



## Notice of Meeting and Agenda Clyde Muirshiel Park Authority Consultative Forum

| Date                     | Time  | Venue  |
|--------------------------|-------|--|
| Friday, 02 December 2016 | 10:00 | CMR 2, Council Headquarters,<br>Renfrewshire House, Cotton Street,<br>Paisley, PA1 1AN |

KENNETH GRAHAM  
Clerk

### Membership

Councillor A Dickson (North Ayrshire Council); Councillor C Gilmour (Renfrewshire Council); Councillor D Wilson and Councillor I Nelson (both Inverclyde Council); R Anderson (Scottish Rural Property and Business Association); A Armstrong (Visit Scotland); Z Bhatia and G McAuley (both RSPB Scotland); G Brown (Bell Ingram Limited); D Cochrane (Scottish National Farmers Union); S Garner (The Conservation Volunteers); Lord Glasgow (Kelburn Country Centre); K MacKendrick (Lochwinnoch Community Council); H Graham (Ramblers Association); (Sustrans); J Kent (Sport Scotland); D Blair (Largs Community Council); A McLeman (Gryffe Valley Rotary Club); A McWilliam (Parkdean Holidays); A Clark (Inverkip/Wemyss Bay Community Council); S Simpson and N Willis (both Save Your Regional Park); G Canata (Inverclyde Local Access Forum); Sir Ludovic Shaw Stewart (Ardgowan Estates) and (Scottish Water).

Chair – Councillor Nelson

## **Further Information**

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at [www.renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx](http://www.renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx)

For further information, please either email [democratic-services@renfrewshire.gov.uk](mailto:democratic-services@renfrewshire.gov.uk) or telephone 0141 618 7112.

## **Members of the Press and Public**

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

## **Items of business**

### **Apologies**

Apologies from members.

### **Declarations of Interest**

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

#### **1 Welcome**

#### **2 Minute of Consultative Forum 5 - 10**

Minute of meeting of the Consultative Forum held on 2 September 2016.

#### **3 Declarations of Interest 11 - 12**

Report by Clerk.

#### **4 Shielhill Glen**

Verbal report by the Interim Regional Park Manager.

#### **5 Minute of Agreement**

Discussion item.

#### **6 Matters Arising**

#### **7 Consultative Forum Meeting Schedule 2017**

Consider dates and venues for Consultative Forum meetings in 2017.





## Minute of Meeting Clyde Muirshiel Park Authority Consultative Forum

| Date                      | Time  | Venue   |
|---------------------------|-------|---|
| Friday, 02 September 2016 | 11:30 | Greenock Cut Visitor Centre, Cornalees Bridge, Inverkip, Inverclyde, PA16 9LX |

### PRESENT

Councillors Gilmour (Renfrewshire Council), Wilson and Innes (Inverclyde Council) and Dickson and Marshall (North Ayrshire Council); Z Bhatia (RSPB Scotland); D Cochrane (Scottish National Farmers Union); K McKendrick (Lochwinnoch Community Council); and S Simpson and N Willis (Save Your Regional Park).

### CHAIR

Councillor Gilmour, Chair, presided.

### IN ATTENDANCE

D Gatherer, Interim Regional Park Manager; E Currie, Senior Committee Services Officer and K Brown, Committee Services Officer (both Renfrewshire Council) and C Sharp and A Sutton (both North Ayrshire Council).

### APOLOGIES

R Anderson (Scottish Rural Property & Business Association); J Kent (Sport Scotland) and G McAuley (RSPB Scotland).

### ADDITIONAL ITEMS

The Convener intimated that there were additional items in relation to Corlic Hill; Blackshaw Windfarm; the Housing Development at Beech Birn, Johnshill, Lochwinnoch; members of the Consultative Forum; and Shielhill Glen which had not been included in the notice calling the meeting. The Convener, being of the opinion that the items, which are dealt with at items 4, 5, 6, 7 and 8 of this Minute, were urgent in view of the need to consider the matters timeously authorised their consideration.

## **DECLARATIONS OF INTEREST**

There were no declarations of interest intimated prior to the commencement of the meeting.

S Simpson raised what she believed to be declarations of interest in relation to the fact that Minutes of meetings of the Consultative Forum were not submitted to the next meeting of the Consultative Forum for approval prior to being submitted to the Joint Committee and also in relation to the fact that Lord Glasgow and Sir Ludovic Shaw Stewart should be declaring an interest at meetings of the Consultative Forum as they were landowners.

The Senior Committee Services Officer advised that these matters were not declarations of interest in terms of the Councillors Code of Conduct and advised that any matters concerning the Minutes of Consultative Forum meetings should be raised under item 2 of the agenda.

### **1 APPOINTMENT OF CHAIR**

Under reference to item 8 of the Minute of the meeting of the Consultative Forum held on 27 May 2016 Councillor Gilmour indicated that he would be stepping down from his role as Chair of the Consultative Forum at the next meeting to be held on 2 December 2016 and sought nominations for the position of Chair of the Consultative Forum.

Councillor Wilson, seconded by Councillor Gilmour, nominated Councillor Nelson as Chair of the Consultative Forum with effect from 2 December 2016. There being no other nominations, it was agreed that Councillor Nelson be appointed as the Chairperson.

**DECIDED:** That Councillor Nelson be appointed as the Chair of the Clyde Muirshiel Park Authority Consultative Forum, with effect from 2 December 2016, for a period of one year.

## **SEDERUNT AND VALEDICTORY**

C Sharp and A Sutton, North Ayrshire Council left the meeting during consideration of the following item of business.

Prior to leaving, the Chair referred to Cameron Sharp's imminent retirement from North Ayrshire Council and paid tribute to his service to the Park Authority. On behalf of the Consultative Forum he thanked Cameron for his contribution to the development of the Park Authority and wished him well for the future.

### **2 MINUTES OF MEETINGS OF THE CONSULTATIVE FORUM**

There was submitted a report by the Clerk relative to the procedure for approval of the Minutes of meetings of the Consultative Forum.

The report intimated that the Minute of Agreement, constituting the Park Authority, between Renfrewshire, Inverclyde and North Ayrshire Council stated that the Park Consultative Forum shall meet not less than twice during each year on such dates and at such times and places as they shall themselves determine. In determining where and when to meet the Park Consultative Forum shall have regard to the

desirability of maximising access to the Park Authority and minimising the expense involved in advising the Park Authority. Minutes of each meeting of the Park Consultative Forum shall be submitted to the next meeting of the Park Authority.

It was noted that the Minute of Agreement was last updated in 2004 and in light of the terms and actions set out in the Park Strategy 2016/21, approved at the earlier meeting of the Joint Committee, officers from the constituent authorities would undertake a review of the Procedural Standing Orders and the Minute of Agreement of the Park Authority and report the outcome of this review back to a future meeting of the Joint Committee. The submission of the Consultative Forum Minutes would be considered as part of any review of the Minute of Agreement.

A discussion took place relative to the meetings of the Consultative Forum being held prior to meetings of the Joint Committee to allow the Minute of the previous Consultative Forum meeting to be submitted to the Consultative Forum prior to being submitted to the next meeting of the Joint Committee in terms of the Minute of Agreement; the format and layout of future agendas; the changes members of the Consultative Forum would like to see included in the review of the Minute of Agreement; lack of consultation with the Consultative Forum on draft plans and strategies affecting the Regional Park; and whether instructions could be issued to members of the Consultative Forum to ensure they declared an interest at meetings as it was perceived by others that they should.

It was proposed that meetings of the Consultative Forum be now held at 10.00 am prior to meetings of the Joint Committee which, with the agreement of the Convener, would now commence at 11.30 am to allow the Minute of the previous Consultative Forum meeting to be submitted to the Consultative Forum prior to being submitted to the next meeting of the Joint Committee in terms of the Minute of Agreement; that future agendas for meetings of the Consultative Forum contain items of business in relation to Welcome, Matters Arising, any items of business raised by a member with the Chair, and Any Other Competent Business; that members of the Consultative Forum consider what changes they would like to see included in the upcoming review of the Minute of Agreement and that these be discussed at the next meeting of the Consultative Forum; that, in future, the Consultative Forum be consulted on draft plans and strategies affecting the Regional Park; and that the Clerk submit a report to the next meeting of the Consultative Forum to be held on 2 December 2016 in relation to declarations of interest in terms of the Councillors Code of Conduct.

**DECIDED:**

(a) That it be noted that in terms of the Minute of Agreement, constituting the Park Authority, between Renfrewshire, Inverclyde and North Ayrshire Councils, Minutes of meetings of the Consultative Forum were to be submitted to the next meeting of the Park Authority;

(b) That it be noted that the submission of the Consultative Forum Minutes would be considered as part of any review of the Minute of Agreement;

(c) That meetings of the Consultative Forum be now held at 10.00 am, prior to meetings of the Joint Committee which, with the agreement of the Convener, would now commence at 11.30 am to allow the Minute of the previous Consultative Forum meeting to be submitted to the Consultative Forum prior to being submitted to the next meeting of the Joint Committee in terms of the Minute of Agreement;

(d) That future agendas for meetings of the Consultative Forum contain items of business in relation to Welcome, Matters Arising, any items of business raised by a member with the Chair, and Any Other Competent Business;

(e) That that members of the Consultative Forum consider what changes they would like to see included in the upcoming review of the Minute of Agreement and that these be discussed at the next meeting of the Consultative Forum to be held on 2 December 2016;

(f) That, in future, the Consultative Forum be consulted on draft plans and strategies affecting the Regional Park; and

(g) That the Clerk submit a report to the next meeting of the Consultative Forum to be held on 2 December 2016 in relation to declarations of interest in terms of the Councillors Code of Conduct.

### 3 **PROPOSED BLAIRPARK/HALKSHILL FORESTRY PROJECT**

Councillor Marshall advised that North Ayrshire Council had established a working party to consider this revised proposed development. The responses from North Ayrshire Council and Largs Community Council to the EIA were broadly similar. North Ayrshire Council were agreeing to the forestry proposal subject to conditions.

**DECIDED:** That the matter be noted.

### **SEDERUNT**

Councillor Wilson left the meeting prior to consideration of the following item of business.

### 4 **CORLIC HILL**

S Simpson advised that flights leaving Glasgow Airport were now flying over Corlic Hill. D Cochrane advised that this double rotation system had been in operation since 2000.

**DECIDED:** That this matter be noted.

### 5 **BLACKSHAW WINDFARM**

It was noted that this appeal had been dismissed by the Reporter appointed by the Scottish Government.

**DECIDED:** That it be noted that this appeal had been dismissed by the Reporter appointed by the Scottish Government.

### 6 **HOUSING DEVELOPMENT**

K McKendrick advised that a Proposal of Application Notice had been submitted to Renfrewshire Council for the erection of a residential development at a site at the norther boundary of Beech Burn, Johnshill, Lochwinnoch. He proposed that the Park Authority consider the implications of this proposed residential development. This was agreed.

**DECIDED:** That the Park Authority consider the implications of this proposed residential development.

7 **MEMBERS OF THE CONSULTATIVE FORUM**

K McKendrick intimated that a member of the Scottish Wildlife Trust and a Water Baliff had expressed an interest in becoming members of the Consultative Forum. It was proposed that these individuals become members of the Consultative Forum and that K McKendrick provide details of these individuals to the Clerk. This was agreed.

**DECIDED:** That these individuals become members of the Consultative Forum and that K McKendrick provide details of these individuals to the Clerk.

8 **SHIELHILL GLEN**

Councillor Nelson requested that the Interim Regional Park Manager submit a report to the next meeting of the Consultative Forum to be held on 2 December 2016 relative to tidying up Shielhill Glen. This was agreed.

**DECIDED:** That the Interim Regional Park Manager submit a report to the next meeting of the Consultative Forum to be held on 2 December 2016 relative to tidying up Shielhill Glen.

9 **DATE OF NEXT MEETING**

**DECIDED:** That it be noted that the next meeting of the Consultative Forum would be held at 10.00 am on Friday 2 December 2016 and that members be advised of the venue for this meeting.



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# CLYDE MUIRSHIEL PARK AUTHORITY

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Report to: Consultative Forum  
On: 2 December 2016

Report  
by  
Clerk

## **SUBJECT: DECLARATIONS OF INTEREST**

### **1. Summary**

- 1.1 At the meeting of the Clyde Muirshiel Park Authority Consultative Forum held on 2 September 2016 the matter of declarations of interest was raised and it was agreed that the Clerk submit a report to the next meeting of the Consultative Forum in relation to declarations of interest in terms of the Councillors' Code of Conduct and whether the same considerations applied to the members of the Consultative Forum who were not elected members.

### **2. Recommendation**

- 2.1 That the report be noted.

### **3. Background**

- 3.1 The Code of Conduct for Councillors is published to comply with the Ethical Standards in Public Life etc. (Scotland) Act 2000.
- 3.2 The Code of Conduct continues to play a vital role in setting out, openly and clearly, the standards councillors must apply when undertaking their Council duties. It is vital that the Code continues to give assurance to the public that their elected members are acting in accordance with high ethical standards.
- 3.4 The key principles of the Code, especially those which specify integrity, honesty and openness are given further practical effect by the requirement for councillors to declare interests at meetings which they attend. The rules on declaration of interest, along with the rules which require registration of interests, are intended to produce transparency in regard to interests which might influence, or be thought to influence, actions as a councillor.

- 3.5 It is the individual councillor who must take responsibility to make decisions about whether they have to declare an interest or make a judgement as to whether a declared interest prevents them from taking part in any discussions or voting. They are in the best position to assess personal circumstances and to judge how these circumstances affect their role as a councillor in regard to a particular matter.
- 3.6 Councillors must, however, always comply with the *objective test* (“the objective test”) which is *whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.*
- 3.7 Interests which require to be declared (if known to councillors) may be financial or non-financial. They may or may not cover interests which are registrable in terms of the Code. Most of the interests to be declared will be personal interests but, on occasion, councillors will have to consider whether the interests of other persons require them to make a declaration.
- 3.8 There is no requirement for non-elected members of the Consultative Forum to declare an interest at meetings as the Councillors’ Code of Conduct does not apply to them.
- 3.9 It is an option for members of the Consultative Forum to agree to be bound by the standards of behaviour in the Councillors Code of Conduct although the sanctions for non-compliance with the Code, which are imposed by the Standards Commission for Scotland cannot apply to those who are not elected members.
- 3.10 Members of the Consultative Forum may also wish to consider whether there would be circumstances where as a matter of good practice they should declare an interest. Declarations of interest are most likely to be seen as appropriate where there is the potential for a conflict of interest to arise during consideration of any item
- 3.11 Issues around conflicts of interest usually arise where there are concerns about whether a decision maker is acting impartially or is acting in their own interests or the interests of another person or organisation with which they are connected.
- 3.12 On bodies such as the Consultative Forum, which is not a decision making body, it is unlikely that a genuine conflict of interest will arise. It is also the case that membership of the Consultative Forum is open to representatives of various interests in the Regional Park which means that it is reasonable to expect that those representatives will seek to promote their own interests. There should also be an awareness among the members present at a meeting of the Forum of which interests each member is representing. This means that in the absence of a statutory requirement to declare an interest, in most cases there should be no expectation that the interests of members of the Consultative Forum will be declared at a meeting.