
To: Infrastructure, Land & Environment Policy Board

On: 26 August 2020

Report by: Director of Communities, Housing & Planning

Heading: Proposal to Dissolve Clyde Muirshiel Regional Park Authority Joint Committee

1. Summary

- 1.1 The Clyde Muirshiel Regional Park Authority Joint Committee (“Park Authority”) is governed by a Minute of Agreement (MoA) which was most recently agreed by Renfrewshire, Inverclyde and North Ayrshire in 2004.
 - 1.2 On 17 February 2020, North Ayrshire Council gave notice of withdrawal from the MoA and following consideration with Inverclyde Council, Officers have concluded the most appropriate option is therefore to terminate the MoA and dissolve the Park Authority Joint Committee with effect from 31 March 2021.
 - 1.3 Thereafter, it is intended that the three Councils will make operational and investment decisions separately regarding the parts of the Regional Park lying within their respective boundaries but would work together in relation to the promotion and marketing of the Park as a resource for the surrounding communities.
 - 1.4 The change in governance arrangements will not impact on the designation of Clyde Muirshiel as a Regional Park or the Country Park designations for Muirshiel and Castle Semple. Liaison with Inverclyde and North Ayrshire Councils will also continue to ensure the protection and enhancement of the Regional Park’s natural environment.
 - 1.5 Prior to termination of the MoA, agreement on financial and other arrangements will be required amongst the three Councils including how the joint resources, liabilities and moveable assets of the Park Authority are to be shared.
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2. Recommendations

2.1 Members of the Board are requested to:

- i) approve the termination of the Minute of Agreement covering Clyde Muirshiel Regional Park and the dissolution of the Park Authority Joint Committee with effect from 31 March 2021;
 - ii) delegate authority to the Head of Finance in consultation with the Head of Corporate Governance to agree appropriate arrangements to formally terminate the Minute of Agreement in relation to the Clyde Muirshiel Regional Park and to dissolve the Park Authority;
 - iii) delegate authority to the Director of Finance & Resources (as Treasurer to the Joint Committee) to submit the 2020/21 unaudited annual accounts of the Joint Committee for external audit, and note thereafter the audited accounts will be submitted to the Board for approval; and
 - iv) authorise the Director of Communities, Housing & Planning to identify partnership opportunities in relation to marketing and promoting the recreational and environmental education role of the Regional Park.
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3. Background

- 3.1 On 14 December 2018 the Park Authority authorised Renfrewshire Council's Head of Planning and Housing Services in consultation with relevant Council officers to progress the review and revision of the MoA and supporting governance documents.
- 3.2 Subsequent to this following an evaluation of its role in the Regional Park Authority, North Ayrshire Council at its meeting on 12 February 2020, agreed to serve notice of withdrawal from the Park Authority.
- 3.3 North Ayrshire Council currently has no service delivery facilities within the boundaries of the Regional Park and, prior to, and during, the review, had gradually reduced its financial contribution to the Park Authority.
- 3.4 Notice of withdrawal was formally submitted by North Ayrshire Council on 17 February 2020. The period of notice will end on 31 March 2022 and North Ayrshire Council will cease to be a member of the Park Authority after that date.
- 3.5 Discussions have since taken place with Inverclyde Council on the future operating model for the Regional Park. These discussions have concluded that the governance arrangements as they currently stand are disproportionate to the size and operation of activities within the Park, and the most appropriate option is to terminate the MoA and for the Park Authority to be dissolved.

- 3.6 Thereafter, the three councils will make investment and operational decisions separately regarding the parts of the Regional Park lying within their respective boundaries. These arrangements will not affect the designation of Clyde Muirshiel as a Regional Park or the Country Parks designations for Muirshiel and Castle Semple.
- 3.7 Liaison with Inverclyde and North Ayrshire Councils will continue to ensure the protection and enhancement of the Regional Park's natural environment, while opportunities for ongoing community involvement in park activities will be encouraged.
- 3.8 Renfrewshire Council is the employing and servicing authority for the Joint Committee. Prior to termination of the MoA, agreement on financial and employment arrangements will, therefore, be required amongst the three Councils including on how the liabilities and moveable assets of the Park Authority are to be shared.
- 3.9 It is intended that agreement on these matters be reached before the end of the current financial in order that there is a clear alignment of the cessation of the Joint Committee with the end of the financial year. Heritable assets are, and will continue to be, owned by the Council in whose area these are situated.
- 3.10 Given the employee skills and experience Renfrewshire Council will continue to have available, there may be opportunities to generate income by providing services under service level agreements to Inverclyde and North Ayrshire Councils, and other organisations, to support the ongoing provision and development of activities within the Regional Park.
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Implications of the Report

1. **Financial –**
 - Prior to termination of the MoA, agreement will be required on each Council's share of the liabilities and moveable assets of the Park Authority.
 - Thereafter, each Council will manage separately the financial arrangements for those services which are provided solely within their respective council boundaries.
 - For any services to be provided under a service level agreement, agreement will be required on associated costs and charges.
 - It is anticipated the 2020/21 annual accounts will be the final set produced.
2. **HR & Organisational Development –** Renfrewshire Council is the employing authority for Park staff and any organisational development changes will be agreed in full consultation with partner organisations.

3. **Community / Council Planning –**
 - *Creating a sustainable Renfrewshire for all to enjoy* – the revised governance arrangements will ensure the Council continues to focus on the development of strategic aims and objectives for activities within the area of the Park within its boundary.
 4. **Legal –**
 - Agreement among the three Councils will be required to terminate the MoA and on their respective shares of the Park Authority's liabilities and moveable assets.
 - Upon termination of the MoA, functions delegated to the Park Authority will revert to the relevant Council.
 5. **Property/Assets** – the properties operated by the Park Authority will remain vested with the Council in whose area they are located, who will also continue to manage and maintain these assets.
 6. **Information Technology** – n/a
 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 potential for infringement of individuals' human rights have been identified arising from the recommendations contained 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
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List of Background Papers

- (a) Report to the Clyde Muirshiel Regional Park Joint Committee: 21st June 2019 'Clyde Muirshiel Regional Park Governance Review – Update'
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