
Report To:	Environment & Regeneration Committee	Date:	14 March 2024
Report By:	Director, Environment & Regeneration	Report No:	ENV025/24/SJ/AG
Contact Officer:	Audrey Galloway	Contact No:	01475 712102
Subject:	Property Asset Management Public Report – Consultations on Land at Walled Garden, Gourrock Park and Land at Wateryetts Drive, Kilmacolm		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purposes of this report are to advise the Committee of the progress on two consultation processes in relation to (1) a proposal to lease an area of ground within the walled garden of Gourrock Park; (2) a proposal to dispose of an area of land at Wateryetts Drive, Kilmacolm, to which areas the public currently have access. Both consultations were carried out in order to obtain and consider the views of the community in relation to the proposals., and (3) an update on the Remembering Together Labyrinths

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Committee notes the outcome of the open space consultation in relation to the proposed lease of land at the walled garden, Gourrock Park, Gourrock, the terms of the representations received, and any comments from the Inverclyde Shed on those representations, all as detailed in **Appendix 2** prior to consideration of the recommendation on this proposal in the private report later in the agenda.
- 2.2 It is recommended that the Committee notes the update on the open space consultation in relation to the proposed disposal of land at Wateryetts Drive, Kilmacolm; and that officers are progressing negotiations in relation to the proposed disposal to allow a more detailed report to be considered at the next meeting of this Committee.
- 2.3 It is recommended that Committee grant consent for the installation of the Remembering Together Labyrinths at various locations subject to the Full Council sitting as the Trustees of Birkmyre Park granting permission for the installation of the Labyrinth at Birkmyre Park, Kilmacolm

Stuart Jamieson
Director
Environment and Regeneration

3.0 BACKGROUND AND CONTEXT

Public Consultation – Walled Garden Gourrock

- 3.1 In October 2023 Council officers received an Asset Transfer Request (ATR) from the Inverclyde Shed. The request was for a lease of land within the walled garden of Gourrock Park, Larkfield Road, Gourrock, for a period of five years and at a rent of £1pa. A plan showing the location of the site within the park is attached at Appendix 1.
- 3.2 Officers in Legal, Democratic, Digital and Customer Services considered the request and confirmed that it was a valid ATR in terms of the Community Empowerment (Scotland) Act 2015 (the 2015 Act). A letter acknowledging receipt of the request has been sent to the secretary of the Inverclyde Shed. The letter confirms that the ATR is a valid one and that the validation date is 10th October 2023. As such, under the terms of the 2015 Act a decision on the request must be received by the Community Body (Inverclyde Shed) by 10th April 2024.
- 3.3 As this proposal involves a lease of land consisting of, or forming part of, an open space, it is necessary for a public consultation to be carried out, in terms of Section 27 (2A) of the Town and Country Planning (Scotland) Act 1959. The consultation was advertised on the Council website, in the Greenock Telegraph and by notices posted at the site. The consultation completed on 1st March 2024 and this report seeks to update Committee on the results of that consultation with all responses to same being attached at Appendix 2.
- 3.4 As the proposal is being considered in the context an ATR under the 2015 Act, Shed must be given an opportunity to comment on any representations received in relation to their proposal. Any such comments received from them are also included in Appendix 2.
- 3.5 There is a separate report on the agenda for this meeting in the private and exempt section in respect of this ATR. That separate report provides options for the Committee, but it is necessary for the Committee to be aware of and have regard to the outcome of the consultation when later considering those options.

Public Consultation – Wateryetts Drive, Kilmacolm

- 3.6 Last year officers were approached by Mactaggart and Mickel who requested that the Council agree to sell Council owned land at Wateryetts Drive, Kilmacolm to them, to assist with their proposal to construct a residential development consisting of 78 houses across land within both their own and the Council's ownership.
- 3.7 As this proposal involves the disposal of land consisting of, or forming part of, an open space, it is necessary for a public consultation to be carried out, in terms of Sections 24 (2A) and 27 (2A) of the Town and Country Planning (Scotland) Act 1959. The consultation was advertised on the Council website, in the Greenock Telegraph and by notices posted at the site. In addition, a Council officer was present at a meeting arranged by the local community to discuss the proposal. The consultation completed on 17th October 2023.
- 3.8 Negotiations with Mactaggart and Mickel have not concluded, it is hoped that both the public consultation responses along with the negotiated position can be presented at the next meeting of the Committee.

Remembering Together

- 3.9 The Committee asked that approval for the Remembering Together Labyrinth proposal be delayed to facilitate further consultation with ward members and Community Councils. This has now happened and general agreement has been reached. In the intervening period Ardgowan

Estate have granted permission for Option 2 at Lunderston Bay subject to standard lease conditions. If Committee are minded to support the installation of the labyrinths in Greenock, Gourrock, Port Glasgow, Lunderston Bay and Kilmacolm it remains the case that permission for the proposal at Birkmyre Park, Kilmacolm requires to be referred to full Council.

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
n/a					

Annually Recurring Costs/ (Savings)

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

4.3 Legal/Risk

Both the consultations referred to in this report were required in terms of Sections 27 (2A) of the Town and Country Planning (Scotland) Act 1959 involve a proposal to dispose of land comprising an open space. It is further necessary for the Committee to have regard to the responses to those consultations when reaching decisions on the proposals. The proposal for the Land at Walled Garden, Gourrock Park, is pursuant to an Asset Transfer Request under the Community Empowerment (Scotland) Act 2015, in terms of which the Committee is also required to consider any representations received and required to consider, among other things, any comments of the Inverclyde Shed on those representations, prior to determining the request.

4.4 Human Resources

None.

4.5 **Strategic**

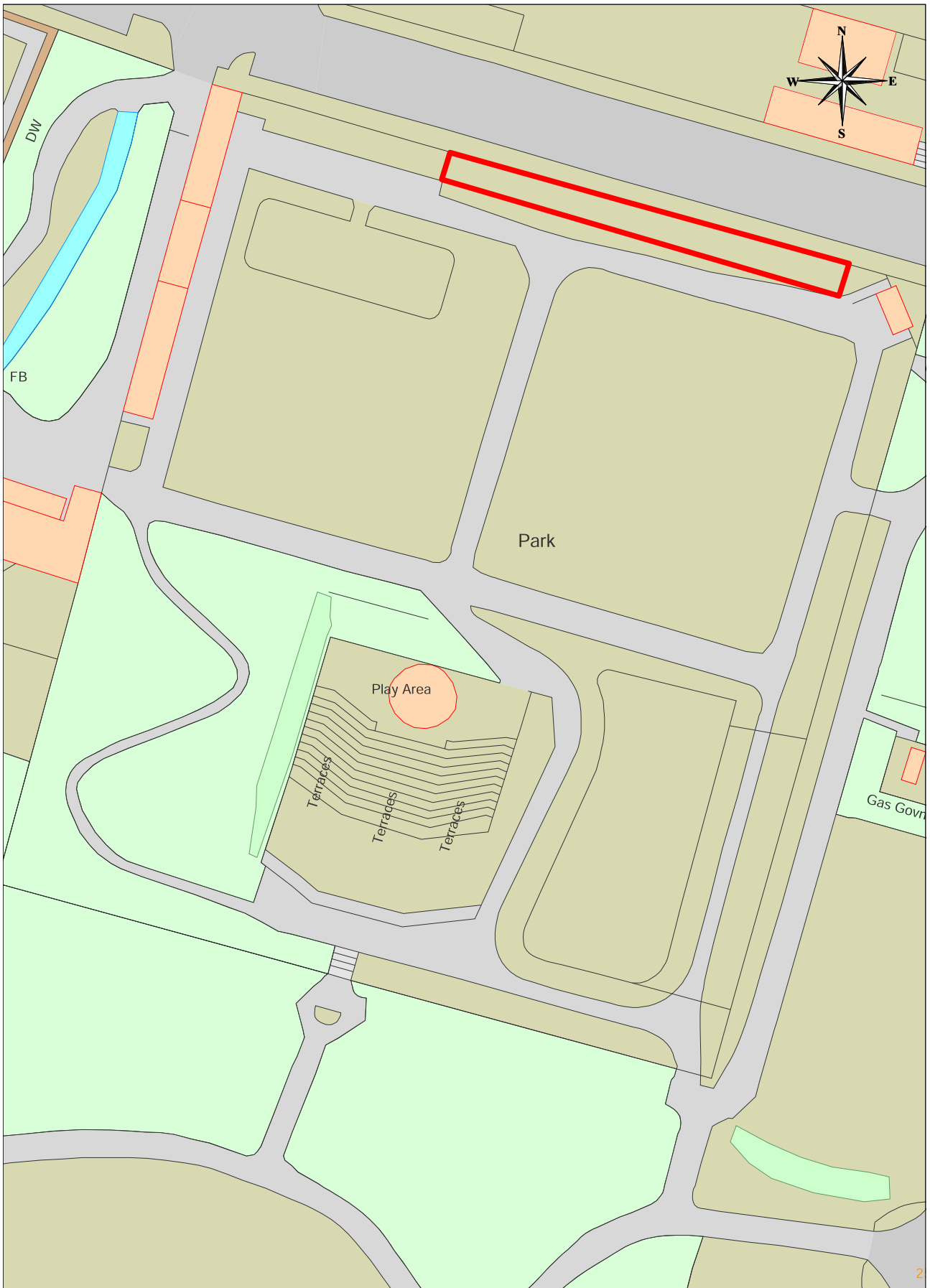
None.

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

Plan Creator: *This Plan Is Indicative Only*

Date: **24/11/2023**

1:750



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Responses Received in Consultation
Under
SECTION 27 (2A) OF THE TOWN AND
COUNTRY PLANNING (SCOTLAND) ACT
1959
on a Proposed Lease of land at Walled
Garden, Gourock Park Gourock, to a
community body following receipt of an
Asset Transfer Request under
THE COMMUNITY EMPOWERMENT
(SCOTLAND) ACT 2015

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

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

This document has been updated to 1/3/24.

Representation 1 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hi,

I'd like to register my support for a growing space in the Walled Garden in Gourrock Park, managed by Inverclyde Shed.

Regards

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 2 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Dear Sir/Madam

I'd like to register my support for the Inverclyde Sheds proposal to create a new growing space within the Walled Garden at Gourrock Park.

I feel this would be a huge asset to the Park, the local area and the local residents.

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 3 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hello

As a local GP in [REDACTED] I fully support their wish to expand their walled garden . Mental health services are the worst I have ever known them to be since I started working in Inverclyde [REDACTED] years ago. It's organisations like the Shed, Man-on Inverclyde and Mind Mosaic that give me hope. We need to support their enthusiasm and motivation. Aside from that, what they are growing and then doing with the produce is remarkable.

Best wishes

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 4 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Dear team,

I believe that the good folks behind The Shed, are hoping to make a community garden and growing space in the park.

It would be a fabulous asset to a wonderful wee park where many folks enjoy the lovely surroundings, the pets and, if possible, be able to nurture growing their own food.

The Shed community have proven that hard work gives results and this should be supported and applauded by the Council.

I do hope that this project is given the appropriate support to go ahead.

Many thanks

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 5 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hi ,

I would like to register my support for inverclyde Shed's bid to utilise the space in Gourrock Park's Walled Garden as a Community Growing Space.

I am an Inverclyde resident and a regular user of the park and have often thought the area in question could be put to better use. What better use of a piece of unused ground than for growing fruit and vegetables.

It would be a fabulous growing space, receives plenty of light and is sheltered from the wind. It would compliment the beautifully maintained flower and shrub beds and encourage local gardeners to grow food as well as ornamental specimens in their own gardens.

Located near to the children's play park it would help children to develop an understanding and interest in food growing and healthy eating.

Kind regards,

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 6 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Sent from my iPhone I think this is a wonderful idea, and would fully support this wonderful project..!! 👍👍

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 7 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hi my name is [NAME REDACTED], I think the idea of the inverclyde Shed helping with the wall gardens in Gourrock is a great idea as a community project.

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 8 - [NAME REDACTED]

Representation Received 8/2/24 by Email

To whom it may concern

I was very interested to learn that a veg and fruit garden is proposed for the empty ground on the south facing side of the walled garden.

This will be a huge asset for the community in many ways, and will improve what is, at present, an unused unsightly space.

I look forward to seeing this develop.

Yours sincerely

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 9 - [NAME REDACTED]

Representation Received 8/2/24 by Email

I would like to add my support for the growing area proposed in the Gourock Walled Garden, these areas are vital not just for enhancing opportunities for growing produce in these times of financial struggle, but possibly more important as a safe space where isolated individuals can interact with other community members.

[NAME REDACTED]
Gourock Resident

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 10 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hi

I think it is a great idea to set up a new growing space at Gourock Walled Garden. Community growing spaces provide people with a valuable sense of community where they can learn and volunteer and provide excellent service in providing fresh produce to the community. The more growing spaces there are in Inverclyde the better.
Kind regards

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 11 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hi,

I think a community garden within gourock bunny Park will be a fantastic asset. It would be used by the whole community.
King regards

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 12 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hi

I would like to support this idea to create a walled garden at Gourock Park.

I think this is a great idea and hopefully it will get the go ahead.

Regards

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 13 - [NAME REDACTED]

Representation Received 8/2/24 by Email

Hello,

I'm reaching out to express my support for the proposal to create a walled garden in Gourock Park. I think it would really enhance that area.

Thank you

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 14 - [NAME REDACTED]

Representation Received 9/2/24 by Email

Dear Council

I have noticed that there might be a new growing space in Gourock Park.

I think this would be a great use of the piece of land there and would be in line with the Inverclyde Community Food Growing Strategy.

Kind regards

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 15 - [NAME REDACTED]

Representation Received 9/2/24 by Email

I would like to register my support for the above proposal. The park is well used by families who play and picnic there, and also visit the animal park. To create a growing space within the walled garden, would encourage families to go and see vegetables growing naturally - a fantastic educational experience! As a retired teacher, I can see this space helping children be more aware of their environment and nature and, as they watch produce grow, be influenced to hopefully eat healthily ! I support this proposal fully- a fantastic asset for the residents of Inverclyde and a wonderful experience for its children.

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 16 - [NAME REDACTED]

Representation Received 9/2/24 by Email

Dear Department,

I emphatically support Inverclyde Shed's request to set up a new growing space in the walled garden in Gourrock.

As you will be aware, allotments are few and difficult to obtain in the area. Community spaces where people can be active in their environment and learn new skills are a great boost to being social and impacts positively on mental health.

Having seen first hand the eco conscious gardens at Muirshiel Lane, this is an organisation with passion and connections to make future developments a success.

I do hope you will act in favour of the groups proposal and give them the assistance they require to make this happen.

Kindest regards

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 17 - [NAME REDACTED]

Representation Received 9/2/24 by Email

Dear Sir or Madam

I wish to provide comment on the proposed community garden in Gourock Park. The Inverclyde Shed do invaluable work at the heart of our community. The existing gardens are well attended and clearly meet a need. I can't see any downsides to letting the community put to use some currently unused space. For these reasons I would like to confirm my approval of the proposals.

Yours faithfully

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 18 - No name provided

Representation Received 12/2/24 by Email

proposed idea for community garden in walled garden ,although supportive of community gdns I'm opposed to it being in walled garden as it leaves a safe park open to non disclosed individuals hanging around a children's area and toilets ,Ive seen rodent problems in park and this will only increase this , I m sure these gardens could find more suitable areas around gourock that wouldn't jeprodise children safety,walled garden has various nurseries and book clubs with young kids visiting

Any Response to the Representation by the Inverclyde Shed – Received 13/2/24 by email

In response to representation 18, we already engage with numerous nurseries and schools, providing tours of the Shore Street Garden and holding family friendly events throughout the year, the last one was two weeks ago planting spring bulbs with local families across a wide demographic including children.

We also have the support of teachers involved with growing in their own schools at St Ninians, Gourock Primary and Binnie Street Nursery who all see the benefit of a growing space in this location, precisely because it is safe for them to visit. We have worked with all three schools over numerous years helping them integrate food growing & orchard care into their teaching and establish their own growing spaces and orchards.

The lead gardener lives less than 200 yds from the site and regularly visits the play area and bunny park with his [AGE REDACTED] daughter. The gardening group consists of fifteen individuals at the moment, all live locally, are predominantly female and retired.

We'd anticipate visiting the garden for around two hours per week depending on time of the year to keep on top of maintenance. The garden follows a no dig approach and the orchard features dwarf stock tree's to reduce the maintenance burden.

Lastly, in terms of vermin, the proposal is for simple well kept raised beds. There are no proposals to make compost on this site or to store any materials that might give shelter / habitat to vermin. All waste will be removed regularly and composted at the Shore Street Garden site. Vegetable produce will be harvested when ready and taken offsite.

Representation 19 - [NAME REDACTED]

Representation Received 17/2/24 by Email

I would like to support the proposal to create growing spaces inside the gourock walled garden.

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 20 - [NAME REDACTED]

Representation Received 1/3/24 by Email

FOR THE ATTENTION OF THE HEAD OF CULTURE, COMMUNITIES & EDUCATION RESOURCES

OBJECTION TO LEASE OF LAND IN GOUROCK PARK WALLED GARDEN

Dear Sir,

This is written as a person who lives in Gourock Community. I am not writing in my role as [REDACTED] of [GROUP NAME REDACTED], as we lack discussion and consensus. I am also [REDACTED] of [GROUP NAME REDACTED], acting in the best interests for close neighbours to the Walled Gardens, but not objecting in this role, as there has been no opportunity for a vote.

The Shed wish to operate their projects in Gourock Park and there is no problem with this. The objection is to The Shed being in The Walled Garden through a lease by Asset Transfer.

Classification : Official

The Shed would have the space while other groups wish access to the water, toilets and flat area there. No one group or club should monopolise Common Good Assets, for everyone to enjoy.

The presence of an organisation has conflicts of interest for families and people who already enjoy this safe and enclosed area of Gourock Park within The Walled Garden.

There is a sympathetic and timeless space in Gourock Park, with long established bedding for flowers, plants and a variety of horticulture worth protecting. People who use the Park say that The Shed additions could be items that don't match the creativity there.

The Gourock Garden Party visitors really enjoy the open air tea room and are concerned for the future event. There could be difficulties experienced without the space, and access to running water.

People have been giving their views and there are concerns over vermin and introducing a great supply of food for a growing problem in Gourock, being so near the shores, having lots of burns and the Quarry close by, rats have always been around, but to encourage them into this space is asking for trouble. It is already home to a variety of animals and there are plans for new enclosures, the Pets need to be kept safe along with people using The Park and working there.

The Masterplan is a million pound investment in the community for The Park and our visitors. There are concerns that The Shed could jeopardise this opportunity.

To be clear The Shed is a highly admired and great addition to Gourock, they have just picked the wrong part of the Park.

Yours sincerely,

[REDACTED]

[NOTE ADDED BY OFFICERS - The site in question is not common good property, however as the land forms an open space, the present consultation is still required in terms of Section 27 (2A) of the Town and Country Planning (Scotland) Act 1959. The respondent has been advised]

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None

Representation 21 - [NAME REDACTED]

Representation Received 1/3/24 by Email

TO THE HEAD OF CULTURE, COMMUNITIES & EDUCATION RESOURCES,
INVERCLYDE COUNCIL

OBJECTION: GOUROCK PARK WALLED GARDEN: COMMON GOOD ASSET BEING LEASED OR TRANSFERED TO THE SHED; IN PART OR OTHERWISE.

The Community and [GROUP REDACTED] love The Shed, it's members and the presence in Gourrock, with lots of Gourrockian members benefiting from the outdoor activities and still more enjoying being included. It is a great idea for them to be 'rooted' in more places.

This objection comes to you from myself as an individual. Although continuing to be in the role of [GROUP REDACTED] [REDACTED] there has not been time to include all members in seeking opinion, there has been no consensus. This has been difficult as the Notice arrived over a very busy time during [INFORMATION LIKELY TO IDENTIFY GROUP REDACTED], on the back of another proposed Common Good Asset consultation and objection and a lot of other business.

I am writing as an individual who has been and continues to serve Gourrock community, with lots of roles, including being an Aunt to young children and we visit the Park regularly for long spells in Pets Corner, The Fairy Glen and Playpark.

In fact I have regular visits to enjoy the space alone, and with family, friends and the community. I love practicing meditation and I take my Peace Pole there for short times to pray, where I have lovely conversations with people who happen upon me or offer comfort to families visiting the Tree of Tranquility for remembering babies.

I use skills when caring about peoples views and the space we occupy, sharing with many groups and individuals as well as the visible animals, Pets and wild ones, and enjoy seeing unnoticed tiny things or rare and protected species.

I knew about this idea to expand The Shed into the park some time ago, seeking views, and was on the alert to encourage [REFERENCE TO GROUP REDACTED] to find out what people think. At first I didnt know the exact details or locations intended. I believe a few of [REFERENCE TO GROUP REDACTED] are members of The Shed. Someone seems to have offered support without a consultation. Support would be taken for granted but for this location and Notice to consult.

The Walled Garden is a place that I am putting my own objection over. After being sent a Notice to consult the community I have found reasonable concerns from people who already make good use of The Walled Garden. In fact, there is one million reasons.

ONE MILLION POUNDS, I am reminded by people that funding has been reported as being ringfenced for a Masterplan that Councillor [REDACTED] and continuing Councillor [REDACTED] secured for Gourrock Park. Some things have started to happen. The Shed did not exist in The Walled Garden when the Funding was applied for, granted or recieved. Changing the use and patronage could be unhelpful for the plan as its unusual to change specifications during funding.

GOUROCK GARDEN PARTY, as [REDACTED] of the [REFERENCE TO GROUP REDACTED] I am concerned that the area to be leased is also the usual tea room and Ice Cream Van area. Although for one day this Event is over weeks in setting up and clearing away after almost year-to-year in the planning for individual groups. The Gourrock Garden Party provides a platform to raise useful sums of funds through donations and awareness for each charity, plus Stallholders pick up new volunteers. It is a lovely Gala Day, outdoors that brings a lot of Gourrock people to gather, up to one

Classification : Official

thousand people at any time, turning over through the day. The tea area is where the Guides access fresh water and is near toilets for patrons comfort. The area is kept clear and hygienic with table cloths and disposable items. It is safely away from other activities when children are less likely to be harmed from hot drinks. Any raised planter beds and other things could reduce the space greatly.

SAFEGUARDING The Park Keepers and workers have Protection of Vulnerable Groups training and certification. The leaders of The Shed and members of The Shed don't all have Safeguarding measures, also anyone may join. If moving into The Walled Garden any of the members could dwell there, when they wish, for long times, beside the children's play area, Pets Corner and the toilets. Familiarity, proximity and regularly seeing a person could contribute to preconditions for grooming, and manipulation of parents and carers, to gain confidence with children

RATS and vermin: After people spoke to me about their concerns over RATS I met the Past Controller twice. He is also objecting to The Shed being in the Walled Garden as keeping vermin under control is already a task at the very spot where The Shed have picked to lease. This is because of the cavity wall. I would like this noted that I raised my concerns about vermin, that could result in illness or being infected. If even one child is upset, scratched or bitten, it's not worth the risk. Right now there is control and things are safe, the presence of fruit from orchards or other delicious produce would certainly attract these unwelcome animals and encourage breeding when there is a good food supply.

ART CLUB meet across from the gates in the old Stables and enjoy having the parking and the quietness.

Anyone who knows me well will be sure to understand my concerns for this lease, as I have been one of the Parks most frequent visitors enjoying my so much of my own childhood and memories of being there, plus visiting with my own children, ones that I have minded and family or friends children, including all sections of Scouts for decades.

Please consider this objection and find a lovely home for The Shed in Gourock Park outwith The Walled Garden in its own protected space.

Yours truly,

[REDACTED]

[NOTE ADDED BY OFFICERS - The site in question is not common good property, however as the land forms an open space, the present consultation is still required in terms of Section 27 (2A) of the Town and Country Planning (Scotland) Act 1959. The respondent has been advised]

Any Response to the Representation by the Inverclyde Shed – Received N/A by N/A

None
