

THE INVERCLYDE COUNCIL - 22 APRIL 2021

The Inverclyde Council

Thursday 22 April 2021 at 4pm

Present: Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, Dorrian, Jackson, MacLeod, McCabe, McCormick, C McEleny, J McEleny, McKenzie, McVey, Moran, Murphy, Quinn, Rebecchi, Robertson and Wilson.

Chair: Provost Brennan presided.

In attendance: Chief Executive, Corporate Director Education, Communities & Organisational Development, Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership, Interim Service Director Corporate Services & Organisational Recovery, Interim Service Director Environment & Economic Recovery, Interim Head of Legal Services, Head of Organisational Development, Policy & Communications, Interim Head of Public Protection & Recovery, ICT Service Manager, Ms D Sweeney, Ms L Carrick and Mr C MacDonald (Legal Services) and Service Manager, Communications, Tourism, and Health & Safety.

The meeting was held by video-conference.

Prior to the commencement of business, Provost Brennan acknowledged Earth Day and the importance of caring for the environment and the Earth's natural resources.

151 Apologies and Declarations of Interest 151

An apology for absence was intimated on behalf of Councillor Nelson.

**Minutes of Meetings of
The Inverclyde Council, Committees, Sub-Committees and Boards**

152 Appointment Panel – Head of Legal Services – 3 February 2021 152

Approved on the motion of Councillor Quinn.

153 The Inverclyde Council – 18 February 2021 153

Approved on the motion of Provost Brennan.

154 Audit Committee – 23 February 2021 154

Approved on the motion of Councillor Rebecchi.

155 Policy & Resources Committee – 23 February 2021 155

Approved on the motion of Councillor McCabe.

156 Appointment Panel – Head of Legal Services – 24 February 2021 156

Approved on the motion of Councillor Robertson.

THE INVERCLYDE COUNCIL - 22 APRIL 2021

157	Health & Social Care Committee – 25 February 2021	157
	Approved on the motion of Councillor Moran.	
158	General Purposes Board – 26 February 2021	158
	Approved on the motion of Councillor Dorrian.	
159	Planning Board – 3 March 2021	159
	Approved on the motion of Councillor Wilson.	
160	Environment & Regeneration Committee – 4 March 2021	160
	Approved on the motion of Councillor Clocherty.	
161	Education & Communities Committee – 9 March 2021	161
	Approved on the motion of Councillor Clocherty.	
162	General Purposes Board – 10 March 2021	162
	Approved on the motion of Councillor Dorrian.	
163	Environment & Regeneration Committee – 16 March 2021	163
	Approved on the motion of Councillor Clocherty.	
164	Environment & Regeneration Committee – 16 March 2021	164
	Approved on the motion of Councillor Clocherty.	
165	The Inverclyde Council – 18 March 2021	165
	Approved on the motion of Provost Brennan.	
166	Policy & Resources Committee – 23 March 2021	166
	Approved on the motion of Councillor McCabe.	
167	Local Police & Fire Scrutiny Committee – 25 March 2021	167
	Approved on the motion of Councillor McVey.	
168	Planning Board – 7 April 2021	168
	Approved on the motion of Councillor Clocherty.	

THE INVERCLYDE COUNCIL - 22 APRIL 2021

- 169 Environment & Regeneration Committee – 13 April 2021 169**
- Approved** on the motion of Councillor Clocherty.
- 170 General Purposes Board – 14 April 2021 170**
- Approved** on the motion of Councillor Dorrian.
- 171 COVID-19 Update Report 171**
- There was submitted a report by the Interim Service Director Environment & Economic Recovery providing an update on actions taken to mitigate the risks around the COVID-19 outbreak.
- During the course of discussion on this item, the Interim Service Director Environment & Economic Recovery provided an update on local vaccination figures, advising that as of 21 April 2021, 65.7% of the Inverclyde adult population had received a first dose and 20.2% had received a second dose.
- Councillor McCormick joined the meeting during consideration of this item and Councillor Moran left the meeting during consideration of this item due to connectivity issues.
- Decided:**
- (1) that the actions taken to date to mitigate the effects of the COVID-19 outbreak in Inverclyde be noted; and
 - (2) that following the recent publication of a report by Unison made in consultation with its membership, it be remitted to officers to provide a report on the impact of COVID-19 on employees' mental health to the next Policy & Resources Committee, detailing current and future support measures for the Inverclyde Council workforce.
- 172 Recruitment of Chief Executive 172**
- There was submitted a report by the Head of Organisational Development, Policy & Communications seeking approval of the recruitment and selection process to appoint a new Chief Executive for Inverclyde Council following the Chief Executive's announcement that he is to retire from the Council's service on 19 September 2021.
- Councillor Moran re-joined the meeting during consideration of this item.
- Decided:** that the recruitment and selection process outlined in the report be approved and it be remitted to the Head of Organisational Development, Policy & Communications to advertise the position and progress the process.
- 173 Scheme of Administration – Political Balance 173**
- There was submitted a report by the Interim Head of Legal Services advising of the necessary requirements to ensure political balance on Committees, Sub-Committees, Board and Outside Bodies, where appropriate, following the resignation from the Scottish National Party (SNP) of Councillor C McEleny, who has joined the Alba Party and intends to represent the Alba Party in Ward 5.
- Councillor Jackson left the meeting during consideration of this item.
- Decided:**
- (1) that the terms of the report be noted; and
 - (2) that the membership of Committees be as follows:

THE INVERCLYDE COUNCIL - 22 APRIL 2021

Policy & Resources Committee –

No change

Environment & Regeneration Committee –

Councillor J McEleny (SNP) off – Councillor C McEleny (Alba Party) on

Education & Communities Committee –

Councillor C McEleny will remain on the Committee and will represent Alba Party

Health & Social Care Committee -

Councillor C McEleny (Alba Party) off – Councillor J McEleny (SNP) on

Audit Committee -

No change

General Purposes Board –

Councillor Crowther (SNP) off – Councillor C McEleny (Alba Party) on

Planning Board -

No change

HR Appeals Board -

Councillor J McEleny (SNP) off – Councillor Brooks (Scottish Conservative & Unionist Party) on

Local Police & Fire Scrutiny Committee –

Councillor Curley (SNP) off – Councillor C McEleny (Alba Party) on

174 Appointment of Trustees to Peter Stanton Memorial Trust

174

There was submitted a report by the Interim Head of Legal Services seeking to appoint three Trustees to the Peter Stanton Memorial Trust as the current term of office of the three existing Trustees is due to expire on 24 May 2021.

Decided: that the Council appoint Provost Brennan and Councillors Moran and MacLeod as Trustees of the Peter Stanton Memorial Trust for the period from 25 May 2021 until the statutory meeting of the Inverclyde Council to be held after the Local Government elections in May 2022.

175 Clyde Muirshiel Regional Park Liaison Group – Appointment of Elected Members

175

There was submitted a report by the Interim Head of Legal Services requesting that the Council consider a remit from the Environment & Regeneration Committee relative to representation on the newly established Clyde Muirshiel Regional Park Liaison Group.

Decided: that the recommendation of the Environment & Regeneration Committee be upheld and Councillors Nelson and Wilson be nominated as Inverclyde Council representatives on the Clyde Muirshiel Regional Park Liaison Group.

176 Request for Consultation on Whether Females Perceive Any Safety Impediment in Using Public Parks, Paths and Cycle Ways – Request by Councillor Quinn

176

There was submitted a report by the Interim Head of Legal Services advising of a request received from Councillor Quinn in the following terms:

“That Council officers carry out a consultation and report back to the Education & Communities Committee to determine if women and girls perceive any safety impediment in using Inverclyde public paths, parks and cycle ways and if so how may this be addressed.

Councillor C McEleny left the meeting during consideration of this item.

Decided: that it be remitted to officers to provide a report to a future meeting of the

THE INVERCLYDE COUNCIL - 22 APRIL 2021

Education & Communities Committee addressing the terms of Councillor Quinn's request.

177 Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020 177

There was submitted a report by the Interim Service Director Environment & Economic Recovery on a remit from the Environment & Regeneration Committee of 16 March 2021 requesting approval of the Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020.

Decided: that approval be given to the making of the Traffic Regulation Order – The Inverclyde Council (Various Roads) (Gourock, Inverkip and Wemyss Bay) (Waiting Restrictions) (Variation No. 7) Order 2020 and that the Interim Head of Legal Services and the Head of Shared Services Roads be authorised to take all necessary action in connection therewith.

178 Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020 178

There was submitted a report by the Interim Service Director Environment & Economic Recovery on a remit from the Environment & Regeneration Committee of 16 March 2021 requesting approval of the Proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020.

Decided: that approval be given to the making of the Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 11) Order 2020 and that the Interim Head of Legal Services and the Head of Shared Services Roads be authorised to take all necessary action in connection therewith.

179 Capital Strategy 2021/31 and Treasury Strategy 2021/25 – Remit from Policy & Resources Committee 179

There was submitted a report by the Interim Service Director Corporate Services & Organisational Development on a remit from the Policy & Resources Committee of 23 March 2021 requesting approval of the Capital Strategy 2021/31 and Treasury Strategy 2021/25.

Decided: that approval be given to the Capital Strategy 2021/31 and Treasury Strategy 2021/25, specifically:

- (a) Capital Strategy for 2021/31;
- (b) Treasury Management Strategy and Annual Investment Strategy;
- (c) Authorised limits from 2021/25;
- (d) Treasury Management Policy Statement as detailed in paragraph 5.6 of the report;
- (e) Policy on repayment of Loans Fund advances as detailed in paragraph 5.5 of the report;
- (f) Treasury Policy Limits;
- (g) Prudential Indicators and Treasury Management Indicators; and
- (h) List of Permitted Investments (including those for Common Good Fund).

THE INVERCLYDE COUNCIL - 22 APRIL 2021

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting for the following item (Business in the Appendix) on the grounds that the business involved the likely disclosure of exempt information as defined in the respective paragraphs of Part I of Schedule 7(A) of the Act as detailed in the relevant minute.

Appendices to Minutes

180	Appointment Panel – Head of Legal Services – 3 February 2021	180
	Approved on the motion of Councillor Quinn.	
181	Policy & Resources Committee – 23 February 2021	181
	Approved on the motion of Councillor McCabe.	
182	Appointment Panel – Head of Legal Services – 24 February 2021	182
	Approved on the motion of Councillor Robertson.	
183	General Purposes Board – 10 March 2021	183
	Approved on the motion of Councillor Dorrian.	
184	Environment & Regeneration Committee – 16 March 2021	184
	Approved on the motion of Councillor Clocherty.	
185	Policy & Resources Committee – 23 March 2021	185
	Approved on the motion of Councillor McCabe.	
186	Environment & Regeneration Committee – 13 April 2021	186
	Approved on the motion of Councillor Clocherty.	
187	General Purposes Board – 14 April 2021	187
	Approved on the motion of Councillor Dorrian.	

AUDIT COMMITTEE – 27 APRIL 2021

Audit Committee

Tuesday 27 April 2021 at 3pm

Present: Provost Brennan, Councillors Brooks, Curley, McCabe, McCormick, J McEleny, McVey, Quinn and Rebecchi.

Chair: Councillor Rebecchi presided.

In attendance: Interim Service Director, Corporate Services & Organisational Recovery, Corporate Director, Education, Communities & Organisational Development, Chief Internal Auditor, Ms G Murphy (for Interim Head of Legal Services), Ms L Carrick and Mr C MacDonald (Legal Services).

In attendance: Mr D Jamieson, Audit Scotland.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

188 Apologies, Substitutions and Declarations of Interest 188

An apology for absence was intimated on behalf of Councillor Nelson.

No declarations of interest were intimated.

189 Internal and External Audit Update to 1 April 2021 189

There was submitted a report by the Interim Director, Corporate Services & Organisational Recovery providing Members with an update on Internal and External Audit matters, specifically on the progress against the Internal Audit Plan for 2020/21 and presenting the External Audit Annual Audit Plan 2020/21 for information.

Decided:

- (1) that the update in relation to Internal and External Audit matters in the period from 30 November 2020 to 1 April 2021 be noted; and
- (2) that the External Audit Annual Audit Plan for 2020/21 be noted and that the Committee agree to request that the Provost agrees to hold a special meeting of the Council on 28 October 2021 to approve the 2020/21 Annual Accounts.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 1, 3 and 6 of Part I of Schedule 7(A) of the Act.

190 Appendix relative to Item 2 Providing Information on Special Investigations 190

There was submitted an appendix to the Internal and External update report providing information on special investigations.

Decided: that the contents of the appendix be noted.

PLANNING BOARD – 28 APRIL 2021

Planning Board

Wednesday 28 April 2021 at 10am

Planning Board Councillors present: Councillors Clocherty, Crowther, Dorrian, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson, Rebecchi and Wilson.

Councillors observing: Councillors Ahlfeld, Brennan, Brooks, Curley, McCabe, Quinn and Robertson.

Chair: Councillor Wilson presided.

Officers in attendance: Interim Service Director Environment and Economic Recovery, Interim Head of Legal Services, Planning and Building Standards Manager, Mr D Ashman and Mr J McColl (Planning Services), Mr G Leitch and Ms E Provan (Roads and Transportation), Mr J Kerr, Ms D Sweeney, Ms L Carrick and Mr C MacDonald (Legal Services), ICT Services Manager and Mr P Coulter (Corporate Communications).

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.

191 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 191

No apologies for absence were intimated on behalf of Planning Board members.

Apologies for absence were intimated on behalf of Councillor C. McEleny and Councillor MacLeod as non-Planning Board members.

Councillors Wilson and Clocherty declared an interest in Agenda Item 2 (Pre-Determination Hearing).

Prior to the commencement of business, the Chair highlighted Workers' Memorial Day and requested that attendees observe a one minute silence to commemorate those who have been killed or injured at their place of work.

192 PRE-DETERMINATION HEARING 192

There was submitted a report by the Interim Service Director of Environment and Economic Recovery on an application by Taylor Wimpey (West Scotland) Limited for a proposed residential development of circa 100 units including 25% affordable and associated infrastructure, landscaping and open space at land at Planetreeyetts, Kilmacolm (18/0322/IC).

Councillors Wilson and Clocherty declared a non-financial interest in this item as members of Clydeplan (Glasgow and the Clyde Valley Strategic Development Planning Authority). They also formed the view that the nature of their interest and of the item of business did not preclude their continued presence or their participation in the decision making process.

The Chair referred to the Pre-Determination Hearing Procedure included with the agenda papers and to extracts of the Remote Meeting Procedure which, for the benefit of those present, Mr Kerr read aloud.

The Chair then invited the applicant and objectors who had indicated they wished to address the Board to speak and the Board heard presentations from:-

PLANNING BOARD – 28 APRIL 2021

a) Mr David Wardrop (Director - Wardrop Strategic Planning Limited) on behalf of Taylor Wimpey (West Scotland) Limited (applicant) who made reference to: the shortage of land for housing in Inverclyde; how that shortage should be met; whether the extent of that shortage provides justification for the approval of this planning application; how the best site should be selected if there is only to be one development opportunity in Kilmacolm; the consequences of the quashing of Chapter 7 'Our Homes and Communities' of the Inverclyde Local Development Plan 2019; how this site was treated in the Main Issues Report; perceived flaws in the new Proposed Local Development Plan; the deliverability of the sites at Smithy Brae and Balrossie; whether the Council's repopulation agenda would be undermined by the refusal of this planning application; the uncertainty in the planning application for land to west of Quarry Drive because of the Council's ownership of part of that site; the potential impacts of this site as compared to the land to west of Quarry Drive site; the unexpected nature for refusal number 8 contained in the report; and the absence of objections from any consultees.

(b) Mr Bill Crookston on behalf of Kilmacolm Residents' Association (objector) – issues raised: the terms of the Association's written objection to the planning application; the denial of a shortage of housing land in the Renfrewshire Housing Sub-Market Area; as a consequence, the categorisation of the proposed development as unnecessary; the ongoing planning appeal in relation to a site in Quarriers Village; and options open to the Council – the approval of this planning application, the refusal of this planning application and the deferral of a decision on this planning application pending the outcome of the planning appeal in relation to a site in Quarriers Village.

(c) Mr Mike Jefferis on behalf of Kilmacolm Community Council (objector) – issues raised: the conflict between the proposed development and the Local Development Plan provisions on the Green Belt; the narrowness of the roads network in the vicinity of this site; concern at the increase in traffic from this proposed development and generally in the village; and the infrequent bus services serving the village.

(d) Mr R. Nicol Cameron on behalf of Kilmacolm Civic Trust (objector) – issues raised: the consistency of the Trust's opposition to Green Belt development around the village; the opposition to this proposed development in the Green Belt on the village edge; the position of the Inverclyde Local Development Plan on residential development in the Green Belt; the absence of exceptional or mitigating circumstances in respect of this planning application; the approach to strategy for new development in all planning policies, in particular in Clydeplan; the policy preference for brownfield development; the sustainability of the proposed development with particular reference to the use of private motor vehicles and the infrequent bus services; the pressure in the village on parking, doctors and dentists; the distances to the nearest railway stations; the surplus of housing land in the Renfrewshire Sub-Market Housing Area; the policy position of Clydeplan on development in the Green Belt; and developer contributions to the village centre in the event that it is proved that development of this Green Belt site is proved conclusively.

The Interim Service Director of Environment and Economic Recovery then presented his report and recommendations to the Board.

Thereafter, Members asked a number of questions which were answered by the Interim Service Director of Environment and Economic Recovery, Mr Wardrop and Mr G Leitch, Team Leader (Consultancy), Roads and Transportation.

Decided: that the Planning Board recommend to the Inverclyde Council that the application be refused for the following reasons:

(1) That due to unacceptable tension with the principles set out in paragraph 29 of Scottish Planning Policy it cannot be concluded that the proposal constitutes sustainable development.

(2) The proposal would undermine the plan-led process and result in a cumulative impact with the proposed plan-led and proportionate expansion of Kilmacolm with a resultant inappropriate level of new housing development, contrary to the Vision and Spatial Development Strategy of the 2017 Clydeplan Strategic Development Plan.

PLANNING BOARD – 28 APRIL 2021

(3) The proposed development is contrary to the Spatial Development Strategy of the 2017 Clydeplan Strategic Development Plan as it is an unjustified urban development which is outwith the development corridor identified in the Plan and it fails accord with the Green Belt objectives.

(4) The proposal is contrary to Policy 14 of the adopted 2019 Inverclyde Local Development Plan and Policy 15 of the 2021 proposed Inverclyde Local Development Plan in that it fails to accord with the objectives of the Green Belt.

(5) The proposal is contrary to the aims of Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan in that it will generate significant traffic demand by private car, would not constitute low carbon placemaking and would be inappropriately located.

(6) The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of the 2017 Clydeplan Strategic Development Plan, Policy 1 of the adopted 2019 Inverclyde Local Development Plan and Policy 1 of the proposed 2021 Inverclyde Local Development Plan.

(7) The proposed development cannot be held to protect the quality, character, landscape setting and identity of the village which results in it being incompatible with the requirements of Policy 34 of the proposed 2021 Inverclyde Local Development Plan.

(8) The loss of trees, which have a significant landscape value, are not justified with reference to each of the criteria set out within Policy 34 of the adopted 2019 Inverclyde Local Development Plan and Policy 35 of the proposed 2021 Inverclyde Local Development Plan.

PLANNING BOARD – 28 APRIL 2021

Planning Board

Wednesday 28 April 2021 at 2.30pm

Planning Board Councillors present: Councillors Clocherty, Curley (for Crowther) Dorrian, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson, Rebecchi and Wilson.

Councillors observing: Councillors Ahlfeld, Brennan, Brooks, McCabe, Quinn and Robertson.

Chair: Councillor Wilson presided.

Officers in attendance: Interim Service Director Environment and Economic Recovery, Interim Head of Legal Services, Planning and Building Standards Manager, Mr D Ashman and Mr S McDaid (Planning Services), Mr G Leitch and Ms E Provan (Roads and Transportation), Mr J Kerr, Ms D Sweeney, Ms L Carrick and Mr C MacDonald (Legal Services), ICT Services Manager and Mr P Coulter (Corporate Communications).

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.

193 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 193

An apology for absence was intimated on behalf of Councillor Crowther, with Councillor Curley substituting.

Apologies for absence were also intimated on behalf of Councillor C. McEleny and Councillor MacLeod as non-Planning Board members.

Councillors Wilson and Clocherty declared an interest in Agenda Item 2 (Pre-Determination Hearing).

194 PRE-DETERMINATION HEARING 194

There was submitted a report by the Interim Service Director of Environment and Economic Recovery on an application by Mactaggart and Mickel Homes Ltd. for proposed residential development to include access, roads, open space, landscaping, drainage and other associated works (planning permission in principle) (major) at land west of Quarry Drive, Kilmacolm (20/0245/IC).

Councillors Wilson and Clocherty declared a non-financial interest in this matter as members of Clydeplan (Glasgow and the Clyde Valley Strategic Development Planning Authority), They also formed the view that the nature of their interest and of the item of business did not preclude their continued presence or their participation in the decision making process.

The Chair referred to the Pre-Determination Hearing Procedure included with the agenda papers and to extracts of the Remote Meeting Procedure which, for the benefit of those present, Mr Kerr read aloud.

The Chair then invited the applicant and objectors who had indicated they wished to address the Board to speak and the Board heard presentations from:-

PLANNING BOARD – 28 APRIL 2021

(a) Mr David Campbell (Director – North Planning and Development), Mr Craig Ormond (Director – Mactaggart & Mickel) and Mr Bruce Hampton (Senior Land & Planning Manager – Mactaggart & Mickel) for the applicant who made reference to: an introduction to Mactaggart & Mickel focussing on e.g. their close attention to design, building to the highest standards and relationships with stakeholders; the company's objective here – to secure planning permission and then continue to work with stakeholders on the details; the company's three commitments – to listen and engage, to achieve a sustainable development and to protect the character and ambiance of the village, making a positive contribution to the wider area and the community; satisfaction at the 25% affordable housing requirement; the identification by the Council of a shortfall in housing land for the area in which the village lies; the intention to move quickly to build out the development by 2024; support for the proposed development in the Council's Planning Policy Statement of October 2020; the support for the development of the site at the meeting of the Council's Environment and Regeneration Committee on 13 April 2021; and the absence of objections from consultees, with the comments of consultees being met by the imposition of conditions.

(b) Ms Sofia Latif (objector) – issues raised: the importance of the proposed development site for family life; the loss of village characteristics if the proposed development were to proceed; the preference of villagers for the site to be retained as a 'field'; the mental health benefits of green space and recreational land; existing congestion and parking problems in the village due to motor vehicles; landscaping as part of the proposed development in contrast with what is referred to as 'the meadow' in its present form; other solutions to the need for housing land e.g. development at Balrossie; and the price that the village community will pay for development on 'the meadow'.

(c) Mr Bill Crookston on behalf of Kilmacolm Resident's Association (objector) – issues raised: the terms of the Association's written objection to the planning application; the denial of a shortage of housing land in the Renfrewshire Housing Sub-Market Area; as a consequence, the categorisation of the proposed development as unnecessary; the ongoing planning appeal in relation to a site in Quarriers Village; and options open to the Council – the approval of this planning application, the refusal of this planning application and the deferral of a decision on this planning application pending the outcome of the planning appeal in relation to a site in Quarriers Village.

(d) Mr R. Nicol Cameron on behalf of Kilmacolm Civic Trust (objector) – issues raised: the consistency of the Trust's opposition to Green Belt development around the village; the opposition to this proposed development on the Green Belt on the village edge; the position of the Inverclyde Local Development Plan on residential development in the Green Belt; the absence of exceptional or mitigating circumstances in respect of this planning application; the approach to strategy for new development in all planning policy, in particular in Clydeplan; the policy preference for brownfield development; the sustainability of the proposed development with particular reference to the use of private motor vehicles and the infrequent bus services; the pressure in the village on parking, doctors and dentists; the distances to the nearest railway stations; the surplus of housing land in the Renfrewshire Sub-Market Housing Area; the policy position of Clydeplan on development in the Green Belt; and developer contributions to the village centre in the event that it is proved that development of this Green Belt site is proved conclusively.

During the above contribution Councillor McVey left the Hearing due to connectivity issues, at which time the Chair paused the meeting and called a five minute recess beginning at 3:20pm. Councillor McVey subsequently reconnected during the recess and the Hearing recommenced at 3:25pm.

PLANNING BOARD – 28 APRIL 2021

(e) Mr Peter Wylie (objector) – issues raised: the increasing importance of climate change over the last 20 years; the reality of what climate change means e.g. intense rainfall and rising temperatures; the claim by the developers that the proposed development could have beneficial outcomes for the climate; and the likely travel patterns of those who will live in the proposed development.

(f) Mr Michael Jefferis on behalf of Kilmacolm Community Council (former objector) – issues raised: support for the proposed development by the Community Council; the Proposed 2021 Inverclyde Local Development Plan; and the need for affordable housing in the village which will accommodate families.

The Interim Service Director of Environment and Economic Recovery then presented his report and recommendation to the Board.

Thereafter, Members asked a number of questions which were answered by the Interim Service Director Environment and Economic Recovery, the representatives of Mactaggart & Mickel and Mr G Leitch, Team Leader (Consultancy), Roads and Transportation.

Following consideration, Councillor McVey moved that planning permission be granted subject to the conditions detailed in the Interim Service Director, Environment and Economic Recovery's report.

As an amendment, Councillor J McEleny moved that planning permission be refused as the proposal is contrary to the Clydeplan Strategic Development Plan and significantly contrary to the adopted 2019 Inverclyde Local Development Plan.

Following a roll call vote, 2 Members, Councillors J McEleny and Wilson voted in favour of the amendment and 9 Members, Councillors Clocherty, Curley, Dorrian, McKenzie, McVey, Moran, Murphy, Nelson and Rebecchi voted in favour of the motion, which was declared carried.

Decided: That the Planning Board recommend to the Inverclyde Council that referral of the application be made under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 to the Scottish Ministers, indicating the Council's intention to grant planning permission in principle subject to the following conditions:

(1) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(2) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed floor plans and elevations of all buildings and shall show dimensions as well as the type and colour of all external materials, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(3) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the type and colour of all hard surfacing materials, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

PLANNING BOARD – 28 APRIL 2021

(4) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the phasing of the development, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(5) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location and rear gardens are useable. Thereafter the matters that are approved shall be implemented in their approved form;

(6) Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the details of surface water management and Sustainable Drainage Systems proposals, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Field drains shall be installed around the perimeter of the site to prevent surface water run-off to adjacent properties. For the avoidance of doubt the discharge rate shall be at pre-development greenfield run-off rates. Thereafter the matters that are approved shall be implemented in their approved form;

(7) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to all walls (including any retaining walls) and fences to be erected on site, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(8) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the visibility splays to be provided in both directions at the junction of the new access with Wateryetts Drive, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form and maintained free from obstruction;

(9) Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the Planning Authority relating to the proposed landscaping/planting at the site, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Details of the scheme shall include:

- i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
- ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted as well as identifying trees that are to be retained or removed;
- iii) Details of the translocation of Greater Butterfly-Orchid, Common-spotted and Northern-marsh Orchids;
- iv) Details of planting for a defensible Green Belt boundary;
- v) Details of the phasing of these works;
- vi) Proposed levels for the landscaping.

Thereafter the matters that are approved shall be implemented in their approved form;

PLANNING BOARD – 28 APRIL 2021

(10) Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the Planning Authority relating to the provision of equipped play area(s) has been submitted to and approved in writing by the Planning Authority, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location and shall include:

- a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
- b) details of the surface treatment of the play area, including the location and type of safety surfaces to be installed;
- c) details of fences to be erected around the play area(s);
- d) details of the phasing of these works; and
- e) details of the future maintenance of the play area(s).

Thereafter the play area(s) shall be implemented as approved and maintained in accordance with the approved scheme;

(11) For the avoidance of doubt the applications submitted in relation to conditions 1 and 2 above shall allow for the following, to ensure that the required level of parking is provided in the site and the roads and footways are acceptable:

- i) Parking should be provided in accordance with the National Guidelines:

- 1 parking space for a 1 bedroom house;
- 2 parking spaces for a 2 or 3 bedroom house;
- 3 parking spaces for a 4 bedroom house.

Note - for a garage to be counted as a parking space, it must be a minimum of 3.0m by 7.0m.

- ii) Visitor parking shall be 0.25 spaces per dwelling.
- iii) The minimum dimensions of driveways shall be 3m wide by 5.5m long per bay and the driveway gradients shall not exceed 10%.
- iv) Any visitor parking spaces shall be a minimum of 2.5m by 5.0m.
- v) All roads within the site shall be a minimum of 5.5m wide.
- vi) Visibility splays of 2.4m x 43.0m x 1.05m (25.0m if appropriate traffic calming is provided to achieve 20mph speed limit) at junctions and 2.0m x 20.0m x 1.05m should be provided from each driveway.
- vii) All footways within the site shall be a minimum of 2.0m wide.
- viii) All roads shall have a gradient of 8% or less.
- ix) Any turning heads shall be in accordance with the National Roads Development Guide.
- x) Traffic calming features should be introduced to reduce speeds to less than 20mph;

(12) For the avoidance of doubt the dwellinghouses shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 20% by the end of 2022). Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in each dwellinghouse, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of any dwellinghouse on the site;

PLANNING BOARD – 28 APRIL 2021

(13) Prior to development commencing on site, full details of the arrangements for the provision of affordable housing as part of the development, shall be submitted to and approved in writing by the Planning Authority, to secure the provision of affordable housing and to ensure a satisfactory standard of control over the occupation of the affordable housing. These details shall include:

- i. the identification of which dwellings shall be constructed as affordable units;
- ii. the type and nature of the affordable housing provision to be made as part of the development;
- iii. the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing;
- iv. the occupancy criteria to be adopted for determining the identity of prospective and successive occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Works shall then proceed as approved with the agreed details being followed at all times thereafter unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt, the provision of affordable housing shall be not less than 25% of the total number of housing units to be constructed;

(14) Following approval of the matters referred to in Conditions 1 to 10 above, development shall not commence until the trees to be retained that have been approved under Condition 9 ii) have been protected by suitable fencing. Fencing shall be erected on at least the fullest extent of the canopy on broadleaf trees and half the height of conifer trees as set out in BS5837/2012. Development shall not commence until details of the location and type of fencing have been submitted to and approved in writing by the Planning Authority, to ensure the trees are protected during construction operations;

(15) For the avoidance of doubt any site clearance work shall be undertaken outwith the bird breeding season March to August inclusive unless otherwise agreed in advance in writing by the Planning Authority. Any request to carry out site clearance works during the bird breeding season shall be accompanied with a pre-construction bird breeding survey, to ensure the protection of breeding birds within the application site and accord with the recommendations of the Extended Phase 1 Habitat Survey July 2020 prepared by Acorna Ecology Ltd.;

(16) For the avoidance of doubt each dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Point, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of each dwellinghouse;

(17) No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Planning Authority, in order to identify and protect any archaeological remains and to allow the Planning Authority to consider this matter in detail. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the agreed programme;

(18) Development shall not commence until details of the relocation of the bus stop on Wateryetts Drive (stop number IN418) has been submitted to and approved in writing by the Planning Authority in conjunction with Strathclyde Partnership for Transport. The details to be submitted shall be on scaled drawings and include the provision of a layby and additional hardstanding to ensure vehicles can align at the stop and for the stop to be accessible. The submitted details shall also include when the relocated bus stop is to be constructed, to ensure the bus stop is relocated to an acceptable location and thereafter provided in an appropriate timescale;

PLANNING BOARD – 28 APRIL 2021

(19) Development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;

(20) Before the development hereby permitted is occupied the applicant/developer shall submit a report for approval in writing by the Planning Authority confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness, to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety;

(21) In the event of suspected contamination that becomes evident during site works, consequential works shall not be implemented until a remediation methodology statement has been submitted to and approved in writing by the Planning Authority, to ensure all contamination issues are recorded and dealt with appropriately;

(22) Development shall not commence until details of a survey for the presence of Japanese Knotweed has been submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found, to help arrest the spread of Japanese Knotweed in the interests of environmental protection. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation;

(23) For the avoidance of doubt 5% of the residential units on site shall be wheelchair accessible housing. The details of the proposed wheelchair accessible housing shall be submitted for approval in writing by the Planning Authority at the same time as the application to be applied for under conditions 1 and 2 above, to ensure the development incorporates wheelchair assessable housing and the Planning Authority has the necessary information to ensure these are acceptable at this location;

(24) Development shall not commence until details have been submitted to and approved in writing by the Planning Authority in relation to low-carbon measures to address heat demand that are to be incorporated into the development. Following approval the measures shall be fully implemented on site, to allow assessment of the nature of heating provision for the development.

HEALTH & SOCIAL CARE COMMITTEE – 29 APRIL 2021

Health & Social Care Committee

Thursday 29 April 2021 at 3pm

Present: Councillors Brooks, Dorrian, Jackson, MacLeod, McCabe, J McEleny, McKenzie, Moran, Quinn, Rebecchi and Robertson.

Chair: Councillor Moran presided.

In attendance: Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership, Head of Health & Community Care, Head of Children, Families & Criminal Justice, Interim Head of Homelessness, Mental Health and Drug & Alcohol Recovery Service, Ms A Edmiston (for Chief Financial Officer), Ms S White (Finance Services), Ms V Pollock (for Interim Head of Legal Services), Ms D Sweeney and Mr C MacDonald (Legal Services).

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

195 Apologies, Substitutions and Declarations of Interest 195

No apologies for absence were intimated.

Councillors Brooks, Jackson, MacLeod, J McEleny and Robertson declared interests in Agenda Item 4 (Reporting by Exception – Governance of HSCP Commissioned External Organisations).

196 Health & Social Care Committee: Expedited Business, Relevant Updates and Operation Log 196

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on Health and Social Care Services including the current service response to COVID-19 and related interim changes to services.

During consideration of this item, the Convener paused the meeting for a recess at 3.20pm to resolve the connectivity issues experienced by several Councillors and officers. The meeting reconvened at 3.35pm. Councillors Dorrian and Jackson subsequently re-joined the meeting during this item. Councillor Rebecchi could not reconnect to the meeting and did not rejoin.

Decided:

- (1) that the update on the Community Assessment Centre be noted;
- (2) that the update on the Care Homes, including the vaccination programme, be noted;
- (3) that the additional governance put in place to provide oversight and support to Care Homes be noted;
- (4) that the additional support as detailed in Paragraph 4.4 of the report to undertake individual Care Home resident reviews, as requested by the Office of the Chief Social Work Advisor, be approved;

HEALTH & SOCIAL CARE COMMITTEE – 29 APRIL 2021

- (5) that the update on the closure of Sir Gabriel Woods Mariners Home be noted;
- (6) that the progress of the new Greenock Health Centre project, including the delivery of community benefits, be noted;
- (7) that the appointment of the Independent Chair of the Alcohol & Drug Partnership be noted;
- (8) that it be noted that a Members' Briefing on the Drug Death Action Plan will be held on a date in June 2021;
- (9) that the update on progress in relation to the Learning Disability Hub as detailed in Paragraph 4.10 of the report be noted;
- (10) that (a) the successful application for £250,000 to support the development of The Promise (I Promise Inverclyde) be noted and that (b) it be noted that a report will be brought back to Committee on this matter;
- (11) that it be noted that the projected revenue outturn for Social Work as at 28 February 2021 is an underspend of £40,000;
- (12) that it be noted that the approval to accept the most economically advantageous tender has been granted through the use of Emergency Powers for the completion of Crosshill Care Home and that a programme of completion will be advised upon appointment of the main contractor;
- (13) that the progress update on the design and technical element of the new Learning Disability Hub as detailed in Paragraphs 4.10 and 4.13 of the report be noted; and
- (14) that it be noted that the projected spend from the Earmarked Reserves is £5.214m and expenditure is currently 3.1% behind phased budget.

197 **Inverclyde Adult Support and Protection Partnership – Feedback Findings from Completed Joint Inspection Activity**

197

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership advising of the outcome of the Inverclyde Joint Adult Protection Inspection led by the Care Inspectorate, Health Improvement Scotland and Her Majesty's Inspectorate of Constabulary Police.

Decided:

- (1) that the contents of the report and the positive outcome regarding the recent Adult Support and Protection Inspection be noted, particularly the identification of key strengths;
- (2) that the actions contained in the Quality Improvement Plan as detailed in Appendix 1 to the report be agreed; and
- (3) that it be agreed that a further report will be brought to Committee in March 2022 to advise the Committee of completed actions in relation to the Quality Improvement Plan.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 and 9 of Part I of Schedule 7(A) of the Act.

HEALTH & SOCIAL CARE COMMITTEE – 29 APRIL 2021

198 Reporting by Exception – Governance of HSCP Commissioned External Organisations

198

There was submitted a report by the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership providing an update on matters relating to the HSCP Governance process for externally commissioned Social Care Services.

The following Councillors declared non-financial interests in this item:

Councillor MacLeod as a Non-Executive Director of Parklea Branching Out;

Councillor Brooks as a Board Member of River Clyde Homes;

Councillor Robertson as a member of the Management Committee of Financial Fitness;

Councillor J McEleny as a family member works for Alzheimer's Scotland;

Councillor Jackson as he works with Quarriers Village Supported Living;

all five Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence at the meeting or their participation in the decision-making process.

Councillor McKenzie left the meeting during consideration of this item.

Decided:

(1) that the Governance report for the period 29 January to 26 March 2021 be noted; and

(2) that Members acknowledge that Officers regard the control mechanisms in place through the governance meetings and managing purely performing services guidance within the contract management framework is sufficiently robust to ensure ongoing quality and safety and the fostering of a commissioning culture of continuous improvement.

ENVIRONMENT & REGENERATION COMMITTEE – 4 MAY 2021

Services) as detailed be agreed; and

(4) that approval be given to the consultation exercise for supplementary guidance for the Local Development Plan.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined by paragraphs 2, 6, 8 and 9 of Part I of Schedule 7(A) of the Act.

201 Property Related Matters**201**

There was submitted a report by the Interim Service Director Environment & Economic Recovery making recommendations in respect of a number of property related matters. Councillor Curley declared a non-financial interest in this item as a Member of the Board of the Kilmacolm New Community Centre Company (KNCCC). He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence at the meeting or his participation in the decision-making process. Following consideration, the Committee agreed to the actions recommended, all as detailed in the appendix.

THE INVERCLYDE COUNCIL – 4 MAY 2021

The Inverclyde Council

Tuesday 4 May 2021 at 4pm

Present: Provost Brennan, Councillors Ahlfeld, Brooks, Clocherty, Crowther, Curley, Dorrian, Jackson, MacLeod, McCabe, McCormick, J McEleny, Moran, Nelson, Quinn, Rebecchi, Robertson and Wilson.

Chair: Provost Brennan presided.

In attendance: Chief Executive, Corporate Director Education, Communities & Organisational Development, Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership, Interim Service Director Environment & Economic Recovery, Interim Head of Legal Services, Planning & Building Standards Manager, Mr D Ashman (Planning Services), Mr G Leitch (Roads & Transportation), Mr J Kerr, Ms D Sweeney, Ms L Carrick, Mr C MacDonald and Ms E Peacock (Legal Services), ICT Service Manager and Service Manager, Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

202 Apologies and Declarations of Interest

202

Apologies for absence were intimated on behalf of Councillor C McEleny, McKenzie, McVey and Murphy.

Councillor Wilson declared an interest in Agenda Item 2 (Proposed residential development of circa 100 units including 25% affordable and associated infrastructure, landscaping and open space on land at Planetreeyetts, Kilmacolm) and Agenda Item 3 (Residential development to include access, roads, open space, landscaping, drainage and other associated works (planning permission in principle) (major) on land west of Quarry Drive, Kilmacolm).

203 Proposed residential development of circa 100 units including 25% affordable and associated infrastructure, landscaping and open space on land at Planetreeyetts, Kilmacolm

203

There were submitted (1) an introductory report by the Interim Head of Legal Services and (2) a report by the Planning Board on the pre-determination hearing held on 28 April 2021 in relation to a planning application by Taylor Wimpey (West Scotland) Ltd for a proposed residential development of circa 100 units including 25% affordable and associated infrastructure, landscaping and open space at land at Planetreeyetts, Kilmacolm (18/0322/IC).

Councillor Wilson declared a non-financial interest in this item as a member of Clydeplan. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence at the meeting or his participation in the decision-making process.

Decided: that planning permission be refused for the following reasons, as recommended by the Planning Board:

(1) that due to unacceptable tension with the principles set out in paragraph 29 of Scottish Planning Policy it cannot be concluded that the proposal constitutes sustainable development;

THE INVERCLYDE COUNCIL – 4 MAY 2021

- (2) The proposal would undermine the plan-led process and result in a cumulative impact with the proposed plan-led and proportionate expansion of Kilmacolm with a resultant inappropriate level of new housing development, contrary to the Vision and Spatial Development Strategy of the 2017 Clydeplan Strategic Development Plan;
- (3) The proposed development is contrary to the Spatial Development Strategy of the 2017 Clydeplan Strategic Development Plan as it is an unjustified urban development which is outwith the development corridor identified in the Plan and it fails accord with the Green Belt objectives;
- (4) The proposal is contrary to Policy 14 of the adopted 2019 Inverclyde Local Development Plan and Policy 15 of the 2021 proposed Inverclyde Local Development Plan in that it fails to accord with the objectives of the Green Belt;
- (5) The proposal is contrary to the aims of Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan in that it will generate significant traffic demand by private car, would not constitute low carbon placemaking and would be inappropriately located;
- (6) The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of the 2017 Clydeplan Strategic Development Plan, Policy 1 of the adopted 2019 Inverclyde Local Development Plan and Policy 1 of the proposed 2021 Inverclyde Local Development Plan;
- (7) The proposed development cannot be held to protect the quality, character, landscape setting and identity of the village which results in it being incompatible with the requirements of Policy 34 of the proposed 2021 Inverclyde Local Development Plan; and
- (8) The loss of trees, which have a significant landscape value, are not justified with reference to each of the criteria set out within Policy 34 of the adopted 2019 Inverclyde Local Development Plan and Policy 35 of the proposed 2021 Inverclyde Local Development Plan.

204 Residential development to include access, roads, open space, landscaping, drainage and other associated works (planning permission in principle) (major) on land West of Quarry Drive, Kilmacolm 204

There was submitted (1) an introductory report by the Interim Head of Legal Services and (2) a report by the Planning Board on the pre-determination hearing held on 28 April 2021 in relation to a planning application by Mactaggart and Mickel Homes Ltd for a proposed residential development to include access roads, open space, landscaping, drainage and other associated works (planning permission in principle) (major) on land West of Quarry Drive, Kilmacolm (20/0245/IC).

Councillor Wilson declared a non-financial interest in this item as a member of Clydeplan. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence at the meeting or his participation in the decision-making process.

Following discussion, Councillor McCabe, seconded by Councillor J McEleny, moved that the application be refused as (1) the proposal is contrary to the Clydeplan Strategic Development plan and significantly contrary to the adopted 2019 Inverclyde Local Development Plan due to the site being located within land identified as Green Belt, and (2) the identified indicative shortfall of approximately 100 units in the Inverclyde part of the Renfrewshire Housing Sub-Market Area is not sufficient justification for a development in the Green Belt. It is considered that the surplus of land that exists in the wider Renfrewshire Housing Sub-Market Area should be utilised to address said shortfall.

THE INVERCLYDE COUNCIL – 4 MAY 2021

As an amendment, Councillor Clocherty, seconded by Councillor Robertson, moved that the decision of the Planning Board on 28 April 2021 be upheld and that referral of the application be made under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 to the Scottish Ministers, indicating the Council's intention to grant planning permission in principle, subject to the conditions detailed in the report.

Following a roll call vote of those Councillors entitled to participate in the voting process, 4 Members, Councillors Curley, McCabe, J McEleny and Wilson voted for the motion and 8 Members, Provost Brennan, Councillors Brooks, Clocherty, Dorrian, Moran, Nelson, Rebecchi and Robertson voted for the amendment which was declared carried. Councillors Ahlfeld and Quinn abstained.

Decided: that referral of the application be made under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 to the Scottish Ministers, indicating the Council's intention to grant planning permission in principle, subject to the following conditions:

(1) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(2) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed floor plans and elevations of all buildings and shall show dimensions as well as the type and colour of all external materials, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(3) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the type and colour of all hard surfacing materials, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(4) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the phasing of the development, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(5) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location and rear gardens are useable. Thereafter the matters that are approved shall be implemented in their approved form;

(6) Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the Planning

THE INVERCLYDE COUNCIL – 4 MAY 2021

Authority relating to the details of surface water management and Sustainable Drainage Systems proposals, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Field drains shall be installed around the perimeter of the site to prevent surface water run-off to adjacent properties. For the avoidance of doubt the discharge rate shall be at pre-development greenfield run-off rates. Thereafter the matters that are approved shall be implemented in their approved form;

(7) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to all walls (including any retaining walls) and fences to be erected on site, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form;

(8) Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the visibility splays to be provided in both directions at the junction of the new access with Wateryetts Drive, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Thereafter the matters that are approved shall be implemented in their approved form and maintained free from obstruction;

(9) Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the Planning Authority relating to the proposed landscaping/planting at the site, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location. Details of the scheme shall include:

- (i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
- (ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted as well as identifying trees that are to be retained or removed;
- (iii) Details of the translocation of Greater Butterfly-Orchid, Common-spotted and Northern-marsh Orchids;
- (iv) Details of planting for a defensible Green Belt boundary;
- (v) Details of the phasing of these works;
- (vi) Proposed levels for the landscaping.

Thereafter the matters that are approved shall be implemented in their approved form;

(10) Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the Planning Authority relating to the provision of equipped play area(s) has been submitted to and approved in writing by the Planning Authority, to ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location, and shall include:

- (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
- (b) details of the surface treatment of the play area, including the location and type of safety surfaces to be installed;
- (c) details of fences to be erected around the play area(s);
- (d) details of the phasing of these works; and
- (e) details of the future maintenance of the play area(s).

Thereafter the play area(s) shall be implemented as approved and maintained in accordance with the approved scheme;

(11) For the avoidance of doubt the applications submitted in relation to conditions 1

THE INVERCLYDE COUNCIL – 4 MAY 2021

and 2 above shall allow for the following, to ensure that the required level of parking is provided in the site and the roads and footways are acceptable;

(i) Parking should be provided in accordance with the National Guidelines:

- 1 parking space for a 1 bedroom house;
- 2 parking spaces for a 2 or 3 bedroom house;
- 3 parking spaces for a 4 bedroom house;

Note - for a garage to be counted as a parking space, it must be a minimum of 3.0m by 7.0m.

- (ii) Visitor parking shall be 0.25 spaces per dwelling;
- (iii) The minimum dimensions of driveways shall be 3m wide by 5.5m long per bay and the driveway gradients shall not exceed 10%;
- (iv) Any visitor parking spaces shall be a minimum of 2.5m by 5.0m;
- (v) All roads within the site shall be a minimum of 5.5m wide;
- (vi) Visibility splays of 2.4m x 43.0m x 1.05m (25.0m if appropriate traffic calming is provided to achieve 20mph speed limit) at junctions and 2.0m x 20.0m x 1.05m should be provided from each driveway;
- (vii) All footways within the site shall be a minimum of 2.0m wide;
- (viii) All roads shall have a gradient of 8% or less;
- (ix) Any turning heads shall be in accordance with the National Roads Development Guide;
- (x) Traffic calming features should be introduced to reduce speeds to less than 20mph;

(12) For the avoidance of doubt the dwellinghouses shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 20% by the end of 2022). Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in each dwellinghouse, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of any dwellinghouse on the site;

(13) Prior to development commencing on site, full details of the arrangements for the provision of affordable housing as part of the development, shall be submitted to and approved in writing by the Planning Authority, to secure the provision of affordable housing and to ensure a satisfactory standard of control over the occupation of the affordable housing. These details shall include:

- (i) the identification of which dwellings shall be constructed as affordable units;
- (ii) the type and nature of the affordable housing provision to be made as part of the development;
- (iii) the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing;
- (iv) the occupancy criteria to be adopted for determining the identity of prospective and successive occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Works shall then proceed as approved with the agreed details being followed at all times thereafter unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt, the provision of affordable housing shall be not less than 25% of the total number of housing units to be constructed,

(14) Following approval of the matters referred to in Conditions 1 to 10 above, development shall not commence until the trees to be retained that have been approved

THE INVERCLYDE COUNCIL – 4 MAY 2021

under Condition 9 ii) have been protected by suitable fencing. Fencing shall be erected on at least the fullest extent of the canopy on broadleaf trees and half the height of conifer trees as set out in BS5837/2012. Development shall not commence until details of the location and type of fencing have been submitted to and approved in writing by the Planning Authority, to ensure the trees are protected during construction operations;

(15) For the avoidance of doubt any site clearance work shall be undertaken outwith the bird breeding season March to August inclusive unless otherwise agreed in advance in writing by the Planning Authority. Any request to carry out site clearance works during the bird breeding season shall be accompanied with a pre-construction bird breeding survey, to ensure the protection of breeding birds within the application site and accord with the recommendations of the Extended Phase 1 Habitat Survey July 2020 prepared by Acorna Ecology Ltd;

(16) For the avoidance of doubt each dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Point, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of each dwellinghouse;

(17) No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Planning Authority, in order to identify and protect any archaeological remains and to allow the Planning Authority to consider this matter in detail. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the agreed programme;

(18) Development shall not commence until details of the relocation of the bus stop on Wateryetts Drive (stop number IN418) has been submitted to and approved in writing by the Planning Authority in conjunction with Strathclyde Partnership for Transport. The details to be submitted shall be on scaled drawings and include the provision of a layby and additional hardstanding to ensure vehicles can align at the stop and for the stop to be accessible. The submitted details shall also include when the relocated bus stop is to be constructed, to ensure the bus stop is relocated to an acceptable location and thereafter provided in an appropriate timescale;

(19) Development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;

(20) Before the development hereby permitted is occupied the applicant/developer shall submit a report for approval in writing by the Planning Authority confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as

THE INVERCLYDE COUNCIL – 4 MAY 2021

fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness, to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety;

(21) In the event of suspected contamination that becomes evident during site works, consequential works shall not be implemented until a remediation methodology statement has been submitted to and approved in writing by the Planning Authority, to ensure all contamination issues are recorded and dealt with appropriately;

(22) Development shall not commence until details of a survey for the presence of Japanese Knotweed has been submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found, to help arrest the spread of Japanese Knotweed in the interests of environmental protection. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation;

(23) For the avoidance of doubt 5% of the residential units on site shall be wheelchair accessible housing. The details of the proposed wheelchair accessible housing shall be submitted for approval in writing by the Planning Authority at the same time as the application to be applied for under conditions 1 and 2 above, to ensure the development incorporates wheelchair assessable housing and the Planning Authority has the necessary information to ensure these are acceptable at this location; and

(24) Development shall not commence until details have been submitted to and approved in writing by the Planning Authority in relation to low-carbon measures to address heat demand that are to be incorporated into the development. Following approval the measures shall be fully implemented on site, to allow assessment of the nature of heating provision for the development.

PLANNING BOARD – 5 MAY 2021

Planning Board

Wednesday 5 May 2021 at 3pm

Present: Councillors Clocherty, Crowther, Dorrian, J McEleny, McVey, Moran, Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Interim Service Director Environment and Economic Recovery, Planning and Building Standards Manager, Mr D Ashman (Planning Services), Mr G Leitch and Ms E Provan (Roads and Transportation), Mr J Kerr (for Interim Head of Legal Services) Ms L Carrick and Mr C MacDonald (Legal Services).

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.

205 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 205

An apology for absence was intimated on behalf of Councillor McKenzie.

206 PLANNING APPLICATIONS SUBMITTED FOR CONTINUED CONSIDERATION 206

**(a) Erection of six detached dwellinghouses/house plots (planning permission in principle):
Land adjacent to 24 Rosemount Place, Gourock (20/0186/IC)**

There was submitted a report by the Interim Service Director Environment and Economic Recovery on an application for planning permission by Inverdunning (Gourock) Ltd. for the erection of six detached dwellinghouses/house plots (planning permission in principle) at land adjacent to 24 Rosemount Place, Gourock (20/0186/IC), consideration of which had been continued from the meeting held on 9 April 2021 for a site visit.

Councillor Nelson moved that planning permission be refused as (1) The Proposed Development fails to protect the historic Gourock Golf Club (established 1896) which borders the site and whose layout threatens to be compromised in contradiction to Scottish Planning Policy 2014. Paragraphs 135 and 136 state that the historic environment is a key cultural and economic asset and a source of inspiration and should be seen as integral in creating successful places and that planning has an important role to play in maintaining and enhancing the distinctive and high quality irreplaceable historic places which enrich our lives, contribute to our sense of identity and are important resources for our tourism and leisure industry. Paragraph 151 goes on to state that there is a range of non-designated historic assets, which do not have statutory protection and these resources are an important part of Scotland's heritage and should be protected and preserved as far as possible in situ wherever feasible. (2) The amount of additional traffic generated by the proposed development on the shared surface narrow access route with poor visibility splays could prove a danger to pedestrians and vehicles in contradiction to Local Plan Policy 1, Successful Places - Easy to move around - Be well connected, with good path links to the wider path

PLANNING BOARD – 5 MAY 2021

network and public transport nodes and neighbouring developments. As well as contradicting the Roads Development Guide that considers the needs of pedestrians first when considering the design of any road layout. “2.2.4 Street Structure. b Connections to wider networks,” states that – “The existing road network must be capable of coping with the existing as well as levels of all types of traffic generated by the development. The road and paths created within the development must connect into the existing road and other user networks in a logical and progressive manner.”

As an amendment, Councillor Clocherty moved that planning permission be granted subject to the conditions detailed in the report.

Following a roll call vote 3 members, Councillors Clocherty, Dorrian and McVey voted in favour of the amendment and 6 members, Councillors Crowther, J McEleny, Moran, Nelson, Rebecchi and Wilson voted for the motion which was declared carried.

Decided: that planning permission be refused as (a) The Proposed Development fails to protect the historic Gourrock Golf Club (established 1896) which borders the site and whose layout threatens to be compromised in contradiction to Scottish Planning Policy 2014. Paragraphs 135 and 136 state that the historic environment is a key cultural and economic asset and a source of inspiration and should be seen as integral in creating successful places and that planning has an important role to play in maintaining and enhancing the distinctive and high quality irreplaceable historic places which enrich our lives, contribute to our sense of identity and are important resources for our tourism and leisure industry. Paragraph 151 goes on to state that there is a range of non-designated historic assets, which do not have statutory protection and these resources are an important part of Scotland's heritage and should be protected and preserved as far as possible in situ wherever feasible. (b) The amount of additional traffic generated by the proposed development on the shared surface narrow access route with poor visibility splays could prove a danger to pedestrians and vehicles in contradiction to Local Plan Policy 1, Successful Places - Easy to move around - Be well connected, with good path links to the wider path network and public transport nodes and neighbouring developments. As well as contradicting the Roads Development Guide that considers the needs of pedestrians first when considering the design of any road layout. “2.2.4 Street Structure. b Connections to wider networks,” states that – “The existing road network must be capable of coping with the existing as well as levels of all types of traffic generated by the development. The road and paths created within the development must connect into the existing road and other user networks in a logical and progressive manner.”

LOCAL REVIEW BODY – 5 MAY 2021

Local Review Body

Wednesday 5 May 2021 at 4pm

Present: Councillors Clocherty, Crowther, Dorrian, McVey (for McKenzie), Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Planning and Building Standards Manager, Ms M Pickett, Mr A Hamilton and Mr A Williamson (Planning Advisers), Mr J Kerr (Legal Adviser), Ms L Carrick and Mr C MacDonald (Legal Services) and Service Manager Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Local Review Body.

Prior to the commencement of business Mr Williamson referred to the Local Development Plan 2019, the Proposed Local Development Plan and the policy context within which councillors would determine applications for review which were to come before the Local Review Body.

207 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 207

An apology for absence was intimated on behalf of Councillor McKenzie, with Councillor McVey substituting.

No declarations of interest were intimated.

208 PLANNING APPLICATIONS FOR REVIEW 208

(a) Alterations and change of use of existing retail shop to form a hot food takeaway, including the installation of an extract flue to the rear of the property: 76 Belville Street, Greenock (19/0234/IC)

There were submitted papers relative to the application for review of the refusal of planning permission for alterations and change of use of existing retail shop to form a hot food takeaway, including the installation of an extract flue to the rear of the property at 76 Belville Street, Greenock (19/0234/IC) to enable the Local Review Body to consider the matter afresh.

Mr Hamilton acted as Planning Adviser relative to this case.

Following discussions, Councillor McVey moved that (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be dismissed (upholding the Appointed Officer's determination) for the following reasons:

1. It has not been demonstrated that any satisfactory means for the dispersal of cooking odours can be implemented, to the detriment of the amenity of residents residing in close proximity to the proposed hot food take away, contrary to Policies 1, 20 and criterion (a) of Policy 24 of the Inverclyde Local Development Plan.

LOCAL REVIEW BODY – 5 MAY 2021

2. That as the required off-road parking provision cannot be achieved the proposal could result in parking detrimental to traffic safety and the amenity of the area, contrary to Policy 11 of the Inverclyde Local Development Plan, could not be justified in terms of Policy 20 and criterion (a) of Policy 24 of the Inverclyde Local Development Plan, and would be contrary to the aims of Policy 1 of the Inverclyde Local Development Plan.

3. That the proposed development, by reason of evening and late night noise from extra traffic activity in particular within a predominantly residential environment and by reason of cumulative impact with existing noise would be unacceptable in terms of criteria (a) of Policy 24 of the Inverclyde Local Development Plan and could not be justified in terms of Policies 1 and 20 of the Inverclyde Local Development Plan.

As an amendment, Councillor Nelson moved that (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) to sustain the application for review and grant planning permission subject to the following conditions:

1. The development shall not commence until a detailed specification regarding the collection, treatment and disposal of cooking odours has been submitted to and approved in writing by the Planning Authority. Such specification shall include precise details on the location of equipment used for the cooking and heating of food, canopies, grease filters, rates of air movement over the canopy, make-up air, air disposal points etc.

2. The system for discharging cooking odours approved under condition 1 shall be fully implemented to the satisfaction of the Planning Authority prior to the commencement of the use hereby approved. It shall then remain in full and effective working order at all times thereafter during the lifetime of the use, to the satisfaction of the Planning Authority.

3. Noise from the extract ventilation fans and ducting must be within Noise Rating Curve 25 between the hours of 23:00 and 07:00 and Noise Rating Curve 35 between the hours of 07:00 and 23:00 at all times to the satisfaction of the Planning Authority when measured within the nearest noise sensitive property.

4. The hot food takeaway hereby permitted shall not operate between the hours of 23:00 and 7:00 on any day. For the avoidance of doubt, this is inclusive of deliveries and collections to and from the site.

Following a roll call vote, 3 members, Councillors Clocherty, McVey and Rebecchi voted in favour of the motion and 4 members, Councillors Crowther, Dorrian, Nelson and Wilson voted for the amendment which was declared carried.

Decided:

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be upheld and that planning permission be granted subject to the following conditions:-

Conditions

1. The development shall not commence until a detailed specification regarding the collection, treatment and disposal of cooking odours has been submitted to and approved in writing by the Planning Authority. Such specification shall include precise details on the location of equipment used for the cooking and heating of food, canopies, grease filters, rates of air movement over the canopy, make-up air, air disposal points etc.

2. The system for discharging cooking odours approved under condition 1 shall be fully implemented to the satisfaction of the Planning Authority prior to the commencement of the use hereby approved. It shall then remain in full and effective working order at all times thereafter during the lifetime of the use, to the satisfaction of the Planning Authority.

LOCAL REVIEW BODY – 5 MAY 2021

3. Noise from the extract ventilation fans and ducting must be within Noise Rating Curve 25 between the hours of 23:00 and 07:00 and Noise Rating Curve 35 between the hours of 07:00 and 23:00 at all times to the satisfaction of the Planning Authority when measured within the nearest noise sensitive property.

4. The hot food takeaway hereby permitted shall not operate between the hours of 23:00 and 07:00 on any day. For the avoidance of doubt, this is inclusive of deliveries and collections to and from the site.

(b) Installation of fence panels (in retrospect) and installation of new sliding electric gate: 3 Oakfield Terrace, Greenock (20/0132/IC)

There were submitted papers relative to the application for review for the refusal of planning permission for the installation of fence panels (in retrospect) and installation of new sliding electric gate at 3 Oakfield Terrace, Greenock (20/0132/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

Decided:

(1) That sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) That the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. By reason of height and design, including the use of finishing materials, the development forms an unexpected and strident feature in the streetscene and therefore does not reflect urban form or result in an attractive streetscene as required by Policy 1 of the Inverclyde Local Development Plan.

EDUCATION AND COMMUNITIES COMMITTEE – 11 MAY 2021

Education and Communities Committee

Tuesday 11 May 2021 at 1pm

Present: Provost Brennan, Councillors Clocherty, Curley, MacLeod, McCabe, McVey, Murphy, Quinn, Robertson and Wilson, Ms F Gilpin and Rev. F Donaldson, Church Representatives, Ms P McEwan, Teacher Representative and Ms A McMillan, Parent Representative.

Chair: Councillor Clocherty presided.

In attendance: Corporate Director Education, Communities & Organisational Development, Head of Culture, Communities & Educational Resources, Head of Education, Service Manager, Community Learning & Development, Community Safety & Resilience and Sport, Mr I Cameron (for Interim Service Director Corporate Services & Organisational Recovery), Mr C Given (Finance Services), Interim Head of Property Services, Ms G Murphy (for Interim Head of Legal Services), Ms D Sweeney and Ms L Carrick (Legal Services), ICT Services Manager and Service Manager Communications, Tourism and Health & Safety.

The meeting was held by video-conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

209 Apologies, Substitutions and Declarations of Interest

209

No apologies for absence were intimated.

Declarations of interest were intimated as follows:

Agenda Item 2 (Education & Communities Committee: Performance Report for the Communities Part of the Committee) – Councillors Clocherty and Quinn.

Agenda Item 3 (Update on Crawl Holes for Community Pitches Managed by Inverclyde Leisure) – Councillors Clocherty and Quinn.

Agenda Item 4 (Review of GTVO and U19s Grants and Community Hall Waivers) – Councillors Clocherty and Quinn.

Agenda Item 5 (Report on Outstanding Community Remits for the Education & Communities Committee) – Councillors Clocherty, Quinn and Curley.

Agenda Item 6 (Communities Update Report) – Councillors Clocherty, Quinn and MacLeod.

210 Education & Communities Committee: Performance Report for the Communities Part of the Committee

210

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing performance information for the Communities part of the Education & Communities Committee.

Councillors Clocherty and Quinn declared a non-financial interest in this item as Members of the Board of Inverclyde Leisure. They also formed the view that the nature of their interest and of the item of business did not preclude their continued presence in

EDUCATION AND COMMUNITIES COMMITTEE – 11 MAY 2021

the meeting or their participation in the decision-making process.

Decided:

- (1) that the projected underspend of £139,000 for the Communities Revenue Budget Monitoring Report for Period 12 be noted;
- (2) that the projected containment of the 2020/23 Capital Programme within available budgets be noted;
- (3) that the updates on (a) Lady Alice Bowling Club, (b) Indoor Sports Facility for Tennis (c) Leisure Pitches Asset Management Plan/Lifecycle Fund, (d) Grieve Road Community Centre, (e) Wemyss Bay Community Centre, (f) Whinhill Golf Club Lifecycle Works, (g) Waterfront Leisure Centre Training Pool Moveable Floor, (h) Watt Institution Creativity Space, (i) King George VI Community Hub, (j) Craigend Resource Centre, and (k) Inverclyde Shed Meet, Make and Share, be noted; and
- (4) that the progression of survey works in relation to the new Indoor Tennis Centre Facility at Rankin Park, Greenock be noted.

211 Update on Crawl Holes for Community Pitches Managed by Inverclyde Leisure

211

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing an update on the current position regarding crawl hole access to community pitches operated by Inverclyde Leisure and (2) seeking Committee approval to allocate a specific resource to open the crawl holes during the day and to close them at night.

Councillors Clocherty and Quinn declared a non-financial interest in this item as Members of the Board of Inverclyde Leisure. They also formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process.

Councillor Murphy joined the meeting during discussion of this item.

Decided:

- (1) that the current situation regarding crawl holes at pitches managed by Inverclyde Leisure be noted;
- (2) that it be agreed a report be brought back to Committee at a future date in relation to the use of the Broomhill pitch, and that Council officers and Inverclyde Leisure begin consultation with the wider community; and
- (3) that the allocation of a resource to pilot the opening and closing of crawl hole spaces in the morning and night be approved, which will be funded from the Communities Directorate and reviewed in one year's time.

212 Review of GTVO and U19s Grants and Community Hall Waivers

212

There was submitted a report by the Corporate Director Education, Communities & Organisational Development (1) providing a summary of the recent consultation on Grants to Voluntary Organisations (GTVO), U19s Sports Grants and Community Hall Waivers (GTVO Review) and (2) seeking approval to combine these funding streams into one 'Community Grants Model' from 2021/22 with a cap of £10,000 per organisation.

Councillors Clocherty and Quinn declared a non-financial interest in this item as Members of the Board of Inverclyde Leisure. They also formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process.

Decided:

- (1) that the findings of the GTVO Review be noted; and

EDUCATION AND COMMUNITIES COMMITTEE – 11 MAY 2021

(2) that the changes proposed to the GTVO process from 2021/2022, as detailed in Paragraph 5 of the report, be approved.

213 Report on Outstanding Community Remits for the Education & Communities Committee

213

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on the outstanding remits for the Communities part of the Education & Communities Committee.

Councillors Clocherty and Quinn declared a non-financial interest in this item as Members of the Board of Inverclyde Leisure and Councillor Curley declared a non-financial interest as a Member of Boglestone Community Association. All Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process.

Decided:

(1) that the updates on (a) 5Rights for children and young people, (b) the overall impact on users of the Inverclyde Leisure Spend to Save Project at Boglestone Community Centre and usage of the mountain bike track at Rankin Park, Greenock, (c) Local Authority provision of cleaning and janitorial services to Police Scotland, and (d) No Knives Better Lives - 10 year evaluation, be noted;

(2) that it be agreed a further report on maintenance and signage of the mountain bike track at Rankin Park, Greenock be brought to a future meeting of the Committee;

(3) that it be remitted to officers to provide an update detailing the overall impact on users of the Inverclyde Leisure Spend to Save project at Boglestone Community Centre to a future meeting of the Committee, the date of which should reflect a return to normal business post-COVID-19 pandemic.

214 Communities Update Report

214

There was submitted a report, and separate Addendum with updated information on the Regeneration Capital Grant Fund, by the Corporate Director Education, Communities & Organisational Development providing an update on the Communities aspects of the service.

Councillors Clocherty and Quinn declared a non-financial interest in this item as Members of the Board of Inverclyde Leisure and Councillor MacLeod declared a non-financial interest as a Non-Executive Director of Parklea Branching Out. All Councillors formed the view that the nature of their interest and of the item of business did not preclude their continued presence in the meeting or their participation in the decision-making process.

Decided:

(1) that the updates on (a) the Regeneration Capital Grant Fund, (b) Inverclyde Fairtrade Zone Application - successful renewal status, and (c) the financial position of Inverclyde Leisure, be noted; and

(2) that it be agreed to delegate responsibility to the Director of Education, Communities & Organisational Development to submit applications on behalf of 32nd Greenock & District Scout Group, CVS Inverclyde and Parklea Branching Out to the Regeneration Capital Grant Fund for 2022/23.

The Communities business concluded at 2.20pm.

EDUCATION AND COMMUNITIES COMMITTEE – 11 MAY 2021

The Committee commenced consideration of the Education items of business at 4pm with Ms Gilpin, Ms McMillan and Ms McEwan joining the meeting. Rev. Donaldson joined the meeting during discussion on item 'Report on Outstanding Education Remits for the Education & Communities Committee'.

215 Education & Communities Committee: Performance Report for the Education Part of the Committee 215

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing performance information for the Education part of the Education & Communities Committee.

Councillor Murphy re-joined the meeting during discussion of this item.

Decided:

- (1) that the projected underspend of £618,000 for Education Revenue Budget Monitoring Report for Period 11 be noted;
- (2) that the projected containment of the 2020/23 Capital Programme within available budgets be noted; and
- (3) that updates on (a) Lady Alice Primary School Refurbishment and Extension, (b) St Mary's Primary School Refurbishment and Extension, (c) Gourock Primary School Extension, (d) Hillend Children's Centre Refurbishment, (e) Former Kelly Street Children's Centre Landscaping Works, (f) Interactive Whiteboard Refresh, (g) School Estate Lifecycle Works 2020/21, (g) Development and Implementation of 1140 Hours of Early Learning and Childcare Infrastructure Projects Progress (h) Rainbow Family Centre Extension, (i) Larkfield Children's Centre New Build, and (j) Glenpark Early Learning Centre, be noted.

216 Report on Outstanding Education Remits for the Education & Communities Committee 216

There was submitted a report by the Corporate Director Education, Communities & Organisational Development providing an update on outstanding remits for the Education part of the Education & Communities Committee.

Rev. Donaldson joined the meeting during discussion of this item.

Decided: that the updates on (a) Review of Secondary Parentpay Usage, and (b) Placing Request Appeals and Future Pressures on the Learning Estate, be noted.

217 Education & Communities Committee: Expedited Business, Relevant Updates and Operational Log for the Education Part of the Committee 217

There was submitted a report by the Corporate Director Education, Communities & Organisational Development requesting the Committee consider expedited business, relevant updates and the operational log for the Education part of the Education & Communities Committee.

Councillor Curley left the meeting during discussion of this item.

Decided:

- (1) that the updates on (a) arrangements for opening of schools, (b) Scottish Attainment Challenge – Summary of Progress Report 2015-2020, (c) Audit Scotland Report on Improving Outcomes for Young People Through School Education (d) SQA qualifications, (e) Early Learning and Childcare Expansion Programme, (f) Scottish Government's Recovery Grants for Education, (g) Review of ASN Support Staff, (h) West Partnership Interim Action Plan, (h) School Transport Contract Renewals, (i)

EDUCATION AND COMMUNITIES COMMITTEE – 11 MAY 2021

phasing of free school meals, (i) Bring Your Own Device, and (j) Education Services Standards and Quality Report 2020/21 and Service Improvement Plan 2021/22, be noted;

(2) that the proposed phasing-in of free school meals to all primary pupils and the request to the Policy & Resources Committee for £192k funding to support this be agreed;

(3) that the proposed changes to Bring Your Own Device in all educational establishments be approved; and

(4) that it be remitted to officers to provide an update report on the Scottish Attainment Challenge to a future meeting of the Committee, the date of which should be after the proposed review of care experienced children and young people's fund plans as detailed in Paragraph 5.2 of the report, in order to capture this within the report.

GENERAL PURPOSES BOARD – 12 MAY 2021

General Purposes Board

Wednesday 12 May 2021 at 10am

Present: Provost Brennan, Councillors Alhfeld, Brooks, Crowther, Dorrian, MacLeod, J McEleny, Moran and Quinn.

Chair: Councillor Dorrian presided.

In attendance: Mr D Keenan (for Interim Head of Legal Services), Ms F Denver and Mr C MacDonald (Legal Services) and Sergeant I Robertson (Police Scotland).

The Meeting was held by video conference.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.

- | | | |
|------------|--|------------|
| 218 | Apologies, Substitutions and Declarations of Interest | 218 |
| | An apology for absence was intimated on behalf of Councillor Curley with Councillor Crowther substituting. | |
| | No declarations of interest were intimated. | |
| 219 | Taxi Fares Review 2020/2021 | 219 |
| | Mr Keenan advised that this item would not be called before the Board today, however it will be placed on the Agenda for the June meeting. | |
| | It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended, that the public and press be excluded from the meeting during consideration of the following item on the grounds that the business involved the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7(A) of the Act. | |
| 220 | Application for Grant of Late Hours Catering Licence | 220 |
| | There was submitted a report by the Interim Head of Legal Services on an application for the Grant of a Late Hours Catering Licence, which was refused, all as detailed in the Appendix. | |

POLICY & RESOURCES COMMITTEE – 25 MAY 2021

Policy & Resources Committee

Tuesday 25 May 2021 at 3pm

Present: Councillors Ahlfeld, Clocherty, Crowther, Curley, McCabe, McCormick, McVey, Moran, Rebecchi, Robertson and Wilson.

Chair: Councillor McCabe presided.

In attendance: Chief Executive, Interim Service Director Corporate Services & Organisational Recovery, Interim Service Director Environment & Economic Recovery, Corporate Director Education, Communities & Organisational Development, Interim Head of Legal Services, Interim Head of Public Protection & Recovery, Mr A Stevenson (for Corporate Director (Chief Officer) Health and Social Care Partnership), Head of Organisational Development Policy and Communications, Mr C MacDonald and Ms L Carrick (Legal Services), Procurement & Building Services Manager, Mr R McEwan (Human Resources), Corporate Policy Manager, Ms K Barclay (Corporate Policy Officer), Finance Manager (Corporate Services & Finance Strategy), ICT Service Manager and Service Manager Communications, Tourism and Health & Safety.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Committee.

221 Apologies, Substitutions and Declarations of Interest

221

No apologies for absence were intimated.

Declarations of interest were intimated as follows:

Agenda Item 2 (COVID-19 Update) – Councillor McVey.

Agenda Item 3 (Financial Update Including ICT Strategy 2021/24 and Digital Strategy 2021/24) – Councillor Clocherty.

Agenda Item 4 (SOLACE Improving Local Government Benchmarking Framework 2019/20) – Councillor Clocherty.

Agenda Item 5 (Recovery Action Plans) – Councillor Clocherty.

Agenda Item 6 (Proposals for Anti-Poverty Interventions 2021-23) – Councillor Robertson.

222 COVID-19 Update

222

There was submitted a report by the Interim Service Director Environment & Economic Recovery (1) providing an update on actions taken to mitigate the risks around the Covid-19 outbreak and (2) requesting that consideration be given to expedited business and relevant updates.

During the course of discussion on this item, the Interim Head of Public Protection & Recovery provided an update on local vaccination figures, advising that as of the date of the meeting 74% of the Inverclyde adult population had received a first dose and 43% had received a second dose.

Councillor McVey declared a financial interest in this item as a taxi operator. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the meeting.

POLICY & RESOURCES COMMITTEE – 25 MAY 2021

Decided:

- (1) that the actions taken to date to mitigate the effects of the Covid-19 outbreak in Inverclyde be noted;
- (2) that the update on the Community Renewal Fund process, and that the approval process prior to submission may be through the use of the emergency powers process, be noted;
- (3) that approval be given to an amendment to the Council's Pensions Discretions Policy to apply the available discretion to introduce a Salary Sacrifice Shared Cost Additional Voluntary Contributions Scheme;
- (4) that the update on the Health and Wellbeing Strategy be noted; and
- (5) that the progress on the Inverclyde Jobs Recovery Plan be noted.

223 Financial Update including ICT Strategy 2021/24 and Digital Strategy 2021/24 223

There was submitted a report by the Interim Service Director, Corporate Services & Organisational Recovery (1) providing an update on a range of financial governance matters and (2) seeking decisions as appropriate, specifically in relation to the Council's ICT and Digital Strategies.

Councillor Clocherty declared a non-financial interest in this item as a member of the Board of Inverclyde Leisure. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the meeting or his participation in the decision-making process.

Decided:

- (1) that the projected underspends in the Policy & Resources Committee Budget and 2020/21 General Fund Budget as at 28 February 2021 be noted;
- (2) that approval be given to the £80,000 virement from the Welfare Reforms Budget to the Anti-Poverty Budget;
- (3) that the current position of the 2020/24 Capital Programme be noted;
- (4) that the allocation of a further £771,000 towards funding the projected 2020/23 Inverclyde Leisure deficit be agreed;
- (5) that the current estimated unallocated contingency of £1,260,000 within the Covid Fund be noted;
- (6) that as part of the 2020/21 Accounts closure process approval be given to the creation of the new Earmarked Reserves as detailed in Appendix 8 of the report;
- (7) that the virement of £401,000 from the Non-Pay Inflation Contingency to the Inverclyde Integration Joint Board to meet contract inflationary increases within Elderly Care be agreed;
- (8) that approval be given to the 2021/24 ICT and Digital Strategies and it be noted that regular updates on the progress of the related Action Plans will be provided to Committee; and
- (9) that the contract award information detailed in the report and Appendices 11-13 be noted.

224 SOLACE Improving Local Government Benchmarking Framework 2019/20 224

There was submitted a report by the Head of Organisational Development, Policy & Communications (1) providing an update on the Local Government Benchmarking Framework (LGBF) 2019/20 data and (2) highlighting Inverclyde's performance across the range of indicators.

Councillor Clocherty declared a non-financial interest in this item as a member of the Board of Inverclyde Leisure. He also formed the view that the nature of his interest and

POLICY & RESOURCES COMMITTEE – 25 MAY 2021

of the item of business did not preclude his continued presence in the meeting or his participation in the decision-making process.

Decided:

- (1) that Inverclyde Council's progress on the Local Government Benchmarking Framework 2019/20 be noted; and
- (2) that it be agreed to receive a further report when the information relating to the indicators detailed in paragraph 5.4 of the report have been published.

225 Recovery Action Plans

225

There was submitted a report by the Interim Service Director Corporate Services & Organisational Recovery (1) seeking approval for the proposals for funding from the Council's Recovery Fund and (2) bringing the Organisational and Partnership Recovery Action Plans to the Committee's attention.

Councillor Clocherty declared a non-financial interest in this item as a member of the Board of Inverclyde Leisure. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the meeting or his participation in the decision-making process.

Decided:

- (1) that the proposals for spend against the Covid Recovery Fund detailed in Appendix 1 of the report be agreed;
- (2) that an allocation of a further £500,000 from the Covid Fund to the Recovery Action Plans be agreed;
- (3) that approval be given to the Organisational Recovery Action Plan as detailed in Appendix 2 of the report;
- (4) that that the Partnership Recovery Action Plan detailed in Appendix 3 of the report, which will go to the June meeting of the Alliance Board, be noted.

226 Proposals for Anti-Poverty Interventions 2021-2023

226

There was submitted a report by the Corporate Director Education, Communities & Organisational Development outlining a series of proposals on the deployment of funds allocated to anti-poverty initiatives in Inverclyde.

Councillor Robertson declared a non-financial interest in this item as a Board Member of Financial Fitness and as a member of the Inverclyde Community Development Trust. She also formed the view that the nature of her interest and of the item of business did not preclude her continued presence in the meeting or her participation in the decision-making process.

Decided:

- (1) that approval be given to the proposals detailed in paragraph 5 of the report;
- (2) that approval be given to the virement of £80,000 from the Welfare Reforms budget to the Anti-Poverty budget;
- (3) that it be noted that officers will continue to develop proposals to utilise the remaining funds for Members to consider in the context of the Covid Recovery Plans;
- (4) that it be noted that regular updates on the progress of projects and the impact of the investment will be presented to the Committee; and
- (5) that it be noted that longer term proposals for the use of the recurring budget in light of any changes to Scottish Government policy/funding will be reported as part of the 2022/23 Budget.