

## THE INVERCLYDE COUNCIL - 8 OCTOBER 2009

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### The Inverclyde Council

**Thursday 8 October 2009 at 4.00 pm**

**Present:** Provost McCormick, Councillors Ahlfeld, Blair, Brooks, Clocherty, Dorrian, Fyfe, Loughran, McCabe, McCallum, McIlwee, McKenzie, Moran, Nelson, Osborne, Rebecchi, White and Wilson.

**Chair:** Provost McCormick presided.

**In attendance:** Chief Executive, Corporate Director Environment & Community Protection, Corporate Director Improvement & Performance, Acting Director Education, Acting Director Social Care, Chief Financial Officer, Head of Corporate Communications & Public Affairs, Head of Property Resources & Facilities Management, Legal Services Manager (Procurement, District Court & Administration) and Legal Services Manager (Courts & Litigation).

**Apologies:** Councillors Grieve and MacLeod.

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

<b>607</b>	<b>The Inverclyde Council - 11 June 2009</b>	<b>607</b>
	<b>Approved</b> on the motion of Provost McCormick.	
<b>608</b>	<b>Policy &amp; Resources Committee (Special) - 16 June 2009</b>	<b>608</b>
	<b>Approved</b> on the motion of Councillor McCabe.	
<b>609</b>	<b>Audit Committee (Special) - 25 June 2009</b>	<b>609</b>
	<b>Approved</b> on the motion of Councillor Blair.	
<b>610</b>	<b>General Purposes Board (Special) - 24 July 2009</b>	<b>610</b>
	<b>Approved</b> on the motion of Councillor Ahlfeld.	
<b>611</b>	<b>Planning Board - 5 August 2009</b>	<b>611</b>
	<b>Approved</b> on the motion of Councillor Wilson.	
<b>612</b>	<b>General Purposes Board - 12 August 2009</b>	<b>612</b>
	<b>Approved</b> on the motion of Councillor McKenzie.	
<b>613</b>	<b>The Inverclyde Council (Special) - 13 August 2009</b>	<b>613</b>
	<b>Approved</b> on the motion of Provost McCormick.	
<b>614</b>	<b>Education &amp; Lifelong Learning Committee (Special) - 18 August 2009</b>	<b>614</b>

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

**615      Audit Committee - 25 August 2009      615**

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

**616      Health & Social Care Committee - 27 August 2009      616**

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

**617      Safe, Sustainable Communities Committee - 1 September 2009      617**

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

**618      Planning Board - 2 September 2009      618**

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

**619      Regeneration Committee - 3 September 2009      619**

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

**620      Education & Lifelong Learning Committee - 8 September 2009      620**

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

**621      General Purposes Board - 9 September 2009      621**

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

**622      Policy & Resources Committee - 22 September 2009      622**

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

**623      Audit Committee (Special) - 23 September 2009      623**

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

**624      Appointment to Vacancy on Inverclyde Licensing Board      624**

There was submitted a report by the Corporate Director Regeneration & Resources requesting the Council to appoint a Member to fill the vacancy on Inverclyde Licensing Board.

**Decided:** that Councillor Brooks be appointed to fill the vacancy on Inverclyde Licensing Board.

**625      Representation on Inverclyde Alliance Board and COSLA      625**

There was submitted a report by the Corporate Director Regeneration & Resources requesting the Council to appoint a fourth representative to sit on the Board of Inverclyde Alliance following the resignation of Councillor Brooks. The report also advised that

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Councillor Brooks had resigned from COSLA but that since this appointment was by virtue of his position as leader of the largest opposition group on the Council, his place had automatically been taken by Councillor MacLeod.

**Decided:**

- (1) that Councillor MacLeod be appointed to sit on the Board of Inverclyde Alliance in place of Councillor Brooks; and
- (2) that the position with regard to representation on COSLA be noted.

**626 Representation on Clyde Muirshiel Park Authority Joint Committee 626**

There was submitted a report by the Corporate Director Regeneration & Resources requesting the Council to appoint a Member to serve on the Clyde Muirshiel Park Authority Joint Committee following the resignation of Councillor Grieve.

**Decided:** that Councillor Nelson be appointed to serve on the Clyde Muirshiel Park Authority Joint Committee in place of Councillor Grieve.

**627 Standing Orders and Scheme of Administration - Local Review Body 627**

There was submitted a report by the Corporate Director Regeneration & Resources seeking agreement to amend the Council's Standing Orders and Scheme of Administration in respect of the Local Review Body established by the Council in terms of the Town & Country Planning (Scheme of Delegation and Local Review Procedures) (Scotland) Regulations 2008 at its meeting held on 11 June 2009.

**Decided:** that agreement be given to the amendments to the Standing Orders and Scheme of Administration as set out in the appendix to the report.

**628 Council Veterans' Champion - Request by Councillor McCabe 628**

There was submitted a report by the Corporate Director Regeneration & Resources on a request received from Councillor McCabe that the Council consider a letter from Jeremy Purvis MSP seeking the Council's support for the appointment of a Veterans' Champion. Following discussion, Councillor McCabe seconded by Councillor McKenzie moved that Councillor Dorrian be appointed as the Council's Veterans' Champion. As an amendment, Councillor Nelson seconded by Councillor Brooks moved that Councillor MacLeod be so appointed. On a vote, 3 Members voted for the amendment and 15 for the motion which was declared carried.

**Decided:** that Councillor Dorrian be appointed as the Council's Veterans' Champion.

**629 Scottish Coalition on Tobacco - Request by Councillor McCabe 629**

There was submitted a report by the Corporate Director Regeneration & Resources on a request received from Councillor McCabe that the Council consider a letter from the Scottish Coalition on Tobacco requesting support for the Tobacco and Primary Medical Services Bill which is currently before the Scottish Parliament.

**Decided:** that the Council give its support to the Tobacco and Primary Medical Services Bill which is currently before the Scottish Parliament but that in making representations, attention be drawn to the concerns of a number of Members regarding the effect on small shopkeepers of the proposal to put cigarettes and tobacco out of sight in retail outlets.

**630 Enforcement of National Minimum Wage Legislation on Minor League Football Clubs in Scotland - Motion by Midlothian Council 630**

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There was submitted a report by the Corporate Director Regeneration & Resources advising of a letter received from Midlothian Council seeking support for a motion agreed by that Council concerning the enforcement of national minimum wage legislation on minor league football clubs in Scotland.

**Decided:** that the Council give its support to the motion by Midlothian Council.

**631 Improvement Service Membership Agreement**

**631**

There was submitted a report by the Corporate Director Improvement & Performance advising of the use of the powers delegated to the Chief Executive to enable Councillor McCabe, as Leader of the Council, to sign a formal membership agreement for the Improvement Service on behalf of the Council at the COSLA Convention on 26 June 2009.

**Noted**

**632 The Stopping-Up of Footpaths, Inverclyde (Kelburn Business Park, Port Glasgow) Order 2009**

**632**

There was submitted a report by the Corporate Director Regeneration & Resources advising of the use of the powers delegated to the Chief Executive to confirm the stopping-up of footpaths as set out in the Stopping-Up of Footpaths, Inverclyde (Kelburn Business Park, Port Glasgow) Order 2009 and to authorise the Head of Legal & Administration to take all necessary action in connection therewith.

**Decided:**

- (1) that the report be noted; and
- (2) that a briefing note on the effect of the Order be prepared for all Members of the Council.

**633 Proposed Traffic Regulation Order - Belhaven Street Bridge, Port Glasgow (7.5 Tonne Weight Restriction Revocation) Order 2009**

**633**

There was submitted a report by the Corporate Director Regeneration & Resources on the proposed Traffic Regulation Order to revoke the existing Inverclyde Council Belhaven Street Bridge, Port Glasgow (7.5 Tonne Weight Restriction) Order 2002 which is no longer required, as agreed by the Safe, Sustainable Communities Committee at its meeting on 1 September 2009.

**Resolved** on the motion of Councillor Moran seconded by Councillor Wilson that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc (Scotland) Act 1994 RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 to permit revocation of the 7.5 tonne weight restriction on Belhaven Street Bridge, Port Glasgow, all as detailed in a copy of the Order forming a supplement to the principal minute hereof and that the Head of Environmental Services and Head of Legal & Administration be authorised to take all necessary action in connection therewith.

**634 Proposed Traffic Regulation Order - Millhouse Road Bridge, Inverkip (24 Tonne Weight Restriction Revocation) Order 2009**

**634**

There was submitted a report by the Corporate Director Regeneration & Resources on

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the proposed Traffic Regulation Order to revoke the existing Inverclyde Council Millhouse Road, Inverkip (24 Tonne Weight Restriction) Order 2000 which is no longer required, as agreed by the Safe, Sustainable Communities Committee at its meeting on 1 September 2009.

**Resolved** on the motion of Councillor Moran seconded by Councillor Wilson that THE INVERCLYDE COUNCIL, incorporated under the Local Government etc (Scotland) Act 1994, RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 to permit revocation of the 24 tonne weight restriction on Millhouse Road Bridge, Inverkip all as detailed in a copy of the Order forming a supplement to the principal minute hereof and that the Head of Environmental Services and Head of Legal & Administration be authorised to take all necessary action in connection therewith.

**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, 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 Committee.**

**Appendices to Minutes**

**635      Regeneration Committee - 3 September 2009**

**635**

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