
Report To:	Environment & Regeneration Committee	Date:	28 October 2021
Report By:	Interim Service Director, Environment & Economic Recovery	Report No:	ENV020/21/SJ/GC
Contact Officer:	Stuart Jamieson	Contact No:	01475 715581
Subject:	Consultation re Proposed Lease of - Advertising Hoarding Site, 95 Dalrymple Street, Greenock		

1.0 PURPOSE

- 1.1 The purpose of this report is to seek authority from the Committee for officers to commence a consultation in relation to a proposed lease of the advertising hoarding site at 95 Dalrymple Street, Greenock, being property forming part of the common good.

2.0 SUMMARY

- 2.1 Officers are in discussion with a prospective tenant regarding a proposed lease by them from the Council of the Advertising Hoarding site at 95 Dalrymple Street, Greenock. The subjects of the proposed lease form part of the common good of the former Burgh of Greenock.
- 2.2 In terms of the Community Empowerment (Scotland) Act 2015, a public consultation is required prior to the Council reaching a decision on the proposed lease. The form of consultation is set out in the body of this report.
- 2.3 This report seeks the Committee's authority for such a consultation.
- 2.4 The tenant is responsible for obtaining all Statutory consents in respect of the proposed use of the subjects.

3.0 RECOMMENDATIONS

It is recommended that the Committee:

- 3.1 Grants delegated authority to the Interim Service Director, Environment & Economic Recovery to progress a consultation in terms of the Community Empowerment (Scotland) Act 2015 in relation to the lease proposal set out in paragraph 5.1 of this report; and
- 3.2 Notes that a further report will be brought to a future meeting of the Committee on the outcome of the consultation.

4.0 BACKGROUND

- 4.1 In terms of S.104 of the Community Empowerment (Scotland) Act 2015 (the 2015 Act), before taking any decision to dispose of, or change the use of, common good property the Council local authority must carry out a consultation, in that it must:
- publish details about the proposed disposal or, as the case may be, the use to which the authority proposes to put the property as;
 - invite responses on that proposal; and
 - have regard to those responses in reaching a decision on the proposal.
- 4.2 A number of such consultations have previously been carried out by the Council. In line with the requirement of the 2015 Act and the Council's established practices such a consultation involves:
- notice of the proposal being placed at the property in question, on the Council website, in the Municipal Buildings Contact Centre, and in local libraries;
 - intimation being sent to any community group known by officers to have an interest in the property in question; and
 - Intimation being sent to any active community council in whose area the property sits.
- Guidance would be sought from Community Learning and Development colleagues on the community groups who should be advised. For a lease of the type proposed in this report, namely an at market rent lease in normal FRI terms of property in the Commercial and Industrial portfolio, officers would limit intimation to community councils to that required under the 2015 Act, namely to the community council for the area in which the property sits. The consultation must remain open for responses for a minimum period of 8 weeks.
- 4.3 The advertising hoarding site at 95 Dalrymple Street, Greenock] (the Property) is shown outlined on the plan at Appendix 1. The Property is part of the common good of the former Burgh of Greenock.
- 4.4 Officers are in discussion with a prospective tenant in relation to the Property. The proposed lease, the terms of which are detailed later in this report, would constitute a disposal of common good land for the purposes of the 2015 Act, and as consultation is therefore required.
- 4.5 As the proposed lease is for a period in excess of 5 years, it is not a matter Officers can deal with in terms of delegated powers under the Scheme of Delegation, and this lease proposal would in any event be brought to the Committee for approval. It is therefore appropriate that authority of the Committee also be sought for the initial consultation process.

5.0 PROPOSALS

- 5.1 Officers are presently in discussion with Bowman Rebecchi Limited in relation to their leasing of the Property:
- for use for the installation and thereafter operation of a digital advertising billboard at the Property;
 - for a period of 10 years;
 - at an agreed market rental, subject to regular rent reviews; and
 - otherwise, on standard full repairing and insuring terms.
- 5.2 The site at Dalrymple Street was previously suitable for use as a double advertising hoarding site. However due to hoarding visibility issues caused by a specimen of Caucasian Lime tree which has a semi- pendulous habit with the branches arising relatively high on the main trunk, the site capacity was reduced to single hoarding in 2018 following early termination of the previous tenants lease. The site has been vacant ever since. This proposed lease would maximise the income potential of the site particularly given the aforementioned reduced hoarding capacity.
- 5.3 If the recommendations in this report are approved, officers will progress a consultation in the form outlined above, and will thereafter bring a report to a future meeting of the Committee

detailing the outcome of and any responses to the consultation and seeking a decision on the proposed lease.

6.0 IMPLICATIONS

6.1 Finance

Financial Implications:

One off Costs

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

Annually Recurring Costs/ (Savings)

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

6.2 Legal

As the lease proposal constitutes a disposal in of common good property, a consultation of the type for which authority is sought is required in terms of the Community Empowerment (Scotland) Act 2015, and the Council must have regard to any responses to that consultation when reaching a decision on the proposed lease.

6.3 Human Resources

None.

6.4 Equalities

Equalities

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

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

(b) Fairer Scotland Duty

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

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

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

Has a Data Protection Impact Assessment been carried out?

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

6.5 Repopulation

None.

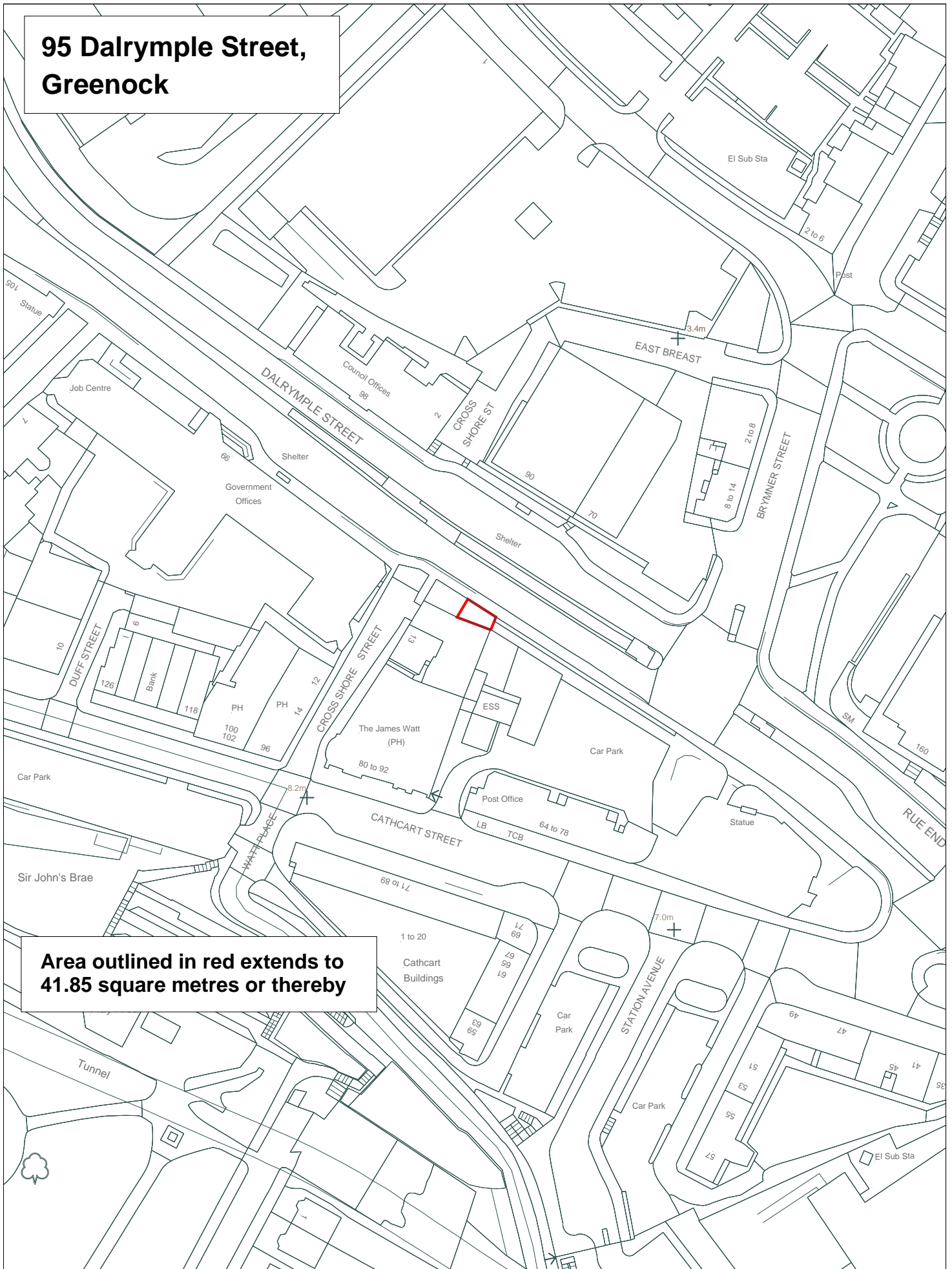
7.0 CONSULTATIONS

7.1 The Interim Head of Legal Services and the Chief Financial Officer have been consulted on the terms of this report.

8.0 BACKGROUND PAPERS

8.1 None.

95 Dalrymple Street,
Greenock



Area outlined in red extends to
41.85 square metres or thereby

