

APPOINTMENT PANEL – CHIEF EXECUTIVE – 24 MAY 2021

Appointment Panel – Chief Executive**Monday 24 May 2021 at 1pm**

Present: Councillors Brooks, Clocherty, Curley, McCabe, Quinn and Robertson.

Chair: Councillor McCabe presided.

In attendance: Chief Executive and Head of Organisational Development, Policy & Communications (Advisers to the Panel).

The meeting was held by video-conference.

237 Apologies and Declarations of Interest**237**

No apologies for absence or declarations of interest were intimated.

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

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.

238 Shortlisting and Arrangements for Interview of Applicants – Post of Chief Executive**238**

There were submitted copies of applications received from 12 candidates for the post of Chief Executive.

Decided: that a shortlist of four candidates be called for participation in the assessment centre event, all as detailed in the appendix.

GENERAL PURPOSES BOARD – 9 JUNE 2021

General Purposes Board

Wednesday 9 June 2021 at 10am

Present: Provost Brennan, Councillors Ahlfeld, Brooks, Curley, Dorrian, J McEleny, Macleod, Moran and Quinn.

Chair: Councillor Dorrian presided.

In attendance: Ms A Sinclair, (Interim Head of Legal Services), Mr D Keenan, Ms F Denver and Ms D Sweeney (Legal Services) and Sergeant I Robertson (Police Scotland).

The Meeting was held by video conference.

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

239 Apologies, Substitutions and Declarations of Interest 239

An apology for absence was intimated on behalf of Councillor C McEleny.

No declarations of interest were intimated.

240 Air Weapons and Licensing (Scotland) Act 2015 240
Repeal of Theatres Act 1968

There was submitted a report by the Interim Head of Legal Services providing an update on the implementation and changes to the licensing regime as a result of the Air Weapons and Licensing (Scotland) Act 2015.

Ms Sinclair provided information in regards to the changes in legislation. There followed a discussion on types of entertainment to be considered.

Decided:

- (1) that the Board note the contents of the report;
- (2) to pass a resolution to include performance of plays within Inverclyde Public Entertainment Licensing regime from 9 March, 2022; and
- (3) that the Interim Head of Legal Services publish a notice of the resolution as required in terms of the legislation no earlier than nine months after the resolution is made.

241 Licensing of Sexual Entertainment Venues 241
Update after Initial Consultation

There was submitted a report by the Interim Head of Legal Services advising the Board of the outcome of the initial public consultation exercise on the licensing of Sexual Entertainment Venues in Inverclyde.

Ms Sinclair advised Members on the report and the responses received to the public consultation.

Decided:

- (1) to note the contents of the report and consider the responses received to the

GENERAL PURPOSES BOARD – 9 JUNE 2021

initial public consultation on the licensing of sexual entertainment venues in Inverclyde;

(2) to pass the resolution to licence Sexual Entertainment Venues in Inverclyde from 9 June 2022 and to remit to the Interim Head of Legal Services to publish a notice of the resolution as required in terms of the legislation at least 28 days before the resolution comes into effect; and

(3) remit to the Interim Head of Legal Services to (a) consult with groups who may have an interest in the matter including, but not limited to, Police Scotland, violence against Women Partnerships, Inverclyde Women's Aid as well as the public in relation to the formation of a licensing policy statement; and (b) report back to the Board providing a proposed note of application process for approval by the Board, including a draft Sexual Entertainment Policy Statement.

242 Taxi Fares Review 2020/21

242

There was submitted a report by the Interim Head of Legal Services requesting the Board to consider the taxi fare scales and charges following its annual review. Mr McEntagart, Messrs TLT was present representing the objectors and Mr H Glasgow was in attendance.

Mr Keenan advised Members on the background of the report and that public objections had been received following the public notice of the taxi fare scales and charges. The Board heard Mr McEntagart and Mr Glasgow in support of the objection. Following discussion Councillor J McEleny moved to uphold the decision of 26 February 2021 Board. As an amendment Councillor Brooks moved to set aside the decision of 26 February 2021 and to increase the flagfall across all tariffs by 20p. Following a roll call vote, three Members, Provost Brennan, Councillors J McEleny and MacLeod, voted in favour of the motion and six Members, Councillors Ahlfeld, Brooks, Curley, Dorrian, Moran and Quinn, voted in favour of the amendment which was declared carried.

Decided:

- (1) to increase the initial flagfall by 20p across all tariffs; and
- (2) remit to the Interim Head of Legal Services to advertise the proposals determined and report on the outcome once the statutory period for representations has lapsed.

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.

243 Request for Suspension of Taxi Drivers Licence

243

There was submitted a report by the Interim Head of Legal Services requesting the Board to uphold the immediate suspension of a Taxi Drivers Licence and consider whether or not to further suspend the licence, all as detailed in the appendix.

244 Application for Renewal of a Taxi Drivers Licence

244

There was submitted a report by the Interim Head of Legal Services on an application for the renewal of a Taxi Drivers Licence which was refused, all as detailed in the appendix.

THE INVERCLYDE COUNCIL – 10 JUNE 2021

The Inverclyde Council

Thursday 10 June 2021 at 4pm

Present: Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, Dorrian, Jackson, MacLeod, McCabe, McCormick, C McEleny, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson, Quinn, Rebecchi and Robertson.

Chair: Provost Brennan presided.

In attendance: Chief Executive, Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership, Corporate Director Education, Communities & Organisational Development, Interim Service Director Corporate Services & Organisational Recovery, Interim Service Director Environment & Economic Recovery, Interim Head of Legal Services, Interim Head of Public Protection & Recovery, Head of Organisational Development, Policy & Communications, Ms D Sweeney, Ms L Carrick and Ms S MacMaster (Legal Services), ICT Services Manager and Service Manager, Communications, Tourism and Health & Safety.

The meeting was held by videoconference.

Reverend Alan Sorensen opened the proceedings with a prayer.

245 Apologies and Declarations of Interest 245

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

No declarations of interest were intimated.

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

246 The Inverclyde Council – 22 April 2021 246

Approved on the motion of Provost Brennan.

247 Audit Committee – 27 April 2021 247

Approved on the motion of Councillor Rebecchi.

248 Planning Board (Special) – 28 April 2021 at 10am 248

Approved on the motion of Councillor Nelson.

249 Planning Board (Special) – 28 April 2021 at 2.30pm 249

Approved on the motion of Councillor Nelson.

250 Health & Social Care Committee – 29 April 2021 250

Approved on the motion of Councillor Moran.

THE INVERCLYDE COUNCIL – 10 JUNE 2021

251	Environment & Regeneration Committee – 4 May 2021	251
	Approved on the motion of Councillor McCormick.	
252	The Inverclyde Council (Special) – 4 May 2021	252
	Approved on the motion of Provost Brennan.	
253	Planning Board – 5 May 2021	253
	Approved on the motion of Councillor Nelson.	
254	Local Review Body – 5 May 2021	254
	Approved on the motion of Councillor Nelson.	
255	Education & Communities Committee – 11 May 2021	255
	Approved on the motion of Councillor Clocherty.	
256	General Purposes Board – 12 May 2021	256
	Approved on the motion of Councillor Dorrian.	
257	Policy & Resources Committee – 25 May 2021	257
	Approved on the motion of Councillor McCabe.	
258	Local Police & Fire Scrutiny Committee – 27 May 2021	258
	Approved on the motion of Councillor McVey	
259	Planning Board – 2 June 2021	259
	Approved on the motion of Councillor Nelson.	
260	Local Review Body – 2 June 2021	260
	Approved on the motion of Councillor Nelson.	
261	COVID–19 Update	261

There was submitted a report by the Interim Service Director, Environment & Economic Recovery providing an update on actions taken to mitigate the risks around the COVID-19 outbreak.

During the course of discussion on this item the Interim Service Director, Environment & Economic Recovery provided an update on local vaccination figures advising that as of 9 June 2021, 79% of the Inverclyde adult population had received a first dose and 51% had received a second dose.

Decided:

THE INVERCLYDE COUNCIL – 10 JUNE 2021

- (1) that the actions taken to date to mitigate the effects of the COVID-19 outbreak in Inverclyde be noted; and
- (2) that the Local Government Overview 2021 report published by Audit Scotland on 27 May 2021, which advises of Local Government responses to the COVID-19 pandemic and specifically references Inverclyde Council's early financial planning, be noted.

262 Organisational Recovery Plan 262

There was submitted a report by the Interim Service Director, Corporate Services & Organisational Recovery (1) seeking approval for the Organisational Recovery Plan 2021-22 and (2) appending the Partnership Recovery Plan 2021-22 which will be presented to the Inverclyde Alliance Board on 14 June 2021 for noting.

Decided:

- (1) that the Organisational Recovery Plan for 2021-22 as detailed in Appendix 1 to the report be approved and;
- (2) that the Partnership Recovery Plan 2021-22 as detailed in Appendix 2 to the report be noted.

263 Financial Strategy 2021/31 - Update 263

There was submitted a report by the Interim Service Director, Corporate Services & Organisational Recovery providing the updated Financial Strategy 2021/22-2030/31 (June 2021) for review and approval, a copy of which was appended to the report.

Decided:

- (1) that the latest revision of the Financial Strategy be approved;
- (2) that officers will review all funding models for potential savings as part of the 2022/23 Revenue Budget; and
- (3) that it be noted the impact the one-off use of £4.0million of Reserves in 2022/23 will have on the estimated funding gap in 2023/24.

264 Administrative Arrangements: Cycle of Council, Committee, Sub-Committee and Board Meetings to June 2022 264

There was submitted a report by the Interim Head of Legal Services seeking approval of a schedule of Committee Cycles for the period to June 2022.

Decided:

- (1) that approval be given to the proposed cycle of Council, Committee and Board meetings for the year to June 2022, as detailed in the Appendix to the report; and
- (2) it be approved that no changes are made to the current joint Education & Communities Committee meeting arrangement and that the matter be considered by the next Council Administration as part of any review of meeting arrangements.

265 Proposals for the Future Delivery of Council/Committee Meetings 265

There was submitted a report by the Interim Service Director, Corporate Services & Organisational Recovery seeking approval for proposals regarding the delivery of Council, Committee and Board meetings during the period whilst social distancing is in place and thereafter.

Decided:

- (1) that the continuation of fully remote/recorded meetings while social distancing is a requirement be approved;

THE INVERCLYDE COUNCIL – 10 JUNE 2021

- (2) that it be approved that Elected Members may attend meetings in person or remotely once social distancing is no longer required;
- (3) that it be approved that officers will develop proposals to move to live-streaming of Council/Committee meetings and report back any financial and operational implications to the September Inverclyde Council meeting; and
- (4) the cessation of emergency governance procedures for Committees from the end of June 2021 be approved.

266 Health and Social Care Integration – Appointment of Vice-Chair to Integration Joint Board 266

There was submitted a report by the Interim Head of Legal Services requesting The Inverclyde Council confirm the nomination of Members to, and appoint the Vice-Chair of, the Inverclyde Integration Joint Board.

Decided:

- (1) that the re-appointment of the following members for a further term of office of two years or until the date of the next ordinary Elections for Local Government Councillors in Scotland, whichever is shorter, be confirmed, it being noted that Councillor MacLeod is newly appointed as proxy for Councillor Robertson:
Councillor Clocherty with Councillor Moran as proxy;
Councillor Rebecchi with Councillor Dorrian as proxy;
Councillor Quinn with Councillor Ahlfeld as proxy;
Councillor Robertson with Councillor MacLeod as proxy; and
- (2) that Councillor Clocherty be appointed as Vice-Chair.

267 Review of The Inverclyde Council (Prohibition of Alcohol In Designated Public Places) Byelaws 2010 267

There was submitted a report by the Interim Head of Legal Services (1) providing an update on the outcome of the first stage of the consultation process undertaken by the former Head of Legal & Property Services in connection with the review of the current Byelaws for Inverclyde Council prohibiting the consumption of alcohol in designated public places, and (2) to recommend amendments to the Byelaws to the Inverclyde Council.

Decided:

- (1) that the outcome of the first stage of the consultation process in connection with the Byelaws be noted; and
- (2) that the extension of the boundaries of the Byelaws to include the areas highlighted in blue, as detailed in Appendix 2 to the report, be approved and the Interim Head of Legal Services be authorised to:
- (i) arrange for the existing Byelaws to be amended, as detailed in paragraph 5.2 of the report;
 - (ii) send a copy of the proposed amended Byelaws to the Scottish Government for comment;
 - (iii) conduct a further public consultation on the proposed amended Byelaws by advertising the intention to apply to the Scottish Ministers for confirmation of the Byelaws; and
 - (iv) revert to the Council with a report on the outcome of the further public consultation for approval prior to applying to the Scottish Ministers for confirmation.

Councillor Brooks left the meeting at this juncture.

THE INVERCLYDE COUNCIL – 10 JUNE 2021

268 Local Government Pay Claim – Notice of Motion by Councillor Jackson

268

There was submitted a report by the Interim Head of Legal Services advising of the receipt of a Notice of Motion by Councillor Jackson, countersigned by Councillor Clocherty, submitted in accordance with Standing Order 22 in the following terms, as amended at the meeting:

Council endorses the views expressed by CoSLA in relation to the SJC pay claim and notes:

- (1) the extraordinary lengths Local Government staff have gone to in order to maintain services and support individuals and communities over the course of the pandemic and expresses our appreciation of their continuing efforts;
- (2) the erosion of pay levels within local government;
- (3) to urge the Cabinet Secretary for Finance and the Economy to meet with CoSLA Leaders to discuss sustainable changes to the context of Public Sector Pay decision-making in relation to Local Government;
- (4) that based on the current Local Government settlement, Councils across Scotland have indicated that an enhanced pay offer is unaffordable and would lead to cuts in services and jobs;
- (5) the concerns raised by the SJC Local Government Trade Unions, their rejection of the current pay offer and the urgency of a meeting with Scottish Government to discuss the funding of an enhanced offer.

Council therefore resolves to write to the Scottish Government:

- (1) to urge the Cabinet Secretary for Finance and the Economy to meet with CoSLA Leaders to discuss sustainable changes to the context of Public Sector Pay decision-making in relation to Local Government;
- (2) to support CoSLA's request for additional baselined funding to match the 4% offer to health staff, and non-recurring funding to make a £500 recognition payment to Local Government staff who have not received such a payment.

Decided: that the notice of motion by Councillor Jackson, as amended at the meeting and set out above, be agreed.

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 (Business in the Appendix) 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 detailed in the relevant minute.

Appendices to Minutes

269 Environment & Regeneration Committee – 4 May 2021

269

Approved on the motion of Councillor McCormick.

270 General Purposes Board – 12 May 2021

270

Approved on the motion of Councillor Dorrian.

APPOINTMENT PANEL – CHIEF EXECUTIVE – 11 JUNE 2021

Appointment Panel – Chief Executive

Friday 11 June 2021 at 10.30am

Present: Councillors Brooks, Clocherty, Curley, McCabe, Quinn, and Robertson.

Chair: Councillor McCabe presided.

In attendance: Chief Executive and Head of Organisational Development, Policy & Communications (Advisers to the Panel).

The meeting was held at the Beacon Arts Centre, Greenock with the Chief Executive joining by video-conference.

271 Apologies and Declarations of Interest 271

No apologies for absence or declarations of interest were intimated.

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

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.

272 Shortlisting and Arrangements for Interview of Applicants – Post of Chief Executive 272

Following the assessment centre event, the Panel interviewed three candidates, it being noted that one candidate had withdrawn their application.

Decided: that two candidates be shortlisted for final interview by the Inverclyde Council Appointment Panel, all as detailed in the Appendix.

THE INVERCLYDE COUNCIL – 16 JUNE 2021

The Inverclyde Council

Wednesday 16 June 2021 at 1.00pm

Present: Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, Dorrian, MacLeod, McCabe, C McEleny, J McEleny, McKenzie, McVey, Moran, Nelson, Quinn, Rebecchi, Robertson and Wilson.

Chair: Provost Brennan presided.

In Attendance: Chief Executive, Interim Head of Legal Services and Head of Organisational Development, Policy & Communication.

The meeting was held at the Beacon Arts Centre, Greenock and with Councillors C McEleny and MacLeod joining by video-conference.

273 Apologies and Declarations of Interest

273

Apologies for absence were intimated on behalf of Councillors Jackson, McCormick and Murphy.

No declarations of interest were intimated.

On the motion of Provost Brennan, it was unanimously agreed that Standing Orders be suspended to permit the meeting of the Council to proceed on a day and at a time other than Thursday at 4.00pm.

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.

274 Appointment of Chief Executive

274

The meeting adjourned at 1.10pm to allow a meeting of the Appointment Panel to take place and reconvened at 4.15pm.

Decided: following consideration of the recommendation of the Appointment Panel, the Council agreed unanimously to appoint Ms Louise Long to the post of Chief Executive.

275 Mr Aubrey Fawcett

275

At the conclusion of business the Provost referred to the forthcoming retirement of Mr Aubrey Fawcett, Chief Executive. He paid tribute to Mr Fawcett's long period of public service and on behalf of the Council wished him a long and happy retirement.

APPOINTMENT PANEL – CHIEF EXECUTIVE – 16 JUNE 2021

Appointment Panel – Chief Executive

Wednesday 16 June 2021 at 1.15pm

Present: Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, Dorrian, MacLeod, McCabe, C McEleny, J McEleny, McKenzie, McVey, Moran, Nelson, Quinn, Rebecchi, Robertson and Wilson.

Chair: Councillor McCabe presided.

In attendance: Chief Executive, Interim Head of Legal Services, Head of Organisational Development, Policy & Communications (Advisers to the Panel).

The meeting was held at the Beacon Arts Centre, Greenock with Councillors C McEleny and MacLeod joining by video-conference.

276 Apologies and Declarations of Interest

276

Apologies for absence were intimated on behalf of Councillors Jackson, McCormick and Murphy.

No declarations of interest were intimated.

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

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.

277 Interview of Applicants – Post of Chief Executive

277

The Panel interviewed two candidates for the post of Chief Executive and, following voting procedures, decided to recommend to The Inverclyde Council that Ms Louise Long be appointed to the post of Chief Executive, all as detailed in the appendix.

Decided: that it be recommended to The Inverclyde Council that Ms Louise Long be appointed to the post of Chief Executive.

ENVIRONMENT & REGENERATION COMMITTEE – 23 JUNE 2021

Environment & Regeneration Committee

Wednesday 23 June 2021 at 3pm

Present: Provost Brennan (for Councillor Jackson), Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, McCabe, McCormick, C McEleny, McKenzie and Nelson.

Chair: Councillor McCormick presided.

In attendance: Interim Service Director Environment & Economic Recovery, Mr P MacDonald (for Interim Head of Legal Services), Mr C MacDonald and Ms D Sweeney (Legal Services), Interim Head of Property Services, Mr M Thomson (for Interim Service Director Corporate Services & Organisational Recovery), Head of Roads and Environmental Shared Services, Mr G Leitch and Mr S Walker (Roads and Transportation), ICT Services Manager and Service Manager Communications, Tourism and Health & Safety.

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

278 Apologies, Substitutions and Declarations of Interest 278

Apologies for absence were intimated on behalf of Councillor Jackson with Provost Brennan substituting.

Councillors Brooks, Crowther and Curley declared an interest in Agenda Item 6 (Property Assets Management Report).

279 Inverclyde Economic Regeneration Strategy 2021-2025 279

There was submitted a report by the Interim Service Director Environment & Economic Recovery to present the proposed Inverclyde Economic Regeneration Strategy 2021-2025 and associated draft Action Plan 2021-2023 for approval.

Decided:

- (1) that approval be given to the Inverclyde Regeneration Strategy 2021-2025 and Action Plan 2021-2023 appended to the report;
- (2) that authorisation be given to the Interim Service Director Environment & Economic Recovery to seek endorsement of the strategy by the Ri/RiPH Board; and
- (3) that it be remitted to the Interim Service Director Environment & Economic Recovery to submit a report to the Committee reviewing the Inverclyde Economic Regeneration Strategy 2021-2025 within 12 months.

280 Property Assets Management Report 280

There was submitted a report by the Interim Service Director, Corporate Services & Organisational Recovery (1) advising the Committee of various activities relating to the management of the Council's property assets and (2) making recommendations in this regard.

Decided:

- (1) that the outcome of the common good consultation at Caddlehill Street,

ENVIRONMENT & REGENERATION COMMITTEE – 23 JUNE 2021

Greenock be noted;

(2) that Permallet's termination of interest in the Caddlehill Street, Greenock site and intention to focus on the Papermill Road, Greenock site be noted;

(3) that the outcome of the open space consultation at Papermill Road, Greenock be noted;

(4) that consideration of the proposed lease of land at Papermill Road be continued and that it be remitted to officers to bring a report to a future meeting of the Committee (a) in relation to various concerns raised by members, including (i) parking; (ii) site access; (iii) access to Whinhill Primary; and (iv) bio-diversity implications, and (b) exploring alternative location possibilities;

(5) that the Interim Service Director Corporate Services and Organisational Recovery be granted delegated authority to (a) market the site of the former Crescent Street Depot, Greenock as detailed in Appendix 3 of the report, on the basis of a lease and an outright sale; and (b) thereafter to set a closing date when the level of interest in the site justifies it;

(6) that it be noted that a further report concerning the lease or outright sale of the Crescent Street Depot, Greenock will be brought back to the Committee with a recommendation to accept whichever offer is deemed to provide the greatest economic benefit to the Council; and

(7) that the Interim Service Director Corporate Services & Organisational Recovery be granted delegated authority to (a) declare the former scout hall and adjacent garages at Mearns Street/Armadale Place, Greenock, as detailed in Appendix 4 to the report, as surplus to requirements; and (b) thereafter to demolish the buildings prior to placing the site on the market for sale.

281 Roads & Transportation – Performance Update

281

There was submitted a report by the Interim Service Director Environment & Economic Recovery (1) advising the Committee of Inverclyde Council's Roads and Transportation Service's performance indicators detailed within the 2019-20 Local Government Benchmarking Framework; and (2) highlighting the participation and successes of the Roads and Transportation Service with regards to the Association for Public Service Excellence (APSE) Performance Networks for the categories of Roads, Highways and Winter Maintenance and Street Lighting.

Decided:

(1) that the Local Government Benchmarking Framework performance indicators and placing be noted; and

(2) that the Council's participation and successes with regards to the Association for Public Service Excellence (APSE) Performance Networks and associated nominations in this year's awards be 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 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)
Residual Waste Tender Outcome	6, 8, 9 & 10

ENVIRONMENT & REGENERATION COMMITTEE – 23 JUNE 2021

Property Assets Management Report**2, 6 & 9****282 Residual Waste Tender Outcome****282**

There was submitted a report by the Head of Shared Services advising the Committee of the outcome of the residual waste tender and to seek approval to award this contract. Following consideration, the Committee agreed to the actions recommended, all as detailed in the appendix.

283 Property Assets Management Report**283**

There was submitted a report by the Interim Service Director, Corporate Services & Organisational Recovery making recommendations in respect of a number of property related matters.

Councillors Brooks and Curley declared a non-financial interest in this item as Members of the Board of River Clyde Homes. Cllr Crowther declared a non-financial interest in this item having previously provided support to the Greenock South-West Community Council and Upper Bow Farm Community activists. They also formed the view that the nature of their interests and of the item of business did not preclude their continued presence at the meeting or their participation in the decision-making process.

Following consideration, the Committee agreed to take action in respect of (1) property at Lyle Road, Greenock, (2) property at Paton Street, Greenock, (3) property at Kirn Drive, Gourrock, (4) land at Sinclair Street/Arrol Gardens, Greenock, and (5) Council housing stock, all as detailed in the appendix.

POLICY & RESOURCES COMMITTEE – 24 JUNE 2021

Policy & Resources Committee

Thursday 24 June 2021 at 3pm

Present: Councillors Clocherty, Crowther, Curley, McCabe, McCormick, McKenzie (for Ahlfeld), McVey, Moran, Rebecchi, Robertson and Wilson.

Chair: Councillor McCabe presided.

In attendance: Chief Executive, Interim Service Director Corporate Services & Organisational Recovery, Interim Service Director Environment & Economic Recovery, Corporate Director (Chief Officer) Health and Social Care Partnership, Interim Head of Legal Services, Mr C MacDonald and Ms L Carrick (Legal Services), Ms T Bunton (Financial Services), ICT Service Manager, and Services Manager Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

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

284 Apologies, Substitutions and Declarations of Interest 284

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

Councillors Curley, McVey and Rebecchi declared an interest in Agenda Item 2 (Council Tax Appeals – Decision of the Valuation Appeals Committee).

285 Council Tax Appeals – Decision of the Valuation Appeals Committee 285

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery providing an update on the outcome of two appeals considered by the Valuation Appeals Committee (VAC) in respect of properties owned by a landlord within the Clune Park Estate.

Councillors Curley, McVey and Rebecchi declared a non-financial interest as private landlords. They also formed the view that the nature of their interest and of the item of business did not preclude their continued presence at the meeting or their participation in the decision making 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 during consideration of Appendix 1 to this report on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 and 12 of Part I of Schedule 7(A) of the Act.

Following consideration of the appendix, the Committee returned to public session.

Decided:

(1) (a) that the outcome of the two appeals to the VAC in respect of certain properties in the Clune Park Estate be noted; and (b) that approval be given to the

POLICY & RESOURCES COMMITTEE – 24 JUNE 2021

recommendation of officers not to appeal to the Inner House of the Court of Session in respect of the decision of the VAC regarding the Council Tax Long Term Empty (LTE) Levy;

(2) that approval having been given to officers not to appeal, it is noted that officers will proceed with the following: (a) the LTE levy for the properties within the Clune Park Estate owned by the successful appellant would be cancelled and the Council Tax bills for the relevant years/properties reissued; (b) any LTE levy billed in respect of properties not held by the Council within the Clune Park Estate should be cancelled and Council Tax bills for the relevant years reissued; and (c) where the Council currently owns a property within Clune Park then officers should review the application of any LTE levy recovered from former owners when the Council acquired properties and report back to the Committee with recommendations for consideration;

(3) that the timescales for the reporting and review of the current Council Tax LTE Policy be noted; and

(4) that it be noted that an update report on the future strategy for Clune Park will be presented to the August meeting of the Environment & Regeneration Committee.

AUDIT COMMITTEE – 8 JULY 2021

Audit Committee

Thursday 8 July 2021 at 3pm

Present: Provost Brennan, Councillors Brooks, MacLeod for Curley, McCabe, McCormick, J McEleny, McVey, Quinn and Rebecchi.

Chair: Councillor Rebecchi presided.

In attendance: Interim Service Director Corporate Services & Organisational Recovery, Finance Manager (Environment & Technical), Chief Internal Auditor, Ms V Pollock (for Interim Head of Legal Services), Ms D Sweeney, Mr C MacDonald and Ms S MacMaster (Legal Services) and ICT Services Manager.

In attendance also: Mr M Laird and Mr D Jamieson, Audit Scotland.

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

286 Apologies, Substitutions and Declarations of Interest 286

An apology for absence was intimated on behalf of Councillor Curley with Councillor MacLeod substituting, and Councillors Nelson and Murphy.

No declarations of interest were intimated.

287 Unaudited Annual Accounts for the Year Ended 31 March 2021 287

There was submitted a report by the Chief Financial Officer requesting the Committee to review the unaudited Annual Accounts for the year ended 31 March 2021 and approve their submission to Audit Scotland. The Committee heard a short presentation on the position in respect of the unaudited Annual Accounts by Matt Thomson (Finance Manager).

At the start of this item, the Convener paused the meeting to ensure the participation of all Members. Business recommenced at 3.10pm.

Decided:

- (1) that the Committee having reviewed the unaudited Annual Accounts approve their onward transmission to Audit Scotland; and
- (2) that it be noted that the External Auditor's Annual Report to Members for the Financial Year ended 31 March 2021 will be reported to the Council before 31 October 2021.

288 Audit Scotland Management Report - 2020/21 288

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery presenting a Management Report issued by Audit Scotland following a review of the internal controls and financial systems as part of the 2020/21 Annual Audit.

Decided: that the Committee note the content of the Management Report received from Audit Scotland and the matters arising.

GENERAL PURPOSES BOARD – 13 JULY 2021

General Purposes Board

Tuesday 13 July 2021 at 10am

Present: Provost Brennan, Councillors Brooks, Curley, Dorrian, J McEleny and Quinn.

Chair: Councillor Dorrian presided

In attendance: Mr D Keenan (for Interim Head of Legal Services), Ms F Denver and Ms L Carrick (Legal Services) and Sergeant I Robertson (Police Scotland).

The meeting was held by video conference.

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

289 Apologies, Substitutions and Declarations of Interest 289

Apologies for absence were intimated on behalf of Councillors Ahlfeld, MacLeod and C McEleny.

There were no substitutions or 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 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.

290 Request for Suspension of Taxi Driver's Licence 290

There was submitted a report by the Interim Head of Legal Services requesting the Board to uphold the immediate suspension of a Taxi Driver's Licence and consider whether or not further suspend the licence as the Board may determine, to which the Board agreed, all as detailed in the Appendix.

GENERAL PURPOSES BOARD – 4 AUGUST 2021

General Purposes Board

Wednesday 4 August 2021 at 10am

Present: Councillors Ahlfeld, Brooks, Curley, Dorrian, Jackson, J McEleny, Moran and Quinn.

Chair: Councillor Dorrian presided.

In attendance: Mr D Keenan (for Interim Head of Legal Services), Ms L Carrick, Mr C MacDonald (Legal Services) and Inspector D Christie (Police Scotland).

The meeting was held by video conference.

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

291 Apologies, Substitutions and Declarations of Interest 291

Apologies for absence were intimated on behalf of Provost Brennan and Councillors C McEleny and MacLeod.

Councillor McEleny declared an interest in Agenda Item 2 (Request for Suspension of a Taxi Driver's Licence).

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.

292 Request for Suspension of Taxi Driver's Licence 292

There was submitted a report by the Interim Head of Legal Services requesting the Board to uphold the suspension of a Taxi Driver's Licence to which the Board agreed, all as detailed in the appendix.

Councillor McEleny declared a non-financial interest in this item as a former work colleague of the applicant. Councillor McEleny formed the view that the nature of his interest and of the item of business did not preclude his continued presence or his participation in the decision-making process.

PLANNING BOARD – 4 AUGUST 2021

Planning Board

Wednesday 4 August 2021 at 3pm

Present: Councillors Clocherty, Curley (for Crowther), Dorrian, J McEleny, McKenzie, McVey, Moran, Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Interim Service Director Environment & Economic Recovery, Planning & Building Standards Manager, Mr G Leitch and Ms E Provan (Roads and Transportation), Mr J Kerr (for Interim Head of Legal Services), Mr C MacDonald, Ms D Sweeney and Mr P MacDonald (Legal Services) and Service Manager, Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

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

293 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 293

Apologies for absence were intimated on behalf of Councillors Crowther and Murphy, with Councillor Curley substituting for Councillor Crowther.

No declarations of interest were intimated.

294 PLANNING APPLICATIONS 294

(a) Demolition of existing dilapidated two storey dwelling house, erection of new single storey replacement dwelling house and change of site access point: Framlington, Knockbuckle Road, Kilmacolm (21/0107/IC)

There was submitted a report by the Interim Service Director Environment & Economic Recovery on an application for planning permission by Mr & Mrs N Ohly for the demolition of existing dilapidated two storey dwelling house, erection of new single storey replacement dwelling house and change of site access point, Framlington, Knockbuckle Road, Kilmacolm (21/0107/IC).

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

- (1) that prior to their use samples of all facing materials shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the zinc roof finish shall be a dark grey colour to closely match the colour of slates on neighbouring properties. The approved materials shall thereafter be used unless a variation is agreed in writing by the Planning Authority, to ensure the appropriateness of all facing materials;
- (2) that prior to the commencement of development samples or other details of all soft and hard landscaping materials shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless a variation is approved in writing by the Planning Authority, in the interests of the amenity of the area;
- (3) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). This shall include details of how flows are to be managed to avoid flooding of adjacent

PLANNING BOARD – 4 AUGUST 2021

ground and shall be limited to that of greenfield run-off, and the containment of surface waters within the application site, to control runoff from the site and to reduce the risk of flooding;

(4) that the dwelling shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 20% by the end of 2022), details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the dwelling, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(5) that the dwelling hereby permitted shall be provided with an electric vehicle charging point prior to its occupation, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy;

(6) 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 appropriate control measures are implemented to help arrest the spread of Japanese Knotweed in the interests of environmental protection. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation;

(7) that the driveway shall be finished with a sealed surface over the first 2 metres as measured from the edge of the carriageway, to prevent deleterious materials being carried onto the carriageway;

(8) that the driveway gradient shall not exceed 10%, to ensure the usability of the driveway;

(9) that a visibility splay of 2.4 metres by 20 metres by 1.05 metres high shall be provided at the access point at all times, in the interests of traffic safety;

(10) that for the avoidance of doubt the hedge along the eastern boundary of the site shall be protected and retained at all times during and after construction, in the interests of visual amenity; and

(11) that the recommendations in the Preliminary Roost Assessment & Bat Activity Survey by Wild Surveys, dated 8th June 2021 shall be implemented in full, in the interests of ecology and to comply with the Nature Conservation (Scotland) Act 2004.

**(b) Proposed balcony to rear of detached dwellinghouse:
Langdale, Bridge of Weir Road, Kilmacolm (21/0126/IC)**

There was submitted a report by the Interim Service Director Environment & Economic Recovery on an application for planning permission by Mr G Pia for a proposed balcony to rear of detached dwellinghouse at Langdale, Bridge of Weir Road, Kilmacolm (21/0126/IC).

After discussion Councillor McVey moved that planning permission be granted subject to the condition (1) that all steel elements of the balcony hereby permitted shall be given a white finish, to ensure a finish compatible with the appearance of the rear elevation of the dwelling house.

As an amendment, Councillor Rebecchi moved that consideration of the application be continued for a site visit to be arranged by the Interim Head of Legal Services in consultation with the Chair.

Following a roll call vote, 4 Members, Councillors Curley, J McEleny, Rebecchi and Wilson, voted in favour of the amendment and 6 Members, Clocherty, Dorrian, McKenzie, McVey, Moran and Nelson voted in favour of the motion which was declared carried.

PLANNING BOARD – 4 AUGUST 2021

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

(1) that all steel elements of the balcony hereby permitted shall be given a white finish, to ensure a finish compatible with the appearance of the rear elevation of the dwellinghouse is provided.

295 CALL-IN NOTIFICATION 295

Land West of Quarry Drive, Kilmacolm

There was submitted a report by the Interim Service Director Environment & Economic Recovery advising that, following the Council's decision of 4 May 2021 that notification be submitted to Scottish Ministers indicating the Council's intention to grant planning permission, subject to conditions, for the proposed residential development to include access, roads, open space, landscaping, drainage and other associated works (planning permission in principle) (major) at land west of Quarry Drive, Kilmacolm (20/0245/IC), (1) notification has been received from Scottish Ministers that they have directed the application be referred to them for determination; (2) Scottish Ministers consider the case raises issues of national significance with regard to the interpretation and application of Scottish Planning Policy; and (3) following further scrutiny from Scottish Ministers their decision on the application will be final.

Decided: that the position be noted.

296 PLANNING APPEAL 296

Carsemeadow, Quarriers Village

There was submitted a report by the Interim Service Director Environment & Economic Recovery advising that, following the decision of the Board at the meeting held on 15 January 2019 to refuse planning permission for a residential development, access, infrastructure, landscape/open space, and associated works at Carsemeadow, Quarriers Village (18/0190/IC), the subsequent dismissal of the applicant's appeal by Scottish Ministers and the Court of Session's ruling that the appeal decision be remitted back to Scottish Ministers for further consideration, after further consideration Scottish Ministers have again dismissed the appeal.

Decided: that the position be noted.

297 PLANNING APPEAL 297

Land adjacent to 24 Rosemount Place, Gourock

There was submitted a report by the Interim Service Director Environment & Economic Recovery advising that, following the decision of the Board at the meeting held on 5 May 2021 to refuse planning permission for the erection of six detached dwellinghouses/house plots (planning permission in principle) at land adjacent to 24 Rosemount Place, Gourock (1) notification has been received that an appeal against the refusal has been lodged with the Scottish Government; and (2) the appellant is seeking expenses on the grounds that the Council has not determined the application on legitimate planning grounds.

Decided: that the position be noted.

POLICY & RESOURCES COMMITTEE – 10 AUGUST 2021

Policy & Resources Committee

Tuesday 10 August 2021 at 3pm

Present: Councillors Ahlfeld, Clocherty, Crowther, Curley, McCabe, McCormick, McVey, Moran, Rebecchi, Robertson and Wilson.

Chair: Councillor McCabe presided.

In attendance: Interim Service Director Corporate Services & Organisational Recovery, Interim Service Director Environment & Economic Recovery, Corporate Director Education, Communities & Organisational Development, Corporate Director (Chief Officer) Health and Social Care Partnership, Head of Organisational Development, Policy & Communications, Interim Head of Legal Services, Mr C MacDonald, Ms D Sweeney and Ms L Carrick (Legal Services), Ms R Dillon (for Interim Head of Service Public Protection and Covid Recovery), Ms A Rainey (Organisational Development, Policy & Communications), Ms A Edmiston (Financial Services), ICT Service Manager, and Service Manager Communications, Tourism and Health & Safety.

The meeting was held at the Municipal Buildings, Greenock with Councillors Ahlfeld and Rebecchi attending by video-conference.

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

298 Apologies, Substitutions and Declarations of Interest 298

No apologies for absence were intimated.

Councillors Curley and McVey declared an interest in Agenda Item 8 (Report on Opinion of Counsel Regarding Previous Settlements Reached with Former Clune Park Owners).

299 COVID-19 Update 299

There was submitted a report by the Interim Service Director Environment & Economic Recovery (1) providing an update on actions taken to mitigate the risks around the COVID-19 outbreak; and (2) reporting on items requiring Committee approval or scrutiny under the expedited procedures.

Decided:

- (1) that the actions taken to date to mitigate the effects of the COVID-19 outbreak in Inverclyde be noted;
- (2) that approval be given for the use of £15,000 from the Covid Recovery Fund to finance flu vaccinations for staff not otherwise covered by the NHS programme;
- (3) (a) that the successful outcome of the bid to the Royal Scottish Pipe Band Association be noted and (b) that approval be given to the proposals for the events detailed in the report as part of the approved recovery funds for 'Meliora' events; and
- (4) that it be agreed to return to high priority categorisation criteria for Scottish Welfare Fund Community Care Grants.

300 Revenue Budget Out Turn 2020/21 - Unaudited 300

POLICY & RESOURCES COMMITTEE – 10 AUGUST 2021

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery (1) on the unaudited out turn of Service Committee Budgets for the year ending 31 March 2021 and (2) highlight any significant variances between revised budgets, period 11 reports and out turn as set out in the 2020/21 Unaudited Accounts.

Decided:

- (1) that the underspend as set out in the unaudited accounts for 2020/21 of £2,370,000, the reasons for the material variances from budget and the movement 1.29% from period 11 to final out turn be noted;
- (2) that it be noted that due to one off Covid funding and the non-provision of some services it is not possible to draw too many comparisons between 2020/21 and previous years; and
- (3) that it be noted that officers will identify any opportunities for adjustments to be included in the 2022/23 Budget.

301 2020/21 Capital Programme Out Turn & Impact of Material Shortages on Delivery & Cost of the 2021/24 Capital Programme 301

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery advising of (1) the performance in delivering the 2020/21 Capital Programme; and (2) the issues relating to the availability and supply of materials which will potentially impact upon the 2021/24 Capital Programme.

Decided:

- (1) that the 2020/21 Capital Out Turn Position be noted;
- (2) that the pressure being experienced in relation to the availability and cost of materials and the impact this is likely to have on the delivery and cost of the 2021/24 Capital Programme be noted;
- (3) that it be agreed to allocate up to £100,000 currently set aside for the impact of Brexit in the inflation contingency to prudentially borrow up to £1.6 million to meet potential increases in capital project costs in 2021/22 and 2022/23; and
- (4) that authority be delegated to the Interim Service Director Corporate Services & Organisational Recovery to make decisions regarding the allocation of this Capital Contingency, the use of which will be reported to the Policy & Resources Committee.

302 Treasury Management - Annual Report 2020/21 302

There was submitted a report by the Interim Service Director Corporates Services & Organisational Recovery on the operation of the treasury function and its activities for 2020/21 as required under the terms of Treasury Management Practice 6 ('TMP 6') on 'Reporting Requirements and Management Information Arrangements'.

Decided:

- (1) that the contents of the annual report on Treasury Management for 2020/21 and the ongoing work to seek to ensure the delivery of financial benefits for the Council during the current uncertainty and beyond be noted; and
- (2) that it be noted that the Annual Report will be remitted to the Full Council for approval.

303 Proposed Budget Strategy 2022/23 303

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery seeking approval for the proposed Budget Strategy for 2022/23.

Decided:

- (1) that approval be given to the next budget consisting of a single revenue year, i.e

POLICY & RESOURCES COMMITTEE – 10 AUGUST 2021

2022/23;

(2) that approval be given to the Capital Programme being rolled forward for a further year to cover 2022/25;

(3) that approval be given to the Chief Financial Officer to engage with the Chief Financial Officer and Chief Officer of the Inverclyde Integrated Joint Board in order to develop proposals for the approach in agreeing the Council's contribution to the Inverclyde Integration Joint Board in 2022/23;

(4) that approval be given for the development of a savings exercise based on the latest financial projections;

(5) that the need to generate free reserves for use as part of the budgets post 2022/23 is recognised; and

(6) that approval be given to a report being brought back to the Committee from the Corporate Director Education, Communities & Organisational Development on proposals for a public consultation in relation to the budget which includes the process for progressing Equality Impact Assessments, Fairer Scotland Assessments and meeting the requirements of the UNCRC legislation.

304 Consultation – Retail Shops Opening on New Year's Day

304

There was submitted a report by the Head of Organisational Development, Policy & Communications (1) advising of a Scottish Government consultation which seeks the views of shop workers, retail businesses and others on whether the current law should change so that large retail businesses must close on New Year's Day and (2) seeking a view on the option of Inverclyde Council submitting a response to the consultation.

Following discussions, Councillor McCabe moved that (1) it be agreed to submit a response to the Scottish Government consultation on New Year's Day trading for large retailers by 24 August 2021 (a) outlining the Council's position that the current laws should be changed so that large retailers are required to close on New Year's Day; and (b) that further comments should be submitted to the consultation endorsing USDAW's position that large retailers should be required to close on New Year's Day.

As an amendment, Councillor Wilson moved that (1) it be agreed to submit a response to the Scottish Government consultation on New Year's Day trading for large retailers by 24 August 2021 (a) outlining the Council's position that the current laws should not be changed so that large retailers may continue to open on New Year's Day; and (b) that no further comment be submitted to the consultation.

Following a roll-call vote 1 Member, Councillor Wilson, voted for the amendment and 10 members, Councillors Ahlfeld, Clocherty, Crowther, Curley, McCabe, McCormick, McVey, Moran, Rebecchi and Robertson voted for the motion which was declared carried.

Decided:

(1) that it be agreed to submit a response to the Scottish Government consultation on New Year's Day trading for large retailers by 24 August 2021 (a) outlining the Council's position that the current laws should be changed so that large retailers are required to close on New Year's Day; and (b) that further comments should be submitted to the consultation endorsing USDAW's position that large retailers should be required to close on New Year's Day.

305 Report on Opinion of Counsel Regarding Previous Settlements Reached with Former Clune Park Owners

305

There was submitted a report by the Head of Legal Services providing an update on (1) the legal advice regarding any potential claim by any former owner of property in the Clune Park Estate who has sold their property to the Council and in respect of whom

POLICY & RESOURCES COMMITTEE – 10 AUGUST 2021

sums were deducted from the purchase price in respect of Long Term Empty (LTE) levy; and (2) the estimated financial implications of the Valuation Appeals Committee decision.

Councillor Curley declared a non-financial interest in this item as a Board Member of River Clyde Homes and Councillor McVey declared a non-financial interest in this item as a private landlord. Both Members formed the view that the nature of their interest and of the item of business did not preclude their continued presence at the meeting or their participation in the decision making 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 during consideration of Appendix 1 to this report on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 and 12 of Part I of Schedule 7(A) of the Act.

Following consideration of this item the Committee returned to public session.

Decided:

- (1) that the contents of the report and private appendix be noted;
- (2) that it be noted there is no legal obligation to make settlement payments in terms of LTE debts recovered from former Clune Park owners who have previously reached settlement agreements with the Council to sell their properties;
- (3) that it be agreed to cancel LTE debts for former owners within the Clune Park estate from whom no LTE recovery was made as part of the missives of sale;
- (4) that the increased financial impact arising from the QC opinion of the period to be covered and discounts to be applied to Council Tax bills in respect of long term empty properties within Clune Park be noted; and
- (5) that it be noted the estimated reduction in Council Tax income for the period 2012-2021 will be reflected in the 2020/21 Annual Accounts and will result in a reduction in the General Fund Free Reserves.
- (6) that it be remitted to officers to submit a further report on potential options and implications of making ex-gratia payments.

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 1 of Part I of Schedule 7(A) of the Act.

306

Voluntary Severance Scheme Releases

There was submitted a report by the Head of Organisational Development, Policy & Communications providing an update on the position of releases that have been agreed under the Council's Voluntary Severance Scheme since the previous report to committee on 11 August 2020.

Decided:

- (1) that the agreement to release 25 employees under the Council's Voluntary Severance Scheme as detailed in Appendix 1 and 2 to the report be noted; and
- (2) that it be noted that future reports will be submitted to update Members on the release of employees by the Chief Executive under delegated authority on an annual basis.

306

HEALTH & SOCIAL CARE COMMITTEE – 19 AUGUST 2021

the aim of reducing the overspend by year-end;

- (3) that the current projected capital position be noted; and
- (4) that the current earmarked reserves position be noted.

309 Child Protection Committee Annual Report 2018-2020**309**

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership (1) advising the Committee of the publication of Inverclyde Child Protection Committee's Annual Report 2018-2020 and noting that the two year span was due to a vacancy in the Child Protection Lead Officer role during 2019, and (2) considering the report's findings in relation to Inverclyde Child Protection Committee's duty to provide an annual update of child protection business.

During consideration of this item, the Convener paused the meeting for a five minute recess at 3.20pm to resolve the connectivity issues experienced by Councillor Crowther. The meeting reconvened at 3.25pm without Councillor Crowther, who subsequently rejoined the meeting during discussion of the next item.

Decided: that the content of the report be noted.

310 The Promise**310**

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership (1) advising of the funding application made to The Promise Partnership and the outcome of this to progress the cultural and system changes linked to #KeepThePromise, and (2) outlining the proposed plan developed for the local delivery and progression of The Promise, which will be referred to locally as I-Promise (Inverclyde Promise).

Councillor Crowther rejoined the meeting during discussion of this item, having had connectivity issues during the previous item.

Decided:

- (1) that the content of the report and the successful application by HSCP in partnership with CVS Inverclyde and Inverclyde Alcohol Drug Partnership to both Promise Partnership funding streams be noted;
- (2) that the proposal of forming Inverclyde's I-Promise Team to take the lead in progressing the cultural and organisational shifts aimed at #KeepThePromise be supported, and that Members actively support the work of the I-Promise as it develops; and
- (3) that the Committee's appreciation be conveyed to all staff connected with the successful bid.

311 Dementia Care Co-ordination Programme Update**311**

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on the Inverclyde Dementia Care Co-ordination Programme.

Councillor J McEleny declared a non-financial interest in this item as the spouse of an employee of Alzheimer Scotland. 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 content of the report and achievements of the Programme be noted;

HEALTH & SOCIAL CARE COMMITTEE – 19 AUGUST 2021

(2) that the actions planned until the conclusion of the Programme in March 2022 be noted, all as detailed in the report; and

(3) that the job description and person specification for the Dementia Training Co-ordinator position, which will be subject to the HR job evaluation process to determine the appropriate Grade, be agreed.

312 Learning Disability Redesign – LD Community Hub Update**312**

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on the ongoing development work in the design of the Learning Disability Community Hub at the former Hector McNeil baths site within Inverclyde Council's 2020/23 Capital Programme.

Decided:

(1) that the progress on the development of the new Learning Disability Community Hub within the 2020/23 Capital Programme be noted;

(1) that the progress on the development of the project in respect of the key areas such as flood risk and the legal process connected with the proposed change of use and inalienable common good status of the site be noted; and

(2) that it be noted that service user, carer and staff consultation continues to be a key consideration in the development of the Learning Disability Community Hub.

313 Inverclyde Macmillan Improving the Cancer Journey**313**

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership advising of an initiative for a partnership between Macmillan Cancer Support, the Scottish Government and Inverclyde Health & Social Care Partnership which will deliver key objectives of the Scottish Cancer Plan and other Scottish Government strategies by implementing the Improving the Cancer Journey (ICJ) model to help better meet the needs of people affected by cancer from the point of diagnosis across Inverclyde.

Councillors Brooks and J McEleny declared a non-financial interest in this item as members of the Board of Inverclyde Leisure. 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 agreement to work with Macmillan and the various Inverclyde partners as detailed in the report to implement the Inverclyde Integrated Cancer Journey be noted; and

(2) that an annual update report will be presented detailing progress of the implementation of the ICJ model and the impact on peoples outcomes in Inverclyde.

314 Provision of Care at Home Services**314**

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership seeking approval to change the tender weightings in relation to the forthcoming tender process for a provision of Care at Home Service in Inverclyde.

Decided: that approval be given to the use of a 60% Quality and 40% Cost of Service weighting in the forthcoming tender for the Inverclyde Care at Home Service and that therefore Contract Standing Order 13.2 be suspended.

315 Consultation in Relation to Reforming Adult Social Care Support and the National Care Service 315

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership advising Committee of the Scottish Government's consultation in respect of the National Care Service.

Decided:

- (1) that the content of consultation and the work that will be required to seek views across the authority be noted; and
- (2) that all Inverclyde Council Elected Members be invited to participate in a Members Workshop on 25 August 2021 in order to make a facilitated contribution to the consultation response; and
- (3) that a draft response be submitted to the Scottish Government by the 18 October 2021 submission deadline, and advising that a formal response will be submitted after the next Health & Social Care Committee on 21 October 2021 when the matter will be discussed further.

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 set out opposite each item.

Item	Paragraphs
Reporting by Exception – Governance of HSCP Commissioned External Organisations	6 & 9
Commissioning for the Provision of a Supported Living Services	6, 8 & 9

316 Reporting by Exception – Governance of HSCP Commissioned External Organisations 316

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on matters relating to the HSCP governance processes for externally commissioned social care services.

Councillors Brooks declared a non-financial interest in this item as a member of the Board of River Clyde Homes and Councillor J McEleny declared a non-financial interest in this item as the spouse of an employee of Alzheimer Scotland. Both Members formed the view that the nature of their interests and of the item of business did not preclude their continued presence in the Chamber or their participation in the decision-making process.

Decided:

- (1) that the governance report for the period from 27 March to 16 July 2021 be noted; and
- (2) that Members acknowledge that Officers regard the control mechanisms in place through the governance meetings and Managing Poorly Performing Services Guidance within the Contract Management Framework as sufficiently robust to ensure ongoing quality and safety and the fostering of a commissioning culture of continuous improvement.

317 Commissioning for the Provision of a Supported Living Services**317**

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on the commissioning options for the provision of a Supported Living Service to meet the assessed needs of service users due to learning disability, physical disability, sensory impairment, mental illness, addiction or who are homeless which was agreed, all as detailed in the Appendix.

ENVIRONMENT & REGENERATION COMMITTEE – 26 AUGUST 2021

Environment & Regeneration Committee

Thursday 26 August 2021 at 3pm

Present: Councillors Ahlfeld, Clocherty, Curley, Jackson, MacLeod (for Crowther) McCabe, McCormick, C McEleny, McKenzie, Nelson and Wilson (for Brooks).

Chair: Councillor McCormick presided.

In attendance: Interim Service Director Environment & Economic Recovery, Interim Head of Service, Public Protection & Covid Recovery, Head of Roads & Environmental Shared Services, Interim Head of Property Services, Mr P MacDonald (for Interim Head of Legal Services), Mr C MacDonald and Ms D Sweeney (Legal Services), Mr M Thomson (for Interim Service Director Corporate Services & Organisational Recovery), Ms A Galloway (Property Services), Ms M McCabe (Finance Services), ICT Services Manager and Service Manager Communications, Tourism and Health & Safety.

This meeting was held at the Municipal Buildings, Greenock with Councillors Jackson, MacLeod, McCabe, C McEleny and Nelson attending by video-conference.

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

318 Apologies, Substitutions and Declarations of Interest 318

Apologies for absence were intimated on behalf of Councillor Brooks, with Councillor Wilson substituting, and Councillor Crowther, with Councillor MacLeod substituting.

Councillors Curley and Wilson declared an interest in Agenda Item 10 (Section 75 Agreement Relating to Ravenscraig, Greenock).

Councillors Clocherty and McKenzie declared an interest in Agenda Item 11 (Port Glasgow Sculpture Update).

319 Environment & Regeneration 2021/22 Revenue & Capital Budget – Period 3 (30 June 2021) 319

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery and the Interim Service Director Environment & Economic Recovery advising the Committee of the position of the 2020/21 out turn and the 2021/22 Revenue Budget position as at Period 3 to 30 June 2021.

Decided:

- (1) that the out turn for 2020/21 and the current projected overspend for 2021/22 of £327,000 as at 30 June 2021 be noted;
- (2) that it be noted that the Interim Service Directors and Heads of Service will review areas where non-essential spend can be reduced in order to bring the Committee back on budget and that progress against this will be reported at the next meeting;
- (3) that the current position of the 2021/24 Capital Programme and City Deal as detailed in the report and appendices be noted; and

ENVIRONMENT & REGENERATION COMMITTEE – 26 AUGUST 2021

(4) that it be noted that further core Property Service capital projects will be identified throughout the 2021/22 financial year as part of the on-going review and prioritisation of works based on the most recent property condition surveys.

320 Environment & Regeneration Capital Programme Progress
320

There was submitted a report by the Interim Service Director Environment & Economic Recovery providing an update on the projects within the 2021/24 Environment & Regeneration Capital Programme.

Following discussion, Councillor C McEleny moved (1) that the current position of the 2021/24 Capital Programme and the progress on the specific projects detailed in the report be noted; and (2) that the cycle lane from the Battery Park to Greenock Town Centre be immediately removed from use.

As an amendment, Councillor McCabe moved that the current position of the 2021/24 Capital Programme and the progress on the specific projects detailed in the report be noted.

Following a roll call vote, 3 members, Councillors Ahlfeld, C McEleny and Wilson voted in favour of the motion and 8 members, Councillors Clocherty, Curley, Jackson, MacLeod, McCabe, McCormick, McKenzie and Nelson voted in favour of the motion which was declared carried.

Decided:

(1) that the current position of the 2021/24 Capital Programme and the progress on the specific projects detailed in the report be noted.

321 Environment, Regeneration and Resources Corporate Directorate Improvement Plan 2019/22 – CDIP Progress Report and Annual Refresh 2021
321

There was submitted a report by the Interim Service Director Environment & Economic Recovery and Interim Service Director Corporate Services & Organisational Recovery presenting (1) a progress report on the delivery of the improvement actions with the Environment, Regeneration and Resources (ERR) Corporate Directorate Improvement Plan (CDIP); and (2) a refreshed ERR CDIP Improvement Plan containing new or revised improvement actions which require Committee approval.

Decided:

(1) that the progress which has been made in the delivery of the ERR CDIP Improvement Plan in year 2 as detailed in Appendix 1 of the report be noted; and (2) that approval be given to the refreshed ERR CDIP for year 3 as detailed in Appendix 2 of the report.

322 General Update
322

There was submitted a report by the Interim Service Director Environment & Economic Recovery providing an update on a number of projects.

The Interim Service Director Environment & Economic Recovery advised the Committee of a typographical error in the report and, accordingly, at paragraph 4.7 the first reference to “£28,000” should read “£850,000” and “£822” should read “£822,000”.

Decided:

(1) that authority be delegated to the Interim Service Director Environment & Economic Recovery, in consultation with the Chief Financial Officer and the Solicitor to the Council, to conclude lease and management agreements with Ardgowan Estate for the Cornaless Visitor Centre, Shielhill Glen and Lunderston Bay;

ENVIRONMENT & REGENERATION COMMITTEE – 26 AUGUST 2021

- (2) that the allocation of funds within the organisational recovery initiative and that reports will be presented on a cyclical basis be noted;
- (3) that the allocation of the unallocated funds for digital marketing be agreed; and
- (4) that the use of Emergency Powers by the Chief Executive for the submission of the Community Renewal Fund application to the to the UK Government be noted.

323 Community Wealth Building - Update

323

There was submitted a report by the Interim Service Director Environment & Economic Recovery providing an update in respect of Community Wealth Building.

Decided:

- (1) that the work undertaken by Officers of the Council and colleagues across the Metropolitan City Region be noted; and
- (2) that it be agreed to support local opportunities for Community Wealth Building while also positively engaging and adopting a City Region wide approach.

324 Play Areas Strategy 2021/23

324

There was submitted a report by the Head of Roads & Environmental Shared Services providing an update on the continuing upgrade and refurbishment of play areas and proposals for future development.

Decided:

- (1) that the priority projects for 2021/2023 and work undertaken to date with regards to the play area provision be noted;
- (2) that it be remitted to officers to undertaken an assessment of those sites which could be improved for accessibility and to provide the Committee with a detailed report;
- (3) that (a) it be remitted to officers to engage with CoSLA on the Play Parks Restoration Fund; and (b) that authority be delegated to the Interim Service Director Environment & Economic Recovery to accept funding to progress the delivery of the identified play areas.

325 Electric Vehicle Charge Points – Implementation of Tariffs

325

There was submitted a report by the Interim Service Director Environment & Economic Recovery advising on the proposals to introduce tariffs for electric vehicle charge points.

Decided:

- (1) that approval be given to the implementation of tariffs as detailed in paragraphs 5.1 and 5.2 of the report for the following reasons (a) that continuing to provide tariff free access comes at an ever increasing cost to the Council and is unsustainable into the future; and (b) it will be impractical for the public sector alone to fund all investment in the overall charging network within Inverclyde, and in addition, the continued offer of tariff free access will discourage other potential sources of investment and may both constrain the growth of the charging network and lead to higher levels of public expenditure than is necessary to deliver a national charging network; and
- (2) that it be remitted to officers to bring a report to a future meeting of the Committee regarding possible charges in respect of overstay at fast charging points.

326 Retail Premises 5 Broomhill Way, Greenock, Lease Assignment

326

There was submitted a report by the Interim Service Director Environment & Economic Recovery seeking approval to permit the assignation of the lease for premises at 5 Broomhill Way, Greenock.

ENVIRONMENT & REGENERATION COMMITTEE – 26 AUGUST 2021

Decided:

(1) that authority be delegated to the Interim Service Director Environment & Economic Recovery to consent to an assignation by the Tenant of his interest in a lease of 5 Broomhill Way, Greenock to the Assignee, on such terms as are recommended by the Interim Head of Legal Services and the Interim Service Director Corporate Services & Organisational Recovery.

327 Section 75 Agreement Relating to Ravenscraig, Greenock**327**

There was submitted a report by the Interim Service Director Environment & Economic Recovery providing an update on the acquisition of the Network Rail bridge at the north-eastern corner of the former Ravenscraig Hospital site by the Council, in terms of the Section 75 agreement relating to planning permission reference 18/0205/IC.

Councillor Curley declared a non-financial interest in this item having participated in the design and construction of the bridge at the north-eastern corner of the former Ravenscraig Hospital Site. Councillor Wilson declared a non-financial interest in this item as a Director of Link Housing Association and as a Director of Larkfield Housing Association. They also formed the view that the nature of their interests and of the item of business did not preclude their continued presence at the meeting of their participation in the decision-making process.

Decided:

(1) that it be noted that the agreed works have been completed and therefore the Council is now required to take ownership of the bridge from Network Rail on the basis of the Section 75 Agreement and on terms and conditions acceptable to the Interim Head of Legal Services and the Chief Financial Officer.

328 Port Glasgow Sculpture Update**328**

There was submitted a report by the Interim Service Director Environment & Economic Recovery (1) providing an update on the timeline for the installation and completion of the Port Glasgow Sculpture; and (2) seeking approval for an increased construction cost as a consequence of the ongoing pandemic and the additional works required to the foundation after the change in location to Coronation Park.

During the course of discussion on the report, the Interim Service Director Environment & Economic Recovery confirmed that Riverside Inverclyde had agreed to provide £100,000 towards the completion of the project.

Councillors Clocherty and McKenzie declared a non-financial interest in this item as members of the Board of Riverside Inverclyde. They also formed the view that the nature of their interests and of the item of business did not preclude their continued presence at the meeting of their participation in the decision-making process.

Decided:

(1) that approval be given to (a) the increased budget of £43,000; and (b) the revised delivery timeframe.

329 Gourock Civic Amenity Sites - Options**329**

There was submitted a report by the Interim Service Director Environment & Economic Recovery providing an update on the costs and options for developing Civic Amenity facilities in Gourock.

Following discussion, Councillor C McEleny moved that the Committee agree to support Craigmuschat Quarry Option 1, as detailed in the report, with any resultant shortfall in funding being met from the Roads Asset Management Plan (RAMP) underspend.

ENVIRONMENT & REGENERATION COMMITTEE – 26 AUGUST 2021

As an amendment, Councillor Ahlfeld moved that the Committee support Kirn Drive Option 2 as detailed in the report.

Following a roll call vote, 1 member, Councillor C McEleny voted in favour of the motion and 10 members, Councillors Ahlfeld, Clocherty, Curley, Jackson, MacLeod, McCabe, McCormick, McKenzie, Nelson and Wilson voted in favour of the amendment which was declared carried.

Decided:

(1) that it be agreed to support the Kirn Drive Option 2 as detailed in paragraph 7.0 of the report.

330 Property Assets Management – Public Report

330

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery seeking authority to (1) declare property at 5 Kempock Place, Gourrock as surplus to requirements and thereafter to place the property on the market for sale, set a closing date when the level of interest justifies it, and remit to officers to submit a further report with recommendations to sell the property for what is considered to give the best economic value to the Council; and (2) carry out a public consultation for land at Caddlehill Street, Greenock.

Decided:

(1) that (a) authority be delegated to the Interim Service Director Corporate Services & Organisational Recovery to market the property at 5 Kempock Place, Gourrock, as detailed in Appendix 1 of the report, and thereafter to set a closing date when the level of interest justifies it; and (b) it be noted that a further report will be submitted with a recommendation to accept whichever offer is deemed to provide the greatest economic benefit to the Council; and

(2) that (a) authority be delegated to the Interim Service Director Corporate Services & Organisational Recovery to commence a public consultation for the land at Caddlehill Street, Greenock, as detailed in Appendix 2 of the report, to obtain and consider the views of the community on the proposals for this site; and (b) it be noted that a further report will be submitted on the results of the consultation.

331 Clune Park Update

331

There was submitted a report by the Interim Service Director Environment & Economic Recovery providing an update on the Clune Park acquisition programme and seeking approval to amend the current purchase plan.

The Interim Service Director Environment & Economic Recovery advised the Committee of a typographical error in the report and, accordingly, at paragraph 4.8 the reference to "Education & Communities Committee" should read "Environment & Regeneration Committee".

Decided:

(1) that the current position in respect of Clune Park be noted;

(2) that it be noted that the work to arrive at Market Value and Investment Value valuations which reflect the size and condition of each property has been undertaken by the District Valuer;

(3) that it be agreed that the District Valuer be appointed to negotiate, on behalf of the Council, for the acquisition of the portfolios of landlords who have twenty properties or more at the date of the Committee meeting;

(4) that approval be given to the development of purchase criteria by the District Valuer, as detailed in paragraph 5.6 of the report, to be applied in the acquisition of all other remaining properties;

ENVIRONMENT & REGENERATION COMMITTEE – 26 AUGUST 2021

- (5) that it be noted that a further report will be brought back to the Committee following the conclusion of the negotiations by the District Valuer;
- (6) that approval be given to the request of a further £1million to progress the revised acquisition strategy being remitted to the Policy & Resources Committee for consideration; and
- (7) that approval be given to the request to amend the current purchase plan.

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 2, 6 & 9 of Part I of Schedule 7(A) of the Act.

332 Property Assets Management Report – Private Report**332**

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery seeking authority for two servitude applications for surface water drainage and foul water drainage for a proposed new development at Kilmacolm Road, Greenock.

Following consideration, the Committee agreed to the action recommended all as detailed in the appendix.

EDUCATION AND COMMUNITIES COMMITTEE – 31 AUGUST 2021

Education and Communities Committee

Tuesday 31 August 2021 at 1pm

Present: Provost Brennan, Councillors Clocherty, Curley, MacLeod, McCabe, C McEleny, McVey, Murphy, Quinn, Robertson and Wilson (for Education business only), Reverend D Burt, Church Representative, Ms A McMillan, Parent Representative and Ms P McEwan, Teacher Representative.

Chair: Councillor Clocherty presided.

In attendance: Corporate Director Education, Communities & Organisational Development, Head of Culture, Communities & Educational Resources, Head of Education, Service Manager, Community Learning & Development, Community Safety & Resilience and Sport, Interim Head of Legal Services, Interim Head of Property Services, Mr I Cameron (for Interim Service Director Corporate Services & Organisational Recovery), Ms L Wilkie (Education Services), Ms D Sweeney and Ms L Carrick (Legal Services), Service Manager Communications, Tourism and Health & Safety, and ICT Services Manager.

The meeting was held at the Municipal Buildings, Greenock with Provost Brennan, Councillors Curley, MacLeod, McCabe, C McEleny, Murphy, and Quinn attending by video-conference.

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

333 Apologies, Substitutions and Declarations of Interest

333

Apologies for absence were intimated on behalf of Councillor Wilson, for Communities business only, and Ms F Gilpin, Church Representative.

Declarations of interest were intimated as follows:

Agenda Item 3 (Communities Performance Report – Capital Programme Progress and Asset Related Items) - Councillors Clocherty, MacLeod, and Quinn.

Agenda Item 5 (Communities Recovery Update and Anti-Poverty Initiatives) - Councillors Clocherty, Quinn and Robertson.

334 Communities Revenue & Capital Budget Report – Final Out Turn 2020/21 and 2021/22 Projected Out Turn at Period 3 to 30 June 2021

334

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery and the Corporate Director Education, Communities & Organisational Development advising Committee of the 2020/21 Communities Revenue Budget final out turn and the 2021/22 Revenue and Capital Budgets position as at Period 3 to 30 June 2021.

Decided:

- (1) that the final out turn for the 2020/21 Communities Revenue Budget be noted;
- (2) that the current projected underspend of £114,000 for the 2021/22 Communities

EDUCATION AND COMMUNITIES COMMITTEE – 31 AUGUST 2021

Revenue Budget as at Period 3 to 30 June 2021 be noted;

(3) that the financial position of the specific capital projects detailed in Appendix 4 of the report and that the cost of the current Communities Capital Programme is being contained within existing budgets be noted; and

(4) that the virements of £184,800, as detailed in paragraph 9.1 and Appendix 6 of the report, be approved.

335 Communities Performance Report – Capital Programme Progress and Asset Related Items 335

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing performance information for the Communities part of the Education & Communities Committee, and (2) providing an update in respect of the status of the projects which form the Communities Capital Programme.

Councillors Clocherty and Quinn declared a non-financial interest in this item as Members of the Board of Inverclyde Leisure, and Councillor MacLeod declared a non-financial interest in this item as Non-Executive Director of Parklea Branching Out. All three Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process.

Decided:

(1) that the current position of the 2021/24 Capital Programme be noted;

(2) that the progress on the following projects be noted (a) Lady Alice Bowling Club, (b) Rankin Park Bowling Club, (c) Indoor Sports Facility for Tennis, (d) Leisure Pitches Asset Management Plan/Lifecycle Fund, (e) Grieve Road Community Centre, (f) Wemyss Bay Community Centre, (g) Whinhill Golf Club Lifecycle Works, (h) Waterfront Leisure Centre Training Pool Moveable Floor, (i) Watt Institution Creativity Space, (j) Community Hub King George VI (k) Craigend Resource Centre, (l) The Inverclyde Shed Meet, Make + Share, (m) Parklea Branching Out, (n) Upper Gourock (Kirn Drive) Community Hall, (o) Gourock Park, (p) Ward 7 Community Facilities, and (q) Use of 3G pitches over the summer.

(3) that the changes made to (a) the Inverclyde Leisure Licence Agreement for Upper Gourock (Kirn Drive) Community Hall, (b) the Inverclyde Leisure Outdoor Facilities Management Agreement for Gourock Park (blaes pitch area), and (c) the Inverclyde Leisure Licence Agreement for the Paton Street property, all as detailed in paragraph 7 of the report, be approved.

Councillor Curley joined the meeting at this juncture.

336 Communities Update Report 336

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the Communities aspects of the service.

Councillor Murphy left the meeting during discussion on this item for the remainder of the Communities business.

Decided: that the updates on (a) Cultural Services Annual Report, (b) Historic Links to Slavery Working Group, (c) Mentors in Violence Prevention Programme, (d) progress on review of School Crossing Patrols, (e) national free transport scheme for 5-22 year olds, (f) transfer of the Young Person Alcohol Team, and (g) Autism Strategy Ear Marked Reserve, be noted.

EDUCATION AND COMMUNITIES COMMITTEE – 31 AUGUST 2021

337 Communities Recovery Update and Anti-Poverty Initiatives**337**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing an update on community activities to date, including those considered as part of COVID-19 recovery planning, and (2) providing an update on progress on anti-poverty initiatives.

Councillors Clocherty and Quinn declared a non-financial interest in this item as Members of the Board of Inverclyde Leisure, and Councillors Clocherty and Robertson declared a non-financial interest in this item as Members of the Board of Greenock Arts Guild Ltd. All three Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process.

Decided:

- (1) that the updates on (a) Summer of Fun 2021, (b) Duke of Edinburgh Award, (c) Culture Collective, (d) Sports and Physical Activity Strategy, (e) Meliora Outdoor Festival, (f) Small Grants and Waivers of Fees, (g) Inverclyde Leisure, and (h) The Beacon Arts Centre, in the report be noted; and
- (2) that the updates on anti-poverty initiatives (a) Community Listening Events, and (b) free sanitary products/Period Poverty be noted; and
- (3) that the Committee's appreciation be conveyed to all staff involved in the creation and running of the Summer of Fun 2021 activities.

The Committee commenced consideration of the Education items of business at 4pm, with Councillor Wilson attending the Municipal Buildings and Reverend Burt, Ms McMillan and Ms McEwan joining the meeting by video-conference. Councillor Murphy rejoined the meeting at this juncture.

338 Education Revenue & Capital Budget Report – Final Out Turn 2020/21 and 2021/22 Projected Out Turn at Period 3 to 30 June 2021**338**

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery and the Corporate Director Education, Communities & Organisational Development advising the Committee of the 2020/21 Education Revenue Budget final out turn and the 2021/22 Revenue and Capital Budget positions as at Period 3 to 30 June 2021.

Decided:

- (1) that the final out turn for the 2020/21 Education Revenue Budget be noted;
- (2) that the projected underspend of £106,000 for the 2021/22 Education Revenue Budget as at Period 3 to 30 June 2021 be noted;
- (3) that the financial position of the specific capital projects detailed in Appendix 4 of the report and that the cost of the current Education Capital Programme is being contained within existing budgets be noted; and
- (4) that the virement of £88,550, as detailed in paragraph 9.1 and Appendix 6 of the report, be approved.

339 Education Performance Report – Capital Programme Progress**339**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing performance information for the Education part of the Education & Communities Committee and (2) providing an update in respect of the status of the projects which form the Education Capital Programme.

EDUCATION AND COMMUNITIES COMMITTEE – 31 AUGUST 2021

Decided:

(1) that the current position of the 2021/24 Capital Programme as detailed in the report be noted; and

(2) that the progress on (a) Gourock Primary School extension, (b) Hillend Children's Centre refurbishment, (c) former Kelly Street Children's Centre landscaping works (d) demolition of former Sacred Heart Primary School, (e) school artificial pitches, (f) general lifecycle works (g) Public Partnership Schools (PPP) lifecycle works, (h) Rainbow Family Centre extension, (i) Larkfield Children's Centre new build, and (j) Glenpark Early Learning Centre outdoor unit, be noted.

340 Education, Communities & Organisation Development Corporate Directorate Improvement Plan 2019/22 – End of Year 2 Progress Report and Annual Refresh 2021 340

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing an update on the delivery of the improvement actions within the Education, Communities & Organisational Development (ECOD) Corporate Directorate Improvement Plan (CDIP), and (2) appending the refreshed ECOD CDIP, containing new or revised improvement actions, for approval.

Decided:

(1) that the progress which has been made in the delivery of the ECOD Improvement Plan in year 2, as detailed in Appendix 1 to the report, be noted; and

(2) that the refreshed ECOD CDIP, as detailed in Appendix 2 to the report, be approved.

341 Education Services Improvement Plan 2021-22 341

There was submitted a report by the Corporate Director Education, Communities & Organisational Development appending the Education Services Improvement Plan for Session 2021-22 for approval.

Decided: that the Education Services Improvement Plan for 2021-22 be approved.

342 Education – COVID-19 Recovery Report 342

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an overview of progress towards recovery after the COVID-19 pandemic.

Decided: that the updates on (a) Emergency Powers Report – request to utilise underspend in the Early Learning, (b) Emergency Powers Report – School Clothing Grant & Summer Hardship Payment, (c) ensuring that guidelines continue to be followed for a safe return to education, (d) recovery programmes in place to provide support to continue to close the poverty related attainment gap, (e) Recovery Funding, (f) ongoing support and challenge for schools, (g) Pupil Equity Funding (PEF), (h) Wellbeing Service, and (i) Curriculum and Digital Strategy, be noted.

343 Overview of National and Local Updates on Education 343

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an overview of local and national updates on education matters.

EDUCATION AND COMMUNITIES COMMITTEE – 31 AUGUST 2021

Decided:

- (1) that the updates on (a) Education response to the Local Development Plan, (b) SQA processes, (c) OECD report, (d) music tuition in schools, (e) funding for core curriculum, and (f) Early Learning and Childcare updates, be noted; and
- (2) that it be agreed that the registration charge for extra-curricular musical activities be removed from August 2021 pending confirmation from the Scottish Government of continued funding beyond August 2022.

344 Changes to School Holidays for Academic Year 2021/22 Taking into Consideration the Additional Bank Holiday for HM Platinum Jubilee 344

There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking Committee approval in principle to change the school holidays to accommodate the additional Bank Holiday for the Queen's Platinum Jubilee celebrations.

Following discussion, Councillor Clocherty moved that (1) the new school holiday dates, as detailed in Appendix 2 to the report, be agreed in principle subject to final confirmation at Policy & Resources Committee, and (2) officers write to the Scottish Government seeking permission for the change of the school year from 190 days to 189 days.

As an amendment, Councillor C McEleny moved that (1) the new school holiday dates, as detailed in Appendix 2 to the report, not be agreed in principle subject to final confirmation at Policy & Resources Committee, and (2) officers do not write to the Scottish Government seeking permission for the change of the school year from 190 days to 189 days.

Following a roll call vote, 4 Members, Councillors Curley, MacLeod, C McEleny and Quinn voted in favour of the amendment, and 10 Members, Provost Brennan, Councillors Clocherty, McCabe, McVey, Murphy, Robertson, Wilson, Reverend D Burt, Ms A McMillan and Ms P McEwan voted in favour of the motion, which was declared carried.

Decided:

- (1) that the new school holiday dates, as detailed in Appendix 2 to the report, be agreed in principle subject to final confirmation at Policy & Resources Committee; and
- (2) that officers write to the Scottish Government seeking permission for the change of the school year from 190 days to 189 days.

PLANNING BOARD – 1 SEPTEMBER 2021

- (2) that prior to the commencement of work on site full details of a landscaping scheme and programme for completion shall be submitted to and approved by the Planning Authority, to ensure the provision of an appropriate landscaping scheme. Development shall then proceed as approved unless any alternative is agreed in writing by the Planning Authority;
- (3) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species, to ensure the retention of the approved landscaping scheme in the interests of visual amenity;
- (4) that details of maintenance and management for the landscaping approved in terms of condition 2 above shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted, to ensure the maintenance of the approved landscaping scheme in the interests of visual amenity. Management and maintenance shall commence upon completion of the landscaping;
- (5) that prior to the commencement of works on site, full details of the drainage regime and strategy together with surface water flow routes and future maintenance shall be submitted to and approved in writing by the Planning Authority. The approved drainage regime shall then be fully implemented prior to the commencement of the Class 3 use hereby permitted and subsequently maintained as approved at all times thereafter to the satisfaction of the Planning Authority, to ensure the adequacy of the drainage regime for the application site;
- (6) that prior to the commencement of works on site a structural survey shall be undertaken in respect of existing manholes and pipes within the site and full details of any strengthening together with programme for completion of such works will be submitted to and approved in writing by the Planning Authority, to avoid damage to existing infrastructure;
- (7) that for the avoidance of doubt the floor level of the building hereby permitted shall be 600mm above the 1 in 200 year event as detailed in the submitted flood risk assessment, in the interests of flood protection;
- (8) the car park area shall be completed and available for use by patrons prior to the commencement of the Class 3 use hereby permitted and shall then be retained and available for use at all times thereafter, to the satisfaction of the Planning Authority, to ensure suitable parking provision for staff and customers, in the interests of road safety;
- (9) prior to the commencement of works on site, a Delivery Management Plan which takes account of the peak traffic times shall be submitted to and approved in writing by the Planning Authority, to ensure safe servicing arrangements for the site. All deliveries and other servicing of the site shall then be undertaken in accordance with the approved plan at all times thereafter;
- (10) that prior to the commencement of works on site, details of how access to Core Path 57A and its retention during the works shall be submitted to and approved in writing by the Planning Authority, to ensure retention of the Core Path route during works. Works shall then proceed as approved;
- (11) that prior to the commencement of works on site the programme for the completion of the new foot/cycleway within the site, together with future maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority, to ensure retention and maintenance of the Core Path route in completion of works. Works shall then proceed as approved and the approved maintenance arrangements shall commence on completion of the new foot/cycleway;
- (12) prior to the commencement of the development, details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, to ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the

PLANNING BOARD – 1 SEPTEMBER 2021

trunk road will not be diminished;

(13) there shall be no drainage connections to the Trunk Road drainage system, to ensure that the efficiency of the exiting drainage network is not affected;

(14) 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 appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(15) that the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority, to satisfactorily address potential contamination issues in the interests of human health and environmental safety. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation;

(16) that before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness, to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety;

(17) that the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme 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;

(18) that the building hereby permitted shall be designed to ensure that at least 15%, rising to 20% by the end of 2022 of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies, details of which shall be submitted to and approved in writing by the Planning Authority prior to the commencement of construction, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(19) that prior to the commencement of works on site, details of electric vehicle charging provision to be installed also prior to the commencement of the Class 3 use hereby permitted shall be submitted to and approved in writing by the Planning Authority, in the interests of sustainable development. Works shall then proceed as approved; and

(20) that if the existing trees are to be removed during the bird nesting season March to August shall be preceded by a nesting bird survey the methodology and findings of which shall be submitted to the Planning Authority, in the interests of the protection of

PLANNING BOARD – 1 SEPTEMBER 2021

nesting birds.

Councillor McVey returned to the meeting at this juncture.

**(b) Proposed erection of detached house:
Ardvaar, Wemyss Bay Road, Wemyss Bay (21/0132/IC)**

There was submitted a report by the Interim Service Director Environment & Economic Recovery on an application for planning permission by Mr D Todd for the proposed erection of detached house at Ardvaar, Wemyss Bay Road, Wemyss Bay (21/0132/IC). After discussion, Councillor Dorrian moved that consideration of the application be continued for a site visit to be arranged by the Interim Head of Legal Services in consultation with the Chair.

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

Following a roll call vote, 3 Members, Councillors Clocherty, J McEleny and McVey, voted in favour of the amendment and 6 Members, Crowther, Dorrian, Murphy, Nelson, Rebecchi and Wilson voted in favour of the motion which was declared carried.

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

347 PLANNING APPEAL

347

6 Knockbuckle Lane, Kilmacolm

There was submitted a report by the Interim Service Director Environment & Economic Recovery advising that, following the decision of the Board at the meeting held on 3 February 2021 to refuse planning permission for a detached garden room in garden grounds of existing dwelling house (in retrospect) at 6 Knockbuckle Lane, Kilmacolm (20/0246/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 but to dismiss the claim for expenses.

Decided: that the position be noted.

LOCAL REVIEW BODY – 1 SEPTEMBER 2021

Local Review Body

Wednesday 1 September 2021 at 4pm

Present: Councillors Clocherty, Crowther, Dorrian, McKenzie, Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Ms M Pickett (Planning Adviser), Mr J Kerr (Legal Adviser), Mr C MacDonald, Ms D Sweeney and Mr P MacDonald (Legal Services) and Mr P Coulter (for Service Manager Communications, Tourism and Health & Safety).

The meeting was held at the Municipal Buildings, Greenock with Councillors Dorrian, McKenzie and Rebecchi attending by video-conference.

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

348 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 348

No apologies for absence or declarations of interest were intimated.

349 CONTINUED PLANNING APPLICATION FOR REVIEW 349

**(a) Erection of shed in front drive:
26A Victoria Road, Gourrock (20/0324/IC)**

There were submitted papers relative to the application for review for the refusal of planning permission for the erection of a shed in front drive at 26A Victoria Road, Gourrock (20/0324/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 2 June 2021 for an unaccompanied site visit.

Ms Pickett acted as Planning Adviser relative to this case.

Not having attended the site visit, Cllrs Clocherty and Dorrian did not participate in consideration of this item.

Following discussions, 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 following conditions:-

1. that prior to the commencement of development, samples of all external materials and finishes shall be submitted to and approved in writing by the Planning Authority: development thereafter shall proceed utilising the approved materials and finishes, unless the Planning Authority gives its prior written approval to any alternatives, to enable the Planning Authority to retain effective control of facing and finishing materials in the interests of visual amenity within the Conservation Area.

2. that the adjacent wall be raised to 1.8m in height in the interests of amenity.

As an amendment Councillor Rebecchi moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

LOCAL REVIEW BODY – 1 SEPTEMBER 2021

(1) By reason of location and design, including the use of finishing materials, the development fails to reflect local architecture and urban form as required by Policy 1 of Inverclyde Local Development Plan.

(2) The proposal would result in an unexpected and dominant feature on the streetscape, which would harm the established pattern of development and setting of the Conservation Area, contrary to the aims of Policy 28 of the Inverclyde Local Development Plan.

Following a roll call vote, 2 Members, Councillors Crowther and Nelson voted in favour of the motion, and 3 Members Councillors McKenzie, Rebecchi and Wilson voted in favour of the amendment 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 dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. By reason of location and design, including the use of finishing materials, the development fails to reflect local architecture and urban form as required by Policy 1 of Inverclyde Local Development Plan.

2. The proposal would result in an unexpected and dominant feature on the streetscape, which would harm the established pattern of development and setting of the Conservation Area, contrary to the aims of Policy 28 of the Inverclyde Local Development Plan.

350 PLANNING APPLICATION FOR REVIEW

350

**(a) Planning permission in principle for residential development, landscaping, parking, access and associated works:
Land at Glasgow Road, Port Glasgow (19/0140/IC)**

There were submitted papers relative to the application for review for the refusal of planning permission in principle for residential development, landscaping, parking, access and associated works at land at Glasgow Road, Port Glasgow (19/0140/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

Ms Pickett advised the Local Review Body of the general description of the planning application, the development plan context and the eight reasons for refusal in the Report of Handling.

Following discussions, Councillor Rebecchi moved (1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be continued to allow for a further written submission from the Roads Service.

As an amendment, Councillor Wilson 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 following conditions and advisory notes:

Conditions

(1) This permission is granted under the provisions of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 on an application for Planning Permission in Principle and further approval of the Planning Authority or of the Scottish Ministers on appeal shall be required with respect to the under mentioned matters hereby reserved before any development is commenced.

LOCAL REVIEW BODY – 1 SEPTEMBER 2021

Plans and particulars of the matters listed below shall therefore be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended), in the interests of the avoidance of flooding affecting the development hereby permitted: (a) the siting, design, and external appearance of all buildings and other structures; (b) the means of access to the site; (c) the layout of the site, including all roads, footways, car and cycle parking areas; (d) the details of, and timetable for implementation of, the hard and soft landscaping of the site; (e) details of the management and maintenance of the areas identified in 'd' above; (f) the design and location of all boundary walls and fences; (g) details of the provision of full drainage works incorporating Sustainable Drainage Systems (SuDS) and a field drain at the bottom of the slopes around the site; (h) the disposal of sewage; (i) details of any existing trees, shrubs and hedgerows to be retained; (j) a landscape planting scheme that shows how existing trees and woodland within the application site will be connected to habitat features outwith the site; (k) details of existing and proposed site levels; and (l) details of bin storage arrangements whether within individual plots or communal;

(2) prior to the commencement of works on site, confirmation of Scottish Water's acceptance of the foul and surface water drainage proposals shall be submitted to and approved in writing by the Planning Authority, to confirm that the drainage proposals can be implemented in the interests of the avoidance of flooding;

(3) the drainage details approved under condition 1(g) shall be implemented commensurately with the development of the site, be complete for each individual dwellinghouse prior to occupation and be complete across the site prior to the occupation of the final dwellinghouse, to ensure the adequacy and implementation of the drainage regime for the development hereby permitted;

(4) all surface water shall be contained within the site during and after the development, to the satisfaction of the Planning Authority, to avoid surface water run-off from the site in the interests of the avoidance of flooding;

(5) that prior to the commencement of works on site, an updated ecological survey inclusive of bird breeding census and badger survey shall be undertaken. The report of survey shall thereafter be submitted to and approved in writing by the Planning Authority. Should the ecological survey identify the need for mitigation to protect one or more species, this shall be implemented in accordance with a species protection plan (s) which is to be submitted to and agreed in writing with the Planning Authority before works commence on the site, to ensure the development is informed by an up to date ecological survey in the interests of the protection of and the avoidance of disturbance to nesting birds and other wildlife, and to ensure appropriate mitigation is implemented where required;

(6) no trees within the application site shall be felled until full details of all tree felling has been submitted to and approved by the Planning Authority, to ensure the protection and retention of trees. Works shall then proceed as approved;

(7) that prior to the commencement of works on site tree protection measures for all trees to be retained both within or adjacent to the application site shall be erected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012, to the satisfaction of the Planning Authority and not removed during the course of construction work, to ensure the retention of and avoidance of damage to trees during development;

(8) site clearance work shall only be undertaken outwith the bird breeding season March to September inclusive. Details of any additional protection required relating to the heronry potentially located in the site shall be identified as part of the updated ecological survey submitted under condition 5 above and all additional recommendations relating to required protection followed to the satisfaction of the

LOCAL REVIEW BODY – 1 SEPTEMBER 2021

Planning Authority, to ensure the protection of breeding birds within the application site;
(9) the Biodiversity Enhancement section of the Preliminary Ecological Appraisal Report by Cairn Ecology dated 25th March 2019 shall be implemented in full together with any further enhancements recommended as part of the updated ecological survey submitted under condition 5 above, to ensure the implementation of biodiversity enhancements as part of the development;

(10) that any of the trees, areas of grass or planted shrubs approved as part of the landscaping scheme that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season, to ensure the retention of the landscaping scheme within the application site;

(11) All footpaths to be provided shall be a minimum width of 2 metres and all roads a minimum of 5.5 metres, to ensure suitable provision for road users and pedestrians in the interests of road safety;

(12) parking shall be provided in accordance with the National Roads Development Guide, to ensure suitable parking provision is provided within the development in the interests of road safety;

(13) the first 2 metres of all driveways shall be paved, to avoid deleterious material being carried onto the roadway in the interests of road safety;

(14) 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 appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(15) that the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;

(16) that before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness, to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety; and

(17) that the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning

LOCAL REVIEW BODY – 1 SEPTEMBER 2021

Authority, to ensure that all contamination issues are recorded and dealt with appropriately.

Advisory Notes

(1) that prior to the commencement of any site clearance works, the applicant requires to satisfy themselves by undertaking a comprehensive survey that the development shall not impact upon Protected Species;

(2) to protect the amenities of occupiers of premises from unreasonable noise and vibration levels the applicant must consult or arrange for their main contractor to consult with either Sharon Lindsay or Emilie Smith at Inverclyde Council, Environmental & Public Protection (01475 714200), prior to the commencement of works to agree times and methods to minimise noise disruption from the site;

(3) to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption";

(4) site drainage; Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property;

(5) rats, drains and sewers: Prior to the construction phase it is strongly recommended that any existing, but redundant, sewer/drainage connections should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains;

(6) the applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc;

(7) surface water: Water: Any SUDS appraisal must give appropriate weight to not only any potential risk of pollution to watercourses but to suitable and sufficient measures for the effective collection and disposal of surface water to prevent flooding. Measures should be implemented during the construction phase of the project as well as within the completed development to prevent flooding within the application site and in the property/land nearby. It is also recommended that a long term maintenance plan should be developed prior to the commencement of the proposed development; and

(8) design and construction of buildings – gulls: It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

Following a roll call vote, 2 Members, Councillors Nelson and Rebecchi voted in favour of the motion, and 5 members, Councillors Clocherty, Crowther, Dorrian, McKenzie and Wilson voted in favour of the amendment which was declared carried.

The motion and amendment were subsequently withdrawn under Standing Order 30.

During consideration of this item, Mr Kerr advised Members that (1) they could not attach a suspensive condition to deal with the failure to submit a bat survey as that would be in breach of the Conservation (Natural Habitats &c) Regulations 1994 and contrary to the Chief Planner's letter dated 16 May 2006; and (2) they could not attach a condition to deal with upgrade works and the provision and retention of a visibility splay as that would be ultra vires having regard to Circular 4/1998.

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 (a) the application for review be continued; and (b) the Local Review Body request written submissions from the applicant in terms of Regulation 15 of the Town

LOCAL REVIEW BODY – 1 SEPTEMBER 2021

and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 in respect of the matters which comprised reasons for refusal 4 and 5 in the Report of Handling, such submissions to be received by the Local Review Body before 1 September 2022.

GENERAL PURPOSES BOARD – 8 SEPTEMBER 2021

General Purposes Board

Wednesday 8 September 2021 at 10am

Present: Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Jackson, MacLeod, McCormick, J McEleny, Quinn and Robertson.

Chair: Councillor Quinn presided.

In attendance: Mr D Keenan (for Interim Head of Legal Services), Ms F Denver and Ms L Carrick (Legal Services) and Sergeant I Robertson (Police Scotland).

The meeting was held at the Municipal Buildings, Greenock with Provost Brennan, Councillors Ahlfeld, Clocherty, Jackson, MacLeod, McCormick and Robertson, attending by video conference.

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

351 Apologies, Substitutions and Declarations of Interest 351

Apologies for absence were intimated on behalf of Councillors Dorrian, Curley and Moran with Councillor Clocherty substituting for Councillor Dorrian, Councillor Robertson substituting for Councillor Curley and Councillor McCormick substituting for Councillor Moran.

There were no declarations of interest intimated.

352 Taxi Fares Review 2020/21 352

There was submitted a report by the Interim Head of Legal Services requesting the Board to determine the taxi fares scale and charges following its annual review. Mr Keenan advised that there were no objections or representations received following the advertisement of the statutory notice.

Decided: that it be remitted to the Interim Head of Legal Services to make the necessary arrangements to implement the new taxi fares scale and charges with effect from 26 September 2021.

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.

353 Application for Renewal of a Taxi Driver's Licence 353

There was submitted a report by the Interim Head of Legal Services on an application for the renewal of a Taxi Driver's Licence which was not heard, all as detailed in the appendix.

GENERAL PURPOSES BOARD – 8 SEPTEMBER 2021

354 Application for Grant of a Taxi Driver’s Licence 354

There was submitted a report by the Interim Head of Legal Services on an application for the grant of a Taxi Driver’s Licence which was continued, all as detailed in the appendix.

355 Application for Grant of a Street Trader’s Licence 355

There was submitted a report by the Interim Head of Legal Services on an application for the grant of a Street Trader’s Licence which was granted, all as detailed in the appendix.