

Minute of Meeting Council

Date	Time	Venue
Thursday, 26 February 2015	09:30	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

Councillors B Brown, Murrin, Perrie, M Devine, Grady, McEwan, Lawson, Mylet, J Sharkey, M Sharkey, K MacLaren, M MacLaren, Williams, E Devine, Glen, Mack, McGurk, Cameron, Henry, M Macmillan, McCartin, Caldwell, Hood, McGee, I McMillan, Bibby, Andy Doig, Gilmour, Clark, Audrey Doig, Provost Hall, Councillors Noon, M Brown, Holmes, J MacLaren, Harte, McQuade, Mullin and Nicolson.

CHAIR

Provost Hall presided.

IN ATTENDANCE

M Crearie, Director of Development & Housing Services; P MacLeod, Director of Children's Services; S MacDougall, Director of Community Resources; A Russell, Director of Finance & Resources; D Leese, Chief Officer Designate (Renfrewshire Health & Social Care Partnership); K Graham, Head of Corporate Governance, M Conaghan, Legal & Democratic Services Manager, L Belshaw, Democratic Services Manager, and A McNaughton, Senior Committee Services Officer (all Finance & Resources); and R Naylor and A McMillan, Head of Resources (Children's Services).

APOLOGIES

Councillor Kelly

DECLARATION OF INTEREST

Councillor Mullin declared a financial interest in item 2 of the agenda and indicated his intention to leave the meeting during consideration of the item and not to take part in any discussion or voting thereon.

SEDERUNT

Councillor J MacLaren entered the meeting during consideration of the following item.

1 MINUTES OF COUNCIL, BOARDS AND PANELS

There were submitted the Minutes of meetings of the following Council, Boards and Panels on the dates specified.

Council 18th December, 2014
Special Council 12th February, 2015
Appointment Board 19th December, 2014
Social Work, Health & Well-being Policy Board 13th January, 2015
Regulatory Functions Board 14th January, 2015
Education Policy Board 15th January, 2015
Sport, Leisure & Culture Policy Board 15th January, 2015
Housing & Community Safety Policy Board 20th January, 2015
Planning & Property Policy Board 20th January, 2015
Environment Policy Board 21st January, 2015
Finance & Resources Policy Board 21st January, 2015
Personnel Appeals & Applied Conditions of Service Appeals Panel 22nd January, 2015
Appointment Board 22nd January, 2015
Economy & Jobs Policy Board 28th January, 2015
Appointment Board 29th January, 2015
Personnel Appeals & Applied Conditions of Service Appeals Panel 5th February, 2015
Renfrew & Gallowhill Local Area Committee 10th February, 2015
Paisley North Local Area Committee 12th February, 2015
Audit, Scrutiny & Petitions Board 16th February, 2015
Paisley South Local Area Committee 17th February, 2015
Leadership Board 18th February, 2015
Regulatory Functions Board 19th February, 2015
Johnstone & The Villages Local Area Committee 19th February, 2015
Houston, Crosslea, Linwood, Riverside & Erskine
Local Area Committee 24th February, 2015

DECIDED: That the Minutes be approved.

DECLARATION OF INTEREST

Councillor Mullin, having previously declared a financial interest in the following item of business left the meeting.

2 INTEGRATION OF HEALTH AND SOCIAL CARE SERVICES IN RENFREWSHIRE

Under reference to item 7 of page 266 of the Minute of the meeting of the Council held on 18th December, 2014 there was submitted a report by the Chief Executive relative to progress to prepare and deliver Integrated Health & Social Care Services in Renfrewshire, including, as an appendix, a proposed Integration Scheme for submission to the Scottish Government.

The report detailed working arrangements in respect of the appointment of the Chief Officer; the definition of the scope of the integrated services; the development and finalisation of the Integrated Scheme, being the formal legal partnership agreement between the Council and NHS Greater Glasgow and Clyde; the establishment of the Integration Joint Board (IJB); development of the strategic plan for approval by the IJB that would set out how services were to be planned in order to respond to the changing needs of the people of Renfrewshire; workforce planning; and performance information to support improvement in the line with the National Outcomes.

Councillor I McMillan, seconded by Councillor Bibby, moved:

- (a) that the draft Integration Scheme, as appended to the report, be approved for submission to the Scottish Government by 1st April, 2015;
- (b) that the Chief Executive be authorised, in consultation with the Chief Executive of the Health Board, to make minor amendments to the draft as may be required during the approval process;
- (c) that the appointment of Councillors B Brown, E Devine, Grady and Williams as substitute members of the Integration Joint Board in the event that any of the Council's elected members on the Board are unable to attend, be approved;
- (d) that progress on the implementation of the key aspects of the Public Bodies (Joint Working) (Scotland) Act 2014 as set out in the report, be noted; and
- (e) that it be noted that reports would be submitted to future Council meetings during 2015/16 to further update elected members on progress.

Councillor M Brown, seconded by Councillor Nicolson, moved as an amendment:

- (a) that the draft Integration Scheme, as appended to the report, be approved for submission to the Scottish Government by 1st April, 2015;
- (b) that the Chief Executive be authorised, in consultation with the Chief Executive of the Health Board, to make minor amendments to the draft as may be required during the approval process;
- (c) that it be agreed to appoint up to four elected members to be substitute members of the Integration Joint Board in the event that any of the Council's elected members on the Board are unable to attend;
- (d) that progress on the implementation of the key aspects of the Public Bodies (Joint Working) (Scotland) Act 2014 as set out in the report, be noted;
- (e) that it be noted that reports would be submitted to future Council meetings during 2015/16 to further update elected members on progress;
- (f) that Council note the appointment of 4 voting members to the Integration Joint Board. This appeared to be based on an allocation entitlement of 10% of all 40 of Renfrewshire's Councillors. Council recognises that 45% of all Renfrewshire Councillors are not members of the ruling Labour administration; therefore there is a democratic deficit in the composition of the Council's representation on the Integration Joint Board. Council agrees to review this situation at the earliest opportunity, in the spirit of meeting an

Integration Joint Board core value on 'transparency and fairness' and also recognises that the work of the Integration Joint Board should never be politicised; and

(g) that Council also agree that the Integration Joint Board papers and agendas shall be published and circulated in 'real time' in order to inform service users, elected members and their constituents.

Councillor I McMillan and Councillor Bibby, in terms of Standing Order 27, agreed to accept "that it be agreed that the Integration Joint Board papers and agendas be circulated in 'real time' in order to inform service users, elected members and their constituents" as part of their motion. Councillor I McMillan intimated that this would however, be a decision of the Integration Joint Board and as such would require to be a recommendation.

On the roll being called, the following members voted for the amendment: Councillors Perrie, McEwan, Lawson, Mylet, K MacLaren, M MacLaren, Mack, McGurk, Cameron, McCartin, McGee, Andy Doig, Audrey Doig, Noon, M Brown, J MacLaren, McQuade and Nicolson.

The following members voted for the motion as amended: Councillors B Brown, Murrin, M Devine, Grady, J Sharkey, M Sharkey, Williams, E Devine, Glen, Henry, M Macmillan, Caldwell, Hood, I McMillan, Bibby, Gilmour, Clark, Provost Hall, Councillors Holmes and Harte.

18 members having voted for the amendment and 20 members having voted for the motion, the motion was accordingly declared carried.

DECIDED:

(a) That the draft Integration Scheme, as appended to the report, be approved for submission to the Scottish Government by 1st April, 2015;

(b) That the Chief Executive be authorised, in consultation with the Chief Executive of the Health Board, to make minor amendments to the draft as may be required during the approval process;

(c) That the appointment of Councillors B Brown, E Devine, Grady and Williams as substitute members of the Integration Joint Board in the event that any of the Council's elected members on the Board are unable to attend, be approved;

(d) That progress on the implementation of the key aspects of the Public bodies (Joint Working) (Scotland) Act 2014 as set out in the report, be noted;

(e) That it be noted that reports would be submitted to future Council meetings during 2015/16 to further update elected members on progress; and

(f) That it be agreed that the Council recommend that the Integration Joint Board papers and agendas be published and circulated in 'real time' order to inform service users, elected member and their constituents.

SEDERUNT

Councillor Mullin returned to the meeting prior to consideration of the following item.

3 NOTICE OF MOTION (1) BY COUNCILLORS MCCARTIN AND MACK

There was submitted a notice of motion by Councillors McCartin and Mack in the following terms:-

“Renfrewshire Council calls on the First Minister to bring forward legislation to end the Police practice of “consensual Stop and Search” of children and young people”.

Councillor McCartin, seconded by Councillor Mack, then moved the motion.

Councillor M Macmillan, seconded by Councillor Bibby, moved as an amendment that Renfrewshire Council calls on the First Minister to bring forward legislation to end the Police practice of “consensual Stop and Search” of children and calls on Police Scotland to deliver its promise to end stop and search for children under 12 and regrets the broken promises from Police Scotland to the Scottish Parliament to do so.

Council further believes that stop and search has a contribution to make to public safety but that it must be proportionate, that Police Scotland must be held to account for its actions and that the Scottish Police Authority is failing to do its job in this matter.

Council therefore calls on the Scottish Government to review the effectiveness of the Scottish Police Authority in order to ensure there is proper and effective accountability of Police Scotland.

In terms of Standing Order 27, the amendment was accepted by the mover and seconder of the motion.

Councillor Nicolson, seconded by Councillor McEwan, moved as an amendment that this Council notes that the First Minister has announced on behalf of the SNP Government that “Stop and Search” should not apply to children under 12 years of age, and that the overall policy should be reviewed by the Justice Sub Committee of the Scottish Parliament.

On the roll being called, the following members voted for the amendment: Councillors Perrie, McEwan, Lawson, Mylet, K MacLaren, M MacLaren, McGurk, Cameron, McGee, Andy Doig, Audrey Doig, Noon, M Brown, McQuade and Nicolson.

The following members voted for the motion as amended: Councillors B Brown, Murrin, M Devine, Grady, J Sharkey, M Sharkey, Williams, E Devine, Glen, Mack, Henry, M Macmillan, McCartin, Caldwell, Hood, I McMillan, Bibby, Gilmour, Clark, Provost Hall, Councillors Holmes, Harte and Mullin.

The following member abstained: Councillor J MacLaren

15 members having voted for the amendment, 23 members having voted for the motion and one member having abstained, the motion was accordingly declared carried.

DECIDED: That Renfrewshire Council call on the First Minister to bring forward legislation to end the Police practice of “consensual Stop and Search” of children and calls on Police Scotland to deliver its promise to end stop and search for children under 12 and regrets the broken promises from Police Scotland to the Scottish Parliament to do so.

Council further believes that stop and search has a contribution to make to public safety but that it must be proportionate, that Police Scotland must be held to account for its actions and that the Scottish Police Authority is failing to do its job in this matter.

Council therefore calls on the Scottish Government to review the effectiveness of the Scottish Police Authority in order to ensure there is proper and effective accountability of Police Scotland.

4 **NOTICE OF MOTION (2) BY COUNCILLORS NICOLSON AND ANDY DOIG**

There was submitted a notice of motion by Councillors Nicolson and Andy Doig in the following terms:-

“Council agrees that the failure of the Smith Commission to fully devolve Employment Law is a fundamental mistake in not providing the Scottish Government and Scottish Local Authorities the power to start addressing the issue of Zero Hour Contracts. Council instructs the Chief Executive to bring forwards a detailed report on the number of contracts that this council uses which utilises Zero Hour/Sessional Contracts”.

In terms of Standing Order 20, Councillor Nicolson, seconded by Councillor Audrey Doig, then moved the motion.

Councillor J Sharkey, seconded by Councillor B Brown, moved as an amendment, that the Council agrees that the practice of “Zero Hours Contracts” is not morally satisfactory and fails to sustainably address either economy or efficiency in the operation of any enterprise.

Council notes that “Zero” or “Casual” are not legal definitions of a contract.

Council believes in the creation of better employment by reducing the resilience on a casual part of the workforce, in collaboration with the trade unions in all workers’ contracts.

This Council does not have and will not introduce the practice of “Zero Hours Contracts”.

On the roll being called, the following members voted for the amendment: Councillors B Brown, Murrin, M Devine, Grady, J Sharkey, M Sharkey, Williams, E Devine, Glen, Henry, M Macmillan, Caldwell, Hood, I McMillan, Bibby, Gilmour, Clark, Provost Hall, Councillors Holmes, Harte and Mullin

The following members voted for the motion: Councillors Perrie, McEwan, Lawson, Mylet, K MacLaren, M MacLaren, Mack, McGurk, Cameron, McGee, Andy Doig, Audrey Doig, Noon, M Brown, McQuade and Nicolson.

The following members abstained: Councillors McCartin and J MacLaren.

21 members having voted for the amendment, 16 members having voted for the motion and 2 members having abstained, the amendment was accordingly declared carried.

DECIDED: That the Council agrees that the practice of “Zero Hours Contracts” is not morally satisfactory and fails to sustainably address either economy or efficiency in the operation of any enterprise.

Council notes that “Zero” or “Casual” are not legal definitions of a contract.

Council believes in the creation of better employment by reducing the resilience on a casual part of the workforce, in collaboration with the trade unions in all workers’ contracts.

This Council does not have and will not introduce the practice of “Zero Hours Contracts”.

5 NOTICE OF MOTION (3) BY COUNCILLORS ANDY DOIG AND NICOLSON

There was submitted a notice of motion by Councillors Andy Doig and Nicolson in the following terms:-

“Council instructs the Chief Executive to carry out an audit and advise if Renfrewshire Council is receiving best value with regards to our membership of Strathclyde Partnership for Transport and the annual £3.3 million requisition cost to Renfrewshire Council. To ascertain and determine if Renfrewshire Council could achieve better outcomes by managing elements if not all the ‘services’ in house”.

In terms of Standing Order 20, Councillor Andy Doig, seconded by Councillor McGurk, then moved the motion.

Councillor E Devine, seconded by Councillor M Devine, moved as an amendment that the Council agrees that we should concentrate the efforts of all services on delivering integrated services that deliver results. Council believes that Strathclyde Partnership for Transport is an effective model for the delivery of an integrated transport system that would be further enhanced by the power to regulate bus services. Council will write to the Minister for Transport seeking his support for the re-regulation of bus services proposed in the Bus Regulation Bill.

On the roll being called, the following members voted for the amendment: Councillors B Brown, Murrin, M Devine, Grady, J Sharkey, M Sharkey, Williams, E Devine, Glen, Henry, M Macmillan, Caldwell, Hood, I McMillan, Bibby, Gilmour, Clark, Provost Hall, Councillors Holmes, Harte and Mullin.

The following members voted for the motion: Councillors Perrie, McEwan, Lawson, Mylet, K MacLaren, M MacLaren, Mack, McGurk, Cameron, McCartin, McGee, Andy Doig, Audrey Doig, Noon, M Brown, J MacLaren, McQuade and Nicolson.

21 members having voted for the amendment and 18 members having voted for the motion the amendment was accordingly declared carried.

DECIDED: That the Council agrees that we should concentrate the efforts of all services on delivering integrated services that deliver results. Council believes that Strathclyde Partnership for Transport is an effective model for the delivery of an integrated transport system that would be further enhanced by the power to regulate bus services. Council will write to the Minister for Transport seeking his support for the re-regulation of bus services proposed in the Bus Regulation Bill.

6 NOTICE OF MOTION (4) BY COUNCILLORS NICOLSON AND ANDY DOIG

There was submitted a notice of motion by Councillors Nicolson and Andy Doig in the following terms:-

“Council condemns the expenditure of £4,000 incurred by the Poverty Commission to date on food and travel expenses talking about Food banks and Poverty and calls upon the chair to explain this crass and insensitive expenditure”.

In terms of Standing Order 20, Councillor Lawson, seconded by Councillor McEwan, then moved the motion.

Councillor M Macmillan, seconded by Councillor I McMillan, moved as an amendment that the Renfrewshire Tackling Poverty Commission was set up to assess the nature and impact of child poverty in Renfrewshire. The Commission, the first of its kind in Scotland, is made up of a range of independent experts in education, housing, the voluntary sector, the economy and people who work every day with residents in severe poverty. All of the commissioners gave of their time and expertise freely. The Commission was asked to make recommendations for the introduction of a strategic approach to tackle poverty for the Renfrewshire Community Planning Partnership. Council welcomes the work of the Commission and looks forward to the recommendations.

On the roll being called, the following members voted for the amendment: Councillors B Brown, Murrin, M Devine, Grady, J Sharkey, M Sharkey, Williams, E Devine, Glen, Henry, M Macmillan, Caldwell, Hood, I McMillan, Bibby, Gilmour, Clark, Provost Hall, Councillors Holmes, Harte and Mullin

The following members voted for the motion: Councillors Perrie, McEwan, Lawson, Mylet, K MacLaren, M MacLaren, Mack, McGurk, Cameron, McGee, Andy Doig, Audrey Doig, Noon, M Brown, J MacLaren, McQuade and Nicolson.

The following member abstained: Councillor McCartin.

21 members having voted for the amendment, 17 members having voted for the motion and one member abstaining, the amendment was accordingly declared carried.

DECIDED: That the Renfrewshire Tackling Poverty Commission was set up to assess the nature and impact of child poverty in Renfrewshire. The Commission, the first of its kind in Scotland, is made up of a range of independent experts in education, housing, the voluntary sector, the economy and people who work every day with residents in severe poverty. All of the commissioners gave of their time and expertise freely. The Commission was asked to make recommendations for the introduction of a strategic approach to tackle poverty for the Renfrewshire Community Planning Partnership. Council welcomes the work of the Commission and looks forward to the recommendations.

ADJOURNMENT

The meeting adjourned at 11.05 am and reconvened at 11.15 am.

7 NOTICE OF MOTION (5) BY COUNCILLORS NICOLSON AND ANDY DOIG

There was submitted a notice of motion by Councillors Nicolson and Andy Doig in the following terms:-

“This Council condemns the ongoing austerity cuts being implemented by the Tory/Lib Dem Government in Westminster and its impact on the poorest people of Renfrewshire. It further condemns the support of 28 Scottish Labour MPs who backed the Tory “Fiscal Charter” and who signed up to a further £30 billion of cuts which will have a direct impact on public services in Renfrewshire”.

In terms of Standing Order 20, Councillor Nicolson, seconded by Councillor Cameron, then moved the motion.

Councillor Holmes, seconded by Councillor M Macmillan, moved as an amendment that Council notes the SNP Holyrood Government are utilising “austerity plus” measures in their distribution of funding for education, social work, roads, environmental and other services delivered by local authorities in Scotland. Council calls on all Councillors in Renfrewshire to stand up on behalf of their constituents for a fair funding deal for Renfrewshire.

On the roll being called, the following members voted for the amendment: Councillors B Brown, Murrin, M Devine, Grady, J Sharkey, M Sharkey, E Devine, Glen, Henry, M Macmillan, Caldwell, Hood, I McMillan, Bibby, Gilmour, Clark, Provost Hall, Councillors Holmes, J MacLaren, Harte and Mullin

The following members voted for the motion: Councillors Perrie, McEwan, Lawson, Mylet, K MacLaren, M MacLaren, Mack, McGurk, Cameron, McGee, Andy Doig, Audrey Doig, Noon, M Brown, McQuade and Nicolson.

The following member abstained: Councillor McCartin.

21 members having voted for the amendment; 16 members having voted for the motion, and one members having abstained, the amendment was accordingly declared carried.

DECIDED: That Council notes the SNP Holyrood Government are utilising “austerity plus” measures in their distribution of funding for education, social work, roads, environmental and other services delivered by local authorities in Scotland. Council calls on all Councillors in Renfrewshire to stand up on behalf of their constituents for a fair funding deal for Renfrewshire.