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<b>Report To:</b>	<b>Environment &amp; Regeneration Committee</b>	<b>Date:</b>	<b>28 October 2021</b>
<b>Report By:</b>	<b>Interim Service Director, Environment &amp; Economic Recovery</b>	<b>Report No:</b>	<b>ENV031/21/SJ</b>
<b>Contact Officer:</b>	<b>Stuart Jamieson</b>	<b>Contact No:</b>	<b>01475 712709</b>
<b>Subject:</b>	<b>General Update</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to provide the Committee with an update on a number of projects.

## **2.0 SUMMARY**

- 2.1 Since the impact of COVID-19, Committee has been advised of a number of noting points via an expedited business report or update.
- 2.2 Section 4 provides Members with a general update on a number of general progress updates.
- 2.3 Members are also asked to note the use of Emergency Powers in order to allow public attendance at the remote online meetings of the Planning Board and Local Review Body in May and June.

## **3.0 RECOMMENDATION**

The Committee is asked to:

- 3.1 a) Note the various updates provided in section 4 of the report.
- b) Note the use of Emergency Powers by the Chief Executive to allow public attendance at the remote online meetings of the Planning Board and Local Review Body in May and June 2021.

**Stuart Jamieson**  
**Interim Service Director, Environment & Economic Recovery**

## **4.0 UPDATE**

### **Gourock - Dunoon Ferry update**

- 4.1 Officers attend regular meetings of the Gourock - Dunoon officer group. A summary of activity is as follows
- 4.2 The team have developed the Gourock Infrastructure options and selected a preferred option. CMAL are currently undertaking a public consultation on: the process followed which delivered the initial 6 options, how these were evaluated and the details of the preferred option number 6. This was the option endorsed by this Reference Group for Gourock. As part of the wider project, Transport Scotland have also provided an update on their Policy work. Consultation is due to close on 1st October 2021, following this the team will then finalise the Outline Business Case for submission to Transport Scotland.
- 4.3 The project team have carried out additional scoping works associated with vessel hull form options to validate the outline vessel characteristics discussed with the Reference Group 28th May. The Working Group have progressed four options covering both monohull and catamaran hull forms. The Working Group have had a recommended preferred platform and will be taking this forward with the Reference Group on 19th October. Public Consultation will then follow-on in late Autumn this year.
- 4.4 Outline options have been worked up for Dunoon and presented to the Working Group. These are currently awaiting further development once the Gourock Public Consultation has been completed and the Dunoon concept vessel determined. This will allow the Dunoon options to benefit from the consultation exercises and further detail on the Dunoon Concept vessel.
- 4.5 This became part of this programme of works a year after the Gourock-Dunoon project was initiated. Policy and scoping works are on-going. The Kilcreggan concept vessel design will follow on after the Dunoon Concept Vessel design has been completed.
- 4.6 Outline options have been worked up for Kilcreggan and presented to the Working Group. This has allowed for interoperability and vessel and infrastructure operational aspects to be considered. Further development will be taken forward once the Gourock Public Consultation has been completed and the Kilcreggan concept vessel progressed

### **External Organisations Governance**

- 4.7 Regeneration and Planning are responsible for interaction with four external organisations which fall within the remit of Governance of External Organisations
- 4.8 Inverclyde Community Trust provide contracted employability services under contract with the Council. Regular monitoring meetings take place with payment subject to validated invoice. Regular Board meetings take place. Elected Members participate in Board meetings.
- 4.9 Inverclyde Advice and Employment Rights Service provide contracted employability services under contract with the Council. Regular monitoring meetings take place with payment subject to validated invoice. Regular Board meetings take place.
- 4.10 Stepwell provide contracted employability services under contract with the Council. Regular monitoring meetings take place with payment subject to validated invoice. Regular Board meetings take place
- 4.11 Riverside Inverclyde and their subsidiary company RIPH Ltd are managed on behalf of their Boards under Service Level agreements with the Council. Regular monitoring meetings take place with payment subject to validated invoice with their independent accountants with legal advice also provided independently. Regular Board meetings take place. Elected Members participate in Board meetings.

## Sustrans Funding

- 4.12 A final construction bid has been submitted for the works at West Blackhall Street. This is a competitive bid with a decision on the outcome by 22<sup>nd</sup> November 2021.

## City Deal

- 4.13 All three Inverclyde Projects continue with positive momentum.

### Greenock Ocean Terminal

- 4.14 Marine Works complete and proving to be popular with cruise lines. Terminal building works progressing with piling due to be complete at the end of next week. This is causing the cinema operator some distress, particularly with the launch of the Bond Film. Contractor is projecting a 12 week delay in handover. Engagement with Buzzworks is ongoing with good progress. Expect GWF business plan by the end of October. Greenock has only had a maximum of 400 embarkations/annum however we have met with MSC with a view to increasing this – potential positive economic impact.

### Inchgreen

- 4.15 Final negotiations ongoing with Peel on JV expected by the end of October to allow FBC to be submitted to City Deal. Scottish Salmon engaged in design works, supported by City Deal on 5 acre site along with options. Draft Heads issued by Peel, which would transfer to the JV.

### Inverkip

- 4.16 We continue to pursue Scottish Power. There is positive momentum with both their planning permission in principle for the main site and we now have them engaging with procurement on the design works for the site which they now want to take forward in partnership. Meetings are taking place with procurement, roads and legal to find a way forward.

## Greenports

- 4.17 Dialogue on Freeports / Greenports continues with both the Scottish and UK Governments as part of a metropolitan City Region bid across four port areas.

## Use of Emergency Powers

- 4.18 Members are asked to note the use of Emergency Powers as per the reports attached at Appendices 1a and 1b. Emergency Powers were sought in order to allow public attendance by invitation only to the remote online meetings of the Planning Board and Local Review Body in May and June 2021.

## 5.0 IMPLICATIONS

### 5.1 Finance

#### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
N/A					

#### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (If Applicable)	Other Comments
N/A					

## 5.2 Legal

None.

## 5.3 Human Resources

None.

## 5.4 Equalities

### Equalities

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

### Fairer Scotland Duty

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

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

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

### Data Protection

Has a Data Protection Impact Assessment been carried out?

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

## 5.5 Repopulation

N/A

## 6.0 CONSULTATIONS

6.1 None.

## 7.0 LIST OF BACKGROUND PAPERS

7.1 None.

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<b>Report To:</b>	<b>Interim Head of Legal Services</b>	<b>Date:</b>	<b>25<sup>th</sup> May 2021</b>
<b>Report By:</b>	<b>Interim Service Director, Environment &amp; Economic Recovery</b>	<b>Report No:</b>	<b>R+P/EP/05/01</b>
<b>Contact Officer:</b>	<b>Stuart Jamieson</b>	<b>Contact No:</b>	<b>01475 712402</b>
<b>Subject:</b>	<b>Request for use of Emergency Powers – Public attendance at Remote Online Planning and Local Review Body Meetings</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to seek member approval under Emergency Powers to allow members of the public attendance at remote online Planning Board and Local Review Body meetings in June 2021.

## 2.0 SUMMARY

- 2.1 Since the beginning of the COVID-19 pandemic the public have not been able to attend either Planning Board or Local Review Body meetings and whilst there is no legal requirement for public attendance, it is considered desirable in the interests of transparency and community engagement.
- 2.2 In December 2020 the Head of Legal and Property Services presented a report entitled COVID-19: Online Remote Council and Committee meetings which highlighted that it had not yet been possible to implement live web casting of public interest meetings of the Planning Board and Local Review Body. Officers are still investigating the means to live webcast these meetings but further work requires to be undertaken in this regard.
- 2.3 Two Pre-Determination hearings were heard by the Planning Board on 28th April 2021. A Pre-Determination Hearing differs from a Planning Board Meeting in that applicants have a legal right to participate in a Pre-Determination hearing through representations. There is no such right of participation at a Planning Board Meeting.
- 2.4 The Planning Board Members, Officers, the applicant, and a number of others wishing to attend the Two Pre-Determination hearings on 28 April 2021 all received invites to the online meeting. Anyone who made an objection or other representation but would not be speaking at the meeting was extended an invite via Webex to observe the on-line meetings. This extended to approximately fifty people at each meeting
- 2.5 Following consent under emergency powers it was agreed to undertake a trial at the May 2021 Planning Board and Local Review Body Meetings. As these trials were successful it is proposed to extend the trial to the June Planning Board and Local Review Body meetings. It is anticipated that other formal arrangements will be in place after the summer recess.

## 3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Convener and Vice Convener of the Environment & Regeneration Committee and the most senior Member of the Committee not having the same political affiliation be asked to give approval to members of the public attending remote online meetings

of the Planning Board and Local Review Body , for the purpose of observation only , in June 2021 on a trial basis through a Webex invite .

Stuart Jamieson  
Interim Service Director of Environment and Economic Recovery

## **4.0 BACKGROUND**

- 4.1 The impact of COVID-19 on the community in Inverclyde is well documented and has resulted in the Council deploying special interventions to maintain Council business.
- 4.2 The Policy & Resources Committee at its meeting on 24 March 2020 authorised the suspension of all Council, Committee and Sub-Committee meetings for the duration of the emergency and delegated full powers of all Committees to the Executive Sub-Committee which met in the period from April to July as an emergency business Committee.
- 4.3 At the 2 June 2020 meeting of the Executive Sub-Committee, approval was given to the dates set out in the administrative arrangements for the Council's committee cycle 2020/21 and Members and officers are working to that agreed timetable for meetings.
- 4.4 In September 2020 a further update report was provided and the Council, at its December 2020 meeting gave approval to all meetings of the Council, Committees, Sub-Committees and Boards being held on a remote online only basis until further review following any future designation of Inverclyde as within Tier 0 of the Scottish Government local protection levels.
- 4.5 In the same December 2020 report it was stated that it had not been possible, as at that date to introduce the live webcasting of public interest meetings of the Planning Board and the Local Review Body (where applicants have no right nor entitlement to make representations). Officers have been investigating the means to live webcast these meetings but further work on this aspect of development needs to be undertaken as it does appear that more work and staff resources are needed to interface the two systems for the standards of effective webcasting expected for these meetings. In the meantime, in the interests of transparency and community engagement, it is considered appropriate to explore alternative means by which members of the public can observe these meetings.
- 4.6 Whilst Pre-Determination Hearings involve Planning Board Members, the operation and status of Pre-Determination Hearings are different from Planning Board Meetings. The applicant has a legal right to participate through representation at a Pre-Determination hearing unlike a Planning Board Meeting where there is no legal entitlement for applicants or others to make representations. In the course of considering suitable arrangements for applicants and others to observe the remote online Pre-Determination hearings on 28 April 2021 a potential solution has been found to enable members of the public to attend remote online meetings of the Planning Board and Local Review Body by inviting members of the public to observe the meetings via Webex. This was trialled successfully at the May Planning Board and Local Review Body meetings

## **5.0 PROPOSALS**

- 5.1 A planning application or local review body review goes through a formal process including engagement with the applicant, statutory bodies and the public. Whilst there is no legal entitlement for applicants or others to make representations to the Planning Board or Local Review Body during non COVID-19 times the Council Chambers are open to the public to observe the meetings.
- 5.2 In the interests of transparency and community engagement it is proposed to invite members of the public who express an interest to observe remote online Planning Board and Local Review Body Meetings in June 2021 as an extension to the trial. The public will not be

allowed to participate in the meeting however they will be able to view the meeting.

## 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

**Local Authorities have authority to exclude the public from meetings in terms of paragraph 13 of Schedule 6 to the Coronavirus (Scotland) Act 2020 during the COVID pandemic. This does not prevent the public from attending remote on line meetings of the Planning Board and Local Review Body.**

### 6.3 Human Resources

There are no HR implications arising.

### 6.4 Equalities

#### Equalities

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

	YES (see attached appendix)
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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NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.

NO

6.5 **Repopulation**  
No impact

7.0 **CONSULTATIONS**

7.1 The Head of Legal has been consulted in the preparation of this report

8.0 **BACKGROUND PAPERS**

8.1 None

<b>Report To:</b>	<b>Interim Head of Legal Services</b>	<b>Date:</b>	<b>29 April 2021</b>
<b>Report By:</b>	<b>Interim Service Director, Environment &amp; Economic Recovery</b>	<b>Report No:</b>	<b>R+P/EP/04/01</b>
<b>Contact Officer:</b>	<b>Stuart Jamieson</b>	<b>Contact No:</b>	<b>01475 712402</b>
<b>Subject:</b>	<b>Request for use of Emergency Powers – Public attendance at Remote Online Planning and Local Review Body Meetings</b>		

## 1.0 PURPOSE

1.1 The purpose of this report is to seek member approval under Emergency Powers to allow members of the public attendance at remote online Planning Board and Local Review Body meetings in May 2021.

## 2.0 SUMMARY

2.1 Since the beginning of the COVID-19 pandemic the public have not been able to attend either Planning Board or Local Review Body meetings and whilst there is no legal requirement for public attendance, it is considered desirable in the interests of transparency and community engagement.

2.2 In December 2020 the Head of Legal and Property Services presented a report entitled COVID-19: Online Remote Council and Committee meetings which highlighted that it had not yet been possible to implement live web casting of public interest meetings of the Planning Board and Local Review Body. Officers are still investigating the means to live webcast these meetings but further work requires to be undertaken in this regard.

2.3 Two Pre-Determination hearings were heard by the Planning Board on 28th April 2021. A Pre-Determination Hearing differs from a Planning Board Meeting in that applicants have a legal right to participate in a Pre-Determination hearing through representations. There is no such right of participation at a Planning Board Meeting.

2.4 The Planning Board Members, Officers, the applicant, and a number of others wishing to attend the Two Pre-Determination hearings on 28 April 2021 all received invites to the online meeting. Anyone who made an objection or other representation but was not speaking to the meeting was extended an invite via Webex to observe the on-line meetings. This extended to approximately fifty people at each meeting

2.5 Whilst most applications considered by the Planning Board and the Local Review Body do not generate significant public interest it is recommended that the arrangements utilised for the Pre-Determination hearings on 28 April 2021 be trialled at the remote online May Planning Board and Local Review Body to afford the applicants and members of the public involvement in the process through observation.

## 3.0 RECOMMENDATIONS

3.1 It is recommended that the Convener and Vice Convener of the Environment & Regeneration Committee and leader of the largest non administration Group be asked to give approval to

members of the public attending remote online meetings of the Planning Board and Local Review Body , for the purpose of observation only , in May 2021 on a trial basis through a Webex invite .

Stuart Jamieson  
Interim Service Director of Environment and Economic Recovery

## **4.0 BACKGROUND**

- 4.1 The impact of COVID-19 on the community of Inverclyde is well documented and has resulted in the Council deploying special interventions to maintain Council business.
- 4.2 The Policy & Resources Committee at its meeting on 24 March 2020 authorised the suspension of all Council, Committee and Sub-Committee meetings for the duration of the emergency and delegated full powers of all Committees to the Executive Sub-Committee which met in the period from April to July as an emergency business Committee.
- 4.3 At the 2 June 2020 meeting of the Executive Sub-Committee, approval was given to the dates set out in the administrative arrangements for the Council's committee cycle 2020/21 and Members and officers are working to that agreed timetable for meetings.
- 4.4 In September 2020 a further update report was provided and the Council, at its December 2020 meeting gave approval to all meetings of the Council, Committees, Sub-Committees and Boards being held on a remote online only basis until further review following any future designation of Inverclyde as within Tier 0 of the Scottish Government local protection levels.
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## **5.0 PROPOSALS**

- 5.1 A planning application or local review body review goes through a formal process including engagement with the applicant, statutory bodies and the public. Whilst there is no legal entitlement for applicants or others to make representations to the Planning Board or Local Review Body during non COVID-19 times the Council Chambers are open to the public to observe the meetings.
- 5.2 In the interests of transparency and community engagement it is proposed to invite members of the public who express an interest to observe remote online Planning Board and Local Review Body Meetings in May 2021 as a trial. The public will not be allowed to participate in

the meeting however they will be able to view the meeting.

## 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
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Annually Recurring Costs/ (Savings)

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#### Equalities

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X	NO
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(c) Data Protection

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X	NO

6.5 **Repopulation**  
No impact

**7.0 CONSULTATIONS**

7.1 The Head of Legal has been consulted in the preparation of this report

**8.0 BACKGROUND PAPERS**

8.1 None