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<b>Report To:</b>	<b>Environment &amp; Regeneration Committee</b>	<b>Date:</b>	<b>16 January 2020</b>
<b>Report By:</b>	<b>Corporate Director Environment, Regeneration &amp; Resources</b>	<b>Report No:</b>	<b>ENV010/20/SA/MM</b>
<b>Contact Officer:</b>	<b>Martin McNab</b>	<b>Contact No:</b>	<b>4246</b>
<b>Subject:</b>	<b>Lamont's Pier Update</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to address an outstanding remit to this Committee from the Petitions Committee regarding Lamont's Pier.

## **2.0 SUMMARY**

- 2.1 In September 2018 the Petitions Committee considered a petition calling on the Council to take action to preserve and restore Lamont's Pier, Port Glasgow. At that time the Petitions Committee rejected the petition taking into account the Service comments regarding the likely extent and cost of works.
- 2.2 The ownership of the pier was, however, in some doubt and the Petitions Committee remitted to the appropriate Council Service to provide a report to a future meeting of the Environment & Regeneration Committee on the ownership position in relation to the pier and the extent of any Council liabilities in respect of the same.
- 2.3 Despite the best endeavours of Officers from Legal & Property Services it has proved impossible to date to establish a definitive position on the pier ownership. The extent of Council ownership which can be established is detailed in Appendix 1. Members will note that this extends purely to the most landward portion of the pier but does include the adjacent slipway. The pier is fenced off from public access on the boundary of the Council's ownership.

## **3.0 RECOMMENDATIONS**

- 3.1 That the Committee notes the position with regard to the ownership of the pier and the extent of the Council's liabilities.

**Martin McNab**  
**Head of Environmental & Public Protection**

## 4.0 BACKGROUND

- 4.1 Officers in Legal and Property Services instructed an investigation of the ownership position by external searching agents. The searchers have confirmed the last recorded title to the area on which the Pier sits is a deed in favour of James Lamont and Company Limited from 1935. Whilst the registers show much of the land owned by that company was transferred to Strathclyde Regional Council in 1980, that transfer did **not** include the subjects of the 1935 deed. Those subjects, including the pier built on them, therefore remain on the face of the registers in the ownership of James Lamont and Company.
- 4.2 As the majority of the foreshore and seabed in Scotland is owned by the Crown Estate, officers also contacted them to confirm their understanding. They have confirm the position in terms of their records is per the findings of the searching agents.
- 4.3 James Lamont and Company Limited was removed from the Companies register in 2011, at which point all assets of the dissolved company will have fallen to the Crown. The company was however subsequently brought back on to the registers in relation to a court action raised against it. This means the subjects of the 1935 deed are once again in the ownership of the company. The Companies registers show regular returns as outstanding from the company, meaning it is likely that once that action has run its course, the company will once again be removed from the register. As the Council is not involved in the action, officers do not have detailed information about the same, however this position would complicate any attempt to enter discussions with the owners in relation to the site.
- 4.4 Having identified the title that includes the pier, notwithstanding the above complexities, it is safe to conclude that the site is outwith Council ownership.

## 5.0 IMPLICATIONS

### 5.1 Finance

There are no financial implications.

#### Financial Implications:

##### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

##### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

### 5.2 Legal

Advice from external land ownership searching agents indicates that the land on which Lamonts Pier sits is that sold by a 1935 Deed by the Board of Trade to James Lamont and Company Limited, and that they remain the last recorded owners of this land. On that basis, the land and the pier built upon it are not in Council ownership.

### 5.3 Human Resources

None

### 5.4 Equalities

#### Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

### 5.5 Repopulation

None



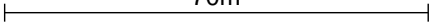
## 6.0 CONSULTATIONS

6.1 The Head of Legal & Property Services has been consulted on this report.

## 7.0 BACKGROUND PAPERS

7.1 Save Lamont's Pier, Petitions Committee, 13 September 2018 **LP/095/18**

**APPENDIX 1**

 LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	4482 16/11/2005	<b>REN118172</b>
	ORDNANCE SURVEY NATIONAL GRID REFERENCE	70m 
	NS3274SE NS3374SW NS3274NE NS3374NW	Survey Scale 1/1250

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