

THE INVERCLYDE COUNCIL – 8 OCTOBER 2015

The Inverclyde Council

Thursday 8 October 2015 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 Environment, Regeneration & Resources, Chief Officer, Inverclyde Health & Social Care Partnership, Chief Financial Officer, Head of Legal & Property Services, Legal Services Manager (Litigation, Licensing & Committee Services), Head of Inclusive Education, Culture & Corporate Policy, Head of Safer & Inclusive Communities, Head of Environmental & Commercial Services, Environmental Services Manager, Roads, Transport & Waste Collection, Service Manager, Inverclyde HSCP, HR Manager (Operations) and Corporate Communications Manager.

618 Apologies and Declarations of Interest

618

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

No declarations of interest were intimated.

Prior to the commencement of business, Provost Moran referred to the recent death of Rev Andrew McLean, former religious representative on the Education & Communities Committee, and those present observed a minute's silence in memory of Rev McLean.

619 Annual Report to Members and the Controller of Audit for the Financial Year Ended 31 March 2015 – Remit from Policy & Resources Committee

619

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Policy & Resources Committee of 22 September 2015 on the Annual Report to Members and the Controller of Audit for the financial year ended 31 March 2015 prepared by the Council's External Auditors, Grant Thornton.

Mr Mike Thomas of Grant Thornton was present and spoke to the report.

Decided: that the Council endorse the contents of the Annual Report to Members and the Controller of Audit for the financial year ended 31 March 2015 and that the Council's thanks to the External Auditors and Officers be recorded.

Minutes of Meetings of

The Inverclyde Council, Committees, Sub-Committees and Boards

620 Local Police & Fire Scrutiny Sub-Committee – 4 June 2015

620

Approved on the motion of Councillor Loughran.

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621	The Inverclyde Council – 4 June 2015	621
	Approved on the motion of Provost Moran.	
622	General Purposes Board – 10 June 2015	622
	Approved on the motion of Councillor Dorrian.	
623	Environment & Regeneration Committee (Special) – 16 June 2015	623
	Approved on the motion of Councillor McCormick.	
624	Audit Committee (Special) – 18 June 2015	624
	Approved on the motion of Councillor Rebecchi.	
625	Policy & Resources Executive Sub-Committee – 18 June 2015	625
	Approved on the motion of Councillor McCabe.	
626	General Purposes Board (Special) – 25 June 2015	626
	Approved on the motion of Councillor Dorrian.	
627	Grants Sub-Committee – 25 June 2015	627
	Approved on the motion of Councillor McColgan.	
628	Human Resources Appeals Board – 30 June 2015	628
	Approved on the motion of Councillor Brooks.	
629	Policy & Resources Executive Sub-Committee – 15 July 2015	629
	Approved on the motion of Councillor McCabe.	
630	General Purposes Board (Special) – 22 July 2015	630
	Approved on the motion of Councillor Dorrian.	
631	Appointment Panel – Corporate Director Education, Communities & Organisational Development – 27 July 2015	631
	Approved on the motion of Councillor McCabe.	
632	Planning Board – 5 August 2015	632
	Approved on the motion of Councillor Wilson.	

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633	Local Review Body – 5 August 2015	633
	Approved on the motion of Councillor Wilson.	
634	Policy & Resources Committee – 11 August 2015	634
	Approved on the motion of Councillor McCabe.	
635	General Purposes Board – 12 August 2015	635
	Approved on the motion of Councillor Dorrian.	
636	Appointment Panel – Corporate Director Education, Communities & Organisational Development – 17 August 2015	636
	Approved on the motion of Councillor McCabe.	
637	Audit Committee – 25 August 2015	637
	Approved on the motion of Councillor Nelson.	
638	Human Resources Appeals Board – 27 August 2015	638
	Approved on the motion of Councillor Brooks.	
639	Health & Social Care Committee – 1 September 2015	639
	Approved on the motion of Councillor McIlwee.	
640	Planning Board – 2 September 2015	640
	Approved on the motion of Councillor Wilson.	
641	Local Review Body – 2 September 2015	641
	Approved on the motion of Councillor Wilson.	
642	Environment & Regeneration Committee – 3 September 2015	642
	Approval of the minute as a correct record was moved by Councillor Clocherty seconded by Councillor McCabe. Councillor Clocherty seconded by Councillor McCabe moved with reference to paragraph 535 (Request for a New Street Name at Broadstone, Port Glasgow) that the decision of the Committee as minuted be approved. As an amendment, Councillor Nelson seconded by Councillor McEleny moved that consideration of the matter be continued and that officers liaise with the developer to assign a suitable name reflecting a species of bush/tree indigenous to Britain. On a vote, 7 Members voted for the amendment and 10 for the motion which was declared carried.	
	Decided: that the minute be approved.	

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| 643 | Education & Communities Committee – 8 September 2015 | 643 |
| | Approved on the motion of Councillor Loughran. | |
| 644 | General Purposes Board – 9 September 2015 | 644 |
| | Approved on the motion of Councillor Dorrian. | |
| 645 | Policy & Resources Committee – 22 September 2015 | 645 |
| | Approved on the motion of Councillor McCabe. | |
| 646 | Audit Committee (Special) – 24 September 2015 | 646 |
| | Approved on the motion of Councillor Rebecchi. | |
| 647 | Policy & Resources Executive Sub-Committee – 1 October 2015 | 647 |
| | Approved on the motion of Councillor McCabe. | |
| 648 | Planning Board – 7 October 2015 | 648 |
| | Approved on the motion of Councillor Wilson. | |
| 649 | Local Review Body – 7 October 2015 | 649 |
| | Approved on the motion of Councillor Wilson. | |
| 650 | SNP Group – Changes to Committees/Outside Body Memberships | 650 |
| | There was submitted a report by the Corporate Director Environment, Regeneration & Resources asking the Council to consider a number of changes proposed by the SNP Group to Committee and Outside Body memberships. | |
| | Decided: | |
| | (1) that approval be given to the following changes to Committee and Outside Body memberships:- | |
| | Human Resources Appeals Board – Councillor Campbell-Sturgess to be appointed in place of Councillor Brooks; | |
| | Planning Board – Councillor Brooks to demit the post of Vice-Chair but remain as a member of the Board; | |
| | Inverclyde Local Access Forum – Councillor MacLeod to be appointed in place of Councillor Nelson; and | |
| | West of Scotland Road Safety Forum – Councillor Nelson to be appointed in place of Councillor MacLeod; | |
| | (2) that Councillor Clocherty be appointed as Chair of the Human Resources Appeals Board and that Councillor Shepherd be appointed Vice-Chair; and | |
| | (3) that Councillor Nelson be appointed Vice-Chair of the Planning Board. | |

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651 Petitions Committee

651

There was submitted a report by the Head of Legal & Property Services requesting the Council to (1) establish a Petitions Committee, (2) make consequent changes to the Scheme of Administration and (3) approve a petitions procedure.

Decided:

- (1) that the terms of the report be noted;
- (2) that the Council establish a Petitions Committee with six members and that Councillors Brennan, Campbell-Sturgess, Clocherty, Loughran, Nelson and Rebecchi be appointed to the Committee;
- (3) that the Council establish a policy of appointing the Convener and Vice-Convener of the Petitions Committee from the Minority Groups and that Councillor Nelson be appointed Convener and Councillor Rebecchi Vice-Convener;
- (4) that, in the first year of operation, the Petitions Committee meet on dates within the agreed cycle of meetings commencing in 2016 as follows: 28 January, 17 March and 12 May at 3pm subject to there being business to consider;
- (5) that the Scheme of Administration be altered to include the terms set out in paragraph 5.4 of the report and that the petitions procedures set out in Appendix 1 to the report be approved; and
- (6) that powers be delegated to the Head of Legal & Property Services to make such necessary and practical alterations as may be necessary within the first year of operation to ensure public accessibility and effective and efficient Petitions Committee processes and that a report be then submitted for Council consideration and review.

652 Review of Polling Places

652

There was submitted a report by the Chief Executive (1) advising that there have been no representations by interested parties on the proposed amendments to the Polling Scheme by the consultation deadline and (2) seeking approval of the draft Polling Scheme as detailed in Appendix 1 to the report.

Decided:

- (1) that it be agreed further consultation on the proposed amendments to the Polling Scheme is not required; and
- (2) that the amendments to the Polling Scheme as detailed in Appendix 1 to the report be approved.

653 Elected Member Champions

653

There was submitted a report by the Chief Executive (1) reviewing and formalising the role and remit of the Community Council Champion and (2) seeking agreement to a final list of the Council's Elected Member Champions.

Decided:

- (1) that approval be given to the role and remit of the Community Council Champion as set out in Appendix 1 to the report; and
- (2) that the Council agree the final list of Council Elected Member Champions as set out in the report.

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654 The ‘One In Five’ Campaign: Involving Disabled People in Politics 654

There was submitted a report by the Chief Executive providing information on how the Council meets the requirements of the ‘One In Five’ Campaign which aims to encourage, empower and increase political participation amongst disabled people in Scotland.

Decided: that the Council note the contents of the report.

655 Proper Officer – Authorised Signatory 655

There was submitted a report by the Head of Legal & Property Services requesting the Council to appoint the Legal Services Manager (Litigation, Licensing & Committee Services) as a Proper Officer of the Council and an Authorised Signatory.

Decided: that the Council appoint the Legal Services Manager (Litigation, Licensing & Committee Services) as a Proper Officer of the Council as defined by Section 235(3) of the Local Government (Scotland) Act 1973, with authority in the absence of the Head of Legal & Property Services to sign all leases, dispositions and other formal documents which require to be sealed with the Common Seal of the Council and to sign any other formal documentation such as stock certificates, bonds and mortgages.

656 Trade Union Bill – Notice of Motion by Councillor Clocherty 656

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

“That this Council recognises the positive contribution that trade unions and trade union members make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

This Council notes with concern the Trade Union Bill which is currently being proposed by the UK Government and which would affect this Council’s relationship with our trade unions and our workforce as a whole. This Council rejects the Bill’s attack on local democracy and the attack on our right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by the UK Government.

This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy way to administer a system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.

This Council resolves to support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its own autonomy with regard to facility time and the continuing use of check-off, up to and including refusal to comply with the legislation.”

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Councillor Clocherty seconded by Councillor McColgan then moved that the motion be adjusted by deleting the words “up to and including refusal to comply with the legislation”.

As an amendment, Councillor McEleny seconded by Councillor Campbell-Sturgess, moved that the following be added to the adjusted motion:-

“Council further notes that the STUC – the umbrella organisation for Trade Unions in Scotland – believes that Employment Law and Trade Union Law should be devolved to the Scottish Parliament. This council supports this stance as it will better protect the rights of Trade Union Members and Workers in Inverclyde and across Scotland.”

On a vote, 5 Members voted for the amendment and 12 for the adjusted motion which was declared carried.

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

657 Syrian Vulnerable Persons Relocation Scheme

657

There was submitted a report by the Chief Officer, Inverclyde Health & Social Care Partnership on a request from the UK Government, via CoSLA, for local authorities to provide accommodation and support to the Syrian Vulnerable Persons Relocation (VPR) Scheme.

Decided:

- (1) that the contents of the report and the request for support from the UK Government be noted;
- (2) that the Council indicate its intention to CoSLA to participate in the Syrian Vulnerable Persons Relocation Scheme and agree to the recommendation from officers that support will be offered to ten families initially; and
- (3) that the existing multi-agency group chaired by the Health & Social Care Partnership, established to deal with the Afghan Resettlement Programme, be extended to include the Syrian Vulnerable Persons Relocation Scheme.

658 The ‘Stick Your Labels’ Anti-Poverty Campaign

658

There was submitted a report by the Head of Inclusive Education, Culture & Corporate Policy seeking the Council's support for the ‘Stick Your Labels’ Campaign which seeks to challenge negative attitudes towards people experiencing poverty in Scotland and improve understanding of the role of the Welfare System.

Decided:

- (1) that the Council agree to support the ‘Stick Your Labels’ Campaign; and
- (2) that officers bring forward an action plan setting out actions to support the Campaign's three key pledges and to ensure this underpins the work of the Council.

659 Treasury Management – Annual Report 2014/15 – Remit from Policy & Resources Committee

659

There was submitted a report by the Corporate Director Environment, Regeneration & Resources requesting the Council to consider a remit from the Policy & Resources Committee of 11 August 2015 requesting approval of the Treasury Management Annual Report 2014/15.

Decided: that approval be given to the Treasury Management Annual Report 2014/15.

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- 660 Proposed Traffic Regulation Order – The Inverclyde Council (Off-Street Parking Places) (Variation No. 3) Order 2015 – Remit from Environment & Regeneration Committee 660**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 3 September 2015 requesting approval of the proposed Traffic Regulation Order – The Inverclyde Council (Off-Street Parking Places) (Variation No. 3) Order 2015.
- Decided:** that the Inverclyde Council approve the making of the Traffic Regulation Order – The Inverclyde Council (Off-Street Parking Places) (Variation No. 3) Order 2015, all as detailed in the copy of the proposed Order forming a supplement to the principal minute hereof, and that the Head of Environmental & Commercial Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.
- 661 Proposed Traffic Regulation Order – Disabled Persons’ Parking Places (On-Street) Order No. 1 2015 – Remit from Environment & Regeneration Committee 661**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 3 September 2015 requesting approval of the proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 1 2015.
- Decided:** that the Inverclyde Council approve the making of the Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 1 2015, all as detailed in the copy of the proposed Order forming a supplement to the principal minute hereof, and that the Head of Environmental & Commercial Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.
- 662 Proposed Traffic Regulation Order – Disabled Persons’ Parking Places (On-Street) Order No. 2 2015 – Remit from Environment & Regeneration Committee 662**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 3 September 2015 requesting approval of the proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 2 2015.
- Decided:** that the Inverclyde Council approve the making of the Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 2 2015, all as detailed in the copy of the proposed Order forming a supplement to the principal minute hereof, and that the Head of Environmental & Commercial Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.
- 663 Proposed Traffic Regulation Order – The Inverclyde Council, Gourock Waterfront (One Way Only) Order 2014 – Remit from Environment & Regeneration Committee 663**
- There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 3 September 2015 requesting approval of the proposed Traffic Regulation Order – The Inverclyde Council, Gourock Waterfront (One Way Only) Order 2014.

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Decided: that the Inverclyde Council approve the making of the Traffic Regulation Order – The Inverclyde Council, Gourock Waterfront (One Way Only) Order 2014, as detailed in appendix 1 to the report, and that the Head of Environmental & Commercial Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

664 Appointments to Greenock Arts Guild Board of Directors

664

There was submitted a report by the Corporate Director Environment, Regeneration & Resources requesting the Council to consider appointing two Elected Members to the Board of Greenock Arts Guild.

Decided: that Councillor McCabe and Councillor Nelson be appointed to the Board of Directors of Greenock Arts Guild subject to the completion of all conditions of grant attached to the Council's financial support and that this be effective only upon the date of payment to John Graham Construction Limited.

665 Reorganisation of Lady Alice Shaw Stewart Memorial Trust

665

There was submitted a report by the Honorary Treasurer requesting the Council as Trustees to approve a reorganisation scheme to transfer the entire funds of the Lady Alice Shaw Stewart Memorial Trust to a national charity Action for Children with strong local links in order that the funds may be put to more appropriate use in the assistance and rehabilitation of women offenders in the Inverclyde area.

Decided: that the Council, as Trustees:

- (1) approve the submission of an application or applications to OSCR for consent to reorganise the Lady Alice Shaw Stewart Memorial Trust to permit transfer by the Trustees of the whole funds held by the Trust (both by way of the original endowment and unrestricted revenue reserves) to Action for Children, to wind up the Trust by making such a transfer and to remove the Trust from the Scottish Charity Register;
- (2) reorganise the Trust on the basis set out at (1) as above, but that only following on OSCR approval of the same;
- (3) transfer the whole funds held by the Trust (both by way of the original endowment and unrestricted revenue reserves) to Action for Children and so wind up the Trust, but that only after reorganisation in terms of (2) above, and on the basis that they will utilise these funds to (i) continue provision of a support/mentoring service to women in Inverclyde involved in offending (by way of one and a half dedicated practitioner posts in the financial year 2016-2017) and (ii) continue to administer small awards scheme of the type currently in place to assist individual female service users in their rehabilitation;
- (4) enter a formal agreement with Action for Children to secure their commitment to utilise the funds in the manner outlined in the report, which agreement will be novated to the Inverclyde Council prior to the winding up of the Trust, and that on such terms as are recommended by the Council's Head of Legal & Property Services and Chief Financial Officer; and
- (5) in their capacity as Elected Members of the Inverclyde Council, accept novation of the agreement as outlined at (4) above.

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666 Reorganisation of SC019229 William Stewart of St Fillans Bequest

666

There was submitted a report by the Honorary Treasurer requesting the Council as Trustees to approve reorganisation of the William Stewart of St Fillans Bequest and the distribution of the funds between two local charities, the Little Sisters of the Poor and Greenock Medical Aid.

Decided: that the Council, as Trustees:

- (1) approve the submission of an application or applications to OSCR for consent to reorganise the William Stewart of St Fillans Bequest to permit transfer by the Trustees of the whole funds held by the Trust (both by way of the original endowment and unrestricted revenue reserves) to the Little Sisters of the Poor and Greenock Medical Aid (an equal share to each), to wind up the Trust by making such a transfer and to remove the Trust from the Scottish Charity Register;
- (2) reorganise the Trust on the basis set out at (1) above, but that only following on OSCR approval of the same; and
- (3) transfer the whole funds held by the Trust (both by way of the original endowment and unrestricted revenue reserves) to the Little Sisters of the Poor and Greenock Medical Aid (an equal share to each) and so wind up the Trust, but that only after reorganisation in terms of (2) above.

667 Trust Funds Annual Accounts 2014-2015

667

There was submitted a report by the Honorary Treasurer requesting the Council as Trustees to review and approve the annual accounts of two Trust Funds that are not registered charities.

Decided: that the Council, as Trustees:

- (1) approve the annual accounts for the Birkmyre Trust and the Watt Institution Trust Fund for the year ended 31 March 2015;
- (2) note the accounts of the McLeod Trust administered by Port Glasgow High School for the year ended 31 March 2015; and
- (3) remit to Officers to explore the use of a further sum from the Birkmyre Trust funds for environmental improvements at Birkmyre Park and bring forward proposals as part of the budget process.

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 two 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 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.

668 Shared Services Update

668

There was submitted a report by the Chief Executive (1) updating the Council on the outcome of the work undertaken to develop shared service options among Inverclyde, Renfrewshire and East Renfrewshire Councils for roads and transportation and (2) advising of future options for service collaboration between Councils.

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Decided:

- (1) that the work undertaken to develop a shared roads and transportation service among Inverclyde, Renfrewshire and East Renfrewshire Councils be noted;
- (2) that it be noted that Renfrewshire and East Renfrewshire Councils do not wish to implement shared services for roads and transportation services; and
- (3) that the Council support the furtherance of the Council's Chief Executive's work in continuing to explore all possible service collaboration options with West Dunbartonshire, East Dunbartonshire and Argyll & Bute Councils with the intention of providing an update report to Inverclyde Council by no later than March 2016.

669 Appendices 2A and 2B Relative to Agenda Item 19 669

There were submitted appendices 2A and 2B relative to agenda item 19 (Reorganisation of Lady Alice Shaw Stewart Memorial Trust) comprising detailed case studies.

Noted

Appendices to Minutes

670 Environment & Regeneration Committee (Special) – 16 June 2015 670

Approved on the motion of Councillor McCormick.

671 Policy & Resources Executive Sub-Committee – 18 June 2015 671

Approved on the motion of Councillor McCabe.

672 Human Resources Appeals Board – 30 June 2015 672

Approved on the motion of Councillor Brooks.

673 Appointment Panel – Corporate Director Education, Communities & Organisational Development – 27 July 2015 673

Approved on the motion of Councillor McCabe.

674 Policy & Resources Committee – 11 August 2015 674

Approved on the motion of Councillor McCabe.

675 Appointment Panel – Corporate Director Education, Communities & Organisational Development – 17 August 2015 675

Approved on the motion of Councillor McCabe.

676 Human Resources Appeals Board – 27 August 2015 676

Approved on the motion of Councillor Brooks.

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| 677 | Environment & Regeneration Committee – 3 September 2015 | 677 |
| | Approved on the motion of Councillor McCormick. | |
| 678 | Policy & Resources Executive Sub-Committee – 1 October 2015 | 678 |
| | Approved on the motion of Councillor McCabe. | |