

**THE INVERCLYDE COUNCIL – 17 FEBRUARY 2022**

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**The Inverclyde Council**

**Thursday 17 February 2022 at 2pm**

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

**Chair:** Provost Brennan presided.

**In attendance:** Chief Executive, Corporate Director Education, Communities & Organisational Development, Interim Director Finance & Corporate Governance, Interim Director Environment & Regeneration, Interim Director (Chief Officer) Health & Social Care Partnership, Head of Legal & Democratic Services, Legal Services Manager, Licensing, Litigation and Committees, Ms D Sweeney, Mr C MacDonald and Ms E Peacock (Legal Services), Head of Organisational Development, Policy & Communications, ICT Services Manager and Service Manager Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

**86 Apologies and Declarations of Interest 86**

No apologies for absence or declarations of interest were intimated.

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

**87 Appointment Panel – Head of Legal & Democratic Services - 23 November 2021 87**

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

**88 Inverclyde Council - 2 December 2021 88**

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

**89 General Purposes Board - 8 December 2021 89**

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

**90 Appointment Panel – Head of Legal & Democratic Services - 10 December 2021 90**

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

**91 Policy & Resources Executive Sub-Committee - 23 December 2021 91**

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

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<b>92</b>	<b>Planning Board - 5 January 2022</b>	<b>92</b>
	Approved on the motion of Councillor Wilson.	
<b>93</b>	<b>Health &amp; Social Care Committee - 6 January 2022</b>	<b>93</b>
	Approved on the motion of Councillor Moran.	
<b>94</b>	<b>Audit Committee - 11 January 2022</b>	<b>94</b>
	Approved on the motion of Councillor Rebecchi.	
<b>95</b>	<b>General Purposes Board - 12 January 2022</b>	<b>95</b>
	Approved on the motion of Councillor Dorrian.	
<b>96</b>	<b>Environment &amp; Regeneration Committee (Special) - 13 January 2022</b>	<b>96</b>
	Approved on the motion of Councillor McCormick.	
<b>97</b>	<b>Environment &amp; Regeneration Committee - 13 January 2022</b>	<b>97</b>
	Approved on the motion of Councillor McCormick.	
<b>98</b>	<b>Education &amp; Communities Committee - 25 January 2022</b>	<b>98</b>
	Approved on the motion of Councillor Clocherty.	
<b>99</b>	<b>Policy &amp; Resources Committee - 1 February 2022</b>	<b>99</b>
	Approved on the motion of Councillor McCabe.	
<b>100</b>	<b>Local Review Body - 2 February 2022</b>	<b>100</b>
	Approved on the motion of Councillor Wilson.	
<b>101</b>	<b>Local Police &amp; Fire Scrutiny Committee- 3 February 2022</b>	<b>101</b>
	Approved on the motion of Councillor McVey.	
<b>102</b>	<b>Audit Committee (Special) - 8 February 2022</b>	<b>102</b>
	Approved on the motion of Councillor Rebecchi.	
<b>103</b>	<b>General Purposes Board - 9 February 2022</b>	<b>103</b>
	Approved on the motion of Councillor Dorrian.	

104

**Review of Governance Documents (Standing Orders Relating to Contracts, Financial Regulations, Scheme of Delegation and Standing Orders/Scheme of Administration)**

104

There was submitted a report by the Interim Director Finance & Corporate Governance seeking approval for a number of proposed changes to the Council's key governance documents.

The Head of Legal & Democratic Services advised of an additional proposed revision within the 'Scheme of Delegation – Officers' governance document, and accordingly the arrangements for the publishing of the Council's annual asset transfer report will be a function of the Head of Culture, Communities & Educational Resources and not the Interim Head of Property Services as stated at page 27 of the document.

Following discussion, Councillor Wilson seconded by Councillor Nelson moved that (1) the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revision verbally proposed by the Head of Legal & Democratic Services, be approved with effect from 1 March 2022, and (2) that the membership and quorum of the Local Review Body remain unchanged.

As an amendment Councillor J McEleny seconded by Councillor C McEleny moved that (1) the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revision verbally proposed by the Head of Legal & Democratic Services, be approved with effect from 1 March 2022, and (2) that the membership and quorum of the Local Review Body be the same as for the Planning Board.

As a further amendment Councillor Moran seconded by Councillor Clocherty moved that (1) the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revision verbally proposed by the Head of Legal & Democratic Services be approved with effect from 1 March 2022, and (2) that the membership and quorum of the Local Review Body be in line with the officers recommendation.

On a roll call vote between the two amendments, 2 Members, Councillors J McEleny and C McEleny voted for their amendment, and 9 Members, Provost Brennan, Councillors Clocherty, Dorrian, Jackson, McCabe, McCormick, McGuire, Moran and Quinn voted for the amendment by Councillor Moran seconded by Councillor Clocherty. The amendment by Councillor J McEleny, having received fewer votes, then fell. Councillors Ahlfeld, Brooks, Crowther, Curley, MacLeod, McKenzie, McVey, Nelson Rebecchi, Robertson and Wilson abstained from voting.

On a roll call vote between the motion and the amendment by Councillor Moran seconded by Councillor Clocherty, 10 Members, Provost Brennan, Councillors Clocherty, Dorrian, Jackson, McCabe, McCormick, C McEleny, J McEleny, McGuire and Moran voted for the amendment, and 12 Members, Councillors Ahlfeld, Brooks, Crowther, Curley, MacLeod, McKenzie, McVey, Nelson, Quinn, Rebecchi, Robertson and Wilson voted for the motion which was declared carried.

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**Decided:**

- (1) that the proposed changes to the Council's Financial Regulations and Standing Orders Relating to Contracts, as detailed at appendix 3 and 4 of the report, and the Standing Orders and Scheme of Administration and Scheme of Delegation, as detailed at appendix 7 and 8 of the report together with the additional revision verbally proposed by the Head of Legal & Democratic Services, be approved with effect from 1 March 2022; and
- (2) that the membership and quorum of the Local Review Body remain unchanged.

**105 Update Regarding Future Delivery of All Council/Committee Board Meetings 105**

It was agreed unanimously to suspend Standing Orders to allow consideration of this item following a decision of the Council at its meeting on 23 September 2021.

There was submitted a report by the Head of Legal & Democratic Services providing an update and seeking decisions of the future delivery of Council, Committees and Board meetings in light of the relaxation of Covid restrictions announced by the Scottish Government due to the reduction in infection rates of the Omicron variant.

**Decided:**

- (1) that the Council revert to the Hybrid Committee model approved by the Council on 23 September 2021 with effect from 1 March 2022;
- (2) that public attendance be facilitated via reverting to physical attendance whilst continuing with live streaming of meetings onto YouTube (or such substitute medium as the Council might subsequently use); and
- (3) that the proposed revisions to both the Remote and Hybrid Meeting Protocols be approved, as are detailed at appendix 3 of the report.

**106 Local Government Elections 2022: Review of Polling Scheme 106**

There was submitted a report by the Head of Legal & Democratic Services seeking approval for the polling scheme for the purposes of the Local Government Elections in May 2022.

**Decided:**

- (1) that the polling scheme as detailed at appendix 1 of the report be approved for use at the Local Government Elections in May 2022; and
- (2) that authority continue to be delegated to the Chief Executive as Returning Officer for the Local Government Elections to (a) modify the approved polling scheme as may be necessary in situations of need, and (b) make any alternative or emergency arrangements as may be necessary in the interest of voters.

**107 Appointment of Elected Members to Inchgreen Joint Venture Company 107**

There was submitted a report by the Head of Legal & Democratic Services seeking (1) to appoint two representatives to the Board of the Joint Venture Company to be established to deliver the Inchgreen City Deal Project, and (2) to nominate one of those nominees as Chair.

Following discussion, Councillor McCabe seconded by Councillor Clocherty moved that Councillor McCabe be nominated as Chair of the Board with the other Board member being nominated by the opposition.

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As an amendment Councillor McVey seconded by Councillor Ahlfeld moved that Councillor McCabe and Councillor McKenzie be nominated as members of the Board with Councillor McCabe as the Chair of the Board.

As a further amendment Councillor Robertson seconded by Councillor Crowther moved that Councillor McCabe and Councillor Curley be nominated as members of the Board.

As a further amendment Councillor J McEleny seconded by Councillor C McEleny moved that Councillor Curley and McKenzie be nominated as members of the Board.

The meeting adjourned at 5.28pm and voting commenced when it reconvened at 5.35pm.

On a roll call vote between the amendment by Councillor J McEleny seconded by Councillor C McEleny and the amendment by Councillor Robertson seconded by Councillor Crowther, 2 Members, Councillors C McEleny and J McEleny, voted for their amendment, and 8 Members, Councillors Crowther, MacLeod, McCabe, McCormick, McGuire, Moran, Nelson and Robertson voted for Councillor Robertson's amendment. The amendment by Councillor J McEleny, having received fewer votes, then fell. Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Curley, Dorrian, Jackson, McKenzie, McVey, Quinn, Rebecchi and Wilson abstained from voting.

On a roll call vote between the amendment by Councillor Robertson seconded by Councillor Crowther and the amendment by Councillor McVey seconded by Councillor Ahlfeld, 8 Members, Councillors Ahlfeld, Brooks, Jackson, McKenzie, McVey, Quinn, Rebecchi and Wilson voted for Councillor McVey's amendment, and 8 Members, Provost Brennan, Councillors Crowther, Curley, MacLeod, McCabe, McGuire, Nelson and Robertson voted for Councillor Robertson's amendment. There being equality in voting, Provost Brennan exercised his casting vote in favour of Councillor Robertson's amendment which was declared carried. Councillors Clocherty, Dorrian, McCormick, C McEleny, J McEleny, and Moran abstained from voting.

At this point in proceedings it was agreed that the amendment by Councillor Robertson seconded by Councillor Crowther, for Councillor McCabe and Councillor Curley being nominated as members of the Board, was acceptable to Councillor McCabe, who withdrew his motion.

Councillors Ahlfeld, C McEleny, J McEleny and McVey requested that their dissent with the voting procedure be noted.

Councillor Dorrian left the meeting following his abstention in respect of the vote on this item.

**Decided:** that (a) Councillors McCabe and Curley be appointed to the Board of the Joint Venture Company to be established to deliver the Inchgreen City Deal Project, with Councillor McCabe being the initial Chair, and (b) said appointments be re-considered at the statutory Meeting of Inverclyde Council following the May 2022 elections.

### 108 Appointment of Trustees to Peter Stanton Memorial Fund

108

There was submitted a report by the Head of Legal & Democratic Services requesting that the Council re-appoint three outside trustees to the Peter Stanton Memorial Trust for a period of four years.

**Decided:** that Mr John English and Mrs Eileen Gowans be re-appointed to serve for a period of four years from 17 February 2022 until 16 February 2026, and Mr Edward McCluskey MBE be re-appointed to serve for a period of four years from 22 February 2022 until 21 February 2026.

**109 'Control the Bleed Kits' – Request by Councillor Brooks**

109

There was submitted a report by the Head of Legal & Democratic Services on a request received from Councillor Brooks in the following terms:

“The Council is continually challenged by knife crime and the loss of life through criminal behaviour.

We recognise that many victims receive no first aid at the scene and bleed to death shortly after reaching hospital.

The recent installation of “Control The Bleed Kits” for use in public venues and areas has been welcomed by Police and Ambulance Services.

In addition to strong legislation from Scotland’s governments, we believe that our support for the kits within our communities would be welcomed by all, making Inverclyde a safer place.

If we can get as many publicly accessible venues to house these kits as possible, the public will know there is one nearby available to help someone in need. Those vital few minutes are paramount. Heroes often come in the form of zero responders i.e. someone on the scene. A member of the public with access to a kit can be that person who saves a life and prevents a preventable tragedy

Knife attack victims or car crash victims can bleed to death in less time than an ambulance takes to get to them, these kits are a true life-saver.

The Council asks the Chief Executive to provide a report to the next relevant Committee outlining:

1. The learned experience of Councils or Public Bodies, throughout the UK who have installed the kits.
2. An officers’ recommendation on the value of promoting the installation of the kits across Inverclyde.
3. An initial communication strategy to encourage Inverclyde Alliance, Third Sector organisations and major companies etc. to consider funding and/or installing the kits.
4. The cost to Inverclyde Council to install a number of the kits in appropriate buildings/areas of our estate. Including insurance burden and the replenishment of contents.
5. The cost to Inverclyde Council of running a promotion campaign, for twelve months, expressing the lifesaving value of the kits.”

**Decided:**

- (1) that the Council supports Councillor Brooks’ request; and
- (2) that it be remitted to officer to submit a report to the next meeting of the Education & Communities Committee addressing the terms of Councillor Brooks’ request.

**110 Request regarding the cessation of providing the sale or provision of single use plastic bottles – Request by Councillor McCabe on behalf of the Inverclyde Literati Group**

110

There was submitted a report by the Head of Legal & Democratic Services on a request received from Councillor McCabe on behalf of the Inverclyde Literati Group in the following terms:

“Following COP 26, Inverclyde Council is aware that we all need to take more responsibility for what we do to our environment. We know that across the UK 7.7 billion single use bottles are used each year and 1 million plastic bottles are bought around the world every minute.

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Inverclyde Council currently sells drinks in single use bottles, which contribute to this vast wastage of plastic and litter. As a council, we recognize the detrimental effect that this is having on our environment and our precious biodiversity, and also, the mixed messages that it is sending to our young people.

Consequently, Inverclyde Council believes that it must now lead by example and will become a zero-single-use-bottle council. To accomplish this, Inverclyde Council will cease to sell or provide single issue plastic bottles in any of its public premises, such as Inverclyde Leisure, schools and nurseries. Furthermore, in conjunction with Scottish Water, it will seek to increase the number of water points for people to refill their reusable bottles.

In addition, Inverclyde Council will consider practical and financial incentives to support local businesses to find ways in which they can also back this initiative.”

**Decided:**

- (1) that the Council supports the principle of Councillor McCabe's request; and
- (2) that it be remitted to officers to submit a report to the next meeting of the Education & Communities Committee addressing the considerations raised by the request, including cost implications, so that Members could make a decision on the request.

**111 Flying the Flag for National Care Day and Care Week - Request by Councillor Quinn 111**

There was submitted a report by the Head of Legal & Democratic Services on a request received from Councillor Quinn in the following terms:

“Our Proud2Care Group of Care Experienced young people are currently designing a flag in recognition of the Care Experienced community and Inverclyde's commitment to ‘Promise’. They are seeking agreement from the Council that this flag will be flown annually on National Care Day (18<sup>th</sup> February) and Care Week every October.”

**Decided:**

- (1) that the Council supports Councillor Quinn's request;
- (2) that Inverclyde Council will fly the Proud2Care flag annually from Greenock Municipal Buildings on National Care Day (18 February) and during Care Week every October; and
- (3) that it be remitted to officers to undertake a review of the current protocol for flying flags and submit a report to a future meeting of the Council.

**112 Hoisting of Flags from Council Buildings – Request by Councillor C McEleny 112**

There was submitted a report by the Head of Legal & Democratic Services on a request received from Councillor C McEleny in the following terms:

“That the Council agrees to fly the St Andrew's Flag/Scottish Saltire from all Council buildings all year round, with the exception of days it is agreed other flags should be flown.”

Councillor C McEleny clarified that his request was only in respect of Greenock, Gourock and Port Glasgow Municipal Buildings, and also with the exception of days it was accepted practice that other flags shall be flown.

Following discussion, Councillor C McEleny seconded by Councillor J McEleny moved the terms of his request as amended by clarification.

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As an amendment Councillor McGuire seconded by Councillor Moran moved that (1) the Council agrees to fly the St Andrew's Flag/Scottish Saltire from Greenock, Gourrock and Port Glasgow Municipal Buildings all year round, with the exception of days it is agreed or accepted practice that other flags should be flown, and (2) that this be implemented after officers submit a report reviewing the current protocol for flying flags to a future meeting.

Following a roll call vote 8 Members, Provost Brennan, Councillors Brooks, Clocherty, McCabe, McCormick, McGuire, Moran and Wilson voted for the amendment, and 9 Members, Councillors Ahlfeld, Crowther, Curley, MacLeod, C McEleny, J McEleny, McKenzie, Quinn and Robertson voted for the motion, which was declared carried. Councillors Jackson, McVey and Rebecchi abstained from voting.

Councillor Nelson left the meeting during discussion of this item.

**Decided:** that the St Andrew's Flag/Scottish Saltire flag be flown from Greenock, Gourrock and Port Glasgow Municipal Buildings all year round, with the exception of days it is agreed, or accepted practice, that other flags should be flown.

Councillor Wilson left the meeting at this juncture.

**113 Newsquest & Scottish Press Awards – The Greenock Telegraph – Request by Councillor C McEleny 113**

There was submitted a report by the Head of Legal & Democratic Services on a request received from Councillor C McEleny in the following terms:

“The Council is asked (1) to welcome that Inverclyde's community newspaper the Greenock Telegraph was Newsquest's best performing UK daily print title for 2021 and congratulate the staff at the newspaper for their success; and (2) to note that two local reporters were named as finalists at the Scottish Press Awards and congratulate former Inverclyde school pupil Amy Shearer for being named Young Journalist of the Year at the PPA Scotland Awards.”

**Decided:**

(1) that Inverclyde Council welcomes that Inverclyde's community newspaper the Greenock Telegraph was Newsquest's best performing UK daily print title for 2021 and congratulates the staff at the newspaper for their success; and

(2) that it be noted that two local reporters were named as finalists at the Scottish Press Awards and congratulates former Inverclyde school pupil Amy Shearer for being named Young Journalist of the Year at the PPA Scotland Awards.

**114 Request for an Independent Judge-led Inquiry on the procurement and design processes by Caledonian Maritime Assets Limited (CMAL) for Hull 802 and sister ship Glen Sannox – Notice of Motion by Councillor J McEleny 114**

There was submitted a report by the Head of Legal & Democratic Services on a motion received from Councillor J McEleny in the following terms:

“This Council acknowledges the skills and expertise of the Ferguson Marine workforce and are fully supportive of maintaining and growing Shipbuilding, Ship Maintenance and Repair on the Lower Clyde.

It also notes that the Scottish Parliament's Rural Economy and Connectivity Committee in December 2020 stated that there had been a “catastrophic failure” in managing of the procurement of Hull 802 and sister ship, Glen Sannox.



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Therefore, this council requests that the Chief Executive writes to the First Minister to seek an independent judge-led inquiry on the procurement and design processes / procedures by CMAL to establish why these vessels have been unable to be completed and as to why successive deadlines and key milestones have been missed and costs massively overrun.

Background:

Ferguson Marine is a key employer and an integral part of the Maritime sector.

Despite there being a Parliamentary Inquiry, which was critical of all parties involved, there has been no one held to account over this embarrassing procurement failure.

With regards to Ferguson Marine, a turn-around director, who earned in the region of £2M for 18 months, has been and gone with no visible / obvious signs of his impact.

As for CMAL, it's business as usual with no change of direction or improvement evident. There appears to be a lack of project management skills, a critical requirement when working on complex projects, with no one person understanding or controlling the overall programme. Specifications have not been clearly captured, communicated or understood, resulting in an incomplete design resulting in significant reworks. E.g. most of the pipework and couplings in the engine room of the Glen Sannox needs to be replaced. It has been in the water for four years or more, therefore it is unknown as to what additional work will be required.

Only an independent judge-led inquiry will establish the full facts and identify where the shortcomings lie, with the appropriate recommendations to restore public confidence in the Scottish Government and other public bodies' involvement in these builds."

Following discussion, Councillor J McEleny seconded by Councillor C McEleny moved the terms of his motion.

Following discussion, as an amendment Councillor Curley seconded by Councillor Robertson moved that:

This Council acknowledges the skills and expertise of the Ferguson Marine workforce and are fully supportive of maintaining and growing shipbuilding, ship maintenance and repair on the Lower Clyde but notes that continued discourse on this matter has the potential to affect the reputation of Ferguson Marine. It further notes that a Scottish Parliament Inquiry into the project was published in December 2020 and that Audit Scotland are currently undertaking an audit on the "Management of the project to deliver vessels 801 & 802" which is due to publish in March 2022.

Given the imminent date for the publication of the Audit Scotland report, and in order to enable elected members to take due cognisance of that report, it is considered that the Council will take no action at this time but rather wait publication of the Audit Scotland Report and consider the same at the next scheduled meeting of the full Council following the Audit Scotland report being so published, with the possibility of Councillor J McEleny's motion being again considered at that time.

Following a roll call vote, 7 Members, Councillors Brooks, Clocherty, Crowther, Curley, MacLeod, McGuire and Robertson voted for the amendment, and 10 Councillors, Provost Brennan, Councillors Ahlfeld, Jackson, McCormick, C McEleny, J McEleny, McKenzie, McVey, Quinn and Rebecchi voted for the motion which was declared carried. Councillors McCabe and Moran abstained from voting.

**Decided:** that it be agreed that the Chief Executive write to the First Minister to seek an independent judge-led inquiry on the procurement and design processes / procedures by CMAL to establish why these vessels have been unable to be completed and as to why successive deadlines and key milestones have been missed and costs massively overrun.

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**115 Representation on the SEEMIS Group Board 115**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking approval for the Council to express an interest in representing the West Area on the SEEMiS Board with effect from 1 April 2022 for a period of three years.

**Decided:**

- (1) that approval be given to Inverclyde Council expressing an interest in becoming the Managing Council for the West area on the SEEMiS Board; and
- (2) that it be agreed that Inverclyde will be represented by the Corporate Director Education, Communities & Organisational Development at an officer level and the Convener of the Education and Communities Committee at an Elected Member level.

**Appendices to Minutes**

**116 Appointment Panel - 23 November 2021 116**

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

**117 General Purposes Board - 8 December 2021 117**

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

**118 Appointment Panel - 10 December 2021 118**

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

**119 General Purposes Board - 12 January 2022 119**

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

**120 Environment & Regeneration Committee - 13 January 2022 120**

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

**121 Policy & Resources Committee - 1 February 2022 121**

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

## AUDIT COMMITTEE – 22 FEBRUARY 2022

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### Audit Committee

Tuesday 22 February 2022 at 3pm

**Present:** Provost Brennan, Councillors Brooks, McCabe, McCormick, McVey, Nelson, Quinn and Rebecchi.

**Chair:** Councillor Rebecchi presided.

**In attendance:** Interim Director Finance & Corporate Governance, Chief Internal Auditor, Mr M Thomson (Finance Services), Head of Legal & Democratic Services, Legal Services Manager (Procurement, Conveyancing & Information Governance), Ms L Carrick and Mr C MacDonald (Legal & Democratic Services), ICT Service Manager 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 Committee.**

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|------------|---|------------|
| <b>122</b> | <b>Apologies, Substitutions and Declarations of Interest</b>  | <b>122</b> |
|            | Apologies for absence were intimated on behalf of Councillors Curley, J McEleny and McGuire.  |            |
| <b>123</b> | <b>Internal Audit Progress Report – 29 November 2021 to 28 January 2022</b>   | <b>123</b> |
|            | There was submitted a report by the Interim Director Finance & Corporate Governance appending the monitoring report in respect of Internal Audit activity for the period 29 November 2021 to 28 January 2022. |            |
|            | <b>Decided:</b> that the monitoring report in respect of Internal Audit activity for the period 29 November to 28 January 2022 be noted.  |            |
| <b>124</b> | <b>External Audit Action Plans – Current Actions</b>  | <b>124</b> |
|            | There was submitted a report by the Interim Director Finance & Corporate Governance on the status of current actions from External Audit Action Plans as at 31 December 2021.                                 |            |
|            | <b>Decided:</b> that the progress to date in relation to the implementation of External Audit actions be noted.   |            |
| <b>125</b> | <b>Internal Audit Annual Strategy and Plan 2022-2023</b>  | <b>125</b> |
|            | There was submitted a report by the Interim Director Finance & Corporate Governance presenting for approval the Internal Audit Annual Strategy and Plan for 2022-2023.  |            |
|            | <b>Decided:</b> that approval be given to the Internal Audit Annual Strategy and Plan for 2022-2023.  |            |

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It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part I of Schedule 7(A) of the Act.

126      **Appendix relative to Item 2 providing information on special investigations**      126

There was submitted an appendix to the Internal Audit progress report providing information on special investigations.

**Decided:** that the contents of the appendix be noted.

## HEALTH & SOCIAL CARE COMMITTEE – 24 FEBRUARY 2022

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### Health & Social Care Committee

#### Thursday 24 February 2022 at 2pm

**Present:** Councillors Brooks, Jackson, MacLeod, McCabe, J McEleny, McKenzie, Moran, Quinn, Rebecchi and Robertson.

**Chair:** Councillor Moran presided.

**In attendance:** Interim Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership, Interim Head of Health & Community Care, Ms A Glendinning (for Head of Children, Families & Criminal Justice), Head of Homelessness, Mental Health and Drug & Alcohol Recovery Service, Head of Finance, Planning & Resources (HSCP), Ms S White (Finance Services), Ms V Pollock (for Head of Legal & Democratic Services), Ms D Sweeney and Mr C MacDonald (Legal & Democratic Services), Ms A Mailey (Service Manager, Quality & Development Service, HSCP), ICT Service Manager and Mr PJ Coulter (Corporate Communications).

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.**

#### **127 Apologies, Substitutions and Declarations of Interest 127**

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

No declarations of interest were intimated, but certain connections were intimated as follows –

Agenda Item 4 (Dementia Care Co-ordination Programme Update) – Councillor J McEleny.

Agenda Item 7 (Reporting by Exception – Governance of HSCP Commissioned External Organisations) – Councillors MacLeod and J McEleny.

#### **128 Revenue and Capital Budget Report – Position as at 31 December 2021 128**

There was submitted a report by the Interim Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership and the Head of Finance, Planning & Resources, Inverclyde Health & Social Care Partnership, on the projected out turn on revenue and capital budgets for 2021/22 as at 31 December 2021.

**Decided:**

(1) that the projected current year revenue out turn of a £44,000 underspend as at 31 December 2021 be noted;

(2) that the current projected capital position be noted; and

(3) that the current earmarked reserves position be noted.

#### **129 Provision of Care at Home Services – Delegated Authority 129**

There was submitted a report by the Interim Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership requesting that delegated authority be

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granted to the Head of Legal & Democratic Services to approve the award of a framework agreement and subsequent call-off contracts for the Provision of Care at Home Services as per Contract Standing Order 17.3(ii).

**Decided:** that delegated authority be granted to the Head of Legal & Democratic Services to approve the award of a framework agreement and subsequent call-off contracts for the Provision of Care at Home Services in accordance with Contract Standing Order 17.3(ii).

**130      Dementia Care Co-ordination Programme Update      130**

There was submitted a report by the Interim Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on the Inverclyde Dementia Care Co-ordination Programme which is due to end on 31 March 2022.

Councillor J McEleny declared a connection as the spouse of an employee of Alzheimer's Scotland. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence at the meeting or his participation in the decision-making process and was declaring for transparency.

**Decided:**

- (1) that the content of the report and achievements of the Programme be noted;
- (2) that the end of Programme planning be noted; and
- (3) that the proposed sustainability plans for beyond March 2022 be noted.

**131      The Implementation of the Age of Criminal Responsibility (Scotland) Act 2019      131**

There was submitted a report by the Interim Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership advising Committee of the implementation of the Age of Criminal Responsibility (Scotland) Act 2019.

**Decided:** that Committee note the enactment of the Age of Criminal Responsibility (Scotland) Act 2019 on 17 December 2021.

**132      Chief Officer's Report      132**

There was submitted a report by the Interim Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on service developments which are not contained within other reports on the agenda but which will form the basis of future reports.

**Decided:**

- (1) that the following updates be noted (a) Early Action System Change – women involved in the criminal justice system, (b) Inverclyde ADRS – benefits of service redesign, (c) Inverclyde Alcohol and Drug Partnership update, (d) additional winter 2021-22 funding, and (e) Learning Disability redesign – LD Community Hub update; and
- (2) that it be noted that reports will be brought to a future Committee as substantive agenda items.

**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.**

## HEALTH &amp; SOCIAL CARE COMMITTEE – 24 FEBRUARY 2022

Item	Paragraph(s)
<b>Reporting by Exception – Governance of HSCP Commissioned External Organisations</b>	<b>6 &amp; 9</b>
<b>Direct Award for Accommodation Based Services Contract Value Update</b>	<b>6, 8 &amp; 9</b>
<b>133 Reporting by Exception – Governance of HSCP Commissioned External Organisations</b>	<b>133</b>
<p>There was submitted a report by the Interim Corporate Director (Chief Officer), Inverclyde Health &amp; Social Care Partnership providing an update on matters relating to the HSCP governance processes for Externally Commissioned Social Care Services. Councillor MacLeod declared a connection as a Non-Executive Director of Parklea Branching Out, and Councillor J McEleny declared a connection as the spouse of an employee of Alzheimer’s Scotland. Both Members formed the view that the nature of their connection and of the item of business did not preclude their continued presence at the meeting or their participation in the decision-making process and were declaring for transparency.</p>	
<b>Decided:</b>	
(1) that the governance report for the period 20 November 2021 to 21 January 2022 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 are sufficiently robust to ensure ongoing quality and safety and the fostering of a commissioning culture of continuous improvement.	
<b>134 Direct Award for Accommodation Based Services Contract Value Update</b>	<b>134</b>
<p>There was submitted a report by the Interim Corporate Director (Chief Officer), Inverclyde Health &amp; Social Care Partnership providing further information on the award of contracts to a number of organisations, all as detailed in the Appendix. It was agreed unanimously to suspend Standing Orders to allow consideration of this item following decisions of the Health &amp; Social Care Committee on 21 October 2021.</p>	

**THE INVERCLYDE COUNCIL – 24 FEBRUARY 2022**

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**The Inverclyde Council**

**Thursday 24 February 2022 at 4pm**

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

**Chair:** Provost Brennan presided.

**In attendance:** Chief Executive, Corporate Director Education, Communities & Organisational Development, Interim Director Finance & Corporate Governance, Interim Director Environment & Regeneration, Interim Director (Chief Officer) Inverclyde Health & Social Care Partnership, Head of Legal & Democratic Services, Ms D Sweeney, Mr C MacDonald and Ms L Carrick (Legal Services), Ms M McCabe, Mr M Thompson and Ms A Edmiston (Finance Services), Head of Organisational Development, Policy & Communications, Interim Head of Service Public Protection & Covid Recovery, ICT Services Manager, Service Manager Communications, Tourism and Health & Safety and Mr P J Coulter (Corporate Communications).

The meeting was held by video-conference.

**135 Apologies and Declarations of Interest**

**135**

No apologies for absence or declarations of interest were intimated.

Prior to the commencement of business, the Provost referred to the invasion of Ukraine by Russian forces and sought the support of Elected Members to write to the Russian Ambassador calling for an immediate halt to Russian aggression, which was unanimously agreed.

**136 Approval of the 2022/23 Budget, 2022/25 Capital Programme and Approval of the Band D Council Tax for 2022/23**

**136**

It was agreed unanimously to suspend Standing Orders to allow consideration of this item following decisions of the Policy & Resources Committee on 14 September 2021 and 16 November 2021.

There was submitted a report by the Interim Director Finance & Corporate Governance seeking approval of various matters including (1) the 2022/23 Revenue Budget and the 2022/25 Capital Programme and (2) thereafter seeking approval of the Band D Council Tax for the year 2022/23.

Prior to discussion of this item the Interim Director Finance & Corporate Governance advised Elected Members of a recent announcement by the Scottish Government of an £80million one-off funding grant to support economic recovery in relation to the 2021/22 financial year and that he was awaiting confirmation of the criteria and amount allocated to Inverclyde Council. He further advised that this should not impact on decisions to be taken at this meeting and that a report would be brought before Elected Members as soon as possible regarding this matter.

During discussion of this item it was noted that appendix 11 had been accidentally omitted from the document circulated prior to the meeting entitled "Alba Party 2022/23 Budget Proposal" (Appendix 1 to the Minute) and, in response to questions, the Interim



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Director Finance & Corporate Governance advised Members that the Alba Party 2023/25 Estimated Budget Gap would be a shortfall of £13.9million compared to £13.4million in the report.

Following discussion, Councillor McCabe seconded by Councillor Clocherty moved that the Council approve the recommendations, which achieved consensus among 20 of the 22 Councillors, as contained within the report:

- (1) that the latest update regarding the Council's Revenue and Capital Grant settlement from the Scottish Government for 2022/23 and any associated funding conditions be noted;
- (2) (a) that the adjustments and savings as detailed at appendix 3 of the report be approved;
- (b) that the 2022/23 contribution to the Integrated Joint Board as detailed at appendix 4 of the report be approved, and it be noted that this requires to be approved by the IJB when it meets on 21 March 2022;
- (c) that the 2022/25 Capital Programme as detailed at appendix 5 of the report be approved;
- (d) that (i) the write back of existing reserves to the Free Reserves as detailed in appendix 6 of the report be approved, and (ii) the use of the resulting Free Reserves as detailed in appendix 7 of the report be approved;
- (e) that it be noted that officers will process the Scottish Government £150 payment to all Band A – D households and all Council Tax Reduction recipients as soon as is practical;
- (f) that approval be given to the 2022/23 Common Good Budget as is detailed at appendix 10 to the report;
- (3) that the Council note (i) the £13.4million estimated funding gap over the period 2023/25 based on the latest assessment of financial information relating to funding and demand pressures, and (ii) that the Corporate Management Team are developing a comprehensive list of potential areas for review to be considered in the early months of the new Council post May 2022;
- (4) that a 1.95% increase in Council Tax for 2022/23 be approved; and
- (5) that the Council Tax Resolution be approved and that the level of Band D Council Tax for Inverclyde for 2022/23 be £1357.81.

As an amendment, Councillor C McEleny second by Councillor J McEleny, moved that the proposals contained within the document circulated prior to the meeting entitled "Alba Party 2022/23 Budget Proposal" ([Appendix 1 to the Minute](#)) be approved, namely alternative appendices 3, 5, 6, 7, 8 and 9 to those contained within the report;

- (a) savings/adjustments (appendix 3);
- (b) summary of changes proposed to the Capital Programme (appendix 5);
- (c) available Free Reserves (appendix 6);
- (d) proposed use of Free Reserves (appendix 7);
- (e) impact on Council Tax (appendix 8); and
- (f) funding gap reduction summary (appendix 9).

Following a roll-call vote, 2 Members, Councillors C McEleny and J McEleny, voted for their amendment, and 19 Members, Provost Brennan, Councillor's Ahlfeld, Brooks, Clocherty, Crowther, Curley, Dorrian, Jackson, MacLeod, McCabe, McCormick, McGuire, McKenzie, McVey, Moran, Nelson, Quinn, Rebecchi and Robertson, voted for the motion which was declared carried.

**Decided:**

- (1) that the latest update regarding the Council's Revenue and Capital Grant settlement from the Scottish Government for 2022/23 and any associated funding conditions be noted;

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- (a) that the adjustments and savings as detailed at appendix 3 of the report be approved;
- (b) that (i) the write back of existing reserves to the Free Reserves as detailed in appendix 6 of the report be approved, and (ii) the use of the resulting Free Reserves as detailed in appendix 7 of the report be approved;
- (c) that the 2022/25 Capital Programme as detailed at appendix 5 of the report be approved;
- (d) that (i) the write back of existing reserves to the free reserves as detailed in appendix 6 of the report be approved, and (ii) the use of the resulting Free Reserves as detailed in appendix 7 of the report be approved;
- (e) that it be noted that officers will process the Scottish Government £150 payment to all Band A – D households and all Council Tax Reduction recipients as soon as is practical;
- (f) that approval be given to the 2022/23 Common Good Budget as is detailed at appendix 10 to the report;
- (3) that the Council note (i) the £13.4million estimated funding gap over the period 2023/25 based on the latest assessment of financial information relating to funding and demand pressures, and (ii) that the Corporate Management Team are developing a comprehensive list of potential areas for review to be considered in the early months of the new Council post May 2022;
- (4) that a 1.95% increase in Council Tax for 2022/23 be approved; and
- (5) that the Council Tax Resolution be approved and that the level of Band D Council Tax for Inverclyde for 2022/23 be £1357.81.

**PLANNING BOARD – 2 MARCH 2022**

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**Planning Board**

**Wednesday 2 March 2022 at 3pm**

**Present:** Councillors Clocherty, Crowther, Dorrian, J McEleny, McKenzie, Moran, Nelson, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Interim Director Environment & Regeneration, Head of Legal & Democratic Services, Mr D Ashman (Planning Services), Mr G Leitch and Ms E Provan (Roads and Transportation), Mr C MacDonald, Ms L Carrick and Mr J Kerr (Legal & Democratic Services), Service Manager, Communications, Tourism and Health & Safety.

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

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

**137 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 137**

Apologies for absence were intimated on behalf of Councillors McGuire and McVey.

No declarations of interest were intimated.

**138 CONTINUED PLANNING APPLICATION 138**

- (a) Proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage:  
Land at Former IBM site, Spango Valley, Inverkip Road, Greenock (20/0021/IC)**

There was submitted a report by the Interim Director Environment & Regeneration on an application for planning permission by Advance Construction (GD) Ltd for a proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage at land at Former IBM Site, Spango Valley, Inverkip Road, Greenock (20/0021/IC).

After discussion, Councillor J McEleny moved that planning permission be granted subject to the conditions detailed in the report with an alteration to Condition 4 to read 'the maximum number of dwellinghouses across the site shall be up to 400. For the purposes of this number, dwellinghouses include flatted dwellinghouses.'

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

Following a roll call vote, 4 Members, Councillors J McEleny, McKenzie, Moran and Wilson voted in favour of the motion and 5 Members, Clocherty, Crowther, Dorrian, Nelson and Rebecchi voted in favour of the motion which was declared carried.

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

- (1) that plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other

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limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval, to ensure that the matters referred to are given full consideration and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended;

(2) that prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the following matters:

- a. a masterplan layout and design framework for the entire application site;
- b. a levels strategy for the entire application site;
- c. a phasing plan for the entire application site including a detailed programme of works showing the relevant phases and timescales for the development of each phase, and the inter-relationship of the phases.

For the avoidance of doubt the masterplan layout and design framework shall include clear provision for the effective linking of the development to the remaining south-western part of the designated Spango Valley Priority Place in the adopted and proposed Inverclyde Local Development Plans and shall follow the generalities of the indicative layout details submitted in respect of:

- i. access points and spine road;
- ii. areas to be developed;
- iii. the open space and green infrastructure provision;
- iv. SuDS;
- v. daylighting and de-culverting of watercourses.

Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority unless otherwise first agreed in writing by the Planning Authority, to ensure an appropriate and comprehensive programme for delivery of the various elements of the development;

(3) that for the avoidance of doubt, no approval is given for the submitted indicative layout details and plans accompanying the application, due to the submitted application being for Planning Permission in Principle and to retain full control over the detail of the proposed development;

(4) that the maximum number of dwellinghouses across the site shall not exceed 270. For the purposes of this number, dwellinghouses include flatted dwellinghouses, this figure represents a pro-rata provision of the dwellings by area within the Spango Valley Priority Place identified by the adopted and proposed Inverclyde Local Development Plans, based on an acceptable level of development in terms of tested and available capacity by Transport Scotland and the Council as Education Authority;

(5) that prior to the commencement of works for each phase of the development, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the following matters:

- a. the siting, design, floor plans and external appearance of all buildings and other structures inclusive of dimensions as well as the type and colour of all external materials;
- b. the proposed site layout which shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas details of existing and proposed site levels;
- c. the type and colour of all hard surfacing materials;
- d. the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point;
- e. bin stores to be erected on site inclusive of dimensions as well as the type and colour of all external materials.

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Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority, to ensure that the design matters referred to are given full consideration and are acceptable;

(6) that prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the detailed landscape strategy paying particular attention to the following:

- a. a scheme of strategic landscaping and open space provision, detailing all existing landscape features and vegetation to be retained as well as trees to be felled;
- b. the locations of new trees, shrubs, hedges, grassed areas and water features;
- c. a schedule of trees and plants including species, plant sizes and proposed numbers and density;
- d. the layout, design and materials of all hard landscaping works;
- e. other structures such as street furniture;
- f. proposed levels;
- g. the extent and distribution of public open space within the development;
- h. details of the phasing of these works;
- i. a detailed programme for the completion and subsequent maintenance of the proposed landscaping.

Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority, to ensure that the landscaping details and open space provision are given full consideration and are acceptable;

(7) that the landscaping scheme shall ensure that where trees/shrubs are to be planted adjacent to the railway boundary these are to be positioned at a minimum distance from the boundary which is greater than their predicted mature height. The applicant shall agree with Network Rail and confirm in writing to the Planning Authority the species to be planted prior to the commencement of development, to control the impact of leaf fall on the operational railway;

(8) that prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority relating to a scheme for the provision of equipped play area(s). The scheme shall include:-

- a. details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
- b. details of the surface treatment of the play area(s), including the location and type of safety surfaces to be installed;
- c. details of fences to be erected around the play area(s);
- d. details of the phasing of these works; and
- e. details of the future maintenance of the play area(s).

Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority, to ensure that the play provision details are given full consideration and are acceptable;

(9) that all domestic garden dimensions, open space, play provision within the development shall accord with the requirements of the Council's adopted Planning Application Advice Note 3 on "Public and Private Open space within New Residential Development" or any successive draft or adopted replacement document, to ensure appropriate domestic garden dimensions, open space and play provision in the interests of amenity;

(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;

(11) that prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the

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Planning Authority in respect of all works and associated details relating to the daylighting and de-culverting of watercourses within the site. Works shall then proceed as approved unless an alternative is first agreed in writing by the Planning Authority, to ensure that the details relating to the daylighting and de-culverting of watercourses are given full consideration and are acceptable;

(12) that further planning applications for approval of matters specified by condition 1 in respect of each phase of the development shall be accompanied by an updated flood risk assessment which takes account of the detailed layout and design proposals. For the avoidance of doubt the recommendations set out within the “recommendations and conclusions” section of the Flood Risk Assessment dated May 2020 shall be incorporated into the detailed layout and design proposals. For the avoidance of doubt a flow paths of the surface water through the site to prevent any property flooding shall be demonstrated, in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(13) that prior to the commencement of works on site, mitigation measures to address the flood risk in respect of the access to and from the site shall be submitted to and approved in writing by the Planning Authority either as part of an updated version of the submitted Flood Risk Assessment or as a standalone document in association with the requirements of condition 12 above, in the interests of the avoidance of flooding affecting the access to the development hereby permitted;

(14) that all proposed new buildings, both residential and commercial in any form, shall have a finished floor level 600mm above the 1 in 200 year flood event plus climate change, in the interests of the avoidance of flooding affecting the development hereby permitted;

(15) that further planning applications for approval of matters specified by condition 1 in respect of each phase of the development shall be accompanied by a drainage impact assessment and full drainage details inclusive of future maintenance arrangements in accordance with the Council's policy which takes account of the detailed layout and design proposals. Works shall then proceed as approved unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt the drainage scheme must comply with the principles of Sustainable Drainage Systems (SuDS) as set out in CIRIA SuDS Manual (C753) and all surface water during and after development should be attenuated to that of greenfield run off, to ensure the adequacy of the drainage regime and associated maintenance in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(16) that SuDs must not be sited within 10 metres of the railway boundary, to protect the stability of the adjacent railway lines and the safety of the rail network;

(17) that all surface water shall be managed and diverted through the approved drainage infrastructure both during and on completion of the development to prevent flooding beyond the boundary of the application site, to avoid surface water run-off from the site in the interests of the avoidance of flooding;

(18) that it shall be demonstrated beyond doubt that no additional flooding or surface water run-off will occur to the adjoining part of the Spango Valley Priority Place designation in the adopted and proposed Local Development Plans, to the satisfaction of the Planning Authority, to ensure that the remaining part of the Priority Place designation is not affected by flooding and surface water run-off resulting from the development, impacting on the delivery of development on the neighbouring site;

(19) that prior to the commencement of works on any phase of the development, confirmation that all the requirements of Scottish Water can be fully met, including 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 ensure noise impact is fully considered;

(20) that further planning applications for approval of matters specified by condition 1

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in respect of each phase of the development which contains new residential properties shall be accompanied by an updated noise impact assessment which takes account of the detailed layout and design proposals. Required noise mitigation measures inclusive of acoustic barriers and screening which generally follow those identified in the submitted noise impact assessment dated January 2020 shall be incorporated into the design and layout for each phase, to ensure Scottish Water's acceptance of the drainage regime for the application site, in the interests of the provision of a satisfactory drainage regime;

(21) that prior to the occupation of any dwellinghouse hereby permitted in any phase of the development, noise mitigation measures relating to that phase of the development shall be completed as approved under condition 20 above to the satisfaction of the Planning Authority and be maintained on site at all times thereafter, to ensure the installation of appropriate noise mitigation measures in the interests of the amenity of future residents;

(22) that prior to the commencement of works on each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include:

a. a site specific CEMP outlining the details of all construction works and mitigation to be undertaken in relation to that phase together with an indicative timetable of the activities;

b. a site waste management plan (dealing with all aspects of waste produced during the construction period), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;

c. details of the formation of the construction compound, welfare facilities, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;

d. a dust management plan;

e. a pollution prevention and control method statement, including arrangements for the storage of oil and fuel on the site;

f. soil storage and management;

g. management to prevent to the spread of invasive species;

h. a water management plan to include a drainage management strategy, demonstrating how all surface and waste water arising during construction activities will be managed and prevented from polluting any watercourses or sources;

i. sewage disposal and treatment;

j. temporary site illumination;

k. the construction of the access into the relevant area within the site and the creation and maintenance of associated visibility splays;

l. details of any required ecological, ornithological and nature conservation mitigation measures including a toolbox talk for protected species to ensure all personnel are aware of what to do should evidence of species be discovered during construction;

m. hours of operation on site;

n. post-construction restoration/reinstatement of the working areas not required during the operation of the relevant phase, including construction access tracks, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas.

The CEMP for each phase of the development shall thereafter be implemented on site as approved unless otherwise first agreed in writing with the Planning Authority, to ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the EIA accompanying the application, or as otherwise agreed, are fully implemented;

(23) that no works shall commence on the development hereby approved until an independent and suitably qualified Ecological Clerk of Works (ECoW) has been

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appointed by the developer(s), at their expense, to oversee the implementation the development and Construction Environmental Management Plan (CEMP). Full details of the ECoW (including name, qualifications and contact details) appointed shall be submitted in writing not less than 14 days before development commences, to secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development;

(24) that prior to appointing the ECoW in accordance with condition 23 above, a 'scope of works' for that person shall be submitted to, and approved in writing by, the Planning Authority. The Scope of Works shall specify the stages of the process that the ECoW will be present on site for and how regularly they will otherwise inspect the site. All works shall be carried out in accordance with the agreed scope of works to the satisfaction of the Planning Authority, to secure a suitable scope and works and appropriate access for the ECoW in the interests of the effective monitoring of and compliance with the environmental mitigation and management measures associated with the development;

(25) that the recommendations set out within the submitted Preliminary Ecological Appraisal dated June 2019 in respect of mitigation and further surveys shall followed and implemented to the satisfaction of the Planning Authority, in the interests of the protection of ecology;

(26) that for the avoidance of doubt, compliance with condition 25 above shall include following the recommendation in respect of annual updates to maintain a valid data set and accordingly where 12 months or more has elapsed between the timing any ecological survey and development commencing in any phase, further updated survey(s) shall be undertaken to determine the presence of any statutorily protected species and be submitted to and approved in writing by the Planning Authority before any development commences in respect of any phase, to ensure that an up-to-date position is maintained in the interests of the appropriate protection of ecology;

(27) that notwithstanding the requirements of condition 25 above, prior to the commencement of works on site in respect of any phase, a pre-construction survey for all European Protected species together with all priority Local Biodiversity Action Plan species shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required, to ensure the appropriate protection of European Protected species and other wildlife;

(28) that the recommendations set out within the submitted Bat Survey dated August 2019 shall be fully followed to the satisfaction of the Planning Authority inclusive of undertaking the demolition of the concrete retaining wall out with the winter hibernation period for bats from December to March inclusive, to ensure the appropriate protection of Bats;

(29) that no tree works or scrub clearance shall occur on site from March through to August (inclusive) each year unless otherwise agreed in writing with this Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to August (inclusive), a suitable bird survey shall be carried out by a suitably qualified ecologist covering the proposed clearance area and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves should be carried out within a specified and agreed timescale, to ensure the appropriate protection of breeding birds;

(30) that no tree works or scrub clearance shall occur and no other development or construction works shall commence during the bird breeding season March through to August (inclusive) in the north-eastern part of the site generally from a point level with the existing north-easternmost access to the north-eastern site boundary. Prior to the commencement of any works on site, a site plan of a scale not less than 1:500 setting out a clear boundary of the restricted area shall be submitted to and agreed in writing



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by the Planning Authority. Works shall then proceed as approved, to ensure the appropriate protection of breeding birds;

(31) that prior to the commencement of works on site in any phase, a biodiversity enhancement scheme inclusive of a timetable for implementation shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved, to ensure appropriate biodiversity enhancement within the new habitats created;

(32) that prior to the commencement of works on site in any phase, 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 shall not be removed during the course of construction work, to ensure the retention of and avoidance of damage to trees during development;

(33) that no tree felling shall be undertaken on site unless in accordance with an approved landscape framework or strategy or otherwise first agreed in writing by the Planning Authority, to ensure the retention of and avoidance of damage to trees during development;

(34) that prior to the commencement of works on site in any phase, full details of mitigation measures generally following those set out within Section 12.135 of the EIA to reduce the temporary visual effects resulting from construction shall be submitted to and agreed in writing by the Planning Authority. Works shall then proceed as approved, to minimise the visual effects from construction;

(35) that the details set out within the Landscape Mitigation Strategy in Figure 12.6 of the EIA shall be incorporated into the detailed design of the development, to minimise the visual effects of the development;

(36) that prior to the start of development in any phase, 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;

(37) that the development in any phase 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;

(38) that before the development of any building in any phase 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 to confirm successful completion of remediation measures in the interest of human health and environmental safety;

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(39) 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;

(40) that prior to commencement of the development works within any phase, an Environmental Monitoring Plan for trichloroethene and associated contaminants present at the site shall be submitted to and approved in writing by the Planning Authority; this plan shall include an emergency contingency response plan to deal with any watercourse pollution events. Development shall not proceed until the Environmental Monitoring Plan is implemented. Any variation to the agreed Environmental Monitoring Plan shall be submitted for approval, in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues resulting from trichloroethene and associated contaminants present at the site in the interests of human health and environmental safety;

(41) that prior to the commencement of any works on site, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing together with the timescale for implementation shall be submitted to and approved in writing by the Planning Authority. Thereafter the works shall proceed as approved and the fence shall be maintained in position at all times thereafter, In the interests of public safety and the protection of Network Rail infrastructure;

(42) that all proposed roads, footpaths and parking shall be provided in accordance with the National Roads Development Guide. The details shall allow for:

- a. Residential parking:
  - i. (including garages if not less than 3.0 metres by 7.0 metres in size) to be provided in accordance with the National Guidelines of one parking space for a 1-bedroom house, 2 parking spaces for a 2 or 3 bedroom house, and 3 parking spaces for a 4 bedroom house;
  - ii. visitor parking shall be at a standard of 0.25 space per house;
  - iii. the minimum dimensions of driveways shall be 3 metres wide by 5.5 metres long per bay; the driveway gradients shall not exceed 10%; driveways shall be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road; and the gradient of driveways shall not exceed 10%;
  - iv. any visitor parking spaces shall be a minimum of 2.5 metres by 5.0 metres.
- b. Employment, Industrial, Retain, Community and Leisure parking:
  - i. Parking requirements as stated in the National Roads Development Guide;
  - ii. The roads shall be designed to a 20mph speed limit with traffic calming;
  - iii. All roads within the site shall be a minimum of 5.5m wide and have a gradient of 8% or less;
  - iv. All footways within the site shall be a minimum of 2.0m wide;

(43) that prior to the occupation of any building regardless of the proposed use, the off-street parking approved in association with condition 42 above shall be formed and available for use. The parking shall remain in place and available for use at all times thereafter to the satisfaction of the planning authority, to ensure appropriate parking provision for new buildings;

(44) that prior to each dwellinghouse hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course and operational street lighting shall be provided, to ensure the provision of acceptable safe access facilities during construction;

(45) that within 4 weeks of the last of the dwellinghouses hereby permitted being completed, all roads and footways within the application site shall be completed to a

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final wearing course, to ensure the provision of acceptable safe access facilities following construction;

(46) that prior to the completion of each phase of the development all visitor parking spaces approved in association with condition 42 above shall be formed and available for use. The parking shall remain in place and available for use at all times thereafter to the satisfaction of the planning authority, to ensure the provision of appropriate visitor parking facilities;

(47) that prior to the commencement of any phased development, the existing grade-separated junction, proposed to be used as a means of access to the trunk road, shall be upgraded to an adoptable standard, generally in line with Drawing 19137-SK-21 Revision D (Dated 04 August 2021), to be approved by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Any existing walking and cycle user infrastructure affected by the upgrade shall also be upgraded to conform to current standards, to ensure that the standard of access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished;

(48) that prior to the commencement of any works on site, the proposed signal-controlled means of access to the trunk road shall be constructed to a layout generally in line with Drawing 108901/I/GA/001 Revision A (Dated October 2019), and type (and method) of construction to be approved by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished;

(49) that prior to the commencement of any phased development, a scheme for the closure of the existing central site access junction with the A78(T) shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(50) that prior to the commencement of any phased development, a Sustainable Transport Strategy shall be prepared and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities;

(51) that prior to the occupation of any part of the phased development, any footpath link must be approved and then constructed and completed to the satisfaction of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road;

(52) that prior to the occupation of any part of the phased development, a scheme for the closure of the existing sub-standard footway across the site frontage with the A78(T) should be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities;

(53) that prior to the commencement of any phased development, a Public Transport Strategy shall be submitted to and agreed in writing with the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, that considers the various public transport improvements cited in the Transport Assessment, to ensure that the development is adequately served by public transport services; and to minimise any interference with the safety and free flow of traffic on the trunk road network;

(54) that for the avoidance of doubt, the Public Transport Strategy required under condition 53 above shall include (but not be limited to) details on the provision of all modes public transport inclusive of the re-establishment of rail services at IBM Halt, infrastructure inclusive of park and ride facilities, phasing and implementation and details of funding mechanisms required, to ensure all public transport matters are

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considered by the Public Transport Strategy;

(55) that prior to the commencement of any phased development, a scheme for the closure and relocation of the existing bus stop and uncontrolled pedestrian crossing on the northbound A78(T) carriageway at the existing central site access shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(56) that prior to the commencement of any works on site, a Transport Assessment Addendum shall be prepared and approved in writing by the Local Authority, in consultation with Transport Scotland as the Trunk Roads Authority, that considers the potential impacts of the development at A78(T) / Dunlop Street Roundabout. Any mitigation shall be identified and, prior to the commencement of any works on site, shall be constructed conforming to current standards to be approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(57) that prior to the commencement of any works on site, a scheme for the delivery of A78(T) / Cumberland Road junction improvement measures shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales, to mitigate the impact of the development and ensure the safe and efficient operation of the trunk road;

(58) that prior to the occupation of any part of the phased development, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. The Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan, to be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport;

(59) that prior to the commencement of any works on site, details of the lighting within the site shall be submitted for the approval of the Planning Authority, in 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 trunk road will not be diminished;

(60) that there shall be no drainage connections to the trunk road drainage system, to ensure that the efficiency of the existing drainage network is not affected;

(61) that prior to the commencement of any works on site, a Construction Traffic Management Plan (CTMP) for each phase of the development, covering the construction of that phase, shall be submitted for prior approval of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, before any works commence on site, to minimise interference with the safety and free flow of the traffic on the trunk road, to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities and to be consistent with current guidance and best practice;

(62) that all vehicles transporting construction material to and from the proposed development shall be sheeted, to ensure that material from the site is not deposited on the trunk road to the detriment of road safety;

(63) that prior to the commencement of any works on site, vehicle wheel cleaning facilities shall be installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of the planning authority, in consultation with Transport Scotland as the Trunk Roads Authority, to ensure that material from the site is not deposited on the trunk road to the detriment of road safety;

(64) that prior to the commencement of any works on site, details of the connection of

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the site to the core path network, inclusive of timing of the implementation shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved, to ensure the development links to the core path network;

(65) that all proposed new buildings, both residential and commercial in any form 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 erection of the first house on site, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(66) that further planning applications for approval of matters specified by condition 1 in respect of each phase of the development shall detail the provision of electrical vehicle charging points. For the avoidance of doubt this shall include each dwellinghouse provided with an electric vehicle charging point prior to its occupation, to ensure appropriate electric vehicle charging provision;

(67) that no dwellinghouse shall be occupied until the contents of a Travel Information Pack (largely in line with the example submitted within the Transport Assessment) which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents. The Travel Information Pack shall be updated by the applicant as deemed necessary by the Planning Authority to take account of the progression of the development, to encourage sustainable travel behaviour and reduce the reliance on the private car; and

(68) that a minimum 5% of the dwellinghouses to be constructed on site shall be fully wheelchair accessible, to ensure provision of wheelchair accessible housing in accordance with Policy 21 of the proposed 2021 Inverclyde Local Development Plan.

## LOCAL REVIEW BODY – 2 MARCH 2022

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### Local Review Body

Wednesday 2 March 2022 at 4pm

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

**Chair:** Councillor Wilson presided.

**In attendance:** Mr A Hamilton and Ms M Pickett (Planning Advisers), Mr J Kerr (Legal Adviser), Mr C MacDonald and Ms L Carrick (Legal & Democratic Services).

The meeting was held at the Municipal Buildings, Greenock with Councillors Clocherty, Crowther, 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.**

### 139 **APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST** 139

No apologies for absence were intimated.

No declarations of interest were intimated, but certain connections were intimated as follows:

Councillor Clocherty declared a connection in Agenda Item 2(a) (Planning Application for Review: Site at eastern end of Cowal Crescent, Gourrock (21/0186/IC)).

### 140 **PLANNING APPLICATIONS FOR REVIEW** 140

#### (a) **Demolition of existing garage and erection of detached house with integral garage and associated landscaping works: Site at eastern end of Cowal Crescent, Gourrock (21/0186/IC)**

There were submitted papers relative to the application for review for the refusal of demolition for an existing garage and erection of detached house with integral garage and associated landscaping works at a site at the eastern end of Cowal Crescent, Gourrock (21/0186/IC) to enable the Local Review Body to consider the matter afresh. Councillor Clocherty declared a connection as an acquaintance of the applicant through his role as a member of the board of Inverclyde Leisure. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and was declaring for transparency.

Mr Hamilton acted as Planning Adviser relative to this case.

Following discussions, Councillor Crowther 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:-

1. this permission is granted subject to the condition that the development to which it relates must be begun not later than the expiration of 3 years beginning with the date of this permission, in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997;

**LOCAL REVIEW BODY – 2 MARCH 2022**

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2. that prior to the commencement of development details and samples of all facing materials, including colours 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 amenity;
3. 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;
4. that prior to the commencement of development, details of all boundary treatments shall be submitted to and approved in writing by the Planning Authority. The approved treatments shall thereafter be used unless a variation is approved in writing by the Planning Authority and shall be completed prior to the occupation of the relevant house, to allow assessment of the appropriateness of any boundary features in the interests of amenity;
5. 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 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 to reduce the risk of flooding;
6. 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 house, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;
7. that the dwellinghouse 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;
8. in the event of any previously unrecorded contamination or Japanese Knotweed being discovered, site works shall cease with immediate effect and the matter brought to the attention of the Planning Authority. Thereafter, site works may not recommence until a Remediation Scheme (to be submitted for the prior written approval of the Planning Authority) has been completed to the satisfaction of the Planning Authority in writing, to ensure that any contamination and Japanese Knotweed concerns are managed appropriately;
9. that prior to occupation of the dwellinghouse hereby permitted, 3 car parking spaces shall be provided. Each of these shall be 3 metres by 5.5 metres. For the garage to be counted as a parking space it must be a minimum of 3 metres by 7 metres, to ensure the provision of adequate parking spaces;
10. the dimensions of the driveway shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development, to ensure usability of the driveway;
11. that the driveway gradient shall not exceed 10%, to ensure usability of the driveway;
12. that the driveway shall be paved for a minimum distance of 2 metres from the rear of the carriageway, to prevent deleterious material being carried onto the carriageway;
13. that the applicant shall achieve a visibility splay of 2.4 metres by 20 metres by 1.05 metres at all times, in the interests of traffic safety;
14. that prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted to and approved in writing by the Planning Authority, to ensure the suitability of infrastructure connections; and
15. full details shall be submitted to and approved in writing by the Planning Authority of the proposed summerhouse and garden shed, in the interests of visual amenity.

## LOCAL REVIEW BODY – 2 MARCH 2022

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### Advisory Notes

1. all external lighting on the application site shall comply with the Scottish Government Guidance Note “Controlling Light Pollution and Reducing Light Energy Consumption”;
2. the sound insulation shall have regard to advice and standards contained in the current Scottish Building Regulations;
3. a Section 56 Agreement under the Roads (Scotland) Act 1984 will be required for all works in the public road.

As an amendment Councillor Nelson moved that (1) 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. the proposal cannot be considered to be the right development in the right place as required by Scottish Planning Policy 2014;
2. the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the 2019 Inverclyde Local Development Plan and the 2021 proposed Inverclyde Local Development Plan most notably in that it fails to be “Safe and Pleasant” in avoiding conflict with adjacent uses in respect of privacy;
3. the proposal will have a detrimental impact on the privacy and amenity of the neighbouring property to the north to the detriment of the residential amenity of the area and thus fails to accord with the requirements of Policy 20 of the proposed Local Development Plan;
4. the proposal would result in an over-dominant feature within close proximity to the neighbouring residential property to the north and this over-dominance would be to the detriment of the appearance, character and residential amenity of the area and thus fails to accord with the requirements of Policy 20 of the proposed Local Development Plan;
5. the overall relationship between the rear elevation and northern boundary does not follow that which prevails within the locality and this fails to accord with the guidance within adopted and draft PAAN2 which seek that the distance to garden boundaries reflect the immediate locality.

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

### **Decided:**

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

#### Conditions

1. this permission is granted subject to the condition that the development to which it relates must be begun not later than the expiration of 3 years beginning with the date of this permission, in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997;
2. that prior to the commencement of development details and samples of all facing materials, including colours 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 amenity;
3. 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;



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4. that prior to the commencement of development, details of all boundary treatments shall be submitted to and approved in writing by the Planning Authority. The approved treatments shall thereafter be used unless a variation is approved in writing by the Planning Authority and shall be completed prior to the occupation of the relevant house, to allow assessment of the appropriateness of any boundary features in the interests of amenity;
5. 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 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 to reduce the risk of flooding;
6. 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 house, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;
7. that the dwellinghouse 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;
8. in the event of any previously unrecorded contamination or Japanese Knotweed being discovered, site works shall cease with immediate effect and the matter brought to the attention of the Planning Authority. Thereafter, site works may not recommence until a Remediation Scheme (to be submitted for the prior written approval of the Planning Authority) has been completed to the satisfaction of the Planning Authority in writing, to ensure that any contamination and Japanese Knotweed concerns are managed appropriately;
9. that prior to occupation of the dwellinghouse hereby permitted, 3 car parking spaces shall be provided. Each of these shall be 3 metres by 5.5 metres. For the garage to be counted as a parking space it must be a minimum of 3 metres by 7 metres, to ensure the provision of adequate parking spaces;
10. the dimensions of the driveway shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development, to ensure usability of the driveway;
11. that the driveway gradient shall not exceed 10%, to ensure usability of the driveway;
12. that the driveway shall be paved for a minimum distance of 2 metres from the rear of the carriageway, to prevent deleterious material being carried onto the carriageway;
13. that the applicant shall achieve a visibility splay of 2.4 metres by 20 metres by 1.05 metres at all times, in the interests of traffic safety;
14. that prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted to and approved in writing by the Planning Authority, to ensure the suitability of infrastructure connections; and
15. full details shall be submitted to and approved in writing by the Planning Authority of the proposed summerhouse and garden shed, in the interests of visual amenity.

**Advisory Notes**

1. all external lighting on the application site shall comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Light Energy Consumption";
2. the sound insulation shall have regard to advice and standards contained in the current Scottish Building Regulations; and
3. a Section 56 Agreement under the Roads (Scotland) Act 1984 will be required for

## LOCAL REVIEW BODY – 2 MARCH 2022

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all works in the public road.

**(b) Erection of 1500mm fence and gate near to the front site boundary:  
Leadene, Dunvegan Avenue, Gourrock (21/0260/IC)**

There were submitted papers relative to the application for review for the erection of a 1500mm fence and gate near to the front site boundary at Leadene, Dunvegan Avenue, Gourrock (21/0260/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

Prior to the commencement of discussion on this item, Ms Pickett advised the Local Review Body of the number of representations submitted for the application and that a withdrawn representation contained in the agenda papers had been redacted.

**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 height, design and position, the development forms an unexpected and dominant feature on the streetscape. As such it does not reflect local architecture or the urban form of the area and fails to meet the quality of being 'Distinctive' in Policy 1 of the adopted Inverclyde Local Development Plan and Policy 1 of the proposed Inverclyde Local Development Plan; and

2. the proposal fails to reflect the established character and pattern of development on Dunvegan Avenue, contrary to Policy 20 of the proposed Inverclyde Local Development Plan.

**(c) Erection of 6m flagpole within front curtilage of property (in retrospect):  
53 Victoria Road, Gourrock (21/0229/IC)**

There were submitted papers relative to the application for review for the erection of a 6m flagpole within the front curtilage of property at 53 Victoria Road (21/0229/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 of a typographical error in the agenda papers and accordingly the reference to 'Barrhead Road' contained in the Report of Handling on page 338 of the printed agenda papers should read 'Barrhill Road'.

Following discussions, Councillor Nelson 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 in terms of Regulation 16 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Democratic Services in consultation with the chair.

As an amendment, Cllr Wilson moved that (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.

As a further amendment, Councillor McKenzie moved that (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:

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1. by reason of height and position within the front garden, the development forms an unexpected and dominant feature on the streetscape. As such it fails to reflect the urban form of the area as required by Policy 1 of the Inverclyde Development Plan; and
2. the installation of a flagpole within the front garden of a domestic residence forms an unexpected feature which is incompatible with the character of the surrounding area, contrary to Policy 20 of the proposed Inverclyde Development Plan.

On a vote between the two amendments, 1 Member, Councillor Wilson voted in favour of his amendment and 4 Members, Councillors Clocherty, Dorrian, McKenzie and Rebecchi voted in favour of the amendment by Councillor McKenzie. 2 Members, Councillors Crowther and Nelson abstained from voting. The amendment by Councillor Wilson, having received fewer votes, then fell.

On a vote between the motion and amendment by Councillor McKenzie, 3 Members, Councillors Crowther, Nelson and Wilson voted in favour of the motion and 4 Members, Councillors Clocherty, Dorrian, McKenzie and Rebecchi 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 by dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:
  1. by reason of height and position within the front garden, the development forms an unexpected and dominant feature on the streetscape. As such it fails to reflect the urban form of the area as required by Policy 1 of the Inverclyde Development Plan; and
  2. the installation of a flagpole within the front garden of a domestic residence forms an unexpected feature which is incompatible with the character of the surrounding area, contrary to Policy 20 of the proposed Inverclyde Development Plan.

**ENVIRONMENT & REGENERATION COMMITTEE – 3 MARCH 2022**

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**Environment & Regeneration Committee**

**Thursday 3 March 2022 at 3pm**

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

**Chair:** Councillor McCormick presided.

**In attendance:** Interim Director Environment & Regeneration, Interim Head of Service, Public Protection & Covid Recovery, Head of Roads & Environmental Shared Services, Interim Head of Property Services, Mr J Kerr (for Head of Legal & Democratic Services), Mr C MacDonald and Ms D Sweeney (Legal & Democratic Services), Mr M Thomson (for Interim Service Director Corporate Services & Organisational Recovery), Ms J Wilson (Finance Services), ICT Services Manager and Service Manager Communications, Tourism and Health & Safety.

This meeting was held at the Municipal Buildings, Greenock with Councillors Ahlfeld, Clocherty, Crowther, Jackson, McCabe, J McEleny, McKenzie 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.**

**141      Apologies, Substitutions and Declarations of Interest      141**

An apology for absence was intimated on behalf of Councillor C McEleny, with Councillor J McEleny substituting.

No declarations of interest were intimated, but certain connections were intimated as follows:

Agenda Item 3 (Environment & Regeneration Capital Programme Progress) – Councillors Clocherty and Curley.

Agenda Item 16 (Award of Contracts for Employability Services) – Councillor Ahlfeld.

**142      Environment and Regeneration 2021/22 Revenue & Capital Budget – Period 9 (31 December 2021)      142**

There was submitted a report by the Interim Director Finance & Corporate Governance and the Interim Director Environment & Regeneration advising the Committee of the position of the 2021/22 Revenue Budget and Capital Budget position as at Period 9 to 31 December 2021.

**Decided:**

(1) that the current projected overspend for 2021/22 of £116,000 as at 31 December 2021 be noted;

(2) that it be noted that the Interim 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

## ENVIRONMENT & REGENERATION COMMITTEE – 3 MARCH 2022

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(3) that the current position of the 2021/24 Capital Programme and City Deal as detailed in the report and appendices be noted.

### 143 Environment & Regeneration Capital Programme Progress 143

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

Councillors Clocherty and Curley declared a connection as Members of the Board of Inverclyde Leisure. They also formed the view that the nature of their connection and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and they were declaring for transparency.

**Decided:** that the current position of the 2021/24 Capital Programme and the progress on the specific projects detailed in the report be noted.

### 144 General Update 144

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

**Decided:**

(1) that the recommencement of parking charging within off street car parks on 1 April 2022, including the new car parks covered under the new Traffic Regulation Orders, be noted;

(2) that the update in respect of the speed surveys undertaken in Albert Road, Ashton Road and Cloch Road, Gourock be noted;

(3) that the Council's continued participation in the Greenports' bidding process be noted;

(4) that the current position in respect of the Falls of Clyde be noted;

(5) that it be noted that a further report will be prepared in respect of the Council's participation in the Edinburgh Process; and

(6) that it be remitted to officers to write to the Safety Camera Partnership requesting further information on the rationale and criteria used to determine the refusal of safety cameras at the locations detailed in paragraph 4.8 of the report.

### 145 Roads & Transportation – Proposed RAMP/Capital Programme for 2022/23 145

There was submitted a report by the Interim Director Environment & Regeneration seeking approval in relation to a proposed programme of projects to be undertaken in 2022/23 using RAMP/Capital Funding and a grant offer of funding by the Scottish Government for Cycling, Walking and Safer Routes (CWSR) Projects.

**Decided:**

(1) that approval be given to the list of works as detailed in the report for the 2022/23 RAMP/Capital and CWSR grant aided roads related projects; and

(2) that delegated authority be granted to the Head of Service – Roads & Transportation to achieve full spend of the RAMP/Capital budget through the substitution of projects from a reserve list when necessary.

### 146 Residual Waste Procurement Strategy 146

There was submitted a report by the Head of Roads & Environmental Shared Services (1) advising the Committee of the Council's long term waste procurement requirements

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to meet the landfill ban which comes into effect in 2025; (2) to market test to determine the best value procurement strategy for the Council; and (3) based on that market testing develop tender documentation.

**Decided:**

(1) that it be remitted to officers to engage in the development of the joint residual waste procurement exercise and carry out market testing of potential suppliers able to meet the Landfill Ban; and

(2) that it be remitted to officers to (a) assess the market testing feedback to determine the best value procurement strategy for the Council; and (b) present a further report to the Committee in the Autumn.

**147 Consultation on Draft National Planning Framework 4 (NPF4) 147**

There was submitted a report by the Interim Director Environment & Regeneration (1) informing the Committee of the Scottish Government consultation on the Draft National Planning Framework 4 (NPF4); and (2) seeking approval of the Council's proposed response.

**Decided:** that (a) the National Planning Framework 4 consultation be noted; and (b) approval be given to the proposed response as detailed in appendix 1 of the report.

**148 Consultation on Local Development Planning – Regulations and Guidance 148**

There was submitted a report by the Interim Director Environment & Regeneration (1) informing the Committee of the Scottish Government consultation on Local Development Planning – Regulation and Guidance; and (2) seeking approval of the Council's proposed response.

**Decided:** that (a) the Local Development Planning – Regulations and Guidance consultation be noted; and (b) approval be given to the proposed response as detailed in appendix 1 of the report.

**149 Fraser of Allander Institute – Supporting Economic Recovery in Inverclyde, West Dunbartonshire and Argyll & Bute 149**

There was submitted a report by the Interim Director Environment & Regeneration providing an update on the Fraser of Allander Institute's study Supporting Economic Recovery in Inverclyde, West Dunbartonshire and Argyll & Bute and seeking Committee approval for the study to be used as the basis of any engagement with both the UK and Scottish Governments, and in particular with the proposed Task Force for Inverclyde.

**Decided:**

(1) that (a) the synopsis from the Fraser of Allander Institute report be noted; and (b) it be noted that the full report will be the subject of a Members briefing once available and brought to the first available Committee following the local government elections in May 2022; and

(2) that it be agreed that pending the issue of the Fraser of Allander Institute's final report the synopsis can be used in discussions with UK and Scottish Governments, specifically with regards to the potential Task Force.

**150 Pavement Parking Prohibitions – Consultation on Pre-Implementation Directions and Regulations 150**

There was submitted a report by the Interim Director Environment & Regeneration

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advising the Committee of the consultation on Pre-Implementation Directions and Regulations associated with the Pavement Parking Prohibitions and to seek approval for the proposed response to the consultation.

**Decided:** that the proposed consultation response as detailed in appendix B of the report be approved.

### 151 Public Convenience Update

151

There was submitted a report by the Interim Director Environment & Regeneration providing an update on proposed summer opening hours for public conveniences and to confirm funding for the cleaning of the extended estate.

**Decided:**

- (1) that the intention to fund the increased costs of public convenience provision from within the directorate budget be noted; and
- (2) that approval be given to the extended opening hours of the Fore Street, Hunters Place and Kilblain Street toilets to 8pm between April and September.

### 152 Spaces for People Update – Cycle Lane Monitoring Results

152

There was submitted a report by the Interim Director Environment & Regeneration advising of the outcome of the monitoring carried out on the cycle lane usage and traffic movement from Battery Park to Laird Street, together with addendum report providing updated statistics relating to traffic survey results and queue lengths on Brougham Street, Greenock.

Following discussion, Councillor Brooks moved that recommendations (d), (e) and (f) as detailed in the report be deleted and replaced with the following text: “(d) agrees to remove the temporary cycle lane on the A770 (Eldon Street, Grey Place and Dalrymple Street) with all work to be completed by 31 May 2022.”

As an amendment, Councillor Curley moved that the recommendations contained in the report be agreed, subject to the addition of a further recommendation “(g) that a further report on potential improvements to the cycle lane be brought to a future meeting of the Committee.”

Following a roll call vote, 2 Members, Councillors Brooks and J McEleny, voted in favour of the motion and 9 Members, Councillors Ahlfeld, Clocherty, Crowther, Curley, Jackson, McCabe, McCormick, McKenzie and Nelson voted in favour of the amendment which was declared carried.

**Decided:**

- (1) that the amendments made to the cycle lane following the feedback and monitoring detailed in paragraph 4.10 of the report be noted;
- (2) that it be noted that traffic surveys have been undertaken and that the surveys show less delay to vehicular traffic than in 2019;
- (3) that it be noted that the cycle route usage data shows an anticipated usage in excess of 10,000 cyclists per year;
- (4) that (a) it be agreed that monitoring should continue for a further six months to determine usage of the cycle lane during the summer season; and (b) it be remitted to officers to submit a further report detailing additional usage data to Committee in September 2022;
- (5) that it be agreed that any review of the section between Grey Place and Laird Street is paused until the completion of the construction works at West Blackhall Street;
- (6) that it be noted that further minor amendments may be deployed to improve the cycle lane’s deployment; and

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(7) that a further report on potential improvements to the cycle lane be brought to a future meeting of the Committee.

**153 Path Agreement between Inverclyde Council and Peel Land & Property (Greenock Harbours) Limited for the Construction of the NCN75 Shared Path through East India and Victoria Harbour 153**

There was submitted a report by the Interim Director Environment & Regeneration seeking approval to enter into a Path Agreement with the landowner Peel Land & Property (Greenock Harbours) Limited to enable the NCN75 Shared Path to be completed between the Beacon Arts Centre and the existing access to EE contact centre located to the east on the A8 Rue End Street on the route detailed in appendix 1 of the report.

It was noted during consideration of this item that there was a typographical error in paragraph 2.3 of the report where the reference “owned by Peel Land & Property (Greenock Harbours) Limited” should read “leased to Peel Land & Property (Greenock Harbours) Limited”.

**Decided:** that consideration of this item be continued to a future meeting of the Committee to allow a further report to be submitted providing clarity on the terms of the proposed Path Agreement.

**154 Property Assets Management – Public Report 154**

There was submitted a report by the Interim Director Environment & Regeneration advising of the outcome of a public consultation recently carried out at Park Farm, Arran Avenue, Port Glasgow, to obtain and consider the views of the community in relation to a request from the owner of the shop and Post Office at Park Farm, Arran Avenue, Port Glasgow, who wishes to extend his premises into land owned by the Council and currently classed as open space.

**Decided:** that it be agreed to further consider the terms of the proposed sale as detailed in Agenda Item 15 (Property Assets Management – Private Report).

(1) that the outcome of the open space consultation for land to the rear of Park Farm Post Office, Arran Avenue, Port Glasgow be noted;

(2) that it be agreed to further consider the terms of the proposed sale as detailed in Agenda Item 15 (Property Assets Management – Private Report).

**It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting during consideration of the following items on the grounds that the business involved the likely disclosure of exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act as are set opposite each item.**

Item	Paragraph(s)
Property Assets Management – Private Report	6 & 9
Award of Contracts for Employability Services	6 & 8
Clune Park Acquisitions – Update	6 & 9
Commercial and Industrial Portfolio Information – Scheme of	2, 6 & 9



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**Delegation Register**

- 155 Property Assets Management Report – Private Report 155**
- There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery making recommendations in respect of a number of property assets.
- Decided:** Following consideration, the Committee agreed to the action recommended all as detailed in the Appendix.
- 156 Award of Contracts for Employability Services 156**
- There was submitted a report by the Interim Director Environment & Regeneration seeking approval for the award of contracts for Employability Services to be delivered from 1 April 2022.
- Councillor Ahlfeld declared a connection as a member of the Board of the Inverclyde Community Development Trust. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and was declaring for transparency.
- Decided:** Following consideration, the Committee agreed to the actions recommended, all as detailed in the Appendix.
- 157 Clune Park Acquisitions – Update 157**
- There was submitted a report by the Interim Director Environment & Regeneration providing an update on the Clune Park acquisition programme and seeking approval for a number of recommendations.
- Decided:** Following consideration, the Committee agreed to the actions recommended, all as detailed in the Appendix.
- 158 Commercial and Industrial Portfolio Information – Scheme of Delegation Register 158**
- There was submitted a report by Interim Director Environment & Regeneration advising of the exercise by officers of powers delegated to them in terms of the Scheme of Delegation and to provide Members with an update on the management of the Council's commercial and industrial portfolio for the period January to December 2021.
- Decided:** that the terms of the report be noted.

## GRANTS SUB-COMMITTEE – 7 MARCH 2022

Grants Sub-CommitteeMonday 7 March 2022 at 1.30pm

**Present:** Provost Brennan, Councillors Ahlfeld, Brooks, Curley (for J McEleny) and MacLeod.

**Chair:** Councillor Brooks presided.

**In attendance:** Head of Culture, Communities & Educational Resources, Service Manager, Community Learning & Development, Community Safety & Resilience and Sport, Ms J Fallon (Community Learning & Development), Mr I Cameron (for Interim Director Finance and Corporate Governance), Mr P MacDonald (for Head of Legal & Democratic Services), Ms L Carrick and Mr C MacDonald (Legal & Democratic Services).

This meeting was held at the Municipal Buildings, Greenock with Provost Brennan, Councillors Ahlfeld, Curley and MacLeod, attending remotely.

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

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

**159**

An apology for absence was intimated on behalf of Councillor J McEleny, with Councillor Curley substituting.

Declarations of interest were intimated as follows:

Agenda Item 2 – application number 15 (Greenock Torpedo Factory Club)

Councillor Ahlfeld declared a non-financial interest in this application as a Member of the Greenock Torpedo Factory Club and left the meeting for the consideration of this application.

Agenda Item 2 – application number 30 (Port Glasgow Juniors Community Sports Club)

Councillor Curley declared a non-financial interest in this application as a parent of a child who is a member of Port Glasgow Juniors Community Sports Club and left the meeting for the consideration of this application.

Prior to the commencement of business the Service Manager, Community Learning & Development, Community Safety & Resilience and Sport provided Members with an overview of the new report format.

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

## GRANTS SUB-COMMITTEE – 7 MARCH 2022

## 160 Community Grants Fund 2021/22 – Round 2

160

There was submitted a report by the Head of Culture, Communities & Educational Resources providing details of the applications received for consideration for funding from the Community Grants Fund Budget in 2021/22.

Councillor Brooks moved in relation to application number 10 for Lady Alice Bowling Club that £4,000 be awarded. As an amendment Councillor Curley moved that £2,000.00 be awarded.

On a vote 1 Member, Councillor Brooks, voted for the motion and four Members, Provost Brennan, Councillors Ahlfeld, Curley and, MacLeod voted for the amendment which was declared carried.

**Decided:**

(1) that Grants to Voluntary Organisations 2021/22 be made as follows:

All the awards are subject to the standard conditions of the Grants Voluntary Organisation Scheme.

No	Group	Award (see end note re headings A, B and C)
1	Brass Sounds Inverclyde	A: 0 B: £3,080.00 C: 0 Total: £3,080.00
2	Crow Cottage Arts	A: 0 B: 0 C: 0 Total: 0
3	Ardgowan Club (Bowling Section)	A: £1,500.00 B: 0 C: 0 Total: £1,500.00
4	Fort Matilda Bowling Club	A: £3,000.00 B: 0 C: 0 Total: £3,000.00 subject to the additional condition detailed in the appendix to the report.
5	Gourock Bowling Club	A: 0 B: 0 C: 0 Total: 0
6	Gourock Park Bowling Club	A: £2,000.00 B: £1,000.00 C: 0 Total: £3,000.00
7	Hillend Bowling Club	A: 0 B: £2,500.00 C: 0 Total: £2,500.00

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8	Inverkip Bowling Club	A: 0 B: £1,000.00 C: 0 Total: £1,000.00
9	Kilmacolm Bowling Club	A: £700.00 B: 0 C: 0 Total: £700.00
10	Lady Alice Bowling Club	A: £2,000.00 B: 0 C: 0 Total: £2,000.00
11	Port Glasgow Bowling Club	A: 0 B: £2,000.00 C: 0 Total: £2,000.00 subject to the additional conditions detailed in the appendix to the report.
12	Rankin Park Bowling Club	A: 0 B: £820.00 C: 0 Total: £820.00
13	Victoria Bowling Club	A: 2,000.00 B: 0 C: 0 Total: £2,000.00 subject to the additional conditions detailed in the appendix to the report.
14	Wellington Children's Centre	A: £4,250.00 B: 0 C: 0 Total: £4,250.00
15	Greenock Torpedo Factory Club	A: 0 B: £5,870.00 C: 0 Total: £5,870.00 Councillor Ahlfeld left during consideration of this item.
16	Inverclyde Christian Initiative	A: £0 B: £2,000.00 C: 0 Total: £2,000.00 subject to the additional condition detailed in the appendix to the report.
17	Inverclyde Muslim Centre	A: 0 B: £2,500.00 C: 0

## GRANTS SUB-COMMITTEE – 7 MARCH 2022

		Total: £2,500.00
18	Kilmacolm & Port Glasgow Agricultural Society Ltd	A: 0 B: £2,787.00. C: 0 Total: £2,787.00
19	Kilmacolm Kidston Hall (Old Kirk)	A: 0 B: £3,000.00 C: 0 Total: £3,000.00
20	Lingo Flamingo CIC	A: 0 B: £2,000.00 C: 0 Total: £2,000.00
21	Man On! Inverclyde	A: £3,000.00 B: £2,000.00 C: 0 Total: £5,000.00
22	Tail O' the Bank Credit Union Ltd	A: 0 B: 0 C: 0 Total: 0
23	The Whisky Chairmen Ltd	A: 0 B: 0 C: 0 Total: 0
24	WISHES Group - Women's Initiative for Socialising, Health, Education & Skills	A: 0 B: 0 C: 0 Total: 0
25	Ardgowan Thistle Football Club	A: 0 B: 0 C: £6,000.00 Total: £6,000.00
26	Fort Matilda Bridge Club	A: 0 B: £1,000.00 C: 0 Total: £1,000.00
27	Gourock Golf Club	A: 0 B: £3,000.00 C: 0 Total: £3,000.00 subject to the additional condition detailed in the appendix to the report
28	Greenock Golf Club	A: 0 B: £3,000.00 C: 0 Total: £3,000.00 subject to the additional condition detailed in the appendix to the report.

## GRANTS SUB-COMMITTEE – 7 MARCH 2022

29	Inverclyde Curling Development	A: 0 B: £2,000.00 C: £2,000.00 Total: £4,000.00
30	Port Glasgow Juniors Community Sports Club	A: 0 B: 0 C: 0 Total: 0 Councillor Curley left during consideration of this item.
31	Port Glasgow Juniors Football Club	A: 0 B: 0 C: 0 Total: 0
32	Sport Inverclyde	A: 0 B: 0 C: 0 Total: 0
33	Whinhill Golf Club	A: 0 B: 0 C: 0 Total: 0
34	49F Air Training Corps (MacRoberts Reply Squadron)	A: £1,050.00 B: 0 C: 0 Total: £1,050.00 subject to the additional condition detailed in the appendix to the report
35	Girl Guiding Greenock Division	A: 0 B: 0 C: 0 Total: 0
36	Children in Poverty Inverclyde	A: £6,000.00 B: 0 C: 0 Total: £6,000.00
37	RNLI Gourock Fundraising Branch	A: £1,000.00 B: 0 C: 0 Total: £1,000.00
<p><b>END NOTE</b> - The grants awarded above are subdivided in to the following headings namely: A – facilities/core costs; B – project/event costs; and C – fee waiver, all as more fully detailed in the report to the Sub Committee.</p>		

(2) that the equalities monitoring information detailed in appendix C be noted.

## EDUCATION AND COMMUNITIES COMMITTEE – 8 MARCH 2022

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### Education and Communities Committee

**Tuesday 8 March 2022 at 1pm**

**Present:** Provost Brennan, Councillors Clocherty, Curley, MacLeod, McCabe, C McEleny (for Education business only), McGuire, McVey, Quinn, Robertson (for Communities business only), Crowther (for Robertson for Education business only) and Wilson (for Education business only), Rev F Donaldson, Rev D Burt and Mrs F Gilpin, Church Representatives, 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 and Development, Community Safety and Resilience & Sport, Mr I Cameron (for Interim Director, Finance & Corporate Governance), Finance Manager (Education & Communities), Ms A Sinclair (for Head of Legal & Democratic Services), Interim Head of Property Services, Ms D Sweeney, Ms L Carrick and Ms S McMaster (Legal & Democratic Services), Libraries, Educational Development & Arts Manager, Ms A McLellan, Ms L Wilkie and Mr M Coyle (Education Services), Ms G Connick (Head Teacher, Lady Alice Primary School), ICT Services Manager, Service Manager Communications, Tourism and Health & Safety and Mr PJ Coulter (Corporate Communications).

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

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

### 161 **Apologies, Substitutions and Declarations of Interest**

161

Apologies for absence were intimated as follows:

Councillors Wilson and C McEleny for Communities business only.

Councillor Robertson for Education business only, with Councillor Crowther substituting.

No declarations of interest were intimated, but certain connections were intimated for the purposes of transparency as follows:

Agenda Item 2 (Communities Revenue & Capital Budget Report 2021/22 – Projected Out Turn at Period 9 to 31 December 2021) – Councillors Clocherty, Curley and Quinn.

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

Agenda Item 4 (Communities Update Report – Overview of National and Local Initiatives) – Councillors Clocherty, Curley, Quinn and Robertson.

Agenda Item 7 (Education Scotland Follow Through Report on Lady Alice Primary School and Nursery Class) – Councillor McVey

Agenda Item 8 (Education Revenue & Capital Budget Report – 2021/22 Projected Out Turn at Period 9 to 31 December 2021) – Councillor Clocherty and Robertson.

**EDUCATION AND COMMUNITIES COMMITTEE – 8 MARCH 2022**

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**162 Communities Revenue & Capital Budget Report 2021/22 – Projected Out Turn at Period 9 to 31 December 2021 162**

There was submitted a report by the Interim Director Finance & Corporate Governance and the Corporate Director Education, Communities & Organisational Development advising the Committee of the 2021/22 Communities Revenue & Capital Budget position as at Period 9 to 31 December 2021.

Councillors Clocherty, Curley and Quinn declared connections in this item as members of the Board of Inverclyde Leisure. They also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and were declaring for transparency.

**Decided:**

- (1) that the current projected underspend of £92,000 for the 2021/22 Communities Revenue Budget as at Period 9 to 31 December 2021 be noted; and
- (2) that the financial position of the specific capital projects, as detailed in appendix 4 of the report, be noted and that the cost of the current Communities Capital Programme is being contained within existing budgets.

**163 Communities Performance Report – Capital Programme Progress and Asset Related Items 163**

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, Curley and Quinn declared connections in this item as members of the Board of Inverclyde Leisure. They also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and were declaring for transparency.

**Decided:**

- (1) that the current position of the 2021/24 Capital Programme be noted; and
- (2) that the progress on the following projects be noted (a) Lady Alice Bowling Club, (b) Indoor Sports Facility for Tennis, (c) Leisure Pitches Asset Management Plan/Lifecycle Works, (d) Grieve Road Community Centre, (e) Wemyss Bay Community Centre, (f) Whinhill Golf Club Lifecycle Works, (g) Waterfront Leisure Centre Training Pool Movable Floor, (h) Watt Institution Creativity Space, (i) Community Hub King George VI, (j) Craigend Resource Centre, (k) Inverclyde Shed Meet, Make + Share, and (l) Parklea Branching Out.

**164 Communities Update Report – Overview of National and Local Initiatives 164**

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

Councillors Clocherty, Curley and Quinn declared connections in this item as members of the Board of Inverclyde Leisure, Councillors Clocherty and Robertson declared connections as members of the Board of Greenock Arts Guild and Councillor Robertson also declared a connection as a member of the committee of Inverclyde Youth Theatre



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**EDUCATION AND COMMUNITIES COMMITTEE – 8 MARCH 2022**


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(Kayos). They also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and were declaring for transparency.

**Decided:** that the updates on the following be noted (a) implementation of Free Travel Passes for under 22s, (b) Partnership Recovery Plan progress, and (c) governance of External Organisations including Inverclyde Leisure, the Beacon and self-managed community centres.

**165 Public Space, Activity and Women’s Safety Survey – Updated Headline Report 165**

Prior to the commencement of discussion of this item the Chair acknowledged International Women’s Day.

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing Committee with (1) the headline outturns from the Public Space, Activity and Women’s Safety Survey and (2) setting out the next steps in respect of progressing outcomes from the survey.

**Decided:**

- (1) that the updated headline results of the public survey, as detailed at paragraph 6 and appendix 2 of the report, be noted;
- (2) that the strategic approach to developing outcomes from the public survey, as detailed in paragraph 7 of the report, be endorsed;
- (3) that the continued oversight of delivery of the survey outcomes be remitted to the Women’s Forum; and
- (4) that a further report will be submitted to Committee upon completion of the analysis results and with the responses from male responders separated.

**166 McLean Museum and Art Gallery Management Policies and Service Improvement Plan 2022-25 166**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development seeking approval for (1) updated management policies on collections care and conservation, documentation, and access, and (2) the Service Improvement Plan for 2022-25 for the McLean Museum and Art Gallery.

**Decided:**

- (1) that approval be given to (a) the McLean Museum and Art Gallery Collections Care and Conservation Policy, Documentation Policy and Access Policy, and (b) the Service Improvement Plan 2022-25, in order to meet the requirements of the Arts Council England Accreditation Scheme; and
- (2) that this decision be referred to the next meeting of the Inverclyde Council for noting as Trustees of the Watt Institution.

**The Communities business concluded at 2pm. The Committee commenced consideration of the Education items of business at 4pm with Councillors Crowther, C McEleny and Wilson, Reverend Burt, Reverend Donaldson, Ms Gilpin, Ms McMillan and Ms McEwan joining the meeting by video conference.**

**167 Education Scotland Follow Through Report on Lady Alice Primary School and Nursery Class 167**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development informing the Committee of the recent Education Scotland

## EDUCATION AND COMMUNITIES COMMITTEE – 8 MARCH 2022

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follow through visit of Lady Alice Primary School and Nursery Class.

Councillor McVey declared a connection in this item as a close family member works at Lady Alice Primary School. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and was declaring for transparency.

The report advised that very good progress had been made towards areas identified for improvement in an earlier report published in January 2020. Particular praise was made of the school's response to the Covid-19 pandemic, its support for families and its ongoing focus, despite the pandemic, on continuing to improve and address the areas for improvement.

Ms Gail Connick, Head Teacher, was present and addressed the Committee in relation to the findings of the report.

**Decided:**

- (1) that the Education Scotland follow through report on Lady Alice Primary School and Nursery Class be noted; and
- (2) that the appreciation of the Committee be extended to school staff and all those involved in the inspection process.

168

### **Health and Wellbeing in Schools – Guidance on Supporting Transgender Pupils in Schools and the National Health and Wellbeing Survey**

168

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing an update to Committee on the adoption of national guidance on supporting transgender pupils in schools, and (2) seeking approval to undertake an adapted version of the National Health and Wellbeing Survey in Inverclyde schools.

It was unanimously agreed that the matters contained within this report should be subject of separate votes which would take place at the end of the discussion.

Following discussion on the adoption of national guidance on supporting transgender pupils in schools, Councillor Clocherty moved the recommendation detailed in the report; that the national guidance in place for best practice in supporting transgender pupils in schools be noted.

As an amendment, Councillor C McEleny moved that Committee request a further report be brought to a future meeting setting out what other potential transgender guidance is in place and that a fuller briefing be carried out.

Following a roll call vote, 2 Members, Councillors C McEleny and Wilson, voted in favour of the amendment, and 11 Members, Provost Brennan, Councillors Clocherty, Crowther, MacLeod, McCabe, McGuire, McVey, Quinn, Reverend Burt, Ms McMillan and Ms McEwan, voted in favour of the motion, which was declared carried. Ms Gilpin abstained from voting.

Following discussion on the approval to undertake an adapted version of the National Health and Wellbeing Survey in Inverclyde schools, Councillor Clocherty moved the recommendation detailed in the report; that agreement be given to the adapted Health and Wellbeing Survey being implemented in Inverclyde Schools.

As an amendment, Councillor C McEleny moved that implementation of the survey be rejected.

Following a roll call vote, 2 Members, Councillors C McEleny and Wilson, voted in favour of the amendment, and 12 Members, Provost Brennan, Councillors Clocherty, Crowther, MacLeod, McCabe, McGuire, McVey, Quinn, Ms Gilpin, Reverend Burt, Ms McMillan and Ms McEwan, voted in favour of the motion, which was declared carried.

Reverend Donaldson and Councillor Curley left the meeting during consideration of this

## EDUCATION AND COMMUNITIES COMMITTEE – 8 MARCH 2022

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item prior to the commencement of the voting process.

**Decided:**

- (1) that the national guidance in place for best practice in supporting transgender pupils in schools be noted; and
- (2) that agreement be given to the adapted Health and Wellbeing Survey being implemented in Inverclyde Schools.

Reverend Burt left the meeting at this juncture.

### 169 Education Revenue & Capital Budget Report – 2021-22 Projected Out Turn at Period 9 to 31 December 2021 169

There was submitted a report by the Interim Director Finance & Corporate Governance and Corporate Director Education, Communities & Organisational Development advising the Committee of the 2021/22 Education Revenue & Capital Budget positions as at Period 9 to 31 December 2021.

Councillors Clocherty and Robertson declared connections in this item as members of the Board of Greenock Arts Guild. Both Councillors formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and were declaring for transparency.

**Decided:**

- (1) that the projected underspend of £257,000 for the 2021/22 Education Revenue Budget as at Period 9 to 31 December 2021 be noted;
- (2) that the financial position of the specific capital projects, as detailed in appendix 4 of the report, be noted and that the cost of the current Education Capital Programme is being contained within existing budgets; and
- (3) that it be remitted to officers to engage in dialogue with Scottish Passenger Transport and submit a report to a future Committee on the impact of inflation and rising fuel costs on the provision of school transport.

### 170 Education Performance Report – Capital Programme Progress 170

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 Project.

**Decided:**

- (1) that the current position of the 2021/24 Capital Programme be noted; and
- (2) that the progress on the following projects be noted (a) Gourock Primary School extension, (b) demolition of former Sacred Heart Primary School, (c) general lifecycle works, (d) Public Partnership Schools (PPP) lifecycle works, (e) various Early Years establishment's direct access/canopies/environmental, and (f) interactive whiteboards/active panel refresh.

Prior to her leaving the meeting at this juncture, the Convener acknowledged that this was the last meeting for Ms McMillan as Parent Representative, and thanked her for her contributions to the Committee.

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**EDUCATION AND COMMUNITIES COMMITTEE – 8 MARCH 2022**


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**171 Education Update Report – Overview of National and Local Initiatives****171**

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

**Decided:** that the updates on the following be noted (a) return to school guidance, (b) Scottish Qualification Authority (SQA), (c) digital strategy update, (d) Happy Tots Greenock and Inverkip, (e) West College Scotland Nursery, (f) governance of Funded Providers, and (g) election of Parental and Teacher Representatives as members of the Committee.

**172 Scottish Attainment Challenge Refresh Year 1 Plan 2022/23****172**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing an update on the Scottish Attainment Challenge Year 1 Plan for the session 2022/23, (2) advising of a Direct Award to extend the current contract for the Family Support Worker Service currently provided by Barnardo's, (3) seeking approval to proceed with the tender process for the Family Support Worker Service, and (4) seeking approval for the use of a 60% quality and 40% cost of service weighting in the aforementioned tender, therefore suspending Contract Standing Order 13.2.

**Decided:**

(1) that (a) the content of the report be noted, and (b) the Scottish Attainment Challenge Year 1 Plan for the session 2022/23 be approved;

(2) that the Direct Award for the extension of the Family Support Service from 1 April to 30 June 2022 be noted;

(3) that delegated authority be granted to the Head of Legal & Democratic Services to accept tenders for the Provision of a Family Support Worker Service for the period 1 July 2022 to 30 June 2024 with an option to extend for a further 12 months thereafter; and

(4) that approval be given to the use of a 60% Quality and 40% Cost of Service weighting in the forthcoming tender for the Provision of a Family Support Worker Service and that therefore Contract Standing Order 13.2 be suspended.

**173 Early Learning and Childcare Budget 2022/23****173**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the Early Learning and Childcare (ELC) Budget for 2022/23.

**Decided:**

(1) that the reduction in the ELC Budget for 2022/23 be noted; and

(2) that (a) approval be given to the proposals for the 2022/23 Budget, as detailed in appendix 1 of the report, and (b) it be noted that this provides a solution for 2022/23 only and that unless funding is increased in future years inflationary pressures will add to the overall budget gap.

**174 Revised Devolved School Management (DSM) Scheme of Delegation 174**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) seeking Committee approval to implement a revised Devolved School Management (DSM) Scheme, and (2) advising of a review of the existing Scheme of Delegation (SOD).

**Decided:**

- (1) that the implementation of the revised DSM Scheme be approved; and
- (2) that it be agreed there will be a further review of the SOD in April 2023 to reflect any changes that may need to be taken into consideration in line with future developments around school staffing, including the reduction of class contact time of teachers to 21 hours.

**175 Ms Anna McMillan (Parent Representative) and Ms Paula McEwan (Teacher Representative) 175**

At the conclusion of business the Convener acknowledged that this was the last meeting for Ms McMillan as Parent Representative and Ms McEwan as Teacher Representative, as both were standing down from the Committee in terms of the Schemes of Arrangements for Parent and Teacher Representatives. The Convener conveyed appreciation and thanks, both personally and on behalf of the Committee, for their valuable contributions to the meetings.



**POLICY AND RESOURCES EXECUTIVE SUB-COMMITTEE – 10 MARCH 2022**

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Environment & Regeneration Committee.”

Following a roll call vote, 2 Members, Councillors C McEleny and Wilson voted in favour of the amendment and 4 Members, Councillors Ahlfeld, Clocherty, McCabe and Robertson voted in favour of the motion which was declared carried.

**Decided:**

- (1) that the proposed split of the Council’s share of the £80million Covid Economic Recovery Fund, being £500,000 direct support to Low Income Households and £730,000 towards support for businesses, be agreed;
- (2) that it be agreed that the £500,000 support for Low Income Households will be allocated to increase the £300 payment to £350 for households in receipt of Council Tax Reduction or those exempt from paying Council Tax;
- (3) that it be agreed to allocate the estimated balance of £730,000 support to businesses by (a) allocating £170,000 towards the continuation of free parking within Council Pay & Display car parks until 30 September 2022; and (b) delegating the remaining balance to the Interim Director Environment & Regeneration to deploy a series of interventions relating to the sustainability of businesses in Inverclyde, updates on which will be reported to the Environment & Regeneration Committee;
- (4) that it be agreed to increase the £75 heating payment for eligible over 70s to £150 in respect of awards made during the period December 2021 – April 2022; and
- (5) that it be agreed to retain the 40% uplift to Crisis Grants awards for 2022/23.

**178 DEC Appeal – Humanitarian Aid for Ukraine**

**178**

There was submitted a report by the Interim Director Finance & Corporate Governance seeking approval to make a donation of £20,000 to the Disaster Emergency Committee (DEC) Crisis in Ukraine Appeal.

After discussion, Councillor Robertson moved (1) the recommendation contained in the report that it be agreed to make a payment of £20,000 towards the DEC Ukrainian Appeal; and (2) that it be agreed to write to the Home Office making representations with respect to the visa delays experienced by Ukrainian refugees who are seeking entry to the United Kingdom.

As an amendment, Councillor Wilson moved the recommendation contained in the report that it be agreed to make a payment of £20,000 towards the DEC Ukrainian Appeal.

Following a roll call vote, 1 Member, Councillor Wilson voted in favour of his amendment and 3 Members, Councillors Clocherty, McCabe and Robertson voted in favour of the motion which was declared carried. Councillors Ahlfeld and C McEleny abstained from voting.

**Decided:**

- (1) that it be agreed to make a payment of £20,000 towards the DEC Ukrainian Appeal; and
- (2) that it be agreed to write to the Home Office making representations with respect to the visa delays experienced by Ukrainian refugees who are seeking entry to the United Kingdom.

**POLICY & RESOURCES COMMITTEE – 22 MARCH 2022**

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**Policy & Resources Committee**

**Tuesday 22 March 2022 at 3pm**

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

**Chair:** Councillor McCabe presided.

**In attendance:** Chief Executive, Interim Director Finance & Corporate Governance, Interim Director Environment & Regeneration, Corporate Director Education, Communities & Organisational Development, Interim Corporate Director (Chief Officer) Health and Social Care Partnership, Head of Legal & Democratic Services, Head of Organisational Development, Policy & Communications, Interim Head of Public Protection and Covid Recovery, Interim Head of Property Services, Head of Culture, Communities & Educational Resources, Mr C MacDonald and Ms D Sweeney (Legal & Democratic Services), Procurement & Building Services Manager, Ms A Hunter (Corporate Policy Officer), Ms T Bunton and M Thomson (Finance Services), ICT Services Manager, and Service Manager Communications, Tourism and Health & Safety.

This 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.**

**179 Apologies, Substitutions and Declarations of Interest 179**

No apologies for absence were intimated.

No declarations of interest were intimated, but certain connections were intimated for the purposes of transparency as follows:

Agenda Item 7 (Capital Strategy 2022/32) – Councillor Curley.

Agenda Item 10 (Progress and Development of Anti-Poverty Interventions 2021-23) – Councillors Ahlfeld, J McEleny and Robertson.

**180 Covid-19 Update 180**

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

**Decided:**

- (1) that the actions taken to date to mitigate the effects of the COVID-19 outbreak in Inverclyde be noted.
- (2) that the intention for the report to be the last such Covid Update report, subject to any significant developments in the pandemic, be noted; and
- (3) that the Committee's appreciation be conveyed to Martin McNab, the Interim Head of Public Protection and Covid Recovery, for his work during the pandemic as he returns to his substantive role within Inverclyde Council.



## POLICY &amp; RESOURCES COMMITTEE – 22 MARCH 2022

**181 2021/22 Revenue Budget Update**

181

There was submitted a report by the Chief Executive, Interim Director Finance & Corporate Governance and Corporate Director Education, Communities & Organisational Development (1) advising of the 2021/22 projected outturn for the Policy & Resources Committee, and (2) detailing the position of the General Fund Revenue Budget as at Period 10 to 31 January 2022.

**Decided:**

- (1) that the update in respect of the Policy & Resources Committee budget including the 2021/22 projected underspend of £154,000 be noted;
- (2) that the projected 2021/22 surplus of £41,020 for the Common Good Budget be noted; and
- (3) that the overall underspend of £1.093 million projected as at Period 10, 31 January 2022 for the General Fund, its overall Earmarked Reserves position and the position of the Free Reserves be noted.

**182 Policy & Resources Capital Budget and 2021/24 Capital Programme**

182

There was submitted a report by the Interim Director Finance & Corporate Governance providing the latest position of the Policy & Resources Capital Budget and the 2021/24 Capital Programme.

**Decided:**

- (1) that the current position of the 2021/24 Policy & Resources Capital Budget be noted; and
- (2) that (a) the current position of the 2021/24 Capital Programme be noted; and (b) it be noted that the deficit in excess of the acceptable over commitment was addressed through the 2022/23 Budget process.

**183 Finance Services Update**

183

There was submitted a report by the Interim Director Finance & Corporate Governance providing an update on various matters within the remit of Finance Services.

The Interim Director Finance & Corporate Governance provided a verbal update to paragraph 6.4 of the report, noting that plans to implement ICT Service Desk opening times of 8:00 to 18:00 from the end of March 2022 are currently still being progressed.

**Decided:**

- (1) that (a) the continued good performance of the Revenues & Benefits and ICT teams, despite the extra workload taken on by both teams as a result of the response to Covid, be noted; and (b) the Committee's appreciations be conveyed to them; and
- (2) that the content of the report be noted.

**184 Corporate Policy and Performance Update Report**

184

There was submitted a report by the Corporate Director Education, Communities and Organisational Development providing an update on a number of issues relating to corporate policy and performance.

**Decided:**

- (1) that the key update areas in relation to Corporate Policy and Performance be noted;
- (2) that the Corporate Equality Outcomes Improvement Plan 2021/25 be approved;
- (3) that it be agreed to receive annual progress reports on the delivery of the

**POLICY & RESOURCES COMMITTEE – 22 MARCH 2022**

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Corporate Equality Outcomes Improvement Plan 2021/25; and

(4) that the Committee's appreciation be conveyed to Andrina Hunter, Service Manager Corporate Policy, Performance & Partnerships, for her work in relation to the business of the Committee as she returns to her substantive role within Inverclyde Health and Social Care Partnership.

**185 Capital Strategy 2022/32**

185

There was submitted a report by the Interim Director Finance & Corporate Governance appending an updated Capital Strategy as required by the CIPFA Prudential Code.

Councillor Curley declared a connection as an employee of a company mentioned in the report. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence at the meeting or his participation in the decision making process and was declaring for transparency.

**Decided:**

(1) that the Capital Strategy for 2022/32 be remitted to the Inverclyde Council for approval; and

(2) that the significant medium term financial challenges facing the Council in terms of maintaining and/or improving the assets which it owns be noted.

**186 Treasury Management Strategy Statement and Annual Investment Strategy 2022/23-2025/26**

186

There was submitted a report by the Interim Director Finance & Corporate Governance seeking approval for (1) the Treasury Management Strategy Statement and Annual Investment Strategy for 2022/26, (2) Treasury Policy Limits, (3) a policy on the repayment of Loans Fund advances, (4) the Council's Prudential and Treasury Management Indicators for the next 4 years and (5) the List of Permitted Investments.

**Decided:** that the following be remitted to the Inverclyde Council for approval, all as detailed in the report:

- (a) Treasury Management Strategy and Annual Investment Strategy;
- (b) Authorised Limits for 2022/26;
- (c) Treasury Management Policy Statement;
- (d) Policy on repayment of Loans Fund advances;
- (e) Treasury Policy Limits;
- (f) Prudential Indicators and Treasury Management Indicators; and
- (g) List of Permitted Investments (including those for the Common Good Fund).

**187 Procurement Strategy 2022-25**

187

There was submitted a report by the Interim Director Environment & Regeneration appending the Procurement Strategy 2022-25 for review and approval.

The Interim Head of Property Services advised the Committee of typographical errors in appendix 1 of the Procurement Strategy as contained in the agenda papers and that these were corrected by the revised appendix issued to Members prior to the meeting.

**Decided:**

(1) that the Procurement Strategy 2022-25, including the revised appendix issued to the Committee, be noted and approved; and

(2) that it be noted that updates on progress will be provided to the Environment & Regeneration Committee as part of a 6 month Procurement update / Annual Procurement Report.

**188 Progress and Development of Anti-Poverty Interventions 2021-2023 188**

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on (1) the initiatives being funded from the £1.08 million Anti-Poverty Budget; and (2) the allocation of additional funding from the Council and Scottish Government, including the Winter Support Fund.

Councillor Ahlfeld declared a connection as a Member of the Board of the Inverclyde Community Development Trust. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence at the meeting or his participation in the decision making process and was declaring for transparency.

Councillor J McEleny, declared a connection as a Trustee of Homestart Inverclyde. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence at the meeting or his participation in the decision making process and was declaring for transparency.

Councillor Robertson, declared a connection as Member of the Board of Financial Fitness. She also formed the view that the nature of her connection and of the item of business did not preclude her continued presence at the meeting or her participation in the decision making process and was declaring for transparency.

**Decided:**

- (1) that the content of this report be noted;
- (2) that the progress made and next steps in the implementation of the initiatives from the Anti-Poverty funding be noted;
- (3) that the extension of the upper age limit to 40 years old in respect of the RISE project be approved;
- (4) that the progress in relation to the Winter Support Fund projects be noted; and
- (5) that the significant level of resources allocated from the Council Reserves to support approximately 10,000 households in the coming months be noted.

**189 Community Asset Transfers – Remit from Inverclyde Council 189**

There was submitted a report by the Interim Director Finance & Corporate Governance seeking approval for a number of proposed actions, following a remit from the September 2021 meeting of Inverclyde Council, for officers to review ways to address a number of issues being experienced in relation to community leases and asset transfers.

**Decided:** that (1) approval be given to the Action Plan as detailed in appendix 1 of the report; and (2) that it be noted that future reports on this matter will be presented to the Education & Communities Committee.

**190 Tender for a Delivery Partner for 2022/23 Energy Efficiency Scotland: Area Based Schemes 190**

There was submitted a report by the Interim Director Environment & Regeneration seeking approval to grant delegated authority to the Head of Legal & Democratic Services to accept a tender for a Delivery Partner for the 2022/23 Energy Efficiency Scotland, Area Based Schemes (ABS) Programme as per the Standing Orders for Contracts 20.3 (ii).

**Decided:** that delegated authority be granted to the Head of Legal & Democratic Services to accept the most economically advantageous tender for a Delivery Partner

**POLICY & RESOURCES COMMITTEE – 22 MARCH 2022**

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for the 2022/2023 ABS Programme, and also subject to further funding from the Scottish Government, accept the optional year extension of the Contract, as per the Standing Orders relating to Contracts 20.3 (ii).

Following the conclusion of the Committee business, Councillor McCabe expressed his thanks to officers and Members of the Committee for their support over the previous five years and extended his best wishes to them for the future.

## LOCAL POLICE & FIRE SCRUTINY COMMITTEE – 24 MARCH 2022

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### Local Police & Fire Scrutiny Committee

Thursday 24 March 2022 at 3pm

**Present:** Councillors Clocherty, Crowther, Jackson, MacLeod, J McEleny, McGuire McVey, Moran and Quinn.

**Chair:** Councillor McVey presided.

**In attendance:** Corporate Director Education, Communities & Organisational Development, Interim Head of Service Public Protection & Covid Recovery, Ms A Sinclair for (Head of Legal & Democratic Services), Ms L Carrick and Mr C MacDonald (Legal & Democratic Services) and ICT Services Manager.

**In attendance also:** Superintendent P O'Callaghan and Chief Inspector P Cameron (Police Scotland) and Area Commander D McCarrey and Group Commander M Hill (Scottish Fire and Rescue Service).

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.**

#### **191 Apologies, Substitutions and Declarations of Interest 191**

Apologies for absence were intimated on behalf of Councillor Wilson and Chief Superintendent D Duncan (Police Scotland).

No declarations of interest were intimated.

#### **192 Police Scotland Performance Report 192**

Prior to reporting on this item, Superintendent O'Callaghan provided the Committee with an overview on the challenges continuing to face Police Scotland following the pandemic, particularly in relation to 101 call waiting times. He added that measures have been put in place to address the issues. Superintendent O'Callaghan informed Members of the support provided to local policing priorities from colleagues at Gartcosh, Police Scotland's Serious Crime Headquarters. He further advised that the Chief Superintendent at Gartcosh has offered to attend a future meeting of the Committee to deliver a presentation highlighting the additional support that can be provided to officers locally. Chief Superintendent O'Callaghan updated Members on the progress of the national roll out of the anti-overdose medication Naloxone following a successful trial in Dundee, Falkirk, Glasgow, Stirling and Caithness. The nasal spray was used 51 times during the trial between March and October 2021. All operational officers will now be equipped with Naloxone kits and trained in their use.

There was submitted a report on the performance and activities of Police Scotland during the reporting period 1 April 2021 to 31 January 2022. During the course of discussion on this item concerns were raised in relation to youth gatherings and anti-social behaviour in Port Glasgow. Chief Inspector Cameron confirmed in response to the concerns expressed that Police Scotland's youth disorder operating plan had been

## LOCAL POLICE & FIRE SCRUTINY COMMITTEE – 24 MARCH 2022

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adjusted and appeared to be making a positive impact and gave assurances to the Committee that officers will continue to work closely with Community Wardens to alleviate the issue.

**Decided:** that the information contained in the report be noted.

### 193 Scottish Fire and Rescue Service – Long Term Vision Report 193

The Committee heard a presentation by Group Commander Hill “SFRS Long Term Vision” highlighting the route map for the future direction of the Scottish Fire and Rescue Service. Thereafter Area Commander McCarrey answered a number of questions from Members. (Councillor McEleny left the meeting during consideration of this item of business).

**Decided:** that the information contained in the presentation be noted.

### 194 Local Police & Fire Scrutiny Committee Update Report 194

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on current and emerging issues relating to Police Scotland and Scottish Fire & Rescue Services.

**Decided:** that the current and emerging issues relating to Police and Fire & Rescue matters be noted.

**It was agreed in terms of Sections 50(A)(4) of the Local Government (Scotland) Act 1973 as amended that the public and press be excluded from the meeting during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in Paragraphs 8, 9 and 12 of Part I of Schedule 7(A) of the Act.**

### 195 Public Space CCTV Contract 195

There was submitted a report by the Interim Director Environment & Regeneration, providing an update on issues around the Public Space CCTV Contract. (Councillor Jackson left the meeting during consideration of this item of business).

**Decided:** (1) that the content of the report be noted; and (2) that it be agreed that a further update report be brought back to the next meeting.

At the conclusion of business the Convener conveyed his thanks to Members and Officers for their service to the Local Police and Fire Scrutiny Committee.

**PLANNING BOARD – 6 APRIL 2022**

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**Planning Board****Wednesday 6 April 2022 at 3pm**

**Present:** Councillors Clocherty, Crowther, Dorrian, J McEleny, McVey, Moran, Nelson, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Interim Director Environment & Regeneration, Mr D Ashman (Planning Services), Ms E Provan (Roads and Transportation), Mr J Kerr (for Head of Legal & Democratic Services), Mr C MacDonald and Ms L Carrick (Legal & Democratic Services).

The meeting was held at the Municipal Buildings, Greenock with Councillors Clocherty, Crowther, Dorrian, J McEleny, Moran and Rebecchi attending by video-conference.

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

Prior to the commencement of proceedings, Councillor Wilson expressed his thanks to officers and Members of the Planning Board for their support over the previous five years and that in consideration of the imminent local authority elections he wanted to extend his best wishes to them for the future.

**196      APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST      196**

Apologies for absence were intimated on behalf of Councillors McGuire and McKenzie.

No declarations of interest were intimated.

**197      PLANNING APPLICATION      197**

- (a)      Erection of two storey office building (Class 4) and drive thru coffee shop (Class 3) with formation of associated car parking, formation of access off Carttsyke Avenue, landscaping and ancillary works:  
Land at Carttsyke Avenue, Greenock (20/0174/IC)**

There was submitted a report by the Interim Director Environment & Regeneration on an application for planning permission by LG04 Limited for the erection of a two storey office building (Class 4) and drive thru coffee shop (Class 3) with formation of associated car parking, formation of access off Carttsyke Avenue, landscaping and ancillary works at land at Carttsyke Avenue, Greenock (20/0174/IC).

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

- (1) that development shall not commence until details of the phasing of the development has been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved phasing scheme, in order to ensure a properly programmed development;
- (2) that as soon as possible after each of the phases of the development approved under condition 1 above is completed (except for the last or final phase, for which notice shall be given under section 27B(1) of the Act) the person who has completed any phase shall give written notice of the completion of that phase to the Planning Authority, to accord with section 27B(2) of the 1997 Act, as amended by the Planning etc.

**PLANNING BOARD – 6 APRIL 2022**

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(Scotland) Act 2006;

(3) that development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces within each phase of the development including the two EV Sub Stations identified on drawing PL-SP-02 Rev C have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details, to ensure the development is acceptable in appearance;

(4) that development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details, to ensure the development is acceptable in appearance;

(5) that development shall not commence until details of the phasing and completion of the tree planting and landscaping scheme shown on drawing L01 Rev H has been submitted to and approved by the Planning Authority, to ensure the provision of an appropriate landscaping scheme;

(6) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping approved in terms of condition 5 above shall be replaced within the following planting season with others of a similar size and species unless otherwise agreed in writing by the Planning Authority, to ensure the retention of the approved landscaping scheme in the interests of visual amenity;

(7) that details of maintenance and management for the planting and landscaping approved in terms of condition 5 above shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby approved. Management and maintenance shall commence upon completion of the landscaping, to ensure the maintenance of the approved landscaping scheme in the interests of visual amenity;

(8) that the drainage regime shown on drawing IDS-500 Rev B shall be fully implemented on site prior to the first use/occupation of the development hereby approved and subsequently maintained as approved at all times unless otherwise agreed in writing by the Planning Authority, to ensure the adequacy of the drainage regime for the application site;

(9) that the car parking provision/areas for each phase of the development as approved under condition 1 above and as shown on drawing PL-SP-02 Rev C shall be completed and available for use by prior to the first use/occupation of the respective building and shall then be retained and available for use at all times thereafter unless otherwise agreed in writing by the Planning Authority, to ensure suitable parking provision for staff and customers, in the interests of road safety;

(10) that for the avoidance of doubt: the parking bays shall be 2.5m x 5.0m with a minimum 6m aisle spacing throughout the site; the disabled parking bays shall be 2.9m x 5.5m and have 1m clearance around; there shall be a 1m extension to the aisles at the end of each car park to ensure vehicles using the last parking spaces can enter and leave the spaces safely; footways shall be minimum of 2m wide, to ensure the appropriate size of parking spaces, in the interests of roads safety;

(11) that for the avoidance of doubt sightlines of 2.4m x 43.0m x 1.05m shall be provided and maintained at all times at the junction of the access with Cartsdyke Avenue, to enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit;

(12) that for the avoidance of doubt deliveries to the buildings once occupied/operational shall only take place during early mornings or during late at night (or a combination of both) unless otherwise agreed in advance in writing by the Planning Authority, to ensure the safe operation of the car parks associated with both buildings and to avoid congestion or unsafe vehicle movements;



**PLANNING BOARD – 6 APRIL 2022**

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(13) that development shall not commence until details of the “potential bike lane” identified and annotated on drawing PL-SP-02 Rev C have been submitted to and approved in writing by the Planning Authority. The submitted details shall include the timescale for its construction, to ensure alternative and sustainable modes of transport can access the site;

(14) that 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 trunk road will not be diminished;

(15) that prior to the commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. All landscaping shall be located such that it can be installed and maintained from within the development without requiring access to the trunk road, to ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished;

(16) that prior to commencement of the development, details of the fencing/barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland and thereafter implemented prior to commencement of operation. The fencing/barrier proposals shall be located such that they can be erected and maintained from within the development without requiring access to the trunk road, to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents;

(17) that there shall be no drainage connections to the Trunk Road drainage system, to ensure that the efficiency of the existing trunk road drainage network is not affected;

(18) that development shall not commence until 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;

(19) that 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;

(20) that before any building in the development hereby approved 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

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contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety;

(21) 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;

(22) that the buildings hereby approved 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. Development shall not commence until details of the low and zero carbon generating technologies for each building have been submitted to and approved in writing by the Planning Authority. Following approval the low and zero carbon generating technologies shall be installed as approved prior to the first use/occupation of each of the buildings, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(23) that the electric vehicle charging provision as shown on drawing PL-SP-02 Rev C and on the Electric Vehicle Infrastructure Product Leaflet shall be installed for each phase of the development approved under Condition 1 above and be available for use prior to the first use/occupation of each building unless otherwise agreed in advance in writing by the Planning Authority, in the interests of sustainable development; and

(24) 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 nesting birds.

**198 PLANNING APPEAL**

**198**

**Land at Planetreeyetts, Kilmacolm**

There was submitted a report by the Interim Director Environment & Regeneration advising that following (a) the decision of the Board at the Pre-Determination Hearing held on 28 April 2021 to recommend refusal of planning permission for proposed residential development of circa 100 units including 25% affordable and associated infrastructure, landscaping and open space on land at Planetreeyetts, Kilmacolm (18/0322/IC), (b) the decision of Inverclyde Council on 4 May 2021 to refuse planning permission; and (c) the subsequent appeal to the Scottish Government against the refusal, the Reporter appointed by the Scottish Government had issued her decision which was to dismiss the appeal.

**Decided:** that the position be noted.



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requirements of Policy 22 of the Inverclyde Local Development Plan and Policy 23 of the proposed Inverclyde Local Development Plan;

3. the proposal fails to provide the required number of parking spaces required to meet the Council's roads parking standards and therefore is contrary to Policy 11 of the Inverclyde Local Development Plan and Policy 12 of the proposed Inverclyde Local Development Plan; and

4. the proposal would result in a commercial facility operating within the heart of a residential area with customer movements above and beyond those associated with the normal movements associated with a dwellinghouse which could be detrimental to residential amenity and the proposal is thus contrary to Policy 20 of the proposed Inverclyde Local Development Plan.

Following a roll call vote, 1 member, Councillor Rebecchi, voted in favour of the amendment and 5 members, Councillors Clocherty, Crowther, McVey, Nelson and Wilson, voted in favour of the motion which was declared carried.

**Decided:**

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

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

1. this permission hereby granted shall enure solely for the benefit of the applicant, in the interests of preserving the residential amenity of houses adjoining the site.

**(b) Proposed conversion and alteration of windows and installation of bridge and steps to access higher garden area:  
11 Old Inverkip Road, Greenock (21/0102/IC)**

There were submitted papers relative to the application for review for the proposed conversion and alteration of windows and installation of bridge and steps to access higher garden area at 11 Old Inverkip Road, Greenock (21/0102/IC) to enable the Local Review Body to consider the matter afresh.

Mr Hamilton acted as Planning Adviser relative to this case.

Prior to the commencement of discussion on this item, Mr Kerr advised the Local Review Body that the Building Research Establishment Trust publication 'Site Layout Planning for Daylight and Sunlight', as referenced in the application Report of Handling, could not be published with the agenda papers due to a copyright issue and that Mr Hamilton held a physical copy of the publication should Members have any specific questions.

Following discussions, Councillor McVey 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 upheld and that planning permission be granted subject to the following condition:-

1. that prior to their use, detailed specifications including samples of all materials shall be submitted to and approved in writing by the Planning Authority and shall, thereafter, be used unless any alternatives are agreed in writing by the Planning Authority, in the interests of visual amenity.

As an amendment, Councillor Wilson 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 reason:

1. the proposed bridge cannot be justified under Policy 1 of the adopted and proposed Inverclyde Local Development Plan and under Policy 20 of the proposed Inverclyde Local Development Plan as it presents an imposing structure which would overshadow

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the neighbouring property below, resulting in an unacceptable loss of daylight and intensify overlooking/invasion of privacy to the detriment of neighbouring residential amenity.

Following a roll call vote, 2 members, Councillors Clocherty and McVey, voted in favour of the motion and 4 members, Councillors Crowther, Nelson, 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 reason:

1. the proposed bridge cannot be justified under Policy 1 of the adopted and proposed Inverclyde Local Development Plan and under Policy 20 of the proposed Inverclyde Local Development Plan as it presents an imposing structure which would overshadow the neighbouring property below, resulting in an unacceptable loss of daylight and intensify overlooking/invasion of privacy to the detriment of neighbouring residential amenity.

**(c) Change of use of agricultural grazing land to domestic garden ground to form an enlarged garden together with the erection of an extension to the dwellinghouse and associated works:**

**Castlehill Farm Cottage, Kilmacolm Road, Port Glasgow (21/0136/IC)**

There were submitted papers relative to the application for review for the change of use of agricultural grazing land to domestic garden ground to form an enlarged garden together with the erection of an extension to the dwellinghouse and associated works at Castlehill Farm Cottage, Kilmacolm Road, Port Glasgow (21/0136/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

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 facing materials to be used shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless a variation is agreed in writing with the Planning Authority, to ensure the acceptability of the proposed facing materials in the interests of visual amenity; and

2. that prior to the commencement of development, full details of the proposed new boundary treatment for the curtilage shall be submitted to and approved in writing by the Planning Authority. The approved boundary measures shall thereafter be erected prior to the extension hereby permitted being brought into use unless variation is agreed in writing with the Planning Authority, to define the new curtilage.

As an amendment, Cllr McVey 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:

1. the proposed expansion of the curtilage into the surrounding field to accommodate the extension in this Green Belt location is not a development supported by Policy 14 of the 2019 adopted Inverclyde Local Development Plan and Policy 15 of the 2021 proposed Inverclyde Local Development Plan;

2. the proposed extension is not of an appropriate scale and form and is not located

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within the existing curtilage of the dwellinghouse. It is accordingly not a development supported by Policy 14 of the 2019 adopted Inverclyde Local Development Plan and Policy 15 of the 2021 proposed Inverclyde Local Development Plan;

3. the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the 2019 adopted Inverclyde Local Development Plan and 2021 proposed Inverclyde Local Development Plan, specifically as it cannot be considered to reflect local vernacular/architecture and materials under the “Distinctive” criterion;

4. the design approach to extending this traditional rural cottage does not follow the guidance in the “Design of Housing” section of PAAN8 (adopted and proposed) and the extension is not subsidiary in scale and position to the original dwellinghouse as required by PAAN8 (adopted and proposed); and

5. the design approach to extending this traditional rural cottage does not follow the guidance in PAAN4 (adopted and proposed) in that a contrasting roofing material is proposed.

Following a roll call vote, 2 members, Councillors McVey and Rebecchi, voted in favour of the amendment and 4 members, Councillors Clocherty, Crowther, Nelson and Wilson, voted in favour of the motion which was declared carried.

**Decided:**

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

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

1. that prior to the commencement of development, samples of all facing materials to be used shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless a variation is agreed in writing with the Planning Authority, to ensure the acceptability of the proposed facing materials in the interests of visual amenity; and

2. that prior to the commencement of development, full details of the proposed new boundary treatment for the curtilage shall be submitted to and approved in writing by the Planning Authority. The approved boundary measures shall thereafter be erected prior to the extension hereby permitted being brought into use unless variation is agreed in writing with the Planning Authority, to define the new curtilage.