

A meeting of the Environment & Regeneration Committee will be held on Thursday 31 August 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 30 August 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, Digital and Customer Services

BUSINESS

****Copy to follow**

1. Apologies, Substitutions and Declarations of Interest	Page
PERFORMANCE MANAGEMENT	
2. 2022/23 Environment & Regeneration Revenue Budget as at 30 June 2023 Report by Chief Financial Officer	p
3. Environment & Regeneration Capital Programme 2023/26 - Progress Report by Director, Environment & Regeneration and Chief Financial Officer	p
NEW BUSINESS	
4. Inverkip Project Update Report by Head of Physical Assets	p
5. Glasgow City Deal: Inverkip Outline Business Case Submission Report by Director, Environment & Regeneration	p
6. Town and Village Centre Update ** Report by Director, Environment & Regeneration	p
7. Central Greenock Regeneration Strategy Report by Director, Environment & Regeneration	p

8.	West Blackhall Street Regeneration – Options Report Report by Head of Physical Assets	p
9.	West Blackhall Street Proposed Roads Orders – Reporter’s Decision Report by Head of Physical Assets	p
10.	Active Travel Strategy - Cycling Infrastructure Projects Priority Report by Head of Physical Assets	p
11.	Roads and Transportation – SPT Grant Funded Projects Report by Head of Physical Assets	p
12.	Dunrod Road – Closure and Landslip Report by Head of Physical Assets	p
13.	Proposed Traffic Regulation Order - The Inverclyde Council Disabled Persons’ Parking Places (On-Street) Order No.2 2023 Report by Head of Legal, Democratic, Digital & Customer Services	p
14.	Elected Members Objections to Roads and Traffic Orders Report by Head of Legal, Democratic, Digital & Customer Services	p
15.	Gourock – Recycling Centre Report by Director, Environment & Regeneration	p
16.	Nature Restoration Fund Proposed Projects Report by Director, Environment & Regeneration	p
17.	Protocol and Criteria for Planning Board and Local Review Body Site Visits Report by Head of Legal, Democratic, Digital & Customer Services	p
18.	Clune Park Masterplan Report by Director, Environment & Regeneration	p
19.	Governance of External Organisations Report by Director, Environment & Regeneration	p
ROUTINE DECISIONS AND ITEMS FOR NOTING		
20.	Circular Economy (Scotland) Bill Report by Director, Environment & Regeneration	p
21.	Road Naming within New Development at Site of Former Greenock Academy, Madeira Street, Greenock Report by Director, Environment & Regeneration	p
22.	Property Asset Management – Public 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			
23. **	Update on Acquisitions at Clune Park Estate, Port Glasgow Report by Head of Legal, Democratic, Digital & Customer Services providing an update on the Clune Park estate.	Para 6, 8 & 9	p
ROUTINE DECISIONS AND ITEMS FOR NOTING			
24.	Property Asset Management – Private Report by Director, Environment & Regeneration making recommendations in respect of a number of property assets.	Paras 6 & 9	p

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Enquiries to – **Colin MacDonald** – Tel 01475 712113

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Chief Financial Officer	Report No:	FIN/47/23/AP/MT
Contact Officer:	Julie Ann Wilson	Contact No:	01475 712636
Subject:	2023/24 Environment & Regeneration Revenue Budget at 30 June 2023		

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 Environment & Regeneration Revenue Budget outturn 2022/23 and the 2023/24 projected position at 30 June 2023.

1.3 In 2022/23, excluding the carry forward of Earmarked Reserves, there was an underspend of £707,000 within the Environment and Regeneration Committee. This was a decrease in expenditure of £510,000 from the Period 11 projected outturn reported to Committee in March and was largely due to increases in income for Roads and Environmental Services and increased turnover offset by increased waste disposal. More details are provided in section 3 and the appendices.

1.4 The revised 2023/24 Revenue Budget for the Environment and Regeneration Committee is £23,164,550, which excludes Earmarked Reserves. The latest projection is an overspend of £351,000 (1.54%) largely due to an overspend in agency costs, and a projected under recovery in parking and PCNs due to low levels of activity following the reintroduction of charging post to Covid-19 pandemic. More details are provided in section 4 and the appendices.

1.5 The Director and his senior management team are reviewing the 2022/23 outturns to identify potential virement opportunities to reduce the projected overspend and updates will be given throughout the year.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee notes outturn for 2022/23, and that the Committee's Revenue Budget is currently projected to overspend in 2023/24 by £351,000 based on figures at 30 June 2023 and the action being taken by the Director to reduce the projected overspend.

2.2 It is recommended that the Committee approved the virement set out in Appendix 5.

Alan Puckrin
Chief Financial Officer

Stuart Jamieson
Director Environment &
Regeneration

3.0 BACKGROUND AND CONTEXT

3.1 2022/23 OUT-TURN (£707,000 Underspend – 3.05%)

The main variations from budget and movements from the projected outturn position at Period 11 for 2022/23, reported to the Committee in March, were as follows:

Service	Revised Budget 2022/23 £000	Outturn 2022/23 £000	Variance to Budget £000	Variance to Budget %	Movement since P11 £000
Regeneration, Planning & Public Protection	6,558	6,016	(542)	(8.26%)	(186)
Property Services	2,282	2,200	(82)	(3.59%)	(194)
Environmental & Roads	14,196	14,226	30	0.21%	(139)
Corporate Director	158	44	(114)	(71.89%)	9
TOTAL NET EXPENDITURE	23,194	22,486	(707)	(3.05%)	(510)

3.2 The actual out-turn, excluding Earmarked Reserves, was £22,486,000 which represents an underspend of £707,000. This is a decrease in spend of £510,000 from the position reported to Committee in March 2023. The main reasons for the movement of £510,000 from Period 11 was largely due to increases in income for Roads and Environmental Services and increased turnover offset by increased waste disposal. The main variances contributing to the net underspend are listed below.

- a) £177,000 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 remained in line with 2021/22. A budget pressure of £125,000 was approved from 2023/24.
- b) £94,000 shortfall in burials and cremation income. This was 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 was approved from 2023/24.
- c) £59,000 shortfall in Trade Waste Income which is in line with previous years. Trade waste was reviewed as part of the Delivering Differently Programme. An increase in external charges of 10% was agreed to address the shortfall.
- 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) An underspend in Tourism grants of £44,000 due to decrease in the number of applications. A saving of £24,000 was approved from 2023/24.
- f) £110,000 shortfall in parking and PCN income due an ongoing reduction in the use of Council car parks following reintroduction of charging post to Covid-19 pandemic.
- g) Over recoveries in waste across scrap metal and tipping charges £167,000.
- h) An overspend in refuse collection agency costs of £125,000 partly offset by a reduction in overtime and turnover from vacant posts.
- i) An overspend in residual waste disposal charges of £177,000 due to an increase in tonnages and the contracted rate.
- j) An overspend in central repairs of £149,000 due to rising prices for construction materials.
- k) An over recovery in Roads income of £171,000 for construction consents, grant fees and TROs.
- l) An over recovery of £944,000 against the turnover target due to delays in recruiting posts.

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

3.3 2023/24 PROJECTED OUT-TURN (£351,000 Overspend – 1.54%)

The revised 2023/24 budget for Environment and Regeneration, excluding earmarked reserves, is £23,165,550. This is an increase of £328,000 from the approved budget, prior to transfers to earmarked reserves. Appendix 1 gives details of this budget movement.

The main variances contributing to the projected net overspend are listed below.

- a) Refuse Collection agency costs of £98,000 to cover food waste collection, sickness, holidays, and delays in filling vacancies, partly offset by reduced overtime.
- b) Property Services agency costs of £48,000 partly offset by turnover to cover the skills gap which is expected to end in December 2023 when the new structure will be fully in place.
- c) A shortfall of £193,000 in Parking income and £50,000 shortfall PCN income due to less activity following reintroduction of charging post to Covid-19 pandemic.
- d) An underspend in utilities across the Committee of £32,000 due to a reduction in wholesale prices since the budget was finalised. These savings will be treated as a windfall and the excess budget returned to the non-pay inflation contingency.

3.4 EARMARKED RESERVES

Appendix 4 gives an update on the operational Earmarked Reserves, i.e. excluding strategic funding models. Spend to 30 June 2023 on these operational Earmarked Reserves is £488,000 (15.37% of projected spend).

4.0 PROPOSALS

- 4.1 The above figures for 2023/24 include the additional cost in 2023/24 of £331,000 transferred from the inflation contingency in relation to the increase in the Council's waste contract. There is also an additional virement to address pressures on various budget lines within waste which requires approval.

5.0 IMPLICATIONS

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

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

5.2 Finance

Appendix 5 contains a number of virement requests which will address some regular under/overspends and the transfer of budget responsibility for a facility in Port Glasgow to the Education & Communities Committee.

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 - 2023/24**PERIOD 3: 1st April 2023 - 30th June 2023**

Service	Approved Budget		Movements			Revised Budget
	2023/24 £000	Inflation £000	Virement £000	Supplementary Budgets £000	Transferred to EMR £000	2023/24 £000
Regeneration, Planning & Public Protection	6,325		(181)			6,144
Property Services	2,464		137			2,601
Roads	3,272					3,272
Environmental	10,296	331	41			10,668
Corporate Director	148					148
Totals	22,505	331	(3)	0	0	22,833

Movement Details

£000

External Resources

0

Inflation

Residual Waste

331,000

331,000

Virements

Property Services Energy Team

58,220

Management restructure - Phase 2 - delete Planning Policy team Leader post

(59,000)

Management restructure - Phase 2 - reduction in Manager costs following end of Shared Services

(16,000)

Management restructure - Phase 2 - 0.5 FTE Head of Service

57,000

Management restructure - Phase 2 - Physical Regeneration Manager Post

79,000

Externally funded post inflation returned to contingency

(2,170)

Transfer 7 1/2 John Wood St to CLD

(120,000)

Address various pressures in Environmental Services:-

Green waste disposal

39,000

Green waste permits income

42,000

Tipping income

(81,000)

Scrap metal income

(19,600)

Refuse Collection agency costs

19,600

Burial grounds cleaning

(3,430)

Burial grounds materials

3,430

(2,950)

Supplementary Budgets

0

328,050

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****SUBJECTIVE ANALYSIS****PERIOD 3: 1st April 2023 - 30th June 2023**

Subjective Heading	Approved Budget 2023/24 £000	Revised Budget 2023/24 £000	Projected Out- turn 2023/24 £000	Projected Over/(Under) Spend	Percentage Variance %
Employee Costs	17,061	17,256	17,186	(70)	-0.40%
Property Costs	4,438	4,442	4,449	7	0.16%
Supplies & Services	3,852	3,849	4,015	166	4.31%
Transport & Plant Costs	2,710	2,710	2,671	(39)	-1.44%
Administration Costs	461	461	689	228	49.55%
Payments to Other Bodies	7,012	7,363	7,351	(12)	-0.16%
Other Expenditure	2,056	1,965	1,969	4	0.20%
Income	(15,085)	(15,212)	(15,146)	67	-0.44%
TOTAL NET EXPENDITURE	22,505	22,833	23,185	351	1.54%
Transfer to Earmarked Reserves *	0	0	0	0	0.00%
TOTAL NET EXPENDITURE EXCLUDING EARMARKED RESERVES	22,505	22,833	23,185	351	1.54%

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****OBJECTIVE ANALYSIS****PERIOD 3: 1st April 2023 - 30th June 2023**

Objective Heading	Approved Budget 2023/24 £000	Revised Budget 2023/24 £000	Projected Out- turn 2023/24 £000	Projected Over/(Under) Spend	Percentage Variance %
Regeneration, Planning & Public Protection	6,325	6,144	6,079	(65)	-1.05%
Property Services	2,464	2,601	2,483	(118)	-4.54%
Roads Services	3,272	3,272	3,637	365	11.15%
Environmental Services	10,296	10,668	10,830	162	1.52%
Corporate Director	148	148	155	7	4.73%
TOTAL NET EXPENDITURE	22,505	22,833	23,185	351	1.54%
Transfer to Earmarked Reserves *	0	0	0	0	0.00%
TOTAL NET EXPENDITURE EXCLUDING EARMARKED RESERVES	22,505	22,833	23,185	351	1.54%

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****MATERIAL VARIANCES****PERIOD 3: 1st April 2023 - 30th June 2023**

<u>Out Turn</u> <u>2022/23</u> <u>£000</u>	<u>Budget</u> <u>Heading</u>	<u>Subjective Head</u>	<u>Budget</u> <u>2023/24</u> <u>£000</u>	<u>Proportion</u> <u>of Budget</u> <u>£000</u>	<u>Actual to</u> <u>30-Jun-23</u> <u>£000</u>	<u>Projection</u> <u>2023/24</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							
718	Planning Overall	Employee Costs	926	218	151	864	(62)	(6.70)%
568	Economic Development - admin	Employee Costs	569	140	139	444	(125)	(21.97)%
							(187)	
0	Regen - SG - Externally funded posts	Income	(85)	(20)	0	0	85	(100.00)%
							85	
	PROPERTY SERVICES							
962	BSU	Employee Costs	1,040	234	214	960	(80)	(7.69)%
862	Technical Services	Employee Costs	596	134	155	571	(25)	(4.19)%
							(105)	
1	Surplus Properties - Gas	Property Costs	19	61	0	2	(17)	(89.47)%
35	Office Accommodation - Water	Property Costs	65	16	36	36	(29)	(44.62)%
192	Office Accommodation - Gas	Property Costs	180	45	15	153	(27)	(15.00)%
							(73)	
88	Technical Services - Agency Costs	Administration Costs	0	0	22	48	48	0.00%
							48	
	ROADS SERVICES							
1,414	Roads Client	Employee Costs	1,242	280	317	1,298	56	4.51%
							56	
0	Roads Client - Gas	Property Costs	21	4	0	0	(21)	(100.00)%
66	Roads Client - Other Property Costs	Property Costs	45	11	27	75	30	66.67%
							9	
349	Roads Operations Unit - Subcontractors	Supplies and Services	227	29	46	294	67	29.52%
							67	
(211)	Roads Parking - Income (PCNS)	Income	(231)	(58)	(26)	(181)	50	(21.65)%
(34)	Roads Parking - Sales, Fees and Charges	Income	(261)	(65)	(18)	(68)	193	(73.95)%
							243	

ENVIRONMENT AND REGENERATION COMMITTEE**REVENUE BUDGET MONITORING REPORT****MATERIAL VARIANCES****PERIOD 3: 1st April 2023 - 30th June 2023**

<u>Out Turn</u> <u>2022/23</u> <u>£000</u>	<u>Budget</u> <u>Heading</u>	<u>Subjective Head</u>	<u>Budget</u> <u>2023/24</u> <u>£000</u>	<u>Proportion</u> <u>of Budget</u> <u>£000</u>	<u>Actual to</u> <u>30-Jun-23</u> <u>£000</u>	<u>Projection</u> <u>2023/24</u> <u>£000</u>	<u>(Under)/Over</u> <u>Budget</u> <u>£000</u>	<u>Percentage</u> <u>Variance</u> <u>%</u>
	ENVIRONMENTAL SERVICES							
1,496	Env Services - Mangement	Employee Costs	1,481	333	355	1,516	35	2.36%
							35	
64	Env Services - Water	Property Costs	39	10	6	53	14	35.90%
115	Env Services - Gas	Property Costs	92	23	6	114	22	23.91%
							36	
125	Env Services - Ref Coll - Agency Costs	Administration Costs	0	0	33	98	98	
							98	
91	Env Services - Management - PTOB	PTOB	0	0	19	19	19	
19	Env Services - Waste Strategy - Food Waste	PTOB	57	49	5	27	(30)	(52.63)%
							(11)	#DIV/0!
(492)	Env Services - RTS- Scrap Metal & Tipping	Income	(329)	(82)	(133)	(349)	(20)	6.08%
							(20)	#DIV/0!
	CORPORATE DIRECTOR							
							0	
Total Material Variances							281	

EARMARKED RESERVES POSITION STATEMENT

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>P3</u>	<u>Spend</u>	<u>Spend</u>	<u>Earmarked for</u>	
	<u>2023/24</u>	<u>2023/24</u>	<u>2023/24</u>	<u>2023/24</u>	<u>2024/25</u>	
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>& Beyond</u>	
					<u>£000</u>	
Renewal of Clune Park Area	2,802	15	15	250	2,552	Spend to date relates to legal support and security costs. £500k added in 23/24 to create a contingency to fund potential CPO/purchase costs. Phasing of spend under review.
Winter Maintenance	68	0	0	0	68	Budget will be utilised during prolonged winter conditions if required.
Repopulating/Promoting Inverclyde/ Group Action Plan	95	0	0	95	0	Proposals to be developed and reported to Policy & Resources Committee.
COVID - Jobs Recovery	2,427	460	459	1,733	694	Existing MA, Kickstart, graduate, Future Jobs, part contribution to new MA programme and apprentice wage subsidy programme.
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 - Business Support Initiatives	526	18	12	54	472	Original report approved at ER Aug 22. Update on progress will be provided on future report.
Local Plan Preparation	5	0	0	0	5	Smoothing EmR for local plan preparation to be utilised when required.
Business Loans Scotland - SME Activities	230	0	0	230	0	Funding for SME activities
Shared Prosperity Fund/Projects	544	0	2	544	0	Will be spent per in full Project Table of Share Prosperity Fund
LHEES Funding - 2022/23	75	0	0	75	0	Subject to on-going consultant procurement.
Net Zero Action Plan	3,300	0	0	170	3,130	Total allocation £3.65m -initial £350k to spend first.
Employability Smoothing Reserve	400	0	0	0	400	Support to smooth the impact of the employability saving approved December 2022.
Total Category C to E	10,495	493	488	3,174	7,321	

ENVIRONMENT AND REGENERATION COMMITTEE**VIREMENT REQUESTS****PERIOD 3: 1st April 2023 - 30th June 2023**

Budget Heading	Increase Budget	(Decrease) Budget
	£	£
Regeneration PTOB - Transfer 7 1/2 John Wood St to CLD CLD PTOB - Transfer 7 1/2 John Wood St to CLD	120,000	(120,000)
Regeneration Basic - Externally funded post inflation returned to contingency		(2,170)
Inflation - Externally funded post inflation returned to contingency	2,170	
Environmental Services - Green waste disposal	39,000	
Environmental Services - Green waste permits income	42,000	
Environmental Services - tipping income		(81,000)
Environmental Services - scrap metal income		(19,600)
Environmental Services - refuse collection agency costs	19,600	
Environmental Services - burial grounds materials		(3,430)
Environmental Services - burial grounds cleaning	3,430	
Total	226,200	(226,200)

Note

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration and Chief Financial Officer	Report No:	ENV050/23/SJ/EM
Contact Officer:	Stuart Jamieson	Contact No:	01475 712764
Subject:	Environment & Regeneration Capital Programme 2023/26 - 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 2023/26 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 £52.730m with total projected spend on budget. The Committee is projecting to spend £13.463m after net advancement of £0.372m (2.84%) being reported. There has now been slippage reported against the externally funded capital projects of £3.024m (37.45%). Appendices 1-3 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 2023/26 Capital Programme and externally funded projects as outlined in the report and appendices.
- notes the on-going work in respect of the further identification of priority projects relating to core asset condition and allocation of funds from 2023/25 Core Property budget.

Alan Puckrin
Chief Financial Officer

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 2nd March 2023. This effectively continues the previously approved 2022/25 Capital Programme to 2023/26. In addition to the core annual allocations funding was approved to address inflationary pressures in the RAMP and Property with an additional allocation to address the progression of the agreed 2022/27 Net Zero Action Plan.

2022/25 Current Capital Position

- 3.2 The Environment & Regeneration capital budget is £52.730m. The budget for 2023/24 is £13.463m, with spend to date of £1.481m equating to 11% of projected spend. The current projection is £52.730m which means total projected spend is on budget.
- 3.3 The Committee is projecting to spend £13.463m in 2023/24 with net advancement of £0.372m (2.84%) being reported. Appendices 1-3 detail the capital programme.
- 3.4 Externally funded projects are not included in the above Committee figures, the City Deal budget is £24.470m with the Greenock Town Centre Levelling Up budget £21.586m. The current projection for 2023/24 is £5.099m with slippage of £3.127m being reported at this stage linked to the progression of the Inverkip project. Appendix 3 shows the financial position of the externally funded projects programme.

Regeneration and Planning – Core Regeneration

- 3.5 Town & Village Centres - West Blackhall Street: A full update report is being presented to this committee
- 3.6 Town & Village Centres - Jamaica Street Car Park: As previously reported, the main construction of the carpark is complete and in use with the installation of the Electric Vehicle Charge Point outstanding due to ongoing Contractor/Supplier issues.
- 3.7 Comet Replica Replacement: As previously reported, the removal of the existing Comet replica and storage of salvaged material has been completed. A Comet Sub-Group meeting has taken place to consider the options for commemorating the Comet.
- 3.8 Town and Village Centres / Place Based Funding: The programme of works will continue into the new financial year and is covered under a separate update. Further projects will be developed and presented to Committee for consideration.

Environmental Services

- 3.9 Cremator Replacement: The project involves contracts for the design, manufacture, supply and installation of two new cremators, a new electricity supply, and the associated building adaptation and extension works. Works are progressing with both cremators now installed with flue works to the second cremator due late August. Temporary repair to chimney to be completed to facilitate early dropping of scaffolding to allow flues to be installed. The Committee is requested to note that, during the course of the works, it has been identified that the existing flat roof now requires full replacement, a quotation for this has been sought through the contractor currently on site with the intention that the additional funding required is provided from the Core Property Services provision and with the works taken forward and completed in line with the current programme. The Committee is requested to note the allocation of £94k from the Core Property Services allocation to the Cremator project. Projected final completion remains as previously reported 4th quarter 2023.

- 3.10 Vehicle Replacement Programme: Approved VRP budget for 2023/24 is £695k, currently £271k of assets have been delivered with a further £300k of assets ordered and due to be delivered.
- 3.11 Dog Park: Surveys of potential locations were returned as unsuitable, further locations to be assessed.
- 3.12 Overton Play Park Surrounds: All vegetation control and remedial actions are now completed.
- 3.13 Play Areas: The procurement process for the next tranche of play area improvements is underway.
- 3.14 Barrs Brae Steps: Vegetation control and overhang has now been completed with a programme of defect repairs planned for this financial year.
- 3.15 Nature Restoration Fund: The Green Action Trust have met with officers and have developed proposed schemes which are covered under a separate report to this committee.
- 3.16 Parks, Cemeteries and Open Spaces Asset Management Programme: The programme of works including repairs to infrastructure (paths etc) are in progress.
- 3.17 Former St Ninian's School Site: Options for use of the remaining funding have been developed and the proposals and cost estimates will be included in the Nature Restoration Fund Report presented to committee.

Property – Core Property Assets

- 3.18 Core Property Provision Prioritisation: The Environment & Regeneration capital programme includes allocations for lifecycle and elemental replacement works across a number of core operational properties in the form of the Core Property allocation. The Committee is asked to note the further projects identified in the project updates below and that projects will be brought forward throughout the remainder of the current financial year as part of the on-going review and prioritisation of works based on the most recent property condition surveys. The latest 5 yearly external condition surveys were undertaken via Aecom between October and December 2019 with an annual review carried out by Property Services to provide an overall asset condition rating which is reported as part of a range of Statutory Performance Indicators. The next full external survey exercise is programmed for 3rd and 4th quarter 2024 subject to identification of funding.
- 3.19 Greenock Municipal Buildings: Officers are progressing the following:
- Grand Corridor Offices Ventilation: The design proposals are currently being reviewed with a view to simplifying the design solution utilising the existing rooflights and local extract ventilation.
 - 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. As previously reported, the works will require to be phased which is being reflected in the development of the detail design. Detail design drawings are being developed for costing and tender documentation. The programme for works is being reviewed including liaison with Inverclyde Leisure on the co-ordination with use of the halls. Subject to conclusion of the formal procurement process it is anticipated that works will commence in 1st Quarter 2024.
- 3.20 Greenock Cemetery Complex (Ivy House): Works complete with facility now in use.

3.21 Waterfront Leisure Complex Lifecycle Works: Previous reports to Committee have advised on the condition of the Waterfront Leisure Centre and specifically the Building Services installations, the majority of which are now over 20 years old and requiring replacement. The phased approach to this has seen the replacement of a number of the significant elements over the last few years such as the ice rink dehumidifiers, lift installations, main boiler plant, and most recently the fire/panic alarm systems and emergency lighting.

The Committee is requested to note and approve the continued investment required and allocation of a further £500k from the Core Property Provision to address the replacement of the existing chiller equipment that serves both the ice rink and the wider air handling systems throughout the complex.

The Committee is also requested to note the position with the current fire/panic alarm and emergency lighting project. Site works commenced at the end of August 2022 and, as previously reported, progress has been significantly impacted by complex voids and ability to complete “public” areas of the operational building. Final inspection by consultant Engineers is set for mid-August with all works anticipated to be complete ahead of that date. The allocated budget for the project will be exceeded and final account negotiations for the project are on-going. The additional expenditure will be addressed through a further allocation from the Core Property Provision. The Committee is requested to note the position and that a report on the final outcome will be brought back to a future meeting of the Committee.

3.22 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 was undertaken in first quarter 2023 with a condition report completed including recommended follow-on works. The Committee is requested to note that the recommendations include a periodic reinspection every 6-9 months to record condition and that significant remedial works are likely to be required in the medium term to ensure the existing coastal walkway protection measures remain effective. The estimated cost of that work is in estimate to be in excess of £3m which represents a significant future budget consideration/pressure. Officers continue to work with external specialist consultants on priority marine side remedial works at the Greenock Waterfront area (identified from the previous survey). 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 wider capital programme.

3.23 Watt Institute DDA Works: The 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. Detail design is in progress with lift manufacturer preliminary drawings received for review. Building Standards approvals (building warrant) is being progressed to allow a firm site programme to be established.

3.24 New Ways of Working: An allocation of £200K was made 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 expenditure to date has facilitated the mothballing of the James Watt Building from the end of March 2024. Further phases of work are being considered to facilitate the relocation of staff from the Ingelston Park building linked to the budget saving exercise with a general review of the Municipal buildings Campus also on-going.

3.25 Kirn Drive Civic Amenity Site: A report was presented to the Members Budget Working Group outlining the current position with approval obtained to defer progression and allow the project/provision to be considered as part of the forthcoming budget setting process.

- 3.26 Whinhill Golf Club: The Committee is requested to note the allocation of £140k from the Core Property General Provision to address essential external fabric works.
- 3.27 Net Zero: A full update report on progression against the approved 2022/27 Action Plan was submitted to the special Environment & Regeneration Committee meeting of 28th June 2023.
- 3.28 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. Structural Engineers SER certificate has been issued and Building Warrant point list replied to. Liaison meeting with Inverclyde Leisure set for mid-August to coordinate closures as necessary to complete works with minimal disruption to lets.

Roads Service – Core Programme

3.29 Cycling, Walking & Safer Streets: The following works have been completed:

- Container Way to the Cinema cycle lane;
- Cycle lane on Ardgowan Street;
- School Working group requests - Minor amendments to the pavements at Inverkip Primary school.

Officers are continuing with the design of the following reserve schemes:

- Feasibility and Design of N75 Route and Regional Routes across Inverclyde is currently out to tender.
- Continuation of the Scenic Tourist Route Along the A8. Officers are working with Peel Ports for a route through Kingston Dock and are looking at improvements from Kingston Dock to Mirren Shore.
- N75 Dalrymple Street to Beacon is currently being designed.
- Improve signs and lines on cycle routes on-going
- Drop kerb improvements are on-going.

3.30 Spaces for People: An external consultant has submitted outline designs for improvements to the Battery Park to Greenock cycle route. Officers are assessing these prior to detailed design.

3.31 Sustrans:

- Installation of Street lighting to the N75 Cycle Route from Lady Octavia to Devol Glen is on-going.
- Green Connections Study. Feasibility of routes from Lady Octavia to Greenock and Overton to Greenock are on-going.

3.32 SPT: Officers are progressing the following:

- Speed reduction in Town Centres – are installed in Kilmacolm, Greenock, Port Glasgow and Gourrock. Inverkip and Wemyss Bay have been held up due to objections of TRO and will go to an external reporter;
- Quality Bus Corridor - Ongoing programme of works to improve the existing bus shelters;
- Port Glasgow Train Station Access Improvements works. The access from Princess Street is complete and the bridge and stairs have been lifted into place;
- Port Glasgow Park and Ride Extension to Highholm, design work is complete.

3.33 Road Safety Improvement Fund: The fund has been awarded this year, Officers will be erecting junction signs as part of the traffic calming on Union and Nelson Street.

- 3.34 Flood Risk Management Plan: Gotters Water – Works are on-site with completion anticipated September 2023.
- 3.35 Kirn Drive Passing Places: As per the Inverclyde Traffic Study update in 3.14 below, the Consultant is continuing with the study.
- 3.36 Participatory Budget: The small remainder of the Participatory Budget allocation prioritised by public consultation will be allocated to the next suitable scheme on the list.
- 3.37 Inverclyde Traffic Study: The Consultant is continuing with the high-level study throughout Inverclyde.
- 3.38 Larkfield Rd / George Rd: The Service is developing the programme for the consultation of the possible schemes.
- 3.39 Kilmacolm Carpark: The Service is progressing the design of possible car park options.

Roads Service – Roads Asset Management Plan

- 3.40 Carriageways: Nine of eighteen programmed carriageway resurfacing schemes are complete and eight of fifteen large patching schemes are also complete.
- 3.41 Footways: Two of nine programmed footway resurfacing schemes are complete and two of three large patching schemes are also complete.
- 3.42 Structures: Minor bridge repair work and principal inspections are on-going. Minor works to Drumfrochar Road Rail bridge to prevent wheel loading on the footways is with Network Rail for approval. A full update report on Dunrod Road is being presented to this Committee.
- 3.43 Street Lighting: The street lighting column replacement contract commenced in January 2023 and is ongoing with anticipated completion in August 2023.
- 3.44 Traffic Calming: A road safety audit was undertaken on traffic calming proposals at Newark Street/Union Street. Public consultation has started on the traffic calming proposals.

Externally Funded

- 3.45 Greenock Ocean Terminal: The main project was certified practically complete at the end of February 2023 with the Peel interface ramp completed at the end of April. The terminal and restaurant elements became fully operational in early June. The date for the opening of the Gallery space has yet to be confirmed. An official opening ceremony for the is planned for 25th August. Final account negotiations for the project are on-going with the main contractor. Further additional funding has been sought and approved through the City Deal Cabinet. The Committee is requested to note the position and that a report on the final outcome will be brought back to a future meeting of the Committee.
- 3.46 Inverkip: A full update report is being presented to the Committee under separate cover.
- 3.47 Inchgreen: The Joint Venture Board continues to meet on a regular basis. As previously reported, works packages are underway including quay wall repairs, structural improvements, and dredging. The overall project remains on course for delivery in December 2023. An opportunity to acquire land adjacent to the site has been progressed and this will be considered in the private section of the meeting.

3.48 Greenock Town Centre Levelling Up: The project continues to progress with regular meetings both internally and externally with stakeholders and partners. The appointment for project management has been made as discussions with the contractor are well advanced. The District Valuer has provided a valuation which accords with the sums identified in the business case. Monitoring returns and engagement with UK Government officials take place on a cyclical basis.

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
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children & Young People's Rights & Wellbeing		X
Environmental & Sustainability		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 Head of Physical Assets 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 31/3/23	Approved Budget 2023/24	Revised Est 2023/24	Actual to 30/6/23	Est 2024/25	Est 2025/26	Future Years
	£000	£000	£000	£000	£000	£000	£000	£000
Environmental, Regeneration & Planning								
Regeneration and Planning								
Core Regeneration:								
Port Glasgow Town Centre Regeneration	1,960	1,435	97	97		428	0	0
Central Gourrock	150	130	20	20		0	0	0
T&VC - West Blackhall Street	3,712	125	1,150	1,150		2,437	0	0
T&VC - Other	1,202	59	776	577	-12	566	0	0
T&VC - Complete on site	39	-	5	5		34	0	0
Place Based Funding	1,666	675	991	991	0	0	0	0
Core Regeneration Total	9,270	2,424	3,039	2,861	(12)	3,985	0	0
Public Protection:								
Scheme of Assistance	3,198	672	914	914	72	806	806	0
Clune Park Regeneration	2,000	888	362	362	0	750	0	0
Public Protection Total	5,198	1,560	1,276	1,276	72	1,556	806	0
Regeneration Services Total								
	14,468	3,984	4,315	4,137	60	5,541	806	0
Environmental Services								
Cemetery Development	1,560	1,444	24	24	0	92	0	0
Cremator Replacement	2,144	789	1,125	1,125	402	230	0	0
Zero Waste Fund	240	21	99	99	0	60	60	0
Vehicles Replacement Programme	3,603		695	695	271	1,629	1,279	0
Dog Park	20	-	20	20		0	0	0
Murdieston/Thom Dam Area	25	25	0	0	17	0	0	0
Play Area Strategy	766	324	246	372	252	70	0	0
Play Areas complete on Site	30		30	30		0	0	0
Barr's Brae Steps	40	-	40	40		0	0	0
Nature Restoration Fund	465		391	391	27	74	0	0
Park, Cemeteries & Open Spaces AMP	559		159	159	31	200	200	0
Former St Ninians School Site	195	33	2	2	0	160	0	0
Environmental Services	9,647	2,636	2,831	2,957	1,000	2,515	1,539	0
Environmental, Regeneration & Planning Total								
	24,115	6,620	7,146	7,094	1,060	8,056	2,345	0

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
	Est Total Cost	Actual to 31/3/23	Approved Budget 2023/24	Revised Est 2023/24	Actual to 30/6/23	Est 2024/25	Est 2025/26	Future Years
	£000	£000	£000	£000	£000	£000	£000	£000
Property Assets								
Core Property Assets								
General Provision	6,984	12	0	0	0	4,572	2,400	0
Additional Covid pressure allowance - Gen	72	0	29	29	0	43	0	0
Feasibility Studies	270	164	20	20	0	86	0	0
Greenock Municipal Buildings - Window R	548	515	0	0	4	33	0	0
Greenock Municipal Buildings - Air Handlin	100	14	36	36	0	50	0	0
Waterfront Leisure Centre Lifecycle Works	1,320	1,288	20	32	32	0	0	0
Various Garages/Stores Replacement	120	11	0	0	0	109	0	0
Sea Walls/Retaining Walls	100	43	27	27	5	30	0	0
Coastal Change Adaptions	150	0	150	80	0	70	0	0
Watt Institute - Risk/DDA Works	252	31	114	114	0	107	0	0
New Ways of Working	200	140	0	0	1	60	0	0
Depot Demolitions - Balance	56	0	5	5	0	51	0	0
Kirn Drive Civic Amenity Site	407	173	0	0	0	234	0	0
AMP Complete on site	0				0			
Whinhill Golf Club - External Fabric Works	140	0	77	135	0	5	0	0
Net Zero	3,277	0	417	417	0	1,909	951	0
Vehicle Replacement Programme - Ultra L	373	0	103	103	0	121	149	0
Minor Works	530	0	524	524	72	6	0	0
Statutory Duty Works	365	0	265	265	21	100	0	0
Capital Works on Former Tied Houses	600	267	0	0	0	98	110	125
Complete on Site Allocation	462	0	76	76	8	386	0	0
Core Property Assets Total	16,326	2,658	1,863	1,863	142	8,070	3,610	125
Property Assets Total	16,326	2,658	1,863	1,863	142	8,070	3,610	125
Roads & Environmental Services								
Roads								
Core Programme								
Cycling, Walking & Safer Streets	520		520	520	96	0	0	0
Sustrans	195		195	195	32	0	0	0
SPT	790		790	790	9	0	0	0
Road Safety Improvement Fund	114	-	114	114		0	0	0
Flooding Strategy - Future Schemes	1,432	665	167	167		250	350	0
Kirn Drive Passing Places	200	8	35	35		157	0	0
Roads & Footways (Participatory Budgeting)	250	205	45	45		0	0	0
Feasibility Studies	90	12	78	78		0	0	0
Complete on Site	8	-	8	8		0	0	0
Roads - Core Total	3,599	890	1,952	1,952	137	407	350	0
Roads Asset Management Plan								
Carriageways	5,204		1,478	1,578	33	1,825	1,801	0
Footways	700		26	200	1	250	250	0
Structures	564		114	114	19	250	200	0
Lighting	779		129	229	74	250	300	0
Other Assets	512		112	162	13	175	175	0
Staff Costs	931		271	271	3	330	330	0
Roads Asset Management Plan Total	8,690	0	2,130	2,554	143	3,080	3,056	0
Roads Total	12,289	890	4,082	4,506	280	3,487	3,406	0
PROPERTY TOTAL	28,615	3,548	5,945	6,369	421	11,557	7,016	125

COMMITTEE: ENVIRONMENT & REGENERATION

<u>Project Name</u>	1	2	3	4	5	6	7	8
	<u>Est Total Cost</u>	<u>Actual to 31/3/23</u>	<u>Approved Budget 2023/24</u>	<u>Revised Est 2023/24</u>	<u>Actual to 30/6/23</u>	<u>Est 2024/25</u>	<u>Est 2025/26</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>
<u>Externally Funded Projects</u>								
<u>City Deal</u>								
Greenock Ocean Terminal	11,793	11,561	129	232		0	0	0
Inverkip	3,250	23	3,227	100		3,127	0	0
Inchgreen	9,427	4,709	4,718	4,718		0	0	0
<u>City Deal Total</u>	24,470	16,293	8,074	5,050	0	3,127	0	
<u>Levelling Up Fund</u>								
Greenock Town Centre	21,586	49	1,576	1,576		7,800	12,161	0
<u>Levelling Up Fund Total</u>	21,586	49	1,576	1,576	0	7,800	12,161	
<u>Externally Funded Projects Total</u>	46,056	16,342	9,650	6,626	0	10,927	12,161	0

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Physical Assets	Report No:	ENV043/23/SJ/EM
Contact Officer:	Eddie Montgomery	Contact No:	01475 714800
Subject:	Inverkip Project Update		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to seek approval for the submission of the Outline Business Case for the City Deal project at Inverkip and to advise on the current estimated project costs.

1.3 The proposed funding is detailed in section 5.2 and will require the financial implications to be remitted to the Policy & Resources Committee for approval.

2.0 RECOMMENDATIONS

2.1 It is recommended that the committee:

- approve the submission of the Outline Business Case for submission to the City Deal and agree that Officers should proceed with the detailed design of the junctions;
- note the increase in construction costs from those set out in the 2015 Strategic Business Case and the funding proposals;
- agree that it be remitted to the Policy & Resources Committee seeking approval of £0.3m funding from the 2023/26 Capital Programme contingency allocation as outlined in section 5.2.

Eddie Montgomery
Head of Physical Assets

3.0 BACKGROUND AND CONTEXT

- 3.1 The Inverkip City Deal project is a regional regeneration priority that recognises the need to address vacant and derelict land, address housing needs supporting population growth and secure economic and environmental benefit. It aligns with the fundamental principles of City Deal namely early intervention infrastructure projects to unlock follow on economic investment. The project addresses the restricted network and junction capacity on the A78 trunk road at locations in and around Inverkip, the strategic business case for the project was approved by the City Deal Cabinet. The project will release investment and enable the development of a 43hectare brownfield site at the former Inverkip Power Station, providing for up to 650 houses and 3,000 sqm commercial / community / office floorspace and 3,000 sqm of outdoor community formal activity space, including children's play facilities. In addition, the scheme protects and enhances 25ha of the local Green Network.
- 3.2 When the project was first developed in 2014, the intention was that the City Deal Funding would be used as a conditioned grant to Scottish Power Energy Networks and for them to carry out the works. Whilst the initial allocation of the project from City Deal Funds was identified at £3.77m which required a 14% contribution (£0.527k) from the Council, it was argued that the follow on investment from Scottish Power removed the requirement for the Council to contribute and the project value was established at £3.25m. In the intervening period the property market has changed along with Scottish Power's risk attitude. In order to progress the project it has been necessary to remove the clawback condition and indeed the delivery model has changed to the extent where the project will be delivered by the Council.
- 3.3 The vision for Inverkip is to support the delivery of the following outcomes:
- Tackle socio-economic deprivation and health and wellbeing challenges within communities and deliver inclusive growth;
 - Address depopulation;
 - Deliver sustainable economic investment;
 - Regenerate key economic sites and communities.
- 3.4 The site is identified within the Inverclyde Economic Regeneration Strategy 2021-2025, The Inverclyde Outcomes Improvement Plan, as a key strategic site, and as a 'Priority Place' within the Local Development Plan.
- 3.5 The original project scope included the following elements:
- A 3 leg roundabout at Main St Inverkip
 - Lengthen Slip way Northbound
 - Lengthen Slip way Southbound
 - 5 leg Roundabout at bottom of slip roads not on the A78
- 3.6 The project is being delivered in partnership with the landowner, Scottish Power Generation (Assets) Limited and all works require to be approved by Transport Scotland who own and maintain the truck road network. All of the works are being carried out on the public road network.

Planning Approval Requirements

- 3.7 Scottish Power Generation (Assets) Limited was granted Planning Permission in Principle in 2022. A number of conditions were placed on the application, and these are as follows:

Pre commencement of construction of any part of the development:

- Approval of detailed design of new access roundabout on A78;
- Construction of new access roundabout to the satisfaction of Planning Authority and Transport Scotland;
- Submission and approval of the Construction Traffic Management Plan to the Planning Authority in liaison with Transport Scotland; and
- Upgrade of Main Street (North) and Harbourside (Kip Marina) with the A78 to traffic signal control to the satisfaction of the Planning Authority in consultation with Transport Scotland.

Pre occupation of 200 residential units:

- Upgrade of new access roundabout to traffic signal control to satisfaction of the Planning Authority after consultation with Transport Scotland; and
- Blocking off of A78 northbound on-slip to satisfaction of the Planning Authority after consultation with Transport Scotland.

Strategic Business Case 2015

3.8 The Strategic Business Case was developed in 2015 and included the following elements:

- A 3 leg roundabout at Main St Inverkip
- Lengthen Slip way Northbound
- Lengthen Slip way Southbound
- 5 leg Roundabout at bottom of slip roads not on the A78 including access to the site

Element	Construction Cost Est £m	Preliminaries £m	Total £m
3 leg roundabout on A78 @ Main Street	0.900	0.126	1.026
Amendments to Northbound slip road	0.400	0.056	0.456
Amendments to Southbound slip road	0.400	0,056	0.456
5 leg roundabout	0.800	0.112	0.912
Fees & consents	0.400	n/a	0.400
Total	2.900	0.350	3.250

Outline Business Case 2023

3.9 The Outline Business Case has been undertaken and the development of this document along with an outline design has changed the project deliverables as agreed at this committee on 2nd May 2019. The changes are detailed below:

- Signalised junction Main Street (North) on A78
- Signalised junction Harbourside (Kip Marina) on A78
- Widen Road to 2 lanes between the signals on A78
- 3 leg Roundabout at Development on A78

This reflects input from Transport Scotland received through the planning process as the A78 is owned and maintained by the Trunk Road Authority.

3.10 Officers engaged with Balfour Beatty through the scape framework and an outline budget cost to complete the works is detailed below:

Element	Construction Cost Est £m	Preliminaries £m	Total £m
Signalised junction @ Main Street*	1.147	0.506	1.653
Signalised junction @ Kip Marina*	0.911	0.402	1.313
3 leg roundabout on trunk road	0.934	0.412	1.346
Design & Project Management	0.500	n/a	0.500
Total	3.492	1.320	4.812

* includes carriageway works

3.11 As the construction costs were significantly higher than the budget, Officers have been working with the contractor and consultant to challenge the outline design and value engineer the project. At the same time new traffic volume surveys was undertaken.

3.12 The outcome of the value engineering and the new traffic counts is that there is now no requirement to widen the A78 between Harbourside and Main Street Inverkip junction as a single carriageway can cope with the revised traffic volumes that have changed after the covid pandemic.

3.13 The revised construction costs for the new project are detailed below:

Element	Construction Cost Est £m	Preliminaries £m	Total £m
Signalised junction @ Main Street*	0.961	0.366	1.327
Signalised junction @ Kip Marina*	0.799	0.315	1.114
3 leg roundabout on trunk road	0.620	0.239	0.859
Design & Project Management	0.500	n/a	0.500
Total	2.880	0.920	3.800

* includes carriageway works

3.14 The reduction in costs have come from the following savings:

- Reduction in area of road widening as a consequence of only single lane requirement through the traffic single (still to be approved by Transport Scotland).
- Remove full road re-construction on existing road and change to replacing wearing course only (still to be approved by Transport Scotland).
- Removal of traffic signal costs at roundabout. These will now be borne by the developer once 200 houses are constructed.

3.15 Following completion of construction the works will be adopted by Transport Scotland.

4.0 PROPOSALS

4.1 Officers will continue with the detailed design of the scheme whilst submitting the outline and final business cases.

4.2 Officers will continue to work with the consultant and the contractor to further value engineer the project and achieve Transport Scotland approval. Officers will also engage with funding partners to increase the funding.

4.3 The proposed funding is outlined in section 5.2 below. The £550,000 increase in costs requires to be met by the Council as part of the requirement for the Council to contribute 14% to the project.

5.0 IMPLICATIONS

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

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

5.2 Finance

The Capital Programme contribution will require approval from the Policy & Resources Committee.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Capital Programme	City Deal	2024/25	3,250		Original allocation
RAMP		2024/25	250		
Capital Programme	Contingency	2023/25	300		Funding from £4.0m Reserves allocation approved March 2023

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					All ongoing maintenance will be the responsibility of Transport Scotland

5.3 Legal/Risk

External Legal Advisors have been appointed to support the development of legal agreements between Scottish Power (Generation) Assets Limited and the Council.

The Council will act as agent for SPGAL for the procurement of the roundabout through the SCAPE framework. A Legal Agreement will be put in place to set out governance arrangements.

The final proposals will be subject to Transport Scotland approval.

5.4 Human Resources

None.

5.5 Strategic

Should the project not be delivered this will impact on the Strategic regeneration aims and outcomes for Inverclyde Council.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

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

X	YES – Assessed as relevant and an EqIA is required and will be made available on the Council website: https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments
	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.

(c) Children and Young People

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

X

YES – Assessed as relevant and a CRWIA is required.

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.

6.0 CONSULTATION

6.1 The Head of Legal, Democratic, Digital and Customer Services and the Chief Financial Officer have been consulted on this report. The CMT support the proposals.

7.0 BACKGROUND PAPERS

7.1 Budget Cost – Balfour Beatty - S22028 SCAPE2 - A78 Improvements, Inverkip Rev01

7.2 Outline business case will be distributed to Members Lounge

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment and Regeneration	Report No:	ENV049/23/SJ/JH
Contact Officer:	Jennifer Horn	Contact No:	01475 7145573
Subject:	Glasgow City Deal: Inverkip Outline Business Case Submission		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to seek approval for the submission of the Outline Business Case for the City Deal project at Inverkip.
- 1.3 This report links to the Inverkip Project Update report that was previously considered by this committee, that highlighted increases in costs from the Strategic Business Case and revised scope and design.
- 1.4 The Inverkip City Deal project will make infrastructure improvements on the A78 at Inverkip which will facilitate the development of Inverkip Power Station which has been a vacant site for many years.
- 1.5 This report outlines the scope of the project, the costs, benefits, delivery, and management of the project.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the committee:
- approve the submission of the Outline Business Case to the City Deal Infrastructure Programme and delegate authority to the Director of Environment and Regeneration for any drafting changes required by the Glasgow City Region Project Management Office;
 - following required City Deal approvals, approve progression of the project towards Full Business Case, including the detailed design of junction.

Stuart Jamieson
Director, Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 The Inverkip City Deal project is an infrastructure project which seeks to unlock follow on economic investment through the development of the Inverkip Power Station.
- 3.2 The project was first developed in 2014, when there was the intention that the project would be undertaken by Scottish Power Energy Networks who are the owners of the Power Station.
- 3.3 The scope approved in the Strategic Business Case included the following elements:
- A 3 leg roundabout at Main St Inverkip
 - Lengthen Slip way Northbound
 - Lengthen Slip way Southbound
 - 5 leg Roundabout at bottom of slip roads not on the A78
- 3.4 Since 2014 there have been changes on the proposed management of the project, with the Council now leading on project development and main construction works. In addition, there have been changes to the scope which has evolved to include:
- Signalised junction Main Street (North) on A78
 - Signalised junction Harbourside (Kip Marina) on A78
 - 3 leg Roundabout at Development on A78
- 3.5 Since 2014, the total project costs have increased from £3.25m which was approved at Strategic Business Case. As outlined in the Inverkip Project Update Paper presented to this committee, Officers have worked to value engineer the project and reduce the cost, which now £3.8m.
- 3.6 This paper seeks approval to submit the Outline Business Case, which is based on the above cost and the revised plans, to the Glasgow City Region for approval.

4.0 PROPOSALS

Outline Business Case

- 4.1 The Outline Business Case seeks approval to request funding of £3.25m from the Glasgow City Region Infrastructure programme towards the £3.8m A78 transportation improvements linked to the development of Inverkip Power Station Site.
- 4.2 Inverkip is a regional regeneration priority that recognises the need to address vacant and derelict land, address housing needs supporting population growth and secure economic and environmental benefit. The project addresses the restricted network and junction capacity on the A78 trunk road at locations in and around Inverkip. The project will release investment and enable the development of a 43 hectare brownfield site at the former Inverkip Power Station, providing for up to 650 houses and 3,000 sqm commercial / community / office floorspace and 3,000 sqm of outdoor community formal activity space, including children's play facilities. In addition, the scheme protects and enhances 25ha of the local Green Network
- 4.3 The project will unlock the development potential of Inverkip Power Station by delivering the following infrastructure improvements:
- Signalised junction Main Street (North) on A78
 - Signalised junction Harbourside (Kip Marina) on A78
 - 3 leg Roundabout at Development on A78
- 4.4 The Inverkip City Deal project will provide many benefits which support the strategic needs of Inverclyde and the wider city region. The project benefits are presented in the table below. At

Outline Business Stage it is not possible to fully quantify all the benefits that will be delivered by the project or indirectly by opening the site. In particular, the scale and exact nature of the economic benefits cannot be fully determined until the land-use strategy for the site has been developed in detail as the current Masterplan evolves to detailed plans. In determining benefits, maximum development of the site is assumed.

Description of benefit to be achieved	Outputs to be achieved		Date when outputs to be achieved in full
	Inverclyde	Scotland	
New Residential Units	650	650	2034
Commercial and industrial floorspace	2,400 sqm	2,400 sqm	2030
Outdoor community activity space (incl. play facilities)	3,000 sqm	3,000 sqm	2029
Private Sector Leverage Investment (NPV)	£98m	£98m	2033
Total PYE construction Employment	400 jobs	1,100 jobs	2034
Annual retail and leisure expenditure by residents	£15m	£15m	2033
Jobs supported in retail and leisure industries by resident expenditure	120 jobs	190 jobs	2034
On-site jobs in new commercial / industrial space	20 jobs	20 jobs	2031
Total Construction GVA Impact	£28m	£56m	2034
Annual ongoing operational GVA impact	£4m	£8m	2033

- 4.5 In developing and reviewing the proposals since previous Strategic Business Case, the total project cost has risen. The total project cost and City Deal Funding sought were previously £3.25m. As previously presented to this committee in the Inverkip Project Update paper, the total project costs have now risen to £3.8m. The City Deal funding sought remains £3.25m and the additional funding requirement is requested through Council contribution of £300k and other external funding sources. This is presented in the table below:

City Deal	£3,250k
External roads funding (SPT, Cycling Walking Safer Streets)	£250k
Inverclyde Council (capital pressures budget)	£300k
Total	£3,800k

- 4.6 As part of the City Deal funding model the member authority, Inverclyde Council is required to make a 14% contribution to the project. The ask in the Inverkip Project Update paper of £300k from the capital budget will be the Council's 14% contribution.
- 4.7 The Inverkip City Deal Project will be managed by the Regeneration Service in partnership with the Roads Service who will project manage the delivery of the physical works. The following roles have been assigned:

Senior Responsible Officer:
Project Sponsor:

Environment and Regeneration Director
Head of Physical Assets

Senior Project Officers:

Regeneration Manager
Roads Manager
Team Leader (Consultancy)
Procurement Manager
Legal Services Manager

- 4.8 To develop the project to this stage the Roads Service has utilised the Scape procurement framework to engage the consultant Atkins and contractor Balfour Beatty to develop the designs and costs.
- 4.9 Monitoring of the project and liaison with the Glasgow City Region Project Management Office will be carried out by the Regeneration Service.
- 4.10 With regards to project governance, the Senior Responsible Officer (SRO) will chair the Project Board and has overall authority for those matters delegated to officers to progress. For those matters not expressly delegated to officers, the Council and its committees provide guidance and oversight. Reports on progress within the City Deal Programme will continue to be reported through the Environment and Regeneration Committee.

NEXT STEPS

- 4.11 If the funding model is approved, the Outline Business Case will be submitted to the Glasgow City Region Project Management Office by the 15 Sep 2023 for presentation to Chief Executive Group on the 25 October and Glasgow City Region Cabinet on 7 November 2023.
- 4.12 Following GCR approval, the Environment and Regeneration Directorate will progress the Inverkip City Deal project towards Full Business Case, which will include finalising design of the junctions and appropriate agreements with Scottish Power Energy Networks. The FBC will be presented to Environment and Regeneration Committee and then to the GCR cabinet in the new year.

5.0 IMPLICATIONS

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

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

5.2 Finance

The Capital Programme contribution will require approval from the Policy & Resources Committee.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Capital Programme	City Deal	2024/25	3,250		Original allocation
RAMP		2024/25	250		
Capital Programme	Contingency	2023/25	300		Funding from £4.0m Reserves allocation subject to P+R approval

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					All ongoing maintenance will be the responsibility of Transport Scotland

5.3 Legal/Risk

External Legal Advisors have been appointed to support the development of legal agreements between Scottish Power (Generation) Assets Limited and the Council.

The Council will act as agent for SPGAL for the procurement of the roundabout through the SCAPE framework. A Legal Agreement will be put in place to set out governance arrangements.

The final proposals will be subject to Transport Scotland approval.

5.4 Human Resources

None.

5.5 Strategic

Should the project not be delivered this will impact on the Strategic regeneration aims and outcomes for Inverclyde Council and the Glasgow City Region

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

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

✓	<p>YES – Assessed as relevant and an EqIA is required and will be made available on the Inverclyde Council website: https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments</p>
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	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.
✓	NO – Assessed as not relevant under the Fairer Scotland Duty.

(c) 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.
✓	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.

6.0 CONSULTATION

6.1 None.

7.0 BACKGROUND PAPERS

7.1 Outline business case will be distributed to Members Lounge.

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV039/23/MM
Contact Officer:	Martin McNab	Contact No:	01475 714246
Subject:	Central Greenock Regeneration Strategy		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 As part of the Inverclyde Alliance's Repopulation Strategy, it was agreed to carry out selected studies of Housing Priority Areas to assess the particular issues in areas of Inverclyde and how housing led regeneration could improve the condition and suitability of housing and also contribute to the wider aim of reducing depopulation.
- 1.3 The Local Housing Strategy (LHS) for 2023-28 also identified the need to use housing led regeneration to contribute to better housing and to improve the desirability of Inverclyde as a place to live. The LHS development process highlighted the challenges in attracting developers to the area. The Inverclyde Task Force also identified housing led regeneration as one of three key factors in bringing about the economic regeneration of Inverclyde. Given the current cost and demand for housing in Inverclyde it is recognised that there will be a significant role for intervention to pump-prime the market and encourage further development.
- 1.4 The Central Greenock Regeneration Strategy attached at Appendix 1 is an unashamedly aspirational study of a number of key sites in the wider Central Greenock area and their potential for housing led regeneration. For the purposes of the study Central Greenock was defined as the area bounded by Baker Street in the East, Regent and Roxburgh Streets in the South and Nelson Street, Union Street and Patrick Street in the West.

2.0 RECOMMENDATIONS

- 2.1 That the Committee notes the contents of the Central Greenock Regeneration Strategy which will be used to inform proposals for Housing Led Regeneration in Central Greenock going forward.

Stuart Jamieson
Director, Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 Depopulation in Inverclyde is a long-term issue which the Inverclyde Alliance targeted with its Repopulation Strategy. One aspect of that strategy was to look at Housing Priority Areas which included Central Greenock. The identification of part of the Central Greenock study area as the most deprived SIMD data-zone in Scotland highlighted emphasised the need to focus on this area. The Regeneration Strategy covers a wider area than that single data-zone in order to establish a more coherent study zone.
- 3.2 The development of the Inverclyde Local Housing Strategy highlighted the view across partners that housing led regeneration can play a major role in improving the quality and supply of housing in Inverclyde and in kick starting wider regeneration. Similarly, the Fraser of Allander report and the meetings of the Inverclyde Task Group also highlighted a role for housing led regeneration in reversing the economic decline and population loss in Greenock.
- 3.3 The significant gap is not in housing for social rent however but in private development. Lack of development of suitable housing for purchase and possibly mid-market rent has led to a move of younger Inverclyde residents to developments outwith Inverclyde. Paradoxically the housing market in Inverclyde means that developers are hesitant to develop with the exception of the obvious locations. It may be the case that some level of external support is required to overcome issues such as the cost of abnormals and the lower price achievable in Inverclyde in order to shift this narrative.

4.0 PROPOSALS

- 4.1 The detailed appendices to the study are available in the members library. They highlight five potential sites for housing led regeneration which can be considered with partners going forward. They have varying levels of challenge and achievability with possibly the most aspirational and transformative being the Westburn area.
- 4.2 The detailed proposals from the study will be considered further as potential regeneration projects following on from the levelling up project already underway in Greenock Town Centre.

5.0 IMPLICATIONS

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

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

5.2 Finance

Although the potential costs of the regeneration projects highlighted in this study are significant 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

None.

5.4 Human Resources

None.

5.5 Strategic

None at this time.

6.0 CONSULTATION

6.1 The study details wider consultation undertaken. The Corporate Management Team has also been consulted on the study.

7.0 BACKGROUND PAPERS

7.1 None.



Central Greenock Regeneration Strategy



Inverclyde
council

Contents

1.0	Introduction	3
2.0	Strategy Area	4
3.0	Background	5
4.0	Review and Analyse Existing Central Greenock Land Use Policies	6
5.0	Housing and Social Improvement Policies	10
6.0	Appraisal of the Study Area	19
7.0	Community and Commercial Consultation Housing	20
8.0	Levelling up Fund	21
9.0	Housing Market Analysis	23
10.0	Build to Rent	24
11.0	Social Rent	25
12.0	Findings and Recommendations	26
13.0	Strategic Plan	33
14.0	Meetings with Community, Officials and the Development Industry	35

1.0

Introduction

1.1

GlenEtive projects has been appointed by Inverclyde Council to prepare a Regeneration Strategy for Central Greenock.

1.2

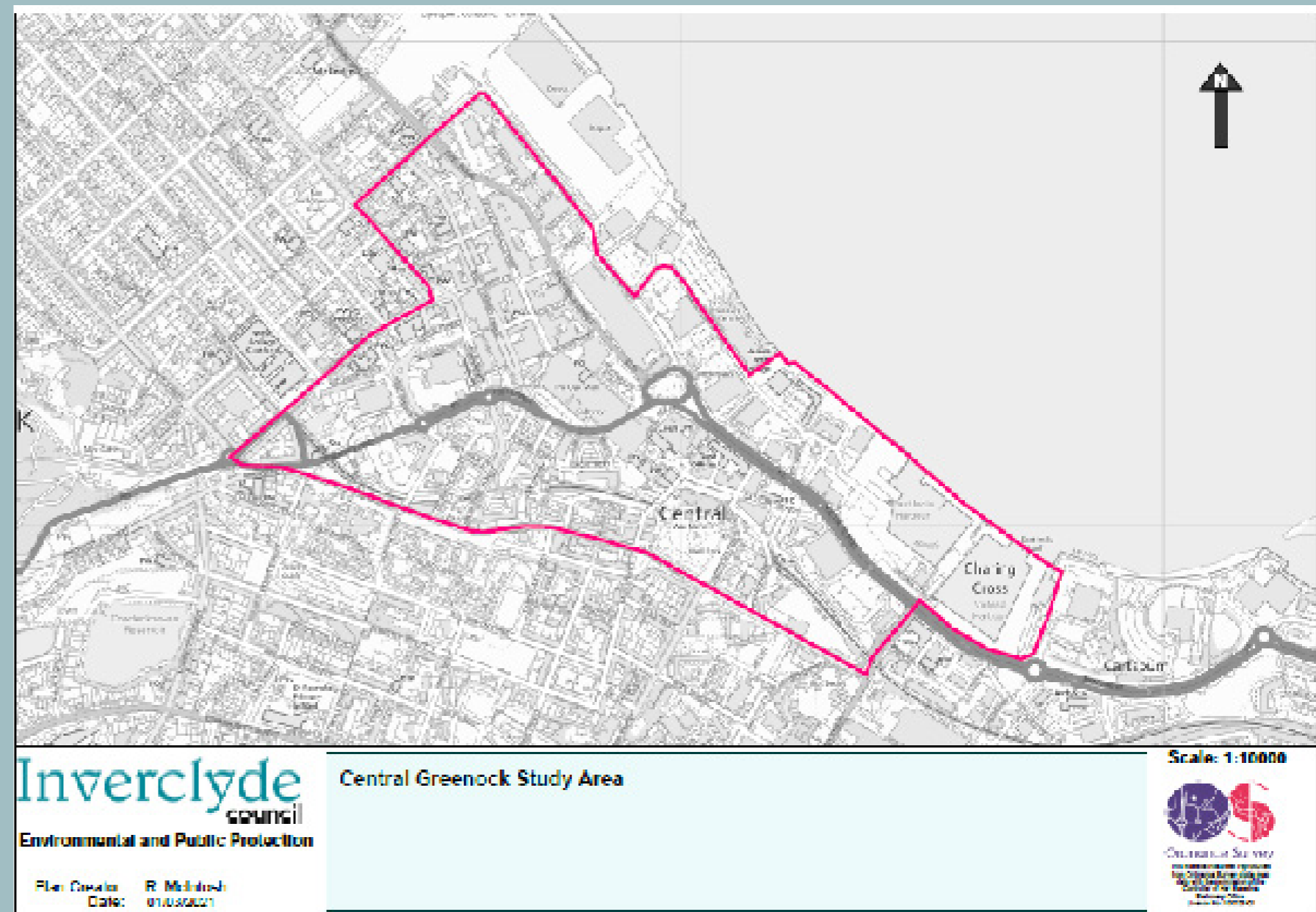
The Central Greenock Regeneration Strategy will fully articulate a joined-up vision for the area, taking a holistic view of multiple key sites located within the Central Greenock area. We have prepared this strategy with a view to encouraging multi-tenure development, repopulation and regeneration within Inverclyde on a site with vast potential.

The strategy will be informed by an analysis of:

- The existing Inverclyde land use strategy
- Site deliverability
- Land valuation
- Market appraisals
- An assessment of the housing market and local housing need and demand
- The environmental attractiveness of the Central Greenock area
- The potential of attracting development to the area

2.0 Strategy Area

The study area incorporates the majority of the Town Centre as set out in the Local Development Plan. It also encompasses adjacent urban areas which are intrinsic to the function of the Town Centre area as a social and retail space.



Central Greenock Study Area

3.0

Background:

The Requirement for Regeneration

Inverclyde is suffering from a declining population.

To address this issue The Inverclyde Alliance has developed a Repopulation Strategy and Action Plan to achieve the overarching goal to halt and reverse the de-population by 2025.

Due to its importance from a functional and locational point of view, Central Greenock has been selected as one of the key areas to target with this robust strategy and action plan.

3.1

From inspection, it is evident that there is an absence of private housebuilding across this entire Council area. This in turn leads to a negative perception of the area by the development industry and thus fuels a lack of interest in its potential regeneration.

3.2

To address this, the Council has been proactive and commissioned a number of different reports and developed a number of strategies and incentives, such as the Town Centre Charrette and the new Heritage Trail for tourists.

3.3

This document reviews all the individual Council reports and strategies to create a cohesive, focused Development Strategy with the key objective of enabling housing-led regeneration of the Greenock Town Centre Area.

4.0

Review and analyse existing Central Greenock land use policies

Similar to all local authorities in Scotland, the Central Greenock area has a number of land use plans and policies. This section encapsulates the key elements of each of these policies and how they relate to each other, creating a cohesive vision and master plan for the area, ensuring policy goals are fully aligned.

4.1

On 17 May 2021, Inverclyde Council published its Proposed Local Development Plan. (LDP)

4.2

As highlighted in the LDP map of Central Greenock, the Town Centre policy covers almost the entire strategy area.

4.3

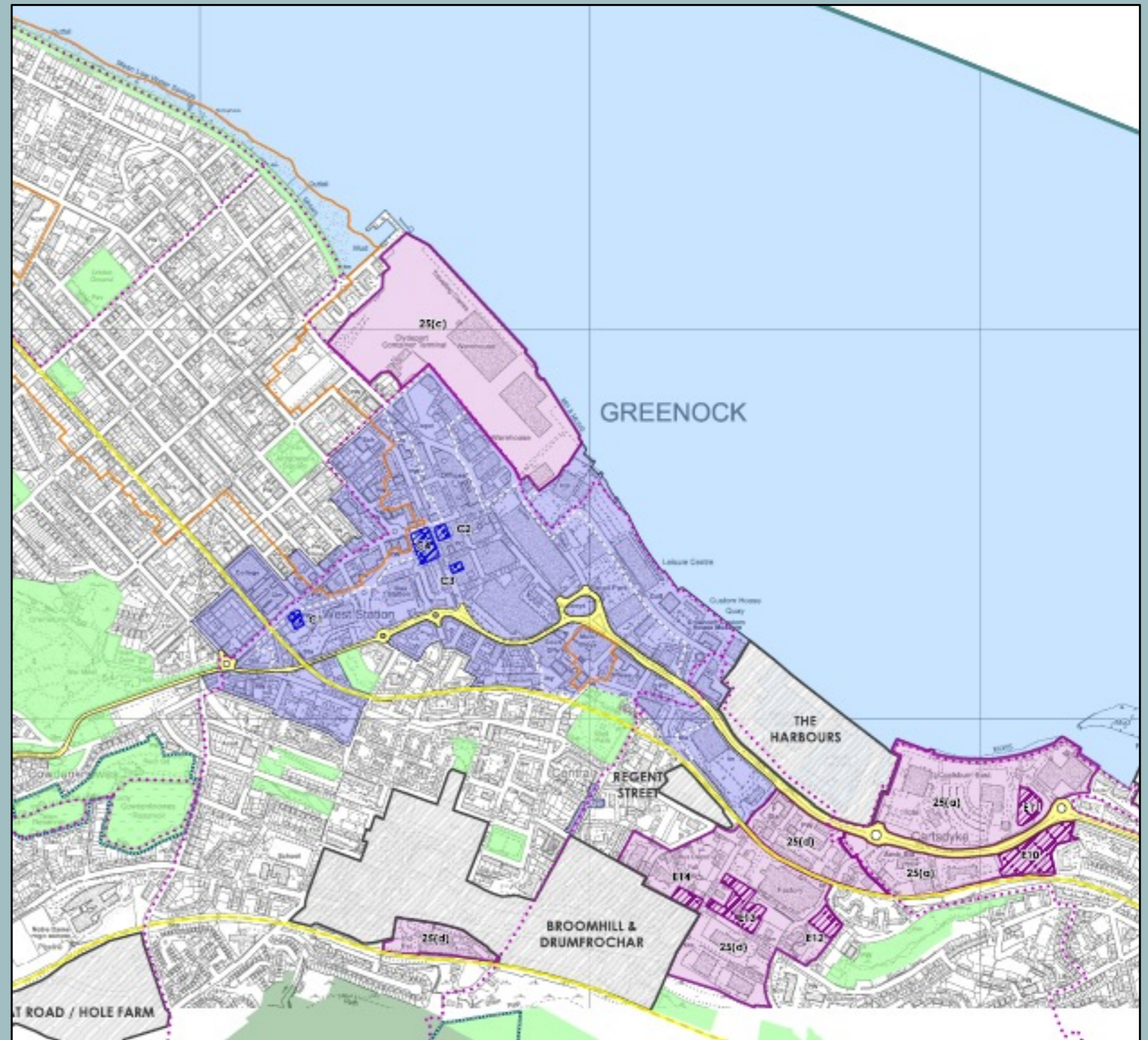
A key document is the Supplementary Guidance - 'Priority Places'. This document sets out the vision and context for the redevelopment of sites within the strategy area.

4.4

EXTRACT FROM POLICY 3 – PRIORITY PLACES

“The Council will support comprehensive redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance.”

Extract from LDP – Proposals Map

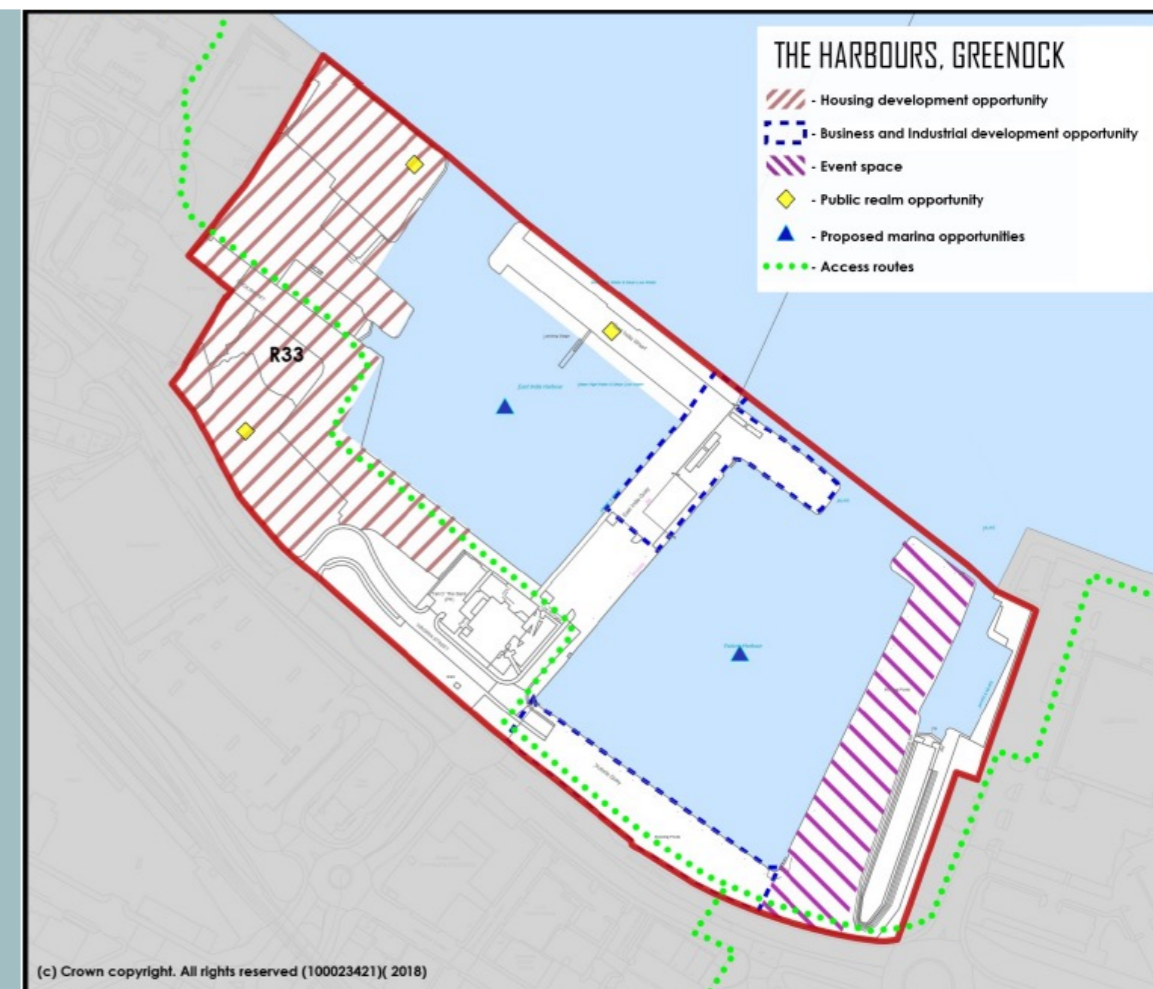


4.5 The Harbours, Greenock

4.5a The site occupies a prime waterfront location immediately north of the A8, at the entrance to Greenock Town Centre. It comprises Victoria and East India Harbours, the A-listed Scott's dry dock and approx 4.84ha of open, flat land with excellent views over the Firth of Clyde. Existing buildings include a restaurant, two maritime-related business buildings and an electricity substation. The surrounding area has a diverse range of uses, including the town centre, retail and light industrial areas. The site has a history of maritime-related uses associated with the harbours and dry docks, including shipbuilding and commercial shipping.

4.5b Outline planning permission and an associated masterplan for a housing-led, mixed-use development were approved in 2006, with subsequent detailed permissions granted for 88 residential flats, and a restaurant (developed in 2014). The approved masterplan was prepared in 2003, and the more recent development of the Beacon Arts Centre and restaurant has deviated slightly from it. This would mean the master plan will require a comprehensive review and update as part of any future development proposal.

4.5c The LDP is for housing-led redevelopment due to the site's waterfront location, proximity to the town centre and excellent public transport services. Leisure, tourism and commercial maritime uses are identified to reflect and take advantage of the site's heritage and harbour assets, while also generating employment opportunities in the local area.



The map highlights the extent of the development opportunities

4.5d Supported land uses are:

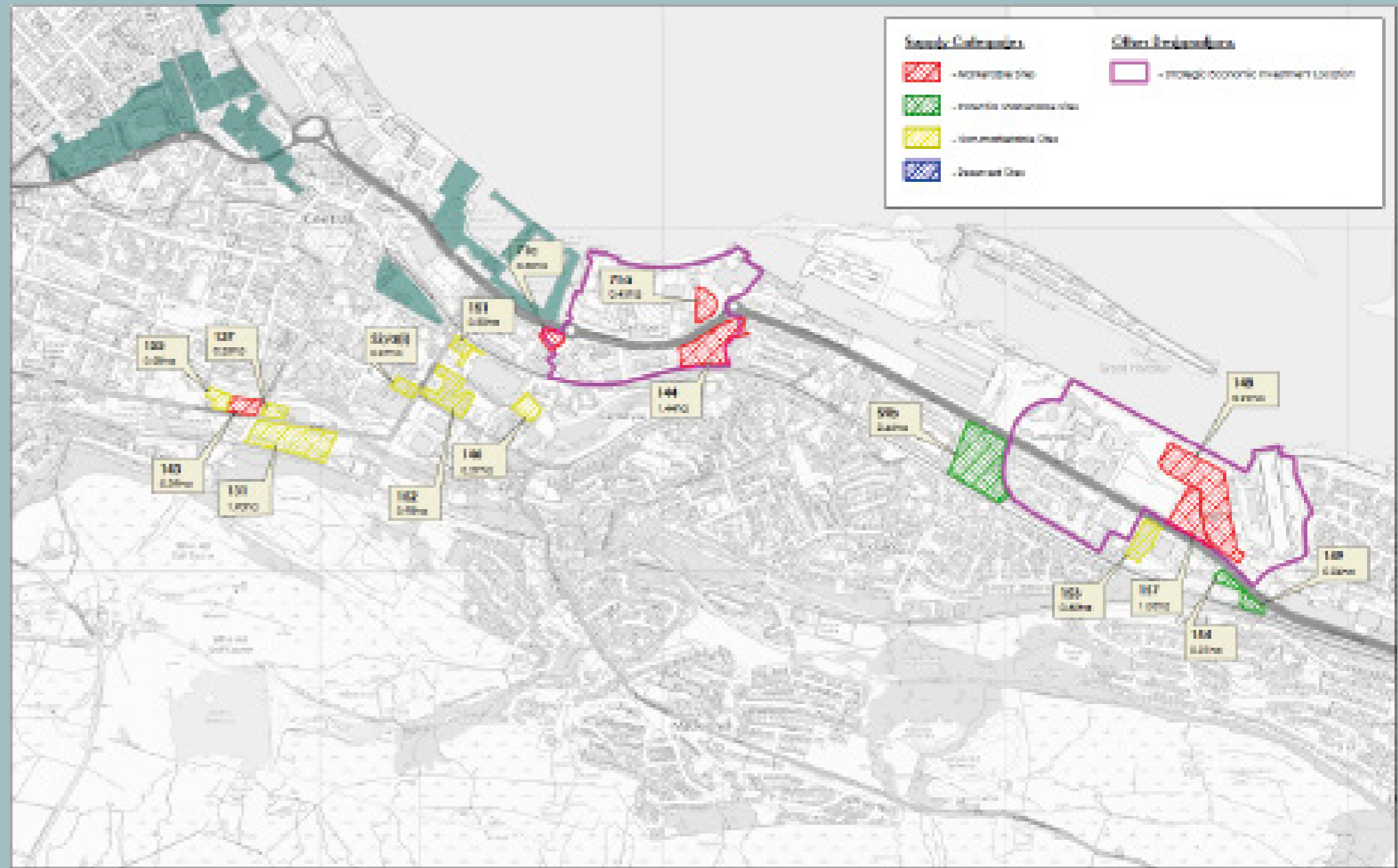
- Residential
- Non-Residential Institutions of a tourist and heritage nature that are related to the Harbour's maritime use, location and historical importance
- Retail, restricted to the servicing of the above tourism, heritage and leisure uses and not exceeding 250 square metres of gross floorspace
- Food and Drink and use as a Public House
- Financial, Professional and other services
- Marine-based commercial enterprises, including provision for marina facilities

4.6

Vacant and Derelict

Land Survey 2020

From reviewing the Vacant and Derelict land survey it is evident that none of the sites are within the strategy area.



Map 6: Extract from the VDLS - (Greenock Central insert)
Areas of proposal highlighted in turquoise

5.0 Housing and Social Improvement Policies

5.1

The Housing Land Audit 2021 highlights a number of opportunity sites in the Greenock area.

We perceive the key site within the strategy area to be the Harbours area.



Extract from the HLA- (Greenock Central insert)
Proposal areas highlighted in turquoise

5.2

Inverclyde Outcome

Improvement Plan

Inverclyde's Inverclyde Outcome Improvement Plan 'L.O.I.P.' was formally agreed by the Alliance Board on 12 October 2022.

The priorities of LOIP are

- Repopulation
- Reducing Inequalities
- Environment, Culture and Heritage

Repopulation Partnership - LOIP 10 Year Vision

- Inverclyde will be a more attractive place to live and work with excellent education provision, leisure facilities, transport links, good quality housing and employment opportunities.
- A greater variety of opportunities that meet the needs and aspirations of our young people will be available so that they are encouraged to stay in the area after leaving school.
- Inverclyde's local economy will have grown and be characterised by a diverse business base as a result of an increase in the number of local entrepreneurs and inward investment.
- Communities in Inverclyde will have an enhanced sense of pride, identity and influence, resulting in improved quality of life and satisfaction with living in the area.
- Inverclyde will have a stable population with a good balance of socio-economic groups.

Population Partnership Overarching Goal

(March 2019) (EKOS Study 2018/19)

To grow the population of Inverclyde by 2025 through improving the employment, housing and infrastructure offer

Strategic Objectives

- Develop and communicate an image for Inverclyde that reflects its many strengths and opportunities for residents, visitors and business
- Focus on attracting and retaining young people and families to live in Inverclyde
- Increase the level of private house building in spatial priority areas in Inverclyde
- Increase the number and quality of jobs and the number of locally based employers
- Increase the contribution which the cultural and leisure assets in Inverclyde make to economic growth
- Maximise the potential of the workforce through engagement with young people, older workers and disadvantaged groups

5.3

Inverclyde Local Housing Strategy 2017-2022

Inverclyde Local Housing Strategy 2017-2022

The Housing (Scotland) Act 2001 places a statutory duty on local authorities to prepare a Local Housing Strategy supported by an assessment of housing need, demand and provision. Scottish Government Guidance was issued in August 2014 to assist authorities in preparation of their Local Housing Strategy.

The Local Housing Strategy sets out the vision for housing and housing related services over the next five years. It builds on the success of our previous strategies and supports the Scottish Government's vision of a housing system which provides affordable homes for all (Homes Fit for the 21st Century). It also seeks improvement in housing quality and recognises the role that the housing system has to play in enhancing economic growth and social mobility, as well as strengthening our communities.

The strategy sets out what Inverclyde Council, together with our partners, has planned in order to make Inverclyde a place where people have access to quality, affordable homes in sustainable communities from 2017-2022. This Local Housing Strategy provides the strategic framework to help us achieve our vision, key objectives and outcomes.

Six overarching strategic outcomes have been identified in conjunction with our partners and stakeholders. These reflect the priorities set out in the Scottish Government LHS Guidance and will allow us to achieve our vision: 'Working together to deliver quality, affordable homes and sustainable communities'.

These are:

- To promote a supply of good quality affordable housing solutions across all tenures
- To ensure that Inverclyde has sustainable, attractive and well-designed communities with well-functioning town centres
- To prevent homelessness where possible through provision of ongoing support to meet the needs of individuals
- To ensure that people are supported to live independently for as long as possible in their own homes and communities.
- To tackle fuel poverty and contribute to meeting the climate change target
- To improve stock condition across all tenures.

5.4

Housing Need and Demand Assessment

This analysis draws from the HNDA.

5.5

Demographic Changes

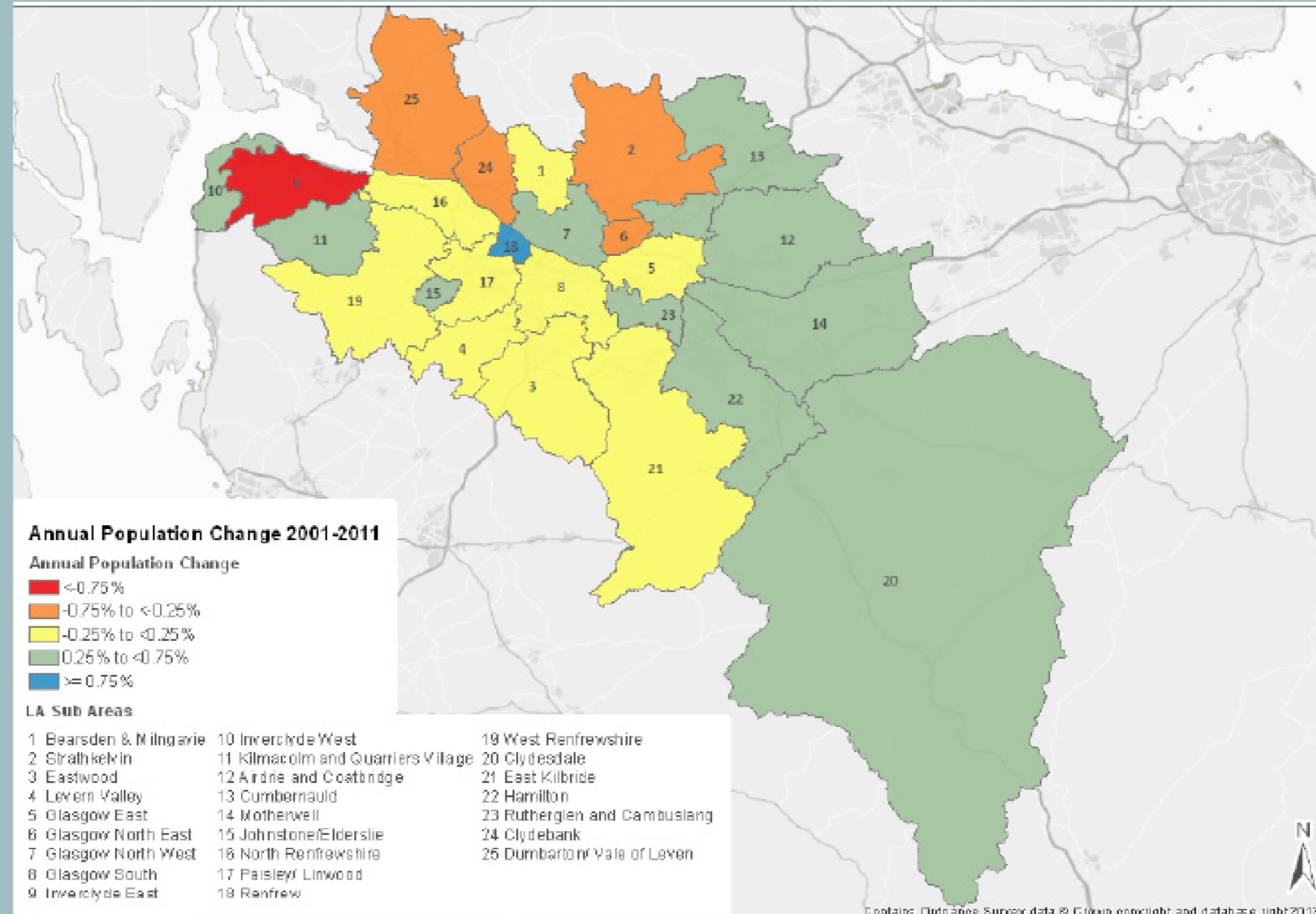
The projected changing structure of households remains a fundamental issue for the planning of housing and the regeneration agenda in Inverclyde. Depopulation coupled with negative projected household change will nevertheless result in an increase in the number and proportion of single person households, which are expected to be found in 4 of out every 10 households by 2029. The majority of these are projected to be older persons, who are likely to strive to continue living independently in home and community settings. This will create a challenging provision, including specialist provision and service delivery issues for the Council and its partners. Net out-migration, particularly of the 20s to 30s age group, continues to be a major contributor to depopulation.

5.6

The rate of population decline compared to the recent past (2001-12) under the three migration assumptions is projected to slow down in terms of natural change and net migration between 2012 - 2024, but then pick-up again from 2024-2037. A decline in the working age population, along with a lower than average projected household formation rate, is combining to create a decline in households over the plan period to 2029. This will reduce the number of family-sized and working age households, and will have implications for the local economy in terms of lower tax contributions and will put further pressures on already stretched services.

5.7

The table to right is from the HNDA which highlights population change across the regional area.



5.8

Projected household

From reviewing the projected household change, Inverclyde is the only local authority which will likely contract in population. See Table 3.8.

Table 3.8 - Estimated and projected annual change households by council area

Council area	estimated change 2001-2012	low migration scenario 2012-2029	principal projection 2012-2029	high migration scenario 2012-2029
East Dunbartonshire	141	54	74	103
East Renfrewshire	234	193	215	244
Glasgow City	1,313	2,051	2,640	3,230
Inverclyde	52	-134	-101	-79
North Lanarkshire	1,276	646	738	796
Renfrewshire	510	335	397	443
South Lanarkshire	1,230	606	704	818
West Dunbartonshire	115	28	46	70
GCV area	4,872	3,779	4,713	5,625

Source: National Records of Scotland - Crown Copyright Reserved

5.9

Employment

The HNDA provides an overview of the employment statistics across the regional area, in table 3.3.

The HNDA indicates that the largest decline in employment has been in Inverclyde.

Table 3.3 Total employment growth by local authority, 1991-2012

	1991-2012	% Change
East Dunbartonshire	-3,000	-11.3%
East Renfrewshire	4,000	15.9%
Glasgow City	30,000	7.2%
Inverclyde	-8,000	-27.7%
North Lanarkshire	18,000	13.3%
Renfrewshire	-13,000	-17.3%
South Lanarkshire	13,000	9.9%
West Dunbartonshire	-7,000	-21.4%
Glasgow/Clyde Valley	32,000	3.7%

Source: BRES, Oxford Economics (TR03)

5.9a Quality Issues and the Social Rented Sector

The area renewal strategy of re-provisioning, including extensive demolitions, has now been scaled back so there is less pressure on the affordable supply in terms of stock and lets available. The end of 'Right to Buy' in 2016 is also likely to alleviate at least some pressure on the social rented sector.

However, there remains a major issue of quality in the social rented stock, which will increasingly be addressed through renovation and improvement together with changes in the use of stock, for example for mid-market rent.

5.9b The Private Sector

The outlook for the owner-occupied sector in 2024 and 2029 is one of decline. However, in setting Housing Supply Targets, Inverclyde will take into account past (medium-term) completion rates and an expectation of what could be built over the 'Plan period. This, in turn, will result in modest growth.

The situation is caused by one of the lowest rates of household formation in the GCV Region coupled with a low percentage of new households able to purchase. Out-migrant households from this sector are also higher than in-migrants. This means that growth is likely to remain weak due to the local economy and the area's underlying socio-economic characteristics, including high levels of worklessness.

5.9c Land Supply

As a consequence of the above, there is a more than sufficient supply of land in a wide range of localities throughout the urban areas to satisfy private sector requirements. This position was endorsed at the Examination of the Local Development Plan subsequently adopted in August 2014.

5.9d Private Rented Sector

Growth in private renting has been rapid since the start of the recession and appears to be fuelled by demand from new households that cannot access owner occupation, or those who allocate a larger proportion of their income to paying rent, or do not wish/qualify for social rented housing.

Uncertainty remains over the continuing growth and the role of this sector in the Inverclyde housing market. Further work needs to be undertaken to understand the reasons and circumstances of households entering the private rented sector. We also need to understand whether the sector has become an alternative for those requiring social rented or owner-occupied housing, or whether private renting is a long term solution for many households.

5.10 Scottish Index of Multiple Deprivation 'SIMD'

In January 2020, The Scottish Government published the Scottish Index of Multiple Deprivation (SIMD) for the whole of Scotland. The SIMD is the Scottish Government's official tool for identifying places in Scotland suffering from deprivation. It uses data relating to multiple aspects of life (income, employment, health, education, access, crime and housing) in order to gain the fullest possible picture of deprivation across Scotland.

5.11 Inverclyde Rapid Rehousing Transition Plan 'RRTP'

The Homelessness and Rough Sleeping Action Group (HARSAG) was set up by the Scottish Government in October 2017 to produce short and long-term solutions to homelessness and rough sleeping. Led by best evidence, the cornerstone of recommendations to address homelessness is a transition to a rapid rehousing approach utilising a housing first model where necessary.

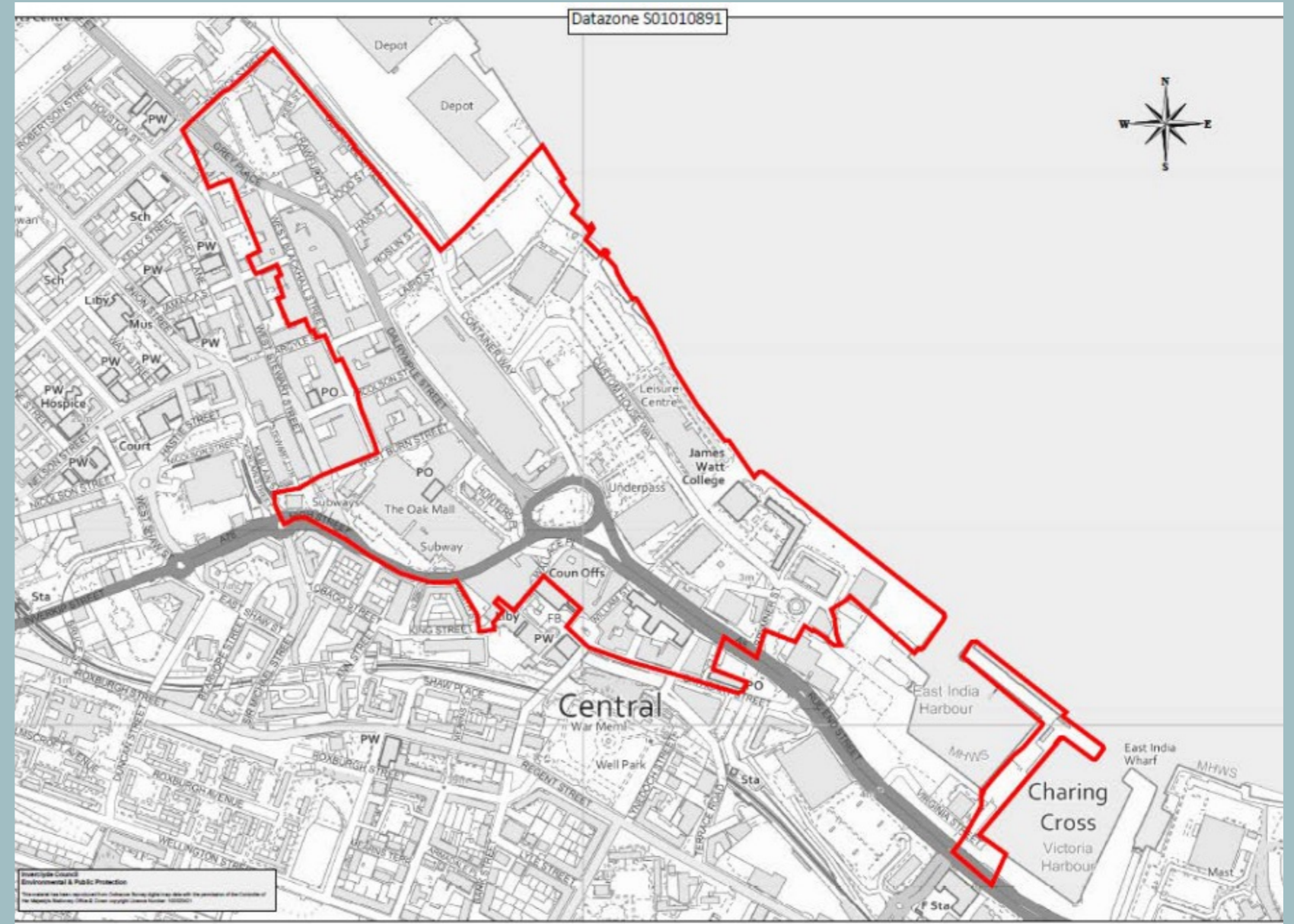
Rapid rehousing utilises a housing-led approach for rehousing people who have experienced homelessness, making sure they reach a settled housing option as quickly as possible, with time spent in temporary accommodation reduced to a minimum. Where people require temporary accommodation it should be in furnished mainstream housing, within a community location that minimises disruption to their daily lives.

In 2018, the Scottish Government implemented the recommendations from the Homeless and Rough Sleeping Action Report. The key output was a directive for Local Authorities to produce a Rapid Rehousing Transition Plan [RRTP], with an expectation that each Local Authority will develop their plans in collaboration over a planned and costed phase of 5 years (2019-20 to 2023-24). RRTP then became an integral part of the Strategic Housing Investment Plan (SHIP) and be reviewed annually as part of the SHIP process.

Inverclyde HSCP operates the homelessness service in Inverclyde. Housing consultant, Arneil Johnston was commissioned in April 2017 to undertake detailed work to inform the development of a strategy for the future provision of temporary accommodation and develop options for the range of accommodation solutions that best meet the needs of our local population. The temporary accommodation review provided key information on the composition of our current temporary accommodation.

5.12

The most deprived data zone in Scotland is located in the Greenock Town Centre area. The map below highlights the SIMD data set area in Red below. The insert is this Reports Study Area.



Data zone- Scotland (insert is the Strategy area)

6.0

Appraisal of the Study Area

6.1

A detailed analysis of the area has been undertaken on foot and bike to understand the connectivity of the area. The area has remained stagnant of new development over a significant period. The most noticeable changes are the demolition of the former Babylon Night club and construction of the Beacon Arts Centre. It is worth noting the new Ocean Terminal is significant but is outwith the Strategy area.

6.2

In 2016 A Charette was undertaken by Austin Smith Lord Architects and associated development consultants. The results of the public consultation highlighted a number of development sites that were in priority:

- Regent St
- Oak Mall
- Disused Car Park (West Stuart Street)
- Babylon Night club
- Train St (Central)
- Tobacco Warehouse (Dalrymple/Clarence Street)

6.3

The other key site in the strategy area is the harbour sites.

The sites are located around East India Docks and Victoria Docks and in total cover a gross area of 7.047 acres.

They have the potential for residential and mixed-use development with waterfront views.

The sites are on the market by the owners, Peel Port.

7.0

Community and Commercial Consultations Consultation

In order to fully understand the study area, a number of informal meetings were held to seek the views of people who work and live in the local area.

The main themes and points which came out of the meetings:

- Lack of connectivity
- Safety at night, particularly getting to public transport interchanges
- Oak Mall - closes in the evening and prevents connection to the train station
- Lack of development sites for family houses
- Uncertainty in the planning process
- Lack of large-scale development site of 100-200 units
- Deliverability of sites - high abnormal costs
- Developers do not want to build flats
- Migration to Bishopton
- Lack of new build starter housing for young professional people
- High demand for executive homes/apartments
- Change in demographic needed
- Lack of parking for shop owners
- Difficulty to navigate for tourists
- Lack of a community hall

8.0 Levelling Up Fund

On the 6th of July, Inverclyde Council submitted a Levelling Up bid to the UK Government. The bid was focused on infrastructure provision for the Town Centre.

The key elements are the Bull Ring roundabout, the elevated road network and the element of the Oak Mall Shopping Centre which is under the Trunk Road network

The proposal is to:

- Reduce to physical road level from elevated to ground level
- Remove the Bullring roundabout
- Demolish and reduce the road level over the Oak Mall Shopping Centre



Existing (facing East)



Proposed (facing East)



Existing (facing West)



Proposed (facing West)



Existing (facing South/West)



Existing aerial view

8.1

Oak Mall

The Shopping Centre/Levelling Up Bid

Development Strategy

The site's future is highly dependent on the success of the Levelling Up Fund. This would have a large impact on the success of the area.

If the bid is unsuccessful, the part-demolition and redevelopment of the shopping centre into the proposed apartments should be undertaken.

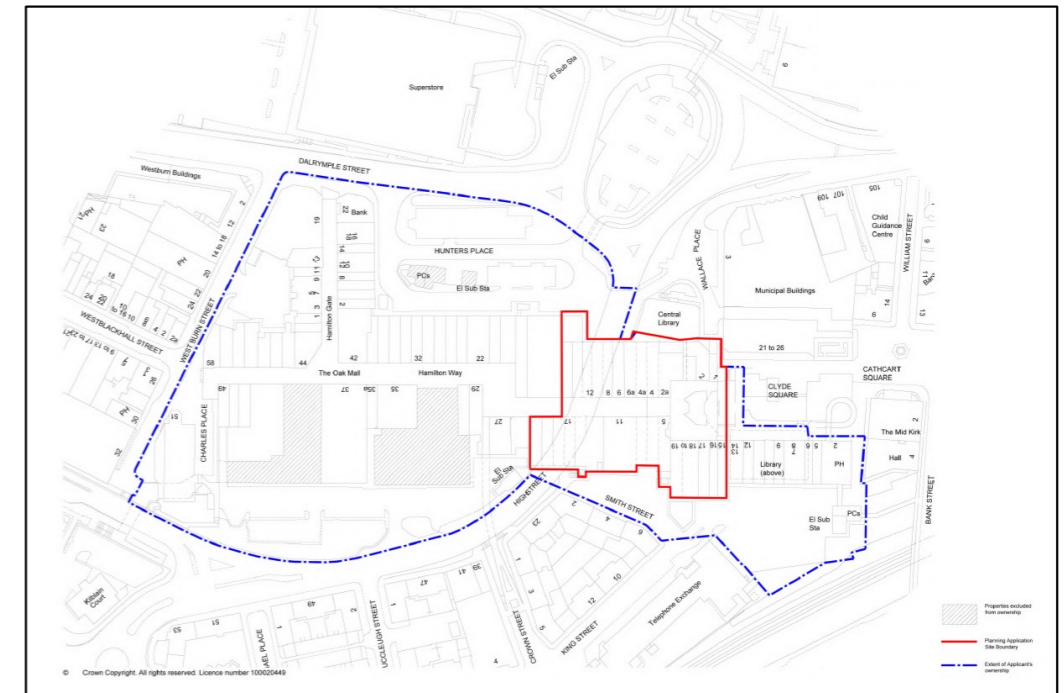
The indoor shopping mall is located on Blackhall Street, leading to the Municipal Hall and Cathedral Square.

Originally open the mall is now fully covered, and uniquely it goes under the trunk road.

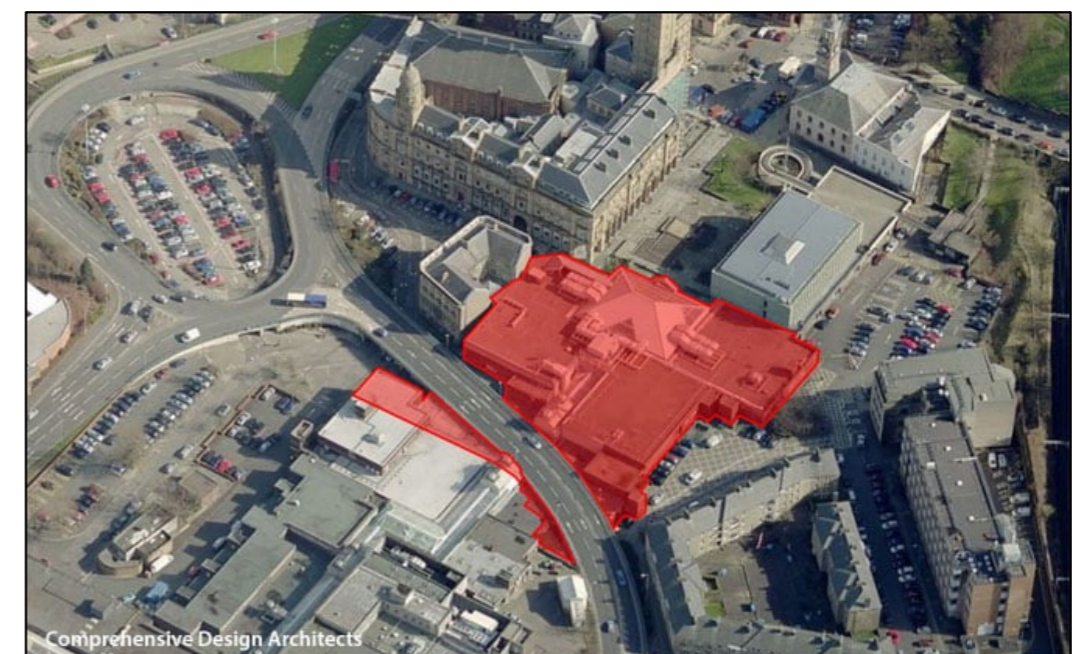
The shopping centre is at the natural crossing point of the town centre. Its location means that all pedestrian traffic needs to flow through the centre. With it closing at 6 pm nightly, the town centre is effectively blocked off. To traverse from Blackhall Street to the Train Station is only possible on secondary routes, with underpasses, poor lighting and a sense of entrapment. Because of these factors the public is disinclined to use such routes.

The initial application 18/0262/IC proposed to demolish the element of the shopping centre which is located under the road and replace it with 110 new flats. The application was refused as deemed to have a detrimental impact on the listed buildings adjacent to the shopping centre.

The application was later revised (19/0285/IC) and the demolition was approved. New units could be developed to be a Mid Market Rent product, providing different housing supply to the local area and changing the demographic composition in the area.



Ownership of Oak Mall and the proposed area of redevelopment in red



Area of redevelopment in red

9.0

Housing Market Analysis

9.1

Private sector rental market

Commentary on the rental market provided by Bowman Rebecchi

Prices vary between £375pcm up to £650pcm, for a higher-end/larger two-bedroom flat (around James Watt Way), with all tending to rent quickly. The market at the moment is strong, due to a general lack of inventory.

The main factors to this are that more landlords are selling with capital values growing, current tenants are staying put as a similar property coming to the market might cost them an extra £25 to £50pcm whilst tenants, in general, are gaining more and more power over landlords. There were also a lot of “accidental landlords” created and forced into the market, when the property crash happened back in 2008. They now have an opportunity to exit the market, if it was never their long term intention to be a landlord.

Rental prices across the board started to rise slightly around 2014/15 and since Covid has hit, prices have taken a massive jump.

As you may be aware, there have been drastic changes in terms of what a landlord has to adhere to in terms of safety checks, which in turn increases costs.

Inverclyde versus the likes of Glasgow would tend to see more renters for life, as there are plenty of people who cannot afford to get themselves onto the housing ladder. There will always be a great need for rented property within Inverclyde, especially for those needing government assistance/aided funding going via Housing Associations.

10.0

Build to Rent

Build to Rent is a new model of private rented housing supply developed by the construction industry where housing units are designed specifically for rent rather than sale. These housing units are generally owned by institutional investors and managed by specialist operators.

The Scottish Government state that this tenure offers significant opportunities to complement existing housing delivery models and can help to increase the overall rate of delivery of housing.

10.1

The lack of new housing has resulted in higher rents due to a lack of supply. The occupiers do not qualify for social housing, therefore find it difficult to find a property.

10.2

A good example of a BTR partnership by Ediston/City Facilities Management Holding is a scheme in the Gorbals. This development, currently under construction, has a centralised and managed factor. The development will offer fixed-price apartments including rent, power, internet, factoring and maintenance.

11.0

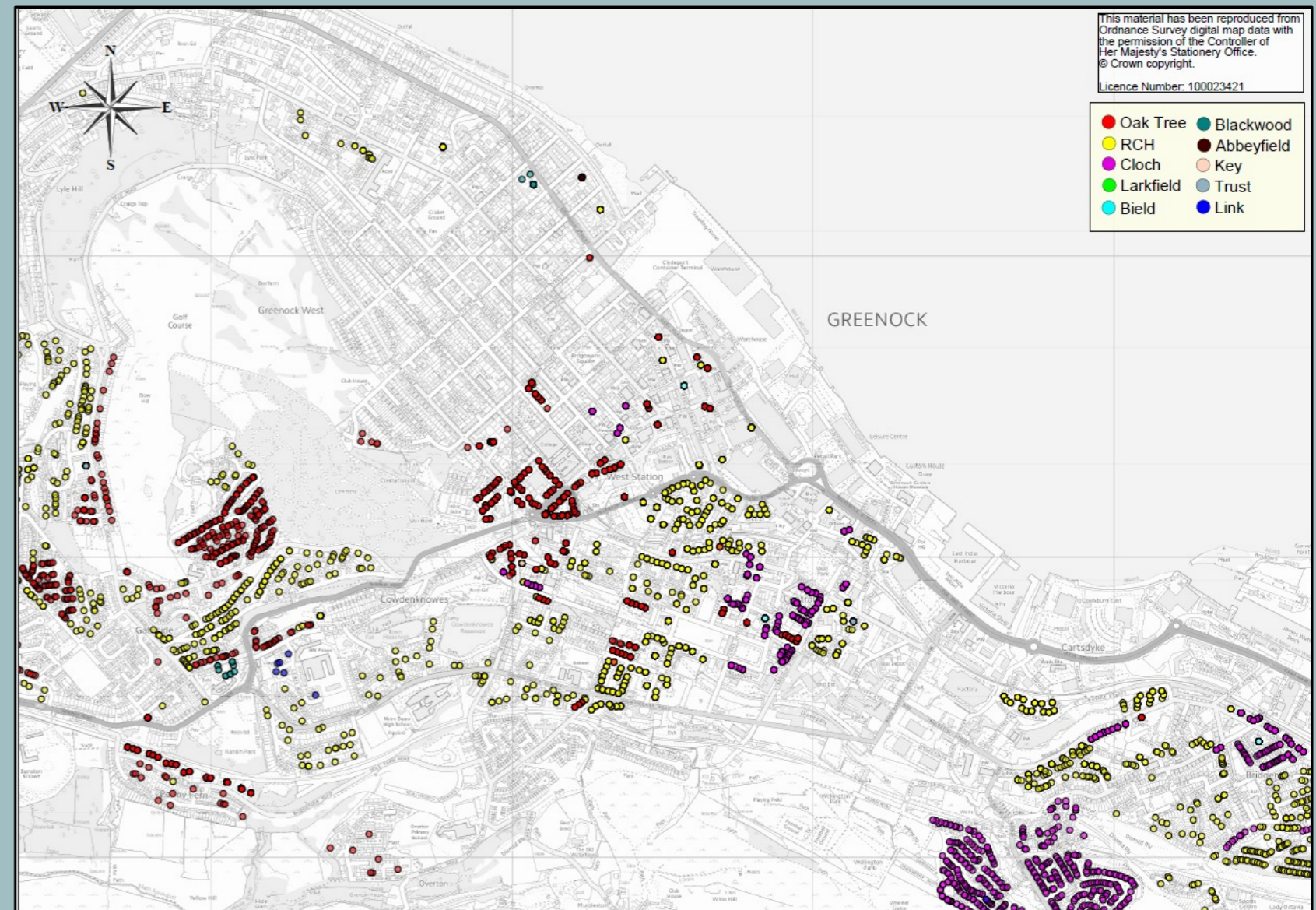
Social rent

There are large pockets of affordable housing, especially social rent, in the strategy area. A detailed housing assessment is required in order to understand the quality of the properties.

A joint approach with the RSL sector is required to target areas where the quality is poorer and the property stock is coming to the end of its life cycle. Specific areas should be created and the demolition or renovations undertaken strategically to help regenerate one area at a time.

Outwith the replacement of older stock, Social Rent developments should be discouraged to support a mixed tenure community.

Map indicating the housing in RSL ownership



12.0

Findings and Recommendations

12.1

Local Homelessness Strategy

In order to give a balanced opinion, we have consulted with both Inverclyde Homeless Services and the associated Housing Associations. We have also reviewed the SIMD rating against the physical environment.

It is our professional opinion that the SIMD index scoring is a result of the data set formed around a distorted core area, and is not typical of other dataset areas.

The result is a relatively small population, a concentration of advisory services, a mixture of lower-income owner-occupiers and a number of poor-quality retail units. The Inverclyde Homeless Centre is located in the SIMD area.

The collective amalgamation of these factors has resulted in the ranking.

12.2

Implementation Strategy

The Implementation strategy is based on the closure of the Inverclyde Centre and the site being sold.

Broadly speaking, there are three accommodation option types for someone presenting as homeless

- Hostel Accommodation – Inverclyde Centre
- Temporary furnished flats (TFF) – RSL properties which the Homeless Service manage
- RSL & PRS Properties – Clients assisted to apply directly for a tenancy

The first two responses are for someone who meets the definition of being homeless and requires temporary accommodation. The third response can be for someone who is homeless but not yet in need of temp accommodation; for someone who is at risk of becoming homeless; or, can be for someone who is in the hostel or a TFF and wishes to secure appropriate permanent accommodation.

The service would change to a dispersal strategy of small clusters of 2x1-bed flats throughout the area. Each RSL will have 2 x1bed fully-furnished units ready at any time, meaning that the accommodation is always ready for new occupiers. In a rotation format, The RSL will prepare and have the flats ready. The void period will be paid for by Inverclyde Council.

A key aspect of this would be providing high-quality dedicated support safe to these units, providing a greater number of temporary furnished flats of varying types, sizes and locations across Inverclyde, and continued direct applications to RSLs to deliver our primary focus of preventing homelessness.

12.3

Placemaking, Environmental & Economic Sustainability

Placemaking, Environmental & Economic Sustainability are the core principles of any successful Town Centre.

GlenEtive is a member of Scotland's Town Partnership.

Through this affiliation, these key principles, in tandem with the new strategy of 20-minute neighbourhoods and how to implement good practices, have been developed.

The keys goals In Greenock should be:

- Greenock's waterfront is unique and therefore high-quality developments should embrace these natural views. The council should help by partnering or assisting with companies who want to build there
- The infrastructure, in terms of public transport, exists making the key principles of sustaining new housing close to transport links achievable.
- Consolidate retail area by reducing the core area in the LDP, this in turn will reduce the number of existing units and provide new customers for convenience.
- Boost retail/casual dining/evening economy with new town centre population and increase town centre activity after 17.00. This improves safety/passive observation in the night-time economy.

12.4

Urban Realm improvements

The key reason for Town Centre living is the access to employment, services and facilities. Therefore in order to understand the issues of Central Greenock, a review of local businesses was undertaken.

The business owners feel there isn't sufficient parking and that a lack of connectivity means footfall is not attracted to West Blackhall St.

In order to attract Tourists from the cruise ships to West Blackhall Street an Art Trail will lead them from the boats to West Blackhall Street.

There are examples of this type of urban art in every major city across the world. From art panels in Melbourne to a reinterpretation of a zebra crossing in Dumbarton.

All of these elements can be undertaken on buildings or the public highway.

The result is to create a vibrant visual and attractive streetscape that is easy for tourists to navigate.

The Town Centre core needs to be reduced in physical size and a diversification of the retail outlets should be encouraged to stop grouping of similar stores. i.e. Vape shops, bookkeepers etc.

Local shops and pop-ups should be encouraged, to create a different retail offering than Port Glasgow.

Popular concepts such as café culture and food and drink outlets will offer both tourists and locals social spaces in which to further make use of the retail area.





A dazzle art work on the building and Public Art Trail



Melbourne, Australia



A dazzle art work on the building and Public Art Trail



In Dumbarton, to create a vibrant street Zebra Crossing reinterpretation

12.5

Policy changes

- Section 75 contributions pay towards the town centre
- City Centre 'Area' Action Plan
- Business Improvement District
- Business owner's improvement loans
- Simplified planning zone

12.6

Business Incentive schemes

- Commercial surveyor consultancy marketing sites collectively
- House builder workshop meeting

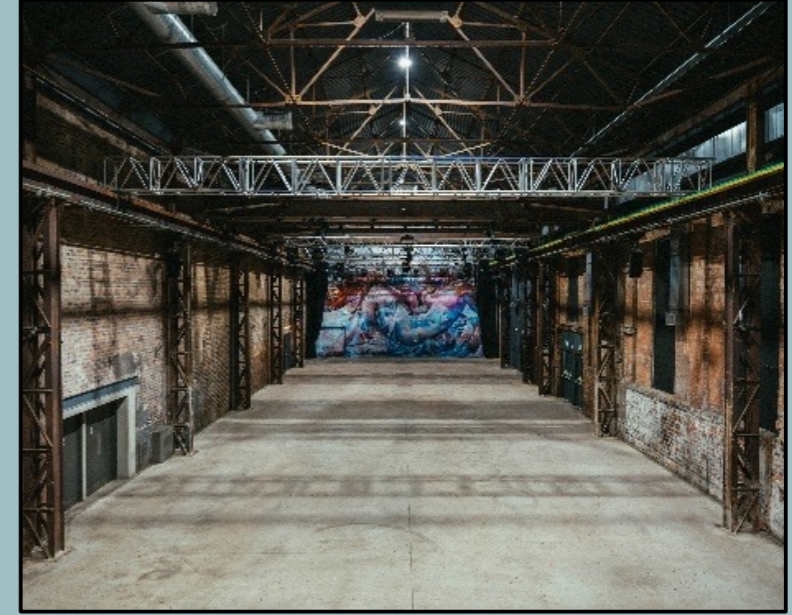
12.7

Cultural Arts Quarter

We would propose to create an arts scene, similar to venues such as SWG3, the Charity Workshop and Artists Provision Scotland 'WASPS' which are all based in Glasgow. These are local inspirational successful arts, design music and nightlife venues.

The container area of the town centre could be the 'Greenock Arts Hub'.

The centrepiece of this would be the repurposing of the 'B Listed' Glebe Sugar Refinery into a mixed-use arts venue/café/bar with residential units on the upper floors.



12.8

Housing Market Analysis

Key Findings

At the time of this report, there were no SME or volume house builders in the Inverclyde area.

The private family house-building sector is the key catalyst to the regeneration of central Greenock and the overall successful repopulation of Inverclyde.

The lack of available sites for family housing is perceived as the main barrier to investment in the area.

Example of an attractive site

As an example, here are the key criteria that a house builder ideally seeks from a development site

- Capacity of 100+ family dwelling units
- 12-week lead into abnormal ground conditions
- Minimum construction of retaining walls
- Flat, level site
- Family housing with front and back door
- Level gardens and car parking
- Low Affordable Housing
- Low Section 75 contributions

Schooling

One of the key factors for families to move into any area is the provision of schooling. Over the past 10 years, Inverclyde has made a massive capital investment in new schooling provisions. The area has high-quality new school buildings throughout the Council area.

We have examined the latest school league tables for 2021, based on 340 schools rated for their performance in exams. This shows that Inverclyde scores well as a Local Authority. The schools are in good/reasonable positions within the league table which would attract home buyers and thus will attract builders to invest in the wider Inverclyde area.



New build housing, Port Glasgow



Notre Dame High School, Greenock

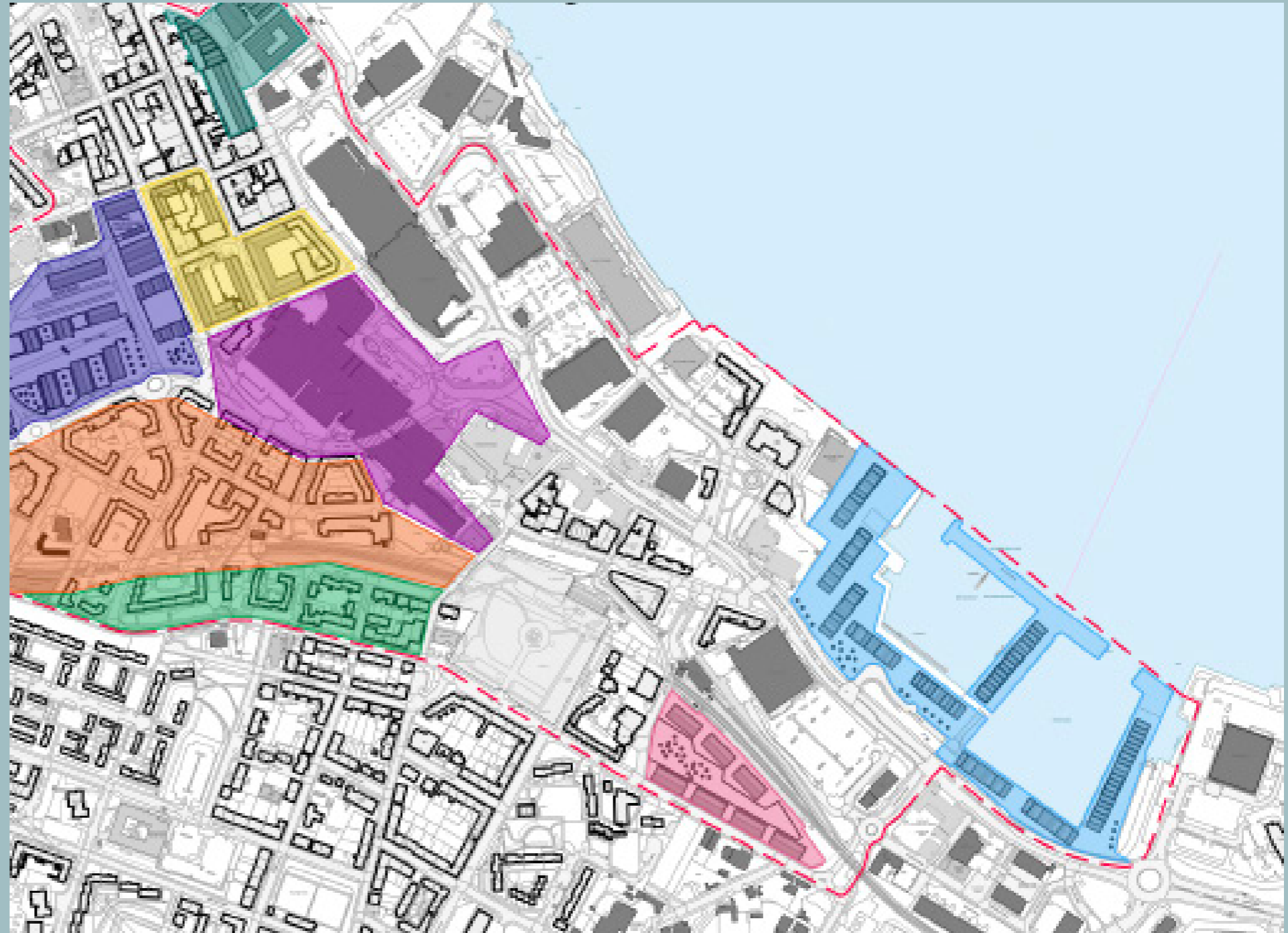
13.1

The Greenock Central Strategy area is large area and requires to be subdivided and specific strategies for each area.

The strategy covers 212 acres. In order to create deliverable/tangible strategies the area has been subdivided into 7 areas:

The initial first phase of the redevelopment focuses on 7 areas:

- 1 Regent St
- 2 Tobacco Warehouse District
- 3 West Blackhall
- 4 West Burn
- 5 The Harbours
- 6 Oak Mall
- 7 Roxburgh



14.0

Meetings with Community, Officials and the Development Industry

Scottish Town Centre Partnership	kennedytwaddle
Robertson Homes	Ben Barrs
Persimmon	EKOS
Bowman Rebecchi	Twice Nice Clothing
Cruden	City
Peel Port	Clyde Gateway
AS Homes	WSC
Merchant Homes	Bradley Mitchell
Oak Tree Housing Association	Cruden Homes
River Clyde Homes	Miller Homes
Cloch Housing Association	CCG
Places for People Capital	McTaggarts
Broomhill Community Council	Reith Lambert

GlenEtive projects (GEp)

GEp is ran by Paul Hughes – A qualified Town Planner and Surveyor who has over 20 years experience in regeneration.

Before setting up Gep, he was developer and sat at Board Director level for major Regeneration Companies. He was worked on developments such as Sighthill TRA, Calder Road Edinburgh, Ravenscraig Steel Works and Dalmarnock Clyde Gateway.

The uniqueness of GlenEtive is ability to give planning and development advice from a commercial perspective . The practice focuses on Regeneration, Affordable Housing and Listed Built Heritage.

www.glenetiveprojects.co.uk

NBM

NBM Construction Cost Consultants are a Chartered Quantity Surveying practice providing the services of Employer's Agent, Contract Administrator and Quantity Surveyor.

We provide services in various sectors but specialise in residential and commercial developments across the length and breadth of the UK.

We are regulated by the Royal Institute of Chartered Surveyors (RICS) and are accredited to both ISO9001:2015 and ISO14001:2015 for both our Quality Management Policy and Environmental Management System.

Having been formed in 1982 we have been successfully providing our core services for over 40 years and pride ourselves on some of the long standing relationships we have with many major RSL's across Scotland.

kennedytwaddle

kennedytwaddle are an award winning RIBA registered practice of architects and designers with offices in Dundee and London.

The company was set up in 2000 by Gary Kennedy and Chris Twaddle.

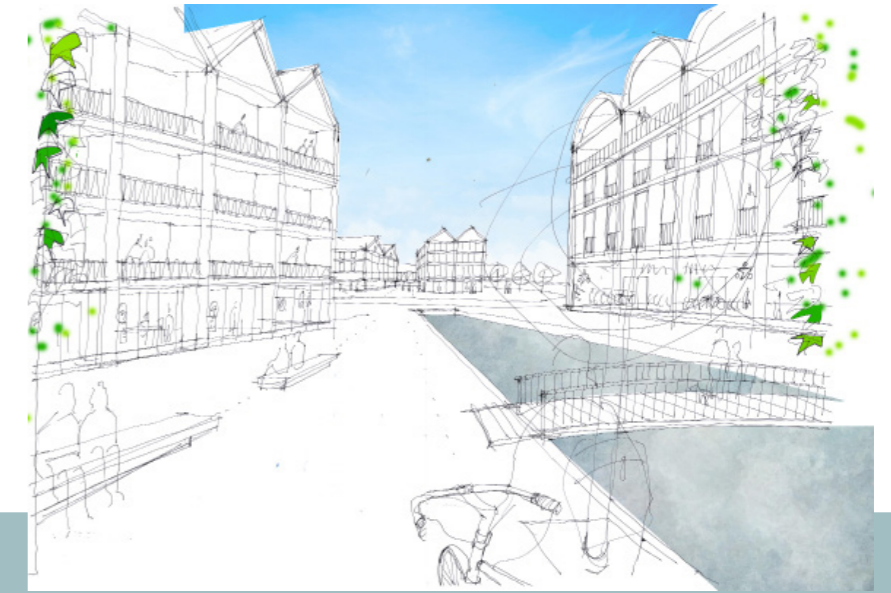
Chris was born in Greenock and divides his time between there and London.

Since forming, projects have ranged in size and type from single family dwellings and commercial offices to new-build schemes of forty apartments. A recent housing project received a Scottish Design Award in the residential category.

Masterplanning and feasibility projects have been carried out from Northern Ireland to Bahrain.

In recent years, and more increasingly, the company has undertaken several projects that have established them as community engagement specialists for projects in the built environment.

The studio strives to use creative design in a functional and economical way that will enhance the built environment now and in the future.



Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Physical Assets	Report No:	ENV046/23/EM
Contact Officer:	Eddie Montgomery	Contact No:	01475 714800
Subject:	West Blackhall Street Regeneration – Options Report		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to inform Committee of a proposed revised funding profile from Sustrans under Transport Scotland. Whilst the project originally had funding approved for the entire project, Transport Scotland have confirmed that they are unable to extend funding over multiple years.

1.3 The report also presents options to deliver the project whilst adhering to the financial constraints of the Council and Transport Scotland.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:

- notes the funding agreement from Sustrans for 2023/24 and a provisional funding for 2024/25;
- notes that funding from CWSR was agreed at the Environment and Regeneration Committee on the 9th March 2023;
- agree with Officers recommendations to proceed with the proposed Option 1 to upgrade all the footways, turn West Blackhall Street one-way and if funding is approved in 24/25 by Sustrans then install the cycleway and resurface the road with new setts;
- approve delegated authority to the Head of Legal, Democratic, Digital & Customer Services to conclude the award of the contract(s) for West Blackhall Street Civils Works to Balfour Beatty subject to successfully completing all stages of the procured SCAPE gateway process and the agreed project price being within the available budget for the project; and
- notes that in the event that £2.966 million Sustrans funding is not confirmed for 2024/25 a report will be submitted to Committee examining possible options.

Eddie Montgomery
Head of Physical Assets

3.0 BACKGROUND AND CONTEXT

3.1 Improving the streetscape of West Blackhall Street was identified as a priority project in the masterplan that emerged from the Greenock town centre charrette held in 2016. The importance of this project was confirmed by the Greenock Town Centre Regeneration Forum at its meeting of 14 June 2017, and thereafter a design team led by landscape architects Ironside Farrar was appointed in February 2018 to prepare a design for public realm improvements to the street. The design process involved two public consultation events, plus reports back to the Town Centre Regeneration Forum and a project steering group. The developed design was reported to the Committee on 25 October 2018, where it was decided that the project be approved as a town centre priority project with implementation funding of £1.5m also approved.

3.2 Sustrans became involved in 2018 and a revised scheme was developed, this included the following changes:

- wider pavements on both sides of the street.
- 2m wide segregated cycle lane.
- 36 parking spaces compared to 59 in the 2018 proposal (and 65 currently).
- road and footways will be fully reconstructed with drainage issues addressed.
- street trees on single side of road (the 2018 proposal has street trees on both sides).
- reduction in car dominance provided by parking on only one side of the street.

3.3 Funding for the new scheme from Sustrans was approved in January 2022 totalling £4.279m as detailed below:

Budget Allocation	Amount £m
Inverclyde Council	1.500
Cycling Walking Safer Roads	0.259
Roads Asset Management Plan (Surfacing)	0.200
Roads Asset Management Plan (Lighting)	0.200
Smarter Choices Smarter Places	0.020
Sustrans	2.100
Total	4.279

3.4 On securing the funding Officers engaged Balfour Beatty through the Scape framework which allows direct contact with professional contractors to accelerate essential projects by starting conversations with the highest calibre supply chain. Officers have been in extensive dialogue with the contractor since March as the first construction cost submitted in May 2022 was significantly higher than the budget.

3.5 A report was brought to this Committee in August 2022 with a range of value engineering options, and it was agreed by this Committee to continue value engineering the project to reduce the construction costs and continue discussions with funding partners to increase the available funding.

3.6 Discussions with Sustrans regarding the changes were positive and Sustrans had agreed, subject to final panel approval, for the additional funding to deliver the project as detailed below with some value engineering for a total cost of £7.245m.

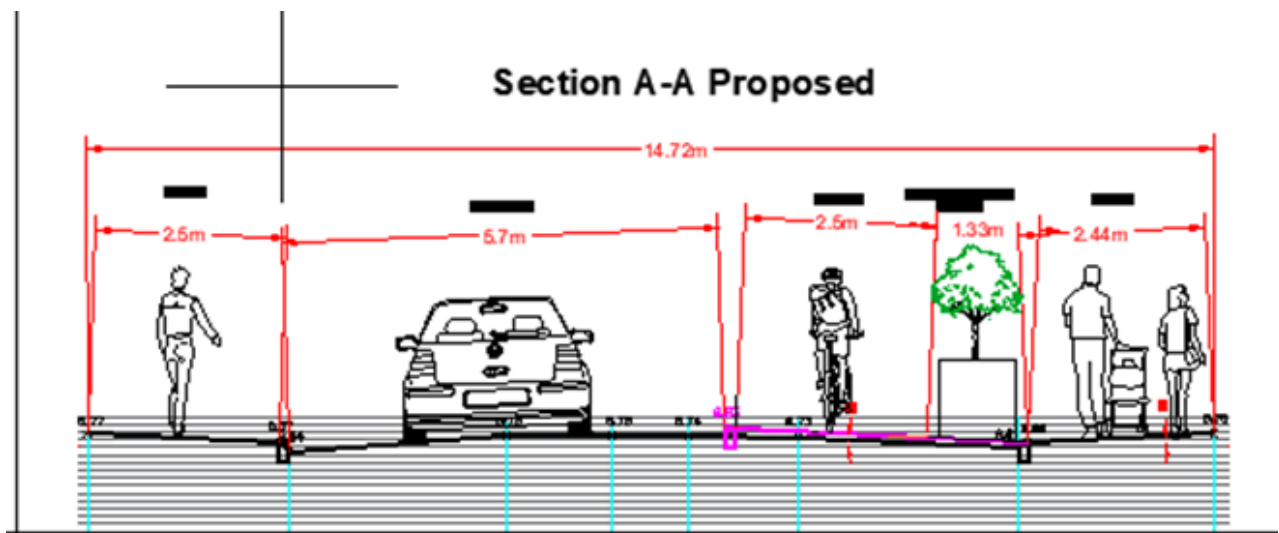
Budget Allocation	Amount £m
Inverclyde Council	1.500
Cycling Walking Safer Roads	0.259
SPT (22/23)	0.400
Smarter Choices Smarter Places	0.020
Sustrans	5.066
Total	7.245

- 3.7 At the end of May 2023 Sustrans informed Officers that Transport Scotland had stopped multi-year funding and as such the West Blackhall Street project contract could not proceed in its current form as the 70 week contract would span multiple years.
- 3.8 Officers have worked on the options outlined in section 4.0 below to enable the project to proceed and be delivered over multiple years, taking into account that the future funding has been provisionally accepted. This will potentially allow the project to proceed with no delays to programme but is dependent on the £2.966 million required from Sustrans in 2024/25 being confirmed.
- 3.9 Sustrans have confirmed with Officers that £2.1m has been allocated for financial year 2023/24. The remaining funding for 2024/25 will not be confirmed until March 2024. An offer letter has been received identifying a multi-year commitment subject to approval of funding in the second year (see Appendix A). Officers have sought confirmation from Sustrans as to whether there will be clawback from the Council if phase 2 money is not available, Sustrans have confirmed that the £2.1 million 2023/24 grant will not be recovered if the full project is not delivered.

4.0 PROPOSALS

- 4.1 Officers have worked on a slightly revised design to enable the project to be split into phases. The differences are listed below:
- The existing slabs on the footways will be replaced with new setts similar to Kilmacolm;
 - The footways will not be widened;
 - All benches and vegetation boxes will be on the north footway, acting as a buffer zone between pedestrians and cyclists;
 - The footway and the cycleway will be level to create an extended level area that could be utilised during street events;
 - Removal of service diversions;
 - The overall plan layout will remain the same.

The fundamentals of the original schemes have been retained namely, resurface the footway and road with high quality materials, install new street lighting, create space for outdoor events and introduce urban planting. Along with a change of prioritisation towards pedestrians and cyclists rather than vehicles, with the introduction of continuous footways along West Blackhall Street. These changes will allow the scheme to be phased, whilst still delivering a high-quality project (refer to proposed section diagram below and phasing plan for Option 1 included as Appendix B).



Option 1

4.2 This scheme would enable all of the footways to be completed and if Sustrans funding is not available in 2024/25 then the project could be left with the footways completed along the entire length of West Blackhall Street and the road opened with the one-way system.

- **Phase 1 October 23 to July 24 £3.2m** - Resurface all the footways along West Blackhall Street, with the same high-quality material as the recently completed Kilmacolm footways project. Install the new street lighting columns and open up West Blackhall Street one-way from the Oak Mall to Grey Place.
- **Phase 2 July 24 to March 25 (subject to Sustrans funding confirmation) £4.0m** - Install cycleway, create raised table crossing points and resurface West Blackhall Street with new setts, street furniture and vegetation boxes.

Option 2

4.3 Removal of Sustrans funding and only use Inverclyde Council funding to lift and lay new setts on the footway only, this scheme would not turn West Blackhall Street one-way.

- **October 23 to July 24 £2.159m** - Resurface footways with new setts similar to Kilmacolm footway project.

Option 3

4.4 Do not progress the project.

- **Abortive fees and charges £0.15m** - Consultant and internal costs to date only.

4.5 Officers would recommend Option 1 as this has the potential to deliver the entire project but also delivers an improvement footway and one-way system irrespective of whether the funding is approved for 2024/25.

4.6 The overall construction period will not be extended as a consequence of the phasing and, if funding is agreed in March 2024, the construction work will be continuous. The completion of the footways first should also allow uninterrupted access to all the premises.

- 4.7 As the Sustran's grant must be spent by 31st March 2024 there is a significant pressure to deliver the project within the agree timeframe and Officers will be engaging with elected members, traders and residents to explain the construction programme.
- 4.8 In considering the project it is appropriate to take account of potential risks. "If option 1 is not completed within the time frame" - it is anticipated that the contractor will resource the project to enable the contract to be completed on time. The contractor is one of the largest Civil Engineering Contractors in Scotland they will have the extra resources if required. "The weather could delay the project" - the contractor has adequate resources at his disposal to complete the project on time. "Unforeseen ground conditions or services" - the project has been redesigned to avoid any deep excavations that would interfere with services and therefore this risk has been reduced. "Delay in material delivery" - the sets have been changed from stone setts to concrete setts that are readily available for delivery.
- 4.9 It should be noted that if the phase 1 section of the project is delayed due to resource, materials or adverse weather risks and the full £2.1m is not expended from Sustrans then the budget shortfall would need to be drawn forward from Inverclyde's allocated budget for phase 2 to complete the footways as detailed in phase1. For example, if for any reason only 60% of the project is complete before the end of the financial year there may be an under recovery from Sustrans of around £250k, if for any reason 40% is completed the under recovery could be around £500k which would be required to be drawn forward from the phase 2 budget putting the phase 2 project delivery under severe pressure.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	x	
Legal/Risk	x	
Human Resources		x
Strategic (Partnership Plan/Council Plan)	x	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing	x	
Environmental & Sustainability	x	

5.2 Finance

One off Costs – Option 1

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Capital Programme	West Blackhall St	2023/25	738		
Ext Funding	Sustrans	2023/24	2,100		To be spent 31.3.24
Ext Funding	SPT	2023/25	400		To be spent 31.3.24
			3,238		Phase 1 - Construction Oct 23 to July 24

Capital Programme	West Blackhall St	2024/25	762		Balance of £1.5m
Ext Funding	Sustrans	2024/25	2,966		To be confirmed
Ext Funding	CWSR	2024/25	259		
Ext Funding	Smarter Choices Smarter Places	2024/25	18		
			4,005		Phase 2 - Construction July 24 to March 25

One off Costs – Option 2

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Capital Programme	West Blackhall St	2023/25	1,500		
External Funding	CWSR	2023/25	259		
External Funding	SPT	2023/25	400		
			2,159		

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (if Applicable)	Other Comments
Option 1	Vegetation Maintenance	2024/25	15		Will be contained within existing budgets
	Pressure washing setts	2024/25	20		
Option 2	Pressure washing setts	2024/25	20		

5.3 Legal/Risk

Subject to approval to proceed there will be a requirement to progress the formal contract arrangements between the Council and SCAPE to progress the construction project.

The completion of the full preferred project scope remains subject to Sustrans funding confirmation in March 2024 to allow progression and completion of phase 2 and the associated risks as outlined in 4.9 above.

5.4 Human Resources

None.

5.5 Strategic

The project will improve cycling walking and wheeling and make the street an attractive place visit.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

The project will regenerate the town centre, create a vibrant, distinctive, attractive street and has been developed in collaboration with the community. The design is compliant with the Equality Act –suitable for all. An EqlA has been completed, along with a monitoring and evaluation report once the scheme is completed.

(a) Equalities

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

X	YES – Assessed as relevant and an EqIA is required and will be made available on the Inverclyde Council website: https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments
	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.

(c) Children and Young People

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

The project has been designed to facilitate independent walking, cycling and wheeling for everyone, including an unaccompanied 12 year old.

	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.

5.7 Environmental/Sustainability

The project will deliver a change of prioritisation towards pedestrians and cyclists rather than vehicles promoting sustainable and active travel.

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.

6.0 CONSULTATION

- 6.1 The CMT have been consulted on this report and whilst recognising the potential risk, would support option 1.

7.0 BACKGROUND PAPERS

- 7.1 West Blackhall Street Regeneration – August 2022 Update - Environment and Regeneration Committee 25th August 2022

For the Attention of
 Gordon Leich
 Inverclyde Council
 Municipal Buildings
 Clyde Square
 Greenock
 PA15 1LY

19 July 2023

Dear Gordon

Places for Everyone 2023-24 Funding Application: INV-PFE-2824 Follow on From West Blackhall Street Public Realm Design Project

Thank you very much for your application for funding to the Places for Everyone programme.

Following the Panel assessment, we can confirm that the above application has been awarded funding for the given stages, subject to the below conditions. Feedback from the Panel has also been included where appropriate.

- Full Award – Stages 5-7
- Feedback:
 - Consult with an Accessibility group including visual impaired users on the final designs prior to construction.
 - Monitor the use and accessibility of the design post construction.

While we appreciate that infrastructure projects, especially in the construction stage, can span a number of years, funding for projects in future years is subject to the progress of the project and the Scottish Government’s annual budget process. As such any funding allocated for this project beyond 2023/24 is subject to annual approval by Sustrans and Transport Scotland, a decision on which will be communicated to you:

Project Ref	23/24 Award	24/25 Award	25/26 Award	Total Award
INV-PfE-2824	£2,100,000	£2,966,382		£5,066,382

Please review the award breakdown and feedback above and contact us at placesforeveryone@sustrans.org.uk should you have any questions.

Once Sustrans receives an updated programme and completed designs a legal agreement will be processed. Once this has been signed by Sustrans, you will receive a further email notification and this agreement should then be signed by your authorised signatory on Adobe Sign and returned to us within 56 days. As set out in the agreement, failure to do this may result in this funding offer being withdrawn.

As the legal agreement details, all public communications and announcements relating to this project are required to recognise Transport Scotland as the funder and Sustrans Scotland as administrator of the Places for Everyone programme.

- In text only materials, we would suggest the following wording:
West Blackhall Street Public Realm Design Project is supported by funding from Transport Scotland administered through Sustrans Scotland's Places for Everyone programme"
OR
West Blackhall Street Public Realm Design Project has been funded by Transport Scotland through Sustrans Scotland's Places for Everyone programme".
- In all published materials, Transport Scotland, Places for Everyone and Sustrans logos should also be included. Logo files and guidelines for use can be downloaded from <https://www.showcase-sustrans.org.uk/places-for-everyone>

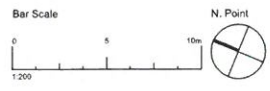
Sustrans must be contacted to give approval prior to public announcements related to the project and to provide opportunity to arrange Sustrans and/or Transport Scotland comments for inclusion. Please direct press and communications approvals or questions to eve.leeks@sustrans.org.uk.

Thank you again for your submission and we look forward to working with you.

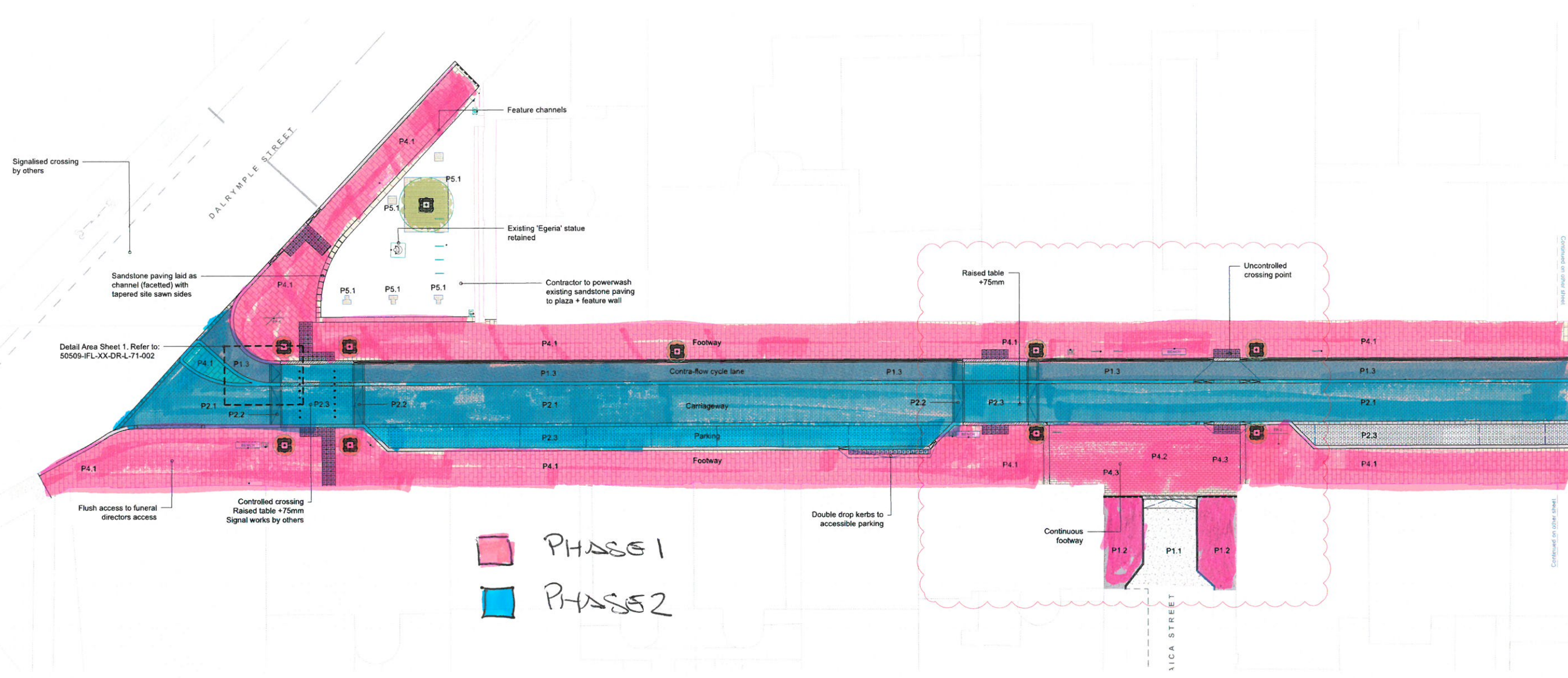
Kind regards,

Emily Gait
Grant Manager

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Appendix B



PHASE 1
PHASE 2

KEY:

- | | | | |
|---|--|---|---|
| <p>Paving Surfaces</p> <ul style="list-style-type: none"> P1.1 Asphalt Carriageway: Carriageway surfacing, 40mm HRA, 60mm AC20 dense bin P1.2 Asphalt Footway: Footway surfacing, 30mm HRA 15/10 Surf 40/60 with 6mm limestone chippings laid at a rate of 1kg/m² on 50mm AC20 dense bin 100/150 P1.3 Asphalt Cycleway (Carriageway Construction): Cycleway surfacing, 40mm ultracolor (red) on 60mm AC20 dense bin P2.1 Carriageway Setts (full depth) CAT 1A Loading: New Sawn Granite / Schist setts in 3 colour mix (Pink / Green / Brown), laid half lap, 300mm long x 150mm wide x 150mm depth P2.2 Carriageway Setts (full depth) CAT 1A Loading: New Sawn Whinstone setts in Black, laid half lap 300mm long x 150mm wide x 150mm depth P2.3 Carriageway Setts (full depth) CAT 1A Loading: New Sawn Granite setts in Mid grey, laid half lap 300mm long x 150mm wide x 150mm depth P2.4 Reclaimed Setts (site won) CAT 2 Loading: Lift, clean and relay existing road setts in parking areas 200-250 long x 150 wide x 150 mm depth, laid half lap P4.1 Footway Paving - Sandstone Slabs: UK provenance sandstone (Scoutmoor) slabs to footways & plazas, 450 width x random lengths x 65mm thick P4.2 Continuous Footway - Setts (full depth) CAT 1A Loading: New Sawn UK provenance sandstone (Scoutmoor) setts, laid half lap, 300 x 150 width x 150mm depth P5.1 Lift + Relay Paving: Existing sandstone flag paving set aside from site clearance P5.2 Lift + Relay Paving: Existing concrete block paving set aside from site clearance P6.1 Tactile Paving (Blister): 400 x 400 blister pattern tactile paving, Whinstone, Black P6.2 Tactile Paving (Guidance Path): 400 x 400 blister pattern tactile paving, Whinstone, Black P6.3 Tactile Paving (Tramline): 400 x 400 blister pattern tactile paving, Whinstone, Black | <p>Kerbs and Edging</p> <ul style="list-style-type: none"> E1.1 Trapezoidal Cycleway Delineation Kerb: Silver grey granite kerb, 300 x 900 x 65mm depth with 20mm upstand. End unit specials required at end of each run and gaps in drainage (not shown) E1.2 Kerb: Silver grey granite kerb, 300 x 900 x 260mm depth with 60mm upstand E1.3 Splay Kerb: Silver grey granite kerb, 300 x 900 x 260mm depth with 60mm upstand / 13.5° splay E1.4 Dropped Kerb: Silver grey granite kerb, 300 x 900 x 200mm depth laid flush E1.5 Reclaimed Kerb: Site won whin kerb, 125 x 900 x 250mm depth with 100mm upstand E2.1 Channel (laid as sett): Silver grey granite channel, 300 x 480 x 150mm depth laid flush E2.2 Channel (with vehicle overrun): Silver grey granite channel, 300 x 480 x 250mm depth laid flush E2.3 Channel (with vehicle overrun): Silver grey granite channel, 125 x 480 x 250mm depth laid flush E3.1 Footway edge restraint: Sandstone pin kerb, 63 x 900 x 150mm depth mm laid flush | <p>Tree Planting</p> <ul style="list-style-type: none"> T1.1 Avenue Trees (semi mature): Species: Ulmus 'columnella', Girth: 35-40cm; Height: 6-7m high, 100 x 70cm rootball, supplied in airpots, planted in tree pit T1.2 Plaza Trees (semi mature): Species: Tilia tomentosa, Girth: 35-40cm; Height: 6-7m high, 100 x 70cm rootball, supplied in airpots, planted in tree pit <p>Note: 24 month maintenance period</p> | <p>Street Furniture</p> <ul style="list-style-type: none"> F1.1 Cyclestands: Type 316 stainless steel sheffield cyclestands with tapping bar F1.2 Bench: Vroom by Vestre or equal approved, 1.7m long with back and arm rests, Timber Nordic Pine std, steel, finish: galvanised F1.3 Tree Pit Frame: 1.2m Castle by GBU or equal approved F1.5 Fingerpost Signage: Octopus by WKSP2 or equal approved F1.6 Litter Bin: 140L Vroom by Vestre or equal approved F1.7 Bollard: 101mmØ 1000mm high with 300mm root fixed stainless steel semi domed top BX47 0101 00-RT by Broxap or equal approved F1.9 CCTV: refer to Lighting Designer drawings F1.10 Road Studs: Diagram 1055.1 markings in stainless steel rectangular road studs fixed into setts in site drilled holes 250-720mm centres |
|---|--|---|---|

P09	19/1/23	Cycleway raised to footway level. Material changes. Oak road surfacing.	IO	IO
P08	17/11/21	Tender Issue	IO	IO
P07	04/10/21	Tender Issue	IO	IO
Rev	Date	Information	DR	CH

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0131 550 6500 | mail@ironsidefarrar.com

Project:
West Blackhall Street, Greenock

Client:
Inverclyde Council

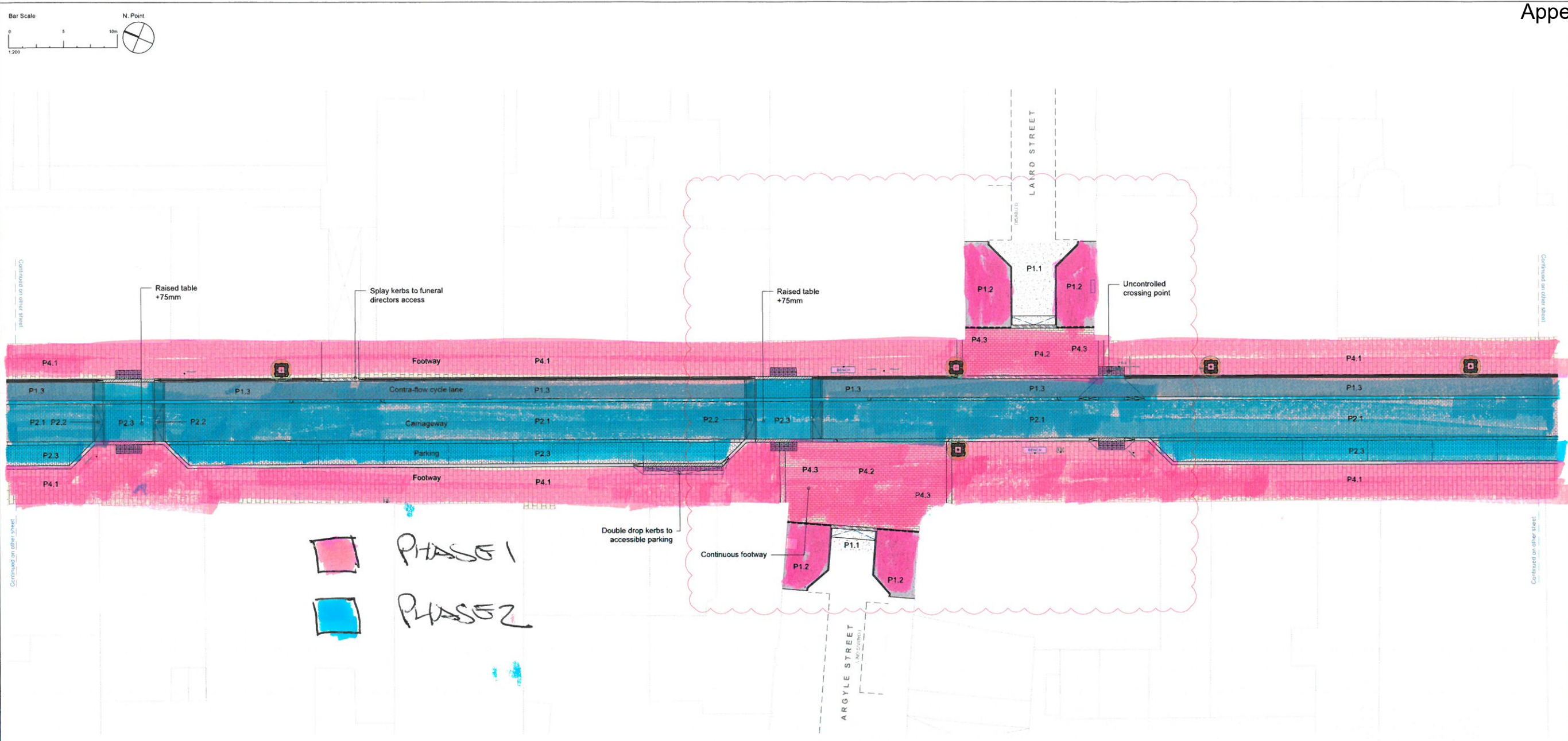
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Suitability Description:
FOR REVIEW
RIBA STAGE 4 DESIGN
Drawing Number: Suitability Code: Rev:
50509-IFL-XX-DR-L-60-002 S3 P09

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KEY PLAN
1:5000



PHASE 1
PHASE 2

KEY:

Paving Surfaces

- P1.1 Asphalt Carriageway:**
Carriageway surfacing, 40mm HRA, 60mm AC20 dense bin
- P1.2 Asphalt Footway:**
Footway surfacing, 30mm HRA 15/10 Surf 40/60 with 6mm limestone chippings laid at a rate of 1kg/m² on 50mm AC20 dense bin 100/150
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Lift, clean and relay existing road setts in parking areas 200-250 long x 150 wide x 150 mm depth, laid half lap

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UK provenance sandstone (Scoutmoor) slabs to footways & plazas, 450 width x random lengths x 65mm thick
- P4.2 Continuous Footway - Setts (full depth) CAT 1A Loading:**
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- P5.1 Lift + Relay Paving:**
Existing sandstone flag paving set aside from site clearance
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- P6.1 Tactile Paving (Blister):**
400 x 400 blister pattern tactile paving, Whinstone, Black
- P6.2 Tactile Paving (Guidance Path):**
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- P6.3 Tactile Paving (Tramline):**
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Kerbs and Edging

- E1.1 Trapezoidal Cycleway Delineation Kerb:**
Silver grey granite kerb, 300 x 900 x 65mm depth with 20mm upstand. End unit specials required at end of each run and gaps in drainage (not shown)
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Silver grey granite kerb, 300 x 900 x 260mm depth with 60mm upstand
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Silver grey granite kerb, 300 x 900 x 260mm depth with 60mm upstand / 13.5° splay
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Silver grey granite kerb, 300 x 900 x 200mm depth laid flush
- E1.5 Reclaimed Kerb:**
Site won whin kerb, 125 x 900 x 250mm depth with 100mm upstand
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Sandstone pin kerb, 63 x 900 x 150mm depth mm laid flush

Tree Planting

- T1.1 Avenue Trees (semi mature):**
Species: 'Ulmus 'columnella', Girth: 35-40cm; Height: 6-7m high, 100 x 70cm rootball, supplied in airpots, planted in tree pit
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- Note: 24 month maintenance period

Street Furniture

- F1.1 Cyclestands:**
Type 316 stainless steel sheffield cyclestands with tapping bar
- F1.2 Bench:**
Vroom by Vestre or equal approved, 1.7m long with back and arm rests. Timber Nordic Pine std, steel, finish: galvanised
- F1.3 Tree Pit Frame:**
1.2m Castle by GBU or equal approved
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Octopus by WKSP2 or equal approved
- F1.6 Litter Bin:**
140L Vroom by Vestre or equal approved
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refer to Lighting Designer drawings
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Diagram 1055.1 markings in stainless steel rectangular road studs fixed into setts in site drilled holes 250-720mm centres

Rev	Date	Description	By	Chk
P09	10/1/23	Cycleway raised to footway level, Raised tables / crossings adjusted, Trees indicated, Material changes, Oak, laid on laid	IO	IO
P08	17/11/21	Tender Issue	IO	IO
P07	04/10/21	Tender Issue	IO	IO
Rev	Date	Information	IO	CH

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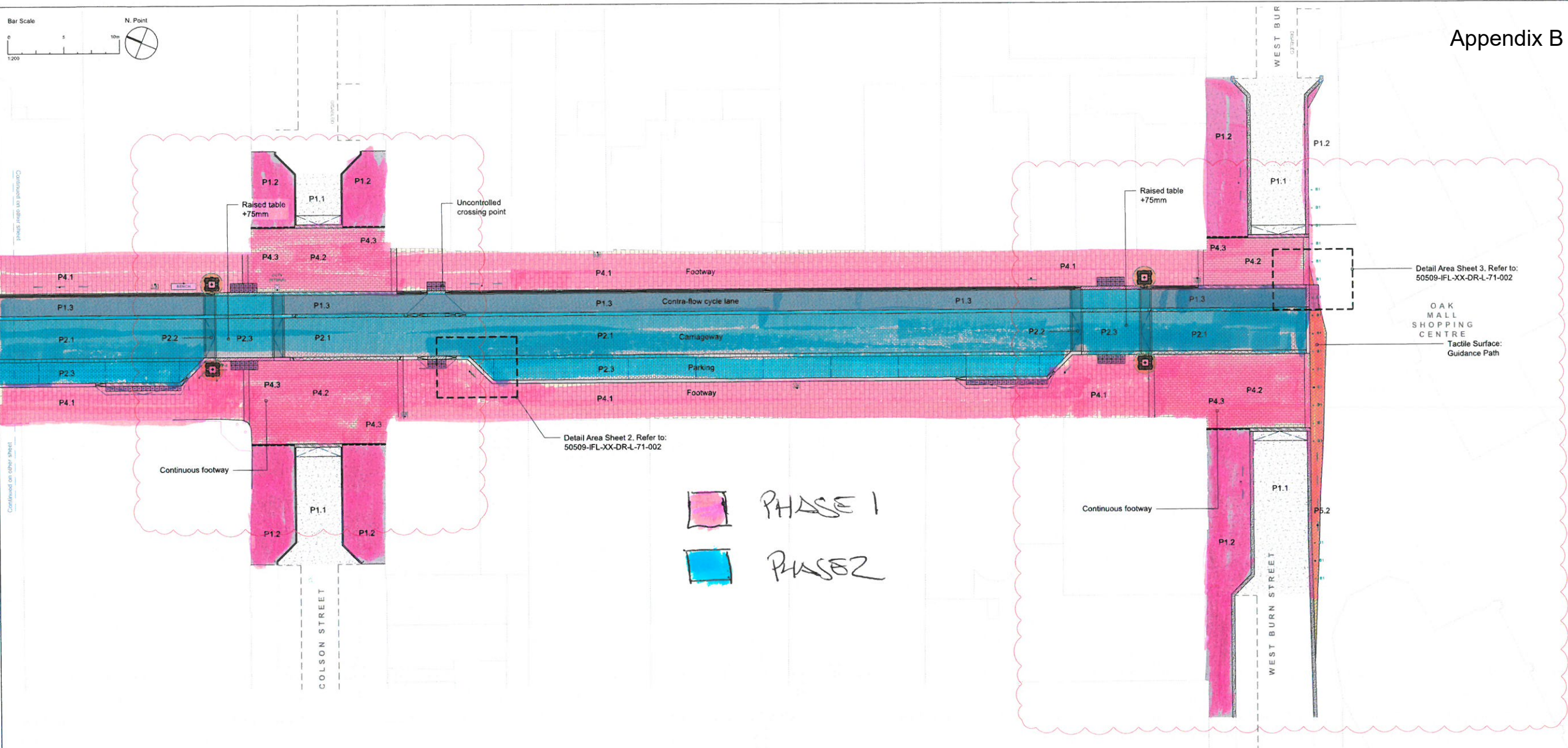
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West Blackhall Street, Greenock

Client:
Inverclyde Council

Title:
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Scale: 1:200 Paper Size: A1
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50509-IFL-XX-DR-L-60-002 S3 P09

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P08	17/11/21	Tender issue	IO	IO
P07	04/10/21	Tender issue	IO	IO
Rev	Date	Information	DR	CH

IronsideFarrar
Environmental Consultants

Project:
West Blackhall Street, Greenock

Client:
Inverclyde Council

Title:
General Arrangement (Sheet 3)

Scale: 1:200 Paper Size: A1

Suitability Description:
FOR REVIEW
RIBA STAGE 4 DESIGN

Drawing Number: Suitability Code: Rev:
50509-IFL-XX-DR-L-60-002 S3 P09

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Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Physical Assets	Report No:	ENV037/23/SJ/EM
Contact Officer:	Eddie Montgomery	Contact No:	01475 714800
Subject:	West Blackhall Street Proposed Roads Orders – Reporter’s Decision		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to inform Committee of the recommendations of the independent Reporter concerning the roads orders necessary to implement the proposed infrastructure improvements on West Blackhall Street and surrounding roads.
- 1.3 Local Authorities are empowered to make Orders under the Road Traffic Regulation and Roads (Scotland) Acts 1984 and under the Council’s Scheme of Administration the Head of Physical Assets is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

2.0 RECOMMENDATIONS

- 2.1 It is recommended:
1. That the Committee note the recommendations of the independent Reporter in relation to the One-Way Traffic Regulation Order.
 2. That the Committee accept the Reporter’s recommendations in full in relation to the One-Way Traffic Regulation Order.
 3. That the Committee note the Scottish Ministers’ determination of the Redetermination Order without modification.
 4. That the Committee agree to the making of “The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (One Way, One Way Cycle Track, Prohibition of Entry, Left Turn Only Restriction and Prohibition of Right and Left Turns) Traffic Regulation Order 2022” and remit it to the Head of Physical Assets and the Head of Legal, Democratic, Digital & Customer Services to arrange for its implementation.

Eddie Montgomery
Head of Physical Assets

3.0 BACKGROUND AND CONTEXT

3.1 Improving the environment of West Blackhall Street, Greenock has been agreed by the Greenock Town Centre Regeneration Forum and the Environment and Regeneration Committee as a priority project for Greenock town centre. A design for the improvement of the public realm of West Blackhall Street was developed involving public consultation and was agreed by the Environment and Regeneration Committee on 29 August 2019.

3.2 West Blackhall Street is currently split into 3 sections which each have different traffic management. The majority of the road is one way but the direction changes throughout. There is a section of two way road between Jamaica Street and Dalrymple Street. This can cause difficulties for drivers and pedal cyclists trying to navigate the town centre, particularly for those who are unfamiliar with the town.

3.3 In order to make the town centre more attractive and accessible by all modes of transport, a revised traffic management scheme has been prepared for West Blackhall Street, and the roads surrounding and adjoining West Blackhall Street, which will be delivered by way of three proposed Traffic Regulation Orders (TRO), a proposed Speed Limit Order and a proposed Redetermination Order. The five Orders are:

- The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (One Way, One Way Cycle Track, Prohibition of Entry, Left Turn Only Restriction and Prohibition of Right and Left Turns) Traffic Regulation Order 2022
- The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (26 Tonnes Weight Restriction) Order 2022
- The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 7) Order 2022
- The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022
- The Inverclyde Council, West Blackhall Street, Greenock (Redetermination of Means of Exercise of Public Right of Passage) Order 2022.

3.4 The proposed Orders were issued for public consultation on 04 August 2022 with responses invited by 01 September 2022. At the end of this consultation period, two objections to three Orders were received. Officers entered into correspondence with the two objectors. The objectors did not respond to confirm if they wished to withdraw or maintain their objections, therefore the Council required to consider their objections as maintained.

3.5 At its meeting on 12 January 2023 the Environment and Regeneration Committee agreed that an independent Reporter be appointed to consider the maintained objections to the Redetermination Order, One-Way Traffic Regulation Order and the Weight Limit Order and noted that the Redetermination Order would have to be referred to Transport Scotland for consideration of the maintained objection to it.

3.6 Following this committee meeting the objector to the Weight Limit Order decided to withdraw their objection. An independent Reporter did not therefore need to hear this objection.

3.7 An independent Reporter considered the objection made and not withdrawn in relation to the One-Way Traffic Regulation Order. The Reporter undertook an unaccompanied site visit on 25 March 2023 and published his recommendations on 9 May 2023. Officers have considered the Reporter's recommendations (contained in Appendix 1 of this report) and this report includes Officers' recommendations, along with the proposed Traffic Regulation Order (contained in Appendix 2 of this report) for approval.

Appendix
1 & 2

- 3.8 Transport Scotland required to consider the objection to the Redetermination Order. Following consideration of all of the evidence available, including the objections to the Order received by the Council and the Council's responses to those objections, Transport Scotland on behalf of the Scottish Ministers have decided to confirm the Order without modification. Their decision letter is included in Appendix 3 of this report.

4.0 PROPOSALS

Directorate for Planning and Environmental Appeals, Report to Inverclyde Council

- 4.1 The Reporter published his report on 9 May 2023 and recommended that the Council make the One-Way Traffic Regulation Order without modification. Officers recommend that the Reporter's recommendation be accepted.

Transport Scotland's Letter to Inverclyde Council

- 4.2 Transport Scotland wrote to the Council on 19 April 2023 and advised that the Scottish Ministers have decided to confirm the Order without modification.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	X	
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & 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

The Committee is asked to note that, if it agrees to the making of the Traffic Regulation Order, the Order may not be implemented until the making of the Order has been advertised to allow any persons who so wish a period of six weeks to question the validity of the Order in terms of the Road Traffic Regulation Act 1984. The Redetermination Order can only be challenged by an action for judicial review.

5.4 Human Resources

None.

5.5 Strategic

None.

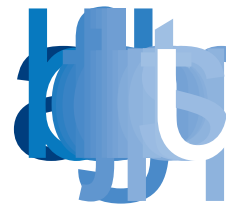
6.0 CONSULTATION

- 6.1 This report is a result of a public consultation on the Roads Orders associated with the West Blackhall Street public realm improvements. It notes the outcome of the consultation undertaken between 04 August and 01 September 2022 and the recommendations of an independent Reporter and Transport Scotland/the Scottish Ministers.

7.0 BACKGROUND PAPERS

- 7.1 A report entitled “West Blackhall Street Proposed Roads Orders – Maintained Objections” was considered by the Environment and Regeneration Committee on 12 January 2023 and agreed the appointment of the independent Reporter and the reference to Transport Scotland/the Scottish Ministers.

+Planning and Environmental Appeals Division
Hadrian House, Callendar Business Park, Falkirk, FK1 1XR
E: dpea@gov.scot T: 0300 244 6668



Report to Inverclyde Council

ROAD TRAFFIC REGULATION ACT1984

Report by Mike Croft, a reporter appointed by Inverclyde Council

- DPEA case reference: TRO-280-3.
- Council case reference: ECO1573.
- Site address: West Blackhall Street and adjoining roads, Greenock.
- Promoting authority: Inverclyde Council.
- The order sought: The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (One Way, One Way Cycle Track, Prohibition of Entry, Left Turn Only Restriction and Prohibition of Right and Left Turns) Traffic Regulation Order 2022.
- Objector: Ms E Turpie.
- Date case received by DPEA: 3 February 2023.
- Date of site visit: 25 March 2023 (unaccompanied).
- Reporter's recommendation: that the Order be made as drafted.

Date of this report and recommendation: 9 May 2023.

Scottish Government
Planning and Environmental Appeals Division
Hadrian House
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

DPEA case reference: TRO-280-3

9 May 2023

Head of Legal and Democratic Services
Inverclyde Council

Dear Sir

THE INVERCLYDE COUNCIL, WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK (ONE WAY, ONE WAY CYCLE TRACK, PROHIBITION OF ENTRY, LEFT TURN ONLY RESTRICTION AND PROHIBITION OF RIGHT AND LEFT TURNS) TRAFFIC REGULATION ORDER 2022

I refer to the above draft Traffic Regulation Order and to your letter of 3 February 2023 referring the matter to the Scottish Government's Planning and Environmental Appeals Division (DPEA). I also refer to the Council's minute dated 9 March 2023 (superseding an earlier minute) appointing me as the reporter to examine the Order by whatever means are appropriate, including holding a public hearing if necessary, in the light of the objection made to it, and to report with recommendations. I am a member of a panel of self-employed reporters who are allocated this category of work by DPEA.

As you know, Regulation 8 of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 provides that, before making a traffic regulation order, the authority may hold a hearing in connection with it. It also provides that the authority shall hold such a hearing before making an order in certain specified cases. The Order in this case is of a kind where the authority may, rather than must, hold a hearing. In addition, the sole objector to the Order made it clear that she did not wish to participate in a hearing. As I considered that the matters that I wished to raise with the Council could be dealt with by written submissions, and as the Council did not claim that that would be inappropriate, I therefore proceeded in that manner. Both the Council and the objector have provided answers to the questions that I have raised with them in writing, and each was given the opportunity (which the Council took, but not the objector) to comment on the other's answers. These answers and comments, together with the terms of the Order, the objection itself, and other background material form the basis of my report. Also material are the observations I made during my unaccompanied site inspection on 25 March 2023.

I am very grateful for the help provided by Ms Maureen MacPhail, an officer with the Council but with no previous connection with the case, who acted very responsively and effectively as my Programme Officer.

This report is directed towards whether, arising from my examination of the draft Order in the light of the objection made against it, the Council should, or should not, make the Order, and if so, what (if any) modifications to it should be made.

Yours sincerely

Mike Croft

Reporter

CONTENTS OF REPORT

Page

Chapters		
1. Introduction, statutory basis and procedures		4
2. The objector's case		11
3. The Council's case		12
4. Reporter's assessment		15
5. Reporter's overall conclusion and recommendation		17
Appendices		
1. Reporter's initial questions to Council (11 April 2023) and Council's answers (20 April 2023)		18
2. Reporter's questions to objector (11 April 2023), objector's answers (12 April 2023) and Council's comments on answers (20 April 2023)		24
3. Reporter's further questions to Council (20 April 2023) and Council's answers (27 April 2023)		26

CHAPTER 1. INTRODUCTION, STATUTORY BASIS AND PROCEDURES

Introduction

1.1 By a minute of appointment dated 9 March 2023 (superseding an earlier minute) I was appointed by the Council as the reporter to examine The Inverclyde Council, West Blackhall Street And Adjoining Roads, Greenock (One Way, One Way Cycle Track, Prohibition Of Entry, Left Turn Only Restriction And Prohibition Of Right And Left Turns) Traffic Regulation Order 2022 by whatever means are appropriate, including holding a public hearing if necessary, in the light of the objection made to it and to report with recommendations.

1.2 The roads that are the subject of the Order before me are within Greenock town centre. The Local Development Plan (adopted in August 2019) recognises and seeks to safeguard Greenock as the main town centre within Inverclyde.

1.3 The roads affected by the Order cover a relatively restricted area. The full length of West Blackhall Street is included, but that is a distance of only about 380 metres. The roads in the Order do not extend beyond West Blackhall Street for more than about 110 metres to the south-west (Jamaica Street) and 180 metres to the north-east (Westburn Street).

1.4 The buildings fronting the roads date mainly from the 19th century, usually with shops on the ground floor and often with residential above. Immediately to the south of the area is the modern Oak Mall shopping centre.

1.5 I saw on my visit to the area that cars are very obvious in the street scene, mainly because of parking. Nearly all the stretches of road in the area are subject to one-way working. Parts of West Blackhall Street are subject to one-way north-to-south working, part is subject to one-way south-to north working, and part has two-way working. There are currently no segregated facilities for cyclists on the roads affected by the Order.

1.6 My calculations from the Council's counts on West Blackhall Street between Westburn Street and Nicolson Street (conducted for 30 minutes between 1200 and 1300 hours on several days in September 2021) indicate an average per 30 minutes of 140 pedestrians, 4 buggies / prams, 5 wheelchairs / mobility vehicles, and 2 cycles.

1.7 The area is bounded on the north and east by the A770 road (Grey Place and Dalrymple Street). Part of the A770 (in the vicinity of its junction with West Blackhall Street) has a 2-way cycle lane on its northern/eastern side. Beyond that is a large Tesco store, and a little further away are the Beacon Arts Centre, the Greenock Ocean Terminal and part of National Cycle Network Route (NCN) 75 (Edinburgh – Glasgow – Kintyre), a shared use cycle path and footway.

1.8 South of the Oak Mall centre is the A78 road (High Street), a (predominantly) dual carriageway here with limited opportunities to cross.

1.9 The A770 and A78 routes are among cyclists' key routes in the area.

The Council's proposals and draft Orders

1.10 Improving the environment of West Blackhall Street is a priority for the Council. Its public realm proposals, agreed in August 2019 with support from Sustrans, provide for West Blackhall Street traffic to run one-way throughout its length south-east to north-west from Oak Mall to Grey Place, traffic flow on the side streets to be as at present, mini plazas to be created at each end of West Blackhall Street, parking to be on one side of West Blackhall Street only (instead of both sides now), wider pavements to be introduced, a one-way north-west to south-east segregated cycle lane to be introduced along West Blackhall Street, roads and footways to be fully reconstructed addressing slow surface water drainage problems, and street trees to be introduced. The loss of parking space has already been substantially offset by the Council's purchase of land on Jamaica Street (within walking distance of West Blackhall Street). and the laying out of a car park there with 20 spaces. The Council also proposes about 30 additional spaces on Dalrymple Street. The number of disabled bays and loading bays on West Blackhall Street remain the same and the overall loss of parking would be only three spaces.

1.11 The latest cost estimate for these proposals (provided to me by the Council in April 2023) is a total of £7.92 millions. The Council is funding £1.7 millions of this, with a bid for most of the rest being considered by Sustrans.

1.12 The Order before me is promoted by the Council under various powers, including powers within the Road Traffic Regulation Act 1984 as amended by the Roads (Scotland) Act 1984. It takes forward some of the proposals I mention in paragraph 1.10 above.

1.13 The Council advertised the draft Order on 4 August 2022. Four other Orders relating to the same roads as in the Order before me, and taking forward other elements of the proposals I mention in paragraph 1.10 above, were also the subject of advertisement then. These other Orders were

(a) The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (26 Tonnes Weight Restriction) Order 2022 (Council ref ECO1626);

(b) The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 7) Order 2022 (Council ref ECO1625);

(c) The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (20mph Speed Limit) Order 2022 (Council ref 1633); and

(d) The Inverclyde Council, West Blackhall Street, Greenock (Redetermination of Means of Exercise of Public Right of Passage) Order 2022 (Council ref ECO 1574).

1.14 By the end of the advertisement period (1 September 2022), one objection to the Weight Restriction Order, and an identical objection to the One-Way Order and the Redetermination Order from a single objector, had been received. Notwithstanding correspondence between the Council and the objectors, those objections were maintained. The Council referred the One-Way Order and the Weight Restriction Order, each with its objection, to DPEA on 3 February 2023. The Redetermination Order and the objection to it were matters for reference to the Scottish Ministers¹.

1.15 On 13 February 2023, the objection to the Weight Restriction Order was withdrawn, so that Order ceased to be a matter for DPEA and me.

¹ I indicate how this was dealt with in paragraph 1.34 below.

1.16 The Order before me introduces these proposals:

(a) a one-way north-westbound road for motor vehicles and pedal cycles on West Blackhall Street from Westburn Street to Dalrymple Street with associated turning bans and prohibition of entry to West Blackhall Street from specified adjoining roads;

b) a one-way north-westbound road for motor vehicles and pedal cycles on West Stewart Street from Argyle Street to Kelly Street with associated turning bans and prohibition of entry to West Stewart Street from specified adjoining roads;

(c) a one-way south-westbound road for motor vehicles and pedal cycles on Westburn Street from Dalrymple Street to West Blackhall Street with prohibition of entry from a specified adjoining road,

(d) a left turn only restriction on Westburn Street when approaching West Blackhall Street in a north-eastbound direction;

(e) one-way south-westbound roads for motor vehicles and pedal cycles on a specified part of Nicolson Street and on Argyle Street with associated turning bans and prohibition of entry from West Stewart Street;

(f) a one-way north-eastbound road for motor vehicles and pedal cycles on a specified part of Nicolson Street with associated turning bans and prohibition of entry from Dalrymple Street;

(g) a one-way south-westbound road for motor vehicles and pedal cycles on a specified part of Laird Street;

(h) a one-way north-eastbound road for motor vehicles and pedal cycles on Jamaica Street with associated turning bans and prohibition of entry to West Stewart Street from specified adjoining roads;

(i) a one-way south-eastbound road for motor vehicles and pedal cycles on Jamaica Lane with associated turning bans from, and a prohibition of entry to, Jamaica Street; and

(j) a one-way south-eastbound cycle track on West Blackhall Street from Dalrymple Street to Westburn Street.

1.17 Travel on West Blackhall Street is currently one-way over most of its length, but the various parts of it have different directions of travel. The Order would make it consistently one-way from south-east to north-west throughout its length. That is an important primary objective of the Council. Cyclists would be able to travel from south-east to north-west in that way, and to accommodate cyclists wanting to travel in the opposite direction a one-way (north-west to south-east) cycle lane is included in the Order. The proposed cycle lane would connect with the cycle lane on Grey Place / Dalrymple Street offering routes to the wider community.

1.18 The cycle lane is designed in accordance with *Cycling by Design*, Transport Scotland's guidance for cycling infrastructure design in Scotland (updated in 2021). It would be two metres wide. It is designed as a one-way facility as there is insufficient space

to provide a bi-directional cycle lane. The cycle lane would be stepped, ie with a difference in level between cyclists and pedestrians. Details are not given in the Order before me, but road markings rather than physical barriers would separate cyclists on the cycle lane from traffic going in the opposite direction. Tactile and corduroy paving at every point where the cycle lane would cross footways would warn both pedestrians and cyclists. These provisions would particularly assist blind and partially sighted pedestrians.

The statutory basis for the Order before me

1.19 A traffic authority, such as the Council, may make a traffic regulation order under section 1(1) of the Road Traffic Regulation Act 1984 where it appears to the authority that it is expedient to make it, on the basis of seven possible reasons for so doing. These are:

“(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or

(b) for preventing damage to the road or to any building on or near the road, or

(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

(d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or

(e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or

(f) for preserving or improving the amenities of the area through which the road runs, or

(g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).”

1.20 Although not referring explicitly to section 1(1), the Council's statement of reasons indicates that reasons (d) and (f) apply in its view to the Order before me.

1.21 The section 1(1) reasons for expediency are to be understood against the wider requirements of section 122 of the 1984 Act. This requires the Council to exercise the functions conferred on it by the Act *“to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the road”*. This duty is a qualified duty in that the Council must comply with it *“so far as practicable”*, having regard (in summary) to the following (retaining the letter references of section 122):

(a) the desirability of securing and maintaining reasonable access to premises,

(b) the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run,

(bb) the national air quality strategy,

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles, and

(d) any other matters appearing to the Council to be relevant.

1.22 In answer to my question to the Council about its compliance with section 122, the Council's answer in relation to those five matters may be summarised thus:

(a) The proposed public realm works maintain access to all facilities within the town centre and make it easier for visitors to find their way around by opening up West Blackhall Street. The works preserve access to facilities by walking and motor vehicles and introduce cycling facilities for those wishing to cycle.

(b) This was a matter for Order (a) in paragraph 1.13 above.

(bb) One of the Council's aims is to reduce the number of vehicles entering the town centre which will reduce emissions and have a positive impact towards the national air quality strategy.

(c) The importance of public service vehicles is recognised, but the only such vehicle here is a "Dial a bus" operated by SPT which, as a consultee, made no adverse comment.

(d) The removal of some parking spaces from West Blackhall Street has been compensated by new provision on Jamaica Street. The Council also proposes about 30 additional spaces on Dalrymple Street (see paragraph 1.10 above).

1.23 I have no doubt that the Council has met the requirements of sections 1(1) and 122 of the 1984 Act as described above. No-one has challenged that.

The process for the Order before me

1.24 The procedure for making an order such as this is contained in The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

1.25 Regulations 4 and 6 specify consultation requirements. The Council issued consultation letters on 1 August 2022 to the organisations specified by Regulation 4, and I have been provided with a copy of the letter. From the information provided to me by the Council, I am satisfied that the consultation requirements in the Regulations have been met.

1.26 Regulation 5 requires publication of the proposals by (at least) notice in a local newspaper. In this case, a notice was published in the Greenock Telegraph on 4 August 2022. In addition, notices were displayed between 3 August and 1 September 2022 at the ends of each road affected by the Order and at road junctions. A copy of that notice, along with a copy of the Order, plans and statement of reasons, was published on the Council's website, with copies also displayed at several Council premises in Greenock for public

inspection from 4 August to 1 September 2022. I have been provided with a copy of the notices. I am satisfied that the Regulations' requirements have been met in these respects.

1.27 Regulation 7 enables objections to be made in response to the regulation 5 notice. One such objection was received.

1.28 Regulation 8 provides that, before making an order, the authority may hold a hearing in connection with it, and provides that the authority shall hold such a hearing before making an order in certain specified circumstances. Regulation 8 also requires hearings to be conducted by an independent person (referred to as "the reporter") appointed by the authority from a list of persons compiled by the Scottish Ministers for that purpose.

1.29 The Order before me is of a kind where the authority may, rather than must, hold a hearing. The Council decided in January 2023 that a hearing should be held. This was (a) because the expectation at that time was that Scottish Ministers would require the Redetermination Order and the objection to it to be the subject of a hearing (which could be held jointly with a hearing dealing with the One-Way Order), and (b) so as to follow the rules of natural justice. In the event, there was no need for a hearing on the Redetermination Order)². In addition, the sole objector to the One-Way Order made it clear in writing to the Council on 2 February 2023, and she confirmed that point to me in writing on 20 March 2023, that she did not wish to participate in a hearing.

1.30 Bearing that in mind, and as I considered that the matters that I wished to raise with the Council could be dealt with by written submissions, and as the Council did not claim that that would be inappropriate, I therefore proceeded in that latter manner.

1.31 Both the Council and the objector have provided answers to the questions that I have raised with them in writing, and each was given the opportunity (which the Council took, but not the objector) to comment on the other's answers. My initial questions to the Council and its answers are reproduced in appendix 1 to this report. My questions to the objector, her answers and the Council's comments on those answers are reproduced in appendix 2. My further questions to the Council and its answers are reproduced in appendix 3. These various answers and comments, together with the terms of the Order, the objection itself, and other background material together form the basis for my report.

1.32 I confirm that the requirements of the Regulations have been met.

1.33 I made an unaccompanied inspection of West Blackhall Street and the surrounding area on 25 March 2023.

The Redetermination Order

1.34 As I indicated in paragraph 1.13 above the Redetermination Order was one of several Orders being processed by the Council. In paragraph 1.14 I pointed out that that Order and the objection to it were matters for reference to the Scottish Ministers. The Council submitted that Order to Transport Scotland (for Scottish Ministers) on 6 February 2023. Transport Scotland wrote to the Council on 19 April 2023 indicating Scottish Ministers' decision to confirm the Order without modification. No hearing was necessary for that.

² I indicate how the Redetermination Order was actually dealt with at paragraph 1.34.

1.35 That decision means that Scottish Ministers have concluded that, bearing in mind the objection to it, it would be appropriate for the means of exercise of the public right of passage on various lengths of West Blackhall Street to be redetermined from road and footway to cycle path. The objection that is made to the Order before me is identical to that made to the Redetermination Order. It is concerned only with the cycle lane proposal. However, Ministers' decision on the Redetermination Order does not mean that the objection to the Order before me is to be automatically dismissed. The two Orders have been prepared under different legislation - the One-Way Order under the Road Traffic Regulation Act 1984 and the Redetermination Order under the Roads (Scotland) Act 1984. On that basis, the objector is entitled to have her arguments fully dealt with in relation to the Order before me. In other words, although I take account of Scottish Ministers' view supporting the introduction of a cycle lane here, their decision does not pre-determine my conclusions.

CHAPTER 2. THE OBJECTOR'S CASE

2.1 The objector's case is derived from her objection in August 2022, her comments to the Council in correspondence arising from the objection, and her answers to my questions.

2.2 Most of the Order's proposals are supported: the objector has long considered that West Blackhall Street should be opened up to assist free traffic flow through the town.

2.3 However, the "ubiquitous" cycle lane is opposed. That is the primary objection. It is not clear why the cycle lane is required, as the objector has never seen anyone cycling on West Blackhall Street. There are far more walkers and runners than cyclists, and pedestrians should be the priority.

2.4 The usage figures presented to support cycle lanes are seriously flawed. Only 24 bikers were reported in the Greenock Telegraph on 26 February 2022 as using the cycle lanes daily, but the expectation had been that 10,966 would use them each year. No cyclist can be seen on The Esplanade at the time of writing (1600 hours during the Easter school holidays) on what is assumed to be a popular cycle route.

2.5 Sufficient space may be an issue. Difficulty would arise on West Blackhall Street if traffic builds up behind slow-moving cyclists. With traffic control at Grey Place, it is inevitable that at various times there will be a build-up of vehicles, where very often lorry drivers will have great difficulty in seeing cyclists below them, and higher-sided vehicles are liable to pull cyclists into their slipstreams, particularly in restricted spaces.

2.6 Cycle lanes have seriously damaged many of the roads in the area. For instance, Brougham Street (part of the A770 road) has been very badly affected, particularly between Campbell Street and Patrick Street, although some remedial work has recently taken place. The surface of The Esplanade is poor.

CHAPTER 3. THE COUNCIL'S CASE

3.1 The Council's case is derived from the committee reports supplied to me, a report it commissioned – *Greenock Town Centre Connections Study Stage 1 Report – Preparation and Brief (Ironsides Farrar)*, the response to the objection in September 2022, the Council's answers to my questions and its comments on the objector's answers to my questions to her.

Climate change and the response to it

3.2 Transport is Scotland's biggest contributor to climate change, emitting over a quarter of all of its greenhouse gas emissions. 38% of transport emissions come from cars. The Scottish Government's *Climate Change Plan update* in 2020 included a commitment to reduce car kilometres by 20% between 2019 and 2030. By rethinking how we use our cars and reducing the number of daily journeys we take, we can help make Scotland a healthier, fairer, greener place and contribute significantly towards Scotland reaching net zero emissions.

3.3 The National Transport Strategy sets out the sustainable travel hierarchy, where walking, wheeling and cycling are the preferred modes for shorter journeys. A reduction in the use of private vehicles is important not only to make progress to net zero emissions, its other benefits include reduced road danger; reduced air and noise pollution; increased opportunity for physical activity through active travel; reduced community severance; reduced congestion; and the revitalisation of local high streets, town centres and communities as places for people rather than vehicles.

3.4 Supporting this framework, the Council's view is that there is considerable potential to increase levels of active travel. Its *Active Travel Strategy* sets out its commitment to promoting and investing in active travel at the local level. The overarching ambition of the *Active Travel Strategy* is to: "*Make active travel a realistic, convenient and attractive choice for everyone to make everyday journeys in Inverclyde.*" Today, Greenock town centre is dominated by the car. But the Council's vision is "*To provide a network of linked, easily navigated routes to and around the town centre, making it an easy and safe choice to walk or use a bike / scooter to access the town centre for shopping, leisure and other every-day uses.*"

3.5 The public realm proposals summarised in paragraph 1.10 above take these strategic considerations forward. They are intended to create an improved sense of place, with the street becoming more attractive to visit and spend time in.

3.6 The public realm proposals are in line with strategic policies that encourage active travel and aim to reduce dependence on the motor vehicle for as many trips as possible. This means that little further change, if any, will be needed beyond those proposals. So the proposals are considered to future-proof West Blackhall Street for when more sustainable transport choices are likely to change the streetscape.

West Blackhall Street in its locational context

3.7 Minimising the adverse impacts of car travel on the environment depends on providing a network of safe and convenient routes to key destinations that will encourage people to rethink their travel choices and requirements. That will lead to a reduction in car trips and an increase in the proportion travelling by sustainable modes, including walking, cycling and public transport.

3.8 There are now cycle tracks on roads surrounding West Blackhall Street, ie Laird Street, Dalrymple Street, Grey Place, Brougham Street, etc. A toucan crossing helps cyclists cross Dalrymple Street to access West Blackhall Street. There are currently no cycle routes at the south end of West Blackhall Street as it terminates at the Oak Mall shopping centre.

3.9 The Council has appointed Ironside Farrar to assist with a study to identify improvements to walking and cycling routes within Greenock town centre, focussed on the West Blackhall Street area. Ironside Farrar's report indicates the importance of proposals for active travel links that are intended to connect West Blackhall Street with the area beyond. Three of them would connect directly with West Blackhall Street. These are as follows.

- Hunter's Place Link. This proposal, including a segregated route for pedestrians / cyclists, would connect West Blackhall Street to Cathcart Street via Westburn Street, Dalrymple Street, Hunter's Place and Wallace Place. It would re-create the single most important traditional link within the town centre in place of a major barrier for all forms of active travel.
- Waterfront to West Blackhall Street (Laird Street). This would be a segregated cycle route and would connect, via Laird Street and a new, safe controlled crossing of the A770 (Dalrymple Street), with the Ocean Terminal, Beacon Arts Centre and NCN 75.
- West Blackhall Street to Nelson Street via Union Street and George Square. This would connect major trip generators within the west end of Greenock including the West College campus, public buildings, large residential areas, and Greenock West rail station. It would include a segregated route along Jamacia Street, a safe crossing of West Stewart Street, a segregated cycle route along Nelson Street, and a toucan crossing to connect to Greenock West station.

Other matters

3.10 With regard to the objector's concerns about the extent of cycle lane use, the Council has statistics from surveys in 2021 and 2022 on the use of the cycle lanes on The Esplanade and the A770 road. The average number of cyclists on The Esplanade (both directions) per 24 hours was as follows: July 2021 205; September 2021 43³; February 2022 11; and June 2022 91. Surveys in 2021 and 2022 show that the average number of cyclists using the A770 (Brougham Street) cycle lane was 82 per day.

3.11 The objector's point that there are more walkers and runners than cyclists is accepted, but walkers and runners are hardly affected by the cycle lane now proposed. This and other cycle lanes are intended for families and for those who are not confident mixing with motor vehicles. Frustration from motorists being caught behind slow cyclists would therefore be minimised.

3.12 No forecast has been made of the amount of use that the proposed cycle lane will have.

³ The Council gives 32 as the combined figure for September 2021, but the detailed data suggests that that is an arithmetical error.

3.13 With regard to the objector's concerns about the Grey Place – West Blackhall Street junction, the existing traffic control would not be subject to more than minor changes. Those minor changes would not affect the roads used by motor vehicles. It is unlikely that any further changes will be made on Grey Place where facilities are already in place for pedestrians, cyclists and motor vehicles.

3.14 With regard to the objector's concerns about the Brougham Street – Patrick Street area, changes have been made to signal timings allowing more effective junction operation to minimise delays to motor vehicles.

CHAPTER 4. REPORTER'S ASSESSMENT

4.1 I take the view that the Order before me cannot be fully understood without reference to two important wider contexts. The first context is climate change and the Scottish Government's response and the Council's response to it. The second context is West Blackhall Street's location within Greenock town centre and the town in general. The Council has properly drawn my attention to both of those contexts, but the objection barely touches them.

4.2 I take the climate change context first. I indicate some of the Scottish Government's response to climate change in paragraphs 3.2-3.3 above. This is supported by the Council's approach locally (paragraphs 3.4-3.6). It seems to me that the cycle lane proposal in the One-Way Order fits exactly into that scenario: put simply, the cycle lane would itself provide an opportunity for a reduction in carbon emissions that does not exist at present.

4.3 The extent to which that opportunity would be taken up in practice depends to my mind to a considerable extent on the second context – West Blackhall Street's locational context. As indicated in paragraph 1.3 above, the area covered by the Order before me is not large. Paragraph 1.6 indicates that cycle use on West Blackhall Street is low, more or less confirming the objector's view of that. But that needs to be seen in the wider locational context. First, the proposed cycle lane, as soon as it is installed, would have a connection (across Grey Place) to part of the wider cycle network. Secondly, and this seems to me the prime value of the cycle lane, it would provide a much more significant part of a potential network that includes the further links referred to in paragraph 3.9 above.

4.4 My view is that these points fully answer the objector's doubt about the West Blackhall Street cycle lane being required. I anticipate that any reduction in carbon emissions would be small initially, but would become more significant with the development of the further links I have mentioned. Although the development of those further links is not certain, it seems likely that the pressure from the ongoing need to reduce carbon emissions and to provide opportunities for that to happen are likely to be imperatives towards their implementation.

4.5 I note the objector's reference to forecasts of cycle lane use being seriously flawed. She quotes a press report contrasting only 24 cyclists using "the cycle lanes" daily with an annual forecast of 10,966. But 24 cyclists daily amount to 24 x 365 annually, ie 8,760 annually. The forecast, if reported correctly, was therefore only 25% above the actual use. I am not aware of the full circumstances, but I do not regard that as a particularly serious flaw in forecasting.

4.6 The objector argues that pedestrians, rather than cyclists, should be the priority. She bases that on her claim that there are far more walkers and runners than cyclists now. The Council accepts that claim, and its own figures (paragraph 1.6 above) demonstrate the truth of it for West Blackhall Street. For my part, I note that there is no evidence that pedestrians at present experience pressure on their space. In addition, notwithstanding the proposed introduction of a cycle lane, proposals for this area provide for wider footways⁴. So I see no case here for giving pedestrians more priority than is afforded to them by the Council's present proposals.

⁴ The Redetermination Order provides for considerably larger areas of road to be redetermined as footway than areas of footway to be redetermined as cycleway or road.

4.7 As I understand it, the objector's concern about insufficient space and cyclists not being seen by lorry drivers or being pulled into high-sided vehicles' slipstreams relates to cyclists going from the northern end of West Blackhall Street into Grey Place. As indicated by the Redetermination Order, the part of West Blackhall Road available for all traffic at that junction and going to the A770 road is indeed intended to be substantially narrower than before. However, it has to be remembered that the One-Way Order provides for no traffic movements other than cyclists and pedestrians into West Blackhall Street from the A770 road. It seems to me that sufficient space would be available for motor traffic and cyclists going in the opposite direction there. The Council's indication that no more than minor changes would be made to the existing traffic control supports that view.

4.8 The objector claims that cycle lanes have seriously damaged many of the roads in the area. She refers to a section of Brougham Street (another part of the A770 road north-west of Grey Place) being badly affected and the surface of The Esplanade being "poor". On the first of these, I do not consider that the Council's comment that changes have been made to the signal timings goes to the point raised. That said, the question of damage to my mind revolves around the standard of implementation rather than an innate problem with cycle lanes. I therefore do not support that element of the objection.

4.9 I note that the objector supports most of the Order's proposals, and I conclude that her objection to the proposed cycle lane is not well founded.

CHAPTER 5. REPORTER'S OVERALL CONCLUSION AND RECOMMENDATION

5.1 In chapter 1 I found that the requirements of the relevant Regulations for the processing of the One-Way Order have been met. Scottish Ministers' confirmation of the Redetermination Order, affecting the same set of roads as the One-Way Order, supports a view that the cycle lane proposal should proceed. My assessment in chapter 4 of the objector's and Council's cases took me to the conclusion that the objection is not well-founded. My overall conclusion therefore is that I should support the making of the One-Way Order.

5.2 I asked the Council if it wished me to recommend any modification to the draft Order as advertised. The Council did not wish that. As a result of my examination I see no need for any modification.

5.3 I therefore **recommend** that The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (One Way, One Way Cycle Track, Prohibition of Entry, Left Turn Only Restriction and Prohibition of Right and Left Turns) Traffic Regulation Order 2022 be made as drafted.

Mike Croft
Reporter

APPENDIX 1. REPORTER'S INITIAL QUESTIONS TO COUNCIL (11 APRIL 2023) AND COUNCIL'S ANSWERS (20 APRIL 2023)

Question C1. In its letter to Ms Turpie dated 13 September 2022 the Council refers to the Scottish Government seeking to obtain a 20% reduction in car-km by 2030, including by switching to cycling. Can the Council provide a precise source-reference for this?

Answer C1. This information was taken from <https://www.transport.gov.scot/our-approach/environment/20-reduction-in-car-km-by-2030/>

Question C2. Has any forecast been made of the amount of use that the proposed cycle lane will have? If so, on what is that forecast based?

Answer C2. Forecasts were not undertaken at the time of inception, however, there are now cycle tracks on roads surrounding West Blackhall Street i.e. Laird Street, Dalrymple Street, Grey Place, Brougham Street, etc. Surveys between 2021 and 2022 show that the average number of cyclists using the Brougham Street cycle track is 82 per day.

Question C3. In promoting the Order, can the Council confirm that it has carried out the consultations required by Regulations 4 and 6 of The Local Authorities' Traffic Order (Procedure) (Scotland) Regulations 1999? If so, how? Please forward any consultation responses and any subsequent correspondence arising from them.

Answer C3. In terms of Regulation 4 and 6, consultation letters were issued on 1 August 2022 to: the elected members of Inverclyde Council; local housing associations; Royal Mail; Lower Clyde Taxi Owners' Association; Scottish Taxi Federation; Strathclyde Fire & Rescue; Police Scotland; Scottish Ambulance Service; Road Haulage Association; and local bus operators. A copy of the Order was attached to the consultation letter and a copy of the letter issued is attached⁵.

Question C4. In promoting the Order, can the Council confirm that it has carried out the requirements for the publication of proposals stated in Regulation 5 of the 1999 Regulations? If so, how? Please forward any notices or letters that relate to this.

Answer C4. In promoting the Order, a notice was published in the Greenock Telegraph on 4 August 2022 and a copy of that notice as published is attached.

Public notices were placed on each road affected by the Order at the start and at the end of the road and at any junctions. The notices were placed on both sides of the road where street furniture was available to tie them. The notices were erected on 3 August 2022 and displayed until and inclusive of 1 September 2022. A copy of this notice is attached.

A copy of the attached notice, along with a copy of the Order, plans and statement of reasons, was published on the Council's website, with copies also displayed at the Council's Customer Service Centre, Roads

⁵ This and other attachments to the Council's answers are not included in this appendix.

Reception and Central Library, for public inspection from 4 August 2022 until and inclusive of 1 September 2022.

Question C5. In promoting the Order, can the Council confirm that it has had regard to its duty under section 122 of the Road Traffic Regulation Act 1984? (Section 122 requires the Council to exercise the functions conferred on it by the Act “to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the road”. This duty is a qualified duty in that the Council must comply with it “so far as practicable”, having regard (in summary) to (retaining the letter references of section 122):

(a) the desirability of securing and maintaining reasonable access to premises,

(b) the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run,

(bb) the national air quality strategy,

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles, and

(d) any other matters appearing to the Council to be relevant.)

Answer C5. (a) The proposed public realm works maintain access to all facilities within the town centre and make it easier for visitors to find their way around by opening up West Blackhall Street. The works preserve access to facilities by walking and motor vehicles and introduce cycling facilities for those wishing to cycle. (b) Inverclyde Council considered this and as a result propose a weight restriction to preserve and improve the amenities of the area. We wrote to all of the businesses to advise them of our the proposal to introduce a weight restriction. (bb) One of the aims of the project is to reduce the number of vehicles entering the town centre which will reduce emissions and have a positive impact towards the national air quality strategy. (c) We recognise the importance of public service vehicles, however, the only vehicle meeting this description which uses the area within the restrictions in “Dial a bus” which is operated by SPT. SPT were a consultee during the formal consultation period of these Orders and they made no adverse comment on the proposals. (d) Although we are removing some parking from West Blackhall Street, we have compensated for this loss by constructing a new 20 space off-street car park on Jamaica Street. We also propose an additional 30 spaces (approximately) on Dalrymple Street.

Question C6. The Council says in the report to Committee, 29 August 2019 (paragraphs 2.2 and 5.8), that the 2019 proposal is considered to future-proof West Blackhall Street for when more sustainable transport choices are likely to change the streetscape. Can the Council explain how the street would be future-proofed in this way?

Answer C6. Both the Scottish and UK Government policies are moving towards encouraging active travel and aim to reduce dependence on motor vehicle for as many trips as possible. The proposals increase access to West Blackhall Street by active travel modes which means that there will be little change, if any, required in future, thus future-proofing West Blackhall Street as much as possible.

Question C7. The Council's report to Committee, 29 August 2019 (paragraph 5.3), refers to the proposed cycle lane as "segregated", and in Appendix 5 it is referred to as "Flexible 2m soft segregated cycle lane". What is meant by "flexible"? What is meant by "soft segregated"?

Answer C7. At the design proposal stage and at the time the report was written, the segregated lane could either have been two way or one way. Consequently the "flexible" refers to the option of two way or one way cycle track, with the other direction either on road or on the cycle lane. The soft segregation refers to the singular direction of travel on road, the use of traffic calming measures to reduce the speed of vehicular traffic and the use of road markings on road with no physical barrier. The proposal going forward is for a segregated cycle lane 2m wide travelling south and the north direction of travel on road with road markings and signs.

Question C8. The Order provides for motor vehicles and cycles to move in opposite directions on West Blackhall Street. Is there an accepted view on the safety of this arrangement, compared with movements in the same direction?

Answer C8. Cyclists using the cycle lane will travel in a southbound direction only. On the road vehicles and cycles will move in the same direction (northbound). This is considered a safe operation due to the physical separation.

Question C9. Are there any proposals for the safety of pedestrians and cyclists where the cycle lane is intended to cross footways?

Answer C9. There are tactile and corduroy paving at every dedicated crossing to warn both pedestrians and cyclists.

Question C10. Overall, and perhaps as a summary of the answers to questions C7, C8 and C9 above, what is the Council's assessment of the degree of safety afforded to cyclists and other road users by the amount of segregation proposed?

Answer C10. The proposals have been designed in accordance with 'Cycling by Design' and the proposed stepped cycle track maintains a level difference between cycle users and pedestrians. This layout is the preferred option, particularly in urban locations where pedestrian numbers are high, as it offers a greater degree of separation and therefore fewer potential interactions between pedestrians and cycle traffic. A level difference is particularly significant in enabling blind and partially sighted users to be able to identify the cycle track and steer the pedestrian along its edge.

Question C11. The Council says in the report to Committee, 29 August 2019 (paragraph 5.4), that traders were strongly resisting any reduction in parking provision. How does the Council account for that resistance not being translated into formal objections to the Order?

Answer C11. Following this feedback, Inverclyde Council constructed a new off-street car park with 20 spaces on Jamaica Street between Union Street and Jamaica Lane. We also introduced on-street parking on Dalrymple Street between Laird Street and Westburn Street. The number of disabled bays and loading bays on West Blackhall Street remain the same and the overall loss of parking has been reduced to 3 spaces which is significantly better than the initial proposals.

Question C12. The Council says in the report to Committee on 29 August 2019 (paragraph 5.6) that funding will be sought from Sustrans for a feasibility study investigating how walking/cycling links can be improved and created between the waterfront/national cycle network and the town centre, and West Blackhall Street in particular. Has funding been obtained? What stage has been reached in any such investigation? What kinds of possibilities exist for cycling connections both at the northern and southern ends of the cycle lane proposed in the Order? Might there be no viable possibility of a segregated connection for cyclists between West Blackhall Street and any other segregated cycle route, including National Cycle Network route 75? Some indication of how the Council sees the current proposal in that wider context would be helpful.

Answer C12. The Feasibility Study has now been completed and identifies a number of schemes which could be developed as and when funding becomes available. A copy of the Ironside Farrar study entitled "Greenock Town Centre Connections Study" has been provided with these responses. Cycle tracks have been developed on Laird Street, Dalrymple Street, Grey Place, Brougham Street, etc. They provide access to the north end of West Blackhall Street and include a toucan crossing to assist cyclists to cross from Dalrymple Street to West Blackhall Street. There are currently no cycle routes at the south end of West Blackhall Street as it terminates at the Oak Mall. There are proposals under the Government's Levelling Up Fund to redesign access in and around the town centre via the Bullring Roundabout. This redesign will likely include cycle links. Drawings of the existing cycle tracks on Dalrymple Street, etc are attached.

Question C13. Is there any intention of providing segregated facilities for cyclists moving in the opposite direction to that proposed in the Order, not necessarily on West Blackhall Street, but in the near vicinity?

Answer C13. Cyclists using West Blackhall Street would be expected to travel on the road in the same direction as vehicular traffic. Cycle improvements have been implemented on the surrounding roads at Grey Place, Dalrymple Street, Laird Street, etc. and additional proposals are being developed on Container Way and Custom House Way.

Question C14. The Council says in the report to Committee on 29 August 2019 (paragraph 5.6) that it is purchasing the site of the former Greenock Free Church on Jamaica Street to provide 20 additional car parking spaces within walking distance of West Blackhall Street. Can the council confirm that the purchase was made and, for the avoidance of doubt, that this is the car park (seen by the Reporter during his recent visit to Greenock) now laid out with 20 spaces on the north side of Jamaica Street about 35 metres or so east of its junction with Union Street?

Answer C14. Yes, this car park has been constructed on Jamaica Street between Union Street and Jamaica Lane and provides 20 spaces.

Question C15. The Reporter interprets paragraphs 6.1 to 6.3 of the Council's report to Committee on 29 August 2019 as follows on the "2019 proposal":

- (a) the proposal has been costed at £3.09 millions;
- (b) the Council has committed £1.5 millions of this;
- (c) a bid to Sustrans for up to £1.5 millions is being considered;

(d) the proposal would still need additional funding, of £0.09 millions, with Strathclyde Partnership for Transport (SPT) a possible funder.

The following questions arise

(i) is that interpretation of the 29 August 2019 report correct;

(ii) if incorrect, please state how?

(iii) has the position changed since August 2019;

(iv) if so, how?

Answer C15. This is a correct interpretation of the report and the costs were correct at the time, however, due to various factors including Brexit, etc. the cost has increased to £7.92M. Inverclyde Council is funding £1.7M, SPT are funding £0.45M and a bid for £5.49M is being considered by Sustrans. Fund from Cycling Walking and Safer Roads of £0.26M and Smarter Choices Smarter Places of £0.02M will also be used.

Question C16. The proposals for West Blackhall Street include (a) a cycle lane with north to south movement only and (b) on much of the remainder of the road motor vehicles and cycles could proceed from south to north, but not from north to south. The Council's letter on 13 September 2022 to Ms Turpie indicates that one of the reasons for proposal (a) is the existence of proposal (b). What is the reason for proposal (b)?

Answer C16. I am not sure that I correctly understand the question. Do you mean why is the cycle lane not bidirectional? If so, the reason is that there is not enough space to provide a bidirectional cycle lane as Sustrans/'Cycling by Design' require a minimum width of 3.0m whereas a one-way cycle lane is a minimum of 2.0m wide. We need to provide footways on both sides of the road to access shops on both sides.

Question C17. Does the Council have any information about the number of cyclists using the cycle track/lane on the Esplanade?

Answer C17. Survey data is attached. In summary the numbers are:

Date	No of cyclists (7 day average)		
	Eastbound	Westbound	Combined
July 2021	100	105	205
September 2021	21	22	43 ⁶
February 2022	6	5	11
June 2022	47	44	91

Question C18. Does the Council wish me to recommend any modifications to the Order as advertised?

Answer C18. Inverclyde Council do not propose any modifications to the Order.

⁶ The Council gives 32 as the combined figure for September 2021, but the detailed data suggests that that is an arithmetical error.

Question C19. Does the Council wish to add anything further (i.e. not already provided to the Reporter) with regard to the merits of the Order and the objection to it?

Answer C19. Nothing further to add.

APPENDIX 2. REPORTER'S QUESTIONS TO OBJECTOR (11 APRIL 2023), OBJECTOR'S ANSWERS (12 APRIL 2023) AND COUNCIL'S COMMENTS ON ANSWERS (20 APRIL 2023)

Question O1. You write in your objection dated 13 August 2022 that difficulty on West Blackhall Street would arise if traffic builds up behind slow-moving cyclists. Can you explain this further, given that the Order proposes a lane for cycles which will not carry any motor traffic?

Objector's answer O1: I'm assuming that cyclists will have to obey the same rules of the road as everyone else and that although the cycle lane will not carry motor-traffic, cyclists will have to comply with the rules of the road in the same way as other road users. As I understand it, there is to be traffic control at Grey Place, therefore it is inevitable that at various times there will be a build-up of vehicles, which means they will be running in very close proximity to the actual lane where motorised traffic is. Apart from the usual cars, I assume this will include delivery vehicles, some of which are as you know very high sided, and the driver cabins are in themselves very high up. You therefore have two issues to consider. Firstly that very often lorry drivers have great difficulty in seeing cyclists below them, and secondly, the fact that these higher sided vehicles have the ability to pull in cyclists in their slipstream, particularly in restricted spaces.

Council's comment O1: The traffic control is already in place on Grey Place albeit that some minor changes may be required to make the cycle lane a permanent feature. These minor changes will not affect the roads used by motor vehicles. It is unlikely that any further changes will be made on Grey Place where facilities are in place for pedestrians, cyclists and motor vehicles.

Question O2. You write in your letter to the Council on 2 February 2023 that you "feel very strongly that cycle lanes have in the main seriously damaged many of the roads in the area ...". Can you specify examples of locations where this has occurred?

Objector's answer O2: The main road on Brougham Street has been very badly affected, particularly between Campbell Street and Patrick Street, although some remedial work has recently taken place. Also, the Esplanade is in a pretty shabby state. The surface is poor and the cycle lane runs at varying angles.

Council's comment O2: Changes were made to the signal timings at the junction of Brougham Street, Grey Place and Patrick Street which allow the junction to operate more effectively to minimise delays to motor vehicles as much as possible. Like many town centre roads throughout the country, delays are experienced during peak periods and during periods of good weather when more people travel along the coast.

Question O3. You write in your letter to the Council on 2 February 2023 that on cycle lanes you "believe that the figures to support their use which have been presented to the public are seriously flawed." Can you clarify what figures you are referring to, and why you believe they are seriously flawed?

Objector's answer O3: On 26th February 2022, a report in the Greenock Telegraph said that there was concern because Local Authority Data suggested that only 24 bikers were using the cycle lanes daily. However it was expected that 10,966 would use them each year. To me this seems a very unrealistic and over-optimistic figure. As I am writing this, it is four o'clock in the afternoon in the week of the Easter Holidays when schools are off and many people are out and about. My window view is right along the Esplanade, and there is not a single cyclist to be seen using the cycle lane, or any cyclists for that matter, and

this is on what you would assume would be a popular route. It should be emphasised however that many people are out walking.

Council's comment O3: The statistics provided are estimated from surveys undertaken following the introduction of the cycle lanes introduced through the funding for "Spaces for People" during the pandemic. The surveys were in place for 7 days and ran 24 hours per day and therefore provide a considerable amount of information about the use of the cycle lanes on the A770 and Greenock Esplanade. Along the majority of the route of the new cycle lanes, pedestrian facilities were not reduced; instead, space was taken from motor vehicles.

Question O4. Do you wish to add anything further with regard to the merits of the Order and your objection to it?

Objector's answer O4: I can only tell you that there are far more walkers and runners about than cyclists, and those pedestrians should therefore be the priority. I also know, having lived beside someone who was what I would describe as a serious cyclist, who participated in marathons always said that he and those like him would never use a cycle lane.

Council's comment O4: It is correct that there are more walkers and runners, however, the provisions for them are largely unaltered by the existing facilities or the proposed cycle lane on West Blackhall Street. The off-road facilities are not intended for serious cyclists as they are confident using the roads and are able to travel at speeds which cause less disruption to motor vehicles. The cycle lanes are intended for families and those who are not confident mixing with motor vehicles. They travel at speeds more suited for off-road facilities and minimise frustration from motorists being caught behind slow cyclists.

APPENDIX 3. REPORTER'S FURTHER QUESTIONS TO COUNCIL (20 APRIL 2023) AND COUNCIL'S ANSWERS (27 APRIL 2023)

Question C20. On C3, the Reporter notes the list of organisations consulted by the Council in August 2022. However, he also notes that one of the organisations required by Regulation 4 of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 to be consulted is The Freight Transport Association which does not appear in the Council's list. The Reporter seeks the Council's comment on this.

Answer C20. Inverclyde Council consulted "Logistic Ltd" who are the Freight Association.

Question C21. On C16, the Reporter notes that the Council is not sure that his question C16 is correctly understood. He was not asking why the cycle lane is not to be bidirectional. He seeks to make the question clearer now. The fourth paragraph of the Council's 13 September 2022 letter to Ms Turpie gives "a few reasons" for the introduction of the cycle lane. The inference that could be drawn from the way the Council expresses the second reason for the cycle lane (in the second half of that fourth paragraph) is that the primary objective is to make traffic on the West Blackhall Street carriageway travel in one direction over its full length, and that the cycle lane is merely a secondary consequence of that primary proposal. The Reporter is asking if that inference is correct.

Answer C21. Yes this inference is correct.

**THE INVERCLYDE COUNCIL
WEST BLACKHALL STREET AND ADJOINING
ROADS, GREENOCK (ONE WAY, ONE WAY CYCLE
TRACK, PROHIBITION OF ENTRY, LEFT TURN
ONLY RESTRICTION AND PROHIBITION OF RIGHT
AND LEFT TURNS) TRAFFIC REGULATION ORDER
2022**

THE INVERCLYDE COUNCIL
WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK (ONE WAY, ONE WAY CYCLE TRACK, PROHIBITION OF ENTRY, LEFT TURN ONLY RESTRICTION AND PROHIBITION OF RIGHT AND LEFT TURNS) TRAFFIC REGULATION ORDER 2022

We, The Inverclyde Council, in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3) of the Road Traffic Regulation Act 1984 (as amended) (“the Act”) and of all other enabling powers and after consulting with the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:

1.0 Commencement and citation

- 1.1 This Order may be cited as “The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (One Way, One Way Cycle Track, Prohibition of Entry, Left Turn Only Restriction and Prohibition of Right and Left Turns) Traffic Regulation Order 2022” and shall come into operation on the ## day of ## Two Thousand and ###.
- 1.2 The Plans titled “The Inverclyde Council, West Blackhall Street and Adjoining Roads, Greenock (One Way, One Way Cycle Track, Prohibition of Entry, Left Turn Only Restriction and Prohibition of Right and Left Turns) Traffic Regulation Order 2022” (attached hereto) are incorporated into this Order.

2.0 Interpretation

- 2.1 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:
- “Motor Vehicle” means a means a mechanically propelled vehicle intended or adapted for use on Roads.
- 2.2 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.3 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.
- 2.4 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
- 2.5 The Plans form Schedule 1 to this Order.
- 2.6 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3.0 Prohibitions and restrictions

- 3.1 No person shall drive or cause or permit to be driven any Motor Vehicle on the lengths of road specified in Column 1 of Schedule 2 to this Order otherwise than in the direction specified in Column 2 of the said Schedule, as referred to in the plan annexed to this Order.
- 3.2 No person shall drive or cause or permit to be driven any Motor Vehicle on the lengths of road specified in Column 1 of Schedule 3 to this Order so as to enter the road specified in Column 2 of the said Schedule, as referred to in the plan annexed to this Order.
- 3.3 No person shall drive or cause or permit to be driven any Motor Vehicle on the lengths of road specified in Column 1 of Schedule 4 to this Order so as to make a right turn onto the lengths of road specified in Column 2 of the said Schedule, as referred to in the plan annexed to this Order.
- 3.4 No person shall drive or cause or permit to be driven any Motor Vehicle on the lengths of road specified in Column 1 of Schedule 5 to this Order so as to make a left turn onto the lengths of road specified in Column 2 of the said Schedule, as referred to in the plan annexed to this Order.
- 3.5 No person shall drive or cause or permit to be driven any Motor Vehicle so as to exit Westburn Street on its northeastward approach to West Blackhall Street other than to make a left turn only onto West Blackhall Street.
- 3.6 No person shall travel or cause or permit travel using a pedal cycle on the cycle track as specified in Column 1 of Schedule 6 to this Order otherwise than in the direction specified in Column 2 of the said Schedule, as referred to in the plan annexed to this Order.

4.0 Exemption

- 4.1 Nothing in Article 3 of this Order shall apply to the driving of any motor vehicle being used for police, ambulance or fire and rescue purposes if the observance of any provision of this Order would hinder the use of the motor vehicle for the purpose on which it is being used on that occasion.

5.0 Revocation of existing Traffic Regulation Orders

5.1 The following Orders are hereby revoked:

- The Corporation of Greenock (Various Streets) (One-way) Order 1961;
- The Corporation of Greenock, The Burgh of Greenock (Argyle Street) (One-way) Order 1974;
- The Corporation of Greenock, The Burgh of Greenock (Jamaica Street) (One-way) Order 1974;
- The Burgh of Greenock (West Stewart Street) (Traffic Management) Order 1974;
- The Strathclyde Regional Council (West Blackhall Street, Greenock) (One-way and Prohibition and Restriction of Waiting) Order 1977; and
- The Inverclyde Council, Jamaica Lane, Greenock (One Way Only) Order 2016.

This Order and the six Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ##.

SCHEDULE 1

DRAFT

SCHEDULE 2

WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK

ONE-WAY ONLY

<u>Length of Road in Inverclyde within the Town of Greenock</u>	<u>Permitted Direction of Travel</u>
<u>Argyle Street</u> from West Blackhall Street to West Stewart Street	Southwestbound
<u>Jamaica Lane</u> from Kelly Street to Jamaica Street	Southeastbound
<u>Jamaica Street</u> from Union Street to West Blackhall Street	Northeastbound
<u>Laird Street</u> from Dalrymple Street to West Blackhall Street	Southwestbound
<u>Nicolson Street</u> from West Blackhall Street to West Stewart Street	Southwestbound
<u>Nicolson Street</u> from West Blackhall Street to Dalrymple Street	Northeastbound
<u>Westburn Street</u> from Dalrymple Street to West Blackhall Street	Southwestbound
<u>West Blackhall Street</u> from Westburn Street to Dalrymple Street and Grey Place	Northwestbound
<u>West Stewart Street</u> from Argyle Street to Kelly Street	Northwestbound

SCHEDULE 3

WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK

PROHIBITION OF ENTRY

From <u>Length of Road in Inverclyde</u> <u>within the Town of Greenock</u>	To <u>Length of Road in Inverclyde</u> <u>within the Town of Greenock</u>
Dalrymple Street	Nicolson Street
Dalrymple Street	West Blackhall Street
Grey Place	West Blackhall Street
Jamaica Lane	Jamaica Street (the section between Jamaica Lane and Union Street)
Jamaica Street	West Blackhall Street (this restriction only applies to vehicles attempting to travel in a southeastward direction on West Blackhall Street)
Jamaica Street	West Stewart Street (this restriction only applies to vehicles attempting to travel in a southeastward direction on West Stewart Street)
Jamaica Street	Jamaica Lane
Kelly Street	West Stewart Street
Laird Street	West Blackhall Street (this restriction only applies to vehicles attempting to travel in a southeastward direction on West Blackhall Street)
The section of Westburn Street at its northeastward approach to West Blackhall Street	Westburn Street (this restriction only applies to vehicles attempting to travel in a northeastward direction between West Blackhall Street and Dalrymple Street)

West Blackhall Street	Laird Street
West Blackhall Street	Jamaica Street
West Stewart Street	Nicolson Street
West Stewart Street	Argyle Street
West Stewart Street	Jamaica Street (the section between Union Street and West Stewart Street)

DRAFT

SCHEDULE 4

WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK

PROHIBITION OF RIGHT TURNS

From <u>Length of Road in Inverclyde</u> <u>within the Town of Greenock</u>	To <u>Length of Road in Inverclyde</u> <u>within the Town of Greenock</u>
Dalrymple Street	Nicolson Street
Grey Place	West Blackhall Street
Jamaica Lane	Jamaica Street
Jamaica Street	West Blackhall Street
Jamaica Street	West Stewart Street
Kelly Street	West Stewart Street
West Blackhall Street	Laird Street
West Stewart Street	Argyle Street
West Stewart Street	Nicolson Street

SCHEDULE 5

WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK

PROHIBITION OF LEFT TURNS

From <u>Length of Road in Inverclyde</u> <u>within the Town of Greenock</u>	To <u>Length of Road in Inverclyde</u> <u>within the Town of Greenock</u>
Dalrymple Street	West Blackhall Street
Dalrymple Street	Nicolson Street
Jamaica Street	Jamaica Lane
Laird Street	West Blackhall Street
West Blackhall Street	Jamaica Street
West Stewart Street	Jamaica Street
West Stewart Street	Nicolson Street

SCHEDULE 6

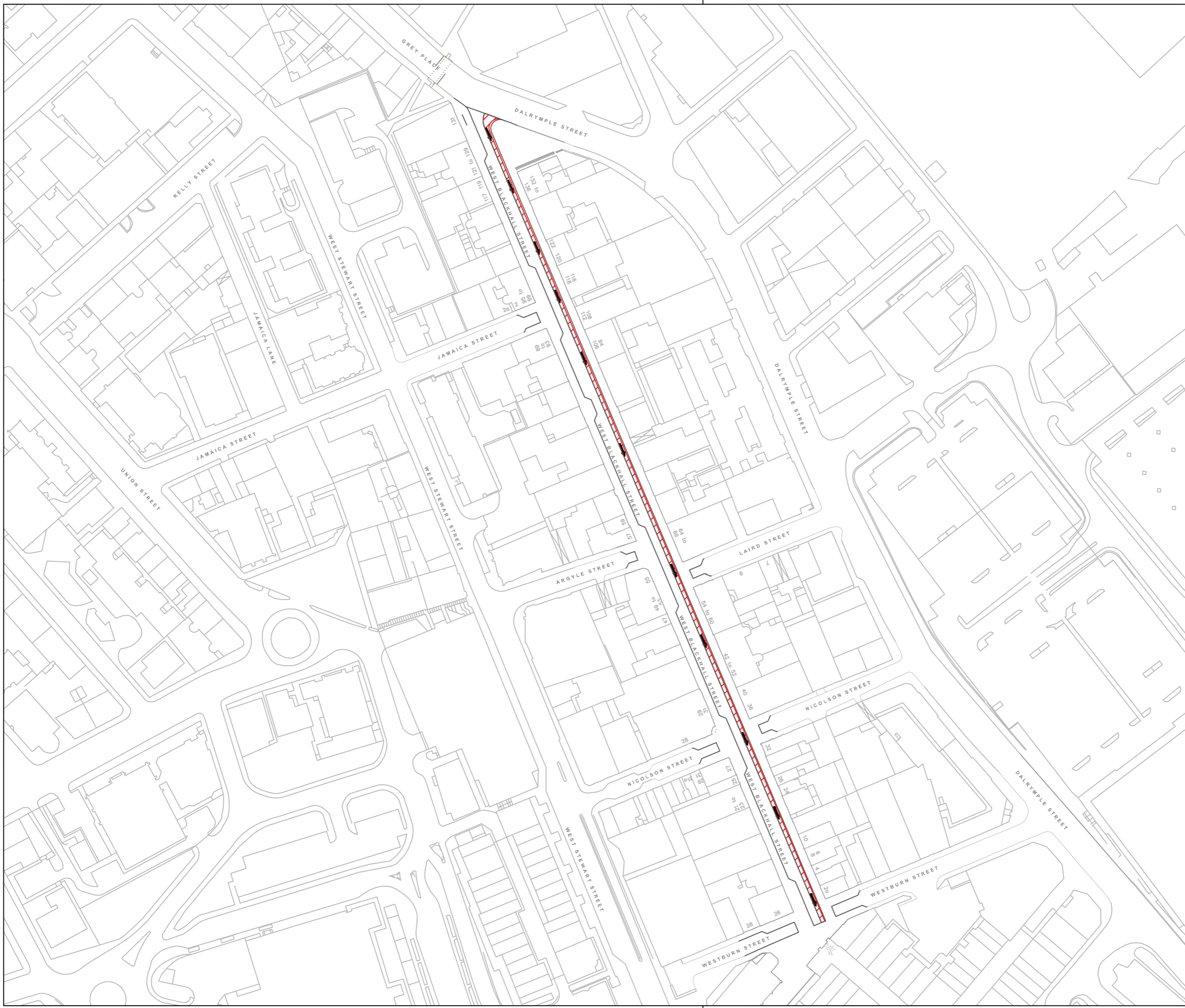
WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK

ONE-WAY ONLY (CYCLE TRACK)

<u>Length of Cycle Track in Inverclyde within the Town of Greenock</u>	<u>Permitted Direction of Travel</u>
<u>West Blackhall Street</u> From Dalrymple Street to Westburn Street	Southeastbound

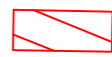
DRAFT


DO NOT SCALE




Key

One Way - Cycleway

 Extent of One Way

 Direction of One-Way Cycleway



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Seal

Stat	Purpose of Issue	Date	Auth

INVERCLYDE COUNCIL
 Vehicle Maintenance Facility
 8 Pottery Street
 Greenock
 PA15 2UH
 Tel: 01475 717171
 Email: roads@inverclyde.gov.uk
 www.inverclyde.gov.uk

THE INVERCLYDE COUNCIL, WEST BLACKHALL STREET AND ADJOINING ROADS, GREENOCK (ONE WAY, ONE WAY CYCLE TRACK, PROHIBITION OF ENTRY, LEFT TURN ONLY RESTRICTION AND PROHIBITION OF RIGHT AND LEFT TURNS) TRAFFIC REGULATION ORDER 2022

EFFECTIVE DATE:

Sheet Size	Original Scale	Designed/Drawn	Checked	Authorised
A3	1:1500	EP	EP	GL
Status	Drawing Number	Date	Date	Date
P	TR/TRO/C204-02	APR '20	APR '20	APR '20

Roads

Fred O'Hara

Transport Scotland, 2nd Floor, George House, 36 North
Hanover St, Glasgow, G1 2AD
fred.o'hara@transport.gov.scot



Emma Peacock
Inverclyde Council
By Email: Emma.Peacock@inverclyde.gov.uk

Date:
19 April 2023

Dear Ms Peacock,

THE INVERCLYDE COUNCIL, WEST BLACKHALL STREET, GREENOCK (REDETERMINATION OF MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE) ORDER 2022

1. I refer to the letter dated 6th February 2023 from your Council seeking confirmation from the Scottish Ministers of the above Redetermination Order and to subsequent correspondence received.
2. Following careful consideration of all of the evidence available, including the objections to the Order received by the Council and the Councils responses to those objections, the Scottish Ministers have decided to confirm the Order without modification.

Background

3. Inverclyde Council is proposing to redetermine the existing means of access of public right of passage for the use of cyclists and pedestrians. The above Order has been promoted by the Council as the local roads authority under the Roads (Scotland) Act 1984. It relates to the public right of passage of West Blackhall Street, Greenock.
4. The Order was published for public consultation on 4th August 2022 with the last date for objections being 1st September 2022. At the end of the consultation period 1 objection to the Order was received and is maintained. As required by the Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986 the Council remitted the matter to Scottish Ministers on 6th February 2023 for determination by the Scottish Ministers.
5. The Scottish Ministers have considered the terms of the Order, made by the Council, the objection made, the response to the objections by the Council and the performance of the Council of the procedural requirements for making an Order under the Stopping Up of Roads and Private Means of Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986 ("the 1986 Regulations").
6. Ministers have considered the form and content of the Order to satisfy themselves that it

was within the powers of the Council to make and that it complied with the relevant statutory procedures. Ministers carefully considered the parties' cases both for and against the Order. They took the view that the central issue in this matter is that the redetermination is necessary to transform the nature and operation of the streets to promote sustainable transport and enhance facilities for cyclists and pedestrians.

7. We have considered the objection received over the advertising period as laid out previously and are content that this was right and proper given that it would have been remiss not to consider objections that were received.

Conclusion

8. Given all of the above evidence, the Scottish Ministers have concluded that The Inverclyde Council, West Blackhall Street, Greenock (Redetermination Of Means Of Exercise Of Public Right Of Passage) Order 2022 should be confirmed without modification.

9. A copy of this decision letter will also be sent to the objector to the Order.

10. It is now the responsibility of Inverclyde Council to publish notice of the confirmation of this Order and to comply with the provisions of service and display of a notice in the manner prescribed by regulation 7 of the 1986 Regulations.

Yours sincerely

Fred O'Hara
Head of Road Policy

Report To:	Environment and Regeneration Committee	Date:	31 August 2023
Report By:	Head of Physical Assets	Report No:	ENV036/23/SJ/EM
Contact Officer:	Eddie Montgomery	Contact No:	01475 714800
Subject:	Active Travel Strategy - Cycling Infrastructure Projects Priority		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The Active Travel Strategy was approved in August 2018 and the report highlights proposed high level active travel route across Inverclyde. Given the continued increase in spend towards active travel, it would be beneficial to agree on a priority list of projects, that will enable Officers to target areas quickly and efficiently.

1.3 This report will focus on cycling infrastructure as there are already suitable walking and wheeling routes.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee agrees with the priority list of projects in Appendix 1 and notes the Head of Physical Assets will develop and implement these schemes in accordance with current guidelines and regulations.

2.2 It is recommended that the Committee delegates authority to Head of Physical Assets to continue to seek funding for the projects through Sustrans and Cycling Walking and Safer Roads (CWSR), along with any other available funding to design and complete the projects in Appendix 1.

2.3 That the Committee notes there is an increase in revenue funding required to maintain this infrastructure and this will be contained within existing budgets.

2.4 Recommends that committee agrees to the continuation of the existing Sustrans funded schemes in section 4.4.

Eddie Montgomery
Head of Physical Assets

3.0 BACKGROUND AND CONTEXT

- 3.1 On 30 August 2018 this Committee approved the Active Travel Strategy and in Appendix A of the Strategy there is a list of future active travel projects to create an Integrated Active Travel Network.
- 3.2 While levels of walking and cycling remain relatively low in Inverclyde, and the topography presents challenges, there are opportunities to develop a more coherent active travel network. Key assets include the existing Core Path Network, the National Cycle Route and the Coastal Route, which, with the addition of connecting links, have considerable potential for both leisure and utility trips.
- 3.3 The provision of a network of safe and convenient routes to key destinations is essential to enable more every-day journeys to be walked or cycled. It is acknowledged that more must be done to create a network from all origins to all destinations, which is safe and convenient for all users. Beginning to develop such conditions is a high priority in the strategy. This will be achieved through network-wide actions, upgrading existing routes and the provision of new links.
- 3.4 The walking network is already largely in place, albeit not always in the best place, following desire lines or in the best condition. Most roads have adjacent footways and there is an extensive Core Path Network throughout Inverclyde. Improvements to the walking network will mostly focus on upgrading the infrastructure already in place. Maintaining and improving the National Cycle Network and further development of the Coastal Route for cycling, including linkages from the major urban areas throughout its length, are key priorities of the Active Travel Strategy.
- 3.5 Inverclyde benefits from NCN75 and NCN753 providing a coastal cycle route from Inverkip in the west, through Gourock, Greenock and Port Glasgow to Kilmacolm. At Greenock, the NCN route deviates away from the waterfront via Port Glasgow towards Kilmacolm. Regional Cycle Route R21 broadly follows the south shoreline of the Clyde Estuary and provides a link between Greenock and Port Glasgow.
- 3.6 The priority map in Appendix 2 looks to enhance and complete the broken coastal route Gourock to Port Glasgow and create a tourist route that is safe for families with an off-road segregated route that can be safe for an unaccompanied 12 year old to use. This aligns with action INF 2 of Active Travel Strategy. The vision is to eventually have bike and electric bike hire at hubs in Gourock, Greenock and Port Glasgow.
- 3.7 The next routes on the priority list will be linking the town centres and linking to the existing NCN network, then linking to our neighbouring authorities in Renfrewshire and North Ayrshire.

4.0 PROPOSALS

- 4.1 Officers continue with detailed design of priority 1 and 2 projects and feasibility studies on priority 3 and 4 noting that some of these schemes may not be feasible. Officers will continue discussions with third parties if route is out with Council ownership. The aim is to install a bi-direction cycle route a minimum of 3m wide using the principals of Cycling by Design 2021, however there may be short sections where this is not achievable.
- 4.2 The Head of Physical Assets will continue to seek external funding to construct these routes and Officers will try to reduce the maintenance cost but increases to the network will bring increased burden and additional revenue will be required to inspect and maintain these routes.
- 4.3 Improvements to walking and wheeling will also be incorporated into the schemes.

4.4 Officers will continue with the existing Sustrans funded projects that encompass parts of the priority list in appendix 1.

- West Blackhall Street – Town centre regeneration and cycle route installation.
- Greenock Town Centre Connections – Feasibility Study of routes in and around Greenock Town Centre
- Inverclyde Green Connections – concept design and consultation on routes from Lady Octavia to Greenock Town Centre and Overton to Greenock Town Centre.
- Battery Park to Greenock – Detailed design to upgrade cycle lane in accordance with Cycling by Design 2021.
- Auchenbothie Quiet Ways – Realignment of cycle route to Auchenbothie Road and creation of 20mph zone.
- Inverkip to Largs – Feasibility study to create a segregated cycle route.
- N75 – Realigning, improvements, removing barriers and resurfacing of route from Lady Octavia to Kilmacolm.
- N75 – feasibility study to reinstate the Devol Glen bridge with a new bridge.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & 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
	Sustrans / CWSR	2023/25	£1m-£2m		Estimated spend, depending on the schemes proposed spend may vary.

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A	Roads Revenue	2023-	£10k-£20k		Maintenance of the route to be contained within existing budgets, for cleaning

					sweeping vegetation clearance and clearing broken glass and vandalism.
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5.3 Legal/Risk

The proposed schemes will require Traffic Regulations Orders and Redetermination Orders.

5.4 Human Resources

There are no HR implications arising from this report.

5.5 Strategic

This project accords with the Corporate Management Plan, by improving active travel.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

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

X	YES – Assessed as relevant and an EqIA is required and will be available through the following website: https://www.inverclyde.gov.uk/health-and-social-care/equality-impact-assess-me
	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?

The measures has been designed to be used by all, with no discrimination.

X	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
	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.

(c) 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.

6.0 CONSULTATION

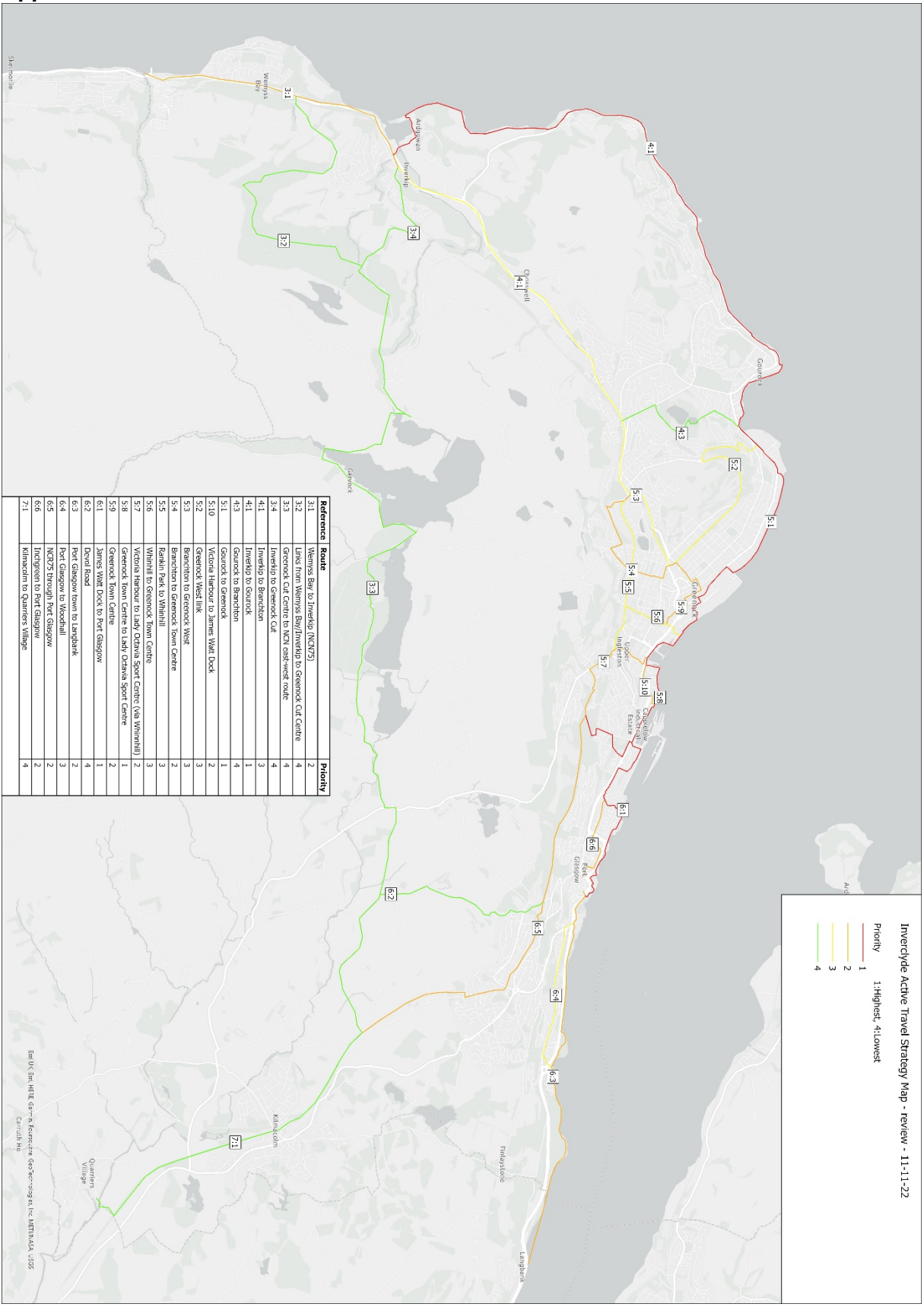
6.1 The Head of Legal and Democratic Services and the Chief Financial Officer have been consulted on this report.

7.0 BACKGROUND PAPERS

7.1 Active Travel Strategy.

Reference	Route	Priority
5:1	Gourock to Greenock (James Watt Dock)	1
6:1	James Watt Dock to Port Glasgow	1
4:1	Inverkip to Gourock	1
5:8	Greenock Town Centre to Lady Octavia Sports Centre	1
6:6	Inchgreen to Port Glasgow	1
3:1	Wemyss Bay to Inverkip (NCN 753)	2
5:4	Branchton to Greenock Town Centre	2
5:7	Victoria Harbour to Lady Octavia Sport Centre	2
5:9	Greenock Town Centre	2
6:4	Port Glasgow to Woodhall	2
6:5	NCR75 Through Port Glasgow	2
4:2	Inverkip to Branchton along A78	3
5:2	Greenock West link	3
5:3	Branchton to Greenock West	3
5:5	Rankin Park to Whinhill	3
5:6	Whinhill to Greenock Town Centre	3
3:2	Wemyss Bay to Greenock Cut	4
3:3	Greenock Cut to NCN 75	4
3:4	Inverkip to Greenock Cut	4
4:3	Gourock to Branchton	4
6:2	Devol Glen	4
6:3	Port Glasgow to Langbank	4
7:1	Kilmacolm to Quarriers Village	4

Appendix 2



EM UC EAM HETE Garmn Ronsazife Garmn-399 84, Inc. NETNICKA, US85
 Carruth Mo

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Physical Assets	Report No:	ENV041/23/SJ/EM
Contact Officer:	Eddie Montgomery	Contact No:	01475 714800
Subject:	Roads and Transportation – SPT Grant Funded Projects		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to advise Committee of the SPT approved Grant Funded Projects for 2023/24 and highlight the significant investment contribution SPT has made over the previous four financial years.

2.0 RECOMMENDATIONS

- 2.1 That Committee note and approve the SPT approved project list for 2023/24 as detailed in Appendix A.
- 2.2 That Committee note the SPT funded projects completed since 2019 as detailed in Appendix B.

Eddie Montgomery
Head of Physical Assets

3.0 BACKGROUND AND CONTEXT

- 3.1 At the meeting of the full Partnership on 17 March 2023, Strathclyde Partnership for Transport approved grant funding for the projects in Inverclyde as detailed in Appendix A to a total value of £0.76m.
- 3.2 The projects embrace and support the policies of the Local Transport Strategy.
- 3.3 All project costs are inclusive of fees.
- 3.4 Payment of the funding will be by grant made in arrears on the basis of evidenced expenditure.

4.0 PROPOSALS

- 4.1 The proposed SPT Grant Funded projects for 2023/24 are detailed in Appendix A to a total value of £0.76m.
- 4.2 The projects will be managed, supervised and, where appropriate, constructed by Roads and Transportation.
- 4.3 The projects will:
- Enhance Inverclyde by further development of the Quality Bus Corridor and Bus Stops and Shelters that provides a variety of improvements to the roads infrastructure which will benefit a number of groups within the community including the elderly, the infirm, the disabled and parents with prams/buggies:
 - The Greenock Town Centre work will contribute to the regeneration and will enhance the town centre, widen footways and install a cycle lane whilst changing the priority of the street from vehicles to pedestrians;
 - The Port Glasgow car park extension will increase the capacity to park and ride, to promote the use of sustainable travel;
 - The Port Glasgow Station Access Improvements will make both platform accessible to all;
 - The Speed Reduction measures will improve road safety in village and town centres.
- 4.4 A list of SPT funded projects that have been delivered in the past four financial years across Inverclyde is included as Appendix B.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	X	
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X

Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing	X	
Environmental & Sustainability		X
Data Protection		X

5.2 Finance

There will be a cost for amending the signs and road markings and extending the permit zones. There will also be an ongoing revenue cost for the issuing of permits on an annual basis as well as cancellations, variations, etc of permits, these costs will be maintained within existing budgets.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Roads Capital Programme	SPT Grant Funding	2023/24	760		SPT projects
SPT Capital Grant		2023/24	(760)		Payment of the funding will be by grant made in arrears on the basis of evidenced expenditure

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	No additional Enforcement	Annual Net Impact	Virement From (if Applicable)	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a	Contained within existing roads budgets

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

This project aligns with the Council Plan by improving access for all.

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:

X	YES – Assessed as relevant and an EqlA is required and will be made available on the Council website: https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments
	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?

The removal of cars parking on pavements will, reduce discrimination and allow access for all.

X	YES – A written statement showing how this report’s recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
	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

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.

5.9 Data Protection

Has a Data Protection Impact Assessment been carried out?

X

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

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 has been consulted on the proposal contained within this Report.

7.0 BACKGROUND PAPERS

None.

Project		SPT Budget Allocation (£m)
		2023/24
Quality Bus Corridor Improvements (design & construction)	Improvements to bus infrastructure across Inverclyde, raised kerbs, new stops and replacement shelters, parking restrictions to allow bus movements	£0.150
Greenock Town Centre Improvements	Regeneration of West Blackhall Street. Street scape project	£0.400
Port Glasgow Park and Ride Extension	Continuation of the detailed design of the Highholm carpark extension	£0.005
Port Glasgow Station Access Improvements	Continuation of installation of the Port Glasgow Station Rail bridge	£0.155
Speed Reduction Measures in Villages	Installation of 20mph mandatory speed limits in village and town centres	£0.050
Totals		£0.760

Project Completed		SPT Budget Allocation (£m) per Financial Year			
		2019/20	2020/21	2021/22	2022/23
Bus Infrastructure Improvements	Raising kerbs, new bus markings, shelters	£0.040	£0.035	£0.015	£0.080
Bus Route Access Improvements	General	£0.325	-	-	-
Lunderston Bay Bus Stops and Shelters	Installation of two bus stops	£0.045	-	-	-
Gibshill Junction Improvements	Improve the cornering on Gibshill Road at Weir St to improve bus turning	£0.085	-	-	-
Greenock Town Centre Improvements	Chapleton Bridge Widening	£0.350	-	-	-
	Design of West Blackhall St and Signalised crossing at William St	-	£0.077	-	-
	William Street traffic signals New Signalised Crossing at Grey Pl	-	-	£0.500	-
	New Signalised Crossing at Grey Pl	-	-	-	£0.100
Port Glasgow Access Improvements	New Setts to footways in Port Glasgow	£0.118	£0.162	-	-
Cycle Route Improvements	Widening of footway at Lunderston Bay	£0.055	£0.090	-	-
	New cycle route at Victoria Harbour	-	-	-	£0.110
Pedestrian Crossing Accessibility Improvements	Design of the pedestrian crossing improvements	£0.009	-	-	-
	Improve the pedestrian crossing points in line with current guidance	-	£0.011	£0.156	-
Improve Traffic Management Systems	Design of the signal improvements	£0.016	-	-	-
	Detection and timings on A770 traffic Signals	-	£0.132	£0.262	-
Port Glasgow Station Improvements	Additional section of bridge connecting Highholm car park	-	-	-	£0.415
Port Glasgow Park and Ride extension	Design of new car park extension	-	-	-	£0.055
Speed Reduction in Town Centre	Purchase of materials for 20mph in Kilmacolm, Port Glasgow, Greenock and Gourrock	-	-	-	£0.005
Mirren Shore Shared Cycle Route	New cycle route.	-	-	-	£0.060
Totals		£1.043	£0.507	£0.933	£0.825

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Physical Assets	Report No:	ENV045/23/EM
Contact Officer:	Eddie Montgomery	Contact No:	01475 714800
Subject:	Dunrod Road – Closure and Landslip		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to inform Committee of proposed solutions for re-instating access following the landslip on Dunrod Road, Inverkip

1.3 The option recommended by the CMT requires a significant contribution from the 2023/26 Capital Programme contingency and as such the financial implications will require approval by the Policy & Resources Committee.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:

- Notes the contents of the Landslide Risk Map regarding the slippage risk over a 460m section of Dunrod Road;
- Support Officers recommendations to proceed with Option 3 to re-align Dunrod Road up the slope towards the Greenock Cut;
- Agree to assign CWSR and Town and Village Centre funds to the project as part of the funding mix;
- Agree that it be remitted to the Policy and Resources Committee seeking approval of £1.5m from the 2023/26 Capital Programme contingency.

Eddie Montgomery
Head of Physical Assets

3.0 BACKGROUND AND CONTEXT

- 3.1 Dunrod Road links the A78 west of Spango Valley with the Old Largs Road and provides access to the Clyde Muirshiel Regional Park visitor centre at Cornalees from the western side of the local authority area. It is a single track road with passing places popular with walkers, cyclists and other road users. As well as being used for pleasure uses it has been used extensively by Scottish Water and Scottish Power Energy networks for major infrastructure works as well as providing access to farm and business premises.
- 3.2 Heavy rain in November 2011 caused a major landslide on Dunrod Road approximately 600m west of Shielhill Farm, Inverkip. Half of the road collapsed and moved down the hill. A geotechnical consultant was engaged with remedial works undertaken in October 2012 to stabilise the embankment.
- 3.3 In 2020 due to poor weather conditions and heavy rain the next section of Dunrod Road downhill from the section that was repaired in 2012 showed signs of movement, with cracks appearing in the road surface. Geotechnical consultants were engaged and the cause of the cracking was attributed to water ingress. Remedial works were undertaken to improve the drainage and resurface the road. These works were completed in March 2021.
- 3.4 By the end of 2021 cracks were again starting to appear in the road surface and this may be attributed to the additional large vehicle movements or underground subsidence. The road was monitored on a monthly basis and showed a steady increase in movement. To reduce the stress and load on the road, vehicle movements were restricted to 3 tonnes, however by the end of July 2022 the movement was deemed too severe to allow any more vehicles to pass as cars were grounding over the subsided surface and the embankment was also showing signs of further movement.
- 3.5 Temporary signs and cones were placed to close the road however these measures were being moved and vehicles were still driving over the cracked road. A permanent barrier system was then erected to protect the general public as there was a risk of a road collapse, the signage of which has been subsequently enhanced.
- 3.6 A detailed geotechnical study was undertaken and completed in April 2023 and this included deep boreholes to determine the cause of the failure. The borehole survey results have shown a notable displacement to a depth of 3m, indicating mass movement of the superficial soil and additional investigation works are required prior to determining a solution.
- 3.7 On reviewing the geotechnical study and given the significant costs to repair 80m of road due to the mass movement of soil 3m deep and that other sections of the road down to the bends over the past 10 years have shown signs of movement. Officers engaged the consultant to undertake a desktop study of the entire area above and below the failed section to determine if there were other areas of concern.
- 3.8 The Geohazard Mapping Survey and Desk Study investigated the stability of Dunrod Road over a length of 460m including areas above and below the road. The report concluded that 160m of the existing road is at high risk of slippage and 80m of the high risk area was repaired in 2012. Another 300m should be avoided as it is at medium risk as these areas would require significant mitigation measures. The study also suggested that an alternative route should be investigated in the low-risk zone between the Cut and the top of the slope above the road. A copy of the risk map is contained in Appendix 1.
- 3.9 On completion of the Geohazard Mapping a roads feasibility study was undertaken in May 2023 to determine if an alternative route was possible. The report concluded that there was a feasible alternative route but this would require further investigation works including drainage.

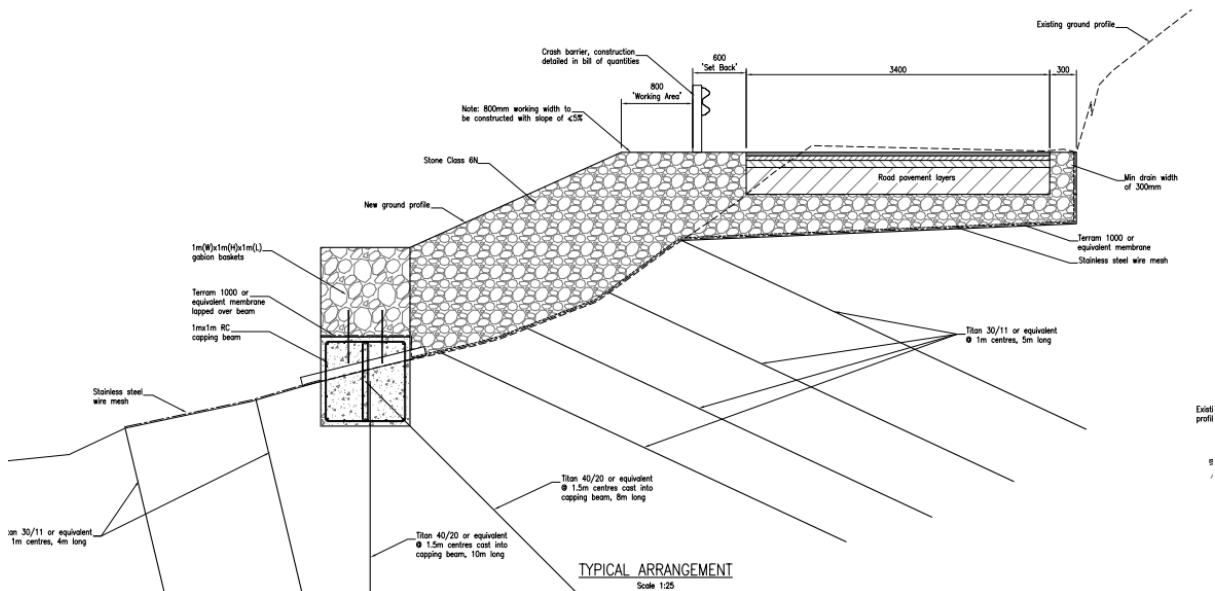
3.10 Engagement has been carried out with a number of affected individuals impacted with the closure. In order to achieve a positive outcome, the adjacent farmer has offered use of the field required to deliver Option 3. All of the proposals require a drainage solution to be delivered which prevents the ongoing water run off issue.

4.0 PROPOSALS

4.1 As the repairing and re-opening of the road has significant cost implications Officers have looked at a range of options to repair and open the road, to either vehicles or pedestrians and cyclists.

Option 1 - Repair 380m of road with Soil Nails - £5.0-5.5m

Install Soil-nails to stabilise the weak sections of slope by tying them back into the rock face, along with the installation of a soil-nailed capping beam tied into the soil nails and then gabion baskets. The upfilling of the road make-up would then be constructed and resurfaced over the entire length. Installation of Vehicle Restraint System along the length. This would allow the road to open along the same alignment as the existing. This construction would be the same for the 380m of high and medium risk areas.



Previous typical soil-nailing detail

Option 2 - Repair slippage section only with Soil Nails - £1.45-1.65m

Repair the slippage section over a length of 80m by soil nailing the slope back into the rock and the installation of a soil-nailed capping beam and then gabion baskets. The upfilling of the road make-up would then be constructed and resurfaced over the 80m of failure. Installation of Vehicle Restraint System along 80m. This would repair the worst section of road however there is still another 300m of road in the medium risk zone and could start to fail at any time. With this proposal there would be a need to weight restrict the road to reduce the deterioration of the weaker areas. The 3.5t weight limit would still need to stay in place.

Option 3 - Construct a new road 3.5m wide with passing places - £2.0m

Construction a new road 3.5m wide, 1m verges, with passing places further up the hill towards the cut. The road would cut into the hillside between the cut and the top of the steep slope. The upfilling of the road make-up would then be constructed and resurfaced. The length of newly constructed road would be 650m. A Vehicle Restraint System will be required along parts of the road. This would remove the risk of further slippage and would future proof the road. A weight limit would be advisable for this option as well but may not be as severe as Option 2. It might be a 7t weight limit instead of a 3.5t weight limit.

Option 4 - Construct a new cycle and walking route and closed to vehicular traffic - £1.8m

Construction of a 2m wide walking, wheeling and cycling route along the same route as Option 3 but a narrower route with footpath construction instead of road construction. The road would remain closed to vehicular traffic but would allow cyclists and pedestrians to access the area. Turning areas and signage would be constructed to allow vehicles to turn.

Option 5 - Do nothing and leave the road closed - £0.3m

Will require additional signage and turning areas to be constructed at the fences to allow vehicles to turning around safely.

- 4.2 Officers would recommend Option 3 as this opens the road up and reduces the risk of further slippage. To shut the road to vehicular traffic entails an eleven mile diversion route and the other access whilst it is open is not ideal in the long term as there are two sharp hair-pins bends and the road past Whinhill course has been subject to failure in the past as it is a floating road on peat. Therefore, additional permanent traffic on this alternative route would result in the Old Largs Road requiring upgrading works. The next preferred option would be Option 1 as this again opens the road but has more significant cost implications.
- 4.3 Closing the road to vehicular traffic would be the last option due to the length of the diversion route and as the Cornalees Visitor Centre is a prominent leisure facility for the area. Old Largs Road has steep inclines and sharp corners and is susceptible to deterioration with additional traffic over a prolonged period of time. A cycle and walking route would be a compromise, however it is a steep climb from Inverkip to Cornalees and this option would also require consideration of a turning area as per Option 5 due to the vehicular restrictions increasing the overall cost beyond that of Option 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
Financial	x	
Legal/Risk	x	
Human Resources		x
Strategic (Partnership Plan/Council Plan)	x	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing	x	
Environmental & Sustainability	x	
Data Protection		x

5.2 Finance

One off Costs – based on **Option 3** Construction costs £1.795m + Consultant and Project Management costs of £0.205m = £2.00m.

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Capital Programme	Contingency	2023/25	1,500		Capital contingency, requires P&R Committee approval.
External Funding	CWSR Grant	2023/25	200		
External Funding	T&VC unallocated sum	2023/25	300		Resources freed up by use of Place Based Funding Grant
			2,000		

Annually Recurring Costs/ (Savings)

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

5.3 Legal/Risk

Conveyancing will be required for the land use however it is anticipated that there will be no cost associated with the acquisition of the land. Traffic Regulation Orders may also be required.

5.4 Human Resources

None

5.5 Strategic

The proposed option would ensure access to a popular outdoor recreational facility for residents and visitors alike.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

The project could restrict access to the Cornalees Centre or keep as same. The design is compliant with the Equality Act –suitable for all. An EqIA has yet to be completed, along with a monitoring and evaluation report once the scheme is completed.

(a) Equalities

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

X	YES – Assessed as relevant, an EqlA is required and will be made available on the Inverclyde Council website: https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments
	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.

(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.

(c) 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.

5.7 **Environmental/Sustainability**

The realignment of the road associated with Option 3 involves some minimal tree removal. The reopening of the road will address the current significant traffic diversion route and the associated vehicle emissions impact.

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.

6.0 **CONSULTATION**

6.1 The Head of Legal, Democratic, Digital and Customer Services and the Chief Financial Officer have been consulted on this report. The CMT support the recommended option.

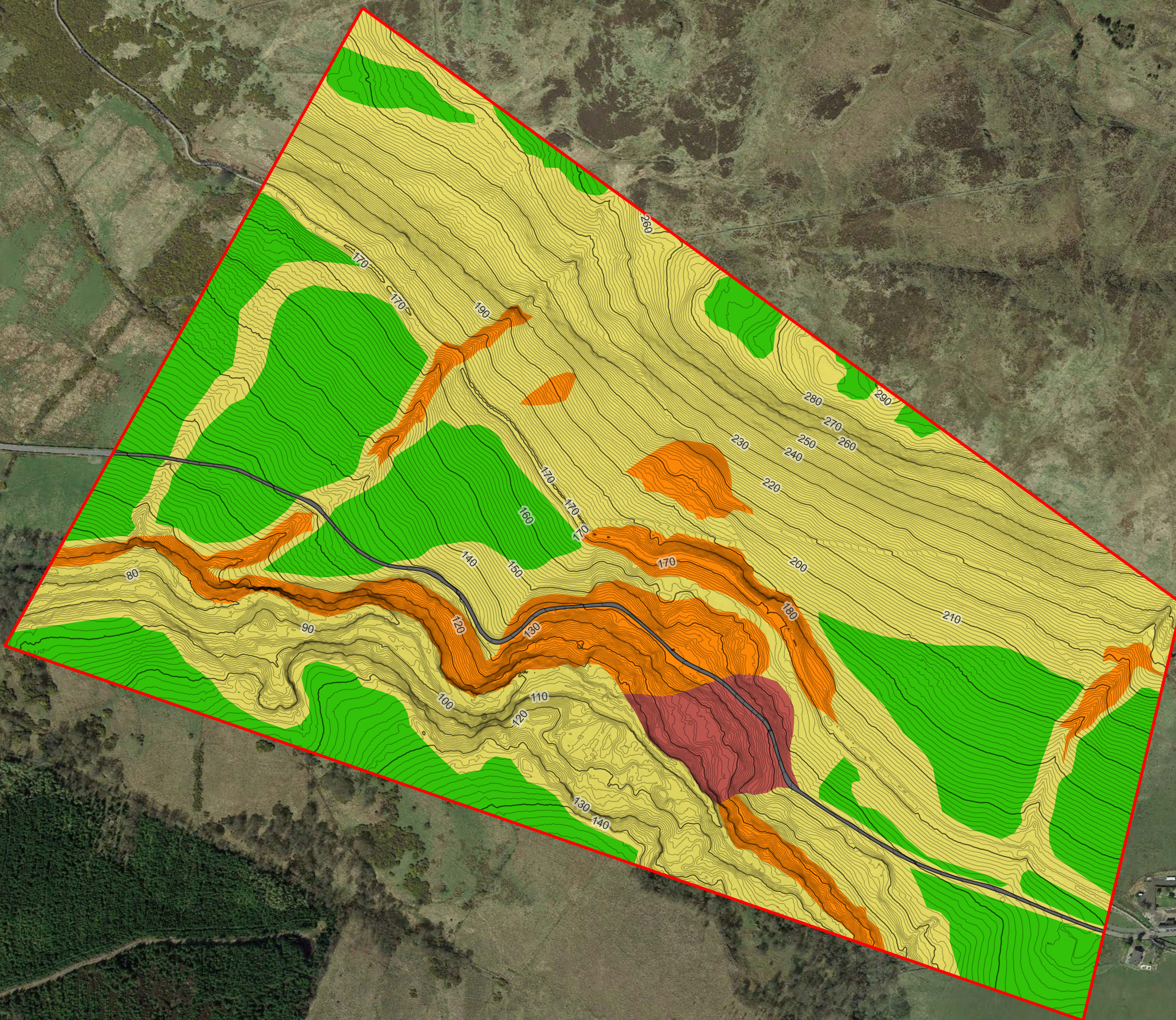
7.0 BACKGROUND PAPERS

7.1 Dunrod Road Stability Assessment, Geotechnical Interpretative Report and Slope Repair Options – Sweco – 17th April 2023.

Dunrod Road, Geohazard Mapping Survey and Desk Study – Sweco - 17th May 2023.

Dunrod Road Realignment, Outline Feasibility Summary Report – Sweco – 26th May 2023

- Survey Area
- Dunrod Road
- Watercourses
- High Risk
- Medium Risk
- Negligible Risk
- Low Risk
- Contours (1m)
- Contours (10m)



A	16/05/2023	First Issue	FS	DK	GG
Rev	Date	Amendment Details	By	Chk	App

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Client: **Inverclyde council**

Project Title: **Dunrod Road - Slope Stability Extended Study**

Drawing Title: **Figure 4: Landslide Risk Map**

Sheet Size	Scale	Sweco Ref	Revision
A3	1:4000.0	65208087-SW/E-XX-00-G-G-0004	A

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Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/072/23
Contact Officer:	Emma Peacock	Contact No:	01475 712115
Subject:	Proposed Traffic Regulation Order - The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order No.2 2023		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 Local Authorities are empowered to make certain road orders under the Road Traffic Regulation Act 1984 as amended and under the Council's Scheme of Delegation the Head of Physical Assets and the Head of Legal, Democratic, Digital & Customer Services are responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders
- 1.3 The purpose of this report is to inform the Committee of the outcome of the consultation procedure undertaken for the Traffic Regulation Order (TRO) entitled The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order No.2 2023 where 1 maintained objection has been received. The report also seeks a decision whether the Committee will hear the objection relating to the TRO themselves or appoint an independent Reporter.
- 1.4 The provision of on-street parking places for use by disabled drivers, who are the holders of a Disabled Driver's Badge, is regulated by The Disabled Persons' Parking Places (Scotland) Act 2009. The Council is required to promote a Traffic Regulation Order to regulate the use of such parking places.
- 1.5 In order to comply with The Disabled Persons' Parking Places (Scotland) Act 2009, Section 5, the Council propose to introduce a TRO to accompany the provision of parking places for disabled persons' vehicles. This will restrict parking to vehicles displaying a Blue Badge only and will enable enforcement of such restrictions at the locations shown on the plans attached to the TRO.
- 1.6 The proposed TRO will have the effect of creating a Disabled Persons' Parking Place at No. 20 Davaar Road, Greenock.
- 1.7 As a result of the consultation carried out in connection with the proposed TRO, there is 1 maintained objection.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:

A. Notes the requirement to hold a public hearing to consider the maintained objection, and decides either to hear this before a special meeting of this Committee or by an independent Reporter and remits it to the Head of Physical Assets and the Head of Legal, Democratic, Digital & Customer Services to make the necessary arrangements for the public hearing.

B. Notes, if the Committee decides to appoint an independent Reporter, the cost associated with this is approximately £10,000 which would come from the Decriminalised Parking Enforcement Revenue Budget.

Iain Strachan
Head of Legal, Democratic, Digital & Customer Services

3.0 BACKGROUND AND CONTEXT

- 3.1 The proposed TRO was issued for public consultation on 2 May 2023 with responses invited by 23 May 2023. At the end of this consultation period, 1 objection was received.
- 3.2 Officers wrote to the objector following the public consultation in connection with this proposed TRO however the objector has confirmed they wish their objection to be maintained.

4.0 PROPOSALS

- 4.1 The Committee is asked to consider the proposed TRO, a copy of which forms Appendix 1, and to accordingly note the requirement to hold a public hearing to consider the maintained objection to this Order. The Committee is also asked to consider whether to hear this before a special meeting of this Committee or by an independent Reporter.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & 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
Capital	Other assets	23/24	£1k		Spend on road sign and lines if DPPP approved. Proposed spend does not include potential cost of hearing.

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

The legal implications are summarised in this report.

5.4 Human Resources

There are no Human Resources implications directly associated with the proposal.

5.5 Strategic

N/A

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(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.

(c) 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.

5.7 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.

5.8 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 proposal has been advertised in the Greenock Telegraph and full details of the proposal has been made available for public inspection on the Council's website. A copy of the draft Order forms Appendix 1.

7.0 BACKGROUND PAPERS

7.1 N/A

THE INVERCLYDE COUNCIL
DISABLED PERSONS' PARKING PLACES
(ON-STREET) ORDER NO.2 2023
TRAFFIC REGULATION ORDER

DRAFT

THE INVERCLYDE COUNCIL
DISABLED PERSONS' PARKING PLACES (ON-STREET)
ORDER NO.2 2023

The Inverclyde Council in exercise of the powers conferred on them by Section 32(1) of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Police Scotland in accordance with Part III of Schedule 9 to the Act hereby make the following Order.

1. This Order may be cited as "The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order No.2 2023" and shall come into operation on #####.
2. In this Order the following expressions have the meanings hereby assigned to them:-
 - "Council" means The Inverclyde Council or its successors as Roads Authority;
 - "disabled person's badge" means:
 - (a) a badge issued under Section 21 of the Chronically Sick and Disabled Persons Act 1970 (as amended);
 - (b) a badge issued under a provision of the law of Northern Ireland corresponding to that section; or
 - (c) a badge issued by any member State other than the United Kingdom for purposes corresponding to the purposes for which badges under that section are issued; and which has not ceased to be in force;
 - "disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge;
 - "parking attendant" means a person employed in accordance with Section 63A of the Act to carry out the functions therein;
 - "parking place" means an area of land specified by number and name in Columns 1 and 2 in the Schedule to this Order;
 - "traffic sign" means a sign prescribed or authorised under Section 64 of the Act; and
 - "vehicle" unless the context otherwise requires, means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether or not by mechanical power.
3. The Schedule titled "Disabled Persons' Parking Places (On Street) Order No.2 2023" forms the Schedule to this Order.
4. Each area of road which is described in the Schedule to this Order and the plan relative to this Order is hereby designated as a parking place.
5. The parking places shall only be used for the leaving of disabled persons' vehicles displaying a valid disabled person's badge.

6. The limits of each parking place shall be indicated on the carriageway as prescribed by The Traffic Signs Regulations and General Directions 2016, as amended.

7. Every vehicle left in any parking place shall stand such that no parking place is occupied by more than one vehicle and that every part of the vehicle is within the limits of the parking place provided that, where the length of a vehicle precludes compliance with this paragraph, such vehicle shall be deemed to be within the limits of a parking place if:-

the extreme front portion or, as the case may be, the extreme rear portion of the vehicle is within 300mm of an indication on the carriageway provided under this Order in relation to the parking place; and

the vehicle, or any part thereof, is not within the limits of any adjoining parking place.

8. Any person duly authorised by the Council or a police officer in uniform or a traffic warden or parking attendant may move or cause to be moved in case of any emergency, to any place they think fit, vehicles left in a parking place.

9. Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever such suspension is considered reasonably necessary:-

for the purpose of facilitating the movement of traffic or promoting its safety;

for the purpose of any building operation, demolition, or excavation in or adjacent to the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe, apparatus for the supply of gas, water electricity or of any telecommunications apparatus, traffic sign or parking meter;

for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;

on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or

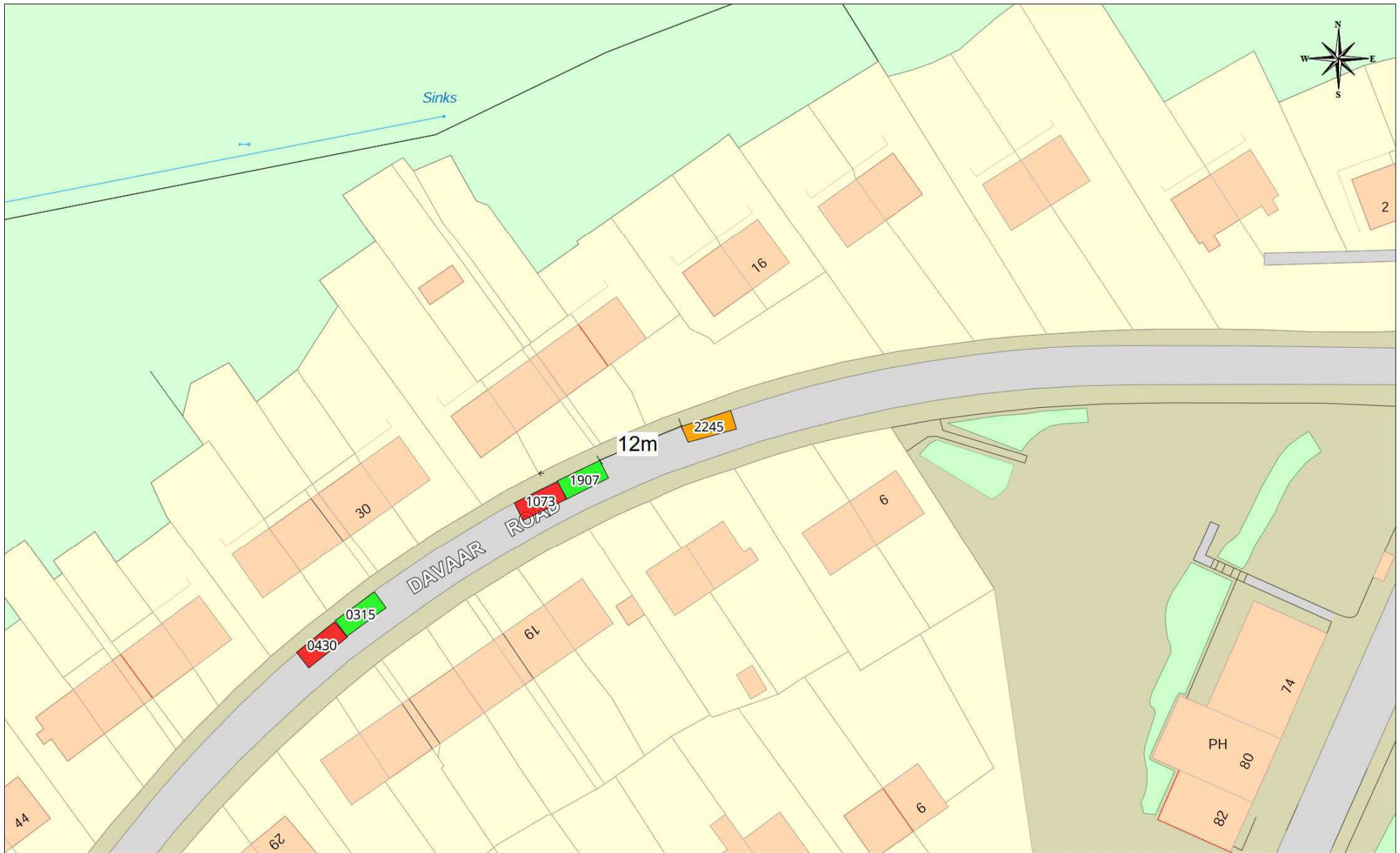
for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions.

10. A police officer in uniform may suspend for not longer than twenty four hours the use of a parking place or part thereof whenever such suspension is considered reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

Sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by #####, Proper Officer, on the ##### day of #####, Two Thousand and Twenty Three.

DRAFT

DISABLED PERSONS' PARKING PLACE



Inverclyde
council
Roads & Transportation

Address: 20 Davaar Road, GREENOCK

23/06/2022

Environment, Regeneration & Resources
Stuart Jamieson, Interim Service Director – Environment and Economic Recovery

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Place No.: 2245



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Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/071/23/IS
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	Elected Member Objections to Roads and Traffic Orders		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to fulfil a decision of the Environment & Regeneration Committee on 9 March 2023, namely for officers to (i) review the custom and practice of Elected Members making objections to proposed roads and traffic orders, with a report to be brought back to a future meeting of the Committee, and (ii) refer to the Strategic Leadership Forum the matter of Elected Members formally objecting to such proposed orders.

1.3 This report concludes that there is nothing inherently wrong with Elected Members making objections to such orders, and even maintaining such an objection, provided that they make it clear they are an Elected Member and that at all times they ensure they comply with the Councillors' Code of Conduct. As such, Officers do not believe there needs to be any change to existing practice.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee notes the contents of this report; and

2.2 It is recommended that the Committee agrees that there are no changes required to existing practice as regards Elected Members making objections to proposed roads and traffic orders, other than it being noted that it is not always necessary for the Council to appoint a Reporter to consider maintained objections by an Elected Member, and the Council could deal with this at the Committee going forward, with the ability to still refer it to a Reporter where that was felt appropriate, subject to any overriding regulatory provisions.

Iain Strachan
Head of Legal, Democratic, Digital & Customer Services

3.0 BACKGROUND AND CONTEXT

- 3.1 At its meeting on 9 March 2023, the Environment & Regeneration Committee considered a report from the Shared Head of Roads and Environmental Services, in connection with “20mph Town & Village Centres Speed Limit Orders – Maintained Objections”. A link to the papers for that Committee is included here:- <https://www.inverclyde.gov.uk/meetings/meeting/2537>.
- 3.2 The report in question considered six Speed Limit Orders (SLOs). During the period of public consultation on the SLOs, one valid objection was received to the SLO in respect of Inverkip, and one valid objection to the SLO in respect of Wemyss Bay. No objections were received to the four other SLOs, in respect of Kilmacolm, Port Glasgow, Gourock and the 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 objector did not respond therefore their objections were considered to be maintained. The objector in both instances is an Elected Member.
- 3.3 The report noted that “[t]he 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.”
- 3.4 Following consideration of the report the Committee agreed to hear the objections through an independent reporter. In addition, the Committee agreed two further actions, namely for officers to (i) review the custom and practice of Elected Members making objections to proposed roads and traffic orders, with a report to be brought back to a future meeting of the Committee, and (ii) refer to the Strategic Leadership Forum the matter of Elected Members formally objecting to such proposed orders.
- 3.5 For the purposes of this report, Officers have considered Elected Member objections to the main roads and traffic orders promoted by the Council, being Traffic Regulation Orders, Redetermination Orders, Stopping Up Orders, SLOs and Traffic Calming Schemes, albeit there are others too, including Weight Restriction Orders and One-Way Orders. In this report all such orders are referred to as “Orders”.
- 3.6 Current officers within Legal Services can only recall two other instances of an Order being the subject of a formal maintained objection from an Elected Member.
- 3.7 The first relates to The Leapmoor Cottage Public Path Diversion Order (PPDO) in 2010. Being a PPDO, the objection had to be referred to the Scottish Ministers, who considered the objection at a public local inquiry and ultimately dismissed it.
- 3.8 The second is current and relates to the recent Port Glasgow and Kilmacolm Waiting and Loading TROs, where an Elected Member has objected to both TROs and each of those objections is still maintained. This was reported to the Committee on 12 January 2023. It is to be noted that there were other objectors to these TROs, there being 42 and 2 objections to each TRO respectively. <https://www.inverclyde.gov.uk/meetings/meeting/2519> .
- 3.9 In addition, current officers can also recall three other instances where there were objections/informal objections from Elected Members that were dealt with or withdrawn following engagement by officers. These related to (i) the Off Street Car Parks Variation Order Number 11, where the Lochwinnoch Road, Kilmacolm car park was subsequently removed from that Order, (ii) a traffic calming project at Sinclair Street bridge where the informal objection was negotiated

out through discussion and (iii) a Disabled Persons Parking Place (DPPP) Order although again the negative comments were dealt with and this did not turn into a formal objection.

- 3.10 The Head of Legal, Democratic, Digital & Customer Services has consulted with other Scottish local authorities, and there have been no authorities who have advised of having local rules that seek to restrict the ability of Elected Members to object to or make representations in respect of such Orders. It is, however, noted that only three authorities responded. In addition, it is understood that none of those three have had Elected Member objections, but they all indicated they would deal with it at committee and not appoint a reporter.
- 3.11 In addition, Elected Members are themselves citizens of Inverclyde, and as a matter of principle there is no reason why they should not have the right to object or make representation on such regulatory matters, even though it might be rare that they do so. It could also be argued that, with their knowledge of the area and how local government works, they are better placed to object or make representation and thus represent local interests more effectively than other citizens. The Council could not lawfully deny an Elected Member the right to object or make representation on such matters, and any such proposed approach would need to be a voluntary arrangement that Elected Members individually chose to accept.
- 3.12 Formal consideration of an Order by a Committee is a *quasi-judicial* matter. The Councillors' Code of Conduct (the Code) is clear on that, with the guidance specifically noting that decisions made in respect of traffic regulation orders are *quasi-judicial* or regulatory, in terms of the Code. As ever, it is for Elected Members to ensure they comply with the Code, and it is not for officers to remind them. However, it is to be noted that such decisions often carry additional sensitivity, and increased risk. This is both for the Elected Member in question, and the guidance on the Code highlights the "need to be especially vigilant", but also the Council, should there later be a question over the lawfulness of the decision. The guidance notes that even the perception that the Code has not been followed could result in a challenge to the decision. Clearly, an Elected Member who had objected to an Order, or made certain public comments about it, could not take part in the decision-making in respect of it, but they would need to be mindful of the duties borne by the Elected Members who will be considering it. They would also need to consider their wider duties under the Code, including the additional resources (both time and financial cost) that may be incurred by the Council in dealing with their objection, especially if the only objection is theirs, and how that might be perceived by the public.
- 3.13 This report is not the place for a detailed review of the Code, however, and a link to the Standard Commission's website is included here:-
<https://www.standardscommissionscotland.org.uk/guidance/guidance-notes>
- 3.14 If any Elected Member is ever unsure on their duties under the Code they should seek advice from the Council's Monitoring Officer.
- 3.15 As required in terms of the Committee's decision on 9 March 2023, the Strategic Leadership Forum have been consulted on this report.

4.0 PROPOSALS

- 4.1 Given the above, including (i) the fact it is understood to have been relatively rare for Elected Members to maintain objections in respect of such Orders, (ii) the terms of the Councillors' Code of Conduct, (iii) the fact Elected Members are also citizens of Inverclyde and (iv) known practice in other local authorities, Officers consider there is no need for the Council to review its current arrangements and no need for any form of restriction on the ability of Elected Members to object to or make representations in respect of such Orders. In addition, as noted above, the Council could not lawfully deny an Elected Member the right to object or make representation on such

matters, and any such proposed approach would need to be a voluntary arrangement that Elected Members individually chose to accept.

4.2 It is, however, not necessary for the Council to appoint a Reporter to consider maintained objections by an Elected Member, and the Council could deal with this at the Environment & Regeneration Committee going forward, with the ability to still refer it to a Reporter where that was felt appropriate. This would represent a change in practice, that Elected Members would need to be comfortable with. In addition, this would also only assist in the question of costs, and would not deal with the substantive issue here, which is the ability of Elected Members to make and maintain objections against Orders. It is, however, to be noted that for certain Orders, where there is a maintained objection, the relevant regulations require the matter to be considered by a Reporter/determined by the Scottish Ministers.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial		x
Legal/Risk	x	
Human Resources		x
Strategic (LOIP/Corporate Plan)		x
Equalities, Fairer Scotland Duty- & 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. However, as noted above, where there is a maintained objection to an order from an Elected Member, then the Council will incur additional costs should the current practice be continued and an independent reporter appointed to hear the inquiry. The costs of such an inquiry will vary from order to order, depending upon the facts in question, including whether or not there are other maintained objections, however recent experience suggests that even a fairly straightforward inquiry could cost in the region of £5-10,000, exclusive of VAT and outlays, depending upon the individual nature of the matter in question.

5.3 Legal/Risk

The legal and risk implications are included earlier in this report.

5.4 Human Resources

There are no human resources implications arising directly from this report.

5.5 Strategic

There are no strategic implications arising directly from this report.

6.0 CONSULTATION

6.1 The Corporate Management Team and Strategic Leadership Forum have been consulted on this report.

7.0 BACKGROUND PAPERS

7.1 N/A.

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV048/23/SJ/KL
Contact Officer:	Kenny Lang	Contact No:	01475 715906
Subject:	Gourock – Recycling Centre		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting Tick any that apply
- 1.2 A report was submitted to this committee in March 2020 to provide a recycling only facility within Gourock, with all residual and non-recycling waste to be taken to Pottery Street.
- 1.3 The Committee agreed to the recommendations and the saving was taken.
- 1.4 Despite the financial saving being taken, the restriction of waste changes were not implemented during the pandemic and the Civic Amenity site in Gourock has continued to accept residual and non-recycling waste.
- 1.5 There will be a communication campaign advising users in advance with a date of late September advising the end date for accepting residual waste.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Committee note the contents of this report.
- 2.2 That officers communicate any changes to users and ward members in advance of this change.

Stuart Jamieson
Director, Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 A report was submitted to this Committee on the 5th of March 2020 recommending that the recycling facility at Craigmuschat would be developed as a recycling only facility. **MIN REF 151**
- 3.2 The associated savings identified in terms of fuel and time saving were taken, however the onset of the pandemic and continued budget saving considerations meant that on reopening meant that the recycling only element was not implemented.
- 3.3 Proposals for the Civic Amenity Provision within Gourock continue to be discussed as part of the 2024/26 budget setting process and it has been agreed not to progress any further works either at Craigmuschat or Kirn Drive until the budget process is concluded. Any subsequent developments with Civic Amenity Provision would be on the basis of recycling only provision.

4.0 PROPOSALS

- 4.1 It is proposed that the remit to change the facility to recycling only be implemented by September/October 2023.
- 4.2 Officers will develop a communication plan and notify users in advance and manage the initial changes during the implementation phase.
- 4.3 There are no significant impacts associated with this change in terms of staff or infrastructure requirement. The space allocated to residual skips will now be used to facilitate higher levels of recycling provision.

5.0 IMPLICATIONS

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

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

5.2 Finance

There are no financial implications arising from this report.

One off Costs

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

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Annually Recurring Costs/ (Savings)

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 issues arising from this report.

5.4 Human Resources

There are no HR issues arising from this report.

5.5 Strategic

There are no direct strategic implications as a result of this report.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

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

X	YES – Assessed as relevant and an EqIA is required and will be available on the Inverclyde Council website: https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments
	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

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.

(c) 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.

5.7 Environmental/Sustainability

Craigmuschat Quarry and Kirn Drive before it are high yielding facilities for recycling. There could be a reduction in terms of the Councils overall recycling performance if residents do not choose to travel to Greenock. Impacts of additional travel for residents would occur but are unmeasurable. These would not be deemed significantly large to require an SEA however.

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.

5.8 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 Consultation has been undertaken with the relevant departments and CMT in the preparation of this report.

7.0 BACKGROUND PAPERS

7.1 None.

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV047/23/SJ/KL
Contact Officer:	Kenny Lang	Contact No:	01475 715906
Subject:	Nature Restoration Fund Proposed Projects		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to make Committee aware of the proposals regarding the Clyde Climate Forest (CCF) and Nature Restoration Fund (NRF) projects and to seek approval to progress the projects identified.

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee

- notes and approves the proposals identified and specific projects in respect of the Nature Restoration Fund;
- agree that officers progress the projects identified; and
- note that further reports on proposed projects will be presented to this committee.

Stuart Jamieson
Director Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 The Green Action Trust (GAT) has been appointed as the Council's delivery partner for project development and management of the NRF project. The appointment is from July 2023 until July 2025 with an option to extend for a further 12 months.
- 3.2 The GAT have undertaken a wide ranging study and identified a number of projects covering improved biodiversity, naturalised planting, creation of a greenspace park, development of naturalised planting corridors.
- 3.3 In addition to this tree planting and woodland creation allied to the Clyde Climate Forest project has also been identified
- 3.4 The Clyde Climate Forest spans the Glasgow City Region from Greenock to Lanark and covers eight regional local authorities. The project aims to plant 18 million trees in both urban and rural parts of Glasgow City Region over the next decade.
- 3.5 A high-level desktop study has been carried out to identify opportunities for tree planting within Inverclyde on local authority owned or controlled land. As a result of this study and a site visit with CCF, a number of potential tree planting locations within the Greenock central target neighbourhood (vulnerable postcode) were identified. These planting schemes are included in the GAT proposals.

4.0 PROPOSALS

- 4.1 The Nature restoration fund proposals and estimated budget costs are detailed in **(Appendix 1)** attached and cover the following areas for 2023/24.
 - Coves Nature Reserve Habitat improvement, woodland and scrub management and woodland /grassland creation
 - St Ninian's primary school demolition site – creation of green space/park – landscaping design and community consultation phase 1
 - Species Rich Grassland Development – creation of species rich grasslands and pollinator corridors.
 - Clyde Climate Forest – urban tree planting and large-scale woodland creation on IC landholdings. This to include native species if possible and provide maximum opportunity for canopy cover. There are two work streams identified, one is the Greenock Central Target neighbourhood plan **(Appendix 2)** and a separate larger and longer term study into the creation of larger woodland and forestation within the Councils existing estate
- 4.2 The surveys and associated works identified will further enable to Council to bid into the Nature Restoration fund. This bidding exercise will be supported by the Green Action Trust.
- 4.3 The works identified are in line with the Councils Net Zero Plan and will be reported in detail through the regular net zero updates.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & 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 (£000)	Virement From	Other Comments
	NRF Capital	2023/24	£391		Total costs identified are budget figures and will be contained within the overall NRF allocation.

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact (£000)	Virement From (if Applicable)	Other Comments

5.3 Legal/Risk

There are no legal issues arising from this report.

5.4 Human Resources

There are no human resources issues arising from this report.

5.5 Strategic

There are no direct strategic implications as a result of this report.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(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

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.

(c) 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.

5.7 Environmental/Sustainability

Has a Strategic Environmental Assessment been carried out?

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

5.8 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 Consultation has been undertaken with the relevant services and CMT in the preparation of this report.

7.0 BACKGROUND PAPERS

7.1 None.

Nature Restoration Fund spend proposals

APPENDIX 1

Project	Outputs	Budget
Coves Nature Reserve	Delivery of a suite of habitat improvements for biodiversity including woodland and scrub management, small scale woodland creation, species rich grassland creation and invasive species treatment.	£180k
St Ninian’s primary school demolition site – creation of green space/park	Site investigation studies and commissioning a landscape architect to produce concept designs and outline costs for community consultation.	£50k
Clyde Climate Forest – urban tree planting and large-scale woodland creation on IC landholdings.	<p>Apply the methodology used to identify Greenock Central Target Neighbourhood to identify urban tree planting in 6 town centres. Aim to plant 30 trees in each 6 town centres. Includes site investigations and cost of tree planting.</p> <p>Investigate opportunities for woodland creation on the following sites (desk-based analysis and site surveys) to inform funding application for woodland creation. Reports would include costed woodland planting proposals which are sensitive to the existing users needs and fit with works identified under the Peatland Restoration project..</p> <ul style="list-style-type: none"> • Hardridge Farm (22ha) • Hill Farm lands (27ha) • Dowries Farm (7ha) • Kilmacolm – riparian planting (7.5ha) 	<p>£70k</p> <p>£10k</p>
Species Rich Grassland Development	<p>Development of a network of species rich grasslands and pollinator corridor in accordance with recommendations from Glasgow and Clyde Valley Green Network Partnerships feasibility studies</p> <ul style="list-style-type: none"> • Commissioning an ecology consult to survey a network of priority sites to establish if the sites are suitable for species rich grasslands. Including the waterfront in Port Glasgow and at Coves Nature reserve. • Report would include recommendations and management prescriptions/specifications for work to be delivered in 2024. • Purchase of a Grillo cut and lift machine(s) to facilitate naturalised planting including training 	<p>£35k</p> <p>£55k</p>

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Head of Legal, Democratic, Digital & Customer Services	Report No:	LS/073/23
Contact Officer:	Colin MacDonald	Contact No:	01475 712113
Subject:	Protocol and Criteria for Planning Board and Local Review Body Site Visits		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is for the Committee to consider and approve a protocol for the Planning Board and the Local Review Body which sets out clearly, for all interested parties, including applicants and objectors, the procedures governing site visits undertaken by elected members in relation to matters coming before the Planning Board and the Local Review Body.
- 1.3 Having such a protocol is considered good practice and simply formalises the existing practices utilised. It will mean that all interested parties know the circumstances under which it might be determined that the holding of such a site visit would be beneficial and how such a site visit will be conducted.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Committee approve the Site Visit Protocol set out in Appendix 1 to this report for use by the Planning Board and the Local Review Body.

Iain Strachan
Head of Legal, Democratic, Digital & Customer Services

3.0 BACKGROUND AND CONTEXT

- 3.1 Members of the Planning Board and the Local Review Body sit in a quasi-judicial capacity, which requires the need for all applications before them to receive a fair and proper hearing, in accordance with the relevant law and regulations, and which must avoid any impression of bias. Such applications may have a material impact, direct and indirect, on the applicant and others, and may be the subject of intense scrutiny, both local and national. As such, there is a particular need for the Council to seek to ensure all such decisions are the subject of a suitable decision-making process.
- 3.2 The Planning Board has 10 scheduled meetings a year, while the Local Review Body meets when there is business for it to consider. In 2022, the Planning Board considered 12 separate planning applications for determination, and the Local Review Body 12 Notices of Review.
- 3.3 There are occasions on which either the Planning Board or the Local Review Body may find it helpful to undertake a visit to the site of the application prior to its determination.
- 3.4 As part of its detailed provisions on considering quasi-judicial matters, the Councillors' Code of Conduct (the Code) provides as follows in respect of site visits:-
<https://www.gov.scot/binaries/content/documents/govscot/publications/regulation-directive-order/2021/12/code-conduct-councillors-2/documents/code-conduct-councillors/code-conduct-councillors/govscot%3Adocument/code-conduct-councillors.pdf?forceDownload=true>
- “7.13 In respect of any site visits that have been decided upon or agreed by the Committee as a stage in the consideration of the application,
- I WILL:
- a) follow my council's procedures for such visits as set out by my council and that with regard to any legislative requirements or notes of guidance or practice;
 - b) remember that such site visits are part of the decision-making process and as such are formal in nature and may have procedures as set out by my council.”
- 3.5 In addition, the Guidance on the Code, as part of its detailed provisions on considering quasi-judicial matters, provides (at paragraph 209) that:-
<https://www.standardscommissionscotland.org.uk/uploads/files/1668421841220502CouncillorsCodeGuidance2022v1.pdf>
- 3.6 “The Code recognises that individual Councils will have their own procedures for site visits and does not attempt to be prescriptive about what these procedures should include. Some Councils will insist that you attend site visits if you are taking part in the final decision. This is particularly the case in relation to local review bodies carrying out site inspections under the planning legislation. As site visits can form part of the committee process, a degree of formality should apply, and you should behave accordingly. You must follow your Council's own procedures in making site visits as part of the committee process and must not give any impression during a visit that you have made your decision prior to the committee itself.”
- 3.7 In 2022 the Planning Board held 3 site visits (2 being in respect of a single application) and the Local review Body no site visits.
- 3.8 The Council currently has no written procedure for when and how site visits may be undertaken. The absence of such a procedure exposes the Council to legal risk around the determination of such applications, if it could be said that such a site visit, or lack of one, meant the application/review was determined in an unlawful manner.
- 3.9 As such, it is considered good practice that a local authority has such a procedure in place, and this is supported by the Code.

- 3.10 It should, however, be noted that site visits can cause delay to the decision-making process and can potentially lead to an application not being determined by the Planning Board and instead being referred to the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA) on the basis of non-determination, if not determined by the Council within 4 months for national and major developments, and 2 months for local developments. Such a referral means that the Council is denied the opportunity to itself determine the application and can result in additional costs to the Planning Service and the applicants. It may also negatively affect the Planning Service's performance relative to its targets of 2 months for local planning applications and 4 months for major planning applications.
- 3.11 For these reasons, it is important that site visits are only undertaken where it is felt there is substantial benefit in holding one and are arranged timeously.

4.0 PROPOSALS

- 4.1 It is proposed that the Committee, as the relevant thematic decision-making Committee, approve the Site Visit Protocol set out in Appendix 1 to this report for use by the Planning Board and the Local Review Body.

5.0 IMPLICATIONS

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

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

5.2 Finance

There are no financial implications directly arising from this report.

5.3 Legal/Risk

The adoption of the Site Visits Protocol will help ensure an appropriate and consistent approach to the use of site visits, and that without adversely affecting the transparency, fairness and openness of the associated decision making process by the Planning Board or the Local Review Body. Adherence to the Site Visits Protocol will also help ensure that such decisions are not biased, unlawful, irrational or procedurally improper, and so mitigate against the risk of judicial review, appeals to DPEA and/or complaints to the Scottish Public Services Ombudsman in respect of such decisions.

5.4 Human Resources

There are no human resource implications directly arising from this report.

5.5 Strategic

There are no strategic implications directly arising from this report

5.6 Environmental/Sustainability

There are no environmental / climate change impacts directly arising from this report. However, the adoption of the Site Visits Protocol will help support the determination of planning applications and/or reviews which come before the Planning Board/Local Review Body.

	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.

6.0 CONSULTATION

6.1 Members of the Planning Board and the Local Review Body, the Convenor of the Committee and the Director of Environment & Regeneration were consulted on this report.

7.0 BACKGROUND PAPERS

7.1 None.

APPENDIX 1

SITE VISITS PROTOCOL FOR THE PLANNING BOARD AND THE LOCAL REVIEW BODY

This Protocol applies equally to the Planning Board and the Local Review Body, and references in it to the Planning Board should be read as references to the Local Review Body, as the case may be, subject to the additional section at the end of the Protocol which includes Additional Considerations only applicable for Local Review Body Site Visits.

Site Visits

The Planning Board may decide to undertake a site visit following consideration of an item of business.

The date and time of the site visit will be set by Committee Services in consultation with the Chair, and where practicable the rest of the Planning Board, and will be carried out as soon as practicable after the Planning Board meeting, subject to the consent of any third party landowners/occupiers being first secured.

The primary purpose of the site visit is for Elected Members on the Board to view the site and gain a better understanding of the proposed development.

Only those members of the Planning Board who were present (including any attending in a substitute capacity) when the Planning Board decided to undertake a site visit may partake in that said site visit.

A site visit is a formal procedure which is carried out without influence of third parties. It must be treated as part of the Planning Board's consideration of the application in question and it is important that it is undertaken in a way that is demonstrably fair and unbiased. Members should always operate with the principles of the Councillors' Code of Conduct in mind. In particular, members will want to ensure that, in their actions on site, they demonstrate objectivity, integrity, honesty and respect. They should be alert to the potential perception that one party may be able to unfairly influence their considerations.

As such, no discussion on the merits of the proposal should take place on the site visit, nor should a decision be taken.

The Chair or Vice-Chair will lead the site visit and in their absence members present will vote for one of their number to act as Chair.

The running order of the site visit will follow these guidelines:

1. The Chair/Vice-Chair will formally open the site visit and set out the reasons for it, based on the minute of the Planning Board.
2. Planning/Roads Officers will then be invited to outline the proposed development and the main considerations relating to it.
3. Members will then view the site, relevant buildings and surroundings as necessary.
4. Members will be offered the opportunity to ask questions of, or seek clarification from, the Planning/Roads Officers.

5. As the site visit is a formal matter, the Legal Adviser to the Planning Board will also be present at the site visit.
6. When Members are satisfied that they have gained sufficient information from the site visit, and any questions to officers have been answered, the chair or nominated officer will draw the site inspection to a close.
7. A note will be made of the site visit, by the legal advisor, which will be minuted at the meeting of the Planning Board at which the application is next considered.

The applicant and/or their representative will only be invited to facilitate access to the site. Any health and safety instructions issued by officers, the site owners/occupiers or their representatives must be strictly followed. Where appropriate, protective clothing will be provided, and members should be aware of the need to wear appropriate footwear.

The applicant and/or their representatives will not be permitted to accompany the Planning Board on their site visit. Equally, no members of the public, including the applicant and those who have made representations, and/or their representatives, will be permitted to accompany the Planning Board on their site visit or enter into discussion with the site visit party regarding the merits or otherwise of the application. The site visit is not to be treated as an opportunity to debate the merits of the proposal.

Should any members of the public attempt to lobby members or disrupt the site visit in any way, then the Chair may ask officers to intervene; if this fails they may terminate the site visit if they have reasonable grounds for so doing. If such an event occurs, an alternative date and time for a site visit will be arranged.

Only those members who have attended the site visit, and all other occasions on which the Planning Board have considered the application in question, will be permitted to participate in the final vote on the matter.

Site Visit Criteria

It is recommended that site visits are only used where the expected benefits are substantial, having regard to relevant policy and other material considerations. A 'substantial benefits' test should be applied in every case.

Site visits will be likely to deliver substantial benefits if the impact of the proposed development is difficult to visualise or comprehend, i.e. where lack of clarity with the application 'on paper' makes visual assessment of the site essential; for larger, more complex applications; where the proposed development raises unique or unusual considerations; or where the proposed development is likely to have a significant impact on the wider community.

Elected Members should also take into account the following considerations:-

Sits visits can:

- (1) cause delay to the decision making process;
- (2) in respect of applications being determined by the Planning Board, potentially lead to an appeal to the Directorate for Planning and Environmental Appeals on the basis of 'non-determination';
- (3) in respect of applications being determined by the Planning Board affect the Planning Service's performance in respect of its 2 month target (from the validation date), and 4 month target (from the validation date) for major developments; and
- (4) lead to additional costs both to the Planning Service and possibly to the applicant(s).

Site visits are not appropriate for the following cases:-

- (1) to consider objections based on disputes about boundaries or between neighbours;
- (2) to consider objections made on competition grounds;
- (3) to consider objections made on grounds which are not material planning considerations; and/or
- (4) where members of the Planning Board have already visited the site within 6 weeks, other than in exceptional circumstances.

The reason for a site visit will be clearly stated at the Planning Board and recorded in the minutes.

Following a site visit having been undertaken, the application will be determined as soon as reasonably practicable, and most likely at the next meeting of the Planning Board, or sooner if felt requisite by the Chair.

Additional Considerations for Local Review Body Site Visits

There are additional considerations which are only relevant for site visits by the Local Review Body, and which also need to be taken into account.

Regulation 16 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 makes it clear that an inspection may be accompanied or unaccompanied by the applicant and any other party the Local Review Body considers should attend.

In deciding whether a site inspection should be accompanied or unaccompanied the Local Review Body should consider whether the further information required can be obtained on the basis of an unaccompanied inspection. Situations where it may be preferable for a site visit inspection to be accompanied are:

- To obtain physical access to the site or premises. If this involves the Local Review Body meeting the applicant, then consideration should be given to an accompanied site inspection in order to avoid any perception of bias;
- Where there is a need to view or access the site from private land or property (for example, from a neighbour's home), the Local Review Body may seek an accompanied inspection to avoid any suggestion that they have been unduly influenced by that contact; and/or
- Where the presence of parties is necessary to identify or explain a particular feature of the site, development or location.

If an inspection is to be accompanied, reasonable notice of the date and time of the inspection must be given to the applicant and any interested parties.

Approved by the Environment & Regeneration Committee on TBC 2023

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV040/23/SJ
Contact Officer:	Martin McNab	Contact No:	01475 714246
Subject:	Clune Park Masterplan		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 To update Committee on progress with the Clune Park Regeneration Masterplan.

1.3 As part of the progression to a future housing solution for the Clune Park area the Council previously commissioned a Masterplan which was brought to Committee in 2018. That plan requires to be updated in light of changes in affordability and the changing housing need in Inverclyde. This report updates on progress and a timescale for bringing a revised masterplan to Committee.

2.0 RECOMMENDATIONS

2.1 That Committee notes the progress on the Masterplan and receives an update on the final plan for approval in November 2023.

3.0 BACKGROUND AND CONTEXT

- 3.1 A masterplan for the development of Clune Park was brought before members in October 2018. That masterplan was intended to provide the basis for the regeneration of Clune Park with social housing. That plan had some issues over affordability if it were to be supported by the Affordable Housing Supply Fund and obviously there have been significant changes in market conditions in the period since then. The development of the Local Housing Strategy has also given us a better picture of housing need in Inverclyde.
- 3.2 It was decided therefore to revisit and refresh the masterplan in light of the above and this report seeks to update members on that process.

4.0 PROPOSALS

- 4.1 Initial drafts of potential layouts are included at Appendices 1 and 2. Appendix 1 includes part of the carriageway of Glasgow Road whereas Appendix 2 stays closer to the current site footprint. At the time of writing these potential layouts were being consulted on with More Homes, potential development partners and planning.
- 4.2 Following initial consultation the initial outlines will be developed further and cost appraisals carried out to assess affordability under different ownership and tenancy options. It is our intention to bring the final masterplan to the next meeting of the Environment and Regeneration Committee.

5.0 IMPLICATIONS

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

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

5.2 Finance

None

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

5.6 Equalities, Fairer Scotland Duty & Children/Young People

N/A

(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: Provide reasons why the report has been assessed as not relevant.

(c) 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.

5.7 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.

5.8 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.

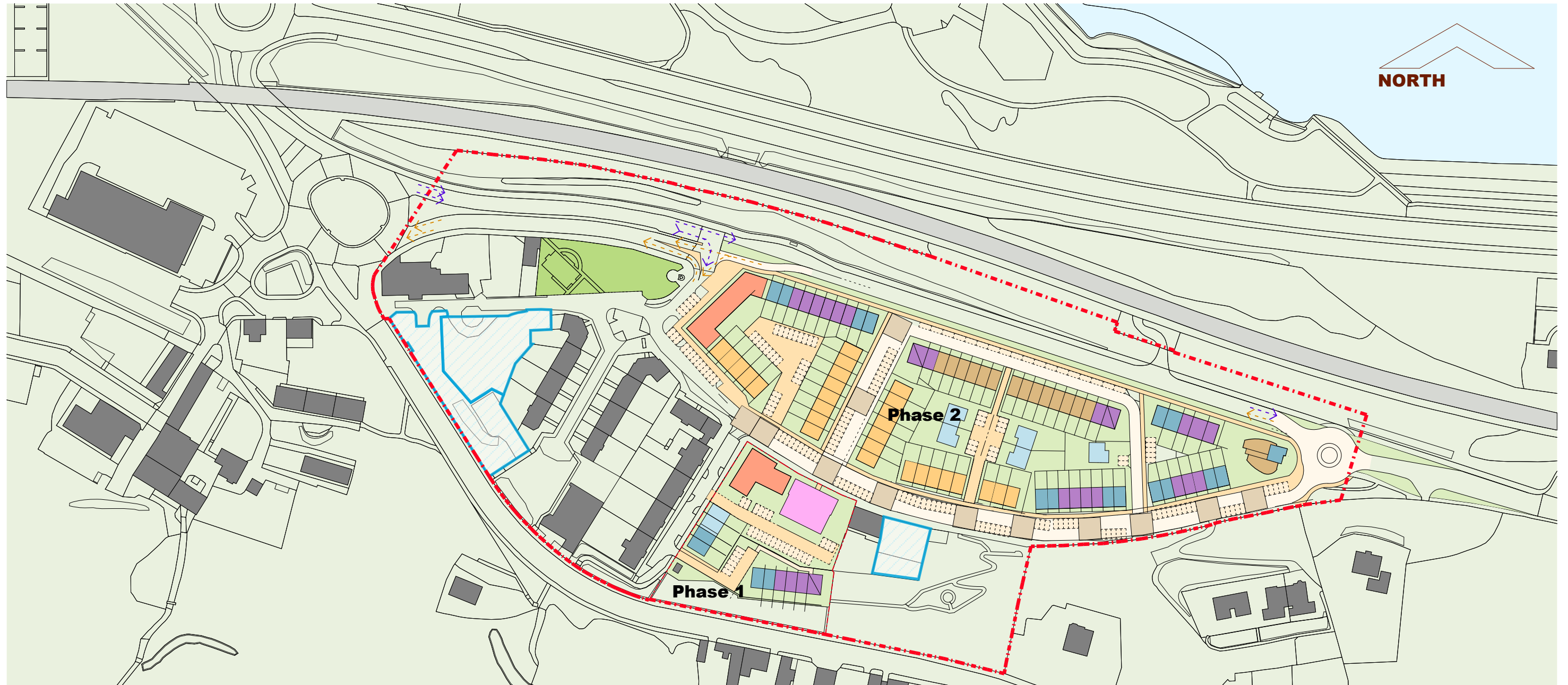
6.0 CONSULTATION

6.1 N/A

7.0 BACKGROUND PAPERS

7.1 Clune Park Masterplan, Environment and Regeneration Committee, 25 October 2018, ENV042/18/SJ

Appendix 1



Option 1

Phase 1, option I 30 units
 Phase 2, option I 110 units
Overall: 140 units

M General needs	72%
W Wheelchair	4%
A Amenity	24%

Type	Size	1 Bed	M	A
Common stair flat	20		20	
Ground floor cottage flat	10		10	
upper floor cottage flat	10	10		
Common stair flat	16	16		
Sub-total		56 (40%)	26	30

Type	Size	2 Bed	M	W	A
Wheelchair ground floor cottage flat	6			6	
Upper floor cottage flat	6	6			
House	24	21		3	
Common stair flat	6	6			
Sub-total		42 (30%)	33	6	3

Type	Size	3 Bed	M	Type	Size	4 Bed	M
House	28	28		Townhouse	14	14	
Sub-total		28 (20%)	28	Sub-total		14 (10%)	14
		Total				140 units	

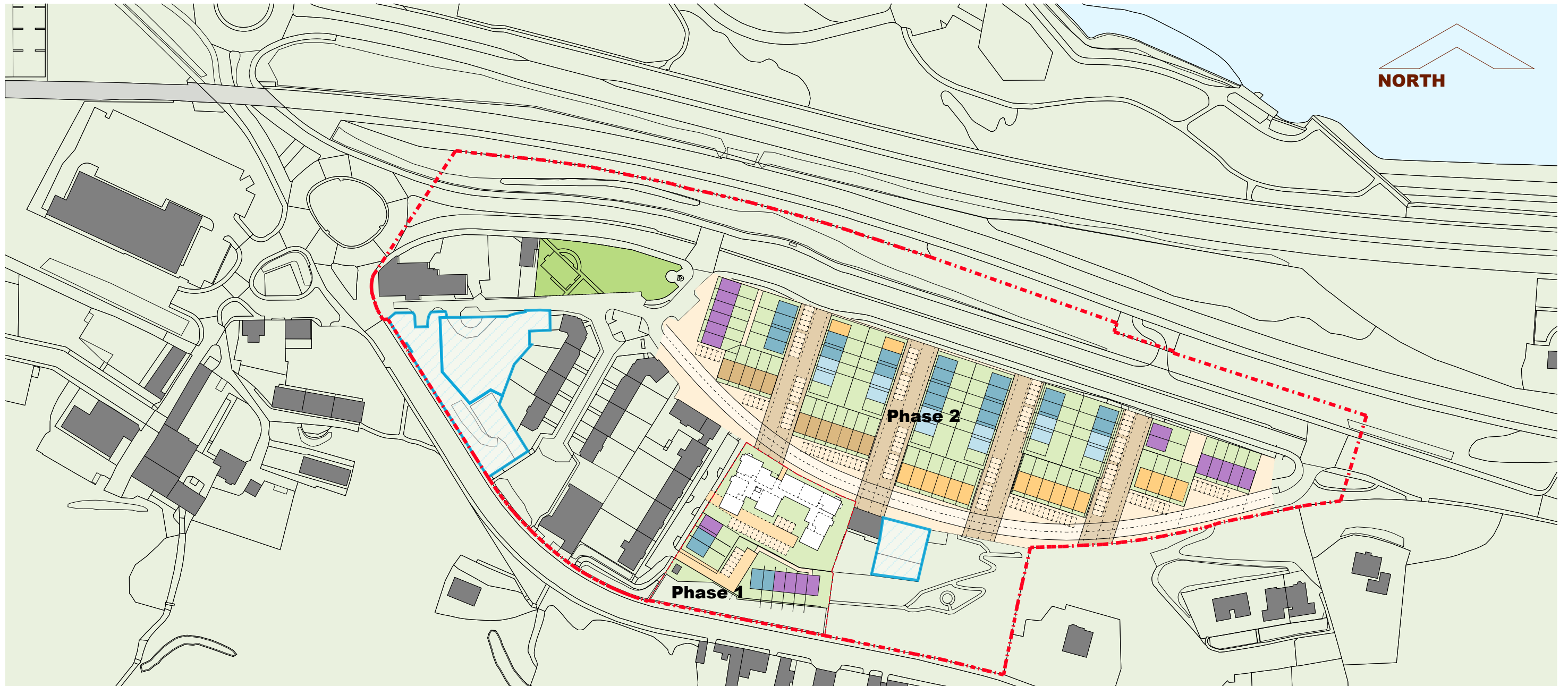
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9.08.23

- 2_storey
- 2_storey
- 2/3_storey
- 3_storey
- 4_storey
- conversion of former school

Appendix 2

Inverclyde
council



Option 2

Phase 1, option 2 26 units
Phase 2, option 2 75 units
Overall: 101 units

M General needs	66%
W Wheelchair	6%
A Amenity	28%

Size	1 Bed		
Type		M	A
Common stair flat	17		17
Ground floor cottage flat	12		12
upper floor cottage flat	12	12	
Sub-total	41 (40%)	12	29

Size	2 Bed		
Type		M	W
Wheelchair ground floor cottage flat	6		6
Upper floor cottage flat	6	6	
House	18	18	
Sub-total	30 (30%)	24	6

Size	3 Bed	
Type		M
House	18	18
Sub-total	18 (18%)	18

Size	4 Bed	
Type		M
Townhouse	12	12
Sub-total	12 (12%)	12
Total	101 units	

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9.08.23

- 2_storey
- 2_storey
- 2/3_storey
- 3_storey
- 4_storey
- conversion of former school

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV044/23/SJ/KL
Contact Officer:	Kenny Lang	Contact No:	01475 715906
Subject:	Circular Economy (Scotland) Bill		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to make Committee aware of the Circular Economy (Scotland) Bill introduced on 13 June 2023 and the potential implications for Inverclyde Council.

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee note the contents of this report.

Stuart Jamieson
Director Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 The Scottish Government introduced the Circular Economy (Scotland) Bill on 13 June 2023. The bill is currently at stage 1.
- 3.2 The Scottish Government recognises that sustainable consumption and production are to a low-carbon and green economy and to support Scotland's obligations to tackle the impact of climate change and enhance and protect biodiversity.
- 3.3 Government estimates suggest around four fifths of Scotland's carbon footprint comes from the products we manufacture, consume and throw away, and the services we use. The bill identifies that creating a circular economy based on reducing waste, carbon emissions, and pressures on the natural environment, provides an alternative economic model. The purpose of the Circular Economy (Scotland) Bill is to introduce measures as part of the transition to a circular economy that require primary legislation, and to modernise Scotland's waste and recycling services.

4.0 PROPOSALS

The Bill includes the following provisions:

4.1 National

- Circular economy strategy: duty on Ministers to publish or refresh a circular economy strategy at least every 5 years.
- Circular economy targets: developing statutory targets across circular economy policy.
- Restrictions on the disposal of unsold consumer goods: providing powers to limit the disposal/destruction of unsold goods
- Charges for single-use items: creating a power to set a minimum charge for certain throwaway items eg disposable beverage cups.
- Reporting on waste surpluses etc: obtaining information about where waste is occurring through a power to require information which would lead to public reporting of waste and surpluses by businesses (the intention is for this initially to be applied to information about food).
- Householder's duty of care in relation to waste: making it a criminal offence for a householder to breach their existing duties of care under the Environmental Protection Act 1990, in relation to the transfer of waste, and creating a new fixed penalty regime to enforce these duties.
- Ministers will have powers to set recycling targets for LAs from 2030 onwards to help drive further improvements in local recycling performance. Requires Scottish Ministers to consult local authorities. Power for Scottish Ministers to enforce targets, with monitoring role for SEPA, and, where targets not met, to seek explanation from an LA, where appropriate an improvement plan, and set financial penalties (as a last resort).

4.2 Local Authority

- Household waste: requiring local authorities to comply with a code of practice on collection and recycling and giving local authorities a package of new responsibilities and powers, including powers for the Scottish Ministers to set recycling targets for local authorities.

- Establishing a new fixed penalty notice procedure and concurrent civil penalty regime for local authorities to tackle recycling contamination.
 - Littering from vehicles: establishing a new civil penalty regime that will make the keeper of a vehicle liable to pay a civil penalty charge in respect of a littering offence committed from that vehicle.
 - Enforcement powers in respect of certain environmental offences: improving enforcement against fly-tipping and other waste crime through a power allowing the Scottish Environment Protection Agency (“SEPA”) and local authorities to seize vehicles involved in specified waste crime.
- 4.3 The performance of household recycling collection services to be improved and optimised in order for households to make easy/correct choices. To ensure high standards across Scotland and maximise the diversion of waste from landfill.
- Make recycling easier than disposal.
 - Design and deliver services that maximise recycling performance and achieve more consistent local services.
 - Share best practice and support local authorities to drive local improvements and achieve consistently high recycling rates.
 - Embed decisions about recycling in the design and sale of products.
 - Increase transparency and generate more confidence in the recycling process.
- 4.4 To support the measures outlined above, the Scottish Government propose to make it a criminal offence for a householder to breach their existing duty of care under the Environmental Protection Act 1990, in relation to waste whereby householders must ensure that any transfer of waste is to an authorised person, or to a person for authorised transport purposes. The Scottish Government will create a new fixed penalty regime, granting LAs new powers to enforce breaches to householders’ duty of care obligations in line with provision in place for England and Wales.
- 4.5 The Bill will also establish a new fixed penalty notice procedure and civil penalty regime for LAs to improve household recycling behaviours and tackle recycling contamination including a stepped approach with written warnings and penalty charges backed up by fixed penalty notices to households under specified circumstances. Enforcement of the new provisions will either require additional enforcement capacity or a partial reduction in other enforcement activities, such as parking to compensate. The latter could obviously potentially impact on income. The financial memorandum indicates that the costs of enforcement will be more than recovered from income from FPNs however this seems over optimistic.
- 4.6 A Statutory Code of Practice identifying standards expected and steps to be taken by LAs to provide high-performance household waste services. Ministers will consult with LAs/SEPA before publishing or revising the code. Local authorities’ integrated waste management plans must set out how the local authority in question intends to perform its functions consistently with the code.
- 4.7 The Code of Practice and Integrated Waste Management Plan aims to provide more consistent approaches to household recycling and ensuring householders are clearer about what they can recycle and how to do so. This to be underpinned through communication, engagement, and behavioural change strategies.
- 4.8 The guidance does not provide a Business and Regulatory Impact Assessment (BRIA) which details the financial impacts of the measures outlined. Rather the guidance makes assessments that the increased costs of service provision or enforcement could be met by reduction in landfill or increased penalties.

4.9 Guidance is also being developed in relation to persistent organic pollutants (POPs). This is material previously used in upholstery to make it fire retardant. The guidance will require these items (sofas, armchairs upholstered seating etc), to be collected and kept separate from other material. Collected items must then be transferred separately to a facility where it will require to be shredded prior to incineration. Previously this material would be landfilled as part of the Council's bulky waste stream. Council officers will develop a procurement strategy to manage this material on a short to medium term basis. Further controls may also be required such as the direct streaming of this material to one site and review of collection methods. Members should note that while the actual volume of this type of material appears to be low, the indicative processing costs are higher than current landfill charges.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources	X	
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & 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 (£000)	Virement From	Other Comments

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact (£000)	Virement From (if Applicable)	Other Comments

5.3 Legal/Risk

A statutory code of practice and identified targets with penalties may expose the Council to legal challenge in the future.

5.4 Human Resources

Additional enforcement requirements may require additional staffing withing public Protection

5.5 Strategic

An Integrated Waste Management Plan would be required under the Circular Economy (Scotland) Bill.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

Equalities

5.7 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.

(a) Fairer Scotland Duty

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.

(b) 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.

(c) Environmental/Sustainability

Has a Strategic Environmental Assessment been carried out?

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

5.8 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 Consultation has been undertaken with the relevant services and CMT in the preparation of this report.

7.0 BACKGROUND PAPERS

7.1 <https://www.parliament.scot/bills-and-laws/bills/circular-economy-scotland-bill/introduced>

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV035/23/SJ/GM
Contact Officer:	Graham McCarey	Contact No:	01475 712419
Subject:	Road Naming within New Development at Site of Former Greenock Academy, Madeira Street, Greenock		

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 name new roads being created within the residential development on the site of the former Greenock Academy, Maderia Street, Greenock.

2.0 RECOMMENDATIONS

2.1 It is recommended that the roads in the new development be named as set out in paragraph 4.4.

Stuart W. Jamieson
Director, Environment and 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 30 new residential properties on the site of the former Greenock Academy on Madeira Street and Newark Street in Greenock. On behalf of the developers, Mast Architects have made a request for addresses to be assigned to these new properties. 7 of these new properties will have addresses on Newark Street, but two new street names are also required for the remaining 23.

4.2 For the purpose of consultation with the developer, Ward Councillors, and the Greenock West & Cardwell Bay Community Council, officers proposed the following options for the road within the new development:

- Naming the streets for notable former senior teachers in the school
- Naming the streets after the 'house' names used in the school (all of which were themed on famous sea battles)
- Using simply 'Madeira Court' and 'Madeira Place' to link in with the street they will run off.

4.3 Following consultation with Ward Councillors, it became apparent that using the names of former teachers (all deceased) may potentially prove divisive locally. On that basis, opting for either of the latter two of the above options would appear to be prudent.

Neither the developer or the Gourock Community Council made any further suggestions.

4.4 Taking the above into consideration, it is proposed that the new roads in this development are assigned the names 'Norvik Place' and 'Atlantic Court', after two of the school 'houses'. The extent and positioning of these streets can be seen on the appended site plan.

5.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & 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	N/A	N/A	N/A	N/A	N/A

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.

6.0 **CONSULTATION**

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

7.0 **BACKGROUND PAPERS**

7.1 Appendix 1: Street Naming Proposal – Former Greenock Academy Site Plan.

Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV042/23/SJ/AG
Contact Officer:	Audrey Galloway	Contact No:	01475 712102
Subject:	Property Asset Management – Public		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to request that Committee:

- 1) notes the results of a public common good consultation recently carried out at Wellington Park Bowling Club, Wellington Park, Greenock in relation to a proposed lease of the bowling green and clubhouse to the Bowling Club; and
- 2) authorises the commencement of an action to seek Court consent to the proposal.

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee (1) notes the outcome of the common good consultation in relation to a proposed lease of the bowling green and clubhouse to the Wellington Park Bowling Club, Wellington Park, Greenock and further notes that no representations, either for or against the proposal were received and (2) grants delegated authority to the Director, Environment & Regeneration to seek the consent of the court to the proposed 25year FRI lease, following which full details of the terms and conditions of the lease will be brought back to this Committee for final approval.

Stuart Jamieson
Director, Environment and Regeneration

3.0 BACKGROUND AND CONTEXT

Public Consultation – Wellington Park Bowling Club Greenock

- 3.1 The Wellington Park Bowling Club, Wellington Park, Greenock has used the site of the bowling greens at Wellington Park since 1853. In 2004 the club took over the management of the greens and club officials have now intimated to council officers that they would like to enter into a 25 year lease of the premises, in order to obtain external funding. A plan showing the location of the site is attached at Appendix 1.
- 3.2 As the Wellington Park, which contains the bowling green, is common good property, consultation under Section 104 of the Community Empowerment (Scotland) Act 2015 is required. Officers have now completed the necessary consultation. This was advertised on the Council website, sent to all active community councils and various other community groups, and Notices of the proposal were posted at various locations around the site. No representations, either for or against the proposal, were obtained by the end of the consultation period, which was the 5th June 2023.
- 3.3 Discussions with Wellington Park Bowling Club have moved on and provisional agreement has now been reached to enter into a new 25 year FRI lease of the subjects. However, as the property is, both in terms of historical use and title conditions, inalienable common good, although the lease terms have been provisionally agreed, it should be noted that the consent of the Court to the granting of the proposed lease, in terms of Section 75 of the Local Government (Scotland) Act 1973 will be required before the lease can be finalised. This report seeks committee authority to commence that process. If that consent is forthcoming, a further report on the final proposed lease terms and any court considerations will be brought back to this committee seeking authority for the proposed lease.

4.0 IMPLICATIONS

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

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & 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

4.3 Legal/Risk

The legal issues are dealt with in the body of the report.

4.4 Human Resources

None.

4.5 Strategic

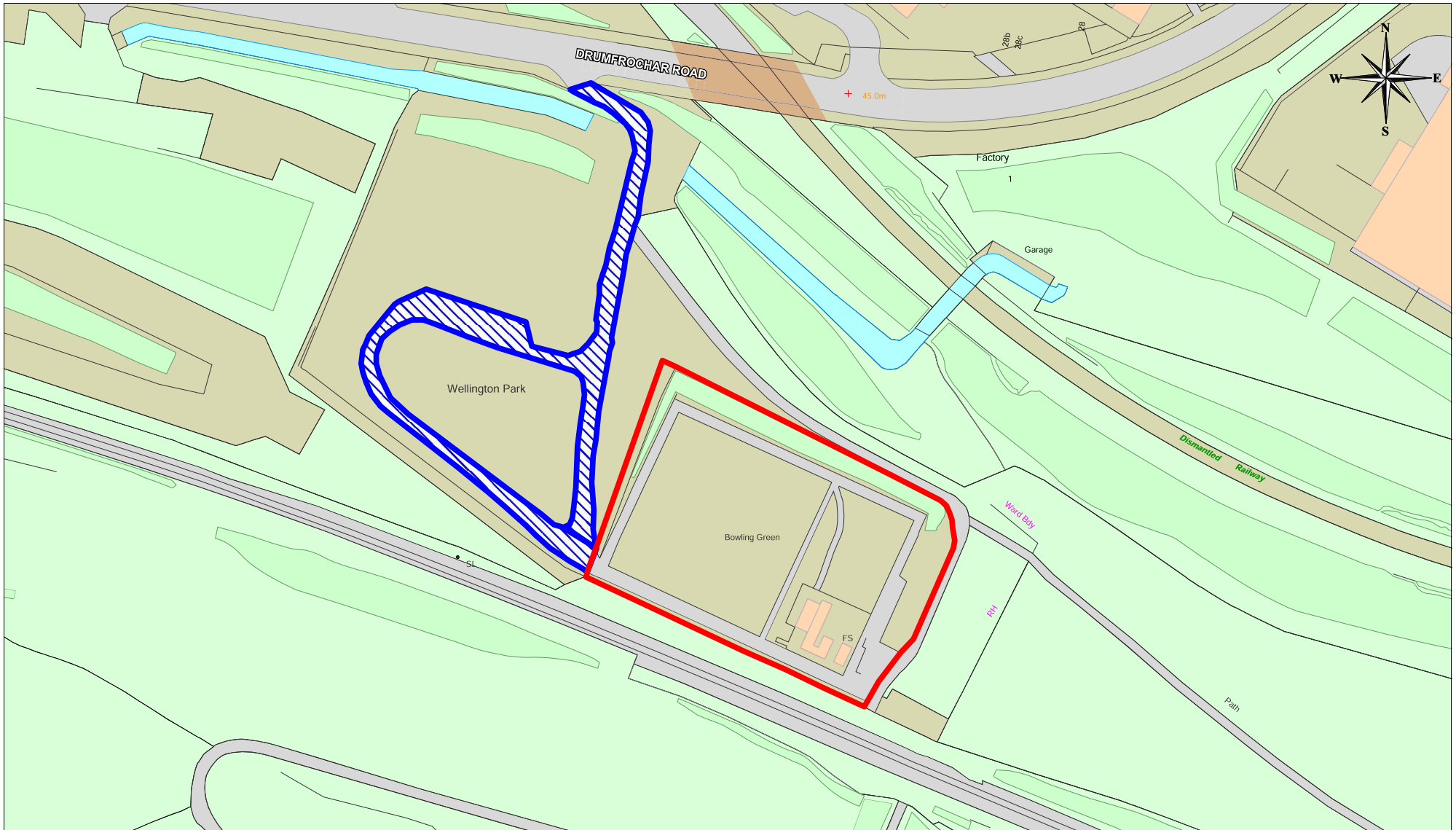
None.

5.0 CONSULTATION

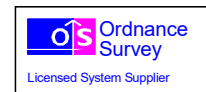
5.1 The report has been prepared following consultation with Legal, Democratic, Digital and Customer Services.

6.0 BACKGROUND PAPERS

6.1 None.



Appendix 1



Environment, Regeneration & Resources
Stuart Jamieson, Interim Service Director – Environment and Economic Recovery

Municipal Buildings
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Greenock, PA15 1LY
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Plan Creator: THIS PLAN IS INDICATIVE ONLY

Date: 14/03/2023

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