

## ENVIRONMENT & REGENERATION COMMITTEE – 9 MARCH 2023

### Environment & Regeneration Committee

Thursday 9 March 2023 at 3pm

**Present:** Councillors Brooks, Cassidy, Clocherty, Crowther, Curley, Jackson, McCabe, McCormick, Quinn and Robertson.

**Chair:** Councillor McCormick presided.

**In attendance:**

Stuart Jamieson	Director, Environment & Regeneration
Gail MacFarlane	Shared Head of Roads & Environmental Services
Eddie Montgomery	Interim Head of Property Services
Iain Strachan	Head of Legal & Democratic Services
Martin McNab	Public Protection Manager
Matt Thomson	Finance Manager (Environment & Technical)
Julie Ann Wilson	Principle Accountant
Jennifer Horn	Regeneration Manager
Gordon Leitch	Supervisory Engineer – Roads Design
Jim Kerr	Solicitor, Legal & Democratic Services
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Karen MacVey	Members' and Committee Services Team Leader
George Barbour	Service Manager, Communication, Tourism and Health & Safety

This meeting was held at the Municipal Buildings, Greenock with Councillors Cassidy and McCabe attending by video-conference.

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

**160 Apologies, Substitutions and Declarations of Interest 160**

No apologies for absence were intimated.

No declarations of interest were intimated, but certain connections were intimated as follows:

Agenda Item 11 (Landlord Registration Process) – Councillor Curley

**161 2022/23 Environment & Regeneration Revenue Budget as at 31 December 2022 161**

There was submitted a report by the Interim Director Finance & Corporate Governance and the Director Environment & Regeneration advising the Committee of the 2022/23 Revenue Budget projected position at 31 December 2022.

**Decided:** that it be noted that the Revenue Budget is currently projected to underspend in 2022/23 by £286,000 based on figures as at 31 December 2022.

**162 Environment & Regeneration Capital Programme 2022/25 - Progress 162**

There was submitted a report by the Director Environment & Regeneration and Interim Director Finance & Corporate Governance providing an update on the status of the

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projects within the 2022/25 Environment & Regeneration Capital Programme.

The Director Environment & Regeneration provided a verbal update to the report, advising that the Lord-Lieutenant of Renfrewshire has formally requested that the new trees at Birkmyre Park, Kilmacolm be dedicated as part of the Queen's Green Canopy in memory of the late Queen Elizabeth II.

**Decided:**

(1) that the current position and progress on the specific projects of the 2022/25 Capital Programme and City Deal, as detailed in the report and appendices, be noted; and

(2) that the request from the Lord-Lieutenant of Renfrewshire to dedicate the yew trees at Birkmyre Park, Kilmacolm as part of the Queen's Green Canopy in memory of the late Queen Elizabeth II be agreed.

**163 Environment and Regeneration Corporate Directorate Improvement Plan Progress Report 2022/23 163**

There was submitted a report by the Director Environment & Regeneration providing an update on the status of the Environment, Regeneration and Resources Corporate Directorate Improvement Plan 2022/23.

**Decided:** that the progress made by the Environment and Regeneration Service in delivering its Corporate Directorate Improvement Plan improvement actions in 2022/23 be noted.

**164 General Update 164**

There was submitted a report by the Director Environment & Regeneration providing an update on (1) the Levelling Up Fund bid and (2) the Shared Prosperity Fund.

**Decided:** that the updates on (a) the Levelling Up Fund bid, and (b) the Shared Prosperity Fund, be noted.

**165 Roads & Transportation – Proposed RAMP/Capital Programme for 2023/24 165**

There was submitted a report by the Director Environment & Regeneration seeking approval for 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 (CWSR) Projects.

**Decided:**

(1) that the 2023/24 RAMP/Capital list of programmes and CWSR grant aided roads related projects, as detailed in the report, be approved; and

(2) that delegated authority be granted 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.

**166 New Speed Limit Order Procedure 166**

There was submitted a report by the Shared Head of Roads & Environment Services seeking permission to introduce a new procedure in relation to the promotion of permanent Speed Limit Orders, to reduce the timescales associated with implementing proposed restrictions.

**Decided:**

(1) that 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, be approved;

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- (2) that the making of Speed Limit Orders by either the Head of Legal & Democratic Services or the Environment & Regeneration Committee be approved; and
- (3) that it be noted that a separate report will be submitted to the Inverclyde Council seeking approval to amend the Scheme of Delegation.

### 167 Business Parking Permits – Terms and Conditions

167

There was submitted a report by the Shared Head of Roads & Environmental Services seeking approval for the Terms and Conditions of Business Parking Permits following the decision of the Inverclyde Council of 15 December 2022 to introduce Business Parking Permits.

**Decided:**

- (1) that the Terms and Conditions for applying for, obtaining and using Business Parking Permits be agreed;
- (2) that 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” be noted;
- (3) that it be noted that the cost of a permit will be £150 per year (including VAT) and that this cost will be reviewed annually; and
- (4) that it be remitted to the Shared Head of Roads and Environmental Services to submit a report to the Committee reviewing the operation of the Business Parking Permits scheme in 9 months’ time.

### 168 20mph Town & Village Centres Speed Limit Orders – Maintained Objections

168

There was submitted a report by the Shared Head of Roads & Environmental Services providing information on the outcome of the consultation procedure undertaken for the following six Speed Limit Orders, (1) “The Inverclyde Council Kilmacolm Village Centre (20mph Speed Limit) Order 2022”, (2) “The Inverclyde Council Port Glasgow Town Centre (20mph Speed Limit) Order 2022”, (3) “The Inverclyde Council Cathcart Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022”, (4) “The Inverclyde Council Gourock Town Centre (20mph Speed Limit) Order 2022”, (5) “The Inverclyde Council Inverkip Village Centre (20mph Speed Limit) Order 2022” and (6) “The Inverclyde Council Wemyss Bay Village Centre (20mph Speed Limit) Order 2022”.

**Decided:**

- (1) that it be noted that there are no objections to the Speed Limit Orders associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area of Greenock;
- (2) that (a) it be agreed to recommend to the Inverclyde Council the making of Speed Limit Orders associated with Kilmacolm, Port Glasgow, Gourock and the Cathcart Street area (b) delegated authority be granted to the Shared Head of Roads & Environmental Services and the Head of Legal & Democratic Services to arrange for their implementation;
- (3) that the requirement to hold a public hearing to consider the maintained objections to the Speed Limit Orders associated with Inverkip and Wemyss Bay be noted;
- (4) that it be agreed to hear the Speed Limit Orders for Inverkip and Wemyss Bay through an independent Reporter;
- (5) that it be remitted to the Shared Head of Roads & Environmental Services and the Head of Legal & Democratic Services to make the necessary arrangements for the public hearings;
- (6) that it be agreed that if, prior to the public hearing, the maintained objections to the Inverkip and/or Wemyss Bay Speed Limit Orders are withdrawn, that the Speed Limit Orders can be made without further consideration by the Environment & Regeneration

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Committee and that in these circumstances it be remitted to the Shared Head of Roads & Environmental Services and the Head of Legal & Democratic Services to arrange for their implementation;

(7) that it be remitted to the Head of Legal & Democratic Services to submit a report to submit a report to a future meeting of the Committee reviewing the custom and practice of Elected Members making objections to proposed Orders; and

(8) that the matter of Elected Members formally objecting to proposed Orders be referred to the Strategic Leadership Forum.

### 169 Commercial Waste Services

169

There was submitted a report by the Director Environment & Regeneration advising 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.

**Decided:**

(1) that the financial under recovery of the Commercial Waste Service be noted;

(2) that a 10% increase in 2023/24 commercial trade waste charges, to reflect the increase in inflationary costs to the service and to eliminate the current income shortfall, be approved;

(3) that the alignment of internal Trade Waste Charges to those levied commercially be approved; and

(4) that it be agreed that officers will develop proposals to delivery a non-subsidised service as part of the 2024/25 Budget.

### 170 Landlord Registration Process

170

There was submitted a report by the Director Environment & Regeneration recommending 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.

Councillor Curley declared a connection as a registered landlord in Inverclyde. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and he was declaring for transparency.

**Decided:**

(1) that (a) it be agreed to change 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 (b) this decision be remitted to the full Council for consideration of the associated changes to the Council's Standing Orders and Scheme of Administration; and

(2) that it be noted that the Committee will receive an annual update on Private Residential Landlord Registration.

### 171 Property Asset Management – Public Report

171

There was submitted a report by the Director Environment & Regeneration requesting that the Committee note (1) the results of two Open Space consultations relative to lower Kempock Street, Gourrock and Market Place, Kilmacolm, and (2) the outcome of further discussions with Permallet regarding the previous Open Space consultations relating to land at Papermill Road, Greenock.

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**Decided:**

(1) that (a) the outcome of the open space and common good consultation for land at lower Kempock Street, Gourrock be noted, and (2) in relation to a lease of this land and the terms of the representations received as detailed in appendix 1 of the report, and having regard to those representations, it be agreed to proceed to obtain a valuation of the site from the District Valuer and to commence a court action seeking consent for the proposed lease in terms of Section 75 of the Local Government (Scotland) Act 1973;

(2) that (a) the outcome of the open space consultation for land at lower Market Place, Kilmacolm be noted, and (2) in relation to the proposed sale of this land and the terms of the representations received as detailed in appendix 2 of the report, and having regard to those representations, it be agreed to further consider the terms of the sale as detailed in the private Property Assets Management report that is before the Committee for later consideration.

(3) that it be noted that Permallet are no longer interested in pursuing the proposed lease of land at Papermill Road, Greenock.

**172 Business Development Service****172**

There was submitted a report by the Director Environment & Regeneration providing an update on the services provided by the Council's Business Development Service.

**Decided:** that the services offered by the Council's Business Development Service, including the contracted service through Business Gateway, be noted.

**173 Roads & Transportation – General, EVCP & PCN Charges for 2023/24****173**

There was submitted a report by the Director Environment & Regeneration (1) advising of changes to specific General Charges approved via the Budget Savings Exercise for 2023/24, and (2) seeking approval to amend the charges associated with the public use of electric vehicle charge points (EVCP).

The Shared Head of Roads and Environmental Services advised the Committee of errors in appendix 1 and 2 of the report, and accordingly the figures detailed in appendix 1 of this minute are as corrected at the meeting.

Following discussion, Councillor Brooks moved recommendations (a) and (b) as corrected and detailed in the report, omitting recommendation (c).

As an amendment, Councillor McCormick moved the recommendations contained in the report, as corrected.

Following a roll call vote, 1 Member, Councillor Brooks, voted in favour of the motion and 9 Members, Councillors Cassidy, Clocherty, Crowther, Curley, Jackson, McCabe, McCormick, Quinn and Robertson voted in favour of the amendment which was declared carried.

**Decided:**

(1) that the changes to specific General Charges approved via the Budget Savings Exercise for 2023/24, as detailed in appendix 1 of the report, as corrected, be noted;

(2) that changes to EVCP charges for 2023/24, as detailed in appendix 2 of the report, as corrected, be approved; and

(3) that changes to the Penalty Charge Notice (PCN), in line with the Scottish Government review of PCN charges, be approved.

**174 Naming of Private Road Serving New Development at Whitelea Road, Kilmacolm****174**

There was submitted a report by the Director Environment & Regeneration seeking approval to recognise and name a private road serving two new houses under construction off Whitelea Road, Kilmacolm.

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**Decided:** that it be agreed to (a) officially recognise the road serving the new development off Whitelea Road, Kilmacolm as a private road, and (b) name the new private road 'Whitelea Lane' and that the new houses will have addresses attached to that road.

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

<b>Item</b>	<b>Paragraph(s)</b>
<b>Clune Park Update</b>	<b>8 &amp; 9</b>
<b>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</b>	<b>6 &amp; 9</b>
<b>Commercial and Industrial Portfolio Information – Scheme of Delegation Register</b>	<b>2, 6 &amp; 9</b>

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|------------|---|------------|
| <b>175</b> | <p><b>Clune Park Update</b></p> <p>There was submitted a report by the Director Environment &amp; Regeneration providing an update on the current position in relation to Clune Park.</p> <p><b>Decided:</b> Following consideration, the Committee agreed to the actions recommended all as detailed in the Appendix.</p>  | <b>175</b> |
| <b>176</b> | <p><b>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</b></p> <p>There was submitted a report by the Director Environment &amp; Regeneration making recommendations in respect of a number of property assets.</p> <p><b>Decided:</b> Following consideration, the Committee agreed to the actions recommended, all as detailed in the Appendix.</p> | <b>176</b> |
| <b>177</b> | <p><b>Commercial and Industrial Portfolio Information – Scheme of Delegation Register</b></p> <p>There was submitted a report by the Director Environment &amp; Regeneration advising of the exercise by officers of power delegated to them in terms of the Scheme of Delegation and to provide an update on the management of Inverclyde Council's commercial and industrial portfolio.</p> <p><b>Decided:</b> that the terms of the report be noted.</p>   | <b>177</b> |

**APPENDIX 1**  
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**XXX Roads & Transportation – General, EVCP & PCN Charges for 2023/24**

**XXX**

The Shared Head of Roads and Environmental Services advised the Committee of errors in appendix 1 and 2 of the report, and accordingly the following figures as detailed were corrected at the meeting.

Appendix 1 – Changes to Charges Via Budget Savings Exercise

Fee Type	<i>£Unit Cost</i> 22/23	<i>£Unit Cost</i> 23/24
<b>Road Opening Permit</b>		
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
<b>Burial Grounds Charges</b>		
Cremation and Burial Grounds charges – increase by 10% all charges		
Simple Cremation (including CAMEO charge)*	408.15	446.55
Cremation All person over 18 (including CAMEO charge)*	764.95	839.05
Burial all persons over 18	974.70	1,072.15
Burial all person over 18 (Double interment in single lair)	1,462.05	1,608.25
Purchase of Lairs	1,050.15	1,155.15
Purchase of Cremation casket lairs	578.60	636.45
Garden Waste Permits. Increase to £40	32.00	40.00

\*10% increase not applied to statutory CAMEO charge of £29.50 (£29.00 in 2022/23)

Appendix 2 – Proposed Changes to EVCP Charges

Fee Type	<i>£Unit Cost</i> 22/23	<i>£Unit Cost</i> 23/24
<b>Electric Vehicle Charging</b>		
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	0.75