

A meeting of the Environment & Regeneration Committee will be held on Thursday 9 March 2023 at 3pm.

Members may attend the meeting in person or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Wednesday 8 March 2023 how they intend to access the meeting.

In the event of connectivity issues, Members are asked to use the *join by phone* number in the Webex invitation and as noted above.

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IAIN STRACHAN
Head of Legal & Democratic Services

BUSINESS

****Copy to follow**

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2. 2022/23 Environment & Regeneration Revenue Budget as at 31 December 2022 Report by Interim Director, Finance & Corporate Governance and Director, Environment & Regeneration	p
3. Environment & Regeneration Capital Programme 2022/25 - Progress Report by Director, Environment & Regeneration and Interim Director, Finance & Corporate Governance	p
4. Environment and Regeneration Corporate Directorate Improvement Plan Progress Report 2022/23 Report by Director, Environment & Regeneration and Interim Director, Finance & Corporate Governance	p
NEW BUSINESS	
5. General Update ** Report by Director, Environment & Regeneration	p

6.	Roads & Transportation – Proposed RAMP/Capital Programme for 2023/24 Report by Director, Environment & Regeneration		p
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ROUTINE DECISIONS AND ITEMS FOR NOTING			
13.	Business Development Service Report by Director, Environment & Regeneration		p
14.	Roads & Transportation – General, EVCP & PCN Charges for 2023/24 Report by Director, Environment & Regeneration		p
15.	Naming of Private Road Serving New Development at Whitelea Road, Kilmacolm Report by Director, Environment & Regeneration		p
<p>The documentation relative to the following items has been treated as exempt information in terms of the Local Government (Scotland) Act 1973 as amended, the nature of the exempt information being that set out in the paragraphs of Part I of Schedule 7(A) of the Act whose numbers are set out opposite the heading to each item.</p>			
NEW BUSINESS			
16. **	Clune Park Update Report by Interim Director, Environment & Regeneration providing an update with respect to the Clune Park estate.	Paras 8 & 9	p
ROUTINE DECISIONS AND ITEMS FOR NOTING			
17.	Property Asset Management – Private Report on (a) proposed sale of land at William Street, Port Glasgow (b) sale of Murdieston Park Cottage (c) proposed sale of land at Market Place, Kilmacolm Report by Director, Environment & Regeneration making recommendations in respect of a number of property assets.	Paras 6 & 9	p
18.	Commercial and Industrial Portfolio Information – Scheme of Delegation Register Report by Director, Environment & Regeneration providing an update on the management of Inverclyde Council's commercial and industrial portfolio.	Paras 2, 6 & 9	p

The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.

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Enquiries to – Colin MacDonald – Tel 01475 712113
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Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Interim Director Finance & Corporate Governance and Director Environment & Regeneration	Report No:	FIN/12/23/AP/MT
Contact Officer:	Julie Ann Wilson	Contact No:	01475 712636
Subject:	2022/23 Environment & Regeneration Revenue Budget at 31 December 2022.		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to advise the Committee of the 2022/23 Environment & Regeneration Revenue Budget projected position at 31 December 2022.

1.3 The revised 2022/23 Revenue Budget for the Environment and Regeneration Committee is £23,274,450, which excludes Earmarked Reserves. The latest projection is an underspend of £286,000 (1.23%) which is an increase in the underspend of £154,000 since the Period 7 report and is largely due to an increase in projected turnover savings and projected income, partly offset by an increase in central repairs. More details are provided in section 3 and the appendices.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee notes that the Committee's Revenue Budget is currently projected to underspend in 2022/23 by £286,000 based on figures at 31 December 2022.

Alan Puckrin
Interim Director Finance & Corporate Governance

Stuart Jamieson
Director Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

3.1 The revised 2022/23 budget for Environment and Regeneration, excluding earmarked reserves, is £23,274,450. This is an increase of £2,116,000 from the approved budget, prior to transfers to earmarked reserves. Appendix 1 gives details of this budget movement.

3.2 2022/23 PROJECTED OUT-TURN (£286,000 Underspend – 1.23%)

The reason for the movement of £154,000 from Period 7 is due to an increase in turnover and projected income, partly offset by an increase in central repairs. The main variances contributing to the projected net underspend are listed below.

- a) £198,000 shortfall in Planning Income. This is a combination of historical trends and current staffing shortages. £110,000 was allocated as part of the 2022/23 Budget to reduce the income target but the shortfall in income remains in line with 2021/22. A budget pressure of £125,000 has been approved from 2023/24.
- b) £95,000 shortfall in Burials and Cremation Income. This is after the allocation of £50,000 to reduce the income target as part of the 2022/23 Budget. A further budget pressure of £125,000 has been approved from 2023/24.
- c) £60,000 shortfall in Trade Waste Income which is in line with previous years. Trade Waste is being reviewed as part of the Delivering Differently Programme with a report from officers included elsewhere on this agenda.
- d) A projected underspend in the Workforce Development Fund of £58,000 due to the availability of external grants. The full budget has been taken as a saving from 2023/24.
- e) A projected underspend in Tourism grants of £33,000 due to decrease in the number of applications. A saving of £24,000 has been approved from 2023/24.
- f) £84,000 shortfall in Parking income and £30,000 shortfall PCN income due to less activity following reintroduction of charging.
- g) Projected over recoveries in waste across scrap metal and tipping charges £140,000.
- h) Projected overspend in Refuse Collection agency costs £135,000 partly offset by a reduction overtime and turnover from vacant posts.
- i) Projected overspend in central repairs of £100,000 due to an increase in works carried out.
- j) A projected over recovery of £742,000 against the turnover target due to delays in recruiting certain posts.

The above figures exclude the significant increase in utility costs which are being managed and reported in 2022/23 via the Policy & Resources Committee.

3.3 EARMARKED RESERVES

Appendix 4 gives an update on the operational Earmarked Reserves, ie excluding strategic funding models. Spend to 31 December 2022 on these operational Earmarked Reserves is £1,624,000 (45.5% of projected spend). A comprehensive review of all earmarked reserves was undertaken as part of the 2023/25 Budget, with a number of write backs approved in December 2022.

4.0 PROPOSALS

4.1 The above figures for 2022/23 include the additional cost in 2022/23 of £639,000 vired from the inflation contingency in relation to the increase in the Council's waste contract.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO	N/A
Financial		X	
Legal/Risk		X	
Human Resources		X	
Strategic (LOIP/Corporate Plan)		X	
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

One off Costs

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

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

There are no legal implications arising from this report.

5.4 Human Resources

There are no HR implications arising from this report.

5.5 Strategic

There are no Strategic implications arising from this report.

6.0 CONSULTATION

6.1 The figures in this report are based on the discussions with budget holders.

7.0 BACKGROUND PAPERS

7.1 None.

Environment & Regeneration Budget Movement - 2022/23**PERIOD 9: 1st April 2022 - 31st December 2022**

Service	Approved Budget		Movements			Revised Budget
	2022/23 £000	Inflation £000	Virement £000	Supplementary Budgets £000	Transferred to EMR £000	2022/23 £000
Regeneration, Planning & Public Protection	6,602	244	1		(265)	6,582
Property Services	2,124	199	(34)	75		2,364
Roads & Environmental	12,543	1,624	3			14,170
Corporate Director	154	4	0			158
Totals	21,424	2,071	(30)	75	(265)	23,275

Movement Details

£000

External Resources

0

Inflation

Roads Client - external power	49,140
Roads	50,000
Property	50,000
Vehicle Maintenance - Fuel expenditure	200,000
Vehicle Maintenance - Fuel income	(200,000)
Fuel	181,430
Waste contract increase	639,000
Pay inflation	1,102,830

2,072,400

Virements

AMP	(46,000)
CCTV Contract from AMP	6,000
Insurance	24,250
Rankin Park to Communities	(15,740)
	(31,490)

Supplementary Budgets

LHEES redetermination	75,000
	75,000
	2,115,910

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****SUBJECTIVE ANALYSIS****PERIOD 9: 1st April 2022 - 31st December 2022**

Subjective Heading	Approved Budget 2022/23 £000	Revised Budget 2022/23 £000	Projected Out- turn 2022/23 £000	Projected Over/(Under) Spend	Percentage Variance %
Employee Costs	16,945	17,941	17,202	(739)	-4.12%
Property Costs	3,801	3,899	4,018	119	3.05%
Supplies & Services	4,133	4,244	4,913	669	15.76%
Transport & Plant Costs	2,391	2,844	2,808	(36)	-1.27%
Administration Costs	485	469	765	296	63.17%
Payments to Other Bodies	6,608	7,338	7,272	(65)	-0.89%
Other Expenditure	1,909	1,879	1,859	(20)	-1.06%
Income	(14,847)	(15,074)	(15,584)	(510)	3.38%
TOTAL NET EXPENDITURE	21,424	23,539	23,254	(286)	-1.21%
Transfer to Earmarked Reserves *	0	(265)	(265)	0	0.00%
TOTAL NET EXPENDITURE EXCLUDING EARMARKED RESERVES	21,424	23,274	22,989	(286)	-1.23%

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****OBJECTIVE ANALYSIS****PERIOD 9: 1st April 2022 - 31st December 2022**

Objective Heading	Approved Budget 2022/23 £000	Revised Budget 2022/23 £000	Projected Out- turn 2022/23 £000	Projected Over/(Under) Spend	Percentage Variance %
Regeneration, Planning & Public Protection	6,602	6,847	6,651	(196)	-2.86%
Property Services	2,124	2,365	2,397	32	1.35%
Roads & Environmental	12,543	14,170	14,200	30	0.21%
Corporate Director	154	158	6	(152)	-96.11%
TOTAL NET EXPENDITURE	21,424	23,539	23,254	(286)	-1.21%
Transfer to Earmarked Reserves *	0	(265)	(265)	0	0.00%
TOTAL NET EXPENDITURE EXCLUDING EARMARKED RESERVES	21,424	23,274	22,989	(286)	-1.23%

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****MATERIAL VARIANCES****PERIOD 9: 1st April 2022 - 31st December 2022**

<u>Out Turn</u> <u>2021/22</u> <u>£000</u>	<u>Budget</u> <u>Heading</u>	<u>Subjective Head</u>	<u>Budget</u> <u>2022/23</u> <u>£000</u>	<u>Proportion</u> <u>of Budget</u> <u>£000</u>	<u>Actual to</u> <u>31-Dec-22</u> <u>£000</u>	<u>Projection</u> <u>2022/23</u> <u>£000</u>	<u>(Under)/Over</u> <u>Budget</u> <u>£000</u>	<u>Percentage</u> <u>Variance</u> <u>%</u>
	REGENERATION, PLANNING & PUBLIC PROTECTION							
905	Planning Overall	Employee Costs	946	651	494	724	(222)	(23.47)%
2,472	Public Protection Overall	Employee Costs	2,716	1,868	1,359	2,609	(107)	(3.94)%
							(329)	
82	Comm. Ind. & Misc. Properties	Property Costs	44	41	49	77	33	75.00%
							33	
0	RI Employee Core	PTOB	23	13	0	0	(23)	(100.00)%
58	Training	PTOB	73	55	0	15	(58)	(79.45)%
16	Tourism	PTOB	56	37	11	23	(33)	(58.93)%
							(114)	
(422)	Planning sales, fees & charges	Income	(627)	(470)	(307)	(429)	198	(31.58)%
(748)	Comm. Ind. & Misc. Properties	Income	(712)	(534)	(557)	(734)	(22)	3.09%
							176	
	PROPERTY SERVICES							
937	BSU	Employee Costs	1,048	721	645	988	(60)	(5.73)%
754	Technical Services	Employee Costs	956	657	389	806	(150)	(15.69)%
							(210)	
33	Office Accommodation - Water	Property Costs	61	61	24	38	(23)	(37.70)%
289	Office Accommodation - Rates	Property Costs	415	415	385	385	(30)	(7.23)%
1,257	Central Repairs	Property Costs	1,313	932	1,149	1,413	100	7.62%
							47	
257	BSU - Direct Purchases	Supplies and Services	164	123	277	294	130	79.27%
344	BSU - Subcontractors	Supplies and Services	220	165	251	270	50	22.73%
							180	
114	Technical Services - Agency Costs	Administration Costs	0	0	65	87	87	0.00%
							87	
(979)	BSU - Rech Int Public Buildings	Income	(810)	(532)	(820)	(850)	(40)	4.94%
(615)	BSU - Income Work won in Tender	Income	(603)	(452)	(207)	(648)	(45)	7.46%
(33)	BSU - Recharges Internal Clients	Income	(145)	(109)	(5)	(190)	(45)	31.03%
(95)	Physical Assets - Rental Income	Income	(101)	(76)	(46)	(78)	23	(22.77)%
							(130)	

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****MATERIAL VARIANCES****PERIOD 9: 1st April 2022 - 31st December 2022**

<u>Out Turn</u> <u>2021/22</u> <u>£000</u>	<u>Budget</u> <u>Heading</u>	<u>Subjective Head</u>	<u>Budget</u> <u>2022/23</u> <u>£000</u>	<u>Proportion</u> <u>of Budget</u> <u>£000</u>	<u>Actual to</u> <u>31-Dec-22</u> <u>£000</u>	<u>Projection</u> <u>2022/23</u> <u>£000</u>	<u>(Under)/Over</u> <u>Budget</u> <u>£000</u>	<u>Percentage</u> <u>Variance</u> <u>%</u>
	ROADS & ENVIRONMENTAL							
1,425	Env Services - Street Cleaning	Employee Costs	1,458	1,002	972	1,418	(40)	(2.74)%
882	Env Services - Vehicle Maintenance	Employee Costs	797	548	487	699	(98)	(12.30)%
1,633	Env Services - Refuse Collection	Employee Costs	1,615	1,110	1,074	1,564	(51)	(3.16)%
1,474	Env Services - Management	Employee Costs	1,385	952	1,024	1,428	43	3.10%
222	Env Services - Civic Amenities	Employee Costs	139	96	115	165	26	18.71%
	Env Services - Grounds Maintenance	Employee Costs	1,633	1,123	1,144	1,552	(81)	(4.96)%
							(201)	
56	Env Services - Grounds Maintenance - Hire of Skips	Property Costs	74	49	20	52	(22)	(29.73)%
61	Env Services - Pottery Street - Security	Property Costs	35	26	34	57	22	62.86%
							0	
90	Env Services - Ref Coll - Agency Costs	Administration Costs	0	0	108	135	135	
							135	
119	Env Services - Waste Strategy - Green Waste	PTOB	80	70	111	124	44	55.00%
27	Env Services - Waste Strategy - Food Waste	PTOB	53	42	14	14	(39)	(73.58)%
							5	
(278)	Roads Parking - Income (PCNS)	Income	(231)	(173)	(72)	(201)	30	(12.99)%
(236)	Roads Parking - Sales, Fees and Charges	Income	(236)	(177)	(15)	(152)	84	(35.59)%
(614)	Env Services - Crem - Cremations Income	Income	(743)	(498)	(455)	(678)	65	(8.75)%
(658)	Env Services - Refuse Collection- Trade Income	Income	(649)	(454)	(404)	(589)	60	(9.24)%
(23)	Env Services - Veh Main- Tyre Recharges	Income	0	0	(18)	(26)	(26)	0.00%
(69)	Env Services - RTS- Scrap Metal	Income	(31)	(23)	(47)	(81)	(50)	161.29%
(340)	Env Services - RTS- Tipping charges	Income	(298)	(224)	(265)	(388)	(90)	30.20%
(348)	Env Services - Waste Strategy Green Waste	Income	(370)	(370)	(348)	(347)	23	(6.22)%
(268)	Roads - Sales Fees and Charges	Income	(232)	(182)	(153)	(262)	(30)	12.93%
							66	

ENVIRONMENT AND REGENERATION COMMITTEEREVENUE BUDGET MONITORING REPORTMATERIAL VARIANCESPERIOD 9: 1st April 2022 - 31st December 2022

<u>Out Turn</u> <u>2021/22</u> <u>£000</u>	<u>Budget</u> <u>Heading</u>	<u>Subjective Head</u>	<u>Budget</u> <u>2022/23</u> <u>£000</u>	<u>Proportion</u> <u>of Budget</u> <u>£000</u>	<u>Actual to</u> <u>31-Dec-22</u> <u>£000</u>	<u>Projection</u> <u>2022/23</u> <u>£000</u>	<u>(Under)/Over</u> <u>Budget</u> <u>£000</u>	<u>Percentage</u> <u>Variance</u> <u>%</u>
0	CORPORATE DIRECTOR CORPORATE DIRECTOR	Employee Costs	152	0	0	0	(152)	(100.00)%
							(152)	
Total Material Variances							(407)	

COMMITTEE: Environment & Regeneration

<u>Project</u>	<u>Total</u>	<u>Phased Budget</u>	<u>Actual</u>	<u>Projected</u>	<u>Amount to be</u>	<u>Lead Officer Update</u>
	<u>Funding</u>	<u>P9</u>	<u>P9</u>	<u>Spend</u>	<u>Earmarked for</u>	
	<u>2022/23</u>	<u>2022/23</u>	<u>2022/23</u>	<u>2022/23</u>	<u>2023/24</u>	
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>& Beyond</u>	
					<u>£000</u>	
Renewal of Clune Park Area	2,417	0	81	120	2,297	Spend to date relates to legal support and security costs. Report to E&R Jan 23.
Youth Employment	180	74	113	180	0	MA programme salaries and training programme ongoing. Full spend anticipated 22/23.
Repopulating/Promoting Inverclyde/ Group Action Plan	257	112	140	158	99	NRS £128k & Greenock Central Strategy £30k. Proposal to be developed for £99k balance.
Employability Initiatives	133	0	84	133	0	MA programme salaries and training programme ongoing. Full spend anticipated 22/23.
Climate Change	231	50	21	50	181	£50k 22/23 for project development, balance towards net zero.
Roadside Trees	31	25	13	31	0	Ongoing programme of works.
COVID - Jobs Recovery	3,077	0	883	2,379	698	Existing MA, Kickstart, graduate, Future Jobs, part contribution to new MA programme and apprentice wage subsidy programme. Expenditure to date against projection under review.
Roads Assessments due to parking prohibitions contained in the Transport Scotland Act 2019.	23	0	0	23	0	Planned programme this financial year.
Omicron Business Support Funding - Parking	170	170	170	170	0	Budget utilised to cover suspension of parking charges to 30/09/22.
Project Resource	150	0	10	50	100	Funding support for the task force, shared services review and CCIN membership.
Omicron Business Support Funding - Business Support Initiatives	579	250	26	52	527	Business Support initiatives aimed at retaining employment, workforce development, business development, equipment and infrastructure investment approved at ER Aug 22.
SG Employability Grant NOLB	1,035	0	83	219	816	MA programme salaries and training programme committed over more than 1 financial year.
Total Category C to E	8,283	681	1,624	3,565	4,619	

Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Director, Environment & Regeneration and Interim Director, Finance & Corporate Governance	Report No:	ER/23/03/03/SJ
Contact Officer:	Stuart Jamieson	Contact No:	01475 712764
Subject:	Environment & Regeneration Capital Programme 2022/25 - Progress		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of the report is to update the Committee in respect of the status of the projects within the 2022/25 Environment & Regeneration Capital Programme.
- 1.3 This report advises the Committee in respect of the progress of the projects within the Environment & Regeneration Capital Programme incorporating Roads and Environmental Services, Regeneration and Planning, Property and City Deal.
- 1.4 The Environment & Regeneration capital budget is £49.029m with total projected spend on budget. The Committee is projecting to spend £13.310m after net slippage of £3.367m (20.19%) being reported. No slippage is reported against the City Deal capital projects. Appendices 1-4 detail the capital programme.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Committee notes the current position and the progress on the specific projects of the 2022/25 Capital Programme and City Deal as outlined in the report and appendices.

Alan Puckrin
Interim Director Finance & Corporate Governance

Stuart Jamieson
Director Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

3.1 This report shows the current position of the approved Environment & Regeneration Capital programme reflecting the allocation of resources approved by Inverclyde Council on 24th February 2022. This effectively continues the previously approved 2021/24 Capital Programme to 2022/25. In addition to the core annual allocations funding was approved to address inflationary pressures in the RAMP and an initial allocation towards the approved Carbon Reduction Strategy.

2022/25 Current Capital Position

3.2 The Environment & Regeneration capital budget is £49.029m. The budget for 2022/23 is £13.310m, with spend to date of £6.609m equating to 49.65% of projected spend. The current projection is £49.029m which means total projected spend is on budget

3.3 The Committee is projecting to spend £13.310m in 2022/23 with net slippage of £3.367m (20.19%) being reported. This is a reduction in slippage of £0.061m (10.49%) from the previous reported position and is mainly due to advancement of costs in the Roads Asset Management Plan (£0.264m) and other minor advancements across the program netted off with slippage in the Cremator Replacement (£0.180m), and other minor movements across the remaining elements of the capital programme. Appendices 1-3 detail the capital programme.

3.4 City Deal projects are not included in the above Committee figures, the City Deal budget is £24.470m. The current projection for 2022/23 is £10.298m with no slippage being reported at this stage. Appendix 4 shows the financial position of the City Deal programme.

Roads and Environmental Services – Core Programme

3.5 Cycling, Walking & Safer Streets:

- The Cycle Route improvements from the Beacon Centre to Cartsburn roundabout are complete.
- Improvements to the N75 Cycle Route from Lady Octavia - Lighting and widening of track is ongoing.
- Improvements in Kelburn Park and around the underpasses are complete.
- Improvements and widening from Container Way to Cinema is at design stage.

Officers are also progressing the design of the following reserve schemes.

- N75 Cycle Route Gourock Improvements from Gourock Station to Battery Park – Improvements at Cove Road and Tarbet Street;
- N75 Cycle Route Greenock Cartsburn Roundabout to James Watt Dock. – Land searches and purchasing of land to widen the footway;
- N75 Cycle Route Port Glasgow Kingston Dock to Port Glasgow - Improve signs and lines;
- N75 Cycle Route improvements to link to A8 down Sinclair Street.

3.6 SPT: Officers are progressing the following:

- Cycle Route Improvements - includes improvements to junctions, new road markings and new signage on the cycle route along Eldon Street, and lighting of the new cycle route at the Beacon along with lighting a section through Coronation Park.
- Speed reduction in Town Centres –Traffic Regulation Orders are out for public consultation.

- Quality Bus Corridor - Ongoing programme of works to improve the existing bus shelter infrastructure is ongoing.
- Port Glasgow Train Station Improvements – is now preparing to start.

3.7 **Road Safety Improvement Fund:** Has been removed at this time.

3.8 **Spaces for People:** A consultant is currently designing the battery park to Greenock route in accordance with Cycling by Design 2021. Funded by Sustrans.

3.9 **Sustrans:** Lady Octavia to Devol Glen - Works to install street lighting along the path and carry out general path upgrade works is ongoing.

3.10 **Flood Risk Management Plan:** Officers are progressing the following:

- Gotters Water – Works have started on site however the commencement of the next phase of works will progress in agreement with the landowner. Inverclyde Council will construct and maintain the apparatus, and this will be contained within existing budgets. It is anticipated works will complete on site late Summer.
- Glen Mosston – The works are now complete.

3.11 **Kirn Drive Passing Places:** As per the Inverclyde Traffic Study update in 3.14 below, the Consultant has now commenced, analysing the existing data and carrying out surveys at key locations.

3.12 **Former St Ninian's School Site:** Ground investigation to determine the condition and exact location of the mine shaft has taken place. Options for surface level treatment to record the position and reinforce the cap are currently being discussed in consultation with the Council's Contaminated Land officer.

3.13 **Participatory Budget:** Five carriageway resurfacing schemes and nine footway resurfacing schemes are programmed to be delivered in 2022/23 as part of the Participatory Budget allocation as prioritised by public consultation. The Service is monitoring costs and programme to ensure full budget spend.

3.14 **Inverclyde Traffic Study:** The Consultant has now been appointed and has commenced a high-level study across Inverclyde to highlight traffic congestion hotspots.

3.15 **Larkfield Rd / George Rd:** The available capacity within the Service and the current annual capital funding have been reviewed to determine project priority. Officers have committed resources to prioritise projects for delivery that have committed capital funding for the current financial year. The Service will programme the consultation in Autumn on the four proposed schemes.

3.16 **Kilmacolm Carpark:** The available capacity within the Service and the current annual capital funding have been reviewed to determine project priority. Officers have committed resources to prioritise projects for delivery that have committed capital funding for the current financial year. Officers will endeavour to programme this work round the capital programme for next financial year and it is anticipated that a consultant will be engaged by late summer.

Roads and Environmental Services – Roads Asset Management Plan

3.17 **Carriageways:** Eighteen of twenty-two carriageway resurfacing schemes, which includes five from participatory budget schemes, are now complete. Twenty one of twenty-five large carriageway patching schemes are also now complete.

- 3.18 **Footways:** Thirteen of nineteen footway resurfacing schemes, which includes five from participatory budget schemes, are now complete. Six of nine large footway patching schemes are also now complete.
- 3.19 **Structures:** Minor bridge repair works and principal inspections are on-going. Dunrod Road subsidence site investigation has been completed. The road remains closed on safety grounds and concrete barriers have been installed to prevent access. The initial survey results have shown a notable displacement to a depth of 3m, indicating mass movement of the superficial soil. Additional investigation works are required prior to determining a solution.
- 3.20 **Street Lighting:** The street lighting column replacement contract commenced in January 2023 and is ongoing.
- 3.21 **Traffic Calming:** A road safety audit was undertaken on traffic calming proposals at Newark Street/Union Street prior to starting the consultation process.

Roads and Environmental Services – Environmental Services

- 3.22 **Cremator Replacement:** As previously reported, contracts for the design, manufacture, supply and installation of two new cremators, a new electricity supply, and the associated building adaptation and extension works have been awarded. Works commenced on site in November 2022 and were progressing steadily until the discovery of an uncharted gas-main running under the footprint of the new building extension. The gas main requires to be diverted by the relevant Statutory Authority and this activity is presently underway. The project has been delayed as a result however, activity has continued in respect of the installation of a full scaffold around the Crematorium chimney to allow inspection and repairs to be progressed. It is now anticipated that the first cremator will be delivered in early April 2023 and will be operational within three weeks. The second cremator will arrive end of May 2023 and will be operational within three weeks. The new electricity supply, flue gas abatement system, and remaining works to complete the full installation are projected to be completed by October 2023.
- 3.23 **Vehicle Replacement Programme:** As previously reported, following a review of the planned fleet replacement programme for the current financial year, it was confirmed that the projected expenditure would not be delivered. The main reasons for this are linked to a reduction in the level of discount received through procurement frameworks and the continuing impact of global supply chain issues. It will also noted that the programme required to be reviewed in the context of the Council's Net Zero Strategy and options for further fleet decarbonisation which is an action item within the recently approved Net Zero Action Plan. Confirmed delivery dates would indicate that £350k will be delivered within this financial year.
- 3.24 **Dog Park:** Locations are being finalised for installation of fencing and other measures to support exercising of dogs.
- 3.25 **Overton Play Park Surrounds:** Vegetation cutback and other remedial activities are being programmed for Spring.
- 3.26 **Play Areas:** The new Lunderston Bay play area is complete and planning approval has been granted for CCTV installation. Work at the Coronation Park play area is complete and the King Street play area resurfacing will be complete by March 2023. Procurement for a further tranche of play area improvements is underway with order placement due in February 2023.
- 3.27 **Barrs Brae Steps:** Vegetation clearance is now complete with further additional upgrade works to be considered.

- 3.28 **Nature Restoration Fund:** Works have commenced on path improvements and naturalised seeding. The development of the projects has previously been reported to Committee in October 2022. The service is currently engaged with procurement with a view to working with the Green Action Trust for those projects identified.
- 3.29 **Parks, Cemeteries and Open Spaces Asset Management Programme:** Works have been identified to the financial year end with some advancement of spend from 2023/24.
- 3.30 **Port Glasgow Sculpture:** The installation of the sculpture including lighting and landscaping is now complete.

Regeneration and Planning – Core Regeneration

- 3.31 **Town & Village Centres - West Blackhall Street:** An increased funding bid has been submitted to Sustrans for consideration in February/March which will allow full delivery of the original planned scheme.
- 3.32 **Town & Village Centres - Jamaica Street Car Park:** The main construction of the carpark is complete and in current use including the installation of the pay and display machine although installation of the Electric Vehicle Charge Point remains outstanding due to ongoing Contractor/Supplier issues.
- 3.33 **Town and Village Centres / Place Based Funding:** At the March Committee it was agreed to progress with a number of projects from the 2021/22 allocation and these works have been instructed, and ongoing.

Property – Core Property Assets

- 3.34 **Greenock Municipal Buildings:** Officers are progressing the following:
- Window Replacement Phase 6: Work commenced on site early December 2022, with erection of scaffold and inspection of building surfaces. All new windows have been delivered to site with 50% now installed. Progress is steady. We continue to liaise with the Fire Museum representatives on all aspects of this project. Completion is anticipated end April 2023.
 - Grand Corridor Offices Ventilation: The proposed works involve the provision of a permanent air handling unit (AHU) serving internal offices with limited natural ventilation. As previously reported the initial tender exercise resulted in a single tender return and it has not been possible to progress the project. The design proposals are currently being reviewed prior to re-tender and may involve amendment to existing statutory consents.
 - Greenock Town Hall: This project will address the last significant roofing project within the campus (i.e. the Town Hall) including partial window replacement, and both passive and active ventilation improvements, extending to include the Council Chambers. The project team has been appointed with a high-level programme in place and under review. Surveys have been progressed and further surveys are underway; discussions with “Historic Environment Scotland” have been initiated; research into appropriate design solutions and products is progressing; and a thermal comfort dynamic model (to inform a ventilation solution) has been completed. An early-stage cost estimate has been prepared, predicting a total project cost of £2.5m which may require the works to be phased across two financial years. It should be noted that this project presents a series of significant and complex logistical challenges due to the nature of the building and operation of the spaces being addressed.

- 3.35 **Greenock Cemetery Complex (Ivy House):** Works complete on site with final power connection by Scottish Power Energy Networks completed and occupation imminent pending meter installation.
- 3.36 **Waterfront Leisure Complex Lifecycle Works:** The project addresses the replacement of the fire/panic alarm systems and replacement of emergency lighting. Site works commenced at the end of August and are progressing on site. Complex voids and more “public” areas are proving more difficult to progress to programme with an anticipated completion now set for end February 2023.
- 3.37 **Sea Walls/Retaining Walls:** Provision of £100K was made in the 2020/21 budget to address the progression of surveys and mapping of Council assets to establish condition and any current/future capital project works required. A further survey of the Newark to Kelburn walkway area is scheduled to be undertaken at the end of February 2023. A tender for priority remedial works at the Greenock Waterfront area (identified from the previous survey) is also being progressed. The scope and location of additional surveys will continue to be assessed by Officers and will be undertaken over time in the context of available internal resources which are being prioritised on delivery of the capital programme.
- 3.38 **Customhouse Square Risk Works:** An allocation of £300K was made from a total provision of £400K in the 2020/21 budget to address areas of risk and future claims against the Council including priority equality works. As previously reported, two phases of work have been completed to address improvements to the existing cobbled roads surrounding Customhouse Square with insufficient funding remaining to complete a third phase and the balance allocated to the Watt Institute Lift project below.
- 3.39 **Watt Institute DDA Works:** An allocation of £100K was made from a total provision of £400K in the 2020/21 budget to address areas of risk and future claims against the Council including priority equality works. The proposed project involves provision of a lift within the Watt Institute gallery space to address the lack of an accessible route to the upper exhibition floor. The overall allocation has been increased as previously reported following a tender exercise. A building warrant is projected to be submitted mid-March incorporating specific lift design details as provided by lift specialist following engagement of the main contractor. A site programme will now be developed in conjunction with the main contractor and lift specialist sub-contractor.
- 3.40 **New Ways of Working:** An allocation of £200K is available to progress alterations associated with the Delivering Differently change programme and the development and implementation of new modern ways of working within the Council. The Policy & Resources Committee noted the proposal to mothball the James Watt Building from early 2022/23 and works have been completed at the Devol Centre and within the Enterprise Centre wing of the Port Glasgow Community Campus to facilitate relocation of staff from the James Watt Building. Further work to facilitate relocation of the remaining staff from the James Watt Building is on-going at Ingleston Park with works to the Greenock Municipal Buildings Campus (Banking Hall) programmed to commence at the end of February.
- 3.41 **Property – Minor Works (Demolitions / General / Inverclyde Leisure)**
- Former Scout Hall Demolition Drumshantie Road – Electrical disconnection completed mid-December with demolition works commenced early February and expected to be completed end February.
 - Port Glasgow Baths – Facility reopened December following completion of remedial work to structural steel columns.

Property – Statutory Duty Works

- 3.42 **DDA/Equality - Greenock Town Hall Stage Lift:** Stage lift installed and operational ahead of Music Festival with access stairs to be fitted first week in February.
- 3.43 **DDA/Equality – Port Glasgow Town Hall Lift Replacement:** The project involves the replacement of the existing lift which is nearing end of serviceable life and which requires to be enlarged to meet current standards. Building warrant submitted in early January with order issued to specialist lift manufacturer and Building Services Unit enabling works co-ordination being finalised. Final programme for works subject to confirmation of lift delivery date and agreement with Inverclyde Leisure.

Asset Management Plan – Depots

- 3.44 **Kirn Drive Depot:** The June 2022 Committee noted the position regarding the project to address improvements to the existing Kirn Drive Civic Amenity facility. As previously reported, the existing Kirn Drive Depot building demolition and fuel tank removal is complete. The tender for the improvements to the Amenity facility has not been progressed pending decisions in respect of the forthcoming budget setting process.
- 3.45 **Pottery Street Depot Resilience Generator:** The project involves the provision of a generator at the Pottery Street depot to enable the depot to be used as an emergency coordination centre for the Council in the event of a black start or other widespread power failure. The works commenced on site at the end of November and were completed in December.

City Deal

- 3.46 **Greenock Ocean Terminal:** The project is nearing practical completion with snagging inspections being carried out. The Contractor is applying for temporary occupation certification through Building Standards which is anticipated could be achieved mid-February. The Contractor continues to close out any remaining works including final system commissioning. Final account negotiations for the project are on-going with the main contractor. Engagement continues with the various tenants and sub tenants of the facility to co-ordinate the final fit-out and interface works which are key to the full operation of the facility and, as previously reported, these elements are projected to continue beyond completion of the main building contract with the Peel interface ramp circa April and restaurant fit-out completion date to be confirmed.
- 3.47 **Inverkip:** Discussions are ongoing between Inverclyde Council, Scottish Power and Legal Representatives to produce a legal agreement to develop and proceed with the construction of a signalised junction on the A78 at the easterly junction with Main Street, Inverkip and another signalised junction at Harbourside along with a new signalised roundabout which is proposed to be procured through the SCAPE framework. Meetings also continue with the Contractor to refine estimated costs and project design.
- 3.48 **Inchgreen:** The Joint Venture Board are now meeting on a regular basis. Four works packages are underway including quay wall repairs, structural improvements and dredging.

4.0 PROPOSALS

- 4.1 The Committee are asked to note the progress on projects and note that relevant reports will be brought back for Committee consideration as and when required.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial			X
Legal/Risk			X
Human Resources			X
Strategic (LOIP/Corporate Plan)			X
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

One off Costs

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

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

N/A.

5.4 Human Resources

N/A.

5.5 Strategic

N/A.

6.0 CONSULTATION

6.1 This report has been prepared following consultation with the Interim Head of Property Services, the Head of Roads & Environmental Services, and Finance Services.

7.0 BACKGROUND PAPERS

7.1 None.

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
	Est Total Cost	Actual to 31/3/22	Approved Budget 2022/23	Revised Est 2022/23	Actual to 31/12/22	Est 2023/24	Est 2024/25	Future Years
	£000	£000	£000	£000	£000	£000	£000	£000
Roads & Environmental Services								
Roads								
Core Programme								
Cycling, Walking & Safer Streets	493		493	343	208	150	0	0
Sustrans	520			420	0	100		
SPT	1,275		1,275	875	245	400	0	0
Flooding Strategy - Future Schemes	1,432	331	325	325	220	776	0	0
Kirn Drive Passing Places	200	8	15	15		20	157	0
Former St Ninians School Site	195	-	75	25		170	0	0
Roads & Footways (Participatory Budgeting)	250	-	250	250	110	0	0	0
Feasibility Studies	90	-	90	45		45	0	0
Complete on Site	8	-	8	8		0	0	0
Roads - Core Total	4,463	339	2,531	2,306	783	1,661	157	0
Roads Asset Management Plan								
Carriageways	6,510		1,578	1,938	1066	2,072	2,500	0
Footways	500		320	322	162	178	0	0
Structures	500		136	250	113	250	0	0
Lighting	950		368	300	110	650	0	0
Other Assets	300		203	150	113	150	0	0
Staff Costs	688		318	412	396	276	0	0
Roads Asset Management Plan Total	9,448	0	2,923	3,372	1,960	3,576	2,500	0
Roads Total	13,911	339	5,454	5,678	2,743	5,237	2,657	0
Environmental Services								
Cemetery Development	1,560	802	666	666	618	92	0	0
Cremator Replacement	2,144	194	1,161	540	397	1,380	30	0
Zero Waste Fund	220		100	100	20	60	60	0
Vehicles Replacement Programme	3,605		1,015	200	68	2,126	1,279	0
Dog Park	20	-	20	20		0	0	0
Murdieston/Thom Dam Area	25	19	6	6		0	0	0
Overton Play Park surrounds	40	11	29	29		0	0	0
Play Area Strategy	514		414	414	217	100	0	0
Play Areas complete on Site	2		2	2	1	0	0	0
Barr's Brae Steps	40	-	40	0		40	0	0
Nature Restoration Fund	248	-	248	150	3	98	0	0
Park, Cemeteries & Open Spaces AMP	672		95	150	140	322	200	0
Birkmyre Park Kilmacolm MUGA Upgrade	80	12	63	68	67	0	0	0
Environmental Services	9,170	1,038	3,859	2,345	1,531	4,218	1,569	0
ROADS & ENVIRONMENT TOTAL	23,081	1,377	9,313	8,023	4,274	9,455	4,226	0

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
	<u>Est Total Cost</u>	<u>Actual to 31/3/22</u>	<u>Approved Budget 2022/23</u>	<u>Revised Est 2022/23</u>	<u>Actual to 31/12/22</u>	<u>Est 2023/24</u>	<u>Est 2024/25</u>	<u>Future Years</u>
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>
Regeneration and Planning								
<u>Core Regeneration:</u>								
Port Glasgow Town Centre Regeneration	1,960	1,432	528	100		428	0	0
Central Gourrock	150	130	20	20		0	0	0
T&VC - West Blackhall Street	3,712	125	487	150		3,437	0	0
T&VC - Jamaica Street Car Park	250	156	94	94	150	0	0	0
T&VC - Babylon Purchase & Demolition	680	441	114	120	120	119	0	0
T&VC - Other	835	293	342	342	15	200	0	0
T&VC - Complete on site	39		5	5		34		
Comet Replacement	541	-	0	0		541	0	0
Place Based Funding	1,259	-	1,259	759	79	500	0	0
Core Regeneration Total	9,426	2,577	2,849	1,590	364	5,259	0	0
<u>Public Protection:</u>								
Scheme of Assistance	2,469		640	850	476	886	733	0
Clune Park Regeneration	2,000	724	276	276	93	1,000	0	0
Public Space CCTV	201	186	15	0		15	0	0
Public Protection Total	4,670	910	931	1,126	569	1,901	733	0
Regeneration Services Total	14,096	3,487	3,780	2,716	933	7,160	733	0

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
	Est Total Cost	Actual to 31/3/22	Approved Budget 2022/23	Revised Est 2022/23	Actual to 31/12/22	Est 2023/24	Est 2024/25	Future Years
	£000	£000	£000	£000	£000	£000	£000	£000
Property Assets								
Core Property Assets								
General Provision	4,768	-	398	54	18	2,714	2,000	0
Additional Covid pressure allowance - General	129	-	29	29	0	100	0	0
Feasibility Studies	270	164	31	20	0	86	0	0
Greenock Municipal Buildings - Window Replacement	548	273	265	200	61	75	0	0
Greenock Municipal Buildings - Air Handling	100	14	86	16	0	70	0	0
Greenock Cemetery _ Ivy House Replacement	500	166	295	295	265	39	0	0
Waterfront Leisure Centre Lifecycle Works	1,318	1,045	253	253	177	20	0	0
Various Garages/Stores Replacement	120	6	104	5	5	109	0	0
Vehicle Maintenance Facility Drying Room Alterations	115	-	95	110	0	5	0	0
Sea Walls/Retaining Walls	100	30	60	30	5	40	0	0
Customhouse Square - Risk/DDA Works	265	136	99	126	126	3	0	0
Watt Institute - Risk/DDA Works	252	5	106	40	28	207	0	0
Net Zero	350	-	50	20	0	330	0	0
New Ways of Working	200	-	0	75	4	125	0	0
Minor Works								
Farms	30		25	25	-	5	0	0
Minor Demolitions	20		20	20	4	0	0	0
Inverclyde Leisure Properties	200		73	200	169	0	0	0
General Works	211		111	150	122	61	0	0
Design & Pre-Contract	26		26	20	13	6	0	0
Reservoirs	100		50	100	17	0	0	0
Statutory Duty Works								
Electrical	30		30	30	15	0	0	0
Lightning Protection	10		10	10	-	0	0	0
Lifts	25		12	25	11	0	0	0
Water	45		30	40	34	5	0	0
Gas	10		11	10	5	0	0	0
Asbestos	10		50	10	3	0	0	0
Fire Risk	85		51	85	3	0	0	0
DDA/Equality	250		100	100	50	150	0	0
Former Asset Management Plan								
Depot Demolitions - Balance	56	-	5	5	-	51	0	0
Kirn Drive Civic Amenity Site / Craigmuschat Recycling Facility	407	132	146	40	40	235	0	0
Pottery Street Depot Resilience Generator	77	-	72	72	-	5	0	0
AMP Complete on site	84	-	41	41	7	43	0	0
Capital Works on Former Tied Houses	600	240	3	15	14	138	60	147
Complete on Site Allocation	541		427	300	206	241	0	0
Core Property Assets Total	11,852	2,211	3,164	2,571	1,402	4,863	2,060	147
Property Assets Total	11,852	2,211	3,164	2,571	1,402	4,863	2,060	147

Report To:	Environment and Regeneration Committee	Date:	9 March 2023
Report By:	Director, Environment and Regeneration	Report No:	ENV017/23/KM
Contact Officer:	Stuart Jamieson	Contact No:	01475 712146
Subject:	Environment and Regeneration Corporate Directorate Improvement Plan Progress Report 2022/23		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to provide the Committee with an update on the status of the Environment, Regeneration and Resources (ERR) Corporate Directorate Improvement Plan (CDIP) 2022/23, with a specific focus on the actions that are the responsibility of the Environment and Regeneration Service. A separate progress report, relating to Finance and Corporate Governance, will be presented to the next meeting of the Policy and Resources Committee.
- 1.3 The progress report is provided for the information of the Committee in appendix 1 and includes the latest performance information for the CDIP key performance indicators.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Committee note the progress made by the Environment and Regeneration Service in delivering its CDIP improvement actions in 2022/23.

Stuart Jamieson
Director Environment and Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 CDIPs are a key component of the Council's Strategic Planning and Performance Management Framework. They are the principal vehicle for the delivery of the organisational priorities in the Council's Corporate Plan 2018/23, as well as the wellbeing outcomes. The CDIPs are now in their fourth year and a refreshed improvement plan for 2022/23 was approved by this Committee on 16 June 2022.
- 3.2 This performance report focuses on the improvement actions being delivered by services which sit under the umbrella of Environment and Regeneration, i.e. Property Services, Public Protection, Regeneration and Roads and Environmental Shared Services. It aims to provide the Committee with the opportunity to make an appropriate judgement on performance in relation to the progress being made in the delivery of the CDIP during the year. It also includes the most recent performance data for the CDIP key performance indicators.

YEAR 4 IMPROVEMENT PLAN – PROGRESS

- 3.3 This is the second progress report on the Environment and Regeneration element of the ERR CDIP 2022/23 and has been generated directly from the Council's performance management system, Pentana Risk. Pentana records completion due dates for all actions and milestones, then tracks progress using a traffic-light system against these deadlines. Where an action also has sub-actions, Pentana averages the progress of the sub-action to reach an overall completion rate for the high-level 'parent' action.
- 3.4 The following actions / sub-actions have a "complete" status:
- The Net Zero Action Plan 2022/27 was approved at a special meeting of the Environment and Regeneration Committee in November 2022.
 - The Strategic Housing Investment Plan (SHIP) was approved by the Environment and Regeneration Committee on 12 January 2023.
 - The Local Housing Strategy (LHS) consultation has been carried out and the outcomes will be reflected in the LHS.
- 3.5 A small number of actions / sub-actions have an "overdue" status including:
- There has been a slight delay in the development of the Local Housing Strategy which was originally scheduled for the end of January 2023. It is anticipated that the draft Strategy will be available in March 2023.
 - Ocean Terminal is nearing practical completion with final works being progressed. The terminal building is due to open to the public in the spring.

- 3.6 All remaining actions have an 'in progress' status.

4.0 PROPOSALS

- 4.1 The Committee is asked to note the progress made by the Environment and Regeneration Service in delivering its CDIP actions during 2022/23.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial			X
Legal/Risk			X
Human Resources			X
Strategic (LOIP/Corporate Plan)	X		
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

One off Costs

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

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

There are no legal implications associated with this report.

5.4 Human Resources

There are no Human Resources implications associated with this report.

5.5 Strategic

The CDIPs are a key component of the Council's Strategic Planning and Performance Management Framework and the improvement plans contribute directly to the delivery of the organisational priorities in the Corporate Plan 2018/23 and the Inverclyde Outcomes Improvement Plan 2017/23.

6.0 CONSULTATION





6.1 None.

7.0 BACKGROUND PAPERS



7.1 None

Appendix 1: Environment and Regeneration CDIP Performance Report 2022/23




Property Services Improvement Actions


Action	Description	Status	Due Date	Update
ERR/CDIP007 Former tied houses	All housing to be subject to regulation via the Scottish Housing Regulator transferred to River Clyde Homes or another Registered Social Landlord.		31-Mar-2023	This action is in progress. See below for further update.
Sub-action 7.1 Tenant survey and engagement	A programme of survey and engagement on transfer with tenants undertaken in conjunction with Registered Social Landlord, Scottish Housing Regulator and Tenant Participation Advisory Service by April 2023.		31-Mar-2023	Two properties are in the process of being sold to tenants with one vacant property to be marketed imminently. Title information, plans and all property enquiry information provided to Sanctuary. Proposed terms and conditions of transfer awaited from Sanctuary to allow first tenant notification to be issued ahead of ballot process in conjunction with TPAS.
ERR/CDIP008 Fee Income Target	CMT approval for succession planning monitoring and restructure. Implementation of proposals by March 2023.		31-Mar-2023	An update report was presented to CMT in November 2022. Additional resources were approved as part of Net Zero Action Plan with recruitment ongoing. Trade Union engagement is also ongoing on the Technical Services element. A further update report to the CMT is anticipated February 2023.
ERR/CDIP009 Net Zero	Development of a costed Net Zero Action Plan with report to the Environment and Regeneration Committee in the third quarter 2022.		01-Jan-2023	The Net Zero Action Plan 2022-27 was approved at a special meeting of the Environment & Regeneration Committee in November 2022. Funding allocation will be considered as part of budget setting process and 2023/26 Capital Programme.

Roads and Environmental Shared Service Improvement Actions






Action	Description	Status	Due Date	Update
ERR/CDIP010 Shared Strategic Management Roads & Transportation	Regular engagement between both local authorities to identify and maximise opportunities. Review and present in October 2022.		31-Mar-2023	The Shared Services evaluation is now complete and a report will be presented to the Joint Committee for consideration. Identification of opportunities for shared delivery of projects continues with single leads for both councils identified where appropriate.
ERR/CDIP011 Sustainable Travel	Review the on-going programme in April 2022, with a report to E&R Committee in June 2022. Further review in April 2023.		31-Mar-2023	Funding bids have been submitted to develop and deliver Active Travel projects for 2023/24. A Members Briefing session is scheduled on Active Travel.


Public Protection Improvement Actions




Action	Description	Status	Due Date	Update
ERR/CDIP012 SHIP	Support RSLs in increasing new housing provision in the area via engagement with RSLs and Scottish Government.		31-Mar-2023	The Strategic Housing Investment Plan 2023/28 was approved by the Environment and Regeneration Committee on 12 th January 2023. It includes a range of new build developments via local and national RSL partners as well as the acquisition of a number of properties by RSL's under agreed criteria.
ERR/CDIP013 Local Housing Strategy	Develop a new Local Housing Strategy 2023/28 to provide a vision for housing to 2040.		31-Jan-2023	This action has an overall overdue status. One sub-action is now complete and the other in progress. More information is provided in the updates below.
Sub-action 13.1 Strategy development	Initial discussions and strategy development with a view to presenting new strategy to Committee in January 2023.		31-Jan-2023	Consultants were appointed to assist with preparation of the Local Housing Strategy (LHS and the draft document will be available in March 2023. The House Condition Survey is nearing completion and it is envisaged that any general themes coming from the survey will inform the LHS.

Action	Description	Status	Due Date	Update
Sub-action 13.2 Strategy Consultation	Consultation on Strategy to October 2022.		31-Oct-2022	This is now complete and the outcomes will be reflected in the Local Housing Strategy.







Regeneration Improvement Actions

Action	Description	Status	Due Date	Update
ERR/CDIP014 City Deal	Deliver the business cases for all City Deal projects.		31-Mar-2023	This action is in progress, although there has been a delay in relation to the Ocean Terminal element. See below for further updates.
Sub-action 14.1 Ocean Terminal	Completion of Ocean Terminal by September 2022.		01-Oct-2022	Ocean Terminal is nearing practical completion with final works being progressed. The terminal building is due to open to the public in the spring.
Sub-action 14.2 Inchgreen	Inchgreen final business case approved February 2022 with works commenced in quarter 2 2022.		31-Mar-2023	Inchgreen is progressing on site, with dredging works being commenced after achievement of relevant licenses. Discussions are taking place to attract potential businesses to occupy the site.
Sub-action 14.3 Inverkip	Inverkip Final Business Case approved Q1 2023		31-Mar-2023	The project team is engaged with a contractor through the scape framework and they are working on detailed designs and costs. The project team are also working with the consultant to progress towards OBC and FBC submission in the spring.
ERR/CDIP015 Town Centre	Work with the business community to encourage a return to the town centres by the general public over the next 2 years (2022/24)		31-Mar-2023	The Regeneration Service continues to support town centres through business development support and grants, property assistance grants and support to the Town Centre Regeneration Forums. The Town Centre Regeneration Forums have been allocated £40k each of the Place Based Investment Fund and the team are working with the groups to commit funds. The Council has also achieved Levelling Up funding for Greenock town centre which will see the heart of the town centre transformed.



Action	Description	Status	Due Date	Update
ERR/CDIP016 Jobs Recovery Plan	Work with clients, the community and employers to retain and develop posts whilst deploying the Council's employability interventions over 24 months to return employment statistics to be equal to, or better than, pre-pandemic level.		31-Mar-2023	The Job Recovery Plan continues to fund or part-fund a large number of posts across the Council, the third sector and supporting local businesses with wage subsidies. Current data shows the employment rate is now higher (75.1%) than the same period pre-pandemic (71.5%) however there are still deep-seated challenges to be addressed such as economic inactivity, under employment and in work poverty.

ICON	
	Completed
	Overdue
	In Progress

ENVIRONMENT AND REGENERATION KEY PERFORMANCE INDICATORS 2022/23

Performance Indicator	Q4 2021/22	Q1 2022/23	Q2 2022/23	Q3 2022/23	Target	Q3 Status
	Value	Value	Value	Value		
% of building warrants assessed within 20 working day	93.7%	96.74%	93.55%	95.65%	95%	
% of household applications decided in under 2 months	48.72%	78.05%	35.14%	18.18%	95%	
% of all planning applications decided in under 2 months	60.29%	62.67%	31.75%	26.56%	90%	
Street lighting repairs within 7 days	98.33%	84.85%	73.91%	80.51%	92%	
Category 1 pothole repairs	100%	100%	100%	100%	90%	
Category 2 pothole repairs	92.86%	80%	90%	62.5%	80%	

PI Status

	Alert, below target
	OK, target met or exceeded

Report To: Environment & Regeneration Committee **Date:** 9 March 2023

Report By: Director, Environment & Regeneration **Report No:** ERC/RT/GMcF/18.635

Contact Officer: Steven Walker **Contact No:** 01475 714800

Subject: Roads & Transportation – Proposed RAMP/Capital Programme for 2023/24

1.0 PURPOSE & SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to seek Committee approval in relation to a proposed programme of projects to be undertaken in 2022/23 using RAMP/Capital Funding and a grant offer of funding by the Scottish Government for Cycling, Walking and Safer Routes Projects.
- 1.3 This report is to advise the Committee of the proposed RAMP/Capital expenditure and core projects for 2023/24 (excluding CWSR Grant Funding) amounting to a value of £2.530m.
- 1.4 The 2023/24 Cycling, Walking and Safer Routes (CWSR) projects for Roads & Transportation are valued at £450k. At least 36% (and preferably above 50%) of the grant funding shall be considered for the purposes of undertaking a programme of works for the promotion of cycling. Payment of the funding will be by grant made in arrears on the basis of evidenced expenditure.

2.0 RECOMMENDATIONS

- 2.1 That the Committee approve the list detailed below for the 2023/24 RAMP/Capital and CWSR grant aided roads related projects.
- 2.2 That the Committee grant delegated authority to the Shared Head of Roads & Environmental Services to achieve full spend of the RAMP/Capital budget through the substitution of projects from a reserve list when necessary.

Gail MacFarlane
Shared Head of Roads & Environmental Services

3.0 BACKGROUND & CONTEXT

3.1 This report is to advise the Committee of the proposed RAMP/Capital expenditure and core projects for 2023/24 (excluding CWSR Grant Funding) amounting to a value of £2.530m.

3.2 The 2023/24 Cycling, Walking and Safer Routes (CWSR) projects for Roads & Transportation are valued at £450k. At least 36% (and preferably above 50%) of the grant funding shall be considered for the purposes of undertaking a programme of works for the promotion of cycling. Payment of the funding will be by grant made in arrears on the basis of evidenced expenditure.

4.0 PROPOSALS – 2023/24 PROGRAMME

4.1 The proposed projects, where appropriate, apply only to carriageways, footways, lighting and bridges etc. on public roads for which Roads & Transportation has specific responsibilities in terms of the Roads (Scotland) Act 1984.

4.2 The costs of the projects as specified have been compiled on the basis of assessed unit costs and not on priced bill of quantities which will be prepared when the programme has been approved. Should the cost of any individual project exceed the preliminary estimate, appropriate variances will be applied to the remaining programme.

4.3 Delivery of the 2023/24 programme will depend on a number of factors including changing priorities due to ongoing changes within the condition of the network, weather, market prices and the work programmes of public utility companies who also require access to the road network. In view of this, it is proposed that delegated authority be given to the Head of Service – Roads & Transportation to achieve full spend of the capital budget through the substitution of projects from a reserve list when necessary. Reserve carriageway, footway and structures projects are in the relevant section of this report.

4.4 A CWSR budget has been established by the Scottish Ministers, with a view to giving greater prominence to cycling, walking and safer streets, to assist Local Authorities to achieve the aims of their Local Transport Strategy.

4.5 The programme of expenditure for the £2.980m funding is as detailed in the table below.

<i>Outline Programme</i>	<i>2023/24 (£000s)</i>
<i>RAMP Funding</i>	
Carriageways (refer 5.0)	1,550
Footways (refer 6.0)	200
Structures (refer 7.0)	100
Lighting (refer 8.0)	150
Other Assets (refer 9.0)	150
Feasibility (refer 10.0)	50
Fees & Staffing	330
<i>Roads Core Funding</i>	
Cycling Walking & Safer Streets (refer 11.0)	450
Total	2,980

5.0 RAMP CARRIAGEWAY PROGRAMME

- 5.1 The priority investment programme for carriageways has been determined through analysis of available information comprising: road hierarchy, results from the Scottish Road Maintenance Condition Survey (SRMCS), local route knowledge with regard to defective lengths of carriageway, evidence of defects, number of complaints, accidents statistics, liability claims, and public, Councillor, and other requests. Particular emphasis is given to the road hierarchy, SRMCS and local route knowledge of Council Officers. Future determination is based on the Roads Asset Management Policy. Schemes are listed in order of assessed priority.

i. Named Carriageway Resurfacing/ Reconstruction Schemes (£1,200k).

<i>Road</i>	<i>Town</i>	<i>Extent</i>
William Street Roundabout	Port Glasgow	Roundabout Only
Robertson Street	Greenock	Union Street to South Street
A761 Kilmacolm Road	Port Glasgow	Marloch Avenue to Boglestone Roundabout
A770 Cloch Road	Gourock	Cameron Court to Dunvegan Avenue
B788 Auchenfoil Road	Greenock	Selected Sections
Newark Street	Greenock	Octavia Terrace to West of Junction with Wood Street
Gleninver Road	Greenock	A78 to Fancyfarm Road
Burnside Road	Greenock	Full Length
Golf Road	Gourock	Full Length
Ratho Street	Greenock	Kincaid Court to A8 Rue End Street
Branchton Road/ Forfar Road	Greenock	Selected Lengths
Wellington Street	Greenock	Trafalgar Street to Bank Street
Gibshill Road/ Smillie Street	Greenock	Weir Street to Lansbury Street
Tobago Street	Greenock	Sir Michael Street to King Street
Banff Road	Greenock	Burns Road to Banff Place
Belmont Road	Kilmacolm	Selected sections
South Street	Greenock	Robertson Street to Forsyth Street
Innellan Road & Toward Road	Wemyss Bay	Full Lengths
Weir Street	Greenock	Ladyburn Street to Gibshill Road

ii. Carriageway Large Patching - Various Locations (£200k).

<i>Road</i>	<i>Town</i>	<i>Extent</i>
Auchmead Road	Greenock	Patching
Mitchell Street	Greenock	Whitelees Road to new houses
Kelly Street	Greenock	Houston Street to Jamaica Lane
Kelburn Terrace	Port Glasgow	Full length
A770 Shore Street	Gourock	St Johns Road to King Street
Hay Street	Greenock	Lynedoch Street to Bank Street
Balmore Court	Kilmacolm	Full length

Kirn Drive	Gourock	Arran Road to Skye Crescent
Bogside Road	Port Glasgow	Full Length
Main Street	Inverkip	Station Road South to Access to A78
Mearns Street	Greenock	Drumfrochar to Dempster Street (Selected Locations)
Gareloch Road	Port Glasgow	Selected sections
Drumshantie Road	Gourock	Drumshantie Terrace to Broomberry Drive

iii. Carriageway Structural Patching - Various Locations (£150k).

iv. Named Carriageway Resurfacing/ Reconstruction Schemes (Reserve).

<i>Road</i>	<i>Town</i>	<i>Extent</i>
Old Largs Road	Greenock	Darndaff to Scottish Water Private Road
Tobago Street	Greenock	Sir Michael Street to King Street
Regent Street	Greenock	Lynedoch Street to Morton Supporters Club
West Stewart Street/ Houston Street	Greenock	Jamaica Street to Patrick Street
Lomond Road	Wemyss Bay	Carron Road to Kishorn Road
Birkmyre Avenue	Port Glasgow	Full Length
Tweed Street	Greenock	Full Length
Glasgow Road	Port Glasgow	Kelburn Terrace to Heggies Avenue
Victoria Road	Gourock	Full Length
Manor Crescent	Gourock	Larkfield Road to Rodney Road Junction
Blairmore Road	Greenock	Kilmacolm Road to Blairmore Crescent
Drumfrochar Road	Greenock	Bridge to Cornhaddock Street
Balloch Road	Greenock	Fintry Road to Renton Road

6.0 RAMP FOOTWAY PROGRAMME

6.1 The priority investment programme for footways/footpaths has been determined through analysis of available information comprising: route classification (amenity, use), local route knowledge with regard to defective lengths of footway/footpath, evidence of defects, number of complaints, accidents statistics, liability claims, and public, Councillor, and other requests. Particular emphasis is given to the route classification, and local route knowledge of Council Technical staff. Future determination is based on the Roads Asset Management Policy. Schemes are listed in order of assessed priority.

i. Named Footway/ Footpath Resurfacing/ Reconstruction Schemes (£180k).

<i>Road</i>	<i>Town</i>	<i>Extent</i>
Robertson Street	Greenock	Newton Street to Finnart Street (Both Sides)
Tower Drive	Gourock	Fronting Numbers 58 to 70; at Shops
Lochwinnoch Road	Kilmacolm	Rural Section to Cenotaph
Kelly Street	Greenock	Houston Street to Union Street (Both Sides)
Caithness Road	Greenock	Full Length (Both Sides?)
Balfour Street	Port Glasgow	Brown Street to Railway Bridge (East Side)
Newton Street	Greenock	Campbell Street to Forsyth Street (South Side)
Rose Street	Greenock	Full Length
Renton Road	Greenock	Leven Road to Balfron Road (Both Sides)

ii. Footway/Footpath Large Patching at Various Locations (£20k).

iii. Named Footway/ Footpath Resurfacing/ Reconstruction Schemes (Reserve).

<i>Road</i>	<i>Town</i>	<i>Extent</i>
Regent Street	Greenock	Terrace Road to Rail Bridge (North Side)
Regent Street	Greenock	Petrol Station to Lynedoch Street (South Side)
Finnart Street	Greenock	Madeira Street to Newark Street (North Side)
Ashton Road	Gourock	Riverside footway
Court Road	Port Glasgow	Bay Street to End (Both Sides)
Brisbane Street	Greenock	Robertson Street to Campbell Street, and Campbell Street to Forsyth Street (South Side)
Cloch Road	Greenock	A78 to Cardwell Garden Centre (Selected Sections)
Nursery Grove	Kilmacolm	Full Length (Both Sides)
Kelly Street	Greenock	Ardgowan Street to Finnart Street (Selected Sections on Both Sides)
Shore Street	Gourock	Church Street to John Street (South Side)
Cumbrae Avenue	Port Glasgow	Full length (Both Sides)
Lomond Road	Wemyss Bay	Selected Sections
Clune Brae (Auchenleck Terrace)	Port Glasgow	East Boundary of Number 2 to Private Section (North Side)
Cornhaddock Street	Greenock	Broomhill Street to Lemmon Street (South Side)
Gael Street	Greenock	Full Length (Both Sides)

Myreton Avenue	Kilmacolm	Full Length (Both Sides)
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7.0 RAMP LIGHTING PROGRAMME

7.1 The delivery of the RAMP street lighting programme continues on from the works carried out in previous years, and concerns column replacement on a priority basis. The proposed priority investment is noted in the table below.

i. Column Replacement (£150k).

<i>Road</i>	<i>Town</i>	<i>Project Extent</i>
Column Replacement	All	Works to replace life expired columns, including replacement of ad-hoc damaged columns via Lighting Maintenance Contract

8.0 RAMP STRUCTURES PROGRAMME

8.1 The proposed programme of works for structures addresses the requirement to replace and/or replenish specific structural elements which in general have become dilapidated due to their age or which have been rendered unfit for purpose due to changes in legislation. The proposed priority investment is noted in the table below.

i. Structures Schemes (£100k).

<i>Road/ Bridge</i>	<i>Town</i>	<i>Project Extent</i>
Dunrod Road	Inverkip	Structural Repairs to Dunrod Road
Principal Inspections	Various	Principal Inspection of Structures
Minor Retaining Wall Repairs	Various	Inspect, design and construction
Minor Bridge Repairs	Various	Inspect, design and construction

ii. Structures Schemes (Reserve).

<i>Road/ Bridge</i>	<i>Town</i>	<i>Project Extent</i>
Lochwinnoch Road Footbridge	Kilmacolm	Resurface Deck of Footbridge, and Replace the Bridge Bearings
Lochwinnoch Road Rail	Kilmacolm	Replace Damaged Stonework and Pointing of Bridge

9.0 RAMP OTHER ASSETS PROGRAMME

9.1 The proposed programme of works for other assets which includes drainage, signs & road markings, vehicle barriers, addresses the requirement to replace and/or replenish specific asset elements which in general have become dilapidated due to their age or which have been rendered unfit for purpose due to changes in legislation. Traffic Measures allows for traffic improvements such as traffic calming measures. The proposed priority investment is noted in the table below.

i. Other Asset Schemes (£150k).

<i>Road/ Asset</i>	<i>Town</i>	<i>Project Extent</i>
Kilmacolm Car Park	Kilmacolm	Design of Car Park
Drainage	Various	Various improvements
Minor Safety Measures	Various	Various improvements
Signs & Road Markings	Various	Various improvements
Traffic Calming Priority List	Various	Traffic Calming Measures
Vehicle Restraint Systems & Other Barriers	Various	Various improvements
Road Trees	Various	Specified Significant Maintenance/Improvement

10.0 RAMP FEASIBILITY PROGRAMME

10.1 The delivery of the feasibility studies and investigations associated with current/future RAMP/Capital Programme. The proposed investment is noted in the table below.

i. Feasibility (£50k).

<i>Road</i>	<i>Town</i>	<i>Project Extent</i>
Feasibility	Various	Studies Associated with Current/ Future RAMP/Capital Programme

11.0 ROADS CORE FUNDING – CYCLING, WALKING & SAFER ROUTES

11.1 The proposed programme of works for the Cycling, Walking and Safer Routes (CWSR) meets the requirements of the government funding allocation and is prioritised to expand the off-road cycling asset within Inverclyde, improve the walking journey to school and enhance pedestrian safety on the local road network in keeping with national guidance. The proposed priority investment is noted in the table below.

i. CWSR Schemes (£450k).

<i>Road</i>	<i>Town</i>	<i>Project Extent</i>
West Blackhall Street	Greenock	Streetscape and Cycle Infrastructure
N75 Cycle Track	Various	Feasibility and Design of N75 Route and Regional Routes across Inverclyde
N75 Cycle Track	Greenock/ Port Glasgow	Continuation of the Scenic Tourist Route Along the A8
N75 Cycle Track	Greenock	Dalrymple Street to Beacon
Dropped Kerbs	Various	Improvements to Pedestrian Accessibility
School Working Group Requests	Various	Minor Safety Measures Around Schools

ii. CWSR Schemes (Reserve).

<i>Road</i>	<i>Town</i>	<i>Project Extent</i>
N75 Cycle Track	Gourock	Improvements from Gourock Station to Battery Park
N75 Cycle Track	Greenock	Lady Octavia to Greenock
Regional Route	Inverkip/ Greenock	A78 Route from Inverkip to Greenock

12.0 IMPLICATIONS

12.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial	X		
Legal/Risk		X	
Human Resources		X	
Strategic (LOIP/Corporate Plan)		X	
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

12.2 Finance

One-off costs:

Cost Centre	Budget Heading	Budget Years	Proposed spend this report (£000s)	Virement from	Other comments
Capital	RAMP	2023/24	2,530		CWSR Scottish Government Grant
Capital	Roads Core	2023/24	450		
			2,980 Total		

Annually recurring costs:

Cost Centre	Budget Heading	Budget Years	Proposed spend this report (£000s)	Virement from	Other comments
N/A					

12.3 Legal/Risk

None.

12.4 Human Resources

None.

12.5 Strategic

None.

12.6 Equalities and Fairer Scotland Duty

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
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, assessed as not relevant and no EqIA is required.

(b) Fairer Scotland Duty

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

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

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Does not affect or propose any major strategic decision.

12.7 **Children and Young People**

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

12.8 **Environmental/Sustainability**

Summarise any environmental / climate change impacts which relate to this report.

None.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

12.9 **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.
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X

NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

13.0 CONSULTATION

13.1 The Head of Legal and Democratic Services and the Chief Financial Officer have been consulted on this report.

14.0 BACKGROUND PAPERS

14.1 None.

Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Shared Head of Roads and Environmental Services	Report No:	ERC/RT/GMcF/18.638
Contact Officer:	Gail MacFarlane	Contact No:	01475 714800
Subject:	New Speed Limit Order Procedure		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to seek permission to introduce a new procedure in relation to the promotion of permanent Speed Limit Orders (SLOs), to reduce the timescales associated with implementing the proposed restrictions.

1.3 The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 as amended set out the steps which a Local Authority must carry out when promoting a SLO; however, they do not detail what steps must be taken by a Local Authority between (a) the consultation on a proposed SLO to which there are no maintained objections or the outcome of a Public Hearing into a proposed SLO where there are objections and (b) the making of the SLO.

1.3 Inverclyde Council's Scheme of Administration details functions reserved to the full Council. These include the promotion of or opposition to the making of private legislation and the promotion of byelaws, management rules and any necessary orders. This means that the full Council must consider the making of all SLOs even though they have previously been approved by the Environment and Regeneration Committee.

1.4 This process adds approximately 10 weeks to the timescale for the making of an SLO. It is therefore proposed to introduce a new procedure for making a SLO which will have the effect of reducing that timescale.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee approves

- i. the use of the new procedure and decision making process involved in the promotion of permanent Speed Limit Orders in terms of the Local Authorities' Traffic Order (Procedure) (Scotland) Regulations 1999 as amended;
- ii. the making of SLOs by either the Head of Legal and Democratic Services or the Environment and Regeneration Committee; and
- iii. notes that a separate Report will be remitted to The Inverclyde Council for approval to amend the Scheme of Delegation.

Gail MacFarlane
Shared Head of Roads and Environmental Services

3.0 BACKGROUND

- 3.1 Local Authorities are empowered to make SLOs under the Road Traffic Regulation Act 1984, as amended and following the procedure set out in The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, as amended.
- 3.2 The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 set out the steps which a Local Authority must carry out when promoting a SLO; however, they do not detail what steps must be taken by a Local Authority between (a) the consultation on a proposed SLO to which there are no maintained objections or the outcome of a Public Hearing into a proposed TRO where there are objections and (b) the making of the SLO.
- 3.3 Inverclyde Council's Scheme of Administration details functions reserved to the full Council. These include the promotion of or opposition to the making of private legislation and the promotion of byelaws, management rules and any necessary orders. This means that the Full Council must consider the making of all SLOs even though they have previously been approved by the Environment and Regeneration Committee.
- 3.4 The current Scheme of Delegation requires all SLOs to come before both the Environment and Regeneration Committee and The Inverclyde Council, whether there are objections or not. This process can add 10 weeks to the making of a SLO which delays the introduction of the SLO.
- 3.5 In January 2021 the Environment and Regeneration Committee agreed an amended procedure for the introduction of Traffic Regulation Orders (TROs). This procedure did not, however, address the introduction of Speed Limit Orders. This Report now seeks to introduce a similar procedure for the introduction of SLOs.
- 3.6 Prior to implementation of the new SLO procedure, it will be necessary to amend the Scheme of Delegation to remove the requirement for SLOs to be approved by the Environment and Regeneration Committee and The Inverclyde Council and to delegate the authority to make SLOs to the Head of Legal and Democratic Services or the Environment and Regeneration Committee, depending on whether there are maintained objections to the proposals.

4.0 IMPLICATIONS

4.2 Finance

There are no financial implications arising from this report. The cost of advertising SLOs remains the same using the existing or the new proposed procedures.

4.3 Legal/Risk

The Scheme of Delegation will subsequently require to be amended to remove the requirement to present Reports to the Environment and Regeneration Committee and The Inverclyde Council and to delegate authority to make SLOs to the Head of Legal and Democratic Services or the Environment and Regeneration Committee, depending on whether there are objections to the proposals.

4.4 Human Resources

There are no HR implications arising from this report.

4.5 Equalities and Fairer Scotland Duty

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
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, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

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

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

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

4.6 Environmental/Sustainability

Summarise any environmental / climate change impacts which relate to this report.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

4.7 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.
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X

NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

5.0 CONSULTATION

5.1 The Head of Legal and Democratic Services has been consulted on the proposal contained within this Report.

6.0 BACKGROUND PAPERS

6.1 None.

ROAD TRAFFIC REGULATION ACT 1984 and THE LOCAL AUTHORITIES' TRAFFIC ORDERS (PROCEDURE) (SCOTLAND) REGULATIONS 1999 as amended

PERMANENT SPEED LIMIT ORDER (SLO) PROCEDURE

1. Where Roads and Environmental Services have determined that a Speed Limit Order ("SLO") is necessary they will undertake an initial informal consultation with Police Scotland which is the authority empowered to enforce such restrictions. If Police Scotland are supportive of the proposals, the Head of Roads and Environmental Services will email all Councillors providing a specific briefing on any SLO which is likely to generate significant public interest. Councillors will have 14 days to provide comments on the proposed SLO.
2. Following the 14 day informal Councillor consultation for item 1 above, if there are comments, the Head of Roads and Environmental Services will consider these and determine if any changes are required to the proposed SLO. If changes are required, Councillors will be emailed again providing details of the changes and given a further 14 days to comment on these.

For all permanent SLOs the following steps will apply:-

3. Presuming that the Councillors are content with the proposal, the Head of Roads and Environmental Services then instructs the Head of Legal and Democratic Services to prepare the formal SLO and supporting documentation for public consultation.
4. At this point, Police Scotland, Scottish Ambulance Service, Scottish Fire and Rescue Service, the Ward Councillors, the Community Council and other key stakeholders will be informed that arrangements are being made to advertise the proposed SLO. Copies of the proposed SLO and supporting documentation (Schedule and Plan(s)) will also be passed to these consultees for information.
5. The proposed SLO is then advertised in the local newspaper and this starts the full public consultation process. Any interested party may write to the Council with an objection to the terms of the proposed SLO within 21 days.
6. All documents associated with the proposed SLO, including a Statement of Reasons for proposing to make the SLO, will be made available for public inspection in the Customer Service Centre, Roads Reception and all relevant libraries. The documents will also be placed on the Council's website.
7. All objections made are acknowledged by the Head of Legal and Democratic Services and forwarded to Roads and Environmental Services for consideration and comment.
8. Further explanation or clarification of the proposals in discussion or correspondence with objectors may result in the objections being withdrawn.
9. On receipt of comments from Roads and Environmental Services on objections made, the Head of Legal and Democratic Services will formally respond by letter to the objectors on the basis of these comments. The objectors are given 14 days in which to maintain or withdraw their objections. Failure by the objectors to respond within 14 days will be taken to imply that the objections have been maintained.
10. If no objections are made, or if all objections made are then withdrawn, the proposal is submitted for the approval of the Head of Legal and Democratic Services.

11. Where objections cannot be resolved through further explanation the proposals will either be abandoned or the objections will be heard. A Report will be submitted to the Environment and Regeneration Committee for members to determine how best to consider the objections i.e. to determine if a public Hearing will be heard by a Special Meeting of the Environment and Regeneration Committee or before an Independent Reporter.
12. Should a public Hearing be undertaken and heard by an Independent Reporter, notice of the Hearing is published in the local newspaper. Should a Special Meeting of the Environment and Regeneration Committee be convened to consider the objections, no public press notice requires to be published in the local newspaper but a Committee Report requires to be prepared for consideration at that Special Meeting. In both cases, letters are issued to all of the parties who have maintained their objections. The conduct of the Hearing at the Special Meeting will follow the requirements set out in the 1999 Regulations as amended and as supplemented by the Council's Rules of Procedure. At this stage the objectors will have an opportunity to prepare a statement of their case for the SLO not being made or for it being modified and the Head of Roads and Environmental Services will have the opportunity to prepare a Statement of Case for the SLO and address the case for the objectors; in this way, the Committee or the Reporter will have a full statement of the case for both the objectors and the Head of Roads and Environmental Services which will assist in making a decision on how to proceed with the SLO.
13. In the event that the hearing is heard by an Independent Reporter, once the Independent Reporter has made his recommendations these will be submitted to the Environment and Regeneration Committee for a decision on whether to proceed with the SLO.
14. Once final approval of an SLO is given by either the Environment and Regeneration Committee or the Head of Legal and Democratic Services, the effective date of the SLO is inserted and the SLO as approved is made by the Head of Legal and Democratic Services. This involves the SLO being signed and sealed on behalf of the Council by a Proper Officer at Legal and Democratic Services. A notice is published in the local newspaper advising of the making of the SLO and of the effective date. A letter is issued to Police Scotland and the Procurator Fiscal advising the SLO has been made and enclosing a copy of the made SLO. A copy of the made SLO is made available for public inspection at the same locations as mentioned in paragraph 6 above.
15. An SLO to which no objections are made could be in place within 4 months. An SLO to which objections are made which can be resolved as set out in paragraph 12 above could take 6-9 months. An SLO which requires to go through all of the stages set out above could take 15-21 months.
16. An SLO must be completed within a 2 year period from the first date of publication of the proposals – otherwise it cannot be made and would require to go through the whole process as set out above again.

Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Shared Head of Roads & Environmental Services	Report No:	ERC/RT/GMcF/18.639
Contact Officer:	Gail MacFarlane	Contact No:	01475 714800
Subject:	Business Parking Permits – Terms and Conditions		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council's Scheme of Administration the Head of Environmental and Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders (TROs).
- 1.3 At the Inverclyde Council meeting of 15 December 2022, it was agreed that Business Parking Permits should be introduced in locations with waiting limits and parking charges.
- 1.4 In order to ensure a fair and consistent system of issuing Business Parking Permits, a list of Terms and Conditions has been prepared detailing the rules for applying for, obtaining and using Business Parking Permits.
- 1.5 The purpose of the report is to seek approval of the Terms and Conditions of the Business Parking Permits.

2.0 RECOMMENDATIONS

- 2.1 That the Committee:
1. Approve the Terms and Conditions for applying for, obtaining and using Business Parking Permits.
 2. Note the requirement to promote a variation to "The Inverclyde Council (Off-Street Parking Places) Order 2013", as varied which will be subject to the due legal process outlined in "The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999".
 3. Notes the cost of a permit is £150/year (incl VAT) and this cost will be reviewed annually.

Gail MacFarlane
Shared Head of Roads & Environmental Services

3.0 BACKGROUND

- 3.1 Decriminalised parking enforcement was introduced in Inverclyde in October 2014. At this time the decision was taken not to introduce Business Parking Permits in Inverclyde. Since this time a number of businesses have asked for the introduction of permits to allow them to park vehicles used in the delivery of services near their businesses.
- 3.2 At the Inverclyde Council Committee of 15 December 2022 it was agreed that Business Parking Permits should be provided to businesses where there are parking charges in car parks and the business is located within an existing permit zone.
- 3.3 In order to ensure a fair and consistent system of issuing Business Parking Permits, a list of Terms and Conditions has been prepared detailing the rules for applying for, obtaining and using Business Parking Permits.
- 3.4 Research was undertaken to review the Terms and Conditions of other Local Authorities throughout Scotland which currently operate a Business Permit Parking scheme. Based on this research, Terms and Conditions for Inverclyde Council were drawn up. These were issued for comment and revision to the Council's Legal Services and the Public Protection Team which manages the Parking Attendants.
- 3.5 As a result, the Terms and Conditions contained within Appendix 1 have been developed.
- 3.6 Prior to the introduction of Business Parking Permits it will be necessary to promote a variation to "The Inverclyde Council (Off-Street Parking Places) Order 2013", as varied which will be subject to the due legal process outlined in "The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999". This includes public consultation on the Order with opportunity for the submission of objections.
- 3.7 Currently the total occupancy of car parks in Greenock, Port Glasgow and Gourock is around 50% meaning there are a significant number of empty spaces. By offering business parking permits at £150 per permit per year we are therefore filling spaces and generating income at the same time. It is estimated that 212 permits will be purchased each year. To maintain off-street parking spaces for visitors and shoppers and to improve the vibrancy of the town centre a maximum of 250 permits will be sold pro-rata across Port Glasgow, Greenock and Gourock. Applications for permits will be assessed in the order received and on business operational needs and up to a maximum capacity. Applications are required to be renewed annually and consideration will be given to existing applications first, over new applications.
- 3.8 There are no additional costs associated with parking enforcement as Parking Attendants are currently working in these car parks checking vehicles for contraventions.
- 3.9 For every change that is made to a Business Parking Permit the Council will have to pay their Contractor to process this. In order to cover this cost it is proposed that a £20 charge is applied for each change requested by a Business Parking Permit holder.

4.0 IMPLICATIONS

- 4.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO	N/A
Financial	x		
Legal/Risk	x		

Human Resources		x	
Strategic (LOIP/Corporate Plan)		x	
Equalities & Fairer Scotland Duty		x	
Children & Young People's Rights & Wellbeing		x	
Environmental & Sustainability		x	
Data Protection	x		

4.2 Finance

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
02506	Parking	2023/24	(£26.5k)		Estimated income 212 permits
02506	Parking	2023/24	£1.5k		Processing Permits

4.3 Legal/Risk

Prior to the introduction of Business Parking Permits it will be necessary to promote a variation to "The Inverclyde Council (Off-Street Parking Places) Order 2013", as varied which will be subject to the due legal process outlined in "The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999". This includes a public consultation on the Order which may result in objections which would require to be heard, if not withdrawn. The timescales are uncertain; however, the TRO process can take between 6-18 months depending on whether there are objections and the means by which objections will be heard i.e. by Council Committee or an Independent Reporter.

4.4 Human Resources

None.

4.5 Strategic

None.

4.6 Equalities and Fairer Scotland Duty

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	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, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

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

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

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

4.7 **Children and Young People**

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

4.8 **Environmental/Sustainability**

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

4.9 **Data Protection**

Has a Data Protection Impact Assessment been carried out?

X	YES –Data Protection is part of the current Back Office Contract.
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NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

5.0 CONSULTATION

5.1 The Head of Legal and Democratic Services, Public Protection Team and the Chief Financial Officer will be consulted on this report.

6.0 BACKGROUND PAPERS

6.1 A report entitled “2023/25 Budget Update & Proposals” was considered by the Inverclyde Council Committee on 15 December 2022 and agreed the introduction of Business Parking Permits.

Business Parking Permit – Terms and Conditions of Use

Please note that all business parking permit holders hold a permit subject to the following terms and conditions of Use (“Terms and Conditions”):

Business Parking Permit details

For the purposes of the following Terms and Conditions, a ‘business’ is defined as any use of premises falling within Class 1, Class 2 or Class 3 as specified in the Schedule to the Town and Country Planning (Use Classes)(Scotland) Order 1997.

Only businesses located within a Parking Permit Zone are entitled to a Business Parking Permit. There is a limit of two permits per business, under exceptional circumstances and taking into account business needs and/or size of the business additional permits may be granted up to a maximum of 10 per business. The registration number of each permitted vehicle (“specified vehicle”) will be recorded on the Business Parking Permit.

To maintain off-street parking spaces for visitors and shoppers and to improve the vibrancy of the town centres, a maximum of 250 permits will be sold pro-rata across the three towns of Port Glasgow, Greenock and Gourock. Applications for permits will be assessed in the order received and on business operational needs and up to a maximum capacity per town. Applications are required to be renewed annually and consideration will be given to existing applications first, over new applications.

You can find Business Parking Permit prices on the Council’s website.

Your entitlement to a Business Parking Permit (hereinafter referred to as a “Permit”)

- A Permit is specific to an individual business, the normal permanent address of the business (specified business address) and a specified vehicle.
- A Permit will last for a period of 12 months. You must renew your Permit annually or earlier if you change your specified vehicle or specified business address.
- You are entitled to a maximum of two Permits per specified business address so long as all the available permits for each town centre have not been purchased
- Additional permits may be granted up to a maximum of 10 per business, under exceptional circumstances,
- You can only apply for a Permit for use in an off-street car park in the Zone within which the specified business address is located.
- The specified vehicle must be registered in the name of the business at the specified business address or, if the specified vehicle is a hire vehicle, you must provide either the contract hire agreement or proof of business use for the specified business on liveried stationery.
- The specified vehicle may be a Motor Vehicle or a Goods Vehicle. The overall height of the specified vehicle must not exceed 2.1m, the length must not exceed 5.0m and the unladen weight must not exceed 5 tonnes.
- The specified vehicle must not be built to carry 8 or more passengers and cannot be drawing a trailer when using a Permit.
- A Permit will only be issued where use of the vehicle is essential to the daily operation of the business throughout the business day.

The specified vehicle must:

- have a valid MOT test certificate throughout the life of the Permit;
- have a valid road fund licence (vehicle tax) throughout the life of the Permit; and
- be insured for business purposes.

We cannot issue a Permit if:

- your specified business address is subject to car free development. Please speak to your solicitor, seller or landlord for this information as we will not be able to confirm this information for you.
- you cannot provide the correct documents.
- you submit fraudulent documents.
- you have three or more outstanding Penalty Charge Notices.
- you already have two valid Permits for the same specified business address.

Where you can use the Permit

- You can only use your Permit in an off-street car park within the Zone for which it has been issued. You must always park legally, in accordance with the sign plates and road markings in the vicinity.
- Specified vehicles must park correctly within the markings of the bay or space.
- A Permit can only be used in Council operated off-street car parks within the specified Zone for which it has been issued.
- Permits do not guarantee a parking space.
- The specified Zone name and any restrictions on the use of the parking bays by Permit holders will be shown on sign plates in the off-street car park.
- Permits are only valid for the specified vehicle indicated on the Permit, as referred to in the Business Parking Permit Application Form and on the submitted documentation.

Where you cannot use the Permit

- Permits cannot be used in Disabled Persons' Parking Places (with the exception of times during which Permit holder only parking applies, when a valid Disabled Persons' Badge shall also have to be displayed), police bays, ambulance bays, loading bays, taxi bays, bus bays, EV bays, single and double yellow lines.
- Permits are not valid in suspended bays. This will result in a Penalty Charge Notice being issued and specified vehicles may be relocated or removed.
- Permits are not valid in private car parks.
- Permits are non-transferable and cannot be used for any vehicle other than the specified vehicle.

Business and vehicle application requirements

Business Requirements:

The applicant must pay non-domestic rates for the business premises. Any business claiming small business relief should indicate this on the application form in the space provided.

The business must undertake, from the specified business address, a Class 1, Class 2 or Class 3 use as specified in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997.

You must provide a Non Domestic Rates demand dated within the last 3 months, and a document from the list below:

- A current utility bill (dated within the last 3 months).
- A current bank/credit card statement (dated within the last 3 months).
- A mortgage agreement (dated within the last 3 months).
- A current tenancy agreement issued by a solicitor or leasing agent on headed paper and dated within the last 3 months.

The document must clearly show your business name and specified business address.

You must submit the following in relation to the specified vehicle

- The vehicle registration document (V5C) showing that the specified vehicle is registered at the applicant's specified business address. If the vehicle is not registered to the business address you must provide proof of business use for the specified business on liveried stationery.
- A copy of your Insurance Certificate showing the registration of the specified vehicle, expiry date and confirmation that the specified vehicle is insured for business purposes.

We can only issue a 6 week permit if you are unable to supply the V5C documentation but have the bill of sale or insurance documentation confirming the make, model and registration of the specified vehicle. There will be an administration charge at the cost detailed on the Council's website.

Following receipt of all of the documents which prove your entitlement to a Permit you will be issued with a permit for 12 months at the cost detailed on the Council's website.

If after the 6 weeks you are still unable to produce the V5C as form of proof your application will be rejected.

If you are hiring the vehicle, please provide the contract hire agreement showing your name/the business name and the vehicle registration number.

Permitted parking areas

The Permit is valid for parking in parking spaces in off-street car parks within the specified parking zone marked on the Permit (i.e. the zone in which the business address is located), provided that there are no further waiting restrictions in force. Permits do not allow parking in any other designated parking bays or restricted areas e.g. disabled bays, ambulance bays, etc and vehicles must comply with the relevant waiting restrictions at all times.

Assigning a Permit to a vehicle

Any specified vehicle for which a Paper Permit has been issued and which are not clearly displaying a Permit on the vehicle's front windscreen must park in accordance with the parking restrictions and will not be afforded any parking Permit holder concessions.

How to use your Permit

- You will be issued with a virtual Permit. Details of the specified vehicle and the Permit issued to that specified vehicle will be recorded on an electronic database which can be accessed from the hand-held devices used by Parking Attendants.
- Should a Paper Permit be provided, your Permit must be clearly displayed on the specified vehicle's front windscreen so that its details can be easily read. You must display your original Permit; copies are not acceptable.
- Every Permit has a unique identification reference number. Whenever you contact us about your Permit, please quote this unique reference number.
- The use of a Permit contrary to the Terms and Conditions and the relevant Traffic Regulation Order (TRO) may result in the cancellation of that Permit.
- The misuse of Permits should be reported to 01475 714800.

Conditions of use

Permits can only be used for specified vehicles which must meet the application requirements at all times when using the Permit. If, for any reason, the business or specified vehicle no longer meets the Permit application requirements then the Permit can no longer be used for that business or specified vehicle. The Council reserves the right to request an inspection of any specified vehicle at any time.

A Permit is only considered to be valid when displayed on a specified vehicle or details contained on the Parking Attendant's handheld computer. Any specified vehicle not displaying a Permit must park in accordance with the parking regulations. Permits will not be recognised if displayed on vehicles which are not specified vehicles.

A Paper Permit must be clearly displayed on the front windscreen of the specified vehicle. Any specified vehicle displaying an obscured or illegible Permit may be issued with a Penalty Charge Notice (PCN).

Permit holders must obey the relevant parking restrictions at all times and must move or relocate their vehicle if requested to do so by a Police Officer or Parking Attendant.

Change of vehicle

Permit holders can amend the details of their specified vehicles for an administration charge, at the cost detailed on the Council's website. For each amendment, however, each new specified vehicle must meet the application requirements before a Permit can be issued for it. The registration number of the specified vehicle will appear on the Permit. Applicants wishing to add or remove specified vehicles should do so using the online application portal.

Change of address

In the event that a business changes address, the Permit holder must contact the Permit Team at the earliest opportunity to arrange for the cancellation or amendment of their Permit. There will be an administration charge at the cost detailed on the Council's website.

Permit renewals

Permits are valid for 12 months and it is the responsibility of the Permit holder to ensure that their Permit is renewed on time. You can renew your Permit up to 28 days before it expires. Please allow at least 10 working days for a Permit to be issued if you apply online. Permit holders can

renew their Permit on the Council's website. You will be required to provide proof of eligibility.

Failure to renew your Permit on time may result in you receiving a Penalty Charge Notice unless you park in accordance with the parking restrictions at the location at which you park.

Voluntary surrender of Permit

A Permit holder may relinquish their Permit at any time. Refunds are only available for complete months which remain unexpired and an administration charge, at the cost detailed on the Council's website, will be deducted.

Misuse of Permits

The Council reserves the right to revoke a Permit without refund if they have reason to believe that it is being used in breach of the Terms and Conditions

Permit holders will, if required by the Council at any time throughout the duration of the Permit, provide the Council with evidence of business use throughout the business day. The Council will assess the evidence and decide if it is satisfactory, which decision will be at the absolute discretion of the Council. If the Council decides that the evidence of business use throughout the business day is not satisfactory, the Council will be entitled to revoke the Permit.

Permit holders are also required to relinquish their Permit if their business or specified vehicle no longer meets the permit application requirements, if a new/replacement Permit is issued by the Permit Team or if they are requested to do so in writing by the Council.

Examples of misuse of the business parking permit scheme, including if you:

- Provide false information to get a Permit.
- Allow non-specified business vehicles to use your address to get a Permit.
- Use the Permit for non-business purposes.

Offences and penalties

It is an offence to mishandle, alter, make or fake any parking document with intent to deceive or to make a false statement in order to obtain such a document for yourself or any other person by virtue of section 115 of the Road Traffic Regulation Act 1984.

Data Protection

The issuing authority (The Inverclyde Council) will process all information in accordance with the requirements of the Data Protection Act 2018. The enforcement authority (The Inverclyde Council) will use any data collected through the issuing of a Permit for other associated purposes. We are required by law to protect the public funds we administer and we may share/check this information with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud. These bodies include but are not limited to: other Council departments, other public authorities and other enforcement agencies.

When can you use your Permit?

1. You will be advised by email / letter confirming that your documents are in order and that you have been approved for a Permit.
2. Do not presume you have been approved for a Permit until you have been formally advised.

Proposed business parking permit charges which will be displayed on the Council's website should any changes be required throughout the duration of this permit scheme. They will not be included on the Terms and Conditions.

Type	Cost
Business Permit – 12 months	£150
Business Permit – Temporary for 6 weeks	£20
Permit – Change of details (address or vehicle)	£20
Refund	Only available for complete months which remain unexpired and an administration charge of £20 will be deducted.

Report To:	Environment and Regeneration Committee	Date:	9 March 2023
Report By:	Shared Head of Roads and Environmental Services	Report No:	ERC/RT/GMcF/18.637
Contact Officer:	Gail MacFarlane	Contact No:	01475 714800
Subject:	20mph Town & Village Centres Speed Limit Orders – Maintained Objections		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and, under the Council's Scheme of Delegation, the Head of Roads and Environmental Services is responsible for the making, implementation and review of Roads Orders including Speed Limit Orders (SLO).

1.3 The purpose of this report is to inform the Committee of the outcome of the consultation procedure undertaken for the six SLOs listed below. The SLOs for Inverkip and Wemyss Bay each received one maintained objection. The report also seeks a decision on whether Committee will hear the objections relating to each of the SLOs itself or will appoint an independent Reporter.

- "The Inverclyde Council Kilmacolm Village Centre (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Port Glasgow Town Centre (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Gourock Town Centre (20mph Speed Limit) Order 2022";
- "The Inverclyde Council Inverkip Village Centre (20mph Speed Limit) Order 2022"; and
- "The Inverclyde Council Wemyss Bay Village Centre (20mph Speed Limit) Order 2022".

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee:

- a. Notes that there are no objections to the SLOs associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock.
- b. Recommends to the Inverclyde Council the making of the SLOs associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock and remits it to the Head of Roads and Environmental Services and the Head of Legal and Democratic Services to arrange for their implementation.
- c. Notes the requirement to hold a public hearing to consider the maintained objections to the SLOs associated with Inverkip and Wemyss Bay.

- d. Decides either to hear these objections before a special meeting of this Committee or through an independent Reporter. As the maintained objections to the Inverkip and Wemyss Bay SLOs are by an Elected Member, it is recommended that a Reporter should hear the objections to both SLOs.
- e. Remits it to the Head of Roads and Environmental Services and the Head of Legal and Democratic Services to make the necessary arrangements for the public hearing(s).
- f. Decides, if, prior to the public hearing, the maintained objections to the Inverkip and/or Wemyss Bay SLOs are withdrawn, to recommend to the Inverclyde Council the making of the SLO(s) without further consideration by the Environmental and Regeneration Committee and remits it to the Head of Roads and Environmental Services and the Head of Legal and Democratic Services to arrange for their implementation.

Gail MacFarlane
Shared Head of Roads and Environmental Services

3.0 BACKGROUND

- 3.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and, under the Council's Scheme of Delegation, the Head of Roads and Environmental Services is responsible for the making, implementation and review of Roads Orders including Speed Limit Orders (SLO).
- 3.2 A report entitled "Implementation of 20mph Speed Limits in Residential Areas" was considered by the Environment and Regeneration Committee on 13 January 2022 where one of the decisions was "that approval be given to the principle of delivering 20mph speed restriction within key pedestrian generator areas within town centres and villages and in the vicinity of schools".
- 3.3 Following this decision six SLOs were drafted for key pedestrian generator areas within town centres and villages. They are entitled: -
- "The Inverclyde Council Kilmacolm Village Centre (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Port Glasgow Town Centre (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Gourock Town Centre (20mph Speed Limit) Order 2022";
 - "The Inverclyde Council Inverkip Village Centre (20mph Speed Limit) Order 2022"; and
 - "The Inverclyde Council Wemyss Bay Village Centre (20mph Speed Limit) Order 2022".

It should be noted that a 20mph SLO for West Blackhall area of Greenock is currently being promoted as part of the West Blackhall Street improvement works.

- 3.4 The proposed SLOs were all issued for public consultation on 28 November 2022 with responses invited by 19 December 2022.
- 3.5 During the period of public consultation for the TROs, one valid objection was received to the Inverkip SLO and one valid objection was received to the Wemyss Bay SLO. No objections were received to the SLOs for Kilmacolm, Port Glasgow, Gourock or Cathcart Street area of Greenock. Officers entered into correspondence with the objector who objected to the Inverkip and Wemyss Bay SLOs. Despite officers' efforts the objectors did not respond therefore their objections are considered to be maintained. The objector is an Elected Member.
- 3.6 The rules of natural justice strongly indicate that the Council should not hear objections where one of their own Elected Members is the objector. One aspect of the rules of natural justice is the right to a fair hearing. A member of the public could find it difficult to understand how elected members of a committee could act as an independent decision maker when one of the objectors is also an Elected Member. These are considerations which strongly point towards the hearing into the objections being dealt with by an independent Reporter.
- 3.7 In consequence, it is recommended that the Council should agree to the objections into the Inverkip and Wemyss Bay SLOs being heard by a Reporter. The Reporter would report directly to the Council with recommendations and it will be for the Council to make a decision, informed by the Reporter's report.

4.0 IMPLICATIONS

4.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO	N/A
Financial	x		
Legal/Risk	x		
Human Resources		x	
Strategic (LOIP/Corporate Plan)		x	
Equalities & Fairer Scotland Duty			x
Children & Young People's Rights & Wellbeing			x
Environmental & Sustainability			x
Data Protection			x

4.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
	SPT Capital Funding	2023/24	£5k	N/A	Independent Reporter
	SPT Capital Funding	2022/23	£25k	N/A	Signs associated with the 4 SLOs with no objections

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
	Lighting	2023/24	£0.5k		Contained within original Service Budget
	Signs	2023/24	£0.2k		Contained within original Service Budget

4.3 Legal/Risk

The recommendation(s) of an independent Reporter following public hearings would be reported to a future meeting of the Environment and Regeneration Committee. In the event that the Committee decides not to appoint an independent Reporter but rather decides to hear the objections itself, the decision of the Committee will be final.

4.4 Human Resources

None.

4.5 Strategic

None.

5.0 CONSULTATION

- 5.1 This report is a result of a public consultation on the 20mph Speed Limit Orders associated with town and village centres. It notes the outcome of the consultation undertaken between 28 November 2022 and 19 December 2022.

6.0 BACKGROUND PAPERS

- 6.1 This report follows one of the decisions made at the Environment and Regeneration Committee on 13 January 2022 regarding the report entitled "Implementation of 20mph Speed Limits in Residential Areas".

Report To:	Environment and Regeneration Committee	Date:	9 March 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV018/23/GM
Contact Officer:	Gail MacFarlane	Contact No:	01475 714800
Subject:	Commercial Waste Services		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to advise Committee of an under recovery of income within the Council's Commercial Waste Service and to advise of the proposed increase in charges for 2023/24 and plans to develop proposals to completely remove the subsidy as part of the 2024/25 Budget.

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee note the financial under recovery of the Commercial Waste Service and approve the following:

- i) 2023/24 Increase commercial trade waste charges by 10% to reflect the increase in inflationary costs to the service and to eliminate the current income shortfall,
- ii) To align internal Trade Waste Charges to those levied commercially, and;
- iii) That Officers will develop proposals to deliver a non-subsidised service as part of the 2024/25 Budget.

Gail MacFarlane
Shared Head of Roads & Environmental Services

3.0 BACKGROUND AND CONTEXT

3.1 The Council provides a commercial waste service to businesses, charities and internal Council services across Inverclyde. The Environmental Protection Act 1990 S45 (1b) states that

It shall be the duty of each waste collection authority –

(b)if requested by the occupier of premises in its area to collect any commercial waste from the premises, to arrange for the collection of the waste.

(4)A person at whose request waste other than household waste is collected under this section shall be liable to pay a reasonable charge for the collection and disposal of the waste to the authority which arranged for its collection; and it shall be the duty of that authority to recover the charge unless in the case of a charge in respect of commercial waste the authority considers it inappropriate to do so.

It is therefore clear that the Council has an express statutory duty to arrange for the collection of commercial waste if it is requested to do so by an occupier of commercial premises.

3.2 A total of 582 individual premises are collected on a variety of frequencies weekly generating revenue of £606k annually broken down as follows

Customer type	Quantity	Tonnage generated	Income £000s
Commercial	476	2185	396
Charity	43	199	31
Council	61	1047	179
Total	580	3431	606

3.3 Council policy is that charity customers receive a 50% discount on their charges. The Council Services receive a significant discounted rate which has not changed since 2010. For comparison the charges are shown below:

Customer type	240l	1100l
Commercial	£6.25	£25.01
Charity	£3.20	£10.28
Council	£3.61	£10.84

3.4 Although the Council services appear relatively low at 11% of all customers, the Council have the largest volume collected per premises and generate around 30% of the tonnage and income.

In addition, the Council collect glass and dry mixed recyclate of around 490 tonnes annually from 190 properties many of which are collected fortnightly. The majority of recycling is produced by Council premises which are collected on a weekly basis. The internal customers generate around 10 times the volume of recycling material compared to normal business customers.

3.5 Income from commercial waste has decreased over the years as a result of business closures, national contracts and competition from external providers. The decline in the customer base has predominantly occurred as a result of the larger customers moving to commercial waste operators who can be more competitive due to economies of scale etc but for smaller businesses the Council remains likely to be the only option available to them.

- 3.6 The Council operate the Commercial Waste Service with two refuse collection vehicles, two drivers and 4 labourers, services are provided 5 days a week with a limited Saturday service requested by mainly restaurants and bars.
- 3.7 Service charges are comparable with other local authorities, (appendix 1). Based on 2021/22 charges, Inverclyde is 17th most expensive out of 24 authorities for a 240l standard household type container and 14th dearest out of 24 for a larger 1100l container.

4.0 COST OF SERVICE DELIVERY

4.1 The cost of providing the services is detailed below:

Commercial Waste	Budget 22/23	Current Projection
Income	-648,510	-588,210
Waste cost	377,210	377,210
<u>Overhead Costs</u>		
Management Allocation - 10%	16,860	16,860
Depot Allocation - 10%	7,460	8,060
Employee Costs - core hours	299,830	299,830
Vehicles inc Loan charges	163,450	163,450
Admin Costs, CSC charges	28,370	28,370
Total Expenditure	893,180	893,780
Under-recovery	244,670	305,270

4.2 The income shown above is based on discounted rates for both internal and charity customers.

4.3 The 2022/23 residual waste tonnage costs above are based on the current landfill charge paid to the Council's contractor however following the implementation of the Amendment Order this rate has increased. The impact of the change in rate increases the costs by £153k. Factoring this in, would increase the budgeted Council subsidy to the service to £398k per annum.

Commercial Waste	Budget 22/23	Current Projection
Income	-648,510	-588,210
Waste cost	530,910	530,910
<u>Overhead Costs</u>		
Management Allocation - 10%	16,860	16,860
Depot Allocation - 10%	7,460	8,060
Employee Costs - core hours	299,830	299,830
Vehicles inc Loan charges	163,450	163,450
Admin Costs, CSC charges	28,370	28,370
Total Expenditure	1,046,880	1,047,480

Under-recovery 398,370 459,270

- 4.4 The financial breakdown also illustrates that the Commercial Waste Service is running at a loss which is not a sustainable position in terms of the Council’s statutory duty to secure Best Value.
- 4.5 In securing Best Value, there is a need for the Council to maintain an appropriate balance of:
- i) The quality of the service;
 - ii) The cost to the Council of providing the service; and
 - iii) The cost to the customers of the service provided for them on a wholly or partly rechargeable basis.
- 4.6 By law the Council has a duty to collect its reasonable charge unless it considers it inappropriate to do so. As such, if the Council was to offer a discount, it would need to establish what “a reasonable charge” would be for the collection of commercial waste, and the basis for any discount being appropriate.
- 4.7 Therefore, in light of the Council’s Best Value obligations it may appear prudent for the Council to consider whether increasing charges to customers (both internal and external) would lead to a more sustainable position.

5.0 PROPOSALS

5.1 The requirement for 2023/24 is to eliminate the projected £60,300 budget shortfall shown in paragraph 4.1 above. To do this requires a 10% increase in the rates charged to businesses and charities plus a review of costs. The table below illustrates the impact based on the size of containers. It is not proposed to change the 50% charity discount policy operated by the Council at this time.

Size	240L	330L	660L	750L	1100L	1280L
22/23 Commercial Charges	£6.25	£8.52	£15.35	£17.15	£25.01	£26.17
23/24 charge (10%)	£6.88	£9.37	£16.89	£18.87	£27.51	£28.79

- 5.2 The rates charged to Council services should match those charged to businesses. If agreed this will reduce the gross subsidy by £150-180,000. However, there will be no net saving to the Council as those services charged will have their budgets increased commensurately.
- 5.3 The final proposal is that, during 2023, officers develop proposals to fully eliminate the Commercial Waste Service subsidy and bring proposals before Members as part of the development of the 2024/25 Budget.

6.0 IMPLICATIONS

6.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO	N/A
Financial	x		
Legal/Risk	x		
Human Resources		x	
Strategic (LOIP/Corporate Plan)	x		
Equalities & Fairer Scotland Duty			x
Children & Young People's Rights & Wellbeing			x
Environmental & Sustainability	x		
Data Protection			x

6.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report (£000s)	Virement From	Other Comments

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000's	Virement From (If Applicable)	Other Comments
Refuse Collection	Income	2023/24	£(60)		10% increased charge to business and charity customers & an £18k saving arising from a review of costs
		2023/24	£(150- 180)		Extra Income arising from the removal of council discount
Council Services			£150-£180		Compensating increase in Council Budgets

6.3 Legal/Risk

External legal advice has confirmed that if the Council refused to arrange for the collection of commercial waste where requested to do so then the Council would be susceptible to the risk of successful judicial review on grounds that the Council had acted unlawfully in failing to provide a statutory service which as a matter of law it was required to provide.

6.4 Human Resources

There are no HR implications arising from the recommendation within the report.

6.5 Strategic

The strategic implications arising from this report is that there may be an increase in fly tipping if businesses are unable to afford the increase in charges. A phased increase will mitigate this risk.

6.6 Environmental/Sustainability

Has a Strategic Environmental Assessment been carried out?

X	YES – assessed as relevant and a Strategic Environmental Assessment is required.
	NO

7.0 CONSULTATION

7.1 There has been consultation undertaken in relation to this proposal with Legal and Finance Services.

8.0 BACKGROUND PAPERS

8.1 There are no background papers relevant to this proposal.

Appendix 1 Commercial Waste Charges – Scottish Council Comparator

Councils 2022 - 2023	<u>240 Litres</u>	<u>1100 Litres</u>
Shetland Islands Council	£3.80	£17.30
Comhairle nan Eilean Siar	£4.25	£16.85
Dumfries and Galloway Council	£5.14	£21.65
Scottish Borders Council	£5.22	£21.33
Angus Council	£5.30	£24.00
Aberdeenshire Council	£5.30	£24.30
Renfrewshire Council	£5.65	£26.90
Falkirk Council	£5.75	£20.50
North Lanarkshire Council	£5.75	£22.80
West Dunbartonshire	£5.75	£24.50
Glasgow City Council	£5.80	£21.60
Aberdeen City Council	£5.80	£17.20
South Ayrshire Council	£5.85	£28.50
East Renfrewshire Council	£5.91	£20.69
East Lothian Council	£6.10	£27.05
North Ayrshire Council	£6.15	£27.45
Inverclyde Council	£6.25	£25.00
Clackmannanshire Council	£6.35	£29.15
Stirling Council	£6.40	£24.90
Midlothian Council	£6.44	£24.73
Highland Council	£7.05	£31.65
Orkney Islands Council	£8.40	£27.10
Moray Council	£8.45	£36.90
East Ayrshire Council	£9.10	£41.20
Argyll and Bute Council	NA	£37.86
Scottish Average	£5.84	£25.64

Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV014/23/MM
Contact Officer:	Martin McNab	Contact No:	01475 714246
Subject:	Landlord Registration Process		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to recommend a change to the way in which the Council considers concerns that have been raised in respect of the suitability of private residential landlords under the Antisocial Behaviour etc. (Scotland) Act 2004 (“the Act”). It is believed that these proposals will simplify and improve the consideration of such matters.
- 1.3 The Act introduced the Private Landlord Registration Scheme to Scotland. The scheme has operated since 2006. The scheme placed a legal responsibility on private residential landlords to register with those local authorities where they are actively renting housing to unrelated persons. Agents formerly also had to register with the Council but now must register on the Letting Agents Register (LAR) operated by the Scottish Government.
- 1.4 The existing arrangements for considering such matters were approved by the Education & Communities Committee in 2017 for the approval, refusal or removal of a landlord’s registration, refusal and removal being considered by the Housing (Landlord Registration) Sub-Committee. This consideration includes an assessment as to whether the landlord in question is a “fit and proper person”- in terms of Section 85 of the Act. This report fulfils a remit from the January meeting of the Committee by recommending changes to the existing arrangements.
- 1.5 Rather than concerns over the suitability of private landlords being considered by the Director of Environment and Regeneration and the Head of Legal and Democratic Services who would decide whether a meeting of the Housing (Landlord Registration) Sub-Committee should be held, it is recommended that the process could be expedited by reports being submitted directly to the General Purposes Board for consideration.
- 1.6 This would obviously require a change to the Council’s Standing Orders and Scheme of Administration, including the removal of the Housing (Landlord Registration) Sub-Committee, and the approval of Inverclyde Council. However, it is clear that the process of determining whether or not a landlord is “fit and proper person” has a great deal of commonality with a number of civic licensing regimes already covered by the General Purposes Board, such as for taxi licensing. If the Council were to decide that consideration of these matters could fit appropriately under the remit of the General Purposes Board then the process for submission of reports on this matter could be simplified to work within the current arrangements for the General Purposes Board.

2.0 RECOMMENDATIONS

- 2.1 That the Committee approves the proposed change to the way in which the Council considers concerns that have been raised in respect of the suitability of private residential landlords under the Antisocial Behaviour etc. (Scotland) Act 2004, with such matters instead being considered by the General Purposes Board and the Housing (Landlord Registration) Sub-Committee being removed, and remits this decision to the full Council for consideration of the associated changes to the Council's Standing Orders and Scheme of Administration.
- 2.2 That the Committee notes it will receive an annual update on Private Residential Landlord Registration.

Stuart Jamieson
Director Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

3.1 Part 8 of the Antisocial Behaviour etc (Scotland) Act 2004 provides that, other than the limited exemptions contained in Section 83 of the Act, all landlords who are not a local authority or registered social landlord must register with the local authority. Failure to apply for registration is a criminal offence.

3.2 The Landlord Registration Update report brought to the January meeting of the Environment & Regeneration Committee gave details of the current situation in respect of Landlord Registration and the processes in place for calling a meeting of the Housing (Landlord Registration) Sub-Committee. Members expressed a desire to see faster progress on bringing cases before them and it was remitted to the Director to bring a report back to this meeting. A link to that January 2023 report is included here:-

<https://www.inverclyde.gov.uk/meetings/meeting/2519>

3.3 In the March 2017 report “Registration of Private Landlords – Formal Procedure for the Approval, Refusal or Removal of Registration” the Education & Communities a process whereby concerns over the suitability of private landlords were reported to an officer panel, comprising at that time the Corporate Director Education, Communities & Organisational Development and the Head of Legal & Property Services. If the officer panel was satisfied that the grounds existed for refusal or revocation of the necessary licence then the matter would be placed before the Sub-Committee for ratification or rejection. A link to that March 2017 report is included here:-

<https://www.inverclyde.gov.uk/meetings/meeting/1943>

3.4 This process was intended to ensure that landlords are only referred to members for consideration of their fit and proper status when senior officers are satisfied that the evidence for bringing such a referral is sufficient. In reality officers would be very unlikely to bring a case for members’ consideration without involving senior officers in all circumstances. What the process does not allow for is a straightforward process should Police Scotland raise issues about a landlord’s suitability based upon previous convictions. The obvious parallel for these, admittedly rare, cases would be referrals to the GP Board from Police Scotland for Taxi Drivers.

3.5 Section 84 of the Anti-Social Behaviour etc. (Scotland) Act 2004 provides that the local authority shall register a landlord or agent where the appropriate information has been submitted, the appropriate fee paid and where it is satisfied that the relevant person is a “fit and proper person” to act as a landlord or agent. When considering whether someone is a fit and proper person, Section 85 of the Act provides that the local authority shall have regard (among other things) to any material specified in Section 85 subsections (2) to (4) of the Act viz. –

“(2) Material falls within this subsection if it shows that the relevant person or, as the case may be, the person has–

(a) committed any offence involving–

(i) fraud or other dishonesty;

(ia) firearms (within the meaning of section 57(1) of the Firearms Act 1968;

(ii) violence; or

(iii) drugs;

(a) committed a sexual offence (within the meaning of section 210A(10) of the Criminal Procedure (Scotland) Act 1995;

(b) practised unlawful discrimination in, or in connection with, the carrying on of any business;
or

(c) contravened any provision of–

(zi) any Letting Code issued under section 92A;

- (i) the law relating to housing; or
- (ii) landlord and tenant law.

(3) Material falls within this subsection if it relates to any actings or failure to act by the relevant person or, as the case may be, the person as respects antisocial behaviour affecting a house–

(a) subject to a lease or occupancy arrangement such as is mentioned in section 84(3)(c);
and

(b) in relation to which the relevant person was (or is) the landlord under the lease or arrangement or, as the case may be, the person was (or is) acting for the landlord in relation to the lease or arrangement.

(3A) Material falls within this subsection if it relates to any agreement between the relevant person and any person in terms of which that person acts for the relevant person in relation to a lease or occupancy arrangement such as is mentioned in section 84(3)(c).

(4) Material falls within this subsection if it appears to the Authority that the material is relevant to the question of whether the relevant person or, as the case may be, the person is a fit and proper person.”

4.0 PROPOSALS

- 4.1 In terms of the Council’s Standing Orders and Scheme of Administration, the remit of the Housing (Landlord Registration) Sub-Committee is “[t]o consider and decide on the refusal or removal of the registration of a private landlord or agent in prescribed circumstances”. General reports and updates on the private landlord registration are instead submitted to the Environment & Regeneration Committee, therefore the sole function of the sub-committee is essentially to carry out this *quasi-judicial* function, i.e., to consider whether or not a private residential landlord is a “fit and proper person”.
- 4.2 It should be remembered here that Private Residential Landlord Registration is a Scottish Government scheme large parts of which are administrative and operational. Although there are tools to encourage compliance landlords to meet the standards expected of them, such as Rent Penalty Notices, these are used operationally. It is not a licensing system unlike many of the Civic Government regimes and member input is required solely in relation to the fitness of an individual to be a landlord.
- 4.3 As noted in the January report to the Committee, the circumstances in which such a decision is required will arise relatively infrequently. Given this, and the *quasi-judicial* nature of such matters, it would make sense for such decisions to instead be taken by the General Purposes Board which regularly deals with such considerations on civic licensing matters, and has greater experience in doing so, including in ensuring the rights of licence holders (in this case private landlords) are met, and all relevant parties able to input into such decision-making. This would also enable any such issues to be considered at the regular scheduled meetings of the General Purposes Board, rather than special meeting of the Housing (Landlord Registration) Sub-Committee having to be arranged, potentially at short notice. As is currently the case, it would

still be for the appropriate Head of Service to initially consider any concerns which are raised over the suitability of private landlords (or prospective private landlords), and only where it is assessed that such concerns have substance and/or merit consideration by the General Purposes Board, would such concerns be remitted to the General Purposes Board, failing which they would be determined by officers under delegated authority.

- 4.4 It is therefore recommended that the Committee approves a proposed change to the way in which the Council considers concerns that have been raised in respect of the suitability of private residential landlords under the Antisocial Behaviour etc. (Scotland) Act 2004, with such matters instead being considered by the General Purposes Board and the Housing (Landlord Registration) Sub-Committee being removed, and remits this decision to the full Council for consideration of the associated changes to the Council's Standing Orders and Scheme of Administration. This would not affect the Environment & Regeneration Committee's responsibility to oversee the implementation of Private Residential Landlord Registration along with other matters affecting housing enforcement but it would streamline and improve the current process. It is, however, proposed that the Committee receive an annual update on Private Residential Landlord Registration.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial		X	
Legal/Risk	X		
Human Resources	X		
Strategic (LOIP/Corporate Plan)		X	
Equalities & Fairer Scotland Duty	X		
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

There are no financial implications arising directly from this report.

One off Costs

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

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

There are legal duties on the Council under the 2004 Act, in relation to the registration of private residential landlords. The proposals in this report will help ensure the Council meets its duties under the Act, and mitigate the risk of legal challenge to the Council in respect of the same.

5.4 Human Resources

The only Human Resources implications arising directly from this report are the need for officers to implement the proposals. However, it is expected that this can be contained within existing budgets.

5.5 Strategic

All tenures of housing are covered by the Local Housing Strategy which is currently under development.

5.6 Equalities and Fairer Scotland Duty

None.

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
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, assessed as not relevant and no EqIA is required

(b) Fairer Scotland Duty

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

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

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty.

6.0 CONSULTATION

6.1 The members of the General Purposes Board and the Housing (Landlord Registration) Sub-Committee, together with the Head of Legal and Democratic Services, have been consulted in the preparation of this report.

7.0 BACKGROUND PAPERS

- 7.1 Registration of Private Landlords – Formal Procedure for the Approval, Refusal or Removal of Registration, Education & Communities Committee 7th March 2017, **EDUCOM/25/17/DH**

Registration of Private Landlords – Progress Update, Environment & Regeneration Committee 17th January 2019 **ENV006/19/RD**

Registration of Private Landlords – Progress Update, Environment & Regeneration Committee 14th January 2023 **ENV006/22/MM**

Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV021/23/SJ/AG
Contact Officer:	Audrey Galloway	Contact No:	01475 712102
Subject:	Property Asset Management – Public Report		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to request that Committee note the results of two Open Space consultations recently carried out at lower Kempock Street, Gourock and Market Place, Kilmacolm and notes the outcome of further discussions with Permallet regarding the previous Open Space Consultation relating to land at Papermill Road, Greenock.

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee:

- (A) notes the outcome of the open space and common good consultation for land at lower Kempock Street, Gourock in relation to a lease of this land and the terms of the representations received as detailed in **Appendix 1** and having regard to those representations, decides either:
- (i) to instruct the Head of Property Services to withdraw from negotiations for the proposed lease of lower Kempock Street, Gourock ; or
 - (ii) to proceed to obtain a DV valuation of the site and to commence a court action seeking consent for the proposed lease in terms of Section 75 of the Local Government (Scotland) Act 1973.
- (B) notes the outcome of the open space consultation for land at Market Place, Kilmacolm in relation to a proposed sale of this land; and the terms of the representations received as detailed in **Appendix 2** and having regard to those representations, decides either:
- (i) to instruct the Head of Property Services to withdraw from negotiations for the proposed sale of land at Market Place Kilmacolm; or
 - (ii) to further consider the terms of the sale as detailed in the separate private report that is before the Committee for later consideration.
- (C) notes that Permallet are no longer interested in pursuing the proposed lease of land at Papermill Road, Greenock.

Stuart Jamieson
Director, Environment and Regeneration

3.0 BACKGROUND AND CONTEXT

Lower Kempock Street, Gourrock

- 3.1 Last year, council officers received a request to lease part of lower Kempock Street to Rowanplan Properties Ltd so that an outdoor dining area could be established at the Café Continental. Directly below the decked dining area would be a bin store. The proposed leased area is shown on the plan at **Appendix 3**.
- 3.2 Should Committee decide to grant authority to lease this area then the DV will be instructed to provide a market ground rent of the land for the purposes of a commercial ground lease of 20-25 years duration. The lease will contain provisions to restrict the use of the dining area to the summer season only and between the hours of 12 noon & close at 9pm, so as not to cause any noise inconvenience to neighbours in the early & late hours.
- 3.3 The report in June included a plan in the Appendix which did not correctly show the land to be leased, it showed a strip at upper Kempock Street within the actual gap site itself. This is incorrect, however, the consultation did show the correct location being the strip at lower Kempock Street. The proposal will not use any of the upper gap site and the present access from upper to lower Kempock Street will remain unchanged
- 3.4 As reported in June, the gap site is inalienable Common Good and is classed as open space in the current Local Development Plan, as such a public consultation to seek the views of the local community required to be carried out. In addition, as the site is inalienable common good, should Committee agree to grant the ground lease then the consent of the court will be required prior to completion of same.
- 3.5 Officers have completed the necessary consultation which closed on 20th January 2023. This was advertised on the Council website and by notices posted at the site. The Committee should note and have regard to the responses to that consultation and subsequent correspondence details in **Appendix 1**. Should Committee be in favour of the proposal then the consent of the Court under section 75 of the Local Government (Scotland) Act 1973 to the proposed change of use will also be required.

Market Place, Kilmacolm

- 3.6 Last year Scottish Gas Networks (SGN) contacted council officers to request that a small area of ground at Market Place, Kilmacolm be sold to them in order to replace the present gas governor, which is no longer fit for purpose, all as reported to this Committee in June 2022. The site which SGN wishes to acquire is shown as a hatched box on the plan at **Appendix 4**, servitude rights for access and maintenance for inlet and outlet mains will also be required and this is also shown on the plan.
- 3.7 As this site constitutes open space, public consultation on a proposed disposal is required in terms of Section 27 (2A) of the Town and Country Planning (Scotland) Act 1959. Further, the Committee must consider any objections received as a result of that consultation before reaching a decision on any disposal. The Committee granted authority to officers to progress such a consultation at its meeting of 16th June 2022.
- 3.8 Officers have completed the necessary consultation which closed on 16th November 2022. This was advertised on the Council website and by notices posted at the site. The Committee should note and have regard to the responses to that consultation and subsequent correspondence details in **Appendix 2**.

3.9 Since that time officers have engaged with SGN and two active local community groups who initially had concerns regarding the location and visual impact of the new gas governor. Following various site meetings and consultations, should Committee agree to the sale, SGN have agreed to relocate the new gas governor below ground so as to cause minimal visual impact to the area which has been maintained over recent years by Colourful Kilmacolm.

Papermill Road, Greenock

- 3.10 In January 2021 this Committee granted authority for an Open Space Consultation to be carried out for land at Papermill Road, Greenock and Caddlehill Street, Greenock as a local community group, Permалlot, wished to lease both sites at a discounted rent for 25 years in order to establish organic allotment gardens within a permaculture setting.
- 3.11 The results of that consultation were reported back to this Committee in June 2021. At that time it was noted that Permалlot no longer wished to use Caddlehill Street and were instead focusing on Papermill Road. Committee requested that consideration of the proposed lease be continued and that officers bring a report to a future meeting of the Committee in relation to (a) various concerns raised by members including (i) parking; (ii) site access; (iii) access to Whinhill Primary School; and (iv) bio-diversity implications, and (b) exploring alternative location possibilities.
- 3.12 Permалlot joined with the Men’s Shed and attempted to find a solution to these issues, however, both groups felt that the community projects to which they were both already individually committed, did not permit them the opportunity to progress the proposed lease of this site.

4.0 IMPLICATIONS

4.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial	x		
Legal/Risk	x		
Human Resources		x	
Strategic (LOIP/Corporate Plan)		x	
Equalities & Fairer Scotland Duty			x
Children & Young People’s Rights & Wellbeing			x
Environmental & Sustainability			x
Data Protection			x

4.2 Finance

One off Costs

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

Annually Recurring Costs/ (Savings)

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

Legal/Risk

- 4.3 As regards recommendation 3.1 (A), as the site involved is part of the inalienable common good, prior to any disposal (by way of lease or sale) or change of use it would be necessary for the Council to obtain court consent in terms of Section 75 of the Local Government (Scotland) Act 1973.
- 4.4 Before reaching decisions on recommendations 3.1(A) and 3.1(B) it is necessary for the Committee to have regard to the responses received in the consultations referred to in the body of this report.

Human Resources

- 4.5 None.

Strategic

- 4.6 None.

5.0 CONSULTATION

- 5.1 The report has been prepared following consultation with Legal & Democratic Services and Finance Services.

6.0 BACKGROUND PAPERS

- 6.1 None.

Responses Received in Consultation
SECTION 104 OF THE COMMUNITY
EMPOWERMENT (SCOTLAND) ACT 2015
AND SECTION 27 (2A) OF THE TOWN AND
COUNTRY PLANNING (SCOTLAND) ACT 1959
Proposed Lease of Site at Kempock Street,
Gourock

This document contains verbatim transcriptions of email correspondence between respondents to the consultation and council officers, subject to the necessary redactions shown.

It should be noted the views and opinions expressed in the responses received are those of the respondents, and should not be read as the views or opinions of the Inverclyde Council or its officers.

1. Respondent 1 – Gourock Community Council.
2. Respondent 2
3. Respondent 3
4. Respondent 4

1. Respondent 1 – Gourock Community Council.

From: Gourock Community Council [EMAIL REDACTED]

Sent: 11 November 2022 15:31

To: [COUNCIL OFFICER – EMAIL REDACTED]

Subject: Re: (Official) gap site on Kempock Street, Gourock

Thank you for your email about our treasured Gap in Gourock.

This has long been discussed in the Gourock Community and I can already provide you with opinion.

Any development of The Gap is strongly opposed.

In Gourock we already enjoy the view and space there, it helps to give Gourock a rural ambiance. No matter which side of Kempock Street people shop on there is soon visual presence of the River Clyde. Gourock has a beautifully spacious features in town and people love it for this, a characteristic of Gourock.

It is also a link from upper Kempock Street to the lower level and more Car Parking. The beneficial open right of way is far safer for some pedestrians than the allyways to the different levels of Kempock Street and Car Park. This could seem more like another ally and the very people who need a bit more space and safety are least likely to be able to walk to either end to get to the levels in attempts to feel safer.

The Gap also taking pedestrians to the safest crossings, designed and positioned for this reason, and a version of what exists puts this safety under threat. One aspect of this is having somewhere at the center of the street to take a seat.

People even simply enjoy taking a seat with the benches provided. Some people enjoy eating there, a social opportunity for people choosing not to dine in one of the many eateries. In fact there are a number of places selling food to take away that is enjoyed in The Gap area, allowing for all tastes and purses.

During Events such as the recent illuminations, Alec Galloway displayed local children's work, by projecting their artistry onto the Gables. It is hoped that there will be more regular art projections like this and space is required to enjoy this.

The Gap Area area has been used for choirs, like Inverclyde Voices. Interesting acts and buskers in addition to Christmas installations seasonal and limited by time. All transient, also welcome community spirited uses, they temporarily make the town more exciting for occasions. A permanent fixture would spoil the opportunities, these things are most welcomed because they disappear again and are beneficial for social experiences.

There are often Popup Stalls raising awareness for campaigns and the Community Councillors use both Gaps and the edges of the Kempock Street end of the shops for meeting people for opinions at times.

Therefore the Community Council back opinion in initially expressing an objection, protecting the identity of the town and its unique shopping experience and characteristic more rural feel around residences here.

It is also very likely that any past efforts that had been objected to would be raised again. With the same points being made over time for the common good, there should be no reason for allowing the application of one business over another. Even during the outdoor eating, when restrictions were in place, no single or combined business monopolised the space at The Gap.

The primary charm of The Gap is described in its name, and this is what is being protected by objecting. It is a treasured feature of Gourrock.

This will be discussed at the Business Meeting this weekend with the Members, if agreed as being necessary, also be on the Agenda for the November General Meeting.

Yours truly,

Gourock Community Council Secretary

From: [COUNCIL OFFICER – EMAIL REDACTED]

Sent: 14 November 2022 17:23

From: Gourrock Community Council [EMAIL REDACTED]

Subject: Gap Site Gourrock - Open Space Consultation

Thank you for your email objecting to the proposed use of the Gap site on Kempock Street. I note the points made in your email and would respond as follows:-

Should this proposal be accepted, the view at the gap site will still be visible as the proposed lease would only use part of the site. The attached plan shows the area which would be leased should this proposal go ahead. The area comprises about a third of the site at lower Kempock Street which will be used as a bin store, the applicant would also wish to include decking above the bin store to accommodate an external drinks/dining area. Access to the dining area will be from the stairs leading to the Café Continental or via the side door of the Café. No part of the current gap site at upper Kempock Street would be used.

The public access between upper and lower Kempock Street will be unaffected as will the area at upper Kempock Street. The public will still be able to sit in this area and take in the view. There should be none or little impact as regards any art exhibitions, pop up stalls etc in this area and if required images could still be projected on to the walls of the adjacent buildings.

I hope this helps clarify things but if you require any further information please do get back in touch.

I can confirm that your response(s) will be included in any future Environment & Regeneration Committee meeting which will consider this consultation.

From: [COUNCIL OFFICER – EMAIL REDACTED]

Sent: 15 November 2022 09:06

From: Gourrock Community Council [EMAIL REDACTED]

Subject: Gap Site Gourrock - Open Space Consultation

Can you confirm please if [COUNCIL OFFICER – NAME REDACTED]'s explanation has dealt with the Community Council's concerns and that therefore we may treat your objection as withdrawn, or if the objection is to be treated as maintained. If I don't hear from you, I will assume the objection is to be maintained.

From: Gourock Community Council [EMAIL REDACTED]

Sent: 15 November 2022 13:58

To: [COUNCIL OFFICER – EMAIL REDACTED]

Subject: Re: (Official) gap site on Kempock Street, Gourock

Thank you for your email. I hope that this helps.

At the GCC Business Meeting it was decided to put the Gap Site onto the Agenda for 21st of November. Opinion will be sought until the meeting on the 19th of December when a decision will be made.

As you are aware Gourock Community Council consult extensively, and I had only tried to avoid this again, on the basis of already having weighted and strong opinion about The Gap from the Community, the Community use and the belief that The Gap is already fully occupied, highly valued as a treasured space for the community, as flexible as it is forever.

A final response will be submitted accordingly. The one you have may be kept in reserve, and may have supplements added, there are already several points to add.

Or it may in due course be withdrawn without a further response if the objection is unfounded.

Thank you for the support.

From: [COUNCIL OFFICER – EMAIL REDACTED]

Sent: 15 November 2022 14:47

From: Gourock Community Council [EMAIL REDACTED]

Subject: Gap Site Gourock - Open Space Consultation

Understood you will want the opportunity to discuss at a public meeting to gauge the views of those present and your community.

If you can let colleagues CCed and myself know in due course whether your representation is to maintained, withdrawn or amended, we can report on same accordingly at the appropriate time.

From: Gourock Community Council [EMAIL REDACTED]

Sent: 20 January 2023 15:38

To: [COUNCIL OFFICER – EMAIL REDACTED]

Subject: The Gap Consultation

GOUROCK COMMUNITY COUNCIL

The Gap: Response to the Planning Application

Thank you all for your patience and help with the consultation about The Gap, and it's future regarding planning permission.

A large majority of people who have been consulted from the Gourock Community prefer to object to planning and development of The Gap.

This is consistent with previous consultations, general awareness and the towns character. Gourrock Community Council also have a majority of members keen to support the majority of the Community, and therefore do not favour the planning being granted.

More of the members defend The Gap to be kept for The Common Good and not to be developed by an individual business to profit from its use.

2. Respondent 2

Letter of 14 November 2022 to the Head of Legal and Democratic Services

Letter content: -

“I am against proposal of lease of site at Kempock St, Greenock.

This is an outside place where the public can sit and enjoy the sunshine and the view.

The area is used by all age groups, and it would deprive all.

Not everyone can afford to eat out.

Yours faithfully”

3. Respondent 3

From: [EMAIL REDACTED]

Sent: 17 January 2023 15:12

To: [COUNCIL OFFICER – EMAIL REDACTED]

Subject: Comment on proposal for balcony at Cafe Continental.

Email contained attachment with following text.

Reference: Correspondence originally sent 24/11/22, resent today, 17/01/23.

Development Proposal, Kempock Street. Gourrock.

Locus; Gap Site, between Café Continental and Sainsburys.

In recent times, Local Authority, and Trader Investment, in Kempock Street and the surrounding area, has injected resilience into a segment of the District, which has thrived as a result, despite difficult trading conditions.

Gourrock, has, once again, made itself into a destination, in its own right, with a wide range of attractive retail units, attracting customers from within and without the District.

Continued investment is ongoing, as detailed in the local Press.

This continued investment is to be encouraged.

A current proposal to extend the Café Continental, eastwards, to form an open air, patio / balcony area, on part of the 'Gap Site' between the Café and the Sainsbury building , would provide an enhanced, and pleasing area, to be enjoyed by local and visiting customers alike.

4. Respondent 4

From: [EMAIL REDACTED]

Sent: 17 January 2023 20:44

To: [COUNCIL OFFICER – EMAIL REDACTED]

Subject: Proposed Lease of the gap Site at Cafe Continental on Kempock Street Gourrock.

I would like to inform you that I am in favour of the above.

Responses Received in Consultation Under the Town and Country Planning (Scotland) Act 1959 S.27 (2A) (as amended) that the Inverclyde Council proposes to dispose land at GAS GOVERNOR AT MARKET PLACE, KILMACOLM.

This document contains verbatim transcriptions of email correspondence between respondents to the consultation and council officers, subject to the necessary redactions shown.

It should be noted the views and opinions expressed in the responses received are those of the respondents, and should not be read as the views or opinions of the Inverclyde Council or its officers.

- [1.](#) Respondent 1 - Civic Trust
- [2.](#) Respondent 2 - Session Clerk, Kilmacolm Old Kirk
- [3.](#) Respondent 3 - Colourful Kilmacolm
- [4.](#) Respondent 4

1. Respondent 1 - Civic Trust

From: [Council Officer email redacted]

Sent: 21 September 2022 16:33

To: [redacted]

Subject: FW: (Official - Sensitive) Gas Governor at Market Place, Kilmacolm

Classification: Official - Sensitive

Dear Secretary

I am emailing you to advise that the Council is considering selling an area of land at Market Place, Kilmacolm to Scottish Gas Networks PLC in order to install as new gas governor with a servitude right of access to the land ("**the Property**"), and is keen to hear the views of the community on this proposal so these can be considered when a decision is reached on whether or not to proceed.

The present gas governor is located below ground, to the front of the Kilmacolm New Community Centre, Lochwinnoch Road, Kilmacolm, and Scottish Gas has confirmed that due to the age and condition of this equipment a new gas governor is required to ensure the gas supply to the area is adequate and to ensure that routine maintenance can be carried out. Scottish Gas has confirmed that the most suitable area for the new gas governor is Market Place.

The details of the proposed sale is on the following terms:

- the purchaser will be Scottish Gas Networks PLC;
- the sale date has yet to be agreed;
- for an open market price; and
- on normal commercial sale terms.

More information on this, including formal notice in terms of the Town and Country Planning (Scotland) Act 1959

and a plan showing the Property is available on the Council website at

www.inverclyde.gov.uk/kilmacolmmarketplace

I would encourage you to submit any representations or comments that your organisation have on the proposal.

These can be either for or against the proposal, and made either by email to

property@inverclyde.gov.uk or in

writing to

The Head of Legal and Democratic Services,

Inverclyde Council,

Municipal Buildings,

Clyde Square,

GREENOCK,

PA15 1LX.

Representations must be made by no later than 5pm on 16 November 2022 and should state the grounds on which they are made.

Please note that the content of any representations made and the details of the party or parties making such representations may appear in a publically available report to the Council's Environment and Regeneration Committee.

The Council is carrying out this consultation under Section 27 (2A) of the Town and Country Planning (Scotland) Act 1959 as the Property comprises an open space.

I look forward to hearing from you.

Regards

Peter

From: [Council Officer email redacted]

Sent: 06 October 2022 13:27

To: [email redacted]

Subject: RE: (Official - Sensitive) Gas Governor at Market Place, Kilmacolm

Classification: Official - Sensitive

Dear Mr [redacted]

I understand you have contacted my colleague Mr Kerr on this enquire as to whether any more detail has been forthcoming from Scottish Gas.

I did pass your initial query to my Client Service, who I understand have in turn raised with SG. I have sent them a chaser requesting that they either pass on any information they have been provided with to you, or to themselves chase the matter up if nothing has been forthcoming.

Hopefully this will produce a substantive response for you in early course.

In the interim, happy to discuss, and if a reply comes to me rather than direct to yourself, I will pass it on.

Regards.

From: [Council Officer email redacted]

Sent: 06 October 2022 14:32

To: [email redacted]

Subject: (Official) Proposed gas governor, Market Place Kilmacolm, OSC response

Attachments: Plan of proposed site at Market Place.pdf

Classification: Official

Dear Mr [redacted],

I am contacting you as you have requested more detail regarding the proposed new gas governor at Market Place Kilmacolm, in particular the size, nature and materials involved.

I have attached a plan which indicates the location of the governor and which also provides dimensions. The preferred location is the westmost red box on the site and that is what the plan in the consultation refers to. The inlet is shown in blue and outlet in red, please note that these are indicative as when the work is completed an as laid plan will be produced. However, during the construction phase Scottish Gas will require to take the whole site as a temporary working area to facilitate the build. However they will fully reinstate upon completion.

Officers at Scottish Gas have confirmed that they would be happy to work with the residents and should a specific or modified finish to the area be requested (such as trees, plants, etc, they would be happy to fulfil that request, where possible. They have also indicated that the casing of the governor could be made to look like stone, rather than the normal green metal structure, if that is what is preferred.

From: [redacted]

Sent: 01 November 2022 15:22

To: [Council Officers redacted]

Subject: Sale of Land for a Gas Governor at Market Place, Kilmacolm

From: [redacted] (Chairman Kilmacolm Civic Trust)

To: Mr Iain Strachan ((Head of Legal and Democratic Services, Inverclyde Council)

Dear Mr Strachan,

KILMACOLM CIVIC TRUST COMMENT ON

Proposed Sale of Land for installation of a Gas Governor at Market Place

The 16 members of the Kilmacolm Civic Trust Executive Committee have considered this proposed sale of land extremely carefully.

We object to the proposed site strongly. We have however proposed an alternative site which we think would have less destructive impact visually.

Attached is our Formal letter of Objection.

Yours Sincerely,

[redacted]

([redacted] - Chairman Kilmacolm Civic Trust)

From: [redacted]

Chairman Kilmacolm Civic Trust

To:

Mr Iain Strachan

The Head of Legal and Democratic Services

Inverclyde Council

Municipal Buildings

Clyde Square

Greenock PA15 1LY

1st November 2022

Dear Mr Strachan,

KILMACOLM CIVIC TRUST COMMENT ON

The Proposed Scottish Gas Networks 'Gas Governor' at Market Place, Kilmacolm

The 16 x members of the Kilmacolm Civic Trust Executive Committee have considered the Application extremely carefully.

COMMENT

- We are horrified at the site selected. It is tantamount to philistine vandalism. We object strongly.
- A group of people in the village known as 'Colourful Kilmacolm' have spent a great deal of time and effort over the past 3 years transforming that very site, which is in the heart of the central Kilmacolm Conservation Area, from a derelict, unsightly dumping ground, into the delightful little recessed garden feature that it now is, directly opposite 'Saffron' restaurant. The above-ground device (dimensions 3m long; 2.5m deep; 2.3m high) will completely dominate that garden feature if it is placed where Scottish Gas propose.
- We suggest an alternative site, which we think would be much better. Although it might be quite prominent at first thought, it could be concealed by a suitable planting of bushes around it, and by artistic decoration of the container. We suggest that the Gas Governor should be placed beneath the Cherry trees, just to the left (North) of the shop 'Etoile', where 3 x electric-car charging bays have been located recently together with a **very** large dark green metal service box associated with the charging equipments. That area is already cluttered by cars in the small car park, and the electric-car-charging facilities, but we think that the 'gas governor' would be less obvious there (despite its size) and, being in a more elevated site would be well out of the way of potential flooding from the little burn that goes below ground just beside 'Etoile' but which occasionally builds up and floods into Market Place, and into the area of the carefully tended garden site, and on across Port Glasgow Road and then on down Smithy Brae.
- If our suggested alternative site would require that of one of the Cherry trees would have to be felled then we would reluctantly have to accept the Scottish Gas proposal. However, in that event the proposed 'gas governor' should be placed at the very rear of the concrete-slabbed patio: in the area where there are over hanging low tree branches and downward sloping ground that is covered in thick ivy growth. Placing the gas governor there, behind the patio area would make the bulk of the gas governor considerably less apparent.
- We note that Scottish Gas have indicated that the casing of the gas governor could be made to look like stone, rather than the normal green metal structure. We suggest that rather than making it look like a lump of rock, a more aesthetically pleasing solution would be for the green metal casing to be given an artistic finish similar to that used by the City of Potsdam in Germany to soften the appearance of a large metal structure that is at the side of a very pleasant square in the heart of that City. Please see the photograph below that I took when visiting Potsdam in 2017.

We trust that you find our comments helpful.

Yours Sincerely,

[redacted]

[redacted] – Chairman Kilmacolm Civic Trust)

From: [Council Officer redacted]
Sent: 01 November 2022 16:09
To: [redacted]
Subject: proposed Gas Governor, Market Place, Kilmacolm

Dear Mr [redacted],

I am writing to confirm receipt of your letter of today's date, addressed to the Head of Legal and Democratic Services, which provides details of Kilmacolm Civic Trust's objection to the proposed new gas governor at Market Place Kilmacolm.

I have passed your letter to Scottish Gas Networks (SGN) and asked that they provide a response to the points and suggestions you raise.

As soon as I hear back from SGN I will revert to you.

From: [email redacted]
Sent: 09 November 2022 16:08
To: [Council officer -email redacted]
Subject: Re: Open Space Consultation, Market Place Kilmacolm - Civic Trust's Objection

From: [Redacted] (Chairman Kilmacolm Civic Trust)

Good Afternoon [Redacted],

Thank you very much indeed for your email with the SGN comments attached.

The SGN response is clear and very helpful. We (the KCT) would however like to have an on-site meeting with them to discuss the precise location, the technical and construction details and their proposed finishing designs on the kiosk.

I can make myself available on Tuesday afternoon next week (Tues 15th November); or any time Mon 21st, or Wed 23rd, or Thurs 24th. I understand that [redacted] of Colourful Kilmacolm would also like an on-site meeting with SGN and that he can make himself available on those dates.

Kind regards,

Various emails among this and another group, Council Officers and SGN Officers arranging a site meeting on Monday the 5th December at 10am.

From: [SGN – email redacted]
Sent: 11 January 2023 16:53
To: [Council Officer redacted]
Subject: RE: SC/2307 - Market Place Kilmacolm - gas governor

Classified as Internal

Hi [redacted]

Sorry for the delay. Please see attached plan and comments below:

Please see attached proposed plan showing the indicative location of where the below ground gas governor would go.

Red lines indicate proposed route for new Low pressure gas outlet mains.

Blue lines indicate proposed route for new Medium pressure gas inlet mains.

Green X indicated proposed location for vent stack and comms cabinet.

The box in the centre is based on a footprint of 3m x 4m in line with previous installations.

Yellow dotted are suggests location for welfare, plant, storage and material etc – we would obviously leave a public footpath available to the church area at all times.

Re where the new below governor module will be situated, there will obviously be a mechanical excavator present and given we will be burring this module there will be a considerable amount of spoil removed from the area. This project is achievable and we will minimise disruption as much as possible, however realistically there will be disturbance to the area as there's not a massive amount of room to work, however we will rectify and reinstate as much as possible on completion. I would therefore look to occupy as much of the entire area as possible to store spoil and such at the same time – just wanted to try paint an accurate picture before we actually start construction.

This proposal attached does not include any tree removals and there is no allowance for any special finishes on the vent stack/comms cabinet – no special fern flowers I'm afraid.

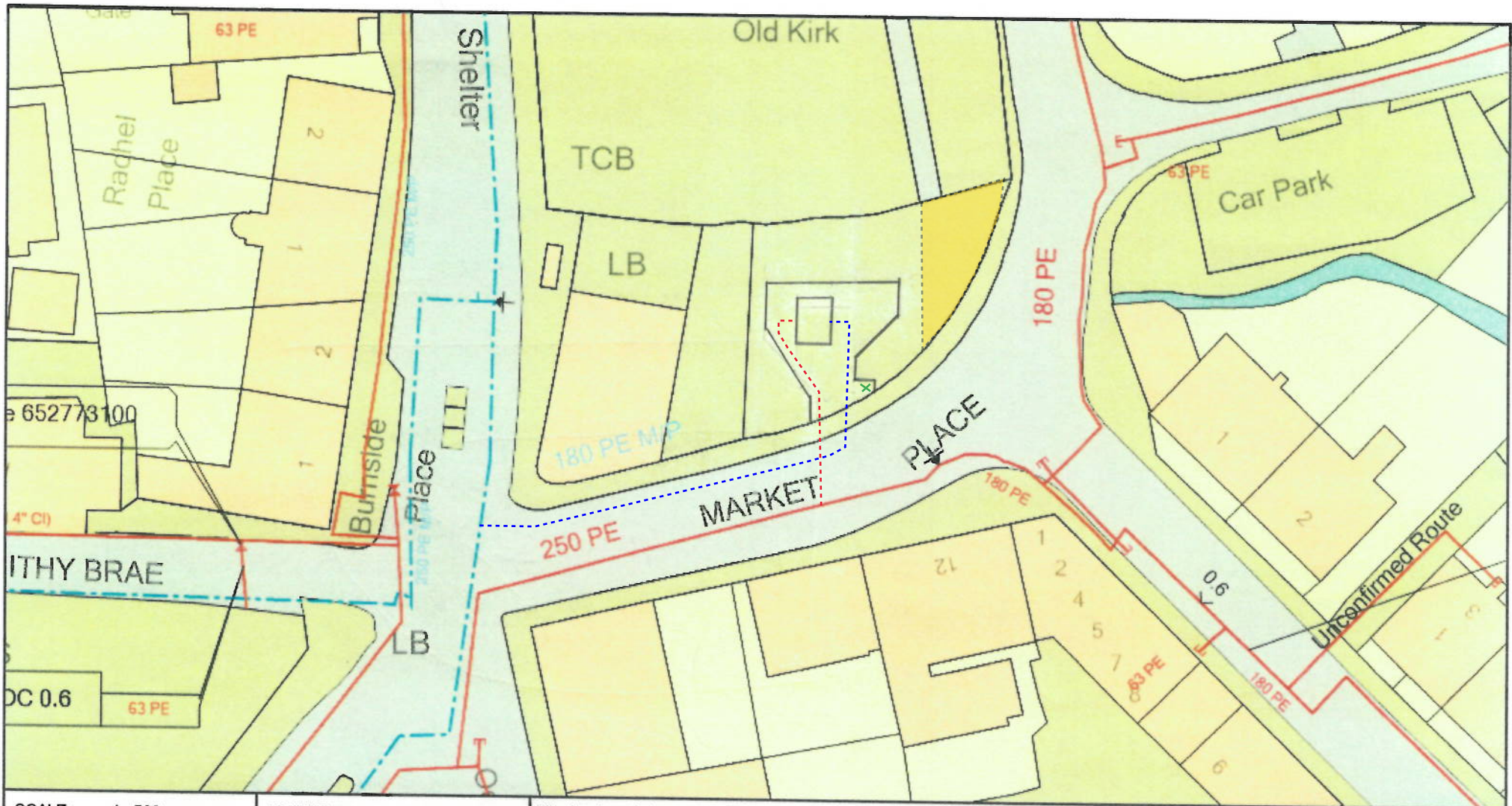
One thing I need to add is that within the purchase of the site we will also require a Deed of Servitude for the section of inlet and outlet that lie within your site but falls outwith the dimensions to be acquired by us.

Please let me know if you need anything else. In the meantime I'll wait to hear from you further.

Kind regards,

[redacted]

[Plan referred to in above is on following page]



SCALE: 1 : 500
 USER ID: TC22917
 DATE: 15/10/2020
 GRID REFERENCE:
 E235847, N669928, NS358699

LP MAINS	
MP MAINS	
IP MAINS	
LHP MAINS	
IGTs	
SSSIs	

This plan shows the location of those pipes owned by Scotia Gas Networks (SGN) by virtue of being a licensed Gas Transporter (GT). Gas pipes owned by other GTs or third parties may also be present in this area but are not shown on this plan. Information with regard to such pipes should be obtained from the relevant owners. No warranties are given with regard to the accuracy of the information shown on this plan. Service pipes, valves, siphons, sub-connections etc. are not shown but their presence should be anticipated. You should be aware that a small percentage of our pipes/assets may be undergoing review and will temporarily be highlighted in yellow. If your proposed works are close to one of these pipes, you should contact the SGN Safety Admin Team on 08009121722 for advice. No liability of any kind whatsoever is accepted by SGN or its agents, servants or sub-contractors for any error or omission contained herein. Safe digging practices, in accordance with HS (G) 47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that plant location information is provided to all persons (whether direct labour or sub-contractors) working for you on or near gas apparatus. Information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

SMELL GAS? CALL 0800 111 999

Some examples of Plant Items

Valve		Syphon		Depth of Cover		Diameter Change		Material Change	
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Map version: 2.7.5
 Issued by: Scotia Gas Networks plc.
 © Crown copyright and database rights 2020 OS
 7142104 & 7261731
 Background data © OpenStreetMap contributors via the
 Open Database License.



From: [Council Officer redacted]
Sent: 12 January 2023 10:22
To: [redacted]
Subject: Fw: SC/2307 - Market Place Kilmacolm - gas governor

Dear [redacted],

I have received the [preceding email from SGN] and attached plan from SGN. It appears to represent what we agreed on site prior to Christmas, however, I'd be grateful if you could both please confirm if this is acceptable to you.

In addition I have asked our tree surgeon to cut back the overgrown trees in this area and he has agreed to do this.

I will be reporting on the results of the consultation to Committee in March which has a submission date of 2nd Feb. As such I'd be grateful to receive any feedback prior to then.

Kind Regards

[redacted]

From: [redacted]
Sent: 12 January 2023 17:26
To: [Council Officer redacted]
Subject: Fwd: SC/2307 - Market Place Kilmacolm - gas governor

Good Afternoon [redacted].

Thank you very much indeed for your email.

Your timing is excellent.

We are holding a Kilmacolm Civic Trust Executive Committee Meeting this evening. I shall give everyone an update.

Kind regards,

[redacted]. _____

From: [redacted]
Sent: 13 January 2023 17:51
To: [Council Officer – Redacted] >
Subject: Re: SC/2307 - Market Place Kilmacolm - gas governor

From: [redacted] (Chairman Kilmacolm Civic Trust)

Good Evening [redacted],

We held our KCT Executive Committee Meeting last night as planned.

Everybody was very content with the SGN plan. We are also very content with your plan for treatment of trees.

Kind regards,

[redacted]

2. Respondent 2 - Session Clerk, Kilmacolm Old Kirk

From: [redacted]

Sent: 25 October 2022 15:02

To: [Council Officer redacted]

Subject: PROPOSED INSTALLATION OF GAS GOVERNOR AT MARKET PLACE, KILMACOLM - OBJECTION

Importance: High

Dear Sirs

I refer to your recent communication seeking the views of the community to the proposed installation of a gas governor at Market Place, Kilmacolm, in an area of land owned by Inverclyde Council and I write to lodge an objection on behalf of Kilmacolm Old Kirk.

The site in question borders on the graveyard of Kilmacolm Old Kirk and is very close to the entrance to the graveyard. It is a peaceful and secluded spot close to the village centre which has been cultivated and maintained by "Colourful Kilmacolm" a group of volunteers who do a great deal to keep the village attractive.

To instal the gas governor on this particular site would completely destroy the area in question given its dimensions of 10 ft x 8 ft x 7.5 ft.

There must surely be a more suitable location which will be less obtrusive and unsightly from what is currently being proposed.

For these reasons, I wish to lodge this formal objection.

[redacted]

3. Respondent 3 - Colourful Kilmacolm

From: [redacted]

Sent: 25 October 2022 19:36

To: [Council Officer redacted]

Subject: Gas Governor at Market Place, Kilmacolm

Please find attached a submission from Colourful Kilmacolm regarding the proposal to site a new Gas Governor at Market Place, Kilmacolm.

Two documents are attached:

- 1) Colourful Kilmacolm's Submission
- 2) The SGN plan as issued, but showing an alternative site favoured by Colourful Kilmacolm

Thank you

[redacted]

“GAS GOVERNOR AT MARKET PLACE, KILMACOLM

Submission on behalf of Colourful Kilmacolm

The garden at Market Place in which it is proposed to site the Gas Governor has been planted and maintained by Colourful Kilmacolm since 2017. At that time, in agreement with Inverclyde Council and partly financed by the Council, the site was redesigned to give a more pleasing effect and to facilitate more planting. Since then it has been developed and improved and is now very positively commented upon by local residents. Colourful Kilmacolm (CK) therefore has a keen interest in maintaining the area to as high a standard as possible.

CK accepts that a new Governor is required, and we were initially prepared to accept that this area was a suitable candidate location, although concerned that the Governor would dominate the site and detract greatly from the restful ambiance afforded by the planting.

However, having requested and received further information, we now note with alarm the dimensions of the ‘kiosk’ – 3.5m long, 2.5m deep, 2.3 m high, and with the space between it and the left-hand wall 0.5m (the wall needs some repointing to stabilise it). We cannot conceive of how such a large structure, which will intrude massively into the present slabbed area, can be disguised by planting, as has been suggested. As a result, we are opposed to the governor being constructed at either of the two proposed sites.

We believe that the present Governor is sited underground, suggesting that direct access is not routinely required. If that is the case, might the new one not be situated at the back of the slabbed patio, in the area which at present is overgrown, but which could later be allowed to regrow, thus virtually hiding the Governor? This area is outlined on the accompanying diagram.

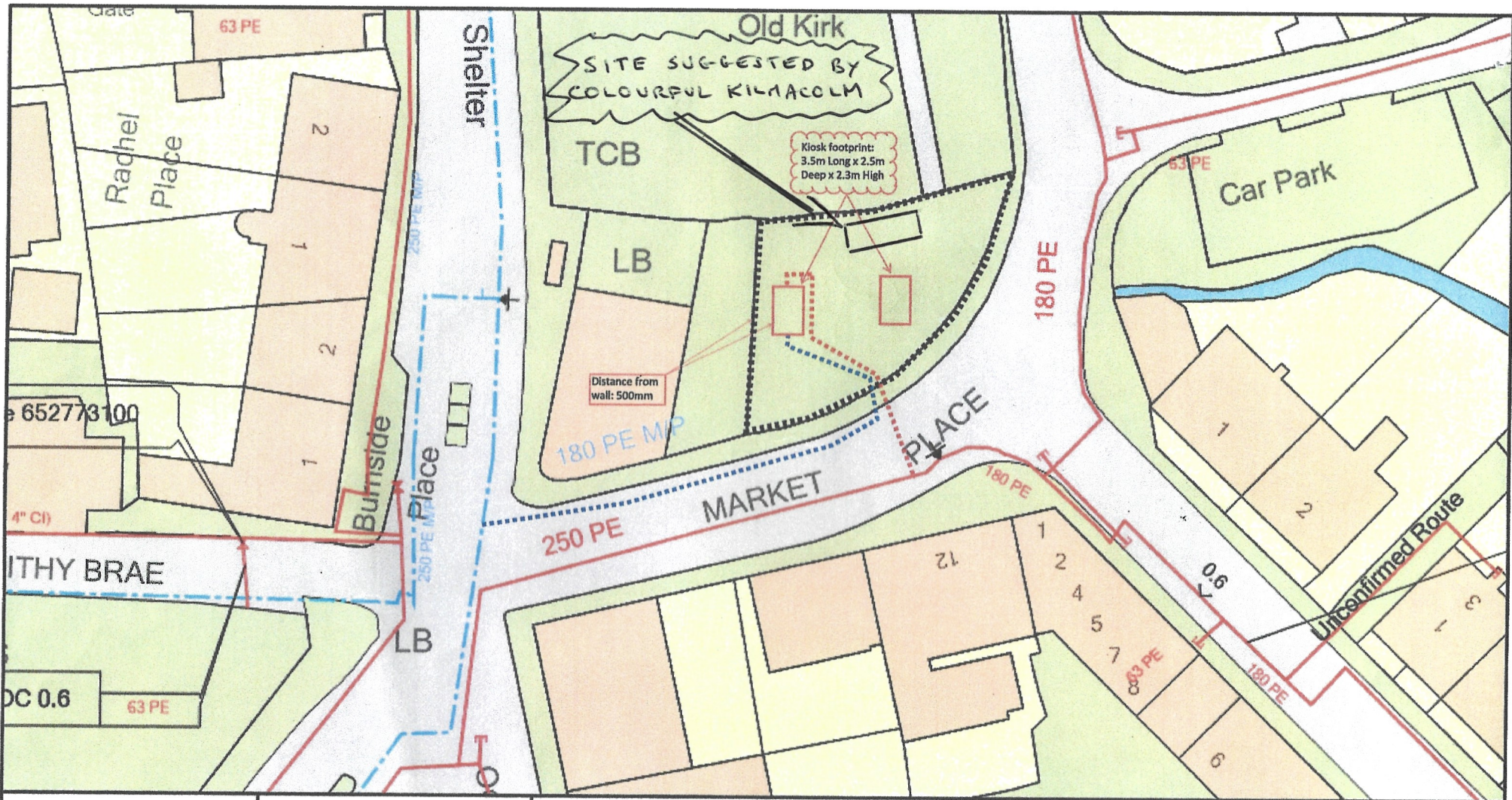
We assume that the ‘servitude’ refers to underground pipes. If so, only a short extra length would be required to reach this area.

If the eventual site of the governor impinges at all on our garden area we would ask that the slabs be carefully replaced to restore them to their present condition and that Colourful Kilmacolm be consulted as to any necessary replanting.

Submitted by [redacted] (Chair), on behalf of the committee of Colourful Kilmacolm.

Contact details: e-mail: [redacted]
 tel: [redacted]
 [redacted]

[Diagram referred to in above is on following page]



SCALE: 1 : 500
 USER ID: TC22917
 DATE: 15/10/2020
 GRID REFERENCE:
 E235847, N669928, NS358699

LP MAINS	
MP MAINS	
IP MAINS	
LHP MAINS	
IGTs	
SSSIs	

This plan shows the location of those pipes owned by Scotia Gas Networks (SGN) by virtue of being a licensed Gas Transporter (GT). Gas pipes owned by other GTs or third parties may also be present in this area but are not shown on this plan. Information with regard to such pipes should be obtained from the relevant owners. No warranties are given with regard to the accuracy of the information shown on this plan. Service pipes, valves, siphons, sub-connections etc. are not shown but their presence should be anticipated. You should be aware that a small percentage of our pipes /assets may be undergoing review and will temporarily be highlighted in yellow. If your proposed works are close to one of these pipes, you should contact the SGN Safety Admin Team on 08009121722 for advice. No liability of any kind whatsoever is accepted by SGN or its agents, servants or sub-contractors for any error or omission contained herein. Safe digging practices, in accordance with HS (G) 47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that plant location information is provided to all persons (whether direct labour or sub-contractors) working for you on or near gas apparatus. Information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

SMELL GAS? CALL 0800 111 999

Map version: 2.7.5
 Issued by: Scotia Gas Networks plc.
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 7142104 & 7261731
 Background data © OpenStreetMap contributors via the
 Open Database License.

Some examples of Plant Items

Valve		Syphon		Depth of Cover		Diameter Change		Material Change	
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From: [Council Officer – Email redacted]
Sent: 09 November 2022 12:30
To: [Email redacted]
Subject: FW: (No Classification) Gas Governor at Market Place, Kilmacolm

Dear [Redacted]

Following receipt of Colourful Inverclyde's objection to the proposed location of the new gas governor at Market Place Kilmacolm, I have now received comments in relation to the points both you and the Kilmacolm Civic Trust raise from SGN. Following our discussion I note that you are in contact with the Trust and I intend replying to them in the same terms.

SGN's comments are attached. Please let me know if you have any further points to raise or if you would prefer to meet with SGN to discuss in more detail.

[SGN response as follows]

Hi [redacted],

Many thanks for your emails and apologies for the delay – I required to discuss in detail with [redacted] but have set out our response below.

The objections submitted by Colourful Kilmacolm and the Kilmacolm Civic Trust are noted and the alternative proposals in each are very much appreciated.

There are, however, as you would imagine, concerns in respect to some of the alternatives proposed as follows:

While we would be happy to clear vegetation to site the below ground Governor within the alternative area suggested by Colourful Kilmacolm, unfortunately, we couldn't allow this to be re-overgrown, for the purpose of access and egress for the teams when maintaining the equipment. The site also needs to comply with gas IGEM standards, of which includes adequate ventilation of both the pits and the vent stack. Hiding the module at the back of an overgrown area would impinge on the freely ventilated area which would result in a larger hazardous area if/when the governor should ever have a fault and pass gas through its creep relief components.

Looking at the alternative site proposed by Kilmacolm Civic Trust, this would involve the removal of 2no trees which is not the preferred option if we can avoid it. Also on reviewing the utilities in that area there are high voltage cables within the verge, the very large green cabinet and the electric car chargers which would all contribute to potential sources of ignition to the gas equipment. As such, unfortunately, this site is not an option.

We have, however, considered placing an above-ground Governor at the slabbed area as suggested by both groups, as indicated on the plan provided by Kilmacolm Colourful, and we have looked into the viability of offering bespoke designs as suggested by Kilmacolm Civic Trust. I am pleased to confirm that we will be able to ensure that the kiosk is finished with one of the designs below and that, although this will be at an additional cost, our [redacted] is prepared to meet with those additional costs if it means getting this project completed sooner rather than later as this is becoming increasingly urgent. The only thing I would add is that this will cause disruption to the slabbed area for construction work and the storage of plant/material etc.

I would be grateful if you would pass on our comments and proposal to both groups and let me know if they are in agreement.

Finally, we are always available to meet if you consider it would help appease residents'/groups' concerns.

Design 1



Design 2



Design 3



Design 4



[Various emails arranging a site visit with Council, SGN, this and another group on Monday the 5th December at 10am.]

From: [REDACTED]
Sent: 14 December 2022 12:38
To: [Council Officer – Email redacted]
Subject: Re: Market Place Kilmacolm - gas governor

Dear [REDACTED],

thank you for meeting with myself and SGN last week i hope we have managed to find an acceptable solution for the location of the new gas governor. SGN have however come back to me to ask about the raised planter in the middle of the site.

[Redacted] suspects that the planter may get damaged during construction and so he intends to remove it prior to starting works, however, he has asked (a) if the planter needs to be replaced at all and (b) if so could it be moved elsewhere within the site or (c) could it be reduced in size?

The underground governor may require maintenance in future years and so to enable future access, he is asking the question now.

I'd be grateful if you could please confirm.

From: [email redacted]
Sent: 14 December 2022 14:24
To: [Council Officer – Email redacted]
Subject: Re: Market Place Kilmacolm - gas governor

Hi [redacted]

Our planter sits on a raised plinth which predates our taking over the site. As far as we are concerned the planter itself could be moved farther back, temporarily or permanently, and the raised plinth removed. I assume SGN would have equipment to move the planter. At present it is planted with bulbs for springtime so if it can be moved as it is, rather than emptied beforehand, that would be preferable. On the other hand, if work is expected March/April, the bulbs would probably not be seen anyway.

I would be happy to discuss this with [redacted] if that would help. My phone number is [redacted]

[Email exchange among SGN and the group where was agreed SGN will move the planter to an agreed alternative location]

From: [SGN Officer – email redacted]
Sent: 11 January 2023 16:53

To: [Council Officer – Email redacted]

Subject: RE: SC/2307 - Market Place Kilmacolm - gas governor

Classified as Internal

Hi [redacted]

Sorry for the delay. Please see attached plan and comments below:

Please see attached proposed plan showing the indicative location of where the below ground gas governor would go.

Red lines indicate proposed route for new Low pressure gas outlet mains.

Blue lines indicate proposed route for new Medium pressure gas inlet mains.

Green X indicated proposed location for vent stack and comms cabinet.

The box in the centre is based on a footprint of 3m x 4m in line with previous installations.

Yellow dotted are suggests location for welfare, plant, storage and material etc – we would obviously leave a public footpath available to the church area at all times.

Re where the new below governor module will be situated, there will obviously be a mechanical excavator present and given we will be burring this module there will be a considerable amount of spoil removed from the area. This project is achievable and we will minimise disruption as much as possible, however realistically there will be disturbance to the area as there's not a massive amount of room to work, however we will rectify and reinstate as much as possible on completion. I would therefore look to occupy as much of the entire area as possible to store spoil and such at the same time – just wanted to try paint an accurate picture before we actually start construction.

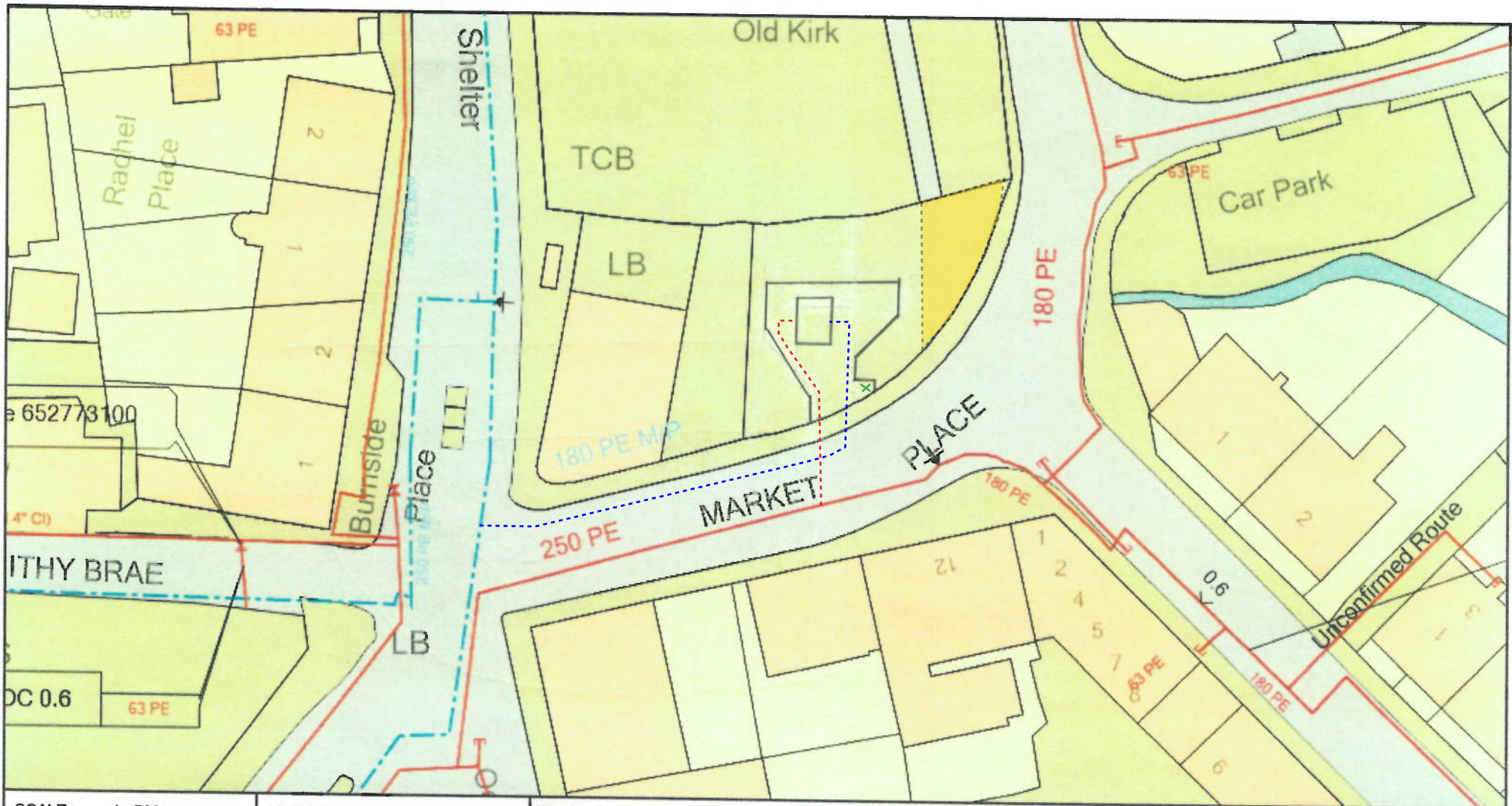
This proposal attached does not include any tree removals and there is no allowance for any special finishes on the vent stack/comms cabinet – no special fern flowers I'm afraid.

One thing I need to add is that within the purchase of the site we will also require a Deed of Servitude for the section of inlet and outlet that lie within your site but falls outwith the dimensions to be acquired by us.

Please let me know if you need anything else. In the meantime I'll wait to hear from you further.

Kind regards,

[Plan referred to in above is on following page]



SCALE: 1 : 500
 USER ID: TC22917
 DATE: 15/10/2020
 GRID REFERENCE:
 E235847, N669928, NS358699

LP MAINS	
MP MAINS	
IP MAINS	
LHP MAINS	
IGTs	
SSSIs	

This plan shows the location of those pipes owned by Scotia Gas Networks (SGN) by virtue of being a licensed Gas Transporter (GT). Gas pipes owned by other GTs or third parties may also be present in this area but are not shown on this plan. Information with regard to such pipes should be obtained from the relevant owners. No warranties are given with regard to the accuracy of the information shown on this plan. Service pipes, valves, siphons, sub-connections etc. are not shown but their presence should be anticipated. You should be aware that a small percentage of our pipes/assets may be undergoing review and will temporarily be highlighted in yellow. If your proposed works are close to one of these pipes, you should contact the SGN Safety Admin Team on 08009121722 for advice. No liability of any kind whatsoever is accepted by SGN or its agents, servants or sub-contractors for any error or omission contained herein. Safe digging practices, in accordance with HS (G) 47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that plant location information is provided to all persons (whether direct labour or sub-contractors) working for you on or near gas apparatus. Information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

SMELL GAS? CALL 0800 111 999

Some examples of Plant Items

Valve		Syphon		Depth of Cover		Diameter Change		Material Change	
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Map version: 2.7.5

Issued by: Scotia Gas Networks plc.

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 Background data © OpenStreetMap contributors via the
 Open Database License.



From: [Council officer – redacted]
Sent: 12 January 2023 10:22
To: [email redacted]
Subject: Fw: SC/2307 - Market Place Kilmacolm - gas governor

Dear [Redacted]

I have received the email below and attached plan from SGN. It appears to represent what we agreed on site prior to Christmas, however, I'd be grateful if you could both please confirm if this is acceptable to you.

In addition I have asked our tree surgeon to cut back the overgrown trees in this area and he has agreed to do this.

I will be reporting on the results of the consultation to Committee in March which has a submission date of 2nd Feb. As such I'd be grateful to receive any feedback prior to then.

Kind Regards

Audrey

From: [Email redacted]
Sent: 12 January 2023 11:32
To: [Council Officer – email redacted]
Subject: Re: SC/2307 - Market Place Kilmacolm - gas governor

Dear [redacted]

Thank you for forwarding the SGN information and plan.

I can confirm that this is what we agreed on site, and on behalf of Colourful Kilmacolm I am happy to agree to this work being carried out.

Thank you for your help, and for arranging for the tree thinning.

4. Respondent 4

From: [redacted]
Sent: 20 September 2022 10:21
To: [Council Officer]
Subject: Gas Governor at Market PLace, Kilmacolm

Hi,

I have looked at the plan and am happy for it to go ahead. I have a couple of questions that I would be grateful if you could answer:

Will the governor be above or below ground at the new site?

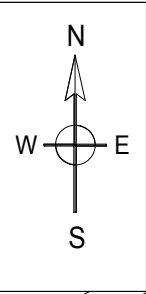
Are there any potential risks associated with living close to a pressure reduction system that nearby residents should be aware of?

Looking forward to hearing from you.

Kind regards

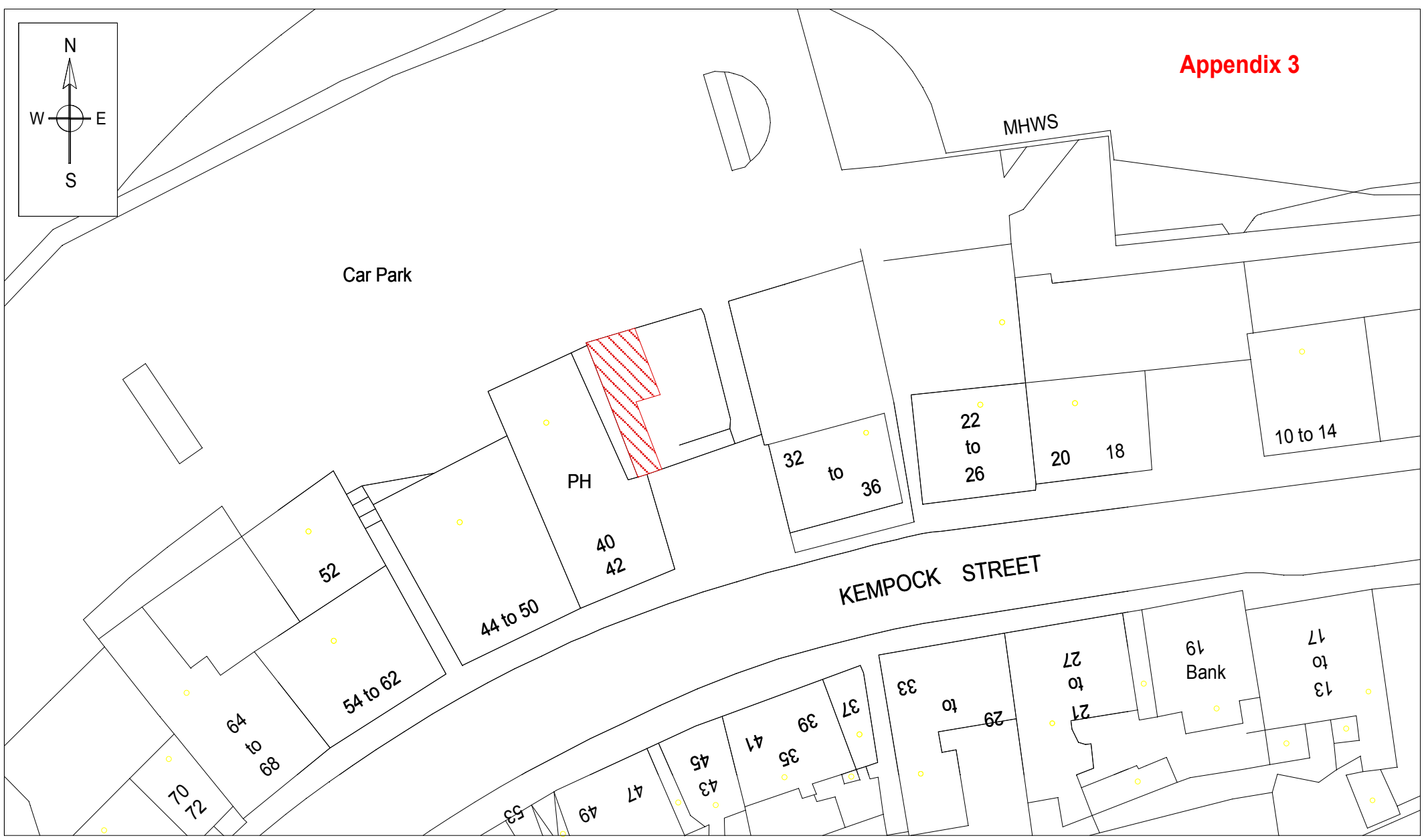
[redacted]

Appendix 3



Car Park

MHWS



SCALE: 1:500

DRAWN BY:

DATE 16/08/2022

Originating Group:

Drawing No. Kempock St, GRK, Gap Site
adj to Cafe Continental

Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV019/23/JH
Contact Officer:	Jennifer Horn	Contact No:	01475 715573
Subject:	Business Development Service		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to provide the Committee an update on the services provided by the Council's Business Development Service.
- 1.3 Businesses are facing significant challenges following from the pandemic, Brexit and the ongoing inflation crisis.
- 1.4 This report then sets out the support offer for local small and medium sized enterprises through Business Gateway and also the opportunities of grants and loans through Business Development. In addition, the report sets out interventions to support businesses that are currently being delivered or developed for 2023/24.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Committee notes the services that are offered, including the contracted service through Business Gateway.

Stuart Jamieson
Director, Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 Inverclyde Council's Business Development Team delivers business support to Inverclyde businesses through business support, grants, and loans, as well as direct delivery of the tripartite Business Gateway contract with Renfrewshire and East Renfrewshire Councils.
- 3.2 At the October Environment and Regeneration Committee an update was provided with regards to the Council's employability service and within that report an update was given with regards to employment statistics. In that report, it was shown that employment rate had increased, the unemployment rate and economic inactivity rate had decreased. However, this is set within the 'Cost of Living Crisis' and increase in inflation.
- 3.3 The pressure of inflation has been felt by businesses across Scotland. Scottish Enterprise reported that Scottish businesses across all sectors continue to report widespread inflationary pressures, recruitment difficulties and some supply chain disruption. This is impacting the ability to meet demand for some businesses.
- 3.4 The Fraser of Allander Institute has significantly lowered its forecast for Scottish economic growth in 2023 due to the impacts of rising costs, falling customer confidence, and weakening demand. The Institute expected overall growth of 3.6% in 2022 but with contractions of the last two quarters, tipping the economy into recession by the end of 2022, followed by further contraction in output in 2023 (-0.6%) before return to growth in 2024.
- 3.5 Although recent reports have been more positive anecdotal reports are suggesting that the cost of doing business is at an unprecedented high and it is a challenging time for businesses.
- 3.6 The latest 'Business in Scotland' data for 2022 suggests that the pandemic, Brexit and ongoing inflation crisis has had a significant impact on business activity in Inverclyde.
- 3.7 In 2020 business birth rate (per 10,000 16-24 population) was 37.4% lower than the national average. In addition, there has been a decline in business activity. Businesses in sectors that Inverclyde has strengths are starting to struggle because of Brexit, COVID-19 and the inflation crisis.
- 3.8 While employment in Inverclyde is higher than the Scottish average, there is an over reliance on employment in public services. 70% of Inverclyde's jobs are in the Foundation Economy, with approximately 1/3 in Providential Economy such as Health and Social Care. To ensure that Inverclyde has high quality and sustainable jobs, the Council and our partners must support the birth, attraction and growth of businesses in the area.

Inverclyde Council's Business Development Service

- 3.9 The Inverclyde Economic Strategy has the vision that 'Inverclyde is a part of a strong city region with a competitive and thriving economy, sustainable communities and flexible and skilled workforce.' The strategy sets out 5 priority themes:
 1. To boost skills and worklessness
 2. To accelerate the regeneration of strategic employment sites and town centres
 3. To progress the renewal and economic regeneration of the most disadvantaged areas of Inverclyde
 4. To increase Inverclyde's capacity to accommodate jobs particularly in the private sector; and
 5. To grow and diversify the business base.

- 3.10 The Business Development Team has an important role to play in the delivery of the priorities above. The Council's Business Development Team aims to support businesses to start, grow and support them to survive.
- 3.11 The team delivers through Business Gateway advisor, officer support, expert support, grants and loans to businesses.

Business Gateway

- 3.12 Business Gateway is a national service which is delivered locally by Local Authorities. Inverclyde is part of the Greater Renfrewshire regional Business Gateway which includes, Renfrewshire Council, who administer the grant from Scottish Government, and to East Renfrewshire Council. The grant is managed by Renfrewshire Council and administered to Inverclyde Council each year.
- 3.13 Under service level agreement there are services that the Council must deliver as part of the Business Gateway Service:
- a) **Business Start-Advisory Service:** The start-up advisory service covers both pre-start and start-up/early-stage support. This is delivered through training workshops, online resources and one-to-one advisory support. The advisors work with new and potential businesses to support them achieve their growth objectives and aspirations.
 - b) **Business Growth Advisory Services:** The Growth Advisory Services are available to pre-start, post-start and existing businesses, where the Business Gateway support can help the company increase their annual turnover by at least £200,000 within three years. The aim of the service is to enable Business Gateway to work intensively on a one-to-one basis with businesses to assist them to achieve or raise their growth aspirations. The service also includes provision of training workshops which are all available to all existing business regardless of growth potential.
 - c) **Business Gateway Local Services:** In addition to the core services outlined above, Business Gateway offers local services which complement the Business Gateway core service. Services include localised bespoke training workshops, networking events, recovery/sustainability support, expert or specialist support.
- 3.14 Inverclyde Council contracts the Business Gateway service on a yearly basis. The contract is currently contracted to BDA who have been delivering the Business Gateway contract since 2018. Prior to that it was in house in the Council and previously another provider.
- 3.15 The Business Gateway Start Up support rate has been positive since 2020, despite the challenges around covid. For this financial year the numbers are slightly lower than 2021 but anecdotal evidence is showing that the cost of doing business and cost of living is potentially putting off those who may wish to embark on an entrepreneurial career.
- 3.16 The Business Gateway Growth services has been slower than the start-ups but the Business Gateway team are supporting 9 early stage growth clients and 20 growth advisory service clients.
- 3.17 Business Gateway offers expert help to local businesses. This is targeted support where the Business Development Team or the Business Gateway advisor refers businesses to tailor made support for their needs e.g. social media support. To date there has not been a great uptake of this service however as we enter the last quarter of the year there is a push to improve uptake and ensure that there is uptake from early in 2023/24.

Business Grants and Loans

3.18 The Business Development Team administer business grants to small and medium sized businesses for:

- **Start Up Business Grant:** Up to £500 capital grant which can be used to cover 50% of costs for businesses that are starting trade in the area.
- **Business Training Grant:** Up to £2000 grant to be used for 50% of training costs.
- **Business Marketing Grant:** This grant can be used for marketing to cover up to 50% of eligible costs of marketing activities up to a maximum contribution of £500.
- **Business Assistance Grant:** A fund which provides assistance to help businesses meet specific business growth objectives. The fund can cover up to 50% of eligible costs of capital expenditure up to a maximum of £5,000.
- **Grant for tourism businesses:** A grant to tourism businesses up to 50% of costs of capital expenditure up to a maximum contribution of £5000.
- **Marketing grant for tourism businesses:** This marketing grant for tourism businesses can be used to cover up to 50% of total costs of marketing activities up to a maximum contribution of £1000.

Boost area start-up: This fund is for businesses that are starting to trade and the applicant resides in a SIMD 1 or 2 post code area. Applicants must engage with Business Gateway who will then support the applicant through the process and refer them to the Business Development Team. The grant can be used to cover a maximum contribution of £1000 for either capital expenditure or contributions towards the start up costs of the business.

3.19 The Property Development Team also offer grant support to local business through the Property Assistance Scheme which offer support of up to 50% of total costs for physical improvements to a business property e.g. signage, security.

3.20 Business Grants are funded through the Regeneration Service's core Council budget.

3.21 In additions to grants, the Business Development Team can offer support to businesses through loans:

- **Business Loan Scheme:** An interest-free loan fund of up to £5000 over 3 years for Small and Medium sized businesses.
- **Special Intervention Loan Fund:** Interest-free loans between £5000 and £25,000 over 5 years to assist in supporting the sustainability, development or growth of the business.

Other Business Support Activities

3.22 As well as business support grants, the team are developing other areas of business support utilising Council Earmarked Reserves and Scottish Government Funding. These interventions were presented to the August Environment and Regeneration Committee.

3.23 The interventions include:

- Supporting business increase their digital presence
- Support businesses with strategies to grow
- Increase the marketing grant stated above. This will be launched in the 23/24.
- Events to encourage self-employment as a career option
- Supplier Development Programme "Meet the Buyer". The first event took place on the 8th of February.
- Sector specific: Supporting key industries with challenges that they are facing.

- Export support: Working with other agencies such as the Inverclyde Chamber of Commerce to support businesses who would like to expand their exporting activities.
- Cruise ship: Capitalise on the new Greenock Ocean Terminal, the crew staff and holidaymakers who are coming to Inverclyde to put together a programme that would raise awareness of what is available locally.

3.24 As well as the above, the team are working with the Glasgow City Region to improve support around Green Business interventions.

3.25 The Regeneration Service continues to support the needs of local businesses through business, employability and property support. The interventions are always evolving, reacting to the changing economic climate and the needs of local businesses. The service continues to support small and medium sized enterprises, as well as working with our partners e.g. Scottish Enterprise to support Inverclyde to have a thriving, prosperous and sustainable economy.

4.0 IMPLICATIONS

4.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial		X	
Legal/Risk		X	
Human Resources		X	
Strategic (LOIP/Corporate Plan)	X		
Equalities & Fairer Scotland Duty		X	
Children & Young People's Rights & Wellbeing		X	
Environmental & Sustainability		X	
Data Protection		X	

4.2 Finance

There are no new financial implications as a result of this report.

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					

4.3 Legal/Risk

There are no new legal/risks as a result of this report.

4.4 Human Resources

There are no human resource implications from this report.

4.5 Strategic

The business support interventions reflect the aims and objectives of the LOIP.

4.6 Equalities and Fairer Scotland Duty

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EQIA) process with the following outcome:

	YES – Assessed as relevant and an EqlA is required.
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, assessed as not relevant and no EqlA is required. Provide any other relevant reasons why an EqlA is not necessary/screening statement.

(b) Fairer Scotland Duty

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

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

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

4.7 Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

4.8 Environmental/Sustainability

Has a Strategic Environmental Assessment been carried out?

--

YES – assessed as relevant and a Strategic Environmental Assessment is required.

X

NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

4.9 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 – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

5.0 CONSULTATION

5.1 None.

6.0 BACKGROUND PAPERS

6.1 None.

Report To: Environment & Regeneration Committee **Date:** 9 March 2023

Report By: Director, Environment & Regeneration **Report No:** ERC/RT/GMcF/18.636

Contact Officer: Gail MacFarlane **Contact No:** 01475 714800

Subject: Roads & Environmental Services – General, EVCP & PCN Charges for 2023/24

1.0 PURPOSE & SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to advise of changes to specific General Charges approved via the Budget Savings Exercise for 2023/24, and approve changes to the charges for the public use of electric vehicle charge points (EVCP).

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:

- Note the changes to specific General Charges approved via the Budget Savings Exercise for 2023/24, as detailed in Appendix 1.
- Approves changes to EVCP Charges for 2023/24, as detailed in Appendix 2.
- Approves changes to the Penalty Charge Notice (PCN) in line with The Scottish Government review of PCN level of charge.

Gail MacFarlane
Shared Head of Roads & Environmental Services

3.0 BACKGROUND & CONTEXT

- 3.1 The Council, via its recent budget savings exercise, approved changes to specific General Charges for 2023/24; these are detailed in Appendix 1.
- 3.2 The Service propose changes to the charge rates for EVCPs. It is proposed to increase charges to ensure that costs arising from electrical energy, maintenance, insurance, rates, management fees and capital replacement, are fully recovered. Cremation and Crematorium charges were agreed to be increased, and Garden Waste Permits were also increased. The proposed charges are detailed in Appendix 2.
- 3.3 In September 2022 the Scottish Government undertook a public consultation which considered the level of fines associated with PCNs. At the time of publishing this consultation the Scottish Ministers did not feel that it was appropriate to raise the levels due to the cost of living crisis. Since that decision was made there have been increased calls from local authorities and other parties asking the Scottish Minister to review the charges reflecting that the rates have not been increased for 22 years. The Scottish Ministers have now revised the levels of the maximum charges that can be implemented for penalty charge notices.

4.0 PROPOSALS

- 4.1 It is proposed to progress with changes to charges approved via the Budget Savings Exercise for 2023/24, as detailed in Appendix 1, and apply revised EVCP Charges for 2023/24, as detailed in Appendix 2.
- 4.2 It is proposed that new rates of PCNs will be the lower limit taking cognisance of the implications this increase may have on members of the public. The proposed increases are detailed in Appendix 3.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial	X		
Legal/Risk		X	
Human Resources		X	
Strategic (LOIP/Corporate Plan)		X	
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

5.2 Finance

One-off costs:

Cost Centre	Budget Heading	Budget Years	Proposed spend this report (£000s)	Virement from	Other comments

Annually recurring costs:

Cost Centre	Budget Heading	Budget Years	Proposed spend this report (£000s)	Virement from	Other comments
Revenue	Roads Charges	2023/24	(5)		Additional income
Revenue	EVCP Charging	2023/24	(10)		Additional income
Revenue	Burial Grounds/Cremation	2023/24	(108)		Additional Income
Revenue	Garden Waste	2023/24	(78)		Additional Income
Revenue	PCN	2023/24	(48)		This is not intended to increase the budget due to a projected shortfall in Parking Income

5.3 Legal/Risk

None.

5.4 Human Resources

None.

5.5 Strategic

None.

5.6 Equalities and Fairer Scotland Duty

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
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, assessed as not relevant and no EqIA is required.

(b) Fairer Scotland Duty

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

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

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Does not affect or propose any major strategic decision.

5.7 Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.8 Environmental/Sustainability

Summarise any environmental / climate change impacts which relate to this report.

None.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.9 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 – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

6.0 CONSULTATION

6.1 The Head of Legal and Democratic Services and the Chief Financial Officer have been consulted on this report.

7.0 BACKGROUND PAPERS

7.1 None.

Appendix 1 – Changes to Charges Via Budget Savings Exercise

<i>Fee Type</i>	<i>£Unit Cost 22/23</i>	<i>£Unit Cost 23/24</i>
Road Opening Permit		
All Works (per month)	158.45	Deleted
Minor Works (not more than 3 days)		130.00
Standard Works (all works, except emergency, which take between 4 and 10 working days)		250.00
Major Works (works normally planned 6 months in advance and require longer than 10 working days to complete)		500.00
Cremation and Burial Grounds charges – increase by 10% all charges		
Simple Cremation	408.15	448.97
Cremation All person over 18	764.95	841.45
Burial all persons over 18	974.70	1072.17
Burial all person over 18 (Double interment in single lair)	1462.05	1608.26
Purchase of Lairs	1050.15	1155.17
Purchase of Cremation casket lairs	576.60	634.26
Garden Waste Permits. Increase to £40	32	40

Appendix 2 – Proposed Changes to EVCP Charges

<i>Fee Type</i>	<i>£Unit Cost 22/23</i>	<i>£Unit Cost 23/24</i>
Electric Vehicle Charging		
Connection fee for all chargers (per connection) (incl VAT)	1.00	1.00
22kw and lower, Fast and Slow chargers (per kilowatt hour) (incl VAT)	0.20	0.50
43kw and higher, Rapid charger (per kilowatt hour) (incl VAT)	0.30	0.76

Appendix 3 – Penalty Charge Notice (PCN)

<i>Fee Type</i>	<i>£Unit Cost 22/23</i>	<i>£Unit Cost 23/24</i>
Penalty Charge Notice (PCN)		
Paid within 14 days	30	40
Paid between 15 days and service of Notice to Owner	60	80
Paid between issue of Notice to Owner and service of charge certificate	60	80
Paid after service of charge certificate	90	120

Report To:	Environment & Regeneration Committee	Date:	9 March 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV016/23/SJ/GM
Contact Officer:	Graham McCarey	Contact No:	01475 712419
Subject:	Naming of Private Road Serving New Development at Whitelea Road, Kilmacolm		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to seek Committee approval to recognise and name a private road serving two new houses under construction off Whitelea Road, Kilmacolm.

2.0 RECOMMENDATIONS

2.1 It is recommended that the road serving the new development be officially recognised as a private road, and named, as set out in Paragraph 4.4

Stuart W. Jamieson
Director, Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

3.1 Section 97 of the Civic Government (Scotland) Act 1982 gives a local authority power to name roads within its area.

4.0 PROPOSALS

4.1 Planning permission has been issued for the development of 2 new residential properties at a site off Whitelea Road, Kilmacolm. The developer, Mr Peter Monaghan, contacted the Council regarding the addresses to be assigned to these new properties, and has requested that the private road which will serve only these new houses (and which is also owned by the developer) be given its own name to allow the new houses to be located with more ease. They had raised concerns that, were the new houses to be given addresses on Whitelea Road, this may result in difficulty locating the houses for delivery drivers, emergency services etc.

4.2 The name proposed for the private road is Whitelea Lane. The road is sufficiently wide to allow access to most types of vehicles, and has been satisfactorily surfaced by the developer in the process of the development.

The developer understands that, given the private nature of the road, the onus will be on them – and any subsequent owners of the properties served by the road – to provide signage at the junction of this road and Whitelea Road.

4.3 Ward 1 Councillors and Kilmacolm Community Council were consulted on this matter, and no objections have been raised.

4.4 Taking the above into consideration, it is proposed that the private road serving this development be recognised officially as such on all addressing systems; that it be named Whitelea Lane; and that the new houses will have addresses attached to that road.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial		X	
Legal/Risk		X	
Human Resources		X	
Strategic (LOIP/Corporate Plan)		X	
Equalities & Fairer Scotland Duty		X	
Children & Young People's Rights & Wellbeing		X	
Environmental & Sustainability		X	
Data Protection		X	

5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
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N/A	N/A	N/A	N/A	N/A	N/A
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Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

There are no legal implications associated with this report.

5.4 Human Resources

There are no personnel implications associated with this report.

5.5 Strategic

None.

5.6 Equalities and Fairer Scotland Duty

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
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, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

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

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

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

5.7 Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.8 Environmental/Sustainability

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.9 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 – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

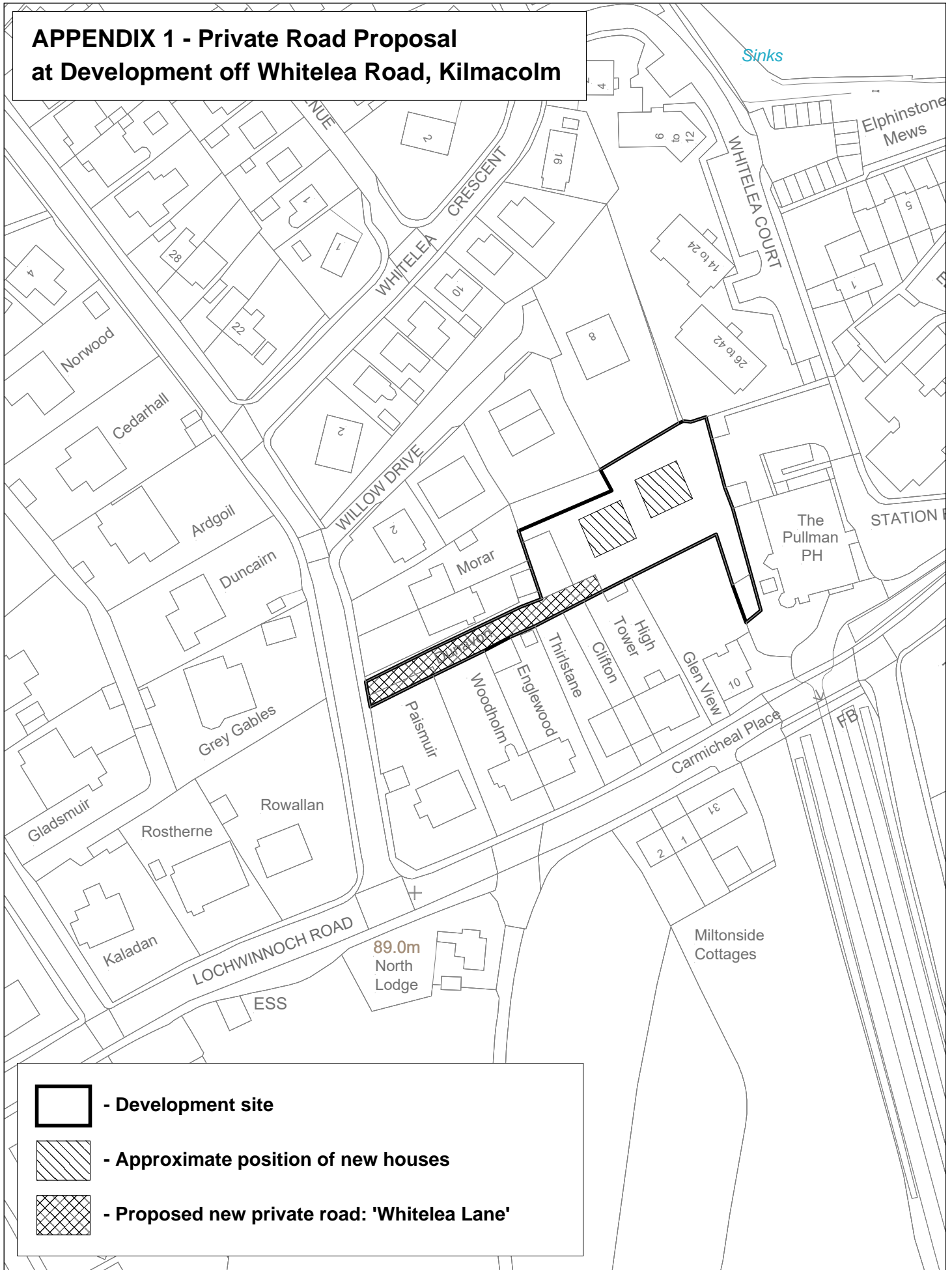
6.0 CONSULTATION

6.1 Ward 1 Councillors and Kilmacolm Community Council were consulted during the preparation of this report.

7.0 BACKGROUND PAPERS

7.1 None.

APPENDIX 1 - Private Road Proposal at Development off Whitelea Road, Kilmacolm



-  - Development site
-  - Approximate position of new houses
-  - Proposed new private road: 'Whitelea Lane'

