

THE INVERCLYDE COUNCIL - 11 JUNE 2009

The Inverclyde Council

Thursday 11 June 2009 at 4.00 pm

Present: Provost McCormick, Councillors Ahlfeld, Blair, Brooks, Clocherty, Dorrian, Grieve, Loughran, MacLeod, McCabe, McCallum, McIlwee, McKenzie, Moran, Osborne, Rebecchi and White.

Chair: Provost McCormick presided.

In attendance: Chief Executive, Corporate Director Environment & Community Protection, Corporate Director Improvement & Performance, Corporate Director Regeneration & Resources, Head of Legal & Administration, Head of Schools, Head of Social Work Services, Head of Support & Development, Head of Corporate Communications & Public Affairs, Development Control & Conservation Manager, Legal Services Manager (Courts & Litigation) and Legal Services Manager (Procurement, District Court and Administration).

Apologies: Councillors Fyfe and Wilson.

Prior to the commencement of business, the Provost paid tribute to Councillor Ken Ferguson and former Councillor Margaret Morrison who had recently passed away.

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

408	The Inverclyde Council - 16 April 2009	408
	Approved on the motion of Provost McCormick.	
409	Audit Committee - 28 April 2009	409
	Approved on the motion of Councillor Blair.	
410	Safe, Sustainable Communities Committee - 5 May 2009	410
	Approved on the motion of Councillor Moran.	
411	Policy & Resources Executive Sub-Committee - 5 May 2009	411
	Approved on the motion of Councillor McCabe.	
412	Planning Board - 6 May 2009	412

Approval of the minute as a correct record was moved by Councillor McKenzie subject to amendment to paragraph 299(i) (Erection of 64 Dwellings: Oronsay Avenue, Port Glasgow (08/0320/IC)) by substitution of "Stopping Up Order" for "Diversion Order" at line 1.

Decided: that the minute as amended be approved.

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| 413 | <p>Regeneration Committee - 7 May 2009</p> <p>Approved on the motion of Councillor Clocherty.</p> | 413 |
| 414 | <p>Education & Lifelong Learning Committee - 12 May 2009</p> <p>Approval of the minute as a correct record was moved by Councillor McKenzie subject to amendment of the decision at paragraph 332 (Results of the Wider Consultation on the Future of the School Age Language Unit (SALU) in Highlanders' Academy Primary School) as follows:</p> <p>(1) that consideration of this matter be continued to allow the Acting Director of Education to carry out an exercise to evaluate the outcomes for children of other education authorities which have introduced Option 4 (pupils' needs are met in their mainstream school with visiting support from speech and language impairment teacher and therapist);</p> <p>(2) that it be remitted to the Acting Director of Education to submit a further report to the Education & Lifelong Learning Committee on the results of the evaluation exercise;</p> <p>(3) that the further report to the Education & Lifelong Learning Committee contain recommendations for the issuing of a consultation document setting out options for the future delivery of services to primary aged children who have a specific language impairment based upon the evaluation exercise; and</p> <p>(4) that in the meantime children with speech and language difficulties continue as at present to be referred to the School Age Language Unit in Highlanders' Academy.</p> <p>This was agreed unanimously</p> <p>Decided: that the minute as amended be approved.</p> | 414 |
| 415 | <p>General Purposes Board - 13 May 2009</p> <p>Approved on the motion of Councillor Ahlfeld.</p> | 415 |
| 416 | <p>Policy & Resources Committee - 14 May 2009</p> <p>Approved on the motion of Councillor McCabe.</p> | 416 |
| 417 | <p>Education Appeals Board - 21 May 2009</p> <p>Approved on the motion of Councillor Moran.</p> | 417 |
| 418 | <p>Policy & Resources Executive Sub-Committee - 21 May 2009</p> <p>Approved on the motion of Councillor McCabe.</p> | 418 |
| 419 | <p>Health & Social Care Committee - 25 May 2009</p> <p>Approved on the motion of Councillor McIlwee.</p> | 419 |
| 420 | <p>Policy & Resources Committee - 26 May 2009</p> <p>Approved on the motion of Councillor McCabe.</p> | 420 |

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| 421 | <p>Grants Sub-Committee - 28 May 2009</p> <p>Approved on the motion of Councillor Clocherty.</p> | 421 |
| 422 | <p>Planning Board - 3 June 2009</p> <p>Approved on the motion of Councillor McKenzie.</p> | 422 |
| 423 | <p>General Purposes Board - 10 June 2009</p> <p>Approved on the motion of Councillor Ahlfeld.</p> | 423 |
| 424 | <p>Safe, Sustainable Communities Committee - 11 June 2009</p> <p>Approved on the motion of Councillor Moran.</p> | 424 |
| 425 | <p>Councillor Dorrian - Resignation from Scottish Accident Prevention Council Road Safety Committee</p> <p>There was submitted a report by the Corporate Director Regeneration & Resources advising of the resignation of Councillor Dorrian from the Scottish Accident Prevention Council Road Safety Committee and requesting the Council to fill the resulting vacancy.
 Decided: that Councillor White be appointed to the Scottish Accident Prevention Council Road Safety Committee in place of Councillor Dorrian.</p> | 425 |
| 426 | <p>Administrative Arrangements: Cycle of Council, Committee and Board Meetings</p> <p>There was submitted a report by the Corporate Director Regeneration & Resources setting out for approval the schedule of Committee cycles for the period to June 2010.
 Decided: that the cycle of Council, Committee and Board meetings for the year to June 2010 as set out in the timetable forming the appendix to the report be approved.</p> | 426 |
| 427 | <p>Birkmyre Park</p> <p>There was submitted a report by the Corporate Director Regeneration & Resources requesting the Council, as local authority and Trustee with responsibility to manage the Trust property in accordance with the conditions of the Trust, to consider (1) a request from the Regeneration Committee to redesignate the rugby pitch at Knockbuckle Road within the Birkmyre Park as a dual use rugby and football pitch and (2) options for the reintroduction of redundant leisure activities within the Birkmyre Park.
 Decided: that the Council, as local authority and Trustee with responsibility to manage the Trust property in accordance with the conditions of the Trust:</p> <p>(1) agree to the redesignation of the rugby pitch at Knockbuckle Road within the Birkmyre Park as a dual use rugby and football pitch;</p> <p>(2) agree to the reintroduction of the putting green at Birkmyre Park for this summer and the consequent one off and ongoing costs as detailed in section 5.1 of the report; and</p> <p>(3) agree, in principle, to the reintroduction of the tennis courts, either as blaes tennis courts or as a multi use games area, and that a further report be presented to the Council, as Trustees of the Birkmyre Park, once consultation has taken place with the community and affordability issues have been resolved.</p> | 427 |

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428 Eligibility Criteria for Receipt of Free School Meals and Clothing Grants for Pupils Attending Schools Operated by Inverclyde Council
428

There was submitted a report by the Head of Schools advising of proposed changes in eligibility for the receipt of free school meals and clothing grants.

Decided:

(1) that the Council note the following revised entitlement criteria for the receipt of free school meals:

The parent or carer being in receipt of one of the following benefits

- Income Support
- Income-based Job Seeker's Allowance
- Child Tax Credit, but not Working Tax Credit, where income is less than £16,040 (in 2009/10) as assessed by the Inland Revenue
- An asylum seeker receiving support under Part VI of the Immigration and Asylum Act 1999
- Employment and Support Allowance (Income Related)
- Parent or carer is in receipt of Working Tax Credit with an income below the threshold for receipt of maximum Working Tax Credit (currently income below £6,420)

A pupil aged between 16 and 18 years old receiving any of these benefits in his or her own right, can claim free school meals and clothing grant for him or her self;

(2) that the extended eligibility criteria set out in section 3.1 of the report also be used to determine eligibility to receive clothing grant for pupils who attend schools operated by Inverclyde Council and for Inverclyde pupils who have been directed to attend special schools or establishments outside Inverclyde by Inverclyde Council;

(3) that the funding for the extension of eligibility for free school meals and clothing grants be approved as detailed in paragraph 6.5 of the report; and

(4) that a further report on the extension of free school meals to all pupils in P1 to P3 from the start of school session 2010/2011 be brought to the Education and Lifelong Learning Committee at a later date.

429 First Periodical Review of Scottish Parliament Boundaries Review Recommendations
429

There was submitted a report by the Chief Executive on the progress of the First Periodical Review of Scottish Parliament Boundaries and, in particular, on the revised recommendations for constituencies published on 21 May 2009.

Decided: that the Council note the revised recommendations published by the Boundary Commission for Scotland and that the Boundary Commission be requested to consider the title for the new constituency, the Council's view being that Inverclyde is more representative of the geographical area covered by the constituency than Greenock and Inverclyde.

The Provost being of the opinion that the undernoted report by the Corporate Director Regeneration & Resources was relevant, competent and urgent moved its consideration in terms of the relevant Standing Order to allow the Council to make a decision on the matter at the earliest opportunity. This was unanimously agreed.

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430 Scheme of Delegation and Local Review Board Pre-Determination Hearings 430

There was submitted a report by the Corporate Director Regeneration & Resources on a remit from the Safe, Sustainable Communities Committee of 11 June 2009 requesting the Council to adopt the Scheme of Delegation prepared under the terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 for submission to the Scottish Ministers and the setting up of a Local Review Body and the procedures to be followed by the Local Review Body.

Decided:

- (1) that the Council adopt the Scheme of Delegation prepared under the terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 for determining local developments, as outlined in appendix 1 of the report to the Safe, Sustainable Communities Committee, subject to approval by the Scottish Ministers; and
- (2) that the Council approve the setting up of a Local Review Body and the procedures to be followed, as set out in appendix 2 of the report to the Safe, Sustainable Communities Committee.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 12 of Part I of Schedule 7(A) of the Act and for the item thereafter, the nature of the exempt information being that defined in the respective paragraphs of Part I of Schedule 7(A) of the Act, as detailed in the minute of the relevant Committee, Sub-Committee or Board.

431 Consideration of Motion to Rectify Land Register 431

There was submitted a report by the Chief Executive addressing the motion made by a number of Members relative to rectification of the Land Register in respect of land at East India Harbour which the Council at the meeting held on 16 April 2009 had agreed be continued to allow all Elected Members a further opportunity to review the papers relative to the case and for the Head of Legal & Administration to organise additional briefing sessions for Members as required.

Decided: on the motion of Councillor McCallum seconded by Councillor Loughran that the Council resolve not to seek rectification of the Land Register or to seek damages against the Keeper of the Registers of Scotland.

Appendices to Minutes**432 The Inverclyde Council - 16 April 2009 432**

Approved on the motion of Provost McCormick.

433 Safe, Sustainable Communities Committee - 5 May 2009 433

Approved on the motion of Councillor Moran.

434 Regeneration Committee - 7 May 2009 434

Approved on the motion of Councillor Clocherty.

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| 435 | Education Appeals Board - 21 May 2009 | 435 |
| | Approved on the motion of Councillor Moran. | |
| 436 | Policy & Resources Executive Sub-Committee - 21 May 2009 | 436 |
| | Approved on the motion of Councillor McCabe. | |
| 437 | Policy & Resources Committee - 26 May 2009 | 437 |
| | Approved on the motion of Councillor McCabe. | |