

## THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023

### The Inverclyde Council

**Thursday 28 September 2023 at 4pm**

**Present:** Provost McKenzie, Councillors Armstrong, Brennan, Brooks, Cassidy, Clocherty, Crowther, Curley, Daisley, Law, McCabe, McCormick, McGuire, McVey, Moran, Nelson, Quinn, Reynolds, Robertson and Wilson.

**Chair:** Provost McKenzie presided.

**In attendance:**

Louise Long	Chief Executive
Alan Puckrin	Chief Financial Officer
Kate Rocks	Chief Officer, Inverclyde Health & Social Care Partnership
Iain Strachan	Head of Legal, Democratic, Digital & Customer Services
Audrey Howard	Interim Head of Service, Public Protection (People) (for Chief Social Work Officer)
Hugh Scott	Service Manager, Community Learning & Development, Community Safety & Resilience and Sport
Peter MacDonald	Principal Solicitor
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Karen MacVey	Members' & Committee Services Team Leader
PJ Coulter	Corporate Communications Officer (Media Relations)

The meeting was held at the Municipal Buildings, Greenock with Councillors Armstrong, Law, McCormick and McGuire attending remotely.

### **473 Apologies and Declarations of Interest**

**473**

Apologies for absence were intimated on behalf of Councillors Jackson and McCluskey.

Councillors McVey and Robertson declared an interest in Agenda Item 16 (Business in the Appendix).

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

#### **474 Planning Board – 7 June 2023**

**474**

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

#### **475 Local Review Body – 7 June 2023**

**475**

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

#### **476 Inverclyde Council – 8 June 2023**

**476**

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

#### **477 General Purposes Board – 14 June 2023**

**477**

**THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023**

---

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

**478      Appointment Panel – Head of Physical Assets (Shortlisting) – 19 June 2023      478**

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

**479      General Purposes Board (Special) (10am) – 28 June 2023      479**

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

**480      Environment & Regeneration Committee (Special) (3pm) – 28 June 2023      480**

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

**481      Appointment Panel – Head of Physical Assets (Interview) (10:45am) – 29 June 2023      481**

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

**482      Audit Committee (Accounts) – 29 June 2023      482**

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

**483      Local Police & Fire Scrutiny Panel (Special) – 4 July 2023      483**

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

**484      Planning Board – 2 August 2023      484**

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

**485      Local Review Body – 2 August 2023      485**

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

**486      Policy & Resources Committee – 15 August 2023      486**

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

**487      Audit Committee – 22 August 2023      487**

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

**488      General Purposes Board (Special) – 23 August 2023      488**

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

**489      Social Work & Social Care Scrutiny Panel – 29 August 2023      489**

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

**490      Environment & Regeneration Committee – 31 August 2023      490**

## THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023

---

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

**491      Education & Communities Committee – 5 September 2023      491**

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

**492      Planning Board – 6 September 2023      492**

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

**493      Grants Sub-Committee – 11 September 2023      493**

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

**494      General Purposes Board – 13 September 2023      494**

**Approved** on the motion of Councillor Curley, subject to a point raised by Cllr Wilson which was to be considered in the private session later under Item 16 on the Agenda.

**495      Policy & Resources Committee – 19 September 2023      495**

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

**496      Local Police & Fire Scrutiny Panel – 21 September 2023      496**

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

Prior to the commencement of the remaining business, the Provost referred to the recent deaths of former Councillor Jim MacLeod and community activist Nell McFadden MBE. The Provost paid tribute to Mr MacLeod's contribution to the community as a respected Port Glasgow Councillor, and to Mrs MacFadden for her services to older people, and extended his condolences to the respective families on behalf of Inverclyde Council. Following which Councillors Robertson, McCabe, Moran, Clocherty and Curley paid tribute to Mr MacLeod and Mrs McFadden.

Provost McKenzie also extended condolences to Councillor McCluskey on the recent death of his mother, Mrs McCluskey.

The Council thereafter observed a period of quiet reflection.

The Provost noted his intention to move Item 14 on the Agenda to Item 7, given the presence of Scottish Fire & Rescue Service representatives in the Chamber for Item 14, this change being agreed by the Council.

**497      2022/23 Annual Audit Report – Meeting Request      497**

There was submitted a report by the Chief Financial Officer seeking approval for a special meeting of the Inverclyde Council to be called for 16 November 2023 at 4pm in order to consider the 2022/23 Annual Audit Report to Elected Members and the Controller of Audit.

**Decided:** that (a) it be agreed to hold a meeting of the Inverclyde Council for 16 November 2023 at 4pm to consider the 2022/23 Annual Audit Report to Elected Members and the Controller of Audit, and (b) delegated authority be granted to the Chief Executive, in consultation with the Provost and Leader of the Council, to agree an alternate date and time should that be necessary.

---

**THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023**


---

**498 Statutory Review of Polling Scheme****498**

There was submitted a report by the Chief Executive (1) advising Members of the need to carry out a statutory review of the Council's Polling Scheme, and (2) asking Members to approve for consultation the draft Polling Scheme and Statutory Review timetable as detailed in appendix 3 and appendix 1 of the report, respectively.

**Decided:**

- (1) that the requirements to undertake a Statutory Review of the Polling Scheme between 1 October 2023 and 31 January 2025 be noted;
- (2) that (a) the timetable relating to the Statutory Review of the Polling Scheme, as detailed in appendix 1 of the report, be approved, (b) that delegated authority be granted to the Chief Executive to make such changes to the timetable as they consider necessary;
- (3) that (a) the consultation for the draft Polling Scheme, as detailed in appendix 3 of the report, be approved, and (b) the Chief Executive be authorised to commence the consultation; and
- (4) that it be noted that a further report will be presented to the Council at its meeting on 25 April 2024, or earlier, once the consultation has ended.

**499 Alternative Location for Gourock Flag Pole****499**

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services seeking agreement for the new location of the Gourock flag pole, fulfilling an Outstanding Remit of the Inverclyde Council from 22 September 2022.

**Decided:**

- (1) that it be agreed that the Gamble Halls will be the new location for the flying of flags by the Council in Gourock; and
- (2) that it be noted that officers will take forward the installation of the new flag pole, and once the new flag pole is erected this would be used by the Council for the flying of flags in Gourock going forward, instead of the Gourock Municipal Buildings flag pole.

**500 George Wyllie Foundation – Elected Member Representation****500**

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services (1) advising of Councillor McGuire's resignation as a Trustee of the George Wyllie Foundation and (2) seeking agreement that the Council does not nominate a replacement Trustee.

**Decided:**

- (1) that Councillor McGuire's resignation as a Trustee of the George Wyllie Foundation be noted; and
- (2) that it be agreed that no Elected Member should be nominated to replace Councillor McGuire as a Trustee of the George Wyllie Foundation.

**501 Scottish Fire & Rescue Service Provision in Inverclyde – Notice of Motion by Councillor McVey****501**

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services advising of the receipt of a Notice of Motion received from Councillor McVey, countersigned by Councillor Brennan, in the following terms, as amended at the meeting: "This council regards the safety of Inverclyde's residents as paramount.

"It therefore supports the Fire Brigade Union's position that the proposed cuts to fire and rescue service provision, at Greenock Community Fire Station, will result in increased response times and an increased risk to life.

## THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023

---

“This council calls on the Scottish Government to reverse the proposed £36m cuts to the SFRS budget in order that resources can be maintained at Greenock Community Fire Station, i.e. two whole time fire and rescue appliances, including provision for high reach capabilities – either separately or combined and one on-call appliance.

“The Council also requests that if the proposed cuts are reversed that the resources identified above will be secured from this fund”.

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

### 502      **Annual Report on the Audit Committee – 2022-23 – Remit from the Audit Committee**      502

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services to consider a remit from the Audit Committee regarding the Annual Report on the Audit Committee 2022-23.

**Decided:** that the Annual Report on the Audit Committee 2022-23 be approved.

### 503      **Treasury Management – Annual Report 2022/23 – Remit from the Policy & Resources Committee**      503

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services requesting that the Council consider a remit from the Policy & Resources Committee regarding the Treasury Management Annual Report 2022/23.

**Decided:** that the operation of the treasury function and its activities for 2022/23 as required under the terms of the Treasury Management Practice 6 (TMP6) on ‘Reporting Requirements and Management Information Arrangements’ be approved.

### 504      **Inverclyde Socio-Economic Taskforce Update**      504

There was submitted a report by the Director Environment & Regeneration highlighting the activity associated with the Inverclyde Socio-Economic Taskforce since its last update.

**Decided:** that the activity highlighted in the request to the Scottish Government, as detailed in appendix 1 of the report, be noted.

### 505      **Acknowledge the Achievements of Mr John McMaster – Request by Provost McKenzie**      505

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services advising of a request received by Provost McKenzie in the following terms:

“That Inverclyde Council acknowledges the achievements of Mr John McMaster in his long and illustrious football career, this being the fortieth anniversary year of Aberdeen beating Real Madrid in the European Cup Winners Cup final. That it also acknowledges his service to Greenock Morton Football Club and commends him in the honours that he has brought and in his continual promotion of Inverclyde.”

**Decided:** that the Council supports Provost McKenzie’s request.

### 506      **Dementia Friendly & Enabled Communities Project – Request by Provost McKenzie on behalf of Your Voice**      506

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services advising of a request received by Provost McKenzie in the following terms:

“Funded by Inverclyde Health and Social Care Partnership and delivered by Your Voice, the Dementia Friendly & Enabled Communities project began in November 2021. Through

## THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023

the delivery of this initiative, Your Voice are working to empower the development of Inverclyde as a community where people impacted by dementia are supported, respected and empowered to remain active. Your Voice has over 30 local assets already signed up to the initiative, and having support from the Council will help to emphasise the important message that Inverclyde Cares; demonstrating the community-wide commitment to work towards a Dementia Friendly Inverclyde.

“People impacted by dementia have shared with Your Voice the importance of being surrounded by a community that is aware and understanding, and the positive impact that this can have on their daily lives. Ultimately, a community that is aware is a community that is empowered to challenge stigma by turning understanding into action and social change.

“The Council is asked to declare its support for this project, and to encourage more citizens, community groups and organisations across Inverclyde to become involved and support this important initiative.”

**Decided:** that the Council supports Provost McKenzie’s request.

### 507 Care Experienced Citizens – Notice of Motion by Councillor Clocherty

507

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services advising of the receipt of a Notice of Motion received from Councillor Clocherty, countersigned by Councillor McGuire, in the following terms:

“(1) Inverclyde Council recognises our collective responsibility as corporate parents and our commitment for the delivery of ‘The Promise’ that Scotland’s children and young people will grow up loved, safe, and respected.

(2) Inverclyde Council also recognises that care experienced people require ongoing support to help them to achieve their potential.

(3) Inverclyde Council agrees to add ‘Care Experienced’ as a protected characteristic into our Equalities Impact Assessments where the phrase ‘Care Experienced people’ is used to describe anyone who is currently, or has been, in the care system, for example, kinship care, looked after at home, foster care, residential care, secure homes, and adoption.

(4) Inverclyde Council agrees to continually and proactively seek out and listen to the voices of care experienced people when developing new policies and strategies that affect them.

(5) Notes that Inverclyde Council’s addition of care experienced to the list of protected characteristics would formally recognise the potential impact that the making of any future decisions and Council policies/strategies might have on care experienced people.

(6) To formally call upon all local Registered Social Landlords, the NHS Greater Glasgow & Clyde Board and the Inverclyde Integration Joint Board to treat care experienced as a protected characteristic until such time as it may be introduced by legislation.”

**Decided:** that the notice of motion by Councillor Clocherty be agreed.

### 508 Commissioner for Older People – Notice of Motion by Councillor Brennan

508

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services advising of the receipt of a Notice of Motion received from Councillor Brennan, countersigned by Councillor Moran, in the following terms:

“That the Council notes the calls from organisations, including Age Scotland and Independent Age, for a new commissioner to champion the rights of older people in Scotland to ensure that the long-term needs of people in later life are considered in policy and practice across government, that negative stereotypes are challenged and the contribution older people make to society are promoted;

That the Council also: -

## THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023

- acknowledges projections that Scotland's population is continuing to age and that by 2040, 1 in 4 people will be aged over 65;
- highlights that new statistics from the Scottish Government published in March 2023 reveal that in 2019-22, 15% of pensioners in Scotland were living in relative poverty after housing costs, compared with 14% in the previous period;
- believes that the COVID-19 pandemic had a profound impact on older people;
- notes the view that this demonstrates more than ever the need to give older people a strong, independent voice to reflect their views and experiences and protect and promote their human rights; and
- further notes that all four nations of the UK now have commissioners for children; understands that Wales and Northern Ireland already have commissioners who are improving the lives of older people, and that the campaign for a commissioner for England is reportedly growing all the time and notes the current consultation on a member's bill to establish an Older Person's Commissioner for Scotland.

"Therefore, the Council agrees that it should respond to the consultation in support of the proposal to amplify the voices of older people in Scotland, with authority being delegated to the Chief Social Work Officer to issue the said response, in consultation with the Convenor of the Social Work & Social Care Scrutiny Panel."

**Decided:** that the notice of motion by Councillor Brennan be agreed.

509

### Disposable Vapes – Notice of Motion by Councillor Reynolds

509

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services advising of the receipt of a Notice of Motion received from Councillor Reynolds, countersigned by Councillor Armstrong, in the following terms:

"Inverclyde Council welcomes the decision by the Scottish Government to consult on a ban on disposable vapes and the intimation that the UK government may do likewise.

"Council is asked to note reports of concern regarding vaping and a surge in children and adolescents using e-cigarettes. Current evidence shows that vaping products are not for children, young people or non-smokers and are useful in adults only as a potential route towards stopping smoking. There is strong evidence from the last 5 years that e-cigarettes, which can be bright and colourful and come in a wide variety of e-liquid flavours, potentially alter and/or slow cognitive and physical development in children and young people. Recent evidence further demonstrates that the long-term risks of vaping cannot yet be definitively confirmed by research studies but it should be considered that these products are harmful and are a risk to the long-term health of young people. Therefore, Council is asked to note the importance of highlighting these potential risks for future generations, locally and across the country, to avoid the vaping industry creating life-long nicotine addicts, in the same way as the tobacco industry did.

"The Council is asked to write to the appropriate Scottish Minister asking them to urgently consider legislation concerning the sale of vaping products to be in line with that for tobacco products, so that the sale of nicotine products (not used for the NHS Scotland smoking cessation programmes) is consistent.

"The Council is asked to write to the appropriate officials at the Scottish Government and NHS Scotland Public Health asking them to urgently consider regulation of vaping products, including product strengths, availability and advertising.

"The Council asks officers to work with partners in Police Scotland and NHS to explore what actions can be taken by the Council to address these concerns, including (i) the expansion of test purchasing to include the sale of age restricted vaping products from retail outlets, (ii) the possibility of introducing an Inverclyde retailers charter that will stop cash sales of vaping products, in an effort to reduce proxy purchasing for underage young people, and (iii) the continuation of health awareness programmes to educate

## THE INVERCLYDE COUNCIL – 28 SEPTEMBER 2023

---

communities over the risk associated with vaping, with officers to bring a report forward to a future meeting of the relevant Committee.

**Decided:** that the notice of motion by Councillor Reynolds be agreed.

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

### Private Appendices to Minutes

<b>510</b>	<b>General Purposes Board – 14 June 2023</b>	<b>510</b>
	<b>Approved</b> on the motion of Councillor Curley.	
<b>511</b>	<b>Appointment Panel – Head of Physical Assets (Shortlisting) – 19 June 2023</b>	<b>511</b>
	<b>Approved</b> on the motion of Councillor Clocherty.	
<b>512</b>	<b>General Purposes Board (Special) – 28 June 2023</b>	<b>512</b>
	<b>Approved</b> on the motion of Councillor Moran.	
<b>513</b>	<b>Environment &amp; Regeneration Committee (Special) – 28 June 2023</b>	<b>513</b>
	<b>Approved</b> on the motion of Councillor McCormick.	
<b>514</b>	<b>General Purposes Board (Special) – 23 August 2023</b>	<b>514</b>
	<b>Approved</b> on the motion of Councillor Moran.	
<b>515</b>	<b>Environment &amp; Regeneration Committee – 31 August 2023</b>	<b>515</b>
	<b>Approved</b> on the motion of Councillor McCormick.	
<b>516</b>	<b>Education &amp; Communities Committee – 5 September 2023</b>	<b>516</b>
	<b>Approved</b> on the motion of Councillor Clocherty.	
<b>517</b>	<b>General Purposes Board – 13 September 2023</b>	<b>517</b>
	Councillor McVey and Councillor Robertson declared an interest in this item, all as detailed in the appendix, and left the meeting.	

Following a roll-call vote, the minute was **Approved**, as detailed in the private appendix.