

THE INVERCLYDE COUNCIL – 1 DECEMBER 2016

The Inverclyde Council

Thursday 1 December 2016 at 4pm

Present: Provost Moran, Councillors Ahlfeld, Brennan, Brooks, Campbell-Sturgess, Clocherty, Dorrian, Jones, Loughran, MacLeod, McCabe, McColgan, McCormick, McEleny, McIlwee, Nelson, Rebecchi, Shepherd and Wilson.

Chair: Provost Moran presided.

In attendance: Chief Executive, Corporate Director Education, Communities & Organisational Development, Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership, Head of Legal & Property Services, Ms S Lang (Legal & Property Services), Chief Financial Officer, Finance Manager (Environment & Technical), Head of Environmental & Commercial Services, Head of Safer & Inclusive Communities, Head of Organisational Development, Human Resources & Communications and Corporate Communications Manager.

In attendance also: Mr T Yule, Audit Scotland.

705 **Apologies and Declarations of Interest**

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

Councillor Campbell-Sturgess declared an interest in Agenda Item 6 (Financial Strategy 2016/2024 – Update).

706 **Frank's Law – Request by Councillor McCabe**

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There was submitted a report by the Head of Legal & Property Services on a request received from Councillor McCabe that the Council consider supporting the campaign by Mrs Amanda Kopel for the introduction of "Frank's Law" for the extension of free personal care for those under the age of 65 who require it.

Mrs Kopel was present and addressed the Council on her campaign.

Decided:

(1) that the Council note that, currently, legislation enables personal care to be provided free for people in Scotland aged over 65, provided they are assessed as needing it but that of the 85,807 dementia sufferers in Scotland, 3,201 are under the age of 65 and therefore not entitled to the help;

(2) that the Council commend the campaign by Mrs Amanda Kopel – "Frank's Law" – to request that the Scottish Government extends free personal care to anyone under the age of 65 who requires such care for their dementia, motor neurone disease, Parkinson's, multiple sclerosis, cancer, progressive supranuclear palsy (or any other degenerative brain disease); and

(3) that it be remitted to the Chief Executive to write to the First Minister requesting her to consider the introduction of "Frank's Law" to enable free personal care to be extended to under 65s as set out above, and that the Scottish Football Association and Professional Footballers' Association Scotland be copied into the letter to the First Minister.

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

707	Local Police & Fire Scrutiny Sub-Committee – 29 September 2016	707
	Approved on the motion of Councillor Loughran.	
708	The Inverclyde Council – 29 September 2016	708
	Approved on the motion of Provost Moran.	
709	Appointment Panel – Corporate Director Environment, Regeneration & Resources – 3 October 2016	709
	Approved on the motion of Councillor McCabe.	
710	Planning Board – 5 October 2016	710
	Approved on the motion of Councillor Nelson.	
711	Local Review Body – 5 October 2016	711
	Approved on the motion of Councillor Nelson.	
712	General Purposes Board – 12 October 2016	712
	Approved on the motion of Councillor Dorrian.	
713	Appointment Panel – Corporate Director Environment, Regeneration & Resources – 14 October 2016	713
	Approved on the motion of Councillor McCabe.	
714	Audit Committee – 18 October 2016	714
	Approved on the motion of Councillor Rebecchi.	
715	Health & Social Care Committee – 20 October 2016	715
	Approved on the motion of Councillor Dorrian.	
716	Environment & Regeneration Committee – 27 October 2016	716
	Approved on the motion of Councillor McCormick.	
717	Education & Communities Committee – 1 November 2016	717
	Approved on the motion of Councillor Loughran.	

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718	Planning Board – 2 November 2016	718
	Approved on the motion of Councillors Wilson (Items 1 and 3) and Nelson (Item 2).	
719	General Purposes Board – 9 November 2016	719
	Approved on the motion of Councillor Dorrian.	
720	Environment & Regeneration Committee (Special) – 15 November 2016	720
	Approved on the motion of Councillor McCormick.	
721	Policy & Resources Committee – 15 November 2016	721
	Approved on the motion of Councillor McCabe.	
722	Education & Communities Committee (Special) – 22 November 2016	722
	Approved on the motion of Councillor Loughran.	
723	Sky Lanterns – Request by Councillor McCabe	723
	There was submitted a report by the Head of Legal & Property Services on a request received from Councillor McCabe that the Council consider representations made by Mr Alan Bowie, President of the NFU Scotland, asking the Council to ban the use of sky lanterns on Council owned property and at Council-run events.	
	Decided:	
	(1) that it be agreed to ban the use of sky lanterns on Council-owned property and at Council-run events with immediate effect; and	
	(2) that it be remitted to the Chief Executive to write to the Cabinet Secretary for Environment, Climate Change and Land Reform with the request that consideration be given to introducing legislation to make the ban effective throughout Scotland.	
724	Educational Psychologists in Scottish Schools – Motion by East Dunbartonshire Council	724
	There was submitted a report by the Chief Executive asking the Council to consider a request from East Dunbartonshire Council that consideration be given to its motion regarding educational psychologists in Scottish schools.	
	Decided:	
	(1) that the Council recognise the invaluable nature of the role played by educational psychologists in Scottish Schools;	
	(2) that the Council note that the number of pupils identified with additional needs (ASN) has increased dramatically throughout Scotland in recent years; and	
	(3) that it be remitted to the Chief Executive to write to the Deputy First Minister and Cabinet Secretary for Education and Skills asking him to investigate measures, including the reintroduction of educational psychologist bursaries, to ensure that there are sufficient numbers of educational psychologists to meet present and future demands in all Scottish schools.	

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725 Financial Strategy 2016/2024 - Update

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There was submitted a report by the Chief Financial Officer appending the updated Financial Strategy for review and approval.

During the course of discussion on this item, Councillor Ahlfeld asked a question regarding persons excluded from the offers process in relation to equal pay claims.

As discussion of this item was likely to involve the disclosure of exempt information as defined in paragraph 12 of Part I of Schedule 7(A) of the Local Government (Scotland) Act 1973 as amended, it was agreed to discuss the matter at the private session of the meeting.

Decided: that the Council approve the latest version of the Financial Strategy 2016/2024.

726 2018 Review of UK Parliament Constituencies – Publication of Initial Proposals

726

There was submitted a report by the Head of Legal & Property Services (1) informing the Council of the Initial Proposals received from the Boundary Commission for Scotland for the 2018 Review of UK Parliament Constituencies which proposes a new Inverclyde and Largs County Constituency in the Inverclyde and North Ayrshire Council areas with 73,965 electors and (2) advising that consultation responses were invited by 11 January 2017.

Decided: that it be remitted to the Head of Legal & Property Services to advise the Boundary Commission for Scotland that Inverclyde Council wholly rejects the proposed changes to the Inverclyde County Constituency which should retain the existing boundaries.

727 Local Government Elections 2017: Review of Polling Scheme

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There was submitted a report by the Head of Legal & Property Services proposing a draft polling scheme for the local government elections in May 2017 to take account of the decision of the Local Government Boundary Commission for Scotland to review Inverclyde Council ward boundaries as from that election.

Decided:

(1) that the Council note the report and approve the draft Polling Scheme attached to the report for the purposes of an interim review;

(2) that it be remitted to the Head of Legal & Property Services to conduct a community consultation and to report thereon to a special meeting of the Council in January 2017;

(3) that in the meantime, in the interests of preparing for the May 2017 local government elections, it be remitted to the Head of Legal & Property Services to secure viable options for the Polling Scheme as considered appropriate; and

(4) that £120,000 be provided from Free Reserves for the purposes of the local government elections in May 2017.

728 Proposed Expansion of Joint Civil Contingencies Service to include West Dunbartonshire Council

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There was submitted a report by the Chief Executive seeking the Council's approval to expand the Joint Civil Contingencies Service to include West Dunbartonshire Council.

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Decided:

- (1) that the Council approve the proposal to expand the Joint Civil Contingencies Service to include West Dunbartonshire Council; and
- (2) that authority be granted to the Chief Executive together with the Head of Legal & Property Services to conclude the required changes to the “Minute of Agreement” and “Detailed Specification of Service” for the Joint Civil Contingencies Service to reflect the expansion of the service to include West Dunbartonshire Council.

729	Chief Social Work Officer Annual Report 2015/16	729
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There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Health & Social Care Committee of 20 October 2016 requesting the Council to consider the Chief Social Work Officer Annual Report 2015/16.

Decided: that the Council formally endorse the Chief Social Work Officer Annual Report 2015/16.

730	Treasury Management – Mid-Year Report 2016/17	730
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There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Policy & Resources Committee of 15 November 2016 requesting the Council to approve the Treasury Management Mid-Year Report 2016/17.

Decided: that the Council approve the Treasury Management Mid-Year Report 2016/17.

731	Proposed Traffic Regulation Order – Disabled Persons’ Parking Places (On Street) Order No. 2 2016	731
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There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Environment & Regeneration Committee of 15 November 2016 requesting approval of the Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On Street) Order No. 2 2016.

Decided: that the Inverclyde Council approve the making of the Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On Street) Order No. 2 2016 and that the Head of Environmental & Commercial Services and the Head of Legal & Property Services be authorised to take all necessary action in connection therewith.

732	Trust Funds Annual Accounts 2015-2016	732
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There was submitted a report by the Honorary Treasurer requesting the Council, as Trustees, to adopt the examined Annual Accounts of the Birkmyre Trust and the Watt Institution Trust Fund and to note the examined Annual Accounts of the McLeod Trust.

Decided:

- (1) that the Council, as Trustees, approve the Annual Accounts for the Birkmyre Trust and Watt Institution Trust Fund for the year ended 31 March 2016; and
- (2) that the Council, as Trustees, note the Annual Accounts of the McLeod Trust for the year ended 31 March 2016.

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733 Watt Complex Refurbishment 733

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Education & Communities Committee of 1 November 2016 requesting the Council, as Trustees of the Watt Institution, to note the decision of the Education & Communities Committee relative to the Watt Complex Refurbishment.

Decided: that the Council, as Trustees of the Watt Institution, note the decision of the Education & Communities Committee relative to the Watt Complex Refurbishment.

734 McLean Museum Draft Collections Development Policy 734

There was submitted a report by the Corporate Director Environment, Regeneration & Resources on a remit from the Education & Communities Committee of 1 November 2016 requesting the Council, as Trustees of the Watt Institution, to note the decision of the Education & Communities Committee relative to the McLean Museum Draft Collections Development Policy.

Decided: that the Council, as Trustees of the Watt Institution, note the decision of the Education & Communities Committee to approve the McLean Museum Draft Collections Development Policy to meet the requirements of the Arts Council England (ACE) Accreditation Scheme.

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 consideration of the Appendices to Minutes on the grounds that the business involved the likely disclosure of exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act, as detailed in the relevant minute, and for resumed consideration of the Financial Strategy report on the grounds that the discussion involved the likely disclosure of exempt information as defined in paragraph 12 of Part I of Schedule 7(A) of the Act.

Appendices to Minutes

735 Appointment Panel – Corporate Director Environment, Regeneration & Resources – 3 October 2016 735

Approved on the motion of Councillor McCabe.

736 Appointment Panel – Corporate Director Environment, Regeneration & Resources – 14 October 2016 736

Approved on the motion of Councillor McCabe.

737 Health & Social Care Committee – 20 October 2016 737

Approved on the motion of Councillor Dorrian.

738 Environment & Regeneration Committee – 27 October 2016 738

Approved on the motion of Councillor McCormick.

739 Financial Strategy 2016/2024 Update**739**

Arising from resumed consideration of the Financial Strategy 2016/2024 Update, Councillor Ahlfeld asked for clarification of the number of persons excluded from the offers process in respect of equal pay claims and information in this regard was given by the Head of Organisational Development, Human Resources & Communications. Councillor Campbell-Sturgess declared an interest in the issue which emerged from Councillor Ahlfeld's question as the partner of an individual who may potentially be affected. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the Chamber or his participation in the decision making process.