
To: Infrastructure, Land & Environment Policy Board

On: 18 March 2020

Report by: Director of Communities, Housing & Planning

Heading: Clyde Muirshiel Regional Park Joint Committee – Withdrawal of North Ayrshire Council

1. Summary

- 1.1 This report seeks to inform members of the decision taken by North Ayrshire Council at its meeting of 12 February 2020 to serve notice of withdrawal from the Clyde Muirshiel Regional Park Joint Committee.
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2. Recommendations

- 2.1 It is recommended that the Board:
- (i) note the decision taken by North Ayrshire Council to serve notice of withdrawal from the Clyde Muirshiel Regional Park Joint Committee;
 - (ii) authorise the Head of Planning and Housing, in consultation with the Head of Corporate Governance, to liaise with officers in Inverclyde and North Ayrshire Council to confirm the date for North Ayrshire Council's formal withdrawal from the Joint Committee; and
 - (ii) note that a paper will be brought to a future meeting of the Infrastructure, Land & Environment Policy Board seeking approval for the ongoing Governance arrangements for the Regional Park.
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3. Background

- 3.1 The Clyde Muirshiel Regional Park was formally constituted by the Clyde Muirshiel Regional Park Designation Order 1987 and is managed by a Joint Committee comprising North Ayrshire Council, Renfrewshire Council and Inverclyde Council, known as the Park Authority.

- 3.2 The current role of the Joint Committee was set out in a Minute of Agreement from 2004 and Renfrewshire Council, as lead authority, appoint appropriate officers to act as Clerk and Treasurer as well as providing professional, technical and administrative support to the Park Authority.
 - 3.3 Clyde Muirshiel Regional Park's activities and priorities have changed significantly since its inception and in this context the Joint Committee in 2018 authorised Renfrewshire Council in consultation with the Partner Authorities to undertake a review of the governance including the Minute of Agreement.
 - 3.4 This review provided an opportunity for North Ayrshire Council to re-evaluate its role within the tri-partite partnership and to take the opportunity to assess the benefit gained from being a member of the Joint Committee.
 - 3.5 The report to North Ayrshire Council on 12 February 2020 therefore noted that its participation in the activities of the Park was severely limited and given that North Ayrshire has no income generating facilities within the park it was appropriate to withdraw from the Joint Committee.
 - 3.6 In terms of the 2004 Minute of Agreement there is a period of notice which any Council requires to give, in the event, it withdraws, from the Joint Committee arrangement. This requires a period of 2 years notice from 31 March in any calendar year during which all of the partner Councils would remain liable for outstanding financial liabilities.
 - 3.7 However in light of the decision taken by North Ayrshire and the situation whereby no financial contribution will be made from 31 March 2020 onwards it is considered that a lesser period can be agreed with the other two Councils.
 - 3.8 The withdrawal of North Ayrshire Council from the Joint Committee will not affect the designation of the Clyde Muirshiel Regional Park, which will remain in existence and will continue to support the Scottish Government's National Outcome to "Value and enjoy our built and natural environment and protect it and enhance it for future generations".
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4 Next Steps

- 4.1 The 2004 Minute of Agreement which sets the arrangements for the Regional Park Authority requires the participating Councils to give a 2 year notice period if they intend to withdraw from the Joint Committee. This is to allow the remaining Councils sufficient time to ensure that arrangements are in place to meet any costs that may have accrued and to ensure that appropriate arrangements are in place to ensure that the significant benefits to be gained from the resources of the park can still be delivered.
- 4.2 In this context, discussions are already underway between the Legal, Finance and relevant Services of the three Councils and at this stage it is anticipated that a suitable arrangement can be agreed that would ensure that the Park, its facilities and its staff resources can be suitably managed and funded.

- 4.3 It is also recognised that further consideration can be given to the role for the local communities who live in and on the periphery of the park to participate in its activities and active management and in doing so provide a vital service in ensuring that as many of the residents in the local area and across a wider geography can benefit and enjoy all of the opportunities that are available in this important, environmental, recreational and outdoor educational resource.
- 4.4 Further discussion and consultation will continue with the constituent authorities and will be the subject of a Report to the next meeting of the Infrastructure, Land & Environment Board.
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Implications of the Report

1. **Financial** – The Clyde Muirshiel Joint Committee meeting of 14 February 2020 approved the requisitions payable from each member Council for 2020/21 and confirmed that no payment was anticipated from North Ayrshire Council. It was also noted that an updated financial outlook would be provided to the Joint Committee in June 2020.
2. **HR & Organisational Development** – Renfrewshire Council continues to remain as the employing authority for Park staff.
3. **Community/Council Planning** – *Creating a sustainable Renfrewshire for all to enjoy* – the revised governance arrangements will not impact on the Park as a focus for enjoyment of a key environmental, educational and recreational resource.
4. **Legal** – Appropriate governance and oversight arrangements in respect of the Park will be the subject of discussion with partner authorities.
5. **Property/Assets** – the properties operated by the Park Authority will remain vested with each Council, who will also continue to manage and maintain these assets.
6. **Information Technology** – *None*
7. **Equality & Human Rights** – The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or infringement of individual human rights have been identified in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – *None*
9. **Procurement** – *None*
10. **Risk** – *None*
11. **Privacy Impact** – *None*

12. **Cosla Policy Position** – *None*

13. **Climate risk** – *None*

List of Background Papers:

None

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