

THE INVERCLYDE COUNCIL - 5 DECEMBER 2013

The Inverclyde Council

Thursday 5 December 2013 at 4pm

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

Chair: Provost Moran presided.

In attendance: Chief Executive, Corporate Director Education, Communities & Organisational Development, Acting Corporate Director Environment, Regeneration & Resources, Head of Legal & Democratic Services, Legal Services Manager (Procurement/Conveyancing), Head of Finance, Head of Community Care & Health, Head of Environmental & Commercial Services, Environmental Services Manager (Transport & Waste Collection), Mr M Higginbotham (Environmental & Commercial Services), Head of Inclusive Education, Culture & Corporate Policy, Head of Organisational Development, HR & Communications, Head of Regeneration & Planning, Head of Safer & Inclusive Communities, Libraries, Museum & Archives Manager, Mr A McClintock (Property Assets & Facilities Management), Business/Democratic Services Manager and Corporate Communications Manager.

Prior to the commencement of business, the Council observed a minute's silence for the victims of The Clutha helicopter tragedy in Glasgow.

764 Apologies and Declarations of Interest

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

Declarations of interest were intimated as follows:-

Agenda Item 4 (Protection from Eviction (Bedroom Tax) (Scotland) Bill: Consultation Paper - Request by Councillor McCabe) - Councillors Ahlfeld, McCabe, McEleny, McIlwee and Wilson; and

Agenda Item 16 (Proposed Compulsory Purchase Order - Remit from Environment & Regeneration Committee) - Councillor McEleny.

765 Annual Audit Report 2012/13

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There was submitted a report by the Chief Executive appending the Annual Audit Report for 2012/13 issued by Grant Thornton, the Council's External Auditors.

Mr Gary Devlin of Grant Thornton was present, spoke to the report and commented positively on the Council.

Decided: that the Council endorse the contents of the Annual Audit Report 2012/13 and that the Council's thanks to officers for their strong leadership be recorded.

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

766	General Purposes Board - 9 October 2013	766
	Approved on the motion of Councillor Dorrian.	
767	The Inverclyde Council - 10 October 2013	767
	Approved on the motion of Provost Moran.	
768	Grants Sub-Committee - 22 October 2013	768
	Approved on the motion of Councillor Clocherty.	
769	Audit Committee - 22 October 2013	769
	Approved on the motion of Councillor Ahlfeld.	
770	Appointment Panel - Corporate Director Education, Communities & Organisational Development - 22 October 2013	770
	Approved on the motion of Councillor McCabe.	
771	Inverclyde CHCP Sub-Committee - 24 October 2013	771
	Approved on the motion of Councillor McIlwee.	
772	Environment & Regeneration Committee - 31 October 2013	772
	Approved on the motion of Councillor McCormick.	
773	Local Police & Fire Scrutiny Sub-Committee - 5 November 2013	773
	Approved on the motion of Councillor Loughran.	
774	Education & Communities Committee - 5 November 2013	774
	Approved on the motion of Councillor Loughran.	
775	Planning Board - 6 November 2013	775
	Approved on the motion of Councillor Brooks.	
776	Local Review Body - 6 November 2013	776
	Approved on the motion of Councillor Wilson.	

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- 777 General Purposes Board - 13 November 2013 777**
- Approved** on the motion of Councillor Dorrian.
- 778 Appointment Panel - Corporate Director Education, Communities & Organisational Development - 18 November 2013 778**
- Approved** on the motion of Councillor McCabe.
- 779 Policy & Resources Committee - 19 November 2013 779**
- Approval of the minute as a correct record was moved by Councillor McCabe seconded by Councillor Clocherty. Councillor McCabe seconded by Councillor Clocherty moved with reference to paragraph 747 (Media and Social Media Protocol) that the decision of the Committee as minuted be approved. As an amendment, Councillor McEleny seconded by Councillor Ahlfeld moved that the introduction of the new Media and Social Media Protocol be agreed subject to deletion of “after” and substitution of “at the same time” under the heading Distribution of Press Releases. Councillor McCabe indicated his willingness to accept Councillor McEleny’s amendment and this was agreed unanimously.
- Decided:** that the minute as amended be approved.
- 780 Environment & Regeneration Committee (Special) - 27 November 2013 780**
- Approved** on the motion of Councillor McCormick.
- 781 Human Resources Appeals Board - 28 November 2013 781**
- Approved** on the motion of Councillor Brooks.
- 782 Planning Board - 4 December 2013 782**
- Approved** on the motion of Councillor Wilson.
- 783 Local Review Body - 4 December 2013 783**
- Approved** on the motion of Councillor Wilson.
- 784 Protection from Eviction (Bedroom Tax) (Scotland) Bill: Consultation Paper - Request by Councillor McCabe 784**
- There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a request from Councillor McCabe that the Council support the principles set out in the consultation paper on the proposed Protection from Eviction (Bedroom Tax) (Scotland) Bill and appending a draft response for Members’ consideration.

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

Councillor Ahlfeld as a Board Member of River Clyde Homes;

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

Councillor McEleny as a Board Member of River Clyde Homes;

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

Councillor Wilson as a Director of Link Housing Association.

All 5 Members were of the view that the nature of their interests and of the item of business did not preclude their continued presence in the Chamber or their participation in the decision making process.

After consideration, Councillor McCabe seconded by Councillor Clocherty moved that the Council approve the response to the consultation paper as set out in appendix 2 to the report. As an amendment, Councillor McEleny seconded by Councillor Brooks moved that the Council note the work the Scottish Government is carrying out in mitigating the bedroom tax and not approve the response to the consultation paper as set out in appendix 2 to the report. On a vote, 4 Members voted for the amendment and 13 for the motion which was declared carried.

Decided: that the Council approve the response to the consultation paper on the proposed Protection from Eviction (Bedroom Tax) (Scotland) Bill as set out in appendix 2 to the report.

785 Welfare Champion - Motion by Councillor McEleny

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There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a motion by Councillor McEleny, countersigned by Councillor Brooks, proposing the appointment of a Welfare Champion which had been submitted in accordance with Standing Order 22 in the following terms:-

“The UK government’s Welfare Reforms, its benefits changes and cuts, are causing much hardship for many of our citizens living in Inverclyde.

Council believes that by Inverclyde Council appointing a Welfare Champion it will display to Inverclyde citizens we are dedicated in tackling the welfare cuts that are affecting so many people in Inverclyde, particularly many hundreds of vulnerable people.

Council agrees there is a need for a champion to promote the support Inverclyde Council is providing to the victims of the current Westminster coalitions welfare reform agenda.

Council notes that Cllr MacLeod has consistently campaigned for and championed the needs of our citizens who these reforms impact upon. Therefore council agrees that he shall be appointed as the Councils welfare champion.”

As an amendment, Councillor Clocherty seconded by Councillor McIlwee moved that Councillor McCabe, as Leader of the Council, be appointed as the Council’s Welfare Champion and that a report on the role of the Welfare Champion be submitted to the next meeting of the Policy & Resources Committee.

On a vote, 5 Members voted for the motion and 10 for the amendment which was declared carried.

Decided: that Councillor McCabe, as Leader of the Council, be appointed as the Council’s Welfare Champion and that a report on the role of the Welfare Champion be submitted to the next meeting of the Policy & Resources Committee.

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- 786 Council Commercial Letting Policies - Motion by Councillor Campbell-Sturgess 786**
- There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a motion by Councillor Campbell-Sturgess, countersigned by Councillor Brooks, in relation to a proposed change to the Council's commercial letting policies which had been submitted in accordance with Standing Order 22 in the following terms:-
- "That this Council resolves that a report be presented to the Policy & Resources Committee on introducing a change of the Council's Commercial Letting Policies to restrict the operating of Gambling Establishments from Council-let properties".
- Decided:** unanimously, that a full review of the Council's commercial letting policy be carried out examining the potential development of an ethical policy and that a report on the matter be submitted to the Policy & Resources Committee.
- 787 The Local Government Accountability and Transparency (Scotland) Bill: Consultation - Request by Councillor McCabe 787**
- There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a request from Councillor McCabe that the Council make a response as part of the consultation process on a proposed Bill to promote greater accountability and transparency in local government.
- Decided:** that the Council note the request by Councillor McCabe that the Council make a response as part of the consultation process on the proposed Local Government Accountability and Transparency (Scotland) Bill and that the matter be remitted to a meeting of the Policy & Resources Executive Sub-Committee to be arranged prior to the response deadline in January 2014.
- 788 Review of Victoria Day Public Holiday 788**
- There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources seeking approval to amend the principle applied in setting the date of the Victoria Day public holiday, to enable the position to be harmonised with neighbouring authorities' local school holidays, with effect from 2015.
- Decided:** that it be agreed the Victoria Day public holiday be fixed as the last Monday in May and that this be implemented from 2015.
- 789 Clyde Valley Infrastructure Investment Fund (CVIIF) 789**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources (1) providing an update on the Clyde Valley Infrastructure Investment Fund (CVIIF) and (2) highlighting the corporate implications of the Fund during both the current development phase and should the Fund progress successfully in the future.
- The Head of Regeneration & Planning advised that the Council's contribution to the overall cost of the consultancy support being provided by KPMG was now £41,673, together with £1,750 for consultancy costs, and that there would be further dialogue with Riverside Inverclyde on the cost estimate of up to £10,000 for working up projects.
- Decided:**
- (1) that the Council note the content of the report, the increased costs and the progress to date alongside anticipated timescales for further development of the Clyde Valley Infrastructure Investment Fund;

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- (2) that the Council note the significant financial and resource implications the Fund may have if successfully agreed with HM Treasury and Scottish Government and approve the proposals specified in paragraph 5.3 of the report as updated above; and
 (3) that Officers carry out an assessment of the costs and benefits of participation as part of the budget process.

790 Update of Financial Strategy 2013/2021 790

There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources seeking approval of the revised Financial Strategy 2013/14 - 2020/21 appended to the report.

Decided: that the latest revision of the Financial Strategy for 2013/14 - 2020/21 as set out in the appendix to the report be approved.

791 Proposed Traffic Regulation Order - Nelson Street etc, Greenock (Traffic Management) Order 2013 791

There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order - Nelson Street etc, Greenock (Traffic Management) Order 2013.

RESOLVED on the motion of Councillor McCabe seconded by Councillor Clocherty that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc (Scotland) Act 1994, RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Sections 1(1), 2(1) to (3) and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 to regulate the direction of traffic flow in Nelson Street, Kilblain Street and Nicolson Street, Greenock and to create and revoke turning movement bans on the associated side roads, 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.

792 The Living Wage - Request by Councillor McCabe 792

There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a request from Councillor McCabe that the Council agree to the inclusion of a section on the Living Wage within all Council tenders with immediate effect.

Decided: that approval be given to the inclusion of the section set out in the appendix to the report on the Living Wage within all Council tenders with immediate effect.

793 Treasury Management - Mid-Year Review Report 2013/14 - Remit from Policy & Resources Committee 793

There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a remit from the Policy & Resources Committee of 19 November 2013 on the Mid-Year Review Report on Treasury Management for 2013/14.

Decided: that the Council approve the Treasury Management Mid-Year Review Report 2013/14.

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794 Watt Complex Refurbishment - Project Development: Remit from Policy & Resources Committee 794

There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a remit from the Policy & Resources Committee of 19 November 2013 requesting the Council, as Trustees of the Watt Institution, to note the decisions of the Committee relative to the submission of a Round 1 bid to the Heritage Lottery Fund for the refurbishment of the Watt Complex.

During consideration of this matter, the Libraries, Museums & Archives Manager advised the Council that the delays brought about by the external funding process could exacerbate the rot within the building.

Decided: that the Council, as Trustees of the Watt Institution, note the decisions of the Policy & Resources Committee relative to the Watt Complex refurbishment.

795 Appointment of Trustees to Peter Stanton Memorial Trust 795

There was submitted a report by the Head of Legal & Democratic Services seeking the Council's reappointment of 3 outside Trustees to the Peter Stanton Memorial Trust given that their current term of office is due to expire on 17 February 2014.

Decided: that the Council agree to the appointment of Mrs Eileen Gowans, Ms Margaret McEleny and Mr John English as Trustees of the Peter Stanton Memorial Trust for a period of 4 years until 16 February 2018.

796 Accounts of Charitable Trusts and Reorganisation 796

There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources requesting the Council, as Trustees, (1) to approve the accounts of 4 charitable trusts and their filing with the Office of the Scottish Charity Regulator by the statutory deadline of 31 December 2013 and (2) to approve proposals for the winding up of 2 of the Trusts.

Decided: that the Council, as Trustees:

(1) approve the annual accounts for each of the 4 charities referred to in the report for the year ended 31 March 2013 and their onward transmission to the Office of the Scottish Charity Regulator (OSCR);

(2) approve payment of the remaining funds in the Queen Victoria Diamond Jubilee Fund to the Ardgowan Hospice and then wind up the Trust and remove it from the OSCR Register; and

(3) approve the submission of an application to OSCR to wind up the William Stewart of St Fillans Bequest and to distribute the remaining funds and approve a payment in equal shares to Caladh House, Greenock Medical Aid, Little Sisters of the Poor and Argyll & Clyde Acute Hospital Endowment Fund and to wind up the Trust.

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 13 of Part I of Schedule 7(A) of the Act and for the item thereafter 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.

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797 Proposed Compulsory Purchase Order: Remit from Environment & Regeneration Committee 797

There was submitted a report by the Acting Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 31 October 2013 seeking the Council's approval to promote a Compulsory Purchase Order which was agreed, all as detailed in the appendix.

Appendices to Minutes

798 Appointment Panel - Corporate Director Education, Communities & Organisational Development - 22 October 2013 798

Approved on the motion of Councillor McCabe.

799 Environment & Regeneration Committee - 31 October 2013 799

Approved on the motion of Councillor McCormick.

800 Education & Communities Committee - 5 November 2013 800

Approved on the motion of Councillor Loughran.

801 Appointment Panel - Corporate Director Education, Communities & Organisational Development - 18 November 2013 801

Approved on the motion of Councillor McCabe.

802 Policy & Resources Committee - 19 November 2013 802

Approved on the motion of Councillor McCabe.

803 Human Resources Appeals Board - 28 November 2013 803

Approved on the motion of Councillor Brooks.