expenditure as set out in decision 3 above and detailed in section 11.5.

**EDUCATION & COMMUNITIES COMMITTEE - 10 SEPTEMBER 2013**

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- 556 Update on Progress with the Implementation of Curriculum for Excellence 556**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing information on progress being made with the implementation of Curriculum for Excellence.
- The Committee was advised that since the writing of the report, the Council had received an APSE (Association of Public Service Excellence) award for the School Leaver Destination Programme under the category of "Best Public Partnership Working" Initiative.
- Decided:** that the report be noted, including the APSE award for the School Leaver Destination Programme.
- 557 School Estate Management Plan 2013 and Core Facts Submission 557**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the School Estate Management Plan and the Core Facts return for 2013.
- Noted**
- 558 Endowment Fund for Talented Children and Young People 558**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the use of the Endowment Fund for talented children and young people.
- During the course of discussion on this item, the Head of Inclusive Education, Culture & Corporate Policy undertook to forward to all Members of the Committee, a copy of the strategy and application form relative to the Fund.
- Decided:**
- (1) that the Committee note the report and the continued support provided to talented children and young people in Inverclyde; and
  - (2) that the Committee note the annual accounts for the Talented Children and Young Persons Fund for the year ended 31 March 2013.
- 559 Foreign Language Learning in Primary Schools A1 + 2 Approach 559**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing details of the ambitious and challenging agenda for future language learning and teaching in Scotland's schools as recommended by the Scottish Government Languages Working Group.
- Noted**
- 560 School Term Dates - Session 2014/15 560**
- There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking approval for the setting of the school term dates for session 2014/15.
- Decided:** that approval be given to the school term dates for 2014/15 as set out in appendix 1 to the report.

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, 8 & 9 of Part I of Schedule 7(A) of the Act.

**561 School Transport Contracts (Mainstream) - Use of Emergency Powers Procedure 561**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development advising of the use of the powers delegated to the Chief Executive to accept tenders for mainstream school transport contracts for 2013/14, 2014/15, 2015/16 and 2016/17.

**Noted**



## GENERAL PURPOSES BOARD - 11 SEPTEMBER 2013

appendix 2;

- (ii) 2 January be moved from tariff 3 and inserted in tariff 4; and
- (iii) remit to Head of Legal & Democratic Services to arrange for public advertisement of proposals as the first formal stage of the statutory process.

**564 Licensed Vehicle Inspection Manuals**

**564**

There was submitted a report by the Head of Environmental & Commercial Services requesting the Board to consider:-

- (i) introduction of a licensed vehicle inspection manual;
- (ii) introduction of a partial re-test fee for vehicles which have failed on items which require a limited amount of time to re-test; and
- (iii) vehicle specification for Multi Access Vehicles be amended to allow N1 type approved vehicles with appropriate Single Vehicle Approval in addition to the M1 type approved vehicles currently permitted.

Mr Moffat, Head of Environmental & Commercial Services and Mr Bradley (Environmental & Commercial Services) were in attendance.

The Board heard Mr Moffat and Mr Bradley in terms of the report and answered Members questions.

**Decided:**

- (i) the Licensed Vehicle Inspection Manual including re-test criteria and inspection list be adopted and introduced from Monday 4 November 2013;
- (ii) a reduced partial re-test fee be introduced to be used as per the re-test criteria outlined in the Licensed Vehicle Inspection Manual. The re-test fee should be set at £20.00; and
- (iii) N1 (designed and constructed for the carriage of goods) Whole European Type Approved Vehicles should also be licensed if the vehicles are presented with a suitable type approval document for its conversion to a passenger carrying vehicle.

**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.**

**565 Application for Taxi Driver's Licence - John McLaughlan**

**565**

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

Mr McLaughlan was present with his agent Mr A Gallagher, Aiden Gallagher & Company.

The Board heard Inspector Adams in support of the Police objection and Mr Gallagher and Mr McLaughlan in support of the application.

**Decided:** the application be continued to the next meeting of the Board.

**566 Consideration of Taxi Driver's Licence - Alan Robertson**

**566**

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider the suspension of Mr Robertson's Taxi Driver's Licence which





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(b) to continue the suspension for the unexpired portion of his licence to 31 May 2014.

## POLICY &amp; RESOURCES COMMITTEE - 24 SEPTEMBER 2013

Policy & Resources CommitteeTuesday 24 September 2013 at 3 pm

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

**Chair:** Councillor McCabe presided.

**In attendance:** Chief Executive, Corporate Director Education, Communities & Organisational Development, Corporate Director Inverclyde Community Health & Care Partnership, Head of Legal & Democratic Services, Chief Financial Officer, Ms B McQuarrie and Mr A Wilson (for Head of Organisational Development, HR & Communications), Finance Manager, Corporate Procurement Manager, Head of Inclusive Education, Culture & Corporate Policy, Corporate Policy & Partnership Manager, Business/Democratic Services Manager and Corporate Communications Manager.

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

- |            |   |            |
|------------|---|------------|
| <b>570</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>570</b> |
|            | <p>Apologies for absence were intimated on behalf of Councillor MacLeod, with Councillor Campbell-Sturgess substituting and Councillor Wilson, with Councillor Ahlfeld substituting.</p> <p>Declarations of interest were intimated as follows:-</p> <p>Agenda Item 9 (Welfare Reform Update) - Councillors Ahlfeld, McCabe, McEleny and McIlwee.</p> <p>Agenda Item 11 (Revised Disciplinary Policy and Procedure) - Provost Moran, Councillors Loughran, McCabe, McEleny and McIlwee.</p> <p>Agenda Item 12 (Voluntary Severance Policy: Update on Various Issues and Audit Scotland Report: Early Departures) - Provost Moran, Councillors Loughran, McCabe, McEleny and McIlwee.</p> <p>Agenda Item 14 (Riverside Inverclyde Midterm Review - Update) - Councillors Clocherty and McCabe.</p> |            |
| <b>571</b> | <b>Policy &amp; Resources Capital Programme - 2013/14 - 15/16 - Progress</b>  | <b>571</b> |
|            | <p>There was submitted a report by the Corporate Director Environment, Regeneration &amp; Resources and Chief Financial Officer (1) providing an update on the status of the projects forming the Policy &amp; Resources Capital Programme 2013/14 - 15/16 and (2) highlighting the overall financial position.</p> <p><b>Decided:</b> that the Committee note the current position of the 2013/16 Capital Programme and the progress of the specific projects detailed in appendix 1.</p>  |            |
| <b>572</b> | <b>Capital Programme 2013/16</b>  | <b>572</b> |
|            | <p>There was submitted a report by the Chief Financial Officer on the latest position of the 2013/16 Capital Programme.</p>   |            |

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**Decided:**

- (1) that the Committee note the current position of the 2013/16 Capital Programme; and
- (2) that the Committee note the return of the underspend on the Kylemore Children's Home project to the overall Capital Programme, reducing the estimated shortfall in resources to £1,639,000 or 1.5% of projected spend.

573

**Policy & Resources Committee 2013/14 Revenue Budget - Period 4 to 31 July 2013**

573

There was submitted a report by the Chief Executive, Corporate Director Environment, Regeneration & Resources, Corporate Director Education, Communities & Organisational Development and Chief Financial Officer on the 2012/13 Revenue Budget out-turn and the 2013/14 projected out-turn for the Policy & Resources Committee as at Period 4 (31 July 2013).

**Decided:**

- (1) that the Committee note the 2012/13 Revenue Budget out-turn and the 2013/14 projected underspend of £40,000 for the Policy & Resources Committee as at Period 4;
- (2) that the projected Fund balance of £142,860 for the Common Good Fund be noted; and
- (3) that approval be given to the allocation of £50,000 from the Modernisation Earmarked Reserve to fund the CHCP back scanning/storage project.

574

**General Fund Revenue Budget 2013/14 as at 31 July 2013**

574

There was submitted a report by the Chief Financial Officer (1) on the position of the General Fund Revenue Budget as at 31 July 2013 and (2) providing an update on the position of (a) the General Fund Reserves, which shows that the projected balance at 31 March 2014 is £5.5m, £1.5m greater than the minimum recommended balance of £4m, and (b) Workstream Savings.

**Decided:**

- (1) that the Committee note the latest position of the 2013/14 Revenue Budget and General Fund Reserves and 2013/16 Workstream Savings; and
- (2) that it be agreed to utilise £1.5m of the Reserves for the following projects:

HEALTH & SOCIAL CAREJoint Equipment Store (£50,000)

Additional funding for a range of items of equipment (eg bed hoists, specialist chairs, bath lifts, tracking hoists, stair climbers) to support more people to live at home and meet the emerging demand linked to increasing frailty of older people and increased incidence of dementia.

Support for Young Carers (£65,000)

Funding for an 18 month period to enable the implementation of a family pathway approach to young carers, which will aim to develop a sustainable service to young carers and their families.

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Extend Hillend Respite Provision (£80,000)

Funding to extend the short break respite unit at Hillend House to increase the number of beds available from 3 to 4 to meet demand.

ENVIRONMENT & REGENERATIONEmployability Initiatives (£150,000)

Funding to develop additional targeted employability initiatives. Proposals to be subject of a specific report to Committee.

Greenock Municipal Buildings Tourism Initiative (£150,000)

Funding to open up access to the Victoria Tower, helping to improve the 'offer' available to visitors and tourists.

Play Areas (£200,000)

Additional funding for the Council's popular play area investment strategy. Proposals to be the subject of a specific report to Committee.

Improvements in Parks and Cemeteries (£100,000)

Funding to be used to carry out repairs to roadways and footways in public parks, cemeteries and open spaces.

Shop Front Improvements Grants (£50,000)

Additional funding to provide up to 100% grant support for improved shop fronts and signage in targeted areas.

EDUCATION & COMMUNITIESAids and Adaptations (£100,000)

Additional funding for major aids and adaptations to support more people to remain in their own homes.

Contribution to Match Funding for Second I Youth Zone (£75,000)

A contribution to support a bid to Big Lottery for funding to expand youth work provision in Port Glasgow and create an I Youth Zone for the area.

Expansion of Summer Playschemes (£30,000)

Funding to undertake a review of the provision of summer holiday services and activities and to fund an expansion of provision, where appropriate.

**POLICY & RESOURCES COMMITTEE - 24 SEPTEMBER 2013**

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Regeneration of Clune Park Area (£200,000)

Additional funding for the purchase of property to enable selective demolition prior to the regeneration of the area.

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Discretionary Housing Payments/Welfare Reform (£250,000)

Additional funding to support those affected by the 'bedroom tax' and other aspects of Welfare Reform.

**575 Corporate Performance Report - Statutory Performance Indicators 2012/13 575**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development appending the Corporate Performance Report including the Council's Statutory Performance Indicator (SPI) return.

**Decided:**

- (1) that the Committee note the Council's performance in relation to Statutory Performance Indicators and Key Performance Indicators (KPIs) for reporting year 2012/13;
- (2) that the Committee note that the Council's performance information in relation to the SPIs will be published nationally by Audit Scotland early next year;
- (3) that it be noted that the prescribed SPIs will be replaced by the SOLACE Benchmarking Indicators for reporting year 2013/14;
- (4) that the Committee note that a follow up report and details of benchmarking activity on the SOLACE Benchmarking Indicators will be submitted by the relevant services to Committee before the end of the year; and
- (5) that it be agreed that the performance report set out in appendix 1 which provides a commentary on performance for both the SPIs and KPIs will be placed on the Council's website as part of the Council's public performance reporting arrangements.

**576 Debt Recovery Performance 2012/13 576**

There was submitted a report by the Chief Financial Officer advising the Committee of the Council's debt recovery performance during 2012/13 and of plans for 2013/14.

**Decided:**

- (1) that the Committee note the Council's continued good performance in the area of debt recovery in 2012/13; and
- (2) that the Committee's appreciation be extended to relevant employees for the performance achieved.

**577 Procurement Update 577**

There was submitted a report by the Chief Financial Officer providing an update on the progress being made with procurement since the last report in May 2013.

**Decided:**

- (1) that the Committee note the progress made on the Strategic Procurement Framework;
- (2) that the Committee note the progress made in savings delivery; and
- (3) that the Committee note the progress being made on paying Inverclyde suppliers.

## POLICY &amp; RESOURCES COMMITTEE - 24 SEPTEMBER 2013

**578 Welfare Reform Update**

578

There was submitted a report by the Chief Financial Officer and Corporate Director Inverclyde Community Health & Care Partnership providing an update in respect of various items relating to the Welfare Reform agenda.

Councillors Ahlfeld, McCabe, McEleny and McIlwee declared non-financial interests in this item as Members of the Board of River Clyde Homes. They also 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.

**Decided:**

- (1) that the latest position in respect of the Council's response to the Welfare Reform changes and the good progress being made be noted;
- (2) that it be agreed that action be taken to block access to payday and short term lending websites on all Council computers including those in all Council buildings, libraries and schools and to encourage Community Planning Partners to do likewise; and
- (3) that approval be given to the allocation of the Welfare Reform budget pressure monies as set out in appendix 4 to the report.

**579 Single Outcome Agreement Quality Assurance**

579

There was submitted a report by the Chair of the SOA Programme Board updating the Committee on the meeting held regarding the Quality Assurance of the Inverclyde Alliance Single Outcome Agreement (SOA) and the results of that process.

**Decided:** that the Committee note that the Quality Assurance process has led to the agreement of the SOA between Inverclyde Alliance and the Scottish Government.

**580 Revised Disciplinary Policy and Procedures**

580

There was submitted a report by the Head of Organisational Development, HR & Communications proposing a revised disciplinary policy and procedures for all employees of the Council.

Provost Moran and Councillors McCabe, McEleny and McIlwee declared non-financial interests in this item as members of Unite the Union and Councillor Loughran declared a non-financial interest as a member of the Educational Institute of Scotland.

All 5 Members were of 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.

Following discussion, Councillor McCabe moved that the disciplinary policy and associated procedures set out in appendix 1 and appendix 2 to the report be amended to include continuation of the arrangement whereby appeals against dismissal are heard by Elected Members with the exception of all appeals in respect of dismissals on the grounds of attendance which should continue to be heard by Officers.

As an amendment, Councillor McEleny moved that there be no change to the existing policy and procedures and that any changes to the disciplinary policy for teachers should be referred through the correct channel of the formal Local Negotiating Committee for Teachers (LNCT).

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

**Decided:**

- (1) that the disciplinary policy and associated procedures set out in appendix 1 and appendix 2 to the report be amended to include continuation of the arrangement

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whereby appeals against dismissal are heard by Elected Members with the exception of all appeals in respect of dismissals on the grounds of attendance which should continue to be heard by Officers;

(2) that the disciplinary policy and procedures as amended above be introduced from 1 January 2014; and

(3) that it be noted that employees who may be involved in the disciplinary process will receive training before January 2014.

**581 Voluntary Severance Policy: Update on Various Issues and Audit Scotland Report: Early Departures 581**

There was submitted a report by the Head of Organisational Development, HR & Communications on (1) Performance Appraisals, (2) changes to the Voluntary Severance Policy and (3) Audit Scotland's report on early departures from the Scottish Public Sector.

Provost Moran and Councillors McCabe, McEleny and McIlwee declared non-financial interests in this item as members of Unite the Union and Councillor Loughran declared a non-financial interest as a member of the Educational Institute of Scotland.

All 5 Members were of 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.

**Decided:**

(1) that the Committee agree that Performance Appraisals for the Redundancy Selection Criteria Matrix be continued as part of the policy but that their re-introduction be considered when a report is submitted, as soon as possible, to the Committee on the introduction of Performance Appraisals for Teachers;

(2) that the Committee note that the Redundancy Selection Criteria Matrix will not be amended but will be reviewed in 2 years time;

(3) that it be agreed that the extension for up to 6 added years not be continued after 30 September 2013;

(4) that agreement be given to changes to the Voluntary Severance Policy including the inclusion of the Re-employment Policy, Early Retirement Consideration Sheet and guidance and changes identified through operational practice; and

(5) that agreement be given to the amendments proposed to the Council's Early Retirement Consideration Sheet and the introduction of a Re-employment Policy.

**582 Results from Summer 2013 Citizens' Panel Survey 582**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing details of the headline results from the Summer 2013 Citizens' Panel Survey.

**Decided:**

(1) that the report be noted; and

(2) that it be agreed that the feedback from the Summer 2013 Citizens' Panel Survey be used to inform the Council's approach to the continued development of the Customer Service Centre and Adult and Child Protection.

**583 Midterm Review of Riverside Inverclyde - Update 583**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) advising Members of the response from the Board of Riverside Inverclyde, (2) presenting, for approval, the Final for Publication Midterm Review Report which recognises the comments of the Board and those parties consulted in the



## POLICY &amp; RESOURCES COMMITTEE - 24 SEPTEMBER 2013

preparation of the report, and (3) seeking approval to alter the current Memorandum and Articles of Association and related documents to address the governance issues contained within the Final for Publication Midterm Review.

Councillors Clocherty and McCabe declared non-financial interests in this item as Members of the Board of Riverside Inverclyde. They also 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.

**Decided:**

(1) that approval be given to the Final for Publication Midterm Review and the recommendations as outlined therein;

(2) that it be noted that the Environment & Regeneration Committee previously approved the appointment of New Skills Consulting to prepare the two year joint operating plan as outlined in the Final for Publication Midterm Review and this will be progressed as soon as practicable;

(3) that delegated authority be granted to the Council's Chief Executive to amend Riverside Inverclyde's Memorandum and Articles of Association and related documents to address the governance issues contained within the Final for Publication Midterm Review, including the composition of the Board and Committees as outlined in Paragraph 5.4 of the report; and

(4) that approval be given to additional funding of up to £3,000 for payment to New Skills Consulting as a result of the essential additional work following the leak to the press.

**584 Tourism Related Projects - Remit from Environment & Regeneration Committee****584**

There was submitted a report by the Corporate Director Environment, Regeneration & Resources advising that the Environment & Regeneration Committee at its meeting on 5 September 2013 had agreed to contribute £45,000 to the cost of the Waverley, subject to North Ayrshire, South Ayrshire, Argyll and Bute and Glasgow City Councils providing the full financial contribution sought from them, and £28,000 for the illumination of Newark Castle and had remitted it to the Policy & Resources Committee to consider the use of the one-off contingency as a funding source.

**Decided:** that approval be given to the use of the one-off contingency as a funding source for the Council's two key tourism related projects in Inverclyde as set out in the report.

**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)
Insurance Tender	6, 8 & 9
Amendment to the Current Term Time Calculator	1 & 12
Disposal of Land at Earnhill Road, Greenock - Remit from Environment & Regeneration Committee	2, 6 & 9
Disposal of Land at Garvald Street, Greenock - Remit from Environment & Regeneration Committee	2, 6 & 9

**585 Insurance Tender****585**

There was submitted a report by the Chief Financial Officer advising the Committee of

**POLICY & RESOURCES COMMITTEE - 24 SEPTEMBER 2013**

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the outcome of the recent insurance tender.

**Decided:** that the Committee note the outcome of the insurance tender as detailed in the report.

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|------------|---|------------|
| <b>586</b> | <b>Amendment to the Current Term Time Calculator</b>  | <b>586</b> |
|            | <p>There was submitted a report by the Head of Organisational Development, HR &amp; Communications (1) proposing a change to the current term time calculator and (2) recommending settlement payments to affected employees.</p> <p><b>Decided:</b></p> <p>(1) that the term time calculator be amended from 1 January 2014;</p> <p>(2) that agreement be given to the settlement payments as shown in appendix 1, that these payments be made to employees in full and that the necessary settlements are obtained from the various employee groups; and</p> <p>(3) that the Committee note the other matters described in paragraph 5.5 of the report and that these be put in place as appropriate.</p> |            |
| <b>587</b> | <b>Disposal of Land at Earnhill Road, Greenock - Remit from Environment &amp; Regeneration Committee</b>  | <b>587</b> |
|            | <p>There was submitted a report by the Corporate Director Environment, Regeneration &amp; Resources on a remit from the Environment &amp; Regeneration Committee of 5 September 2013 requesting the Committee to approve proposals for the disposal of land at Earnhill Road, Greenock which were agreed, all as detailed in the appendix.</p>  |            |
| <b>588</b> | <b>Disposal of Land at Garvald Street, Greenock - Remit from Environment &amp; Regeneration Committee</b>   | <b>588</b> |
|            | <p>There was submitted a report by the Corporate Director Environment, Regeneration &amp; Resources on a remit from the Environment &amp; Regeneration Committee of 5 September 2013 requesting the Committee to approve proposals for the disposal of land at Garvald Street, Greenock which were agreed, all as detailed in the appendix.</p>   |            |

**AUDIT COMMITTEE – 26 SEPTEMBER 2013**

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**Audit Committee**

**Thursday 26 September 2013 at 3 pm**

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

**Chair:** Councillor Rebecchi presided.

**In attendance:** Chief Executive, Mr J Douglas (for Head of Legal & Democratic Services), Chief Financial Officer and Finance Manager.

**Present Also:** Mr G Devlin (Grant Thornton).

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

**589      Apologies, Substitutions and Declarations of Interest      589**

Apologies for absence were intimated on behalf of Councillors Jones, Loughran and MacLeod, with Councillor McColgan substituting for Councillor Loughran and Councillor Brooks substituting for Councillor MacLeod.

There were no declarations of interest.

**590      Audit of Inverclyde's Annual Accounts 2012/13 - International Standard and Accounting 260      590**

There was submitted a report by the Chief Financial Officer (1) presenting to Members key documents in relation to the final accounts 2012/13 and (2) requesting the Committee to consider the matters raised in the attached documents.

**Decided:**

- (1) that the Committee note the contents of the report and welcome the achievement of another qualification free set of accounts;
- (2) that the issues raised in the appendices to the report relating to the 2012/13 audited annual accounts be noted; and
- (3) that the Committee's thanks to Grant Thornton and all Officers from within Finance Services involved in the production and auditing of the 2012/13 annual accounts be noted.

**PLANNING BOARD - 2 OCTOBER 2013**

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**Planning Board**

**Wednesday 2 October 2013 at 3pm**

**Present:** Provost Moran, Councillors Brooks, Campbell-Sturgess, 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 (for Head of Environmental & Commercial Services) and Ms G Murphy (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.**

**591 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 591**

No apologies for absence were intimated.  
Councillor Wilson declared an interest in agenda item 2 (erection of a 70m meteorological mast at Corlic Hill, Greenock (13/0116/IC)).

**592 PLANNING APPLICATION SUBMITTED FOR CONTINUED CONSIDERATION 592**

**Erection of a 70m Meteorological Mast:  
Corlic Hill, Greenock (13/0116/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Inverclyde Wind Farm Limited for the erection of a 70m meteorological mast at Corlic Hill, Greenock (13/0116/IC), consideration of which had been continued from the meeting of 4 September 2013 for a site visit.

Councillor Wilson declared a non-financial interest in this matter in view of his involvement in a previous planning application and left the meeting. Councillor Brooks assumed the Chair.

The Head of Regeneration & Planning advised that the site visit had been convened but had to be abandoned because of adverse weather conditions. The site visit would now take place on 24 October and the item was withdrawn pending the site visit.

**Decided:** that it be noted this item had been withdrawn pending the site visit on 24 October 2013.

Councillor Wilson returned to the meeting following consideration of this item of business and resumed the Chair.

**593 PLANNING APPLICATIONS 593**

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

PLANNING BOARD - 2 OCTOBER 2013

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(a) **Construction of a Vehicle Maintenance Facility and Offices and the Formation of a Road Access and Parking within the Existing Depot:  
10 Pottery Street, Greenock (13/0227/IC)**

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

(1) that no development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives, to ensure a choice of finishing materials sympathetic to this part of Greenock;

(2) 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 shall require approval, in writing, from the Planning Authority prior to implementation, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(3) that the development shall not commence until an environmental investigation and risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant linkages have 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, to satisfactorily address potential contamination issues in the interests of environmental safety;

(4) 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 Authority's satisfaction;

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

(6) that the use of the development shall not commence until the applicant has submitted a completion report for approval, in writing, by the Planning Authority detailing all fill or landscaping material imported onto the site. This report shall contain information of the material's source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc) with plans delineating placement and thickness, to protect receptors from the harmful effects of imported contamination;

(7) that no development shall commence until details of construction phase and permanent Sustainable Urban Drainage System provisions have been submitted to and approved, in writing, by the Planning Authority, to prevent harm from flooding;

(8) that no development shall commence until evidence has been submitted that

**PLANNING BOARD - 2 OCTOBER 2013**

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either the Sustainable Urban Drainage System requirements comply with the Controlled Activities Regulations General Binding Rules, or an appropriate licence has been approved by SEPA, to prevent harm from flooding;

(9) that the building, hereby approved, shall have a floor level above 5.0m AOD, to prevent harm from flooding; and

(10) that no development shall commence until a flood risk assessment has been submitted to and approved by the Planning Authority in writing, to prevent harm from flooding.

**(b) Formation of a Full Height Partition with Self Closing Doors and an Enclosure for an IT Data Cabinet:**

**Municipal Buildings, Clyde Square, Greenock (13/0024/LB)**

**Decided:** that listed building consent be granted.

**594 PLANNING APPEAL - 111 - 113 ELDON STREET, GREENOCK**

**594**

There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 1 May 2013 to refuse planning permission for the erection of a detached dwellinghouse on the corner of Bentinck Street and Welbeck Street, Greenock together with the formation of new off-street parking spaces (13/0044/IC) and the subsequent appeal by the applicant to the Scottish Government against that refusal, the Reporter appointed by the Scottish Government had issued his decision which was to dismiss the appeal.

**Noted**



**LOCAL REVIEW BODY - 2 OCTOBER 2013**

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restoration to be completed within six months of the end of the 25 year period, in recognition of the expected lifespan of the wind turbine and to ensure the proper restoration of the site, in the interests of safety and visual amenity, at the end of the permitted period;

2. that in the event that the turbine fails to produce any electricity supplied to the grid for a continuous period of twelve months then it shall be deemed to have ceased to be required and, unless agreed in writing by the Planning Authority, the wind turbine, structures and ancillary equipment shall be dismantled and removed from the site, and the ground fully reinstated to its former condition in accordance with the requirements of condition 1, in the interests of the visual amenity of the area by removing redundant or partially dismantled equipment;

3. that the wind turbine shall be finished in a non-reflective, semi-matt finish and no advertising shall be displayed on any part of the turbine unless otherwise agreed in writing by the Planning Authority. Details of the finish and colour of all externally visible components shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development, in the interests of the visual amenity of the area; and

4. that no development shall commence until a Drainage Impact Assessment has been submitted to and approved in writing by the Planning Authority, to prevent harm to nearby watercourses.

As an amendment, Councillor Nelson moved:-

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be dismissed and that planning permission be refused (upholding the appointed officer's determination) for the following reason as set out in the Report of Handling dated 7 March 2013:-

1. as the height and scale of the proposed turbine, proximity to housing and the B788 road combine to create an unexpected and dominant feature in this part of the Inverclyde countryside to the detriment of visual amenity and landscape character and is thus contrary to:

a. Policy UT6 of the Inverclyde Local Plan, criterion (b) which requires regard to be given to the landscape, especially when viewed from major transport corridors;

b. Interim Inverclyde Local Plan Policy UT6A, criterion (c) which requires turbines to be sited within the landform to ensure that they do not have a detrimental effect on the landscape and wider environment;

c. Interim Inverclyde Local Plan Policy UT6B, criterion (f) which requires regard to be given to the landscape, especially when viewed from public vantage points, including local roads, neighbouring settlements and when set against the skyline; and

d. Inverclyde Local Plan Policy HR1, criterion (b) which requires that visual amenity shall not be compromised.

On a vote, 2 Members voted for the motion and 2 for the amendment. There being equality in voting, the Chair exercised his casting vote in favour of the motion which was declared carried.

**Decided:**

(1) that the Local Review Body consider the application for review of the refusal of planning permission and not take cognisance of the new material submitted;

(2) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(3) that the application for review be upheld and that planning permission be granted subject to the following conditions:-

1. that the permission hereby granted shall endure for a period of 25 years from the commencement of the development. At the end of that period, unless a further



**LOCAL REVIEW BODY - 2 OCTOBER 2013**

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application for its retention has been submitted to and approved by the Planning Authority, the wind turbine, structures and ancillary equipment shall be dismantled and removed from the site, and the ground fully reinstated to its former condition to a depth of no less than one metre below surface level, or such other means of restoration shall be carried out as may be agreed in writing by the Planning Authority, all such restoration to be completed within six months of the end of the 25 year period, in recognition of the expected lifespan of the wind turbine and to ensure the proper restoration of the site, in the interests of safety and visual amenity, at the end of the permitted period;

2. that in the event that the turbine fails to produce any electricity supplied to the grid for a continuous period of twelve months then it shall be deemed to have ceased to be required and, unless agreed in writing by the Planning Authority, the wind turbine, structures and ancillary equipment shall be dismantled and removed from the site, and the ground fully reinstated to its former condition in accordance with the requirements of condition 1, in the interests of the visual amenity of the area by removing redundant or partially dismantled equipment;

3. that the wind turbine shall be finished in a non-reflective, semi-matt finish and no advertising shall be displayed on any part of the turbine unless otherwise agreed in writing by the Planning Authority. Details of the finish and colour of all externally visible components shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development, in the interests of the visual amenity of the area; and

4. that no development shall commence until a Drainage Impact Assessment has been submitted to and approved in writing by the Planning Authority, to prevent harm to nearby watercourses.