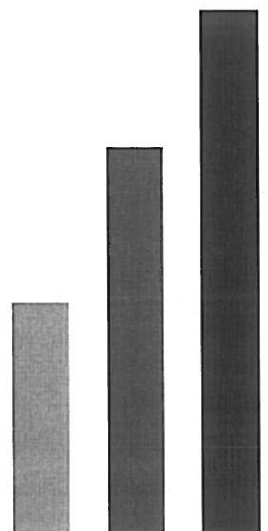


## Agenda 2013

# Environment & Regeneration Committee

For meeting on:

5	September	2013
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**A meeting of the Environment & Regeneration Committee will be held on Thursday 5 September 2013 at 3pm within the Municipal Buildings, Greenock.**

ELAINE PATERSON  
Head of Legal & Democratic Services

## **BUSINESS**

**\*\* Copy to follow**

1. **Apologies, Substitutions and Declarations of Interest**

## **PERFORMANCE MANAGEMENT**

2. **Environment & Regeneration 2013/14 Revenue Budget - Period 3 to 30 June 2013**  
Report by Chief Financial Officer and Corporate Director Environment, Regeneration & Resources
3. **Environment & Regeneration Capital Programme 2013/14 to 2015/16 - Progress**  
Report by Corporate Director Environment, Regeneration & Resources and Chief Financial Officer

## **NEW BUSINESS**

4. **Scheme of Delegation**  
Report by Corporate Director Environment, Regeneration & Resources
5. **Scottish Government Planning Performance Annual Report and Feedback Report**  
Report by Corporate Director Environment, Regeneration & Resources
6. **Scottish Government Consultations on National Planning Framework 3: Main Issues Report and Scottish Planning Policy (Consultation Draft)**  
Report by Corporate Director Environment, Regeneration & Resources
7. **Monitoring of Employability Services - External Contracts**  
Report by Corporate Director Environment, Regeneration & Resources
8. **Archaeology Services**  
Report by Corporate Director Environment, Regeneration & Resources
9. **Tourism Related Projects**  
Report by Corporate Director Environment, Regeneration & Resources

10. **Scotland's Only National Campaign Tackling Litter and Mess in 2013 & 2014**  
 \*\* Report by Corporate Director Environment, Regeneration & Resources
11. **Parks Management Rules**  
 Report by Head of Environmental & Commercial Services
12. **Maintaining Scotland's Roads - An Audit Update on Councils' Progress**  
 Report by Corporate Director Environment, Regeneration & Resources
13. **Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On Street) Order No. 2 2013**  
 Report by Corporate Director Environment, Regeneration & Resources
14. **Proposed Traffic Regulation Order - Disabled Persons' Parking Places (On Street) Order No. 3 2013**  
 Report by Corporate Director Environment, Regeneration & Resources
15. **Proposed Traffic Regulation Order - Cardwell Road, Gourock Waiting Restrictions (Amendment No. 1) Order 2013**  
 Report by Corporate Director Environment, Regeneration & Resources
16. **Proposed Traffic Regulation Order - Manor Crescent, Gourock (Waiting Restrictions) Order 2013**  
 Report by Corporate Director Environment, Regeneration & Resources
17. **Use of Powers Delegated to the Chief Executive - Trial Purchase of Roadstone**  
 Report by Corporate Director Environment, Regeneration & Resources

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.

18. **Lease of Premises - Bridgend Road, Greenock** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources on the lease of premises at Bridgend Road, Greenock
19. **Lease of Premises - Angus Road, Greenock** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources on the lease of premises at Angus Road, Greenock
20. **Lease of Premises - Tower Drive, Gourock** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources on the lease of premises at Tower Drive, Gourock
21. **Disposal of Land at Earnhill Road, Greenock** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources on proposals for the disposal of land at Earnhill Road, Greenock
22. **Disposal of Land at Garvald Street, Greenock** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources on proposals for the disposal of land at Garvald Street, Greenock

23. **Property Assets Management Report** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources on activities and proposals for the management of the Council's property assets
24. **Use of Powers Delegated to the Chief Executive - Battery Park, Sub-Lease of Part of Pavilion** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive for approval to consent to the grant of a sub-lease of part of the pavilion at Battery Park
25. **Use of Powers Delegated to the Chief Executive - Lease Extension, Dalrymple Street, Greenock** **Paras 2, 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive for approval to extend the lease of premises at Dalrymple Street, Greenock
26. **Use of Powers Delegated to the Chief Executive - Dilapidations Payment, Cathcart House, Cathcart Square, Greenock** **Paras 6 & 9**  
 Report by Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive to approve the full and final settlement of dilapidations for Cathcart House, Cathcart Square, Greenock
27. **Use of Powers Delegated to the Chief Executive - Mansion Avenue, Port Glasgow** **Paras 2 & 6**  
 Report by Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive to declare a site at Mansion Avenue, Port Glasgow surplus to requirements and demolish the building on the site
28. **Use of Powers Delegated to the Chief Executive - Waterfront Leisure Complex, Refrigeration Plant Replacement** **Paras 6 & 8**  
 Report by Corporate Director Environment, Regeneration & Resources advising of the use of the powers delegated to the Chief Executive for approval to accept the lowest tender received for the Waterfront Leisure Complex Refrigeration Plant Replacement
29. **Use of Powers Delegated to the Chief Executive - Central Library Offices - Servitude** **Paras 6 & 9**  
 Report by Property Assets Manager advising of the use of the powers delegated to the Chief Executive for approval to enter into a Deed of Servitude in respect of work in connection with the Central Library Offices

Enquiries to - **Rona McGhee** - Tel 01475 712113

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<b>Report To:</b>	<b>Environment &amp; Regeneration Committee</b>	<b>Date:</b>	<b>5 September 2013</b>
<b>Report By:</b>	<b>Chief Financial Officer and Corporate Director Environment, Regeneration and Resources</b>	<b>Report No:</b>	<b>FIN/58/13/AP/MMc</b>
<b>Contact Officer:</b>	<b>Mary McCabe</b>	<b>Contact No:</b>	<b>01475 712222</b>
<b>Subject:</b>	<b>Environment and Regeneration 2013/14 Revenue Budget – Period 3 to 30 June 2013</b>		

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## **1.0 PURPOSE**

- 1.1 To advise Committee of the 2012/13 out-turn and the 2013/14 Revenue Budget position at period 3 to 30 June 2013.

## **2.0 SUMMARY**

- 2.1 In 2012/13, excluding the carry forward of Earmarked Reserves, there was an underspend of £538,000 within the Environment and Regeneration Committee. This was a further reduction in expenditure of £221,000 from the Period 11 underspend reported to Committee in May 2013.
- 2.2 The major variances making up this underspend were as follows:
- (a) Excess Turnover Savings of £197,000.
  - (b) An underrecovery of Planning income of £207,000, this being symptomatic of the current economic climate.
  - (c) An underspend within Waste Management of £233,000 due to a reduction in tonnages and delays in initiating the Food Waste scheme.
  - (d) Income of £300,000 received from a developer relating to the Inverkip Footbridge, not previously reported. This was transferred to the Repairs and Renewals Fund at year end.
- 2.3 The revised 2013/14 budget for Environment and Regeneration is £21,104,000 which excludes Earmarked Reserves.
- 2.4 The latest projection, excluding Earmarked Reserves, is an underspend of £151,000.
- 2.5 The main variances projected at Period 3 are:
- (a) There is a projected underspend of £29,000 within Cleaning employee costs due to a reduction in additional hours.
  - (b) There is a projected underspend on Ground Maintenance employee costs of £61,000, based on the current work programme.
  - (c) There is a projected underspend on Vehicle Maintenance Fuel of £78,360 resulting from efficiencies arising from the tracking system, lower than anticipated fuel prices and a decrease in usage.

### **3.0 RECOMMENDATIONS**

- 3.1 The Committee note the out-turn for 2012/13 and the current projected underspend for 2013/14 of £151,000 as at 30 June 2013.
- 3.2 The Committee is asked to approve virement as detailed in Appendix 4.

Alan Puckrin  
Chief Financial Officer

Aubrey Fawcett  
Corporate Director  
Environment, Regeneration & Resources

## 4.0 BACKGROUND

- 4.1 The purpose of this report is to advise Committee of the current position of the 2013/14 budget as well as the 2012/13 out-turn and to highlight the main issues contributing to the underspend in 2012/13 and the projected underspend in 2013/14.
- 4.2 The revised 2013/14 budget reflects an increase from the approved budget of £335,360, due to the following:
- i. Additional budget allocated to cover the increased costs associated with adoption of the Living Wage - £26,000 within Environmental Services and £256,000 within Property Assets and Facilities Management.
  - ii. Additional budgets allocated from the Inflation Contingency as follows:
    - Property Insurance across the Committee - £8,470
    - Admin Insurance across the Committee - £29,890
    - Catering Provisions - £87,100
    - Roads Client Lighting Maintenance - £4,260
  - iii. Creation of budget for Clothing Bank income – (£22,000).
  - iv. Reduction in Waste Disposal budget resulting from Procurement Savings - (£38,000).
  - v. Reduction in transport and plant due to realignment of budgets (nil impact across the Council) – (£35,610).
  - vi. Realignment of Janitors' recharge budget £19,250. The contra adjustment being within Education and Communities Committee.

## 5.0 2012/13 OUT-TURN

- 5.1 The main variations from budget and movements from Period 11 Projection in 2012/13 were as follows:

	Revised Budget 2012/13	Out-turn 2012/13	Variance to Budget	Percentage Variance to Budget	Movement since P11 Projection
	£000	£000	£000	%	£000
Regeneration & Planning	6,912	6,905	(7)	(0.10)	(78)
Property Assets & Facilities Management	3,455	3,670	215	6.22	60
Environmental & Commercial Services	12,533	11,784	(749)	(5.98)	(342)
Corporate Director	159	162	3	1.82	3
<b>TOTAL NET EXPENDITURE</b>	<b>23,059</b>	<b>22,521</b>	<b>(538)</b>	<b>(2.33)</b>	<b>(357)</b>
Earmarked Reserves	(3,823)	(3,823)	0	0	136
<b>TOTAL NET EXPENDITURE EXCLUDING EARMARKED RESERVES</b>	<b>19,236</b>	<b>18,698</b>	<b>(538)</b>	<b>(2.79)</b>	<b>(221)</b>

- 5.2 The actual out-turn, excluding Earmarked Reserves was £18,698,000, which represents an underspend of £538,000. This is a reduction in spend of £221,000 from the position reported to Committee on 2<sup>nd</sup> May 2013. The material variances are outlined in 5.3 to 5.6:

### 5.3 Committee-wide Variances

- a) Turnover Savings across all Services of £197,000, an increase in spend of £104,000 from the position reported at Period 11. The majority of this movement is due to costs associated with the Living Wage of £97,000, which are funded from reserves.

#### 5.4 Regeneration and Planning Variances

- a) There was an overrecovery of Industrial and Commercial rental income of £65,000 due to higher than budgeted lets and receipt of backdated charges. This was a further increase in income of £16,000 from that projected at May's Committee.
- b) There was an underrecovery of Planning income of £207,000 resulting from the current downturn in the economy. This represents a small increase in income of £9,000 from that projected at Period 11.

#### 5.5 Property Assets & Facilities Management Variances

- a) Within Catering there was an overspend within provisions, milk and cleaning materials amounting to £79,000, mainly resulting from inflationary increases in food and milk prices and legislative changes relating to cleaning procedures. This is £54,000 more spend than was projected at Period 11.

#### 5.6 Environmental & Commercial Services Variances

- a) There was an underspend relating to disposal of waste of £233,000 mainly due to a reduction in waste tonnages and a delay in the implementation of the food waste scheme. This represents an increase in spend of £16,000 from that reported at Period 11.
- b) There was a recovery of income for clothing banks of £35,000, not anticipated at Period 11.
- c) Within Trade Waste income there was an underrecovery of £71,000 due to reduced uptake of the service. This was a further decrease in income of £6,000 from that reported in May.
- d) At the year end there was income received from a developer relating to the Inverkip Footbridge of £300,000, not previously reported. This was transferred to the Repairs and Renewals Fund at the year end.

### **6.0 2013/14 CURRENT POSITION**

6.1 The current projection for 2013/14 is an underspend of £151,000.

#### **6.2 Regeneration & Planning - £2,000 Underspend**

The current projected out-turn for Regeneration & Planning is an underspend of £2,000.

The main issues relating to the current projected underspend for Regeneration & Planning are detailed below and in Appendix 2:

##### (a) Employee Costs:

There is a projected underspend of £15,260 mainly due to:

- i. An underspend in the Get Ready for Work programme of £31,230 which is more than offset by an underrecovery of income, see 6.2(b)(ii) below.
- ii. £11,560 overspend due to a shortfall in turnover as a result of two employees remaining in post after their budgeted termination date.



(b) Income:

Overall income is projected to be underrecovered by £12,900, mainly due to:

- i. £29,200 overrecovery within Industrial & Commercial Rents based on current occupancy levels resulting in fewer voids than budgeted.
  - ii. A projected underrecovery of Get Ready for Work income from Skills Development Scotland of £47,750, partially offset by a reduction in employee costs per 6.2(a)(i) above.
- (c) Planning Income is currently projected on budget based on income to date. It should be noted, however, that this budget was significantly underrecovered in the previous financial year and will be closely monitored this year with any revisions to projection reported to future Committee meetings.

### 6.3 **Property Assets and Facilities Management - £9,000 Overspend**

The current projected out-turn for Property Assets and Facilities Management is an overspend of £9,000.

The main issues contributing to the current projected overspend for Property Assets and Facilities Management are detailed below and in Appendix 2.

(a) Employee Costs:

There is a projected underspend of £29,000 which is due to:

- i. A projected £10,000 overspend in Janitors which is offset by an increase in recharge income per 6.3(d)(i) below;
- ii. A projected underspend of £29,000 in Cleaning due to a reduction in additional hours;
- iii. £10,000 additional turnover savings.

(b) Property Costs

There is a projected overspend of £14,000 within Catering cleaning materials and equipment. This overspend is mainly due to changes in food industry legislation relating to cross contamination which has led to the use of disposable paper towels instead of tea towels, as was previously the case.

(c) Supplies & Services

These are overall projected on budget however there are some movements within the budget, mainly:

- i. A projected underspend of £40,000 within Building Services PAT testing which is partially offset by a reduction in recharge income per 6.3(d)(ii) below;
- ii. A projected overspend of £20,000 within Building Services direct purchases based on the current workload.
- iii. A projected overspend within Catering Provisions of £11,400. This overspend is after budget of £87,100 has been allocated from the Inflation Contingency and is due to rising food costs. A fundamental review of the provisions budget is being progressed and will be reported at the next Committee.

(d) Income:

There is a projected £25,000 underrecovery of income, due to:

- i. A projected overrecovery of Janitors' recharge income of £10,000, in line with employee costs, see 6.3(a)(i) above;
- ii. A projected underrecovery of Building Services PAT testing recharge income of £35,000, offset by a reduction in spend per 6.3(c)(i) above.

6.4 **Environmental & Commercial Services - £158,000 Underspend**

The current projected out-turn for Environmental & Commercial Services is an underspend of £158,000.

The main issues contributing to the current projected underspend for Environmental & Commercial Services are detailed below and in Appendix 2.

(a) Employee Costs

There is a projected underspend of £108,000, mainly due to:

- i. A projected underspend of £61,000 in Ground Maintenance employee costs. This underspend is due to delays in filling seasonal posts and is in line with the current work programme. This is partly offset by an underrecovery of Events income, see 6.4 (f)(i) below.
- ii. A projected underspend of £40,000 within Refuse Collection, partly offset by Agency Staff costs, see 6.4(d) below. The balance is due to delays in recruiting temporary employees.
- iii. Costs for an employee funded from Food Waste grant of £34,280, offset by grant income as detailed at 6.4(f)(ii) below.
- iv. A projected underspend in Street Cleaning of £15,000 due to delays in filling vacancies.
- v. Turnover Savings under Management of £20,140.

(b) Supplies & Services

There is a projected overspend of £1,002,480 within Supplies & Services, mainly due to the following:

- i. Costs associated with Food Waste of £31,480, offset by grant income per 6.4(f)(ii) below.
- ii. Projected overspend within Roads Operational Account of £962,000. This mainly relates to increased Subcontractors and Materials costs and is offset by additional income per 6.4(f)(iv) below.

(c) Transportation & Plant

There is a projected overspend of £73,220, mainly due to:

- i. A projected underspend on purchase of Fuel within Vehicle Maintenance of £78,360 resulting from efficiencies due to the tracking system, lower than anticipated fuel prices and a decrease in usage.
- ii. A projected overspend of £10,580 on Road Fund licences within Vehicle Maintenance based on the current fleet requirements.
- iii. A projected overspend within the Roads Operational Account of £121,000 on External Hires and £15,000 on Non Routine Maintenance. These overspends are mainly due to increased Capital works associated with the RAMP and are offset by an overrecovery of income, as outlined in 6.4(f)(iv).

(d) Administration

There is a projected overspend of £31,460. This is mainly due to Agency Staff costs within Refuse Collection (£20,000) offset by reduced employee costs and Vehicle Maintenance (£10,000) due to the requirement to cover long term driver absences.

(e) Payments to Other Bodies

There is a projected overspend of £34,240 within the Food Waste scheme which is offset by grant income, see 6.4(f)(ii) below.

(f) Income

There is a projected overrecovery in income of £1,195,820, mainly due to:

- i. A projected underrecovery in Ground Maintenance Special Events income of £10,000, due to a reduction in the workload relating to events.
- ii. Grant income of £100,000 relating to the Food Waste scheme, offset by projected expenditure as outlined in 6.4(a)(iii) 6.4(b)(i) and 6.4(e) above.
- iii. A projected underrecovery of Scrap Metal income of £28,180 due to lower than anticipated tonnages.
- iv. A projected overrecovery within the Roads Operational Account of £1,124,000; offset by increases in Supplies & Services and Transport & Plant costs, per 6.4(b)(ii) and 6.4(c)(iii) above.

**6.5 Corporate Director - £nil Variance**

The Corporate Director budget is currently projecting to out-turn on budget.

**7.0 VIREMENTS**

7.1 Committee is asked to approve virement as detailed in Appendix 4. Where appropriate, the virement is reflected throughout the report. These virements are requested to address the continuing shortfall in Trade Waste income and Economic Development Admin Income from underspends across a number of other lines and are permanent in nature.

**8.0 CONCLUSIONS**

8.1 The Committee is currently reporting an underspend of £151,000.

## 9.0 FINANCIAL IMPLICATIONS

9.1 The current projected out-turn, per Service, excluding Earmarked Reserves, is:

Service	Approved Budget 2013/14 £'000	Revised Budget 2013/14 £'000	Projected Out-turn 2013/14 £'000	Projected Over/(Under - Spend) £'000	Percentage Variance %
Regeneration & Planning	4,809	4,812	4,810	(2)	(0.05)%
Property Assets & Facilities Management	3,467	3,844	3,853	9	0.24%
Environmental & Commercial Services	14,297	14,253	14,095	(158)	(1.11)%
Corporate Director	160	160	160	0	0.00%
<b>TOTAL</b>	<b>22,733</b>	<b>23,069</b>	<b>22,918</b>	<b>(151)</b>	<b>(0.65)%</b>
Transfer to Earmarked Reserves	0	(1,965)	(1,965)	0	0.00%
<b>TOTAL NET EXPENDITURE</b>	<b>22,733</b>	<b>21,104</b>	<b>20,953</b>	<b>(151)</b>	<b>(0.71)%</b>

## 10.0 EARMARKED RESERVES

10.1 There is a planned £1,965,000 contribution to Earmarked Reserves in the current financial year. Spend to date is 8% of projected spend as detailed in Appendix 3. The Earmarked Reserve spend is in line with the projected spend at Period 3 with the exception of the Regeneration of Town Centres where the start date has been delayed with the drawdown of funds commencing September onwards.

## 11.0 EQUALITIES

11.1 There are no equality issues arising from this report.

## 12.0 CONSULTATION

12.1 The report has been jointly prepared by the Corporate Director Environment, Regeneration & Resources and the Chief Financial Officer.

ENVIRONMENT AND REGENERATION COMMITTEEREVENUE BUDGET MONITORING REPORTPERIOD 3: 1st April 2013 - 30th June 2013

Subjective Heading	Approved Budget 2013/14	Revised Budget 2013/14	Projected Out-turn 2013/14	Projected Over/(Under) Spend	Percentage Variance %
Employee Costs	18,168	17,980	17,828	(152)	(0.85)%
Property Costs	8,612	8,532	8,550	18	0.21%
Supplies & Services	5,377	5,439	6,441	1,002	18.42%
Transport Costs	3,503	3,439	3,512	73	2.13%
Administration Costs	459	481	513	32	6.75%
Payments to Other Bodies	5,977	5,984	6,018	34	0.58%
Income	(19,363)	(18,786)	(19,944)	(1,158)	(6.16)%
<b>TOTAL NET EXPENDITURE</b>	<b>22,733</b>	<b>23,069</b>	<b>22,918</b>	<b>(151)</b>	<b>(0.65)%</b>
Transfer to Earmarked Reserves *	0	(1,965)	(1,965)	0	0.00%
<b>TOTAL NET EXPENDITURE EXCLUDING EARMARKED RESERVES</b>	<b>22,733</b>	<b>21,104</b>	<b>20,953</b>	<b>(151)</b>	<b>(0.71)%</b>

\* Per Appendix 3: New funding transferred to earmarked reserves during 2013/14

## ENVIRONMENT AND REGENERATION COMMITTEE

## REVENUE BUDGET MONITORING REPORT

## MATERIAL VARIANCES

PERIOD 3: 1st April 2013 - 30th June 2013

<u>Out Turn</u> <u>2012/13</u> <u>£000</u>	<u>Budget</u> <u>Heading</u>	<u>Budget</u> <u>2013/14</u> <u>£000</u>	<u>Proportion</u> <u>of Budget</u>	<u>Actual to</u> <u>30-Jun-13</u> <u>£000</u>	<u>Projection</u> <u>2013/14</u> <u>£000</u>	<u>(Under)/Over</u> <u>Budget</u> <u>£000</u>	<u>Percentage</u> <u>Variance</u> <u>%</u>
	<b>REGENERATION &amp; PLANNING</b>						
1,041	Planning - Employee Costs	1,043	271	257	1,053	10	0.96%
52	Economic - Get Ready for Work Employee Costs	150	38	26	119	(31)	(20.67)%
(114)	Economic Getting Ready for Work - Recoveries	(162)	(41)	(20)	(114)	48	(29.63)%
(668)	Commercial & Industrial Income	(640)	(156)	(161)	(669)	(29)	4.53%
	<b>PROPERTY ASSETS &amp; FACILITIES MANAGEMENT</b>						
1,665	Cleaning - Employee Costs	1,768	455	437	1,739	(29)	(1.64)%
1,132	Janitorial - Employee Costs	1,082	279	280	1,092	10	0.92%
47	Catering - Cleaning Material/Equipment	26	7	16	40	14	53.85%
(1,158)	Janitorial - Internal Income	(1,100)	(283)	(280)	(1,110)	(10)	0.91%
941	Catering - Provisions	982	246	223	993	11	1.12%
207	Building Services - Direct Purchases	164	41	29	184	20	12.20%
250	Building Services - Subcontractors	260	65	67	220	(40)	(15.38)%
(25)	Building Services Income - PAT Testing	(40)	(10)	(5)	(5)	35	(87.50)%
	<b>ENVIRONMENTAL &amp; COMMERCIAL SERVICES</b>						
2,483	Environmental Management - Employee costs	2,528	632	607	2,508	(20)	(0.79)%
1,888	Ground Maintenance - Employee Costs	1,609	432	403	1,548	(61)	(3.79)%
(30)	Ground Maintenance - Special Events Income	(27)	(7)	0	(17)	10	(37.04)%
976	Street Cleaning - Employee Costs	1,011	260	246	996	(15)	(1.48)%
38	Refuse Collection - Agency Staff	0	0	6	20	20	0.00%
1,364	Waste Management - Employee Costs	1,352	377	363	1,312	(40)	(2.96)%
33	Vehicle Maintenance - Agency Staff	0	0	5	10	10	0.00%
711	Vehicle Maintenance - Fuel issues	697	174	153	619	(78)	(11.19)%
37	Vehicle Maintenance - Road Fund	31	9	11	42	11	35.48%
(28)	Waste Disposal - Scrap Metal Income	(60)	(15)	(5)	(32)	28	(46.67)%
235	Roads Trading Account - Subcontractors	119	15	50	239	120	100.84%
1,612	Roads Trading Account - Materials	810	44	544	1,638	828	102.22%
211	Roads Trading Account - External Hires	94	12	78	215	121	128.72%
45	Roads Trading Account - Non Routine Vehicle Maintenance	20	5	14	35	15	75.00%
(2,062)	Roads Trading Account - Income (Capital)	(1,652)	(210)	(901)	(2,801)	(1,149)	69.55%
(1,159)	Roads Trading Account - Income (Revenue)	(700)	(89)	(180)	(660)	40	(5.71)%
(203)	Roads Trading Account - Income (Non Client Involvement)	0	0	0	(15)	(15)	0.00%
<b>Total Material Variances</b>						<b>(166)</b>	

EARMARKED RESERVES POSITION STATEMENT

COMMITTEE: Regeneration & Environment

Project	Lead Officer/ Responsible Manager	cliff Funding 2012/13	New Funding 2013/14	Total Funding 2013/14	Phased Budget To Period 3 2013/14	Actual To Period 3 2013/14	Projected Spent 2013/14	Amount to be Earmarked for 2014/15 & Beyond	Lead Officer Update
		£000	£000	£000	£000	£000	£000	£000	
Riverside Inverclyde	Aubrey Fawcett	1,585	1,600	3,185	143	5	2,553	632	Due to scheduled later start date of Town Centre Regeneration (autumn) & the prioritised draw down of Scottish Government funding (Kolburn, Custom House) it is anticipated approximately £2.4m of the projected spend will be drawn down from September onwards with minimal spend in the first 5 months of the year.
Area Renewal Fund	Aubrey Fawcett	211	0	211	5	5	136	75	Approval was given by Regeneration Committee (meeting 20th January 2011, 12 May 2011 & 08 Mar 2012) to fund the following projects with a total spend of £249k (£14k in 2011/12, £24k in 2012/13 and £211k in 2013/14). £3k for detailed design work and Business plan for changing facilities at Lady Octavia Workshop spend anticipated in 2013/14. Remaining spend on feasibility study for the development of a community facility at Woodhall of £3k projected to be spent in 2013/14. Task Group creche facilities £3k carried forward to 2013/14. £5k for Craigend Resource Centre projected to be spent in 2013/14. £100k has been allocated to Gibhill Community Centre with full spend projected in 2013/14. £15k for ICOT to undertake the Clune Park School feasibility study, likely to be incurred in 2013/14. £75k has been allocated to Clune Park Resource Centre and spend is expected to be incurred in 2014/15 after a review into the future of the former Clune Park School. £3k of legal expenses spend projected to be incurred in 2013/14 for the transfer of land currently held by RCH to Inverclyde Council to facilitate a lease of land to Greenock Central Residents Action Group.
Asset Management Plan - Office Rationalisation	Andrew Gerrard	549	780	1,329	324	334	493	836	Letter of Acceptance for Central library offices to be issued imminently. Just awaiting agreement of Tenanted/Oak Mall for licence to work. Letter of Acceptance issued for both Wallace Place and Phoenix Street Offices. Site start imminent. Disputations settlement agreed and paid for Callicart House.
Asset Management Plan - Replacement Depot	Andrew Gerrard	682	900	1,582	9	6	156	1,426	Tender to be issued imminently for the Civic Amenity Site. Design progressing for parking/road infrastructure and vehicle maintenance shed.
Support for Community Facilities	Aubrey Fawcett	525	52	577	35	60	379	198	£200k is approved to be spent on Wellington Community Facility, consultation is ongoing with the Community and £2k of this £200k was expended on fees in 2012/13 with the balance projected to be spent in 2014/15. £100k has been approved for spend on Gibhill Community Facility, the project being progressed by GRA, and is projected to be spent in 2013/14. Environment & Regeneration Committee on 30 August 2012 agreed proposals to allocate the remaining £227k, with additional funding of £52k approved through the budget setting process, on various community grants, with expenditure to be drawn down during 2013/14.
Youth Employment	Stuart Jamieson	810	330	1,140	17	17	448	692	Approved by Policy & Resources Committee 27/03/12. Three year programme to address youth unemployment. The anticipated annual spend profile has £88k for Modern Apprentices and £360k for Graduates and External funding.
Business Support Initiative	Stuart Jamieson	462	0	462	16	28	427	35	Funding will be used to support 2 two year Business Development posts and streetcapes / shop front improvement at Dubbs Road and West Station, as well as marketing and aftercare. One Post was filled in July 2012, and the other post to be filled later in 2013/14. Tenders have been submitted for a Canopy at Dubbs Road, the Contractor was on site in March 2013. The Tender process for shop front improvements at Dubbs Road and West Station should be completed in 2013/14.
Bikmyro Park, Port Glasgow	Ian Moffat	200	0	200	0	0	200	0	Draft stage C drawings being reviewed prior to going to OS for costing. Spend expected to be incurred from period 8 onwards.
Investment Fund for Council Owned Bowling Clubs	Andrew Gerrard	159	0	159	37	10	159	0	Work completed for Wellington, Hillend and Gourock Park. Tenders returned for Parklea. Design being progressed for Lady Alice. Rankin park on hold pending potential sale to club.

EARMARKED RESERVES POSITION STATEMENT  
COMMITTEE: Regeneration & Environment

Project	Lead Officer/ Responsible Manager	£/£000	New Funding 2013/14	Total Funding 2013/14	Phased Budget To Period 3 2013/14	Actual To Period 3 2013/14	Projected Spend 2013/14	Amount to be Earmarked for 2014/15 & Beyond	Lead Officer Update
Whinhill Golf Club	Ian Moffat	183	0	183	5	1	183	0	Relates to 14 individual projects. Approximately 30% were either completed in 2012/13 or are currently in progress. The balance are projected to be completed by the end of the calendar year.
Lower Clyde River Valley Projects	Stuart Jamieson	14	0	14	3	3	14	0	Reserve used for specific projects. £11k to be spent in 2013/14 in conjunction with award from Coastal Communities Fund for the creation of a Heritage Trail, and £3k for additional project work.
Flooding Strategy	Robert Graham	60	0	60	14	13	60	0	Funding is for ongoing Legpl expenses and to employ a temporary Flooding Officer until July 2013 to assist in the continuing development and design of the Flooding Strategy.
Roads Assessment/Feasibilities	Robert Graham	32	0	32	9	9	32	0	The Greenock Town Centre Parking Strategy and the Decriminalised Parking Enforcement Business Case report was approved by Committee in October 2012. This funding is for ongoing Consultants costs of which £9k has been spent at P3 with a further £5k of work committed. The remaining work will be progressed and full spend is expected in 2013/14.
Winter Maintenance	Robert Graham	233	416	649	4	4	360	269	Carry forward funding is in addition to the Roads Services Winter Maintenance budget and is to provide additional funds should a severe winter arise. The projected spend is in line with the previous years spend, however, this will vary depending on the severity of the winter.
Local Plan Preparation	Stuart Jamieson	11	0	11	4	4	11	0	The projected spend represents amount due for 2013/14. Local Plan is prepared in a five year cycle with the majority of spend incurring in the fifth year; 2013/14 being the final year.
Local Environment Improvement Fund	Ian Moffat	135	0	135	13	4	135	0	Relates to 57 individual projects. Approximately 30% were either completed in 2012/13 or are currently in progress. The balance are projected to be completed by the end of the calendar year.
Greenock Town Centre Parking Strategy	Robert Graham	96	0	96	0	0	41	55	Funding is for implementation of the Greenock Town Centre Parking Strategy and Decriminalised Parking Enforcement. The revised proposals including funding was approved by Committee in October 2012 and implementation will now be progressed. The funding has been reduced by £204k of CFGR funding as this is being reported through the Environment and Regeneration Capital Programme report. The revised EMR funding of £96k includes the funding of an employee from August 2013 to July 2014 to assist in the implementation. The Service anticipate that £41k of spend will be achieved in 2013/14 with the remaining £55k being carried forward for spend in 2014/15.
Utilities Spend to Save Fund	Andrew Gerrard	231	0	231	46	45	136	95	Various small works underway for water saving measures. Water systems work completed in Greenock Municipal Buildings. awaiting meter install. St Mary's Electrical Work out to tender (contribution being made towards additional cost of LED lights). Action being taken to ensure all heating systems are switched off May to September, particularly schools. Saving made in electricity used by main ICT servers due to virtualisation project.
Roads - Additional revenue investment	Robert Graham	126	0	126	0	0	74	52	The funding carried forward from 2012/13 is for cycle track maintenance and the completion of the RAMP report (to include sea walls, etc.). The Service anticipate completing this work in 2013/14. The cost of the temporary Road Network Managers post is now being funded from the core RAMP budget and the remaining £105k of funding has been re-phased and will be used for additional revenue works in 2013/14 and 2014/15. Minimal expenditure anticipated from period 4 onwards with the majority of the spend anticipated in period 7 onwards.
Vehicle Replacement Programme	Ian Moffat	205	1,105	1,310	29	29	987	323	£205k earmarked reserves relates to underspend on VRP loan charges. £29k has been spent in period 1 on additional revenue running costs for the vehicle tracking system. Loans charges will be changed in period 12. There is an anticipated underspend of £118k increasing the earmarked reserve available for carry forward to £323k.
Greenock Town Centre - Extra Police	Aubrey Fawcett	0	80	80	0	0	32	48	Resources equivalent to two additional police officers are employed within Greenock Town Centre and spend will be incurred in due course. Spend anticipated to be incurred at the year end (period 12).



## EARMARKED RESERVES POSITION STATEMENT

COMMITTEE: Regeneration &amp; Environment

Project	Lead Officer/ Responsible Manager	Off Funding 2012/13	New Funding 2013/14	Total Funding 2013/14	Phased Budget To Period 3 2013/14	Actual To Period 3 2013/14	Projected Spent 2013/14	Amount to be Earmarked for 2014/15 & Beyond	Lead Officer Update
		£000	£000	£000	£000	£000	£000	£000	
Repopulating/Promoting Inverclyde	Aubrey Fawcett	0	1,000	1,000	0	0	150	850	Report approved by Committee, projects to be progressed. Spend anticipated to be incurred at the year end (period 12).
Increased Officer Capacity - External Funding Officer	Stuart Jamieson	0	125	125	0	0	26	99	A post has been created for a period of three years to lead on behalf of the Council in obtaining external Funding. The post is due to start 24th June 2013.
<b>Total</b>		<b>6,509</b>	<b>6,388</b>	<b>12,897</b>	<b>713</b>	<b>577</b>	<b>7,212</b>	<b>5,685</b>	

**ENVIRONMENT AND REGENERATION COMMITTEE****VIREMENT REQUESTS****PERIOD 3: 1st April 2013 - 30th June 2013**

Budget Heading		Increase Budget £	(Decrease) Budget £
Economic Development Admin Income	1	17,360	
Economic Development Various Overhead Lines	1		(17,360)
Environmental Services Trade Waste Income	2	67,600	
Environmental Services Non Contract Waste Disposal	2		(10,000)
Environmental Services Food Waste Disposal	2		(1,100)
Environmental Services Refuse Collection Seasonal Employees	2		(40,000)
			(16,500)
<b>Total</b>		<b>84,960</b>	<b>(84,960)</b>

1) Reduction in various Economic Development overhead lines offsetting unachievable income target.

2) Underspends within Environmental Services offset by underrecovery of Trade Waste income.

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<b>Report To:</b>	<b>Environment &amp; Regeneration Committee</b>	<b>Date:</b>	<b>5 September 2013</b>
<b>Report By:</b>	<b>Corporate Director Environment, Regeneration and Resources and Chief Financial Officer</b>	<b>Report No:</b>	<b>FIN/60/13/AP/MT</b>
<b>Contact Officer:</b>	<b>Matt Thomson</b>	<b>Contact No:</b>	<b>01475 712256</b>
<b>Subject:</b>	<b>Environment &amp; Regeneration Capital Programme 2013/14 to 2015/16 - Progress</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of the report is to update the Committee in respect of the status of the projects within the Environment & Regeneration Capital Programme and to highlight the overall financial position.

## **2.0 SUMMARY**

- 2.1 This report advises Committee in respect of the progress and financial status of the projects within the Environment & Regeneration Capital Programme.
- 2.2 It can be seen from the table in 7.2 that the projected spend is £90.453m, which means that the total projected spend is on budget.
- 2.3 Expenditure at 31<sup>st</sup> July is 12.38% of 2013/14 projected spend, net slippage of £0.294m (2.1%) is being reported, see paragraph 8.3 for further details.
- 2.4 The above figures take into account the achievement of Financial Close for the BPRA scheme on which more details are given in Section 7.
- 2.5 The Environmental and Regeneration elements of the Committee's Capital Programme are presented in separate Appendices.

## **3.0 RECOMMENDATION**

- 3.1 That Committee note current position of the 2013/16 Capital Programme and the progress on the specific projects detailed in Appendices 1 & 2.

Aubrey Fawcett  
Corporate Director  
Environment, Regeneration & Resources

Alan Puckrin  
Chief Financial Officer

## **4.0 BACKGROUND**

- 4.1 In February 2013 the Council agreed the 2013/16 Capital Programme, significant additional funding was identified to increase the Roads Asset Management Plan and a number of further Projects were identified, funded from Revenue Reserves.
- 4.2 This report reflects the revised Committee structures. For ease of reference the Environment and Regeneration elements are presented in separate Appendices.

## **5.0 PROGRESS (Environmental & Commercial Services Major Projects)**

- 5.1 For Roads, the total allocation for 2013/14 is £5.117m - this comprises £1.090m from Core Capital funding and £4.027m from the Roads Asset Management Plan.

Total spend on carriageway and footway resurfacing/reconstruction, and street lighting, stands at approximately £1.4m to end July 2013, with the bulk of the spend on carriageways (at just under 50% of carriageway budget). Overall, projects are generally proceeding to programme. Site works to footways and street lighting have commenced, with design work progressing - the bulk of the site works are programmed for later this financial year.

- 5.2 In March 2012 the Council approved a programme of projects for Flood Management funded from the Roads Capital budget for 2012/15. This included £1m for match funding for the Flood Action Plan 2012/13 – 2013/14.

The Flood Management Study has reported its findings. These have been combined with those of an earlier report on the Hole Burn and Carts Burn into a draft CMT report which lists the priority flooding project options up to a £2m total spend (including the £1m match funding from Government to be confirmed).

The tender for the automatic trash screen design, manufacture and installation reached its response deadline on 5 August 2013. No tender returns have been received. Consideration is being given to how to re-tender for this work.

- 5.3 Port Glasgow Bus Station underspend of £70,000 has been returned to SPT. Discussions are ongoing regarding augmenting the shelters to provide more protection from the wind. This will be the subject of a further request to SPT for funds.
- 5.4 The Highholm Park and Ride project's brick retaining wall supporting the electricity sub-station has been repaired at a cost of £48,000. Scottish Power has agreed to contribute half of this cost. The project is reporting an estimated underspend of £20,000. Work to complete the landscaping began on 7 August 2013.
- 5.5 SPT funded works to the N753 Cycle Route between Lunderston Bay and Kip Marina go out to tender on 9 August 2013. The route is subject to legal agreement with Ardgowan Estates which is being sought in parallel with the tender process. The design tender for the route between Inverkip and Wemyss Bay is out to tender, using the Scotland Excel Consultant Framework Contract, for replies by 19 August 2013.
- 5.6 The Greenock Parking Strategy/ Decriminalised Parking Enforcement project's traffic regulation orders reached the closing date for public objections on 5 August 2013. 65 objections have been received. All existing restriction road markings and signs unaffected by the traffic orders have been refurbished except outer Greenock and Kilmacolm.
- 5.7 Vehicles totalling £98,000 have now been delivered with £120,000 spend committed and scheduled for delivery within the next eight weeks. Tenders are being prepared and discussed with service users for additional items. The allocated budget will be fully spent in this financial year.

- 5.8 The Battery Park Outdoor Gym was completed in early August and is now available for use by the public free of charge. Battery Park Skatepark and the new Jacobs Drive Play Area are in the procurement phase. Consultation on three new play areas at Barr's Brae, Braeside and Taymouth Drive is underway.
- 5.9 Please refer to the status reports for each project contained in Appendix 1.

## **6.0 PROGRESS (Regeneration Major Projects)**

- 6.1 Gourock Pier and Railhead Development Area: The current Gourock project proposals were approved by the Regeneration Committee on the 27th October 2011 and approved by the Policy and Resources Committee on the 15th November 2011. A Public consultation process on the updated proposals took place on the 13th December 2011.

A temporary car park has been formed on the grass area to the south of the current Network Rail Car Park. This has created 47 additional temporary car parking spaces.

A Planning Application has been approved for public realm works and traffic improvements which includes the construction of new areas of public open space, pedestrian links and small boat launch facility; alterations, extensions and improvements to existing car parks at Kempock Street and Pierhead / Railway Station together with associated engineering and reclamation works; the formation of a new single carriageway road to the north of Kempock Street with associated new and altered road junctions and layout.

Riverside Inverclyde will now take the project to tender stage. Because of the time elapsed since the prequalification the process will need to be rerun and the PQQ reissued. As this will be run in parallel with the preparation of tender documents it should not cause any delay.

Negotiations with Network Rail over the licencing and land transfer agreements necessary to undertake the works are progressing however they have not been concluded within the timescale originally envisaged which may result in a delay in works commencing on-site. A report detailing the outcome of the negotiations will be submitted to Committee when the details have been concluded, in the mean time it is provisionally projected to reduce expected spend in 2013/14 by £0.222m however this is subject to confirmation once negotiations have been concluded.

The various planning conditions attached to the development are currently being purified. Detailed design and contract documentation are being progressed towards issuing competitive tenders. Legal agreements are being pursued with key owners.

- 6.2 Sports & Pitches Strategy: Projects at Ravenscraig Stadium, Parklea, Nelson Street Sports Centre, Gourock Pool, South West Library, Broomhill & George Road pitches, Battery Park pitch and Birkmyre Park Kilmacolm are now complete. The works at Rankin Park Grass Pitch and Pavilion are progressing on site. Tenders have been returned for the replacement of the Waterfront's Refrigeration Plant and await further supporting financial information prior to acceptance.
- 6.3 Asset Management Plan – Offices: The Customer Contact Centre at Greenock Municipal Buildings is complete together with the Banking Hall and the landscaping works to Clyde Square. The refurbishment of Wallace Place and the provision of the Port Glasgow Hub have commenced on site. The conversion of the Central Library is due to commence on site imminently.

- 6.4 Asset Management Plan – Depots: Substantial ground investigation works have been completed at Pottery Street and design works are progressing. The Salt Barn is now complete and tender documents for the Civic Amenity Site have been returned and are being checked. Tender documents for the demolition of the nissen huts are being prepared and will be issued shortly. Design works for the Vehicle Maintenance Buildings is progressing and Planning Permission has been applied for. Surveys and investigation works for the upgrading of the Kirn Drive Civic Amenity Site have been completed and design work is progressing.
- 6.5 Port Glasgow Town Hall: The first phase of electrical upgrades, the installation of the new reception desk and the refurbishment of the ground and first floor toilets are now complete. The tender for the upgrade of the lift has been accepted however the work will not be carried out until January 2014 due to the need to carry out the work when the Town Hall is not booked for events. It is also proposed to carry out a first phase of window replacement and a further phase of electrical upgrades in financial year 2013/14.
- 6.6 Lunderston Bay Rangers Station and Public Toilet: Work has now commenced on site.
- 6.7 Please refer to the status reports for each project contained in Appendix 2.

## **7.0 BPRA SCHEME**

- 7.1 The Business Property Renovation Scheme (BPRA) was approved by Policy & Resources Committee in February 2013. The scheme is an innovative funding package which results in Council costs being reduced by over 25% on the basis of entering an LLP with higher rate tax payers.
- 7.2 The refurbishment of Wallace Place and the creation of the Port Glasgow Hub are funded from this and will deliver a capital saving of around £1.0m which was factored into the 2013/16 Budget.
- 7.3 Progress on these projects will be reported via this report but the financial aspects have been removed from the Capital Programme and are monitored via the AMP model.

## 8.0 IMPLICATIONS

- 8.1 The figures below detail the position at 31<sup>st</sup> July 2013. Expenditure to date is £1.737m (12.38% of the 2013/14 projected spend).
- 8.2 The current budget is £90.453m, made up of £14.123m supported borrowing, £58.368m prudential borrowing, £15.333m CFCR, £2.403m grant funding and £0.226m funding from external sources. The current projection is £90.453m which is on budget.

<u>Service</u>	<u>Approved Budget</u> <u>£000</u>	<u>Current Position</u> <u>£000</u>	<u>Overspend / (Underspend)</u> <u>£000</u>
Environmental & Commercial Services - Roads (Appendix 1)	21,657	21,657	0
Environmental and Commercial Services (Appendix 1)	13,588	13,588	0
Regeneration & Planning (Appendix 1)	64	64	0
<b>Environmental &amp; Commercial Services Total</b>	<b>35,309</b>	<b>35,309</b>	<b>0</b>
Regeneration & Planning (Appendix 2)	21,612	21,612	0
Property Assets & Facilities Management (appendix 2)	32,423	32,423	0
Community Investment Fund (Appendix 2)	1,109	1,109	0
<b>Regeneration Total</b>	<b>55,144</b>	<b>55,144</b>	<b>0</b>
<b>Total</b>	<b>90,453</b>	<b>90,453</b>	<b>0</b>

- 8.3 The approved budget for 2013/14 is £14.100m. The Committee is projecting to spend £13.806m with slippage into future years of £0.294m due to £0.222m within the Gourrock Pier & Railhead Development, £0.047m within the AMP and £0.025m on the restoration of the SV Comet.

## 9.0 CONSULTATIONS

- 9.1 There are no direct staffing implications in respect of the report and as such the Head of Organisational Development, HR and Communications has not been consulted.
- 9.2 There are no legal issues arising from the content of this report and as such the Head of Legal and Democratic Services has not been consulted.

## 10.0 LIST OF BACKGROUND PAPERS

- 10.1 Property Assets and Facilities Management Capital Programme Technical Progress Reports August 2013 (a technical progress report is a project specific report which details the financial and progress position for current projects which have a legal commitment).

## 11.0 EQUALITIES

- 11.1 There are no equalities implications in this report.

APPENDIX 1

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
Est. Total Cost	Actual to 31/3/13	Approved Budget 2013/14	Revised Est 2013/14	Actual to 31/07/13	Est 2014/15	Est 2015/16	Future Years	
£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Environmental Services - Roads</b>								
<b>Supported Borrowing</b>								
Carried Forward from previous years								
Baker St Land Acquisition	110	14	96	96	0	0	0	0
Previous Years Provisions:								
Footway Reconstruction/Resurfacing	46		46	46	0	0	0	0
Traffic Measures	90		90	90	0	0	0	0
Bridge Strengthening	31		31	31	5	0	0	0
Lighting, Lit signs & Bollards	10		10	7	0	0	0	0
Complete on Site	5		5	5				
Residual Provision	285		80	80	105	100		0
<b>Roads - Supported Borrowing Total</b>	<b>577</b>	<b>14</b>	<b>358</b>	<b>358</b>	<b>17</b>	<b>105</b>	<b>100</b>	<b>0</b>
<b>Prudentially Funded</b>								
Parking Strategy (£238k funded CFOR)	354	34	70	70	7	250	0	0
<b>Roads - Prudentially Funded Total</b>	<b>354</b>	<b>34</b>	<b>70</b>	<b>70</b>	<b>7</b>	<b>250</b>	<b>0</b>	<b>0</b>
<b>Grant Funding</b>								
Cycling, Walking & Safer Streets	210		85	85		125	0	0
SPT	1,644	1163	481	481	59	0	0	0
Sustrans	20		20	20				
<b>Roads - Grant Funding Total</b>	<b>1,874</b>	<b>1,163</b>	<b>586</b>	<b>586</b>	<b>59</b>	<b>125</b>	<b>0</b>	<b>0</b>
<b>CFOR</b>								
Flooding Strategy Ph 1 & 2	852	588	42	42		222	0	0
Additional Flooding Works Investment	1,000	0	0	0		1,000	0	0
<b>Roads - CFOR Total</b>	<b>1,852</b>	<b>588</b>	<b>42</b>	<b>42</b>	<b>0</b>	<b>1,222</b>	<b>0</b>	<b>0</b>
<b>Mixed Funding - Roads Asset Management Plan</b>								



APPENDIX 1

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
	Est Total Cost	Actual to 31/3/13	Approved Budget 2013/14	Revised Est 2013/14	Actual to 31/07/13	Est 2014/15	Est 2015/16	Future Years
	£000	£000	£000	£000	£000	£000	£000	£000
Core Funding	3,900		1,300	1,300		1,300	1,300	0
Additional Funding for Road Improvements - Feb 2012	3,000	1,373	1,627	1,627	1,106	0		
2013/16 Budget Decisions:								
Additional CFCR	5,900		1,100	1,100		2,400	2,400	0
Additional Prudential Borrowing	4,200					2,100	2,100	0
<b>Roads Asset Management Plan Total</b>	<b>17,000</b>	<b>1,373</b>	<b>4,027</b>	<b>4,027</b>	<b>1,106</b>	<b>5,800</b>	<b>5,800</b>	<b>0</b>
<b>ENVIRONMENTAL SERVICES - ROADS TOTAL</b>	<b>21,657</b>	<b>3,172</b>	<b>5,083</b>	<b>5,083</b>	<b>1,189</b>	<b>7,502</b>	<b>5,900</b>	<b>0</b>

APPENDIX 1

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
	Est Total Cost	Actual to 31/3/13	Approved Budget 2013/14	Revised Est 2013/14	Actual to 31/07/13	Est 2014/15	Est 2015/16	Future Years
	£000	£000	£000	£000	£000	£000	£000	£000
<b>Environmental Services</b>								
<b>Supported Borrowing</b>								
Knocknairshill Cemetery Ph5c	460	445	15	15	0	0	0	0
Zero Waste Fund	247		87	87	80	80	80	0
<b>Environmental Services Supported Borrowing Total</b>	<b>707</b>	<b>445</b>	<b>102</b>	<b>102</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>0</b>
<b>Prudentially Funded</b>								
Knocknairshill Cemetery Ph5c	50	0	50	50	0	0	0	0
Vehicles - Prudentially Funded per Transport Review (includes £850k of CFCR in 10/11)	11,105	6,557	380	380	98	1,198	2,970	0
<b>Environmental Services Prudentially Funded Total</b>	<b>11,155</b>	<b>6,557</b>	<b>430</b>	<b>430</b>	<b>98</b>	<b>1,198</b>	<b>2,970</b>	<b>0</b>
<b>CFCR</b>								
Play Areas (includes £76k of Supported Borrowing & £226k of funding from Bonds)	1,726	1,063	363	363	12	300	0	0
<b>Environmental Services CFCR Total</b>	<b>1,726</b>	<b>1,063</b>	<b>363</b>	<b>363</b>	<b>12</b>	<b>300</b>	<b>0</b>	<b>0</b>
<b>ENVIRONMENTAL SERVICES - TOTAL</b>	<b>13,588</b>	<b>8,065</b>	<b>895</b>	<b>895</b>	<b>122</b>	<b>1,578</b>	<b>3,050</b>	<b>0</b>
<b>Planning Services</b>								
<b>Supported Borrowing</b>								
Former SNH Grant	64	51	13	13	0	0	0	0
<b>Planning Services Supported Borrowing Total</b>	<b>64</b>	<b>51</b>	<b>13</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PLANNING SERVICES TOTAL</b>	<b>64</b>	<b>51</b>	<b>13</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>ENVIRONMENT AND PLANNING TOTAL</b>	<b>35,309</b>	<b>11,288</b>	<b>5,991</b>	<b>5,991</b>	<b>1,311</b>	<b>9,080</b>	<b>8,950</b>	<b>0</b>
<b>Summary Per Funding Source</b>								
Supported Borrowing	5,324	586	1,773	1,773	29	1,485	1,480	0
Prudentially Funded	15,204	6,290	430	430	105	3,414	5,070	0
<b>CFCR</b>	<b>12,380</b>	<b>2,734</b>	<b>3,190</b>	<b>3,190</b>	<b>1,118</b>	<b>4,056</b>	<b>2,400</b>	<b>0</b>

APPENDIX 1

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8
	Est Total Cost	Actual to 31/3/13	Approved Budget 2013/14	Revised Est 2013/14	Actual to 31/07/13	Est 2014/15	Est 2015/16	Future Years
	£000	£000	£000	£000	£000	£000	£000	£000
Grant Funding	2,175	1,464	586	586	59	125		
External	226	214	12	12				
<b>Environmental Total</b>	<b>35,309</b>	<b>11,288</b>	<b>5,991</b>	<b>5,991</b>	<b>1,311</b>	<b>9,080</b>	<b>8,950</b>	

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1 Est Total Cost	2 Actual to 31/3/13	3 Approved Budget 2013/14	4 Revised Est 2013/14	5 Actual to 31/07/13	6 Est 2014/15	7 Est 2015/16	8 Future Years	9 Start Date	10 Original Completion Date	11 Current Completion Date
<b>Regeneration and Planning</b>											
<b>Supported Borrowing</b>											
Gourock Pier & Railhead Development Area (includes £300k from CFCR)	4,700	478	722	500	3	3,722	0				
Gourock Transport - Old Costs	400	400									
<b>Regeneration and Planning Supported Borrowing Total</b>	<b>5,100</b>	<b>878</b>	<b>722</b>	<b>500</b>	<b>3</b>	<b>3,722</b>	<b>0</b>				
<b>Prudentially Funded</b>											
<b>Leisure Strategy</b>											
Ravensraig Stadium Refurbishment	1,836	1,790	22	46	25	0	0		Apr-11	Jan-12	Sep-12
Parklea Pavilion and Juniors Facility	4,553	4,528	17	25	195	0	0		Apr-11	Aug-12	Jun-12
Rankin Park Grass Pitch and Pavilion	1,400	271	929	929	195	200	0		Mar-13	Oct-13	Oct-13
Nelson Street Sports Centre Refurbishment	625	567	16	36	12	22	0		Jun-12	Oct-12	Mar-13
New Community Facility Broomhill (includes £200k CFCR)	700	0	50	50	12	650	0				
Gourock Pool Refurbishment	2,039	2,001	53	38	23	0	0		Oct-10	Dec-11	May-12
Gourock Pool Remedial Works	50	22	28	28	26	0	0		Jan-13	Feb-13	Apr-13
Waterfront Ice Rink	300	0	300	275	26	25	0		Tba		
<b>Pitches Strategy</b>											
Leisure & Pitches Contingency	187	0	0	0		187	0				
Leisure & Pitches Complete on site	3,094	2,995	99	87		12	0				
<b>Regeneration and Planning Prudentially Funded Total</b>	<b>14,784</b>	<b>12,174</b>	<b>1,514</b>	<b>1,514</b>	<b>281</b>	<b>1,096</b>	<b>0</b>				
<b>Grant Funding/CFCR</b>											
SV Comet	228	94	134	109		25	0		Tba		
Regeneration of Port Glasgow Town Centre	1,000	616	184	184		200	0				
Further Regeneration of Port Glasgow Town Centre	250					250	0				
Broomhill Regeneration	250					250	0				
<b>Regeneration and Planning Additional Funding Total</b>	<b>1,728</b>	<b>710</b>	<b>318</b>	<b>293</b>	<b>0</b>	<b>725</b>	<b>0</b>				
<b>Regeneration Services Total</b>	<b>21,612</b>	<b>13,762</b>	<b>2,554</b>	<b>2,307</b>	<b>284</b>	<b>5,543</b>	<b>0</b>				

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1 Est Total Cost	2 Actual to 31/3/13	3 Approved Budget 2013/14	4 Revised Est 2013/14	5 Actual to 31/07/13	6 Est. 2014/15	7 Est. 2015/16	8 Future Years	9 Start Date	10 Original Completion Date	11 Current Completion Date
<b>Property Assets and Facilities Management</b>											
<b>Supported Borrowing</b>											
Property Assets Allocation Previous Years											
DDA Works 2012/13	181	145	47	36	8	0	0	0	Apr-12	Mar-13	Sep-13
Demolitions	36	28	14	8	2	0	0	0	Apr-12	Mar-13	Oct-13
Balance	21		11	21							
Property Assets Allocation 2013/14											
Port Glasgow Town Hall Windows Phase 1	50	0	50	50	1	0	0	0	Jan-14	Feb-14	Feb-14
Health and Safety Works	95	0	95	95	1	0	0	0	Apr-13	Mar-14	Mar-14
Battery Park Sea Defences	170	0	170	170	8	0	0	0	Oct-14	Dec-14	Dec-14
Waterfront Refrigeration Plant Contribution	100	0	100	100	0	0	0	0	Tba		
Waterfront Tusk Repairs	47	0	40	47	4	0	0	0	Jul-13	Aug-14	Aug-14
Reservoirs	50	0	50	50	2	0	0	0	Apr-13	Mar-14	Mar-14
Demolitions	25	0	25	25	0	0	0	0	Apr-13	Mar-14	Mar-14
Inverclyde Leisure Essential Upgrades	25	0	25	25	0	0	0	0	Apr-13	Mar-14	Mar-14
Design and Precontract Allocation	50	0	50	50	1	0	0	0	Apr-13	Mar-14	Mar-14
Comet Canopy Contribution	30	0	30	30	0	0	0	0	Apr-13	Mar-14	Mar-14
Fire Safety Works	50	0	50	50	6	0	0	0	Apr-13	Mar-14	Mar-14
Various Rewiring Projects	175	0	175	175	11	0	0	0	Apr-13	Mar-14	Mar-14
DDA Works	60	0	60	60	0	0	0	0	Apr-13	Mar-14	Mar-14
Minor Works	80	0	80	80	0	0	0	0	Apr-13	Mar-14	Mar-14
General Provision	2,000	0	0	0		1,000	1,000				
Arts Guild	2,750	2,739	11	11		0	0		Nov-10	Jun-12	Nov-12
Port Glasgow Town Centre Refresh of Town Hall (CFOR) (includes £500k CFOR, 208K in 10/11 and 292 in 11/12)	250	23	164	164		63	0		Jun-12	Mar-14	Mar-14
<b>Property Assets Supported Borrowing Total</b>	<b>6,245</b>	<b>2,935</b>	<b>1,247</b>	<b>1,247</b>	<b>44</b>	<b>1,063</b>	<b>1,000</b>	<b>0</b>			
<b>Complete On Site</b>											
<b>Supported Borrowing</b>											
Complete on Site Allocation	98	0	98	98	12	0	0				
<b>Complete on Site Supported Borrowing Total</b>	<b>98</b>	<b>0</b>	<b>98</b>	<b>98</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>			

APPENDIX 2

COMMITTEE: ENVIRONMENT & REGENERATION

	1	2	3	4	5	6	7	8	9	10	11
Project Name	Est Total Cost	Actual to 31/3/13	Approved Budget 2013/14	Revised Est 2013/14	Actual to 31/07/13	Est 2014/15	Est 2015/16	Future Years	Start Date	Original Completion Date	Current Completion Date
	£000	£000	£000	£000	£000	£000	£000	£000			

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8	9	10	11
	Est Total Cost	Actual to 31/3/13	Approved Budget 2013/14	Revised Est 2013/14	Actual to 31/07/13	Est 2014/15	Est 2015/16	Future Years	Start Date	Original Completion Date	Current Completion Date
	£000	£000	£000	£000	£000	£000	£000	£000			
<b>Prudentially Funded</b>											
<u>Asset Management Plan:</u>											
<u>Offices</u>											
Greenock Municipal Buildings Customer Centre	2,470	2,399	71	71	0	0	0	0	Dec-10	Jan-12	Jun-12
Greenock Municipal Buildings Banking Hall Refurbishment	300	203	72	72	5	25	0	0	Jan-13	Apr-13	Apr-13
Greenock Municipal Buildings Balance	2,273	42	133	133	2,025	73	0	0			
Gourock Municipal Buildings	300	0	0	0	300	0	0	0			
Wellington Academy/Highholm Primary Demolition	342	288	54	54	0	0	0	0	Jan-12	Mar-12	Apr-12
Wallace Place - Library Fit Out	100	0	0	0	100	0	0	0			
Business Store	400	122	0	0	229	49	0	0	Jan-12	Tba	Tba
Central Library Conversion	4,030	399	1,731	1,731	25	1,800	100	0	Jan-12	Tba	Tba
William St	1,800	10	10	10	1,430	270	90	0	Sep-13	Jul-13	Jul-13
West Stewart Street	50	1	49	2	47	0	0	0			
Lease Expiry	500	0	100	100	400	0	0	0			
AMP Offices Complete on site	15	15									
<b>Depots</b>											
Replacement Depot	11,200	1,247	1,709	1,709	54	7,100	1,144	0	Aug-12	Apr-15	Apr-15
<b>Kirn Drive Civic Amenity Site</b>											
Materials Recycling Facility	700	66	145	145	450	39	0	0			
	1,600	855	16	16	729	0	0	0			
<b>Prudentially Funded Total</b>	<b>26,080</b>	<b>5,637</b>	<b>4,090</b>	<b>4,043</b>	<b>86</b>	<b>14,635</b>	<b>1,675</b>	<b>90</b>			
<b>Property Assets and Facilities Management Total</b>	<b>32,423</b>	<b>8,572</b>	<b>5,435</b>	<b>5,388</b>	<b>142</b>	<b>15,698</b>	<b>2,675</b>	<b>90</b>			
<b>Community Investment Fund</b>											
<b>Supported Borrowing</b>											
Lunderston Bay Visitor Facility (includes £203k funded from CFCR)	1,109	891	120	120	98	0	0	0	Sep-13	Oct-13	Oct-13
<b>Community Investment Fund Supported Borrowing Total</b>	<b>1,109</b>	<b>891</b>	<b>120</b>	<b>120</b>	<b>98</b>	<b>0</b>	<b>0</b>	<b>0</b>			
<b>Regeneration Total</b>	<b>55,144</b>	<b>23,225</b>	<b>8,109</b>	<b>7,815</b>	<b>426</b>	<b>21,339</b>	<b>2,675</b>	<b>90</b>			

APPENDIX 2

COMMITTEE: ENVIRONMENT & REGENERATION

Project Name	1	2	3	4	5	6	7	8	9	10	11
	Est Total Cost	Actual to 31/3/13	Approved Budget 2013/14	Revised Est 2013/14	Actual to 31/07/13	Est 2014/15	Est 2015/16	Future Years	Start Date	Original Completion Date	Current Completion Date
	£000	£000	£000	£000	£000	£000	£000	£000			
<b>Summary Per Funding Source</b>											
Supported Borrowing	8,799	3,678	2,023	1,801	59	2,320	1,000	0			
Prudentially Funded	43,164	17,763	5,602	5,555	367	18,081	1,675	90			
CFCR	2,953	1,690	350	350	0	913	0	0			
Grant Funding	228	94	134	109	0	25	0	0			
<b>Regeneration Total</b>	<b>55,144</b>	<b>23,225</b>	<b>8,109</b>	<b>7,815</b>	<b>426</b>	<b>21,339</b>	<b>2,675</b>	<b>90</b>			



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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date: 5th September 2013</b>
<b>Report By:</b>	<b>Corporate Director, Environment, Regeneration and Resources</b>	<b>Report No: E+R/13/09/02/sj/nm</b>
<b>Contact Officer:</b>	<b>S.Jamieson, Head of Regeneration and Planning</b>	<b>Contact No: 01475 712421</b>
<b>Subject:</b>	<b>Scheme of Delegation</b>	

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## 1.0 PURPOSE

- 1.1 In September 2010 the then Safe, Sustainable Communities Committee approved the current Scheme of Delegation for Local Developments as required by Section 43A of the Town and Country Planning (Scotland) Act 1997. The purpose of the report is to seek approval of an amended scheme.

## 2.0 SUMMARY

- 2.1 The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 came into force on 6<sup>th</sup> April 2009 introduced three categories of planning applications – national, major and local.
- 2.2 Section 43A of the Town and Country Planning (Scotland) Act 1997 requires planning authorities to prepare separate schemes of delegation for determining planning applications relating to local developments. This gives powers to “appointed officers” to determine such applications for planning permission subject to the terms of the scheme of delegation.
- 2.3 The Scottish Government, in monitoring the efficiency of the planning application process, has responded to concerns that applications in which local authorities have an interest are being unnecessarily delayed as a consequence of a statutory obligation to have them determined by a committee of the Council. As a consequence The Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013, which replace the 2008 Regulations, removes this obligation allowing determination under an approved Scheme of Delegation.
- 2.4 Authorities are required submit any amendments to a Scheme of Delegation to the Scottish Ministers for approval. The revised Scheme is set out in Appendix 1.

## 3.0 RECOMMENDATION

- 3.1 That Committee:

- (a) agrees to adopt the amended Scheme of Delegation prepared under the terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 for determining local developments as outlined in Appendix 1 and subject to approval from Scottish Ministers;
- (b) agrees to remit (a) above to the Inverclyde Council for approval.

#### **4.0 BACKGROUND**

- 4.1 In September 2010 the then Safe, Sustainable Communities Committee approved the current Scheme of Delegation for Local Developments as required by Section 43A of the Town and Country Planning (Scotland) Act 1997. The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, which introduced national, major and local developments, came into force on 6<sup>th</sup> April 2009. National and major developments are processed in line with the procedures set out in Regulations and detailed in reports to the then Safe, Sustainable Communities Committee in March 2009 and to the Environment and Regeneration Committee in January 2013.
- 4.2 Under the terms of Section 43A of the Town and Country Planning (Scotland) Act 1997, as introduced by Section 17 of the Town and Country Planning (Scotland) Act 2006, Local Authorities are required to prepare a scheme of delegation for dealing with local developments. Under this scheme designated officers determine applications for planning permission for a development within the category of local development or any application for consent, agreement or approval required by a condition imposed on a grant of planning permission for a development within that category.
- 4.3 Refusals made under this scheme have the right of review to the Local Review Body only. Where applications do not fall within the scheme referral to the Planning Board is required with the appeal against refusal to the Scottish Ministers.
- 4.4 The Scottish Government, in monitoring the efficiency of the planning application process, has responded to concerns that applications in which local authorities have an interest are being unnecessarily delayed as a consequence of a statutory obligation to have such applications determined by a committee of the Council. As a consequence, The Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013, which replace the 2008 Regulations, removes this obligation allowing determination under an approved Scheme of Delegation.

#### **5.0 REVIEW OF THE SCHEME OF DELEGATION**

- 5.1 The existing scheme of delegation reflects previous Government guidance and regulations and, as required, was approved by the Scottish Ministers. Although Schemes of Delegation are to be prepared at intervals of no greater than 5 years and the current scheme has been operational for less than 3 years, I consider it appropriate to exercise the opportunity provided by new regulation. This will facilitate the delegation of local planning applications submitted by Inverclyde Council or by any member of the Council, and any local planning application relating to land in the ownership of Inverclyde Council or in which Inverclyde Council has a financial interest.
- 5.2 Under the Scheme of Delegation applications subject to the following representation require referral to the Planning Board:

The approval of an application which would be contrary to the approved Development Plan,

The approval of an application which is the subject of letters of representations from 6 or more individuals and/or 2 community groups, including formally constituted groups comprising at least 10 members and Community Councils,

Applications made by employees of the Council's Regeneration and Planning Service.

These limitations will apply to applications in which Inverclyde Council has an interest.

#### **6.0 RECOMMENDATION**

- 6.1 It is recommended that the Council agrees to
- (a) adopt the amended Scheme of Delegation (as detailed in Appendix 1) prepared under the terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 for determining local developments and subject to approval from Scottish Ministers. The

proposed amendments to the Schedule of Local Developments are highlighted in bold:

1. Housing – construction of buildings for use as residential accommodation comprising less than 50 dwellings or a site area not exceeding 2 hectares.
2. Businesses and General Industry, Storage and Distribution – the gross floor area of the building does not exceed 10,000 square metres or the site area does not exceed 2 hectares.
3. Electricity Generation – the generating station has a capacity not exceeding 20 megawatts.
4. Waste Management Facilities – the facility has a capacity not exceeding 25,000 tonnes per annum.
5. Transport and infrastructure projects – the length of road, railway, tramway, waterway or aqueduct or pipeline does not exceed 8 kilometres.
6. Fish Farming – the surface area of water covered does not exceed 2 hectares.
7. Minerals – the area of the site does not exceed 2 hectares.
8. Other Development – any development not wholly falling within any single class of development categories 1 to 7 where the gross floor area of any building does not exceed 5,000 square metres or the area of the site does not exceed 2 hectares.
- 9. Planning Authority – any development falling within any single class of development categories 1, 2, 4, 5 and 8 where the application is made by the planning authority, or by a member of the planning authority, or where the application relates to land in the ownership of the planning authority or to land where the planning authority have a financial interest.**

(b) agrees to remit (a) above to the Inverclyde Council for approval.

## 7.0 IMPLICATIONS

- 7.1 There are no immediate legal implications arising from this report.
- 7.2 There are no direct financial implications arising from this report.
- 7.3 There are no personnel implications arising from this report.
- 7.4 Equalities: when delivering services to our customers full cognisance is taken of equality and diversity processes and procedures.

## 8.0 CONSULTATION

- 8.1 Consultation has been carried out with the Chief Financial Officer, the Head of Legal and Democratic Services and the Head of Organisational Development, Human Resources & Communications. No adverse comments have been received.

## 9.0 LIST OF BACKGROUND PAPERS

Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009

Town and Country Planning (Scheme of Delegation and Local Review Bodies) (Scotland) Regulations 2008 and 2013

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and 2013

Town and Country Planning (Scotland) Act 1997

Town and Country Planning (Scotland) Act 2006

## **Town and Country Planning (Scotland) Act 1997 – Section 43A Scheme of Delegation – Local Developments**

This Scheme of Delegation is prepared in accordance with Section 17 of the Town and Country Planning (Scotland) Act 2006 – which introduced a new Section 43A to the Town and Country Planning (Scotland) Act 1997 – the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013 and the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

It relates to any application for planning permission for a development within the category of local developments (see Appendix 1) or any application for consent, agreement or approval required by a condition imposed on a grant of planning permission for a development within that category.

The “Appointed Person” in terms of Section 43A(1) of the 1997 Act will be either the Head of Regeneration and Planning, the Development and Building Standards Manager or the Planning Policy and Property Manager.

The appointed person will have the authority to determine (a) all planning applications for planning permission within the category of local development and (b) all applications for consent, agreement or approval required by a condition imposed by a grant of planning permission for a development within that category submitted to Inverclyde Council in compliance with the requirements of the Town and Country Planning (Scotland) Act 1997 – as amended by the 2006 Act – and all associated statutory provisions with the following exceptions;

- (a) The approval of an application which would be contrary to the approved Development Plan,
- (b) The approval of an application which is the subject of letters of representations from 6 or more individuals and/or 2 community groups, including formally constituted groups comprising at least 10 members and Community Councils,
- (c) Applications made by the planning authority,
- (d) Applications made by a Member of the planning authority,
- (e) Application relating to land in the ownership of the planning authority or to land in which the planning authority has a financial interest.
- (f) Applications made by employees of the Council’s Regeneration and Planning Service.

### **Local Developments**

1. Housing – construction of buildings for use as residential accommodation comprising less than 50 dwellings or a site area not exceeding 2 hectares.
2. Businesses and General Industry, Storage and Distribution – the gross floor area of the building does not exceed 10,000 square metres or the site area does not exceed 2 hectares.
3. Electricity Generation – the generating station has a capacity not exceeding 20

megawatts.

4. Waste Management Facilities – the facility has a capacity not exceeding 25,000 tonnes per annum.
5. Transport and infrastructure projects – the length of road, railway, tramway, waterway or aqueduct or pipeline does not exceed 8 kilometres.
6. Fish Farming – the surface area of water covered does not exceed 2 hectares.
7. Minerals – the area of the site does not exceed 2 hectares.
8. Other Development – any development not wholly falling within any single class of development categories 1 to 7 where the gross floor area of any building does not exceed 5,000 square metres or the area of the site does not exceed 2 hectares.
9. Planning Authority – any development falling within any single class of development categories 1, 2, 4, 5 and 8 where the application is made by the planning authority, or by a member of the planning authority, or where the application relates to land in the ownership of the planning authority or to land where the planning authority have a financial interest.

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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date: 5th September 2013</b>
<b>Report By:</b>	<b>Corporate Director, Environment, Regeneration and Resources</b>	<b>Report No: E+R/13/09/01/sj/nm</b>
<b>Contact Officer:</b>	<b>S. Jamieson, Head of Regeneration and Planning</b>	<b>Contact No: 01475 712401</b>
<b>Subject:</b>	<b>Scottish Government Planning Performance Annual Report and Feedback Report</b>	

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## **1.0 PURPOSE**

- 1.1 Each Scottish Planning Authority published a Planning Performance Framework in October 2012. The Scottish Government Planning Performance Annual Report, in assessing the frameworks, forms part of a wide ranging body of work aimed at ensuring that the planning system is focused and provides a suitable vehicle for sustainable economic growth. Additionally, each Planning Authority has received an individual Feedback Report. The purpose of this report is to inform of findings of the Annual Report and Feedback Report and to advise on how Inverclyde Council is able to respond.

## **2.0 SUMMARY**

- 2.1 The Scottish Government's Planning Performance Annual Report evaluates the information contained in the individual Planning Performance Frameworks under four headings: decision making, service and engagement, high quality development on the ground and resourcing, before identifying areas where future reporting could add value. Actions, both current and proposed, in response to the recommendations, are highlighted in paragraphs 9.2 to 9.30.
- 2.2 Inverclyde's Planning Performance Framework is considered by the Scottish Government to be "a well-structured report displaying evidence of a shift towards a planning reform and performance culture" and the Framework has "demonstrated a good, focused approach to efficient service delivery and improvement".

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the Committee notes the actions, both already undertaken and proposed, in response to the Scottish Government's Planning Performance Annual Report's proposals and individual Feedback Report on Inverclyde Council.

**Stuart W Jamieson**  
**Head of Regeneration and Planning**

## **4.0 BACKGROUND**

- 4.1 Each Scottish Planning Authority published a Planning Performance Framework in October 2012. While each authority has received an individual Feedback Report, the Scottish Government Planning Performance Annual Report assesses the combined frameworks and forms part of a wide ranging body of work aimed at ensuring that the planning system is focused and provides a suitable vehicle for sustainable economic growth. Inverclyde's individual Feedback Report describes the Council's Planning Performance Framework as "a well-structured report displaying evidence of a shift towards a planning reform and performance culture".
- 4.2 The Scottish Government's Planning Performance Annual Report evaluates the information contained in the Planning Performance Frameworks under four headings: decision making, high quality development on the ground, service and engagement, and resourcing, before identifying areas where future reporting could add value. Additionally, each Planning Authority received an individual Feedback Report on its own Planning Performance Framework.

## **5.0 DECISION MAKING**

- 5.1 The planning system requires decisions to be made in line with the planning authority's development plan unless material considerations indicate otherwise. In meeting this requirement, the Scottish Government expects local authorities to have up-to-date development plans to provide both the community and developers with certainty.
- 5.2 The Scottish Government also considers that local authorities need to apply firm project management techniques to support the delivery of up-to-date development plans, including putting in place appropriate governance arrangements, reporting on progress and delays, recording risks and issues, building in time and mechanisms to deal with predictable future events such as local government elections and holiday periods, limit consultation periods to statutory obligations and ensuring that the evidence base is in place before publishing main issues reports.
- 5.3 Strong emphasis is placed on the use of effective project management, and the Government is keen to see processing agreements with developers on major planning proposals.
- 5.4 The Government considers effective case management as essential, with review of workloads a critical issue. It also expects what it describes as stalled applications to be reviewed and resolved due to the uncertainty that these applications can bring for all parties, not least of all the local community. With different approaches to Development Management there is scope for sharing best practice.
- 5.5 Finally under this heading, the Report expects all Planning Enforcement Charters to be less than 2 years old.

## **6.0 HIGH QUALITY DEVELOPMENT ON THE GROUND**

- 6.1 The Report acknowledges that all authorities are working positively to achieve design quality, but this is not happening consistently and that authorities should engage more fully with Architecture and Design Scotland.
- 6.2 The Government considers that some authorities are more committed to the design agenda than others. The Government identifies the need for local guidance, more collaborative working by applying Designing Streets via the planning and roads construction consent process and by more actively promoting outcomes on the ground and award winning places.



## **7.0 SERVICE AND ENGAGEMENT**

7.1 The Government reports that development industry representatives have spoken of how they value a welcoming, positive-minded and highly professional approach by planning authorities. The Government expects stakeholder engagement, single points of contacts for each planning application and increased use of e-Planning amongst other service improvements, and while improvements are commended they are not always evident. The Government suggests a rise in frustration from members of the public when they are unable to access general advice from their local planning authority.

## **8.0 RESOURCING**

8.1 For effective service delivery the Government expects effective management structures to be in place with regular dialogue between management and staff to ensure target setting and adaptability. Key issues identified include the need to deal with skill gaps through training, staff development and sharing information and practice with other authorities.

8.2 Training for members is seen as vital, and the Government expects all authorities to ensure that members are kept up to date with changes to legislation and policy.

## **9.0 FUTURE IMPROVEMENTS / ADDED VALUE**

9.1 The Report identifies 15 areas where future Planning Performance Frameworks should identify action:

9.2 **Strong evidence of further progress from those authorities which have identified delay in their development plan.**

9.3 The first Inverclyde Local Development Plan: Proposed Plan was published on 31<sup>st</sup> May 2013, some six months later than the initial Development Plan Scheme (DPS) anticipated in March 2009. Inverclyde's Feedback Report advises that the Government now wishes to see good progress, project planned, through to adoption. Three reasons can be given for this slight delay:

- the longer than anticipated time it took to reinstate the Member-Officer Group on the LDP following the Local Government elections in May 2012;
- the additional work involved in acting on the Modifications made to the Glasgow and the Clyde Valley Strategic Development Plan, approved in May 2012, particularly in relation to probably what is the most important matter in the LDP, the identification of sites to meet the housing land requirement; and
- the Council decided to determine a number of planning applications in advance of finalising the Proposed Plan, which probably accounted for three months of the delay.

I am satisfied that the overall impact of this slight delay is unlikely to affect the anticipated adoption of the new LDP in the summer of 2014, a date estimated back in the March 2009 DPS, and just over two years after the approval of the GCV SDP.

9.4 **Stronger commitment to processing agreements, both in authorities who offer them and the willingness of developers to enter into them.**

9.5 The Planning Service remains committed to this process and it will offer agreements for all major applications. The Greenock Windfarm application is our first processing agreement

**9.6 Extensive use of effective case management.**

9.7 Inverclyde's Planning Performance Framework reports that:

- Each planning application is given a target decision date following registration.
- Weekly planning application progress meetings are held to ensure that targets are met.
- There is an "open door" management approach to ensure quick resolution when issues arise with planning applications.
- Reasons for planning application delays are recorded. In 2011-12, only 18 planning applications taking over 2 months to determine were attributable to officer delays. This amounts to only 4.5% of all decisions.

I am satisfied that this national concern is being addressed in Inverclyde. Indeed, Inverclyde's individual Feedback Report notes that timescales for decision making compared to national averages are favourable, in some cases significantly so. The Report, however, notes that while the Council's planning application approval rate is higher than average, the level of delegation is lower. It is suggested that the Council utilises the legislative powers introduced in June 2013 to facilitate delegation of local authority interest applications. A separate report will be presented to the Committee on this matter.

**9.8 Action by authorities to conclude "legacy" cases.**

9.9 In Inverclyde there are in excess of 50 such cases for a variety of reasons including at the applicants' request, business failure, lack of information and outstanding application fees. Applications may only be withdrawn on the instruction of an applicant. While clearly applications with outstanding fees will not be determined, to comply with the Government's request a rolling programme of issuing refusal notices will commence. Work will be programmed to avoid delays to other fully competent applications. Some will require consideration by the Planning Board; in such cases applications will be described as legacy cases with the reasons for refusal reflecting the cause of delay.

**9.10 Continued sharing of, and learning from, examples of good practice.**

9.11 Inverclyde's Feedback Report welcomes officers' participation in a range of forums and benchmarking groups aimed at sharing of and learning from examples of good practice:

- National and Glasgow and Clyde Valley Local Development Plan forums to share, learn and benefit from best practice and issues around the new development plan system.
- Heads of Planning Scotland and a local authority benchmarking group (East Renfrewshire, East Dunbartonshire, North Ayrshire, Renfrewshire and West Dunbartonshire Councils) to share, learn and benefit from best practice and issues in Development Management and Enforcement.

**9.12 No Enforcement Charter should be beyond the period of review.**

9.13 Inverclyde Council's Enforcement Charter is fully up to date, having been reviewed, approved by the Council and submitted to the Scottish Government in January 2013.

**9.14 Greater engagement with Architecture and Design Scotland.**

9.15 Inverclyde Council has always sought to engage with A&DS, but unfortunately this has not always been reciprocated. For example, recently officers have requested comment on the Gourrock town centre redevelopment, St. Columbas School extension in Gourrock, the Aldi proposal in Greenock, the development of the former Ramada Jarvis hotel site in Gourrock and the Inverkip Community Centre proposal but have received no response. In addition, as part of Key Agency consultation on the LDP, A&DS did not

engage, neither acknowledging receipt of communications nor expressing any desire to be involved. The Council will continue to provide A&DS with the opportunity to engage as required by the Scottish Government.

**9.16 Increased evidence of added value through design improvements.**

9.17 I am satisfied that through the Development Management process value is added to developments through design improvements. This is evident at all levels of projects from small house extensions to large scale development projects. Examples referred to in the Council's 2012-13 Planning Performance Framework include the Cargill Centre, Kilmacolm, Port Glasgow waterfront, housing in east Greenock and Port Glasgow, the school reprovisioning programme and the Greenock-Port Glasgow A8 corridor. Design improvement will remain high on the agenda of Development Management.

**9.18 Regular programming of stakeholder forums.**

9.19 Inverclyde's Feedback Report notes a good commitment to customer engagement and the availability of officers to provide advice. For example, local architects engage in Modernising Planning, with high attendance at planning and building standards training events. The Building Standards Focus Group was extended to incorporate Development Management, although falling stakeholder attendance resulted in the group folding.

9.20 Consultation and engagement with Key Agencies and other national and local stakeholders assisted in front loading the new Local Development Plan and The Council's Citizens' Panel was used, encouraging public engagement in the Local Development Plan. To comply with the Scottish Government requirement, regular stakeholder events will be programmed incorporating training and stakeholder feedback opportunities.

**9.21 All authorities should have a single point of contact for proposals.**

9.22 This is a well established procedure in Inverclyde. Each planning application has a dedicated case officer, with details provided in all correspondence and online.

**9.23 Further clarity on customer satisfaction.**

9.24 The Planning Performance Framework 2012-13 reported that complaints against the Planning Service are rare. No complaints against the conduct or process in planning matters via the Council's "Inform" customer comments system or to the Scottish Public Services Ombudsman were upheld in 2011-12. The position remains the same for 2012-13. Nevertheless, it is recognised that direct engagement with customers on the issue of performance is appropriate and, through benchmarking, appropriate consultation methods will be adopted and introduced in 2013-14.

**9.25 Further exploration of the use of social media.**

9.26 Leafleting, poster and banner signs and the extensive use of a dedicated e-mail address encouraged representation on the stages of Local Development Plan preparation. It is recognised that the use of social media is an increasingly popular means of disseminating information. Through benchmarking evaluation of the opportunities available will be investigated and where appropriate introduced.

**9.27 A stronger target and performance culture around development planning.**

9.28 As indicated above (para 9.3), despite a number of unforeseen issues towards the end of the anticipated publication date of the Proposed Plan (October 2012), the original DPS 'target date' of summer 2014 should be met. Any delay from now on is largely outwith the Council's hands, be it the DPEA and the holding of an Examination on the Plan, the Reporter's report of Examination, or any other unforeseen external event.

9.29 **Practical examples of how resourcing and caseload pressures are managed and dealt with effectively.**

9.30 Workloads and application progress is monitored in weekly meetings with individual officers, with each application given a target decision. Where issues arise the matter is promptly resolved. For example, the Planning Performance Framework 2012-13 reported that in the period April 2011 to June 2011, administrative error resulted in 10% of planning applications failing to meet targets by less than 3 days. Enhanced monitoring introduced as a consequence resulted in 97.5% of householder applications and 80.2% of all applications being determined in under 2 months between July and December 2011. This represented an improvement of 17% and 12.8% respectively.

## 10.0 IMPLICATIONS

10.1 Finance:

Financial Implications – One off Costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Financial Implications – Annually Recurring Costs/ (Savings)

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

10.2 Personnel: None.

10.3 Legal: None.

## 11.0 LIST OF BACKGROUND PAPERS

Planning Performance Framework Feedback Report: Inverclyde Council (June 2013)  
Scottish Government – Planning Performance Annual Report (February 2013)  
Inverclyde Council Planning Performance Framework 2012-13 (September 2012)

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**Report To: Environment and Regeneration Committee Date: 5 September 2013**

**Report By: Corporate Director, Environment,  
Regeneration and Resources**

**Report No:  
E&R/09/13/03/sj/fm**

**Contact Officer: F J Macleod, Planning Policy and  
Property Manager**

**Contact No: 01475 712404**

**Subject: Scottish Government consultations on National Planning Framework 3:  
Main Issues Report and Scottish Planning Policy (Consultation Draft)**

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## **1.0 PURPOSE**

1.1 To inform Committee of the publication of the Scottish Government's National Planning Framework 3: Main Issues Report and its consultation on Scottish Planning Policy. The deadline for responses to these two documents was 23<sup>rd</sup> July 2013, and the Committee is asked to endorse the response outlined in this report and the accompanying annexes.

## **2.0 SUMMARY**

- 2.1 On 30<sup>th</sup> April 2013, the Scottish Government published for public consultation, the Main Issues Report for Scotland's third National Planning Framework (NPF3) and a draft Scottish Planning Policy (SPP).
- 2.2 When finalised, these documents will be important parts of the Scottish planning system, having implications for the way Inverclyde develops, potentially informing the finalisation of the new Local Development Plan, but particularly the next review, and on how decisions on planning applications are made.
- 2.3 The response to both the NPF3 and draft SPP is aligned with the response prepared by the GCV SDPA on behalf of the eight city region authorities, with additional representations made in relation to matters of particular relevance to Inverclyde.
- 2.4 Of the two documents, the SPP will have the most influence upon Inverclyde planning, and it is in this regard that the response in attached Annex 3 aims to influence the final version of the SPP.
- 2.5 The response focuses on a number of concerns, including town centres and the natural environment however, the main ones are in the section of the Draft SPP entitled, 'Buildings – Enabling Delivery of New Homes'. An additional appendix on these matters to the GCV SDPA response (Annex 2) reflects well the concerns this Council has of the draft SPP and this is supplemented further in our aligned response in Annex 3.

## **3.0 RECOMMENDATIONS**

- 3.1 That Committee endorse the response outlined in this report to the National Planning Framework 3: Main Issues Report and the consultation draft Scottish Planning Policy, and delegate to the Head of Regeneration and Planning to inform the Scottish Government of this Council's approval of the officer-level submission made to it in July.

## 4.0 BACKGROUND

- 4.1 On 30<sup>th</sup> April 2013, the Scottish Government published for public consultation, the Main Issues Report for Scotland's third National Planning Framework (NPF3) and a draft Scottish Planning Policy (SPP). The first NPF was published in 2004, the second in 2009. This is the first one that has been preceded by a Main Issues Report, in similar fashion to the Development Plan procedures, prior to the finalisation of the NPF. However, unlike the development plans, this MIR does not set out reasonable alternative options: these are included in the accompanying Strategic Environmental Assessment (SEA), which also supports the draft SPP.
- 4.2 Both documents are expected to be finalised before the end of the year, the NPF to be published for 60 days Parliamentary scrutiny, and the final publication expected in June 2014. These documents will be important parts of the Scottish planning system, having implications for the way Inverclyde develops, potentially informing the Reporters' deliberations at the anticipated Examination on the Inverclyde Local Development Plan: Proposed Plan at the end of the year and in particular, the next review of this Plan. They will also inform how decisions on planning applications are made.
- 4.3 The NPF3 MIR sets the context for development planning in Scotland for the next 20-30 years and acts as the spatial framework for the Government's economic strategy objectives. It is a statutory document that sets out where nationally important developments should take place, of which there are 14, 7 of which relate to the Glasgow and the Clyde Valley SDPA area. Its primary focus is on four priorities for Scotland:
- (i) **A Low Carbon Place** – development of infrastructure to enable transition to a low carbon economy;
  - (ii) **A Natural Place to Invest** – emphasising the importance and role of environmental protection, tourism and sustainable resource management;
  - (iii) **A Successful, Sustainable Place** – with a focus on sustainable economic growth, sustainable settlements, regeneration priorities, green networks, health and new housing in the right places; and
  - (iv) **A Connected Place** – reducing the need to travel, the role of cities, transport to support economic investment, connecting rural areas, national and international connections (rail, road, ports and airports and digital links).

Refer to  
Annex 1

The final section outlines six '*Areas of Coordinated Action*', the area covering the Glasgow city region, including Inverclyde, being Area 5 entitled '*Firth of Clyde*'.

- 4.4 The purpose of the SPP review is to update planning policy. Its primary focus, like NPF3 is on sustainable economic growth in the light of the economic challenges still facing Scotland. It specifically states that economic considerations are to be given 'significant weight' in decision making on planning issues. This is a change in emphasis from 'sustainable development' which is currently the pre-eminent objective running through Scottish Government planning policy and other government policy agendas. At a local level, there is an expectation that SPP will be an important means to deliver Single Outcome Agreements (SOAs) and that greater integration is encouraged between development plans and Community Planning Partnerships.
- 4.5 The purpose of SPP is to promote consistency of application of policy across the country, whilst allowing sufficient flexibility to reflect local circumstances. The SPP is a non-statutory statement of Scottish Government policy on how nationally important land use planning matters should be addressed. As a statement of Ministers' priorities it is a material consideration in the planning system that carries significant weight.
- 4.6 The draft SPP has intentionally been published in parallel with NPF3, to demonstrate the linkages and to clearly state the connections to be made between where development should happen (NPF3) and how it will be delivered (the SPP). The intention is for an improved, up to date and robust national plan as the basis for the next round of development plans and as a basis for enabling development in the right place.

- 4.7 The response to the two documents is outlined in the Attachments to this report, in Annexes 2 and 3. A number of additional observations are outlined below in relation to the NPF3 Main Issues Report. As with all recent Scottish Government consultation documents, responses are encouraged around a series of set questions. Given the response to NPF3 already prepared by the GCV SDPA on behalf of the eight city region authorities, this response does not answer all 16 questions nor duplicate the issues raised in that report but rather focuses on a number of particular issues of greater relevance to Inverclyde. The response to draft SPP similarly aligns with the GCV SDPA response, but again not all 29 questions are relevant to our circumstances. In addition, other observations are made with a view to improving the final version and to assist clarity of purpose, particularly in relation to Housing issues.
- Annex 2  
Annex 3

## 5.0 PROPOSALS

### Scotland's NPF3: Main Issues Report and Draft Framework

- 5.1 The first observation to make on NPF3 is that the four policy themes (refer para 4.3 above) are very similar to those included in the approved Glasgow and the Clyde Valley Strategic Development Plan (May 2012), and therefore provides a sound basis for the review of this Plan, currently getting underway. Annex 1 includes the seven National Developments that relate directly to the SDP area.
- 5.2 The second is to welcome the 'Firth of Clyde' as one of six '*Areas of Coordinated Action*', however certain elements of focus included in this Area are inadequately covered, including Glasgow International Airport. From the Inverclyde perspective, the 'Area' focus supports the importance of the Clyde Waterfront, the continued emphasis and recognition of the need for the transformation of the 'place', of regeneration and improved green infrastructure, and the reduction of vacant and derelict land. Addressing the impact of the economic downturn on the urban environment is emphasised too and supporting investment in the key growth sectors of renewable energy, biosciences, the creative industries, tourism and recreation.
- Refer to  
Annex 2
- 5.3 There are only three specific mentions of Inverclyde in the document. The first under '*A Low Carbon Place*', Inverclyde is noted as a potential port site to support the offshore wind turbine sector, under the National Renewables Infrastructure Plan (NRIP). In the 'Area' section, reference is made to (i) the roll-out of the £430 million investment over 16 years in new electric class trains for Ayrshire/Inverclyde, to address overcrowding in and around Glasgow (already well underway); and (ii) Riverside Inverclyde URC is mentioned in its capacity to create local employment opportunities as well as improving the quality of the local environment; and in relation to working with stakeholders to support key sectors which utilise local assets such as the waterfront, includes reference to the land available for the aforementioned renewable energy sector.
- 5.4 Commenting on the above, while it is welcome that the GCV SDP, its Spatial Development Strategy and Spatial Frameworks are supported and taken a stage further in NPF3, in relation to our own situation it is disappointing to note that recognition is not given to the limited time that is left of the main implementing agency's 10 year designation, Riverside Inverclyde URC, and the clear need for a similar special regeneration agency or the local authority, to have continued levels of funding beyond the immediate period. This seems a curious omission for a 15-20 year Plan.
- 5.5 As in previous NPF documents, there is little recognition given to the role and purpose of regional parks. Regional parks should be accorded higher status in NPF3 (and the finalised SPP) in recognition of the importance of their designations for the purpose of safeguarding these areas as significant environmental resources and landscapes for informal recreation, and the contribution they make to health and wellbeing. Regional parks cut across local and strategic authority boundaries and their importance extends beyond the local or regional area.
- 5.6 On a more general level, NPF3 like its predecessors, NPF1 and NPF2, has nothing to say on the important demographic backdrop against which all development plans must

be prepared. As a context for the 'Area' sections, a sub national (regional) population and household change context is surely essential in a national plan. (Note: Inverclyde is identified as the only area in Scotland expected to experience a decline in the number of households.)

- 5.7 Another omission which should be introduced for the final version of NPF3 is a sense of priorities across Scotland as a whole. In particular, the relative weight to be accorded to the necessary investments to implement the key infrastructure projects in each of the very different Areas of focus needs to be more explicit. In this regard, there needs to be a much closer alignment with other investment strategies and policy frameworks – National Transport Strategy and the Zero Waste Plan to name but two - and a clear statement of where public sector investment will still have a greater role to play in the co-ordinated action referred to throughout the Plan.
- 5.8 NPF3 should be clearer in its outline of the very different issues being faced in the different parts of the country, particularly in the areas highlighted for co-ordinated action. There needs to be a greater recognition of the scale and nature of the problems and challenges faced in the different city regions and rural areas, issues which require a different scale and consistency of policy response and implementation, especially in the current and foreseeable financial and resource stretched economic climate.
- 5.9 The potential of the Glasgow city region to contribute to Scotland's sustainable economic future needs to be given greater prominence in NPF3, not only in acknowledgement of its size in relation to the national economy, but in order to continue to tackle what are longstanding and seemingly quite intractable problems of multiple deprivation and environmental blight across much of the region.

#### **Scottish Planning Policy: Consultation Draft**

- 5.10 This response has as its main focus the subject policy 'Buildings' and in particular the section on 'Enabling Delivery of New Homes'. Because of the number of concerns raised in relation to this part of the draft SPP, the GCV SDPA has presented an additional appendix to its response to the questions posed, due mainly to the interrelationships between the issues raised and the need for considerable redrafting in the final document (refer Annex 2). Further more detailed answers to questions 6 to 11 posed in this part of draft SPP are outlined in our response in Annex 3.
- 5.11 It is important to note that the detailed response to the 'housing issues' raised in draft SPP are made in advance of the expected publication of revised HNDA and LHS Guidance from the Scottish Government. It is possible that some of the issues raised will be addressed in these documents however it is through this consultation that the opportunity is presented to inform the drafting of these publications, and the final SPP.
- 5.12 An important issue is the need for greater clarity in relation to the planning for housing. This applies not only to the different and somewhat confusing use of terminology and key terms, but also the requirement for firm and workable guidance on the alignment and sequencing of necessary tasks in relation to the HNDA and its role in providing the primary evidence base for future housing provision for SDPs, LHSs and LDPs.
- 5.13 A number of other important issues are raised in the GCV SDPA and amplified by our own response in relation to town centre policy, green infrastructure and to the renewable energy agenda, under the section headed 'Delivering Heat and Electricity'.
- 5.14 An outstanding issue that requires clarification in the final SPP concerns the status of green belts. In paragraph 49 it states clearly 'Where necessary, the development plan may designate a green belt to support the spatial strategy .....' followed by the reasons for doing so and the types and scales of development which would be appropriate within the green belt. However, at paragraph 52, it states 'For most settlements a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations.'

**Refer to  
Annex 3**



## 6.0 IMPLICATIONS

6.1 **Legal:** there are none arising directly from this report.

6.2 **Finance:** there are none arising directly from this report.

Financial implications – one-off costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Financial implications – annually recurring costs/(savings)

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

6.3 **Personnel:** there are none arising directly from this report.

6.4 **Equalities and diversity:** the Council's Equalities Policy has been taken fully into account in consideration of the issues arising for Regeneration and Planning from the two Scottish Government's consultation documents.

6.5 **Repopulation:** the response has had the SOA Repopulation Outcome Delivery Group's objectives and evolving Actions Plans at the forefront in considering the potential implications for Inverclyde of the Scottish Government's update of its National Planning Framework and review of planning policy.

## 7.0 CONSULTATION

7.1 **Chief Financial Officer:** no requirement to comment.

7.2 **Head of Legal and Democratic Services:** no requirement to comment.

7.3 **Head of Organisational Development, Human Resources and Communications:** no requirement to comment.

## 8.0 CONCLUSIONS

8.1 Overall, the NPF Main Issues Report and draft SPP are welcomed, in particular the improved layouts, their outline of contents and in the SPP, the cross-referencing to 'Key Documents'. The sections on 'Core Values' 'Outcomes' and the 'Principal Policies' in the draft SPP are also helpful, as are the use of graphics in the NPF. The latter are welcomed, although there are a number of legibility issues with some of the maps due to inadequate scaling, which will have to be addressed in the final version.

8.2 A number of other observations have been made on the draft SPP. It has been noted under a number of subject areas that additional responsibilities are being placed on local authorities at a time of staff cuts, for example on town centre health checks and under the BID initiative. It is suggested that a number of these tasks should be more appropriately seen as corporate and that a considerable burden is being placed on Planning when the benefits to be had from a great deal of this survey work has wider relevance, including beyond local authorities and with other stakeholders in the system.

8.3 Finally, a great deal of background information that was helpful not only for planners but also for stakeholders in the system and the general public has been removed. The

former NPPGs and SPPs, and indeed the current SPP were of value to the non specialist as well as professional planners and related disciplines. This raises the question: who is the SPP aimed at and should this be a consideration for the final version of SPP?

## **9.0 BACKGROUND PAPERS**

### **ATTACHMENT**

#### **Annex 1**

##### **National Developments within the Glasgow and the Clyde Valley SDPA Area**

- 1) National Cycling and Walking Network – this supports ‘A Natural Place to Invest’
- 2) Metropolitan Glasgow Strategic Drainage Plan – supports ‘A Natural Place to Invest’
- 3) Central Scotland Green Network – supports ‘A Natural Place to Invest’
- 4) Ravenscraig, North Lanarkshire – supports ‘A Successful, Sustainable Place’
- 5) High Speed Rail – supports ‘A Connected Place’
- 6) Glasgow International Airport Enhancement – supports ‘A Connected Place’
- 7) Grid Infrastructure Enhancements – supports ‘A Low Carbon Place’

#### **Annex 2**

##### **Glasgow and the Clyde Valley SDPA Response to NPF3 Main Issues Report and Scottish Planning Policy – Consultation Draft**

#### **Annex 3**

##### **Inverclyde Council response to NPF3 Main Issues Report and Scottish Planning Policy – Consultation Draft**

## NPF 3 Main Issues Report: Consultation Questionnaire

Please send your response to [npfteam@scotland.gsi.gov.uk](mailto:npfteam@scotland.gsi.gov.uk) by July 23, 2013.

**RESPONDENT INFORMATION** – this is to ensure that we handle your response appropriately.

**1. Name/Organisation**

Organisation Name

Glasgow and the Clyde Valley Strategic Development Planning Authority

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

Tait

Forename

Stuart

**2. Postal Address**

Lower Ground Floor

125 West Regent Street

Glasgow

Postcode G2 2SA

Phone 0141 229 7733

Email

**3. Permissions - I am responding as...**

Individual

/

Group/Organisation

*Please tick as appropriate*

- (a)** Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

*Please tick as appropriate*  Yes  No

- (b)** Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

- (c)** The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

*Please tick as appropriate*  Yes  No

- (d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

*Please tick as appropriate*

Yes

No

## A LOW CARBON PLACE

### 1. How can NPF3 support the transition to a largely decarbonised heat sector?

Could NPF3 go further in supporting a spatial framework to help achieve our ambition of decarbonising the heat sector and guiding the necessary infrastructure investments?

The GCVSDPA supports the NPF's aspirations with regard to decarbonisation of the heat sector but recognises that there needs to be a balance to support sustainable economic growth. The consideration of such a balance should lie with local authorities.

### 2. How should we provide spatial guidance for onshore wind?

Scottish Planning Policy already safeguards areas of wild land character. Do you agree with the Scottish Government's proposal that we use the SNH mapping work to identify more clearly those areas which need to be protected?

Should NPF3 identify and safeguard those areas where we think there remains the greatest potential for further large scale wind energy development? Where do you think this is?

Should further large scale wind energy development be focused in a few key locations or spread more evenly across the country?

Is spatial guidance for onshore wind best left to local authorities?

The GCVSDPA agrees with the proposal to use SNH's mapping, however, NPF should recognise that detailed spatial guidance is more appropriately dealt with by local authorities.

The GCVSDPA considers the identification and safeguarding of areas of potential for further large scale development should be a matter for local planning authorities to consider working collaboratively where appropriate.

### 3. How can onshore planning best support aspirations for offshore renewable energy?

Should we include onshore infrastructure requirements of the first offshore wind developments, wave and tidal projects as a national development?

The GCVSDPA considers NPF3 should include onshore infrastructure requirements related to offshore wind developments as a national development.

**4. How can we support the decarbonisation of baseload generation?**

Do you think that NPF3 should designate thermal power generation at Peterhead and/or a new CCS power station at Grangemouth, with associated pipeline infrastructure, as national developments?

Is there also a need for Longannet and Cockszie to retain their national development status as part of a strategy of focusing baseload generation on existing sites?

The GCVSDPA has no observations to make.

**5. What approach should we take to electricity transmission, distribution and storage?**

Should we update the suite of grid enhancements and include the landfall of a possible interconnector from Peterhead? What projects should be included?

What more can NPF3 do to support the development of energy storage capacity?

The GCVSDPA considers NPF3 should update the suite of grid enhancements. The scale and readability of Map 5 is questionable in terms of its usefulness.

The GCVSDPA considers that in terms of energy storage capacity NPF3 provides the appropriate level of support recognising that over time locational priorities will emerge in support of the emerging technologies. NPF4 may seek to be more locationally specific on this issue.

**6. Does our emerging spatial strategy help to facilitate investment in sites identified in the National Renewables Infrastructure Plan?**

Are there consenting issues or infrastructure requirements at NRIP sites that should be addressed in NPF3 through national development status or other support?

Where NRIP sites are proposed the GCVSDPA considers that NPF3 should set out any potential related consenting issues or associated infrastructure requirements either in NPF3 itself or as part of its Action Programme.

**A NATURAL PLACE TO INVEST**

**7. Can NPF3 do more to support sustainable use of our environmental assets?**

Should NPF3 propose any specific actions in relation to the role of land use in meeting climate change targets, for example for woodland expansion, peatland or habitat restoration?

### NPF 3 Main Issues Report: Consultation Questionnaire

Should the strategy be more aspirational in supporting the development of a National Ecological Network? If so, what should the objectives of such a network be?

The GCVSDPA considers that NPF3 should propose specific actions in relation to meeting climate change targets recognising the importance of peatland and habitat restoration in terms of climate change adaptation.

A National Ecological Network is supported in principle however it should be recognised that there is currently a proliferation of initiatives, strategies and partnerships currently working in this subject area. The relationship between the Scottish Biodiversity Strategy and any National Ecological Network remains unclear.

#### 8. What should NPF3 do to facilitate delivery of national development priorities in sensitive locations?

Would it be helpful for NPF3 to highlight the particular significance of habitat enhancement and compensatory environmental measures around the Firth of Forth? Which projects can deliver most in this respect?

Are there other opportunities for strategic environmental enhancement that would support our wider aspirations for development, or could potentially compensate for adverse environmental impacts elsewhere?

The GCVSDPA considers that the NPF should acknowledge that there are other locations in addition to the Firth of Forth where there are opportunities for significant habitat enhancement.

#### 9. Can NPF3 do more to support sustainable tourism?

What are the key national assets which should be developed to support recreation and tourism?

Should a national network of long distance routes be designated as a national development? What new links should be prioritised?

How can we ensure that best use is made of existing supporting infrastructure in order to increase the cross-sectoral use of these routes, and enhance the quality of the visitor experience?

Scotland's national tourism assets are many and varied, both in scale and distribution, and their identification and future role in supporting the national economy is more appropriately left with the 'Tourism Development Plan (TDP) for Scotland' currently being developed by Visit Scotland.

NPF3 should then, on the basis of the TDP, set out which tourism land use projects/developments the Scottish Government consider to be of national importance in support of economic growth.

## 10. Can NPF3 do more to support sustainable resource management?

Should NPF3 support a decentralised approach to provision for waste management or should NPF3 make provision for more strategic waste facilities?

Should the Metropolitan Glasgow Strategic Drainage Plan be retained as a national development in NPF3 or should we replace the focus on it with a broader, national level approach to sustainable catchment management?

The approach to waste as set out in NPF3, particularly in the context of changing technology, whilst not necessarily being in the spirit of a plan-led approach is considered to be a pragmatic and proportionate response.

Yes, the GCVSDPA considers the Metropolitan Glasgow Strategic Development Plan should be retained as a national development in NPF3 for four reasons:

- Firstly to recognise the national scale and importance of the issue it is attempting to address;
  - Secondly the long term commitment required to secure its delivery;
  - Thirdly as it is an exemplar of the approach to sustainable catchment management; and
  - Fourthly its contribution to the delivery of the Central Scotland Green Network.

## A SUCCESSFUL, SUSTAINABLE PLACE

### 11. How can we help to consolidate and reinvigorate our existing settlements and support economic growth and investment through sustainable development?

What more can NPF3 do to support the reinvigoration of our town and city centres and bring vacant and derelict land back into beneficial use?

How can NPF3 support our key growth sectors?

Should the Dundee Waterfront be designated as a national development?

Should the redevelopment of the Ravenscraig site be designated as a national development?

Could NPF3 go further in indicating what future city and town centres could look like, in light of long term trends including climate change, distributed energy generation and new technologies?

How can the strategy as a whole help to unlock the potential of our remote and fragile rural areas?

NPF3 should recognise the important role city regions have to play in supporting the key growth sectors and that within each of these areas each city

regions has its own particular strengths and opportunities to support particular sectors.

The GCVSDPA considers that Ravenscraig should be designated as a national development for a number of reasons:

- to recognise the scale of the challenge and long-term focus required to secure the regeneration of over 250ha of brownfield land;
- the need for a new town centre and related facilities; and
- the opportunity to support the delivery of the Central Scotland Green Network.

The future of individual cities and town centres and how they respond to the long-term trends is best left to individual local authorities working in partnership with the private sector and other public bodies. However, it is considered NPF3 should set out a clearer and stronger framework of where it anticipates significant land use change as a result of those trends.

## 12. How can NPF3 best contribute to health and wellbeing through placemaking?

Should the Central Scotland Green Network continue to be designated as a national development? What do you think its top priorities should be? How can it better link with other infrastructure projects in Central Scotland?

The GCVSDPA considers the Central Scotland Green Network (CSGN) should be designated as a national development to reflect the scale of the opportunity, its geographical cross boundary coverage and its ability to support the Scottish Government's three stated outcomes for planning.

Top priorities should be vacant and derelict land; support for green network businesses and related employment and training opportunities; woodland creation and urban greening; greenspace for health and well-being including active travel; community growing; and integrated habitat networks.

The GCVSDPA considers there is a need for all infrastructure projects in Central Scotland to consider the opportunities for supporting delivery of the CSGN. How these linkages can be made should feature as part of the current Gateway Review of the CSGN and through specific supporting statements in NPF3.

## 13. How can NPF3 help to deliver sufficient homes for our future population?

Are there spatial aspects of meeting housing needs that NPF3 could highlight and help to tackle?

The GCVSDPA considers that NPF3 should reflect the results of the 2011 Census which are considerably different in some authorities to the 2011 Mid-Year population and household estimates.



NPF should give clear direction on what the Scottish Government considers the spatial implications should be in response to the issues of an ageing population and reducing household size.

NPF3 should more explicitly recognise the key role housing has to play with regard to regeneration by setting out a more definitive long-term context for housing. The regeneration agenda is of particular importance to the Glasgow and the Clyde Valley area and should be highlighted in NPF3. There is no reference to the GCV area in paragraph 4.41. The issues of effectiveness can be particularly acute in areas whose spatial strategies are based on a regeneration agenda.

Paragraphs 4.42, 4.44, 4.45 and 4.46 simply set out current funding programmes and initiatives in support of housing rather than the Government's long term aspirations for housing which could perhaps reflect the previous direction set out in 2007 through 'Firm Foundations'.

The NPF's recognition of the importance of supporting those housing locations which support the delivery of a low carbon economy is welcomed but perhaps could be strengthened by recognising that housing development in non sustainable locations will impact on many of the Scottish Government's stated outcomes particularly with regard to regeneration.

The GCVSDPA supports the NPF3 proposal not to set regional targets as it considers these are more appropriately informed at the regional level.

## A CONNECTED PLACE

### 14. How can NPF3 help to decarbonise our transport networks?

Is our emerging spatial strategy consistent with the aim of decarbonising transport?

Are there any specific, nationally significant digital infrastructure objectives that should be included in NPF3?

Should NPF3 go further in promoting cycling and walking networks for everyday use, and if so, what form could this take at a national scale?

The GCVSDPA considers that NPF3's emerging strategy is consistent with the aim of decarbonising transport but should go further in promoting walking and cycling not only as part of a 'connected place' but also as an integral part of placemaking. In addition a revised National Transport Strategy should be considered as a priority to support the revised land use strategy set out in NPF3.

In terms of objectives for digital infrastructure the GCVSDPA considers these should include priority support for cities and their rural hinterland in recognition of their importance to delivering sustainable economic growth.

## 15. Where are the priorities for targeted improvements to our transport networks?

Are there other nationally significant priorities for investment in transport within and between cities?

As well as prioritising links within and between cities, what national priorities should NPF3 identify to improve physical and digital connections for rural areas?

The GCVSDPA considers that in terms of improvements to the physical and digital connections to rural areas, priority should be given to those rural areas within the four SDP area as a means of supporting the wider economic role of the city regions.

## 16. How can NPF3 improve our connections with the rest of the world?

Should the Grangemouth Investment Zone, Aberdeen Harbour and new freight capacity on the Forth be designated as national developments?

Should Hunterston and Scapa Flow be viewed as longer-term aspirations, or should they retain national development status?

Do you agree that the aspirations for growth of key airports identified in NPF2 should remain a national developments and be expanded to include Inverness, and broadened to reflect their role as hubs for economic development?

Should the proposed High Speed Rail connection to London be retained as a national development? Should it be expanded to include a high speed rail line between Edinburgh and Glasgow?

Alternatively, should High Speed Rail be removed as a national development and instead supported as a part of the longer-term spatial strategy?

In terms of freight, NPF3 should set out the projected levels of freight movements by mode and whilst the support for ports is welcomed, it is considered that there is merit in NPF3 identifying the nationally important road and rail freight hubs.

The GCVSDPA supports the NPF's aspirations for airports. However, in relation to Glasgow Airport it should recognise the related 'Glasgow International Airport Zone Strategic Economic Investment Location (SEIL)', as set out in the recently approved SDP, rather than just the area covered by the airport masterplan as the SEIL areas will support the airport to deliver its economic potential.

The GCVSDPA considers that given the NPF is intended to set out the long term spatial strategy for Scotland, it is entirely appropriate that HSR be retained

as a national development and that this should be expanded to include a high speed rail line between Glasgow and Edinburgh.

### **Strategic Environmental Assessment – Environmental Report**

1. What do you think of the environmental baseline information referred to in the Environmental Report? Are you aware of further information that could be used to inform the assessment findings?
2. Do you agree with the assessment findings? Are there other environmental effects arising from the Main Issues Report and Draft SPP?
3. Taking into account the environmental effects set out in the report, what are your views on:
  - a) The overall approach to NPF3, as outlined in the Main Issues Report, including key strategy proposals.
  - b) The strategic alternatives, as highlighted in the questions in the Main Issues Report?
  - c) The proposed suite of national developments to be included in the Proposed Framework?

**NPF 3 Main Issues Report: Consultation Questionnaire**

- d) Alternative candidate national developments?
  - e) The policies proposed for the Draft SPP?
  - f) The key questions for consultees set out in the Draft SPP?
4. What are the most significant negative effects arising from the assessment that should be taken into account as the NPF and SPP are finalised?
  5. How can the NPF and SPP be enhanced, to maximise their positive environmental effects?
  6. What do you think of the proposed approach to mitigation and monitoring proposed in Section 6?

1. The GCVSDPA considers the SEA adequately covers the environmental baseline for a strategic level document with the level of detail considered both appropriate and proportionate.

2. The GCVSDPA agrees with the assessment findings and does not consider there are other strategic environmental effects arising from the MIR and Draft SPP which have not been detailed in the SEA.

3. (a - f) refer to answers relating specifically to NPF3 and SPP.

4. The most significant negative effects arising from the assessment that should be taken into account when finalising NPF3 and SPP are:

- potential impacts arising from (onshore) infrastructure required to support off shore renewable energy and the National Renewables Infrastructure Plan; and
- the on-going negative impact of woodland removal for renewable energy projects on national planting targets.

5. NPF and SPP could be further enhanced by taking more account of climate change adaptation e.g. identify the actions that land use planning can take in relation to rising sea levels and anticipated changes in weather patterns.

6. The GCVSDPA welcomes the pragmatic approach to mitigation and monitoring in Section 6 of the Environment Report. This section is found to contain information that is both proportional and appropriate to the strategic nature of NPF and SPP.

### **Equality Impact Assessment (EqIA)**

In relation to the Equality Impact Assessment, please tell us about any potential impacts, either positive or negative; you feel the proposals in this consultation document may have on any particular groups of people.

In relation to the Equality Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

The GCVSDPA has no observations to make.

### **Business and Regulatory Impact Assessment (BRIA)**

In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you feel the proposals in this consultation document may have on business.

The GCVSDPA has no observations to make.

SEE ATTACHED APPENDIX FOR ADDITIONAL COMMENTS FROM GCVSDPA.

## APPENDIX - NPF3 MIR Consultation Response

### Glasgow and the Clyde Valley Strategic Development Planning Authority

#### Other observations

- **Heads of Planning** - The GCVSDPA would endorse the response from Heads of Planning Scotland particularly around the need for NPF3 to set out clearly out the long term ambition and vision for Scotland and the need for the provision of a stronger evidence base including new research which can support the delivery of SDPs and LDPs.
- **'Areas of Co-ordinated Action'** - With regard to the 'Areas of Co-ordinated Action' the term 'Firth of Clyde' is not used often to reflect our area either by ourselves as the SDPA, the Green Network Partnership or by the joint Community Planning Partnership. 'Glasgow and Clyde Valley' is suggested as more appropriate terminology.
- **Role of GCV City region** - Whilst the role and contribution of cities and their wider city regions is acknowledged in the document, the approach to the cities could be significantly strengthened in terms of their potential to meet the Scottish Government's outcomes for planning namely improving the quality of life and place, enhancing the natural environment and supporting economic growth and the translation to a low carbon economy.

It should also be recognised that the areas identified for co-ordinated action are very different in respect of the issues they face and their ability to respond to the current economic conditions and as such NPF3 should set out which are the priority areas for public sector investment.

The GCVSDPA considers that the challenges it faces are of a significantly different scale to those elsewhere in the country especially in relation to vacant and derelict land, health and placemaking.

Given its size (a third of Scotland's population), its contribution to Scotland's GVA (a third of Scotland GVA) and the scale of the issues and challenges it faces, with appropriate prioritisation of resources, this region can make an increased and significant contribution to the Scottish Government's planning outcomes through:

- the reuse of the highest levels of vacant and derelict land in Scotland (GCV 43% of Scotland's total);
- delivery of a significant part of the Central Scotland Green Network;
- investment in GCV's Strategic Economic Investment Locations, which will support the Scottish Government's key economic sectors namely renewable energy, financial and business services, biosciences, the creative industries, tourism and recreation;
- the delivery of three of Scotland priority regeneration priority areas, Clyde Gateway, Clyde Waterfront, and Ravenscraig with resulting social, economic, environmental and health benefits for many of Scotland's most deprived communities as identified in the Scottish Index of Multiple Deprivation;
- investment in Glasgow City Centre as Scotland's most important retail centre, with a significant conference and tourism offer.

Consequently the opportunity to make a significant contribution to the Scottish Government's planning outcomes is significant in this area. This opportunity is

understated in the current NPF3 and as such the GCV area should have greater priority assigned to it in the final NPF3. The scale of the vacant and derelict land issue /opportunity in GCV city region is significant. GCV has 43% of Scotland vacant and derelict land and taking average GCV annual take up rates since 1996 it would take over 30 years to remove the current levels (3243ha) of urban vacant and derelict land from the Strategic Development Plan area. Addressing this issue should be identified as a national planning spatial priority and appropriate resources assigned.

- **Development Risks** - Given the current economic difficulties and the impacts on the development industry it should be acknowledged that there are potential risks to the delivery of both the NPF3 and the approved GCV SDP's 'Sustainable Development Strategy' through the short term development of less sustainable locations in advance of the preferred regeneration priorities within the GCV city region.

# Draft Scottish Planning Policy : Consultation Questionnaire

## RESPONDENT INFORMATION FORM

This is to ensure that we handle your response appropriately.

### 1. Name/Organisation

Organisation Name

Glasgow and the Clyde Valley Strategic Development Planning Authority

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

Tait

Forename

Stuart

### 2. Postal Address

Lower Ground Floor

125 West Regent Street

Glasgow

Postcode G2 2SA

Phone 0141 229 7733

Email

### 3. Permissions - I am responding as...

Individual

/

Group/Organisation

*Please tick as appropriate*

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

*Please tick as appropriate*  Yes  No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

*Please tick as appropriate*  Yes  No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

*Please tick as appropriate*  Yes  No



## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### PRINCIPAL POLICIES

- | 1 | <b>Sustainable Economic Growth</b>  | <b>Y</b> | <b>N</b>                 |
|---|---|----------|--------------------------|
|   | Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth? | ✓        | <input type="checkbox"/> |
|   | Are there other measures to support sustainable economic growth that you think should be covered in the SPP?  | ✓        | <input type="checkbox"/> |

The GCVSDPA considers the planning system can support economic recovery and sustainable economic growth through support for development proposals that accord with SPP, through land allocations and policy responses in Development Plans, and through the granting of planning permission for acceptable development proposals in sustainable locations through the development management process.

The GCVSDPA supports a planning system where Development Plans are up to date with preparation and development management activities undertaken in an efficient and proportionate manner in support of the Scottish Government's performance indicators. SPP should recognise that even once planning permission is granted the planning system can have little influence over when or even whether, development is delivered.

Experience and statistics reveal that even when planning permission is granted, there are remaining challenging economic and fiscal impediments that militate against development delivery. Given the current economic conditions, there is a major issue with stalled development sites to which SPP could give significantly higher priority. A practical response would be to specifically task Planning Authorities and Homes for Scotland to identify stalled developments as part of their annual Housing Land Audit process. To support this a clear definition of what constitutes a 'stalled' site is required to be set out in SPP.

In order to support economic recovery and work towards the delivery of sites that support spatial strategies, the identification of stalled development sites and appropriate responses and solutions could form an important strand of the policy response to current economic conditions. This is a particularly important agenda for the Glasgow and the Clyde Valley area to support its recently approved SDP and its sustainable development strategy.

The GCVSDPA welcomes the final sentence of paragraph 16 where the Scottish Government's aim is to achieve the right development in the right place, rather than development at any cost.

The Scottish Government central purpose of promoting sustainable economic growth and the 'positive' role that planning can play in achieving that is emphasised at paragraph 15. At paragraph 17, the planning system "should foster a business environment which is supportive to new investment across Scotland", and "attach significant weight to economic benefit".

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

The GCVSDPA considers that SPP paragraph 17 should give greater clarification as to what the Scottish Government intends by "significant weight to economic benefit of proposed development as a material consideration". Any consideration of economic benefit should be based upon net gain taking into account the effect of potential displacement.

There is little reference to the current National Transport Strategy which should be the transportation response to the land use direction of the NPF. There is considered to be merit in taking the opportunity in NPF3 to realign the two strategies with a refreshed National Transport Strategy.

### 2 Location of New Development – Town Centres

Do you think that local authorities should prepare town centre health checks, as set out in paragraph 55?

Y N

✓

Are there other health check indicators you think should be included in the SPP?

The GCVSDPA in general is supportive of town centre health checks, however, there are likely to be issues relating to the availability of data and resources. Much of the data itemised is potentially available however it is unlikely to be currently held in a manner readily accessible to the Local Authorities. This is not an insurmountable issue however, it will require some consideration and coordination in order to streamline this data collection and collation activity. The GCVSDPA would be happy to assist the Scottish Government in the development of guidance on this approach.

The GCVSDPA consider for this policy to be successful, an understanding of the current and future role and function of town centres is imperative. Town centre health checks and developing appropriate responses through Town Centre Strategies is fully supported. However much of the detail in SPP relating to this, deals with operational matters and could be potentially be better located in Planning Advice rather than in SPP.

In terms of related paragraph 43 2nd bullet point the term 'liveliness' is a new one and would benefit for being defined. Also in terms of the 3rd bullet point the term 'previously developed land' requires to be defined or preferably the term brownfield land should be reinstated.

### 3 Location of New Development – Town Centres

Do you think that local authorities should prepare town centre strategies, as set out in paragraph 56?

Y N

✓

The GCVSDPA supports the preparation of town centre strategies by local authorities recognising the need for a joined up local authority corporate

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

response. Although many local authorities will be currently engaged in some form of town centre regeneration activity, the range of actions set out at paragraph 56 may be outwith the normal sphere of activity of the planning services of local authorities. It may be useful to develop specific advice on the nature and scope of Town Centre Strategies.

### 4 Location of New Development – Town Centres

Y N

Do you think the town centre first policy should apply to all significant footfall generating uses and the sequential test be extended to this wider range of uses, as outlined in paragraphs 63 to 67?

✓

An alternative would be to apply the sequential test to retail and 'all' leisure development, no longer limiting leisure to 'commercial' development. Do you think this is the appropriate approach?

✓

The GCVSDPA supports the retention of the sequential approach and its application to all significant footfall generating uses as outlined in paragraphs 63 to 67 as this recognises the challenges facing town centres and the need to continue to focus a wider range of development, other than just retail, in town centre locations.

### 5 Location of New Development – Rural Development

Y N

Do you think the approach to spatial strategies for rural areas outlined in paragraphs 68 to 71 is the appropriate approach?

✓

The GCVSDPA welcomes the approach set out particularly in respect of paragraph 70 though the terminology of 'accessible and pressured rural areas' and 'remote rural areas' requires to be clarified.

## BUILDINGS

### 6 Housing

Y N

Do you think explaining a 'generous' housing land supply as allowing an additional margin of 10 to 20%, as set out in paragraph 85, is the appropriate approach?

An alternative would be to state that a generosity factor should be added to the land supply, and that this may be smaller in areas where there can be confidence that the sites identified in the plan will be developed in the plan period, and larger in areas where there is less confidence in the deliverability of the land supply. Do you think this is the appropriate approach?

See Appendix

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

- |              |  |  |  |
|--------------|--|--|--|
| <b>7</b>     | <b>Housing</b><br>Do you think that authorities should be able to include an allowance for windfall development in their calculations for meeting the housing land requirement, as set out in paragraph 86?  | <b>Y</b><br><br><input type="checkbox"/>   | <b>N</b><br><br><input type="checkbox"/>                             |
| See Appendix |  |  |  |
| <b>8</b>     | <b>Housing</b><br>As set out in paragraph 87, do you think strategic development plans should set out the housing supply target:<br>a. only for the strategic development area as a whole;<br>b. for the individual local authority areas;<br>c. for the various housing market areas that make up the strategic development plan area; or<br>d. a combination of the above  | <b>Y</b><br><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |  |
| See Appendix |  |  |  |
| <b>9</b>     | <b>Housing</b><br>Do you think the approach to how national parks address their housing land requirements, as set out in paragraph 90, is the appropriate approach?<br>An alternative would be for national park authorities to assess and meet housing requirements in full within their areas. Do you think this is the appropriate approach?  | <b>Y</b><br><br><input type="checkbox"/><br><input type="checkbox"/>   | <b>N</b><br><br><input type="checkbox"/><br><input type="checkbox"/> |
| See Appendix |  |  |  |
| <b>10</b>    | <b>Housing</b><br>Do you think the approach to identifying the five year effective land supply, as set out in paragraph 91, is the appropriate approach?<br>An alternative approach would be for the supply in strategic development plan areas to be calculated across local development plan areas. This would require strategic development plans to set out housing supply targets for each local development plan. Do you think this is the appropriate approach? | <b>Y</b><br><br><input type="checkbox"/><br><input type="checkbox"/>   | <b>N</b><br><br><input type="checkbox"/><br><input type="checkbox"/> |
| See Appendix |  |  |  |
| <b>11</b>    | <b>Housing</b><br>Do you think that the level of affordable housing required as part of a housing development should generally be no more than 25%, as set out in paragraph 97?  | <b>Y</b>   | <b>N</b>   |

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

See Appendix

### 12 Housing

Do you think that the approach to addressing particular housing needs, as outlined in paragraphs 100 to 103, is appropriate?

**Y** **N**

See Appendix

### 13 Business & Employment

Do you think the regular review of marketable sites for business, as set out in paragraph 110, should take the form of 'business land audits' in order to ensure identified sites are marketable?

**Y** **N**

✓

The GCVSDPA supports the principle of preparing Business Land Audits although no detail of what the Audits are expected to cover is provided. The SPP, or related advice, should provide further detail in this regard. In particular under the glossary wording for "Marketable Sites (Business), the term, 'meet business requirements' should be clarified. The GCVSDPA undertakes an annual industry and business land survey which includes information on marketable and quality land and take up and would be happy to work with the Scottish Government to develop an approach to this issue.

A consideration for any future Business Land Audit should be the identification of stalled business land sites (see response to Question 1 with regard to comments in respect of stalled sites). In addition any National Planning Performance Indicators should align with the data requirements from any Business Land Audit.

Paragraph 108 states that Strategic Development Plans should identify clusters of industries which handle hazardous substances and safeguard them from inappropriate development. Further clarification is sought on how this should be reflected in an SDP and the added value of such an approach. It could be viewed as an unnecessary level of detail given the existing responsibilities of the Health and Safety Executive and the aspiration for 'concise and visionary' SDPs. It may be that this could be a consideration in respect of the approach to future Business Land Audits.

With regard to paragraph 106 reference is made to potential growth sectors, however, the terminology does not reflect the terminology of growth sectors set out in the Scottish Government's Economic Strategy 2013. Consistency of terminology would be welcomed.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### NATURAL RESOURCES

- 14 Green Infrastructure** Y N
- Do you think that the provision of green infrastructure in new development should be design-led and based on the place, as set out in paragraph 163? ✓
- An alternative would be to continue with a standards based approach. Do you think this is the appropriate approach? ✓

The GCVSDPA strongly supports a design led, place based, approach to green infrastructure within new development. A standards based approach is overly prescriptive and can limit the ability to take account of local circumstances.

It is also considered that the benefits of fully integrating an approach to landscape and green infrastructure from the outset of the design process could also usefully be given emphasis within the Placemaking section of SPP (paragraph 41).

The reference at paragraph 162 stating that Local Development Plans should encourage the temporary use of unused or underused land as “green infrastructure” is supported, however it is suggested that this is widened to include “appropriate temporary uses including green infrastructure”. This would align with initiatives such as Glasgow City Council’s Stalled Spaces Project where a range of uses have been supported including for example, community arts projects.

### UTILITIES

- 15 Heat & Electricity** Y N
- With reference to paragraphs 214 to 215, do you think heat networks should be developed ahead of the availability of renewable or low carbon sources of heat? ✓
- An alternative would be for heat networks to only happen where there are existing renewable and waste heat sources or networks. Do you think this is the appropriate approach?

The GCVSDPA supports the development of heat networks ahead of the availability of renewable or low carbon sources of heat. The issue of heat requires a significant shift in current thinking around the provision of heat infrastructure. Provision of this can be costly as can the provision of a renewable heat source and may impact on development viability. It is therefore preferable to proceed with non-renewable heat sources that will allow transfer to renewable heat in the future. Heat networks using non-renewable heat sources are likely to offer significant carbon savings compared to current heat provision of individual gas boilers. It therefore makes sense to allow this interim position and this is preferable to developing heat networks only where there are existing renewable

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

and waste heat sources or networks.

### 16 Heat & Electricity

With reference to paragraph 218 and subsequent groups, do you think that the proposed increased community separation distance of up to 2.5km is appropriate? ✓

Y

N

The community separation distance of up to 2.5km is almost arbitrary since sensitive and well designed siting within the landscape relies on many factors including topography. However, if it is stated clearly that this is a guideline for indicative spatial frameworks, the GCVSDPA believes it is appropriate to highlight the need to protect communities from undue development pressures and in this sense an indicative community separation distance of 2 or 2.5km seems reasonable. However, clarification is sought on whether this separation distance applies to all wind development or for wind farm developments of a certain scale, in which case this scale should be clearly stated.

### 17 Heat & Electricity

With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind development whilst protecting the natural environment and managing visual impacts on communities? ✓

Y

N

In theory, yes. However, in the GCV area the SDPA has had difficulty in commissioning a GCV-wide landscape capacity study to determine where wind turbine development is suitable and where cumulative impact is likely to be an issue. Producing 'robust' spatial frameworks would appear to require up-skilling in planning and possibly also in consultancies. The relative weight given to these issues should remain the duty of local authorities.

Notwithstanding the above comment, there is a need to consider the relationship between onshore and offshore wind development.

### 18 Heat & Electricity

Do you think the SPP could do even more than is drafted in paragraphs 222 to 224 to secure community benefits from renewable energy developments while respecting the principles of impartiality and transparency within the planning system? □ □

Y

N

The GCVSDPA has no observations.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

- 19 Digital** **Y** **N**
- Do you think the planning system should promote provision for broadband infrastructure (such as ducting and fibre) in new developments so it is designed and installed as an integral part of development, as set out in paragraph 230?

It is noted that no role has been identified for the SDP in respect of digital communication. The requirements in respect of this element of infrastructure, can be cross boundary in nature and Scottish Enterprise have previously mooted that there may be a role for SDPs in coordinating digital infrastructure provision and activity in a similar manner to the SDP's role in the Metropolitan Glasgow Strategic Drainage Partnership (MGSDP). The Scottish Government may wish to give this further consideration and the SDPA would be happy to assist.

In respect of the consultation question, specific to broadband infrastructure in new developments, in principle, this is supported. Responses from Development Management will be useful and regard will require to be given to the impacts on development viability.

- 20 Flooding & Drainage** **Y** **N**
- Do you think that Strategic Flood Risk Assessment should inform the location of development, as set out in paragraph 239? ✓

The GCVSDPA supports this approach however there are related resource implications as well as training requirements in order that planning authorities can adequately protect against strategic flood risk.

- 21 Flooding & Drainage** **Y** **N**
- With reference to paragraphs 245 to 247, do you think that where the Scottish Environmental Protection Agency (SEPA) has already granted a Controlled Activities Regulations (CAR) license then there should be no need for consideration of water and drainage issues by the planning system?

The GCVSDPA has no observations.

- 22 Reducing & Managing Waste** **Y** **N**
- With reference to paragraphs 248 to 262, do you think that planning policy for waste management should be consolidated into the SPP to be clear on the messages and to remove the need for further narrative in Annex B of the Zero Waste Plan? ✓

The GCVSDPA considers the approach to waste, given experience to date since



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the publication of the Zero Waste Plan in 2010, to be proportionate and pragmatic and supports the direction set.

### 23 Overall

Do you think the proposed new structure and tone of the draft SPP is appropriate?

Y N

✓

The GCVSDPA considers that in general the structure and tone of the document is an improvement on the current SPP and this is welcomed. In particular, the language and the use of colour coding relating to NPF3 used throughout the document is considered to be helpful.

There are a few references which could be expressed differently to reflect planning roles more appropriately and accurately.

For example paragraph 14 states that:

“This illustrates the important role of planning in promoting a more resilient and adaptable economy that creates jobs, increases productivity and enhances the environment, whilst reducing emissions, inequalities and disparity between regions.”.

It should perhaps read:

“This illustrates the important role of planning [in providing a land use strategy and policy framework that assists] in promoting a more resilient and adaptable economy that creates jobs, increases productivity and enhances the environment, whilst reducing emissions, inequalities and disparity between regions.”;

Similarly paragraph 20 states that:

“Action programmes should be actively used to deliver planned developments”,

It should perhaps read:

“Action programmes should be actively used [to assist with the delivery of] planned developments.”

The above points may seem minor, however when adopting an outcomes focused approach, it is important and useful to specify with clarity, what planning can achieve, and indeed what it cannot deliver on.

### 24 Overall

Do you think the SPP should and can be monitored? If so, how?

Y N

✓

The GCVSDPA considers that given the Scottish Government’s approach to outcomes and the National Performance Framework that it would be consistent, appropriate and important to monitor the implementation of SPP.

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Indicators should directly relate to the Planning Outcomes set out on page 5 and in the interests of a proportionate approach to this matter, they should focus on land use and development delivery.

At least one key indicator (effective housing land: years supply) is already collected through the Planning Performance Framework (PPF) and this approach, (use of the PPF), should be extended to monitor the implementation of SPP.

As well as effective housing land supply, other key indicators, based on the Planning Outcomes, could include:

- a measure/measures of town centre health to align with the Town Centre Health Checks;
- a measure/measures relevant to Business Land Audits (currently the PPF measures relate to commercial floorspace and further consideration is required, including through the use of Business Land Audits, to identify more meaningful measures);
- delivery measures such as: housing units completed/business land floorspace take up and employment/green infrastructure delivered/enhanced
- an indicator relevant to the active travel agenda such as modal split for journey to work;
- an indicator relevant to the delivery of green infrastructure and/or place making.

### 25 Overall

Do you think the SPP could be more focused? If so, how?

Y N

✓

The GCVSDPA considers there remains some repetition and imbalance between topic areas in the Draft SPP with a mix of policy and contextual guidance, which could benefit from a revisit. For example in relation to comments on Town Centres, the policy and the approach to operational matters including the recommended Health Checks and Town Centre Strategies, could be separated out, with the latter removed to Planning Advice or similar.

### 26 Overall

In relation to the Equalities Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on any particular groups of people.

The GCVSDPA has no observations.

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Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### 27 Overall

In relation to the Equalities Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

The GCVSDPA has no observations.

### 28 Overall

In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on business.

The GCVSDPA has no observations.

### 29 Overall

Do you have any other comments? If so, please specify the relevant section and/or paragraph.

#### Delivery

The GCVSDPA supports the views expressed in the Heads of Planning response regarding the need for a fundamental consideration of the delivery issues given current economic conditions and the scale of the problem with respect to stalled and unviable or less viable development locations.

This is a particular issue for Glasgow and the west of Scotland with its legacy of brownfield land. These sites are in areas which if developed would enhance the offer of the Glasgow city region, provide employment, enhance and regenerate communities, provide sustainable development locations close to established settlements and transport links, reduce health and social inequalities and protect the development of less sustainable greenfield locations.

Delivery and development of these sites and locations would strongly accord with the policy agenda of the NPF3, GCVSDP and related LDPs in the area. The recommendation to address this through initially an approach to Stalled Development Sites Audit and Strategies, supported through funding initiatives that are commensurate to the scale of the problem is vital to deliver on policy priorities around sustainable economic development and placemaking which are the stated priorities for this SPP.

#### Outcomes: How Planning Makes a Difference

The embedding of an outcomes focused approach (Paras 8-14) is welcomed and the adoption of the three Planning Outcomes is supported. However, the

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three Planning Outcomes that have been provided are worded as activities rather than as outcomes and some further consideration may require to be given to this.

The Outcome focused approach follows through the document where each Policy topic includes a section on delivery. This usually includes specific guidance on the role of the Development Plan and Development Management. This approach is supported but could in some cases go further by referencing consistently the role of Strategic Development Plans, Local Development Plans, Development Management and Developers. Additionally, further clarity is suggested around terminology used to describe the role of decision makers which will often be the Planning Authority but can include the DPEA and Scottish Government.

Further clarification or guidance on “greater integration between land use planning and community planning” referenced at paragraph 10, would be welcomed.

It is also noted that despite numerous references to health within the document, the Scottish Government National Outcome on health “we live longer healthier lives” has not been identified as a relevant National Outcome. The inclusion of a health orientated planning outcome should be considered as this is an important and relevant agenda, particularly in the west of Scotland. It is noted that health inequalities in this area, merited specific mention in the NPF3 MIR where it stated at page 72 that: “low life expectancy is a stark characteristic of the region’s most disadvantaged communities”.

‘Sustainable development’

It would be helpful if this term was clearly defined either in text at paragraph 24 or in the glossary.

Climate Change

The explicit role of Development Planning and Development Management in relation to mitigation and adaptation is not clearly described in paragraph 34 on Climate Change. Mitigation and adaptation are useful terms, but it would be more directional and outcomes focused to describe the specific responsibilities of developers, development planning and development management, in this context.

Placemaking

The emphasis given to placemaking is welcomed and supported although some further clarification on delivery and the respective roles of development planning, development management, and delivery would be welcomed.

At paragraph 37, 2nd sentence should read “following six qualities of successful places” to align with the text of the first bullet point of paragraph 38; also page 13 diagram requires a title ‘key stages of the design process’ to align with the

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text of the first bullet point of paragraph 38; diagram at paragraph 40 requires a title 'Design Tools'.

Although the general aim of paragraph 39 and the associated diagram on page 13 are understood, this section could be given a sharper focus by documenting how the, design guidance and diagram, are to be used and by whom. Specifically, it is assumed that the guidance and diagram, are aimed at all those involved in the design process including local authorities engaged in design projects, (either as lead developers or in formulating design guidance), but primarily it is assumed to be aimed at developers. Additionally, unlike other sections of the Draft SPP, no specific guidance is provided on the role of Development Management, which in respect of design issues, plays a significant role. Textual clarification of the foregoing would assist in providing a sharper and more outcomes focused approach to the delivery of design guidance.

Relating to earlier comments in relation to Question 14 on Green Infrastructure, the benefits of fully integrating an approach to landscape and green infrastructure within the design process, and from the outset of the design concept, could usefully be given emphasis within the place making section of SPP.

In addition it would be helpful if health and well being was strongly referenced within the SPP.

### Tourism

In terms of paragraph 109 the GCVSDPA recognises the important contribution of tourism and leisure developments to the Scottish and GCV economy. However, given the existing responsibilities of Visit Scotland and the new 'Tourism Development Plan for Scotland', alongside the aspiration for 'concise and visionary' SDP's, further clarification is sought on how this should be reflected in an SDP. The concern is that there may be little added value of such an approach which may require an unnecessary level of detail.

### 'Brownfield'

The removal of the terminology 'brownfield' and associated glossary reference is considered to be detrimental for those authorities who are predicating their spatial strategies on such an agenda.

### Natural Resources

Given the cross boundary issues relating to the extraction of coal it is considered that the SDP has a role and this should be recognised.

### Green Belt

In terms of the green belt it would be helpful if references to coalescence referred to in paragraph 160 of the current SPP were reintroduced in addition it would be helpful if the linkages between the role of the Green Belt and Green Networks for providing access and connectivity etc was included within this

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Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

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section.

## **APPENDIX- Draft SPP Consultation Response**

### **Glasgow and the Clyde Valley Strategic Development Planning Authority**

#### **Buildings - Enabling Delivery of New Homes**

##### ***Overview***

The comments on the 'Enabling Delivery of New Homes' section are made before the revised HNDA and LHS Guidance have been published. It is possible that some of these issues will be addressed in these documents, however, in the absence of their publication the issues are raised through the consultation on Draft SPP.

It is considered that the consultation questions asked makes it difficult to respond to this section in the round therefore the main points are signposted below. Where alternative wording is suggested this text is shown in red. The flow of the housing section could be improved to better reflect the sequence of events particularly in Strategic Development Plan areas where advice is currently spread across a number of paragraphs.

There are a number of planning for housing issues arising in Draft SPP that are interrelated that will impact upon the process for SDP2:

- Alignment/Sequencing of HNDA, SDP, LHS and LDP (refer Q8 and Annex 2)
- Determining Housing Supply Targets (refer Q8 and Annex 1)
- Effectiveness of Housing Land Supply (refer Q10)
- Generosity Allowance (refer Q6 and Annex 1)
- Housing Market Areas (refer Q10)

Overall the draft SPP is welcomed, however it presents an opportunity to provide greater clarity in relation to planning for housing. It is important that SPP recognises that many of the current constraints in the housing market are related to financing development which is outwith the scope of planning.

Planning provides a balance between the interests of developers, the public and the environment amongst others and the desire to build new homes should be managed within the relevant geographic context, allowing for brownfield development and regeneration where appropriate. The omission of the term brownfield land from SPP is detrimental in this regard and should be reinstated.

##### ***HNDA Tool***

It is considered that the introduction of the HNDA Tool has provided a consistent method to assess housing demand across Scotland and for authorities to build capacity to undertake their own housing need and demand assessment which is welcomed. In a strategic development planning area there are complexities in trying to align the SDP with the Local Housing Strategy process and these issues require further consideration by the Scottish Government. The relationship and timescales between the LDP and LHS are much simpler in a unitary authority, however, 19 local authorities are part of strategic development planning areas and SPP would benefit from providing clarity for SDP areas to ensure a straightforward process and desired outcomes for the second round of SDPs.

### Consultation Question 6

*Do you think explaining a 'generous' housing land supply as allowing an additional margin of 10 to 20%, as set out in paragraph 85, is the appropriate approach?*

*An alternative would be to state that a generosity factor should be added to the land supply, and that this may be smaller in areas where there can be confidence that the sites identified in the plan will be developed in the plan period, and larger in areas where there is less confidence in the deliverability of the land supply. Do you think this is the appropriate approach?*

The introduction of the term generosity in SPP 2010 was generally considered unhelpful as it was not quantified so the attempt to quantify it is welcomed. It is considered that the presumption will always be to the high end of any suggested scale therefore it would be more helpful to have one value rather than a range and 10% seems an appropriate aspiration to achieve the Scottish Government's agenda to increase land availability for house building.

However, in an area like Glasgow and the Clyde Valley, regeneration is the cornerstone of development in the region and the generosity allowance and housing land allocations will be sought firstly from brownfield sites as opposed to greenfield sites. A blanket approach to the generosity allowance may not be appropriate across Scotland and the alternative approach given in question 6 is in principle an appropriate way forward, adding a generosity factor to the land supply and allowing local flexibility. It is considered that availability of land is not the main issue in the GCV area. The term generosity was introduced to planning in a buoyant housing market and it is considered that it may not be as relevant in the current market.

It is not clear in Draft SPP at what stage in the process generosity should be applied and this should be clarified in the revised SPP. We have set out in Annex 1 the GCVSDPA's preferred approach. The GCVSDPA believes that the generosity allowance should be appropriately applied to the land supply and not the Housing Supply Target. The Housing Supply Target is determined through a detailed technical exercise using the HNDA Tool and evidence based scenarios and assumptions. These results are then considered further to take account of '*wider economic, social and environmental factors including issues of capacity, resource and deliverability*' (paragraph 84). It would not be appropriate to then apply generosity to the Housing Supply Target but it could be applied to the land supply. For example if demand is for 1,000 units and supply is 1,000 units, then there would be no shortfall. However, if a 10% generosity allowance was applied to the land supply then there would be a shortfall. To achieve a 10% generosity allowance would require 1,100 units to be made available through the land supply.

It is considered inappropriate to apply a generosity allowance to the Housing Supply Target e.g. for the GCVSDPA for private sector alone in the 2011 SDP the land requirement 2009-25 was 97,000 units. 10% above this would be 9,700 units and 20% 19,400 units (this is equivalent to the 13 Community Growth Areas at the GCV scale). These are significant figures and additional land release of this scale is contrary to the regeneration agenda in the Glasgow and Clyde Valley city region in the circumstances where the land supply is considered appropriate for development. Furthermore, demand over the time period of the plan has been methodically estimated and it would be ineffective to plan for more households than are realistic as this could undermine the urban renewal strategy of the city region. There are a limited amount of newly forming households in Scotland and it is appropriate that all city regions in Scotland plan for growth that is both reasonable and sustainable. This is something which should be addressed as part of the context of National Planning Framework 3.



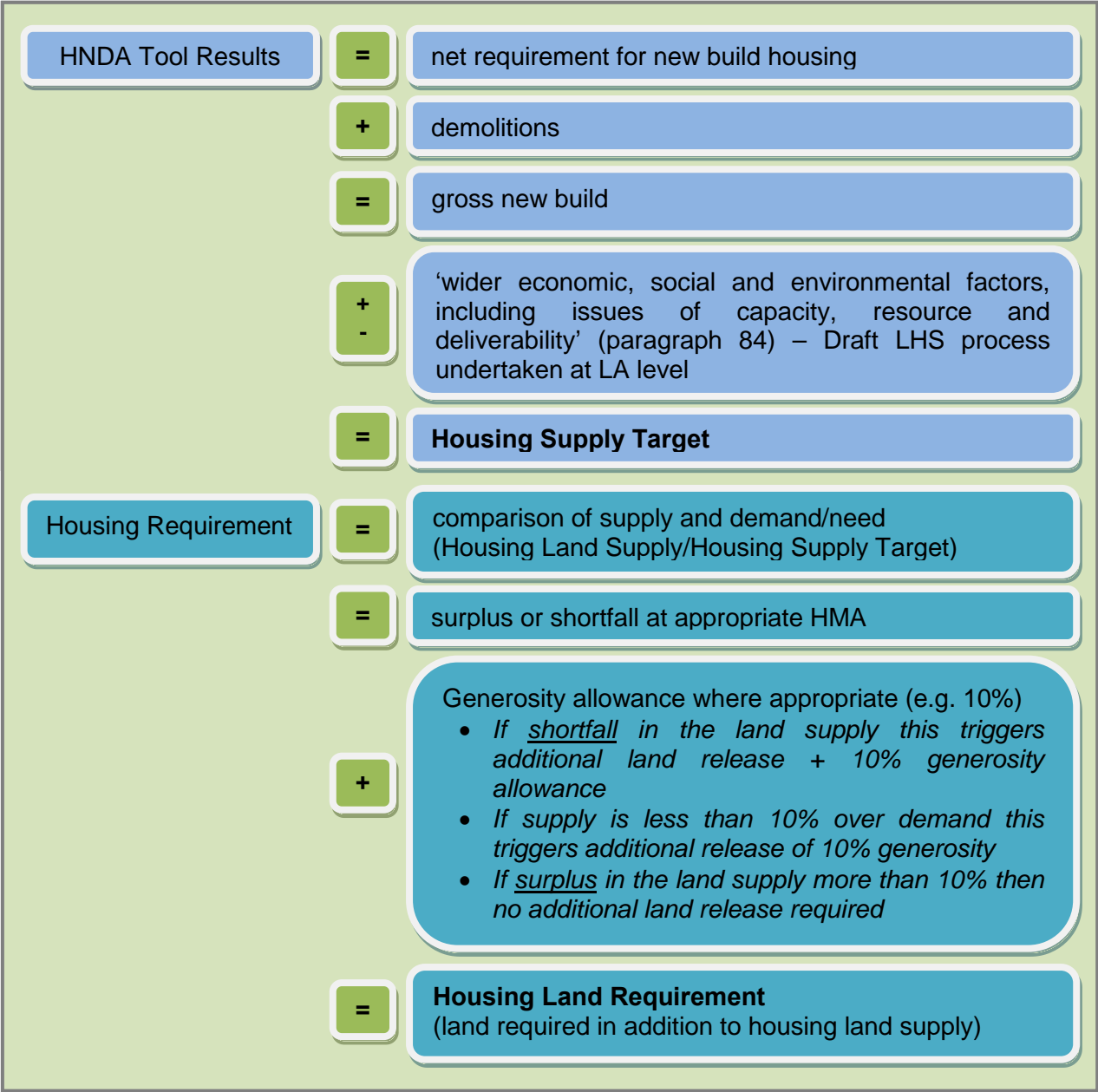
The alternative approach given in consultation question 6 relates to confidence in the deliverability of the land supply i.e. the effectiveness of sites. Effectiveness only relates to the minimum five year land supply as formally audited by the Local Authorities and Homes for Scotland and does not relate in any way to urban capacity sites. It is important that this distinction is made clear in the SPP to prevent misinterpretation of the term 'effectiveness'. It is considered that the local planning authority is best placed to make judgments on the longer term land supply in terms of confidence in its deliverability.

It is suggested that **paragraph 85** could read;

*'Plans should set out the housing land supply and identify the number of homes to be provided through new land allocations in the plan period. This should be sufficient to accommodate the Housing Supply Target, plus a margin of 10% where appropriate, taking account of the contribution of sites in the established supply that are effective, or capable of becoming effective within the plan period.'*

In meeting the housing requirement including generosity allowance, SPP could usefully comment on the role of higher density developments which within settlements, can contribute to multiple policy objectives including the maximisation of the use of development land in sustainable locations and the reduction of the need to utilise green field sites in less sustainable locations. These objectives and specific reference to the role of higher densities aligns with the general policy context of SPP, as well as the NPF MIR which includes numerous specific references to the role of higher density development.

**Annex 1 - Housing Supply Targets and Housing Requirement Process**



### Consultation Question 7

*Do you think that authorities should be able to include an allowance for windfall development in their calculations for meeting the housing land requirement, as set out in paragraph 86?*

In the GCV city region an allowance for windfall has never been counted towards future supply. This has historically been considered to add flexibility to the process. For each plan the housing land audit and urban capacity study, assess future supply and form the basis of a comparison of supply and demand. Additional development comes forward in two ways: small sites (less than 4 units are not counted in the housing land audit) or windfall sites that by their very nature are unexpected.

Measuring the number of windfall sites can be challenging, particularly in larger authorities as a comparison between the housing land audit, urban capacity study and planning applications is required. In the GCV area it would be the preferred approach to continue to use windfall as an element of flexibility, however, the terminology flexibility has been removed from Draft SPP. We would welcome the reintroduction of the term flexibility. It is also considered that windfall completions can be inconsistent in some authorities which makes it challenging to incorporate an assumption made on past completions.

The wording of [paragraph 86](#) is considered confusing *'Any assessment of the contribution to the Housing Supply Target which may be expected to be provided by windfall sites should be informed by an urban capacity study or clear evidence from past completions.'* An urban capacity study does not identify windfall sites as these are by definition unplanned development. This sentence should be removed or the meaning clarified. It also contradicts the definition of windfall given in the Glossary on page 66, which is correct. Windfall should also be cross referenced to [paragraph 47](#).

Reference is made to urban capacity studies in [paragraph 47](#) as part of developing spatial strategies however an explanation of the role of such studies, as set out in the current SPP paragraph 81, is missing from the Draft SPP and should be reinstated. Additionally, the role of such studies in anticipating additional land that may come forward within key development plan time periods, particularly for Strategic Planning purposes, could usefully be explicitly stated.

It is suggested that [paragraph 47](#) could also include (extract from paragraph 81 in SPP 2010);

*'Urban capacity studies assess opportunities for further housing development within existing settlements, focusing on previously developed land and conversion of existing buildings, and reviewing land currently allocated for uses other than housing. Planning authorities are encouraged to use urban capacity studies to inform the settlement strategy. Where possible, planning authorities should involve the private sector in urban capacity studies. The results of the study should be publicly available.'*

### **Consultation Question 8**

*As set out in paragraph 87, do you think strategic development plans should set out the Housing Supply Target:*

- a. only for the strategic development area as a whole;*
- b. for the individual local authority areas;*
- c. for the various housing market areas that make up the strategic development plan area; or*
- d. a combination of the above*

Consultation question 8 raises similar issues to consultation question 10 and both responses should be considered together.

### **Alignment/Sequencing**

It is considered that [paragraph 87](#) sets out the appropriate timescales for planning for housing; however, there is an important change in function in that the SDP is now required to set out the Housing Supply Target. This task latterly sat with the Local Housing Strategy. Accompanying this change are alignment issues in regard to the HNDA, SDP, LHS and LDP that require further consideration. The issues relating to alignment in the context of the GCVSDPA are shown in Annex 2 and are related to the policy changes outlined below:

- SDP to set out the Housing Supply Target (HST) ([paragraph 87](#)).
- HNDA should be completed in good time to inform the SDP MIR along with local authorities' views on Housing Supply Targets ([paragraph 82](#)).
- In city regions LAs may wish to wait until the SDP has been approved before finalising the LHS, to ensure that any modifications to the plan can be reflected in the LHS and LDP ([paragraph 83](#)).
- Housing Supply Targets in Plans should equate to the Housing Supply Target identified in the LHS ([paragraph 84](#)).

Previously HSTs were set in the LHS and LHSs could be finalised after the end of the SDP MIR consultation period.

The LHS will need to be at draft stage at the latest in summer 2014 to allow the Housing Supply Target to be determined for the SDP MIR. If the LHS is not finalised until SDP approval, anticipated in May 2017, then there will be 3 years between the draft and the final LHS. The next 5-yearly cycle of LHSs are due to be published in 2016/17. There is an inconsistency relating to these timescales that requires to be addressed as a matter of priority by the Scottish Government. This situation is compounded in an SDP area where 8 draft LHSs will be required to feed into the SDP HSTs.

### **Determining the Housing Supply Target**

There is a shift in Draft SPP in that the SDP has to set out the Housing Supply Target ([paragraph 87](#)) see also Annex 1. In order to be able to do this consistently across the local authorities there needs to be clear direction about how this part of the process should be undertaken. Housing Supply Targets were derived in Local Housing Strategies after the publication of SDP1 to inform LDPs. Authorities undertook this process using the limited guidance provided which was supplemented by the Reporters report to the GCV SDP1, paragraph 4.86a.

It will be the responsibility of each individual local authority to undertake this process for SDP2, however, the key difference is that the HSTs will have to be undertaken consistently as they will be aggregated and reported at HMA level in the SDP2 MIR as set out in Draft SPP paragraph 82. It is considered that SPP may not be the appropriate place to set out how to calculate the Housing Supply Target, this may sit better in revised HNDA guidance however, the process does need to be set out clearly in one of the housing guidance or policy documents.

It is suggested that [paragraph 82](#) could read;

*'Plans should be informed by a robust housing need and demand assessment (HNDA), prepared in line with Scottish Government's HNDA Guidance<sup>35</sup>. This assessment provides the evidence base to inform both local housing strategies and development plans. It should be completed in good time to inform the main issues report, along with local authorities' views on Housing Supply Targets. **Guidance on how to derive Housing Supply Targets is provided in paragraph X or revised HNDA Guidance.** It should produce results both at the level of the functional housing market area and at local authority level, and cover all tenures'.*

### **Geography**

In an SDP area the plan sets out housing requirements for the SDP area as a whole, for the HMA framework and then approximate results for LDP areas. The principal geography is the HMA framework, which for the GCV area crosses local authority boundaries. The SDP has an important role in the planning of city regions, regardless of local authority boundaries, and this role is particularly clear for the private sector functional housing market areas which operate across local authority boundaries reflecting an understanding of how and where people move house. The requirement to produce housing figures by LDP area gives an artificial picture of how the housing market operates in a city region context and HMA results should be seen clearly as the appropriate geography to assess, monitor and strategically plan for the housing requirements in a city region.

### **Terminology**

It is considered that term 'housing land requirement' is confused with 'housing land supply' and we suggest the following changes to clarify this in [paragraph 87](#);

*'Strategic development plans should set out the Housing Supply Target for **each housing market area and local development plan area.** They should also state **how the Housing Supply Target will be achieved setting out the amount of land from the housing land supply and the broad location of additional land requirements** which should be allocated in local development plans to meet requirements up to year 12 from the expected year of plan approval. Beyond year 12 and up to year 20, the strategic development plan should provide an indication of the possible scale and location of housing land, including by local development plan area.'*

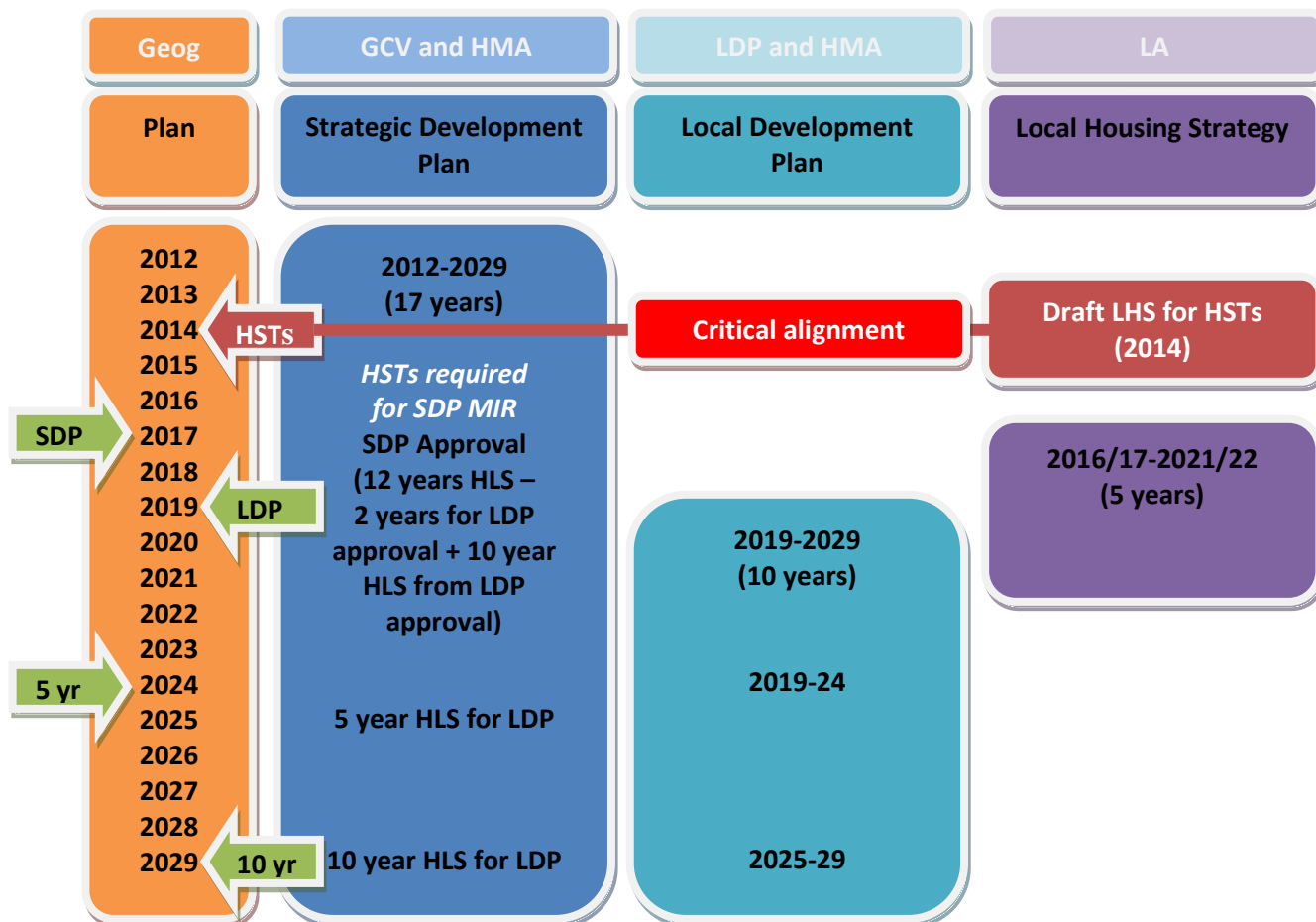
It is considered that the glossary definition of Housing Supply Target is incorrect and contradicts the text in this section. The Housing Supply Target and the housing requirement are not the same thing. The Housing Supply Target is the demand for housing plus the wider considerations outlined in [paragraph 84](#). A housing requirement is determined after a comparison of supply and demand, and is the additional land required over and above the supply identified in the housing land supply and urban capacity study. See also response to Consultation Question 6 including Annex 1.

### **Suggested definition of Housing Supply Target**

*'The net requirement for new build housing plus demolitions gives gross new build housing required. Planning authorities then take account of 'wider economic, social and environmental factors, including issues of capacity, resource and deliverability' through the draft Local Housing Strategy process resulting in the Housing Supply Target. This housing target is then compared to available supply to determine if there is an additional housing land requirement'.*

## Annex 2 - Alignment between SDP/ LHS and LDP

This is an illustration of the alignment issues between the three interlinked plans, the relationships and timescales that the GCVSDPA are likely to encounter for SDP2



- Under current arrangements the LHS is not required until 2016/17 and the LHS sets out Housing Supply Targets.
- Draft SPP advises that Housing Supply Targets should now be set out in the SDP MIR.
- The LHS is a critical stage in determining Housing Supply Targets therefore a Draft LHS is required to inform the SDP MIR in 2014 – 2 or 3 years before LHS submission is required.
- The inconsistency in the alignment of the three plans needs to be addressed.
- The SDP is required to provide housing figures for 17 years in order to provide the LDP with housing figures to years 5 and 10.
- Supply/demand comparisons will therefore be undertaken at years 2024 and 2029.
- An LHS is only required to provide figures for 5 years and is out of sync with the SDP and LDP.
- This is an issue the needs to be addressed now that the HSTs have to be set out in the SDP.

**Consultation Question 9**

*Do you think the approach to how national parks address their housing land requirements, as set out in paragraph 90, is the appropriate approach?*

*An alternative would be for national park authorities to assess and meet housing requirements in full within their areas. Do you think this is the appropriate approach?*

West Dunbartonshire Council is the housing authority for the whole council area. They are the strategic and local planning authority for the council area minus the National Park. The GCV strategic HNDA covers both housing and planning functions. There is therefore an inconsistency about the geography that the GCV HNDA should cover. It is considered that the Scottish Government should liaise with West Dunbartonshire Council, the National Park Authority and the CHMA regarding this inconsistency.

### **Consultation Question 10**

*Do you think the approach to identifying the five year effective land supply, as set out in paragraph 91, is the appropriate approach?*

*An alternative approach would be for the supply in strategic development plan areas to be calculated across local development plan areas. This would require strategic development plans to set out Housing Supply Targets for each local development plan. Do you think this is the appropriate approach?*

Consultation question 10 raises similar issues to consultation question 8 and both responses should be considered together.

The GCVSDPA is supportive of the housing land audit process and works closely with its constituent authorities and Homes for Scotland. In a city region housing market areas are important and the housing land audit is undertaken consistently across the eight authorities to allow cross boundary housing figures to be assessed and requirements identified during the plan preparation process. The housing land supply in the city region has traditionally been programmed for 7 years, with the support of Homes for Scotland, to enable LDPs to maintain a minimum 5 year effective land supply and this approach will be continued.

It is considered that the approach to identifying a minimum five year effective land supply in a city region is appropriate; however, there should be acknowledgement that the housing market area is the most appropriate way to monitor and strategically plan for housing supply in a city region and not the local development plan area which is an administrative boundary that does not reflect functional housing market areas. SPP requests results at both levels to ensure clarity in the LDP; however, it is important that the primary assessment is within the housing market area framework, accurately reflecting how city region housing market areas operate.

### **Housing Market Areas**

SPP should emphasise the importance of housing market areas and mobile demand to strategic planning in city regions and explain clearly what housing market areas are.

It is considered that this clarity has been diminished in planning policy and guidance in recent years. There was a clear definition in PAN 38 and subsequent publications: SPP3, HNDA Guidance, SPP 2010 and PAN 2/2010; have eroded this definition and all that remains is [paragraph 81](#) in Draft SPP which provides insufficient detail.

*'Local authorities should define functional housing market areas i.e. areas within which demand for housing is relatively self-contained.'*

This omits an important sentence from SPP 2010 paragraph 68 which states that *'Housing market area may significantly overlap and will rarely coincide with local authority boundaries.'*

More direction is given in HNDA Guidance (2008), page 10 which states that:

*'Generally local housing needs assessments have in the past been based on local authority administrative boundaries. However these boundaries do not generally reflect housing market areas. Assessments should therefore have regard to functional housing market areas, which are defined in SPP3 Consultative Draft as "a geographical area which is relatively self-contained in terms of housing demand i.e. a large percentage of people moving house or settling in the area will have sought a dwelling only in that area".'*

[Paragraph 81](#) may remain relevant in unitary authorities, however, in SDP areas more detail is required from the revised SPP acknowledging that housing market areas cross local authority boundaries and may operate at more than one level incorporating mobile demand. Mobility is an inherent characteristic of metropolitan housing market areas and this was



recognised in SPP3 and PAN38, although this was unhelpfully omitted from SPP and PAN 2/2010 and now Draft SPP. The GCVSDPA would like to see support in revised SPP for the twin concepts of mobile demand and a tiered system of HMAs which are a feature of metropolitan HMAs and have been incorporated into the way in which the comparison of supply and demand has been managed in the GCV conurbation first by Strathclyde Regional Council and subsequently for the GCV Structure Plan and Strategic Development Plan. This approach is based on the premise that while most demand is localised, there is an element that cannot simply be allocated to a particular area and can be considered to be mobile using Sasines evidence of house-buying moves and evidence of housing search patterns.

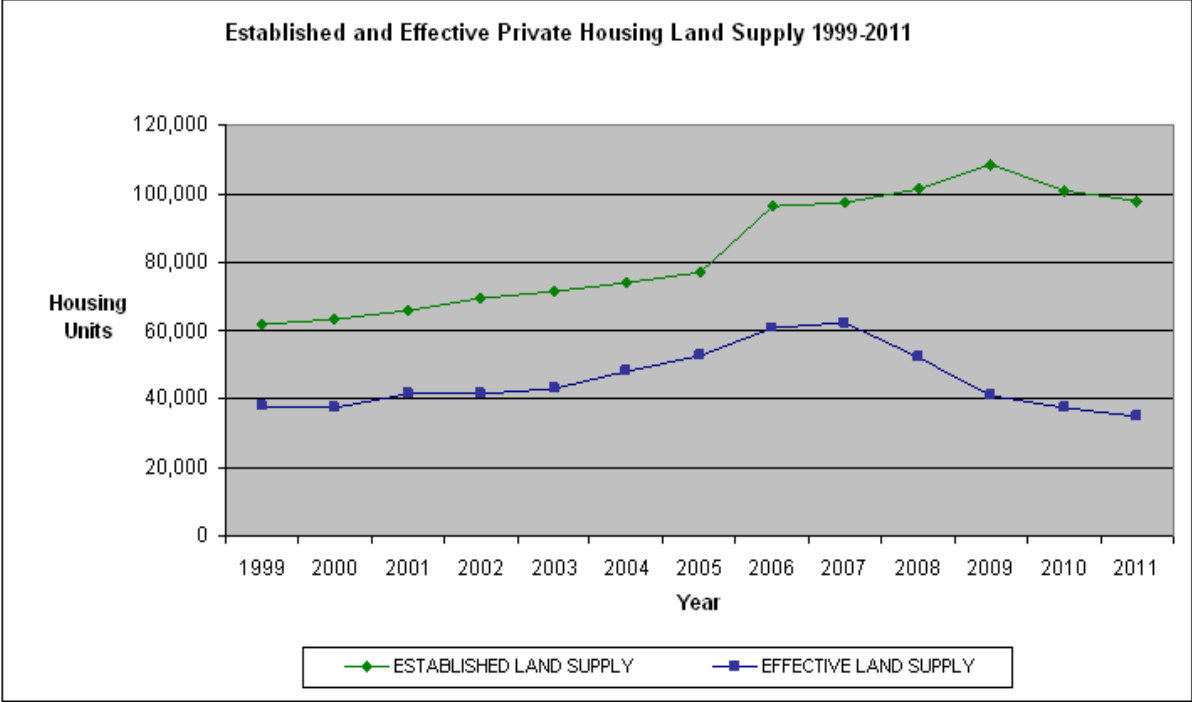
It is suggested that the following excerpt, paraphrased from former PAN 38 (paragraph 21), is included in the revised SPP at [paragraph 81](#) to provide clarity and direction to SDPAs:

*‘Local authorities should define functional housing market areas. A housing market area is a geographical area where the demand for housing is relatively self-contained, i.e. where a large percentage of the people moving house or settling within the area have sought a dwelling only within that area. Housing market areas may significantly overlap and may not coincide with local authority boundaries. Around larger housing markets (i.e. city regions), an element of “mobile demand” may overlie more specific requirements focused on a number of more local housing market areas. Planning for housing...continue as is’*

If greater clarity is not given in SPP then this should be specified in the revised HNDA guidance or a revised PAN 2/2010. However, it is important that the SPP reflects the role of strategic planning in the city region and the housing market area framework is a crucial component of how a city region operates.

**Effectiveness**

Determining the effectiveness of a site has become more challenging in the recent economic climate. Over a very short period of time sites that were deemed effective became non-effective, mainly on the grounds of financial viability. The balance of effective land as a percentage of the established land supply across the GCV area dropped from 65% in 2005 to 36% in 2011. Since Structure Plan records began in 1996 effective land as a percentage of the established land supply has consistently been above 60% (refer graph below).



Sites that otherwise would have been developed are now non effective and it is considered that releasing alternative sites is not a sustainable approach to delivering a coherent spatial strategy for the city region in the long term. This is particularly the case in an area covered by a strategic development plan with a twenty year time horizon. It is considered that the approach to effectiveness should be revised and has to give consideration to sites where the only constraint is the commercial prospect of the site in the short term.

**Paragraph 20** states that *'Plans should be deliverable, identifying sites that can be developed within the life of the plan.'* **Paragraph 91** states that *'A site is only considered effective where it can be demonstrated that within 5 years it will be free of constraints relating to ownership, physical factors, contamination, deficit funding, marketability, infrastructure provision and land use policy, and can be developed for housing'*.

Plans can identify sites and deliver the ability to grant Planning Permission for housing on those sites. It is important that SPP is clear on the role of Planning, including its limitations, as well as the role and responsibilities of house builders and developers in meeting the delivery and design agenda.

The approach recommended under comments in relation to Question 1, (Sustainable Economic Growth) on stalled sites, is highly relevant to the discussion of effectiveness and the delivery issue. It is recommended that a more realistic approach to the impediments to development and stalled sites, is introduced within SPP, recognising that the supply of an "effective" 5 year land supply by current definitions and the addition of generosity to that land supply, is unlikely alone to significantly change current levels of delivery. The solutions to the delivery issue, lie in part outwith the scope of the Planning system and a recognition and understanding of that, will assist in identifying where the solutions lie.

### **Consultation Question 11**

*Do you think that the level of affordable housing required as part of a housing development should generally be no more than 25%, as set out in paragraph 97?*

#### **Level of Affordable housing contribution**

The GCVSDPA considers that 25% as a benchmark for the level of affordable housing (as set out in SPP 2010 paragraph 88) is a more appropriate approach than the proposal in Draft SPP that the level of affordable housing should generally be no more than 25%.

It is considered that having a benchmark gives local authorities the flexibility required to reflect local circumstances, evidenced on the findings of the HNDA. Local Development Plan policy within some GCV authorities has been developed to achieve no less than 25% affordable housing on site and a restriction on this could affect authorities' ability to address housing need.

It is suggested that the second last sentence of [paragraph 97](#) should be deleted and replaced with;

*'The benchmark level of affordable housing required by each site should be 25% unless evidence from the HNDA and LHS justifies otherwise.'*

A further sentence should be added which continues the policy direction set out in paragraph 88 of SPP 2010 and [paragraph 5](#) of Consultative Draft SPP, specifically referencing authorities right to exercise local flexibility: *'The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.'*

#### **Type of Affordable housing developer contributions**

In terms of developer contributions for affordable housing it is stated that *"...this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing. Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate"*.

It is considered that it is for local development planning authorities to determine the appropriate type of affordable housing developer contribution. It is also considered that the level of affordable housing contribution should not be affected by the current economic climate if a need is identified in the HNDA.

In terms of developer contributions further clarification is required. PAN 2/2010 does not provide guidance on how a specified proportion of serviced land within a development site should be measured. For example, if there is a 25% requirement is this 25% of the site area, or an area of land capable of accommodating 25% of units. Furthermore, in terms of units provided should it be an average of what is proposed in the planning application or an average of what is needed in terms of housing need identified in the HNDA. Further guidance on this in a revised PAN would be useful in order that there is consistency of approach.

#### **Affordable housing and specialist housing needs**

It is considered that the final sentence in [paragraph 97](#) is new to Draft SPP and should be removed. Where an HNDA and LHS identify a requirement for specialist housing then it may be appropriate to apply an affordable housing quota policy.

[Paragraph 97](#) cross references [paragraph 100](#) where the reference to *'including housing for older people'* is considered too general. This is not considered sufficient to cover the range of housing authorities would expect to see delivered to meet these requirements. For example an affordable housing contribution should not be sought where sheltered housing is provided for the particular needs of older people at an affordable rent / sold at an affordable level or

where a Use Class 8 development is provided, for example a care/nursing home for residents requiring care. However, many housing developments referred to and marketed as 'housing for older people' are actually mainstream residential in nature and are often not affordable to local people on modest incomes (and there is no separate use class for older persons housing). Therefore unless the proposed development is Use Class 8 in nature, exemptions should only be made where the housing to be provided can be shown to be affordable to local people on modest incomes i.e. provided at an affordable rent or sold at an affordable level. If this is not the case, and contributions are not made to affordable housing, the result will be a significant affordability issue for older people.

It is suggested that the last sentence of **paragraph 97** should be deleted and replaced with; *'Where permission is sought for specialist housing, as described in paragraph 100, and evidence in the HNDA and LHS identifies an affordable specialist housing need, then it may be appropriate for the developer to make a contribution to affordable housing'*.

### ***Delivering Affordable housing***

The revision of SPP is also an appropriate opportunity to clarify the practicalities of delivering affordable housing. **Paragraph 99** states that *'Where it is considered that housing built to meet an identified need for affordable housing should remain available to meet such needs in perpetuity, supplementary guidance should set out the measures to achieve this.'*

It is considered that there are legal complexities surrounding affordable housing products and those that can be held in perpetuity. PAN 2/2010 would benefit from a revision investigating these issues and providing guidance to authorities to help the delivery of affordable housing and the most efficient use of available funding.

### ***Intermediate housing***

There is no reference in SPP to 'Intermediate housing'. The Scottish Government's Centre for Housing Market Analysis has produced an HNDA Tool to assist authorities in preparing their housing need and demand assessment. The Tool identifies net new housing requirements for Market, Private Rent, Intermediate Rent and Social Rented housing. It could be assumed that Intermediate Rent is a proxy for all forms of affordable housing excluding social rented housing. It would be helpful for SPP to reflect the terminology used in the HNDA Guidance and Tool and vice versa to ensure that the housing need and demand identified can be delivered through development plans on a basis of consistent interpretation.

**Consultation Question 12**

*Do you think that the approach to addressing particular housing needs, as outlined in paragraphs 100 to 103, is appropriate?*

There are many specialist housing requirements that will be identified in the HNDA. It is considered that these needs are most appropriately dealt with through the LHS and LDP.

**Particular Needs housing**

**Paragraph 100** states *“As part of the HNDA, authorities should consider new build requirements for particular needs including housing for older people, sheltered housing, and other accommodation for residents requiring care.”*

It is considered that the term *‘housing for older people’* is not sufficient to cover the range of housing that authorities would expect to see delivered to meet these requirements. Please also refer to comments on **paragraph 97**.

**Gypsy, travellers and travelling showpeople**

**Paragraph 101** states that *‘Within city regions, the strategic development plan will have a role in addressing cross-boundary considerations’* (referring specifically to gypsy, travellers and travelling showpeople).

It is considered that a national study by the Scottish Government into these specialist housing requirement would be appropriate to evidence base the HNDA. The transient nature of these groups significantly limits the effectiveness of more local studies.

**Self-build plots**

**Paragraph 103** states that *‘Where planning authorities consider that self-build plots have a role to play in meeting housing requirement, they should identify suitable sites as part of their wider housing land allocations.’*

There is another reference to self-build plots in **paragraph 84**. This is the first time that self-build plots have been referred to in SPP as having a role to meet housing requirements and it is considered that further explanation would be helpful.

## Glossary

**Brownfield land** should be reinstated in SPP and use the definition from SPP 2010:

*'Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable'.*

**Established Housing Land Supply** should be defined as it is in PAN 2/2010:

*'The total housing land supply - including both unconstrained and constrained sites. This will include the effective housing land supply, plus the remaining capacity for sites under construction, sites with planning consent, sites in adopted local development plans and where appropriate other buildings and land with agreed potential for housing development.'*

**Five year effective land supply** should be deleted as it is incorrect. The five year effective land supply is the programmed land supply through the housing land audit and is not a proportion of the Housing Supply Target. Supply and demand are being confused here.

**Housing Supply Targets** could be revised to read:

*'The net requirement for new build housing plus demolitions gives gross new build housing required. Planning authorities then take account of 'wider economic, social and environmental factors, including issues of capacity, resource and deliverability' through the draft Local Housing Strategy process resulting in the Housing Supply Target. This demand for housing is then compared to available supply to determine if there is an additional housing land requirement'.*

## NPF 3 Main Issues Report: Consultation Questionnaire

Please send your response to [npfteam@scotland.gsi.gov.uk](mailto:npfteam@scotland.gsi.gov.uk) by July 23, 2013.

**RESPONDENT INFORMATION** – this is to ensure that we handle your response appropriately.

**1. Name/Organisation**

Organisation Name

Inverclyde Council

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

Jamieson

Forename

Stuart

**2. Postal Address**

Regeneration and Planning

Inverclyde Council

Municipal Buildings

Greenock

Postcode PA15 1LY

Phone 01475 712401

Email

**3. Permissions - I am responding as...**

**Individual**

/

**Group/Organisation**

*Please tick as appropriate*

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

*Please tick as appropriate*  Yes  No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

*Please tick as appropriate*  Yes  No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

*Please tick as appropriate*

Yes

No

## A LOW CARBON PLACE

### 1. How can NPF3 support the transition to a largely decarbonised heat sector?

Could NPF3 go further in supporting a spatial framework to help achieve our ambition of decarbonising the heat sector and guiding the necessary infrastructure investments?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

### 2. How should we provide spatial guidance for onshore wind?

Scottish Planning Policy already safeguards areas of wild land character. Do you agree with the Scottish Government's proposal that we use the SNH mapping work to identify more clearly those areas which need to be protected?

Should NPF3 identify and safeguard those areas where we think there remains the greatest potential for further large scale wind energy development? Where do you think this is?

Should further large scale wind energy development be focused in a few key locations or spread more evenly across the country?

Is spatial guidance for onshore wind best left to local authorities?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

### 3. How can onshore planning best support aspirations for offshore renewable energy?

Should we include onshore infrastructure requirements of the first offshore wind developments, wave and tidal projects as a national development?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

### 4. How can we support the decarbonisation of baseload generation?

Do you think that NPF3 should designate thermal power generation at Peterhead and/or a new CCS power station at Grangemouth, with associated pipeline infrastructure, as national developments?

Is there also a need for Longannet and Cockenzie to retain their national development status as part of a strategy of focusing baseload generation on existing sites?

n/a



**5. What approach should we take to electricity transmission, distribution and storage?**

Should we update the suite of grid enhancements and include the landfall of a possible interconnector from Peterhead? What projects should be included?

What more can NPF3 do to support the development of energy storage capacity?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

**6. Does our emerging spatial strategy help to facilitate investment in sites identified in the National Renewables Infrastructure Plan?**

Are there consenting issues or infrastructure requirements at NRIP sites that should be addressed in NPF3 through national development status or other support?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement.

In addition in relation to Inverclyde being noted as a potential port site to support the offshore wind turbine sector, under the National Renewables Infrastructure Plan (NRIP), this is welcomed.

**A NATURAL PLACE TO INVEST**

**7. Can NPF3 do more to support sustainable use of our environmental assets?**

Should NPF3 propose any specific actions in relation to the role of land use in meeting climate change targets, for example for woodland expansion, peatland or habitat restoration?

Should the strategy be more aspirational in supporting the development of a National Ecological Network? If so, what should the objectives of such a network be?

Refer to GCV SDPA response with which Inverclyde Council is in agreement, and in particular, would stress the significance of safeguarding high value peat lands, of which there is a considerable resource in the Clyde Muirshiel Regional Park in Inverclyde, and the contribution it can make to mitigating the effects of climate change.

**8. What should NPF3 do to facilitate delivery of national development priorities in sensitive locations?**

Would it be helpful for NPF3 to highlight the particular significance of habitat enhancement and compensatory environmental measures around the Firth of Forth? Which projects can deliver most in this respect?

Are there other opportunities for strategic environmental enhancement that would support our wider aspirations for development, or could potentially compensate for adverse environmental impacts elsewhere?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

**9. Can NPF3 do more to support sustainable tourism?**

What are the key national assets which should be developed to support recreation and tourism?

Should a national network of long distance routes be designated as a national development? What new links should be prioritised?

How can we ensure that best use is made of existing supporting infrastructure in order to increase the cross-sectoral use of these routes, and enhance the quality of the visitor experience?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

In addition, references in the 'Areas of Coordinated Action' section to the roll-out of the £430 million investment over 16 years in new electric class trains for Ayrshire/Inverclyde (albeit already underway), should assist not only overcrowding but also benefit the tourism sector. Furthermore, the strategic significance of the Lower Clyde within the GCV 'Clyde Waterfront' Flagship Initiative should be emphasised in relation to its tourism potential as a growth sector, particularly in relation to the berthing of cruise ships at Ocean Terminal, Greenock. The volume of cruise traffic has increased greatly year-on-year and is projected to continue to do so.

The finalised NPF3 should make reference to this growth sector with particular reference to Inverclyde and this facility, once the 'Tourism Development Plan for Scotland' has been finalised by Visit Scotland.

**10. Can NPF3 do more to support sustainable resource management?**

Should NPF3 support a decentralised approach to provision for waste management or should NPF3 make provision for more strategic waste facilities?

Should the Metropolitan Glasgow Strategic Drainage Plan be retained as a national development in NPF3 or should we replace the focus on it with a broader, national level approach to sustainable catchment management?

Refer to GCV SDPA response in relation to the approach to waste, with which Inverclyde Council is in agreement.

## A SUCCESSFUL, SUSTAINABLE PLACE

### 11. How can we help to consolidate and reinvigorate our existing settlements and support economic growth and investment through sustainable development?

What more can NPF3 do to support the reinvigoration of our town and city centres and bring vacant and derelict land back into beneficial use?

How can NPF3 support our key growth sectors?

Should the Dundee Waterfront be designated as a national development?

Should the redevelopment of the Ravenscraig site be designated as a national development?

Could NPF3 go further in indicating what future city and town centres could look like, in light of long term trends including climate change, distributed energy generation and new technologies?

How can the strategy as a whole help to unlock the potential of our remote and fragile rural areas?

Refer to GCV SDPA response in relation to the important role of city regions and the town centres within them, with which Inverclyde Council is in agreement.

In addition to the GCV SDPA response and with particular reference to Inverclyde, while it is welcome that the GCV SDP, its Spatial Development Strategy and Spatial Frameworks are supported and taken a stage further in NPF3, it is disappointing to note that recognition is not given to the limited time that is left of the main implementing agency's 10 year designation, Riverside Inverclyde URC, and the clear need for a similar special regeneration agency or the local authority, to have continued levels of funding beyond the immediate period. This seems a curious omission for a 15-20 year Plan.

### 12. How can NPF3 best contribute to health and wellbeing through placemaking?

Should the Central Scotland Green Network continue to be designated as a national development? What do you think its top priorities should be? How can it better link with other infrastructure projects in Central Scotland?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

In addition, with particular reference to Inverclyde and as in previous NPF documents, there is little recognition given to the role and purpose of regional parks. Regional parks should be accorded higher status in NPF3 (and the

finalised SPP) in recognition of the importance of their designations for the purpose of safeguarding these areas as significant environmental resources and landscapes for informal recreation, and the contribution they make to health and wellbeing. Regional parks cut across local and strategic authority boundaries, and their importance extends beyond the local or regional area.

**13. How can NPF3 help to deliver sufficient homes for our future population?**

Are there spatial aspects of meeting housing needs that NPF3 could highlight and help to tackle?

Refer to GCV SDPA response with which Inverclyde Council is broadly in agreement, in particular the first and second paragraphs which concern Inverclyde greatly; while in the final observation regarding regional targets, yes it should be 'appropriately informed at the regional level' but within a national context which is now being encouraged through use of national-level data in the CHMA HNDA Toolkit. Rather than talking of 'targets', the correct terminology should be 'requirements' and these in turn should be related to consistent national and regional sustainable development and planning strategy objectives.

A CONNECTED PLACE

**14. How can NPF3 help to decarbonise our transport networks?**

Is our emerging spatial strategy consistent with the aim of decarbonising transport?

Are there any specific, nationally significant digital infrastructure objectives that should be included in NPF3?

Should NPF3 go further in promoting cycling and walking networks for everyday use, and if so, what form could this take at a national scale?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

**15. Where are the priorities for targeted improvements to our transport networks?**

Are there other nationally significant priorities for investment in transport within and between cities?

As well as prioritising links within and between cities, what national priorities should NPF3 identify to improve physical and digital connections for rural areas?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

**16. How can NPF3 improve our connections with the rest of the world?**

Should the Grangemouth Investment Zone, Aberdeen Harbour and new freight capacity on the Forth be designated as national developments?

Should Hunterston and Scapa Flow be viewed as longer-term aspirations, or should they retain national development status?

Do you agree that the aspirations for growth of key airports identified in NPF2 should remain a national developments and be expanded to include Inverness, and broadened to reflect their role as hubs for economic development?

Should the proposed High Speed Rail connection to London be retained as a national development? Should it be expanded to include a high speed rail line between Edinburgh and Glasgow?

Alternatively, should High Speed Rail be removed as a national development and instead supported as a part of the longer-term spatial strategy?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

In addition, the increasing role that Ocean Terminal in Greenock plays in regard to the attraction of cruise ships to the West of Scotland and beyond, alongside its significant freight handling function, should be recognised in the International Connections section. It is acknowledged that Map 25 identifies a number of ports and harbours on the Clyde.

### Strategic Environmental Assessment – Environmental Report

1. What do you think of the environmental baseline information referred to in the Environmental Report? Are you aware of further information that could be used to inform the assessment findings?
2. Do you agree with the assessment findings? Are there other environmental effects arising from the Main Issues Report and Draft SPP?
3. Taking into account the environmental effects set out in the report, what are your views on:
  - a) The overall approach to NPF3, as outlined in the Main Issues Report, including key strategy proposals.
  - b) The strategic alternatives, as highlighted in the questions in the Main Issues Report?
  - c) The proposed suite of national developments to be included in the Proposed Framework?
  - d) Alternative candidate national developments?
  - e) The policies proposed for the Draft SPP?
  - f) The key questions for consultees set out in the Draft SPP?
4. What are the most significant negative effects arising from the assessment that should be taken into account as the NPF and SPP are finalised?
5. How can the NPF and SPP be enhanced, to maximise their positive environmental effects?
6. What do you think of the proposed approach to mitigation and monitoring proposed in Section 6?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

**Equality Impact Assessment (EqIA)**

In relation to the Equality Impact Assessment, please tell us about any potential impacts, either positive or negative; you feel the proposals in this consultation document may have on any particular groups of people.

In relation to the Equality Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

Inverclyde Council has no observations to make.

**Business and Regulatory Impact Assessment (BRIA)**

In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you feel the proposals in this consultation document may have on business.

Inverclyde Council has no observations to make.

# Draft Scottish Planning Policy : Consultation Questionnaire

## RESPONDENT INFORMATION FORM

This is to ensure that we handle your response appropriately.

### 1. Name/Organisation

Organisation Name

Inverclyde Council

Title Mr  Ms  Mrs  Miss  Dr  Please tick as appropriate

Surname

Jamieson

Forename

Stuart

### 2. Postal Address

Regeneration and Planning

Inverclyde Council

Municipal Buildings

Greenock

Postcode PA15 1LY

Phone 01475 712401

Email

### 3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate  Yes  No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate  Yes  No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate  Yes  No



## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### PRINCIPAL POLICIES

- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | <p><b>Sustainable Economic Growth</b></p> <p>Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth?</p> <p>Are there other measures to support sustainable economic growth that you think should be covered in the SPP?</p> | Y | N |
|          | <input type="checkbox"/> <input type="checkbox"/><br><input type="checkbox"/> <input type="checkbox"/>   |   |   |

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

- |          |   |   |   |
|----------|---|---|---|
| <b>2</b> | <p><b>Location of New Development – Town Centres</b></p> <p>Do you think that local authorities should prepare town centre health checks, as set out in paragraph 55?</p> <p>Are there other health check indicators you think should be included in the SPP?</p> | Y | N |
|          | <input type="checkbox"/> <input type="checkbox"/><br><input type="checkbox"/> <input type="checkbox"/>  |   |   |

Refer to GCV SDPA response with which Inverclyde Council is in agreement and in addition, would stress the following.

The SPP should be consistent in its terminology - planning authorities or local authorities (refer to paragraph 55).

Agree that town centre health checks should be undertaken, but unclear as to whether the list of indicators is exhaustive or could be built upon. There should be flexibility as to what should be included as data for some of the indicators is not readily available – a set of core, essential, indicators should be identified to ensure some consistency, with others optional where resources allow. Core indicators could include those where data can be easily be collected through a basic survey, i.e. space in use for different functions, vacancy rates, leisure facilities.

More information as to what is meant by cultural and social activity and community activity would be welcomed, particularly in how they relate to leisure facilities – these can be inferred by the presence of e.g. community halls, leisure facilities and museums/theatres, as well as attitudes and perceptions. Greater clarity as to how indicators should be measured would also be welcomed, again to provide some consistency. For example, where/when footfall should be measured, should prime rental values be an average across the town centre or the highest value?

The number of indicators that should be included within a town centre health check should reflect how the data is to be collected and by whom. A wider set of indicators would be appropriate if the town centre health check is being undertaken by the community planning partnership at corporate/SOA level where a number of partners are feeding into the process as recommended in the National Review of Town Centres External Advisory Group Report. If they are

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

being undertaken by planning teams, even with input from partners, it is unlikely that the same level of detail could be covered due to resource constraints.

Town centre health checks should be updated as often as reasonably possible, at least every 2 years.

### 3 Location of New Development – Town Centres

Do you think that local authorities should prepare town centre strategies, as set out in paragraph 56?

Y N

Refer to GCV SDPA response with which Inverclyde Council is in agreement and in addition, would stress the following.

Agree that local authorities should prepare town centre strategies as set out in paragraph 56 but feel it is important that this is done at the right level, i.e. through the community planning partnership rather than falling to planning departments to co-ordinate. There needs to be buy-in at a corporate level, perhaps by including town centres, health checks and strategies within the SOA process to ensure the full engagement of a wide range of partners.

### 4 Location of New Development – Town Centres

Do you think the town centre first policy should apply to all significant footfall generating uses and the sequential test be extended to this wider range of uses, as outlined in paragraphs 63 to 67?

Y N

An alternative would be to apply the sequential test to retail and 'all' leisure development, no longer limiting leisure to 'commercial' development. Do you think this is the appropriate approach?

Refer to GCV SDPA response with which Inverclyde Council is in agreement and in addition, would stress the following.

Agree the town centre first policy should apply to all significant footfall generating uses and that the sequential test should be extended to a wider range of uses as outlined in paragraphs 63 and 67, although there should be scope for planning authorities to make exceptions to the sequence of locations where appropriate. Reference to this should be made earlier in the Town Centres section, paragraph 54 could state: "The planning system should promote town centres first for a mix of uses particularly where they generate significant footfall..." in order to accord better with para 63 and make sure this important and different aspect of policy is stated upfront.

### 5 Location of New Development – Rural Development

Y N

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

Do you think the approach to spatial strategies for rural areas outlined in paragraphs 68 to 71 is the appropriate approach?

Refer to GCV SDPA response with which Inverclyde Council is in agreement, but would note in addition, that the word "prosperous" should be removed (para 68), as Planning should support all sustainable communities, whether prosperous or not.

### BUILDINGS

#### 6 Housing

Do you think explaining a 'generous' housing land supply as allowing an additional margin of 10 to 20%, as set out in paragraph 85, is the appropriate approach?

An alternative would be to state that a generosity factor should be added to the land supply, and that this may be smaller in areas where there can be confidence that the sites identified in the plan will be developed in the plan period, and larger in areas where there is less confidence in the deliverability of the land supply. Do you think this is the appropriate approach?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress a number of additional matters.

The introduction of the term 'generous land supply' into the glossary of housing has proved unhelpful. This is due to the absence of a clear definition. As a generic term it still lacks clarity in its meaning, especially when applied across all local authority and SDPA circumstances. The term 'flexibility', which it seems to replace is better understood and allows for an interpretation more suited to the wide range of individual circumstances across the country and also has the advantage in that it can apply to both the demand/need and supply side of housing assessment. So, the answer to the question is 'No'.

The term 'generous housing land supply', as currently understood, also has the potential to undermine sustainable development and 'planning for housing' in the city regions, particularly in Glasgow and the Clyde Valley. The longstanding and primary rationale for strategic planning in the Glasgow City Region has been to ensure that the legacy of vacant and derelict land (our 'brownfield inheritance') remains the preferred focus of new development. Without this focus there will be less sustainable urban containment and therefore, no continuation of the long term rewards that regeneration and urban renewal has brought to the area.

Generosity of supply is a concept that may be relevant to areas undergoing growth and development, and where that can only be accommodated through expansion beyond the current urban area. It may also be a concept more relevant for a time of forecast economic growth and necessary expansion, not for the current depressed economic circumstances – forecast to continue for some years to come – and for areas where planning is concerned more with

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

managing the restructuring of the urban area and in some parts, managing decline.

Reflecting on the above, the supplementary question appears to be counter-intuitive. If there is less confidence in the deliverability of the land supply, then presumably that is where adding additional flexibility would have a role, not the reverse? If by definition that generosity could only be found on sites that are more readily effective and more easily developed, this would in all likelihood undermine strategic objectives and set back currently faltering progress on urban renewal.

Linked issues : HNDA - Housing Supply Targets - Alignments

The introduction of the term generous land supply coincided with the introduction of the HNDA and the concept of Housing Supply Targets (HSTs). This is another illustration of the limitations of the draft SPP, failing to provide a clear definition and understanding of new concepts. The need for clarity in the use of HSTs and what they are is essential if it is to be of value in the assessment of the requirements for additional land to meet the housing requirements in the city regions. It is vital that not only a clear definition of HSTs is provided, not least to ensure a consistent approach to its use in all local authorities within the four SDPA areas, but also to provide a clear 'roadmap' for the different professionals involved in using the outcomes of HNDAs for the purposes of both the development plan (SDP and LDPs) and LHSs.

The draft SPP Glossary for HSTs does not help. The definition is equated with 'housing requirement', which is surely incorrect. Housing requirement is the total amount and type of housing necessary to accommodate the assessed demand and need for housing, as calculated in the HNDA, having taken into account the existing land supply and other factors such as the wider social, economic and environmental factors which would influence the final assessment. Housing land requirement is the expression of this in terms of ensuring there is an adequacy of sites, with capacity, to meet the housing requirement, having allowed for other means of provision, eg. better use of existing buildings and the use of the existing stock.

HST's as a rule will always be less and therefore different from the housing land requirement, since this concept equates more with the capacity and resources (in all respects) to deliver housing, not unlike the 'effective land supply'. Targets should be more concerned with deliverability, ie. the potential and/or likelihood of the requirement being met, over set timeframes. HSTs are therefore both a subset of the 'effective land supply' calculation, but also a measure which takes into account the potential to provide housing through means other than new land supply. This full range of provision is part of the HST calculation, including the use of empty properties, better use of existing properties, management of the existing stock and importantly the role of re-lets in the social rented sector. It is not the same as housing requirement, or indeed housing land requirement.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### 7 Housing

Do you think that authorities should be able to include an allowance for windfall development in their calculations for meeting the housing land requirement, as set out in paragraph 86?

Y N

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would make the following point in relation to what the Draft SPP seems to be suggesting on this matter.

'Windfall' is such a constant in the churn of land falling out of use and being made available for development and has always been an important component of land supply, so the answer to the question would tend to be 'Yes'.

However, in addition to the confusion noted over this matter with urban capacity in the GCV SDPA reponse, windfall could be readily outted by adopting a recognisable assumption on its contribution, based on the previous 10 years experience. In many respects, windfall should provide the additional flexibility that is important in maintaining an 'effective land supply' and in that regard is relevant to the approved GCV SDP Strategic Support Measure No. 10, providing LDPs flexibility over new housing development. This would replace any notions of adding more land to have a 'generosity' of supply, which asa indicated above (question 6), has the potential to add artificially to the total land supply and which in many cases would be counter productive in meeting estimated future demand and need.

### 8 Housing

As set out in paragraph 87, do you think strategic development plans should set out the housing supply target:

- a. only for the strategic development area as a whole;
- b. for the individual local authority areas;
- c. for the various housing market areas that make up the strategic development plan area; or
- d. a combination of the above

Y

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress a number of additional matters.

The posing of this question suggests a misunderstanding of the role and purpose of strategic planning, and the SDPA areas in Scotland.

The raison d'etre of SDPs is to plan at the regional / strategic scale, so why would strategic planning be undertaken other than to get a better understanding of the requirement for housing land across local authority boundaries, within

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

recognisable functional housing market areas?

'c' defines the purpose of strategic planning in this regard, not 'b', otherwise what is the point of legislating for the SDPAs?

Restricting the exercise to 'a' similarly would undermine the purpose of the SDPAs.

The requirement to calculate the provision of housing land by local authority areas within the city regions has resulted in artificially increasing the supply, as it does not take into consideration the important cross-boundary movement that defines the housing market areas that they form a part. This insistence that the assessment be made on this artificial geography has already resulted in unrealistic housing land requirements being required in a number of authorities, creating real tensions between these requirements and the overall sustainable development objectives espoused in NPF and SPP documents and approved for the GCV SDP.

### 9 Housing

Do you think the approach to how national parks address their housing land requirements, as set out in paragraph 90, is the appropriate approach?

Y N

An alternative would be for national park authorities to assess and meet housing requirements in full within their areas. Do you think this is the appropriate approach?

Inverclyde Council has no comment to make on this matter.

### 10 Housing

Do you think the approach to identifying the five year effective land supply, as set out in paragraph 91, is the appropriate approach?

Y N

An alternative approach would be for the supply in strategic development plan areas to be calculated across local development plan areas. This would require strategic development plans to set out housing supply targets for each local development plan. Do you think this is the appropriate approach?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress a number of additional matters.

The calculations for both housing market areas and local development plan areas is unnecessary (refer to response to Question 8 above). The latter is artificial and misleading in relation to the private sector and most likely a large part of the 'intermediate' rented sector, since the assessment and comparison is appropriately at HMA level.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

There has been considerable confusion introduced by the desire to have an 'all-tenure' effective land supply, given (1) the two main sectors of housing provision operate on different geographies; and (2) HSTs are more applicable for judgements in relation to the affordable sector and not conducive to assessing 'effectiveness', which is more applicable for the private sector. They are therefore, not measuring the same thing, hence the confusion in suggesting they are.

The supplementary question does not follow logically on from the first, but that relates back to a misunderstanding of what HSTs are (Question 6). There is no equivalence between housing supply targets and the 'effective land supply'. Housing supply targets refer more to 'deliverability', which when applied across all-tenures, introduces more uncertainty to the calculation, particularly for the affordable sector, which also cannot be looked at with any degree of certainty over a 5-7 year timeframe as has always been appropriate and required for the private sector.

### 11 Housing

Do you think that the level of affordable housing required as part of a housing development should generally be no more than 25%, as set out in paragraph 97?

Y N

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress a number of additional matters.

The existing benchmark level of a 25% contribution for affordable housing provision is a reasonable one, so stipulation of 'up to 25%' is neither helpful nor appropriate. Because circumstances do vary greatly over the country, and indeed within city regions and individual local authorities, there should be a more general acceptance of variation around the benchmark level, with local authorities having the scope to negotiate with developers a higher or lower, contribution, depending on the prevailing economic circumstances, housing market conditions and levels of identified need. Negotiation on a site-by-site basis may have more validity and there is a case for drafting affordable housing policies to allow for this flexibility.

### 12 Housing

Do you think that the approach to addressing particular housing needs, as outlined in paragraphs 100 to 103, is appropriate?

Y N

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

- 13 Business & Employment** Y N  
Do you think the regular review of marketable sites for business, as set out in paragraph 110, should take the form of 'business land audits' in order to ensure identified sites are marketable?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, and in relation to the specific question, yes.

### NATURAL RESOURCES

- 14 Green Infrastructure** Y N  
Do you think that the provision of green infrastructure in new development should be design-led and based on the place, as set out in paragraph 163?    
An alternative would be to continue with a standards based approach. Do you think this is the appropriate approach?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress the following.

Green infrastructure in new development should be design led to ensure existing green networks are taken account of and incorporated into the plans for the site at the earliest opportunity. This could be facilitated by the preparation of Supplementary Guidance. It also ensures that the features of individual sites are addressed rather than trying to apply general standards to all types of sites.

### UTILITIES

- 15 Heat & Electricity** Y N  
With reference to paragraphs 214 to 215, do you think heat networks should be developed ahead of the availability of renewable or low carbon sources of heat?    
An alternative would be for heat networks to only happen where there are existing renewable and waste heat sources or networks. Do you think this is the appropriate approach?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress the following.

Heat networks should be developed prior to renewables or low carbon sources of heat being available. If they were to wait until these sources of heat were available in great enough numbers to create a network, there could be a long delay and the opportunity missed to make use of non-renewable networks that are already in existence. Even if these are not the ideal type of heat source, something beneficial can be taken out of them while they are in use.



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Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

- 16 Heat & Electricity** Y N  
With reference to paragraph 218 and subsequent groups, do you think that the proposed increased community separation distance of up to 2.5km is appropriate?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress the following.

An increased community separation distance to 2.5km should be an option to allow for the larger turbines greater visibility. There should, however, still be the option to reduce this distance depending on the topography of the location for the wind energy development.

- 17 Heat & Electricity** Y N  
With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind development whilst protecting the natural environment and managing visual impacts on communities?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to stress the following.

The new groups clarify the categories although regional designations (including regional parks) would be expected to be given greater protection by inclusion in group 2.

The proposed removal of the 20MW threshold would be consistent with the approach to be taken in the wind farm landscape capacity study currently being prepared for authorities within Glasgow and the Clyde Valley.

- 18 Heat & Electricity** Y N  
Do you think the SPP could do even more than is drafted in paragraphs 222 to 224 to secure community benefits from renewable energy developments while respecting the principles of impartiality and transparency within the planning system?

Inverclyde Council has no observations to make on this matter.

- 19 Digital** Y N  
Do you think the planning system should promote provision for broadband infrastructure (such as ducting and fibre) in new developments so it is designed and

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

installed as an integral part of development, as set out in paragraph 230?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would agree with the principle of this.

### 20 Flooding & Drainage

Y N

Do you think that Strategic Flood Risk Assessment should inform the location of development, as set out in paragraph 239?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would agree, yes.

### 21 Flooding & Drainage

Y N

With reference to paragraphs 245 to 247, do you think that where the Scottish Environmental Protection Agency (SEPA) has already granted a Controlled Activities Regulations (CAR) license then there should be no need for consideration of water and drainage issues by the planning system?

If a CAR license has already been granted by SEPA, this should be taken into account when water and drainage issues are given consideration by the planning authority.

### 22 Reducing & Managing Waste

Y N

With reference to paragraphs 248 to 262, do you think that planning policy for waste management should be consolidated into the SPP to be clear on the messages and to remove the need for further narrative in Annex B of the Zero Waste Plan?

Refer to GCV SDPA response with which Inverclyde Council is in agreement.

### 23 Overall

Y N

Do you think the proposed new structure and tone of the draft SPP is appropriate?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement, but would wish to make some additional points.

The layout of the draft SPP enables subjects to be found more easily, with the Key Documents and the Policy Principles sections welcomed. Much of the background text has been reduced, especially in the Historic Environment section, which will make the document more suitable for planners and other development professionals, but less so for new and occasional users. Should

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

this not be a consideration for the final version of SPP?

- 24 Overall** **Y** **N**  
Do you think the SPP should and can be monitored? If so, how?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement.

- 25 Overall** **Y** **N**  
Do you think the SPP could be more focused? If so, how?

Refer to GCV SDPA response with which Inverclyde Council is in broad agreement.

- 26 Overall**  
In relation to the Equalities Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on any particular groups of people.

Inverclyde Council has no observations to make.

- 27 Overall**  
In relation to the Equalities Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

Inverclyde Council has no observations to make.

- 28 Overall**  
In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on business.

Inverclyde Council has no observations to make.

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Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### 29 Overall

Do you have any other comments? If so, please specify the relevant section and/or paragraph.

Refer to GCV SDPA response supporting the views of the Heads of Planning, with which Inverclyde Council is in complete agreement.

In addition, there are a number of specific matters worthy of mention.

(1) There is little recognition given to the role and purpose of regional parks and the importance of their designations for the purposes of safeguarding their significant environmental resources and landscapes for informal recreation. Appropriate recognition is sought in the finalised SPP which would be of great benefit in preventing inappropriate development within their boundaries, including the cumulative effects of onshore wind turbine development.

(2) An issue that requires clarification in the final SPP concerns the status of green belts. In paragraph 49 it is stated clearly that 'Where necessary, the development plan may designate a green belt to support the spatial strategy .....' followed by the reasons for doing so and the types and scales of development which would be appropriate within the green belt. However, at the conclusion to this section in paragraph 52, it states 'For most settlements a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations.' These two statements present a rather ambiguous stance on the future of green belts.

(3) The section on the Historic Environment has been significantly reduced, with a greater focus on conservation areas. Others such as Scheduled Monuments, Gardens and Designed Landscapes are covered superficially, reduced to one sentence in some cases. Would question whether this is adequate and appropriate.

(4) The stronger wording on the preparation of conservation area appraisals, ie 'Article 4 Directions should be supported by conservation area appraisals...' as opposed to 'Planning authorities are encouraged to undertake conservation area appraisals' is to be welcomed. It is considered this could give greater leverage to funding requests to carry out this work.

(5) 'Enabling' is mentioned in both the Policy Principles and Development Management as possibly being acceptable if it is the only means of retaining a listed building. This is the same as SPP2010 but the wording 'the new development should be designed to retain and enhance the special interest, character and setting of the listed building' is no longer included. Although this is likely to be expressed in some form in the development plan, it is worth stating in the SPP for extra weight, especially since the wording 'the effect of a proposed development on a designed landscape should be a consideration in decisions on planning applications' has also been removed from the Gardens and Designed

## Draft Scottish Planning Policy - Consultation Questionnaire

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Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

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Landscape section, which only refers to 'protect and enhance'.

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**Report To:** Environment & Regeneration Committee      **Date:** 5 September 2013

**Report By:** Corporate Director – Environment, Regeneration & Resources      **Report No:** E+R/13/09/05/sj/eb

**Contact Officer:** Stuart Jamieson      **Contact No:** 01475 712401

**Subject:** Monitoring of Employability Services – External Contracts

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## 1.0 PURPOSE

- 1.1 To submit to the Committee for information the progress regarding monitoring of external contracts delivering Employability services, and to provide contract performance information for the period April – June 2013.

## 2.0 SUMMARY

- 2.1 On 7<sup>th</sup> March 2013, Committee gave delegated authority to Corporate Director, Environment, Regeneration & Resources to award contracts for the delivery of employability services from April 2013. One-year contracts were awarded to ICDT Ltd and Stepwell Consultancy Ltd with activity commencing on 1<sup>st</sup> April 2013. ICDT Ltd deliver an end-to-end employability service providing a wide range of pre-vocational and vocational training and support, with Stepwell delivering a specialist supported employment service incorporating activities to help clients manage a range of health barriers.
- 2.2 The focus of the monitoring arrangements has been to ensure that contracted employability services provide an effective quality service to local residents that are responsive to client and employer needs, which are additional to national work/training programmes, and provide effective and efficient use of Council and European monies.
- 2.3 The end-to-end service incorporates European funding via ESF and ERDF therefore monitoring arrangements ensure compliance with European funding regulations.
- 2.4 A range of processes are used to provide quantitative, qualitative and financial monitoring information is available to the Workforce Development Team within Economic Development, for review against contract specification.
- 2.5 A Monthly Monitoring Return is submitted by both contractors giving the financial spend against several budget headings. The MMR also contains quantitative information on the outcomes of the contract in the given month, and narrative provides information on the qualitative aspects of the activity. Once the MMR is reviewed and approved, the monthly payment is made to the contractor, which assists with cashflow for these grassroots, charitable companies.
- 2.6 An annual monitoring visit is undertaken where the contractor provides a sample of financial records that are traced from source documentation through to bank statements, to verify expenditure was incurred and defrayed within the timescales claimed, and to establish that the expenditure was for the purposes of fulfilling contract activity.

- 2.7 In addition to the above, due to the scale and value of ICDT's contract, quarterly visits are undertaken with key staff to review contract activity, with the main focus being on ensuring the activities provided by the service remain relevant to local needs. Outwith these quarterly meetings, weekly contact takes place with delivery staff regarding operational aspects of the contract.
- 2.8 ICDT Board Meetings are attended by the Head of Service, Regeneration & Planning, which provides an opportunity for information to be given around the broader aspects of employment and training provision outwith that contracted by the Council.

### **3.0 RECOMMENDATIONS**

- 3.1 That Committee note the monitoring arrangements in place for external contracts delivering Employability services.
- 3.2 That Committee note the performance of contracts for the period April – June 2013 as per Annex 1.

Aubrey Fawcett  
Corporate Director – Environment, Regeneration & Resources

## 4.0 BACKGROUND

- 4.1 When the Fairer Scotland Fund monies terminated in March 2011, Inverclyde Council made budget provision to provide local employability services that are additional to the national training/employment programmes available. These services have been part of a number of open tender exercises, therefore ensuring best value is secured and that quality services are available to local residents, which are responsive to their needs, and meets local demands.
- 4.2 Procurement of employability services took place to cover the period 2011-2013, with contracts ending on 31<sup>st</sup> March 2013.
- 4.3 On 7<sup>th</sup> March 2013, Committee gave delegated authority to Corporate Director, Environment, Regeneration & Resources to award contracts for the delivery of employability services from April 2013.
- 4.4 One year contracts were awarded to ICDT Ltd and Stepwell Ltd with activity commencing on 1<sup>st</sup> April, ensuring a smooth transition for beneficiaries of services which had been operating in the previous year. A 6 month extension of contracts is available dependent on satisfactory contract performance.
- 4.5 ICDT Ltd deliver an end-to-end employability service, and Stepwell deliver a specialist supported employment service incorporating activities to help clients manage a wide range of health barriers.
- 4.6 In previous years the monitoring arrangements were for Quarterly Monitoring Returns, and with 2 Monitoring visits per year. However, as both ICDT and Stepwell have been contracting since 2008 and have undergone a number of monitoring visits during this period with no systemic errors being reported, it has been appropriate to move to Monthly Monitoring Returns and a minimum of two monitoring visits per year.
- 4.7 As part of the tender appraisal a financial assessment was undertaken on both companies, with both passing the minimum requirements.

Both companies provided annual accounts to 31 March 2012 during the recent tendering exercise, and Accounts to March 2013 will be provided when available.

## 5.0 FINANCE

### 5.1 Financial Implications – One off Costs

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

### Financial Implications – 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

## 6.0 CONSULTATIONS

- 6.1 Procurement has been consulted on the tendering arrangements for Employability services activity.
- 6.1 Legal Services have been consulted on the contractual arrangements with the external organisations.
- 6.2 Partners on the Strategic Employability Group are provided with contract information.



EMPLOYABILITY SERVICES CONTRACTOR PERFORMANCE APRIL 2013 - JUNE 2013

Target Performance for Stage of Delivery 25%

EMPLOYABILITY SERVICES							
Contract Title	Contractor	Summary of Activity	Contract Information	2013/14 Contract Value/Target	Actual	% on target	COMMENTS
PROGRESS	STEPWELL CONSULTANCY LTD	Supporting unemployed/inactive residents with a physical, mental, sensory or learning disability into sustainable employment by providing specialist health advice and supported employment and job placement opportunities.	Financial	£ 97,500	£ 25,776	26.44%	
			Number of Clients Supported	30	19	63.33%	
			Number of clients referred from the end-to-end employability service	20	5	25.00%	
			Number of supported employment placements/job placements directly provided	10	5	50.00%	
			Number of clients with greater confidence to progress into work	30	19	63.33%	
INVERCLYDE WORKS	INVERCLYDE COMMUNITY DEVELOPMENT TRUST LTD (ICDT)	Provides a range of activity for those wanting to improve confidence, motivation and skills to enable progression to employment. Pre-vocational and vocational training in a range of sectors provided. Future Jobs, Graduate programme and Employer Engagement/Job Brokerage and in-work support are also provided. Financial Fitness and Community Learning & Development deliver specialist support to clients.	Financial	£ 2,218,478	£ 554,619	25.00%	Includes ESF & ERDF monies
			Total number of unemployed/unwaged clients	1,000	263	26.30%	
			Number gaining a partial/full qualification	405	95	23.46%	
			Number progressing to employment	432	65	15.05%	will be on target by 2nd quarter
			Number gaininig employment via Job Brokerage	170	37	21.76%	
			Number of Future Jobs	130	37	28.46%	
			Number gaining Financial Fitness support	600	166	27.67%	
			Number gaining CLD support	150	33	22.00%	

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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date:</b>	<b>5 September 2013</b>
<b>Report By:</b>	<b>Corporate Director Environment, Regeneration and Resources</b>	<b>Report No:</b>	<b>E&amp;R/09/13/04 SJ/RG</b>
<b>Contact Officer:</b>	<b>Stuart Jamieson</b>	<b>Contact No:</b>	<b>01475 712401</b>
<b>Subject:</b>	<b>Archaeology Services</b>		

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## 1.0 PURPOSE

- 1.1 To advise Committee of representations received on Inverclyde Council's withdrawal from the partnership agreement with the West of Scotland Archaeology Service which took effect on April 1<sup>st</sup> 2013.

## 2.0 SUMMARY

- 2.1 Inverclyde Council was a member of the West of Scotland Archaeology Service (WoSAS) Joint Committee since its inception in 1997 until its withdrawal on 31<sup>st</sup> March 2013. The withdrawal followed a two year period of notice that was required under the partnership's Minute of Agreement, and which was approved by the Safe, Sustainable Communities Committee in March 2011. The reasons for Inverclyde Council's withdrawal from WoSAS were as a result of the low number of planning applications that raise archaeological issues in Inverclyde and budget pressures.
- 2.2 Following withdrawal from the partnership, the Council has received correspondence from the Institute for Archaeologists, Archaeology Scotland, a representative of Rescue (a national Archaeological body devoted to the preservation of the archaeological records of the UK) and a representative of Inverclyde Archaeology Project. Concern has been expressed that the Council will not be able to fulfil its obligations with regard to the historic environment, and requests that reconsideration be given to its decision to withdraw from WoSAS.
- 2.3 The existing adopted Local Plan (2005) includes a policy to protect archaeological sites, and this has been taken forward in the new Local Development Plan: Proposed Plan 2013. Decisions on planning applications take account of all consultations and representations received, including those from Historic Scotland on Scheduled Monuments, and impose conditions where necessary requiring survey work and/or a watching brief.
- 2.4 The Council therefore continues to recognise the importance of archaeology in the development planning and management process, and is fully committed to meeting its obligations under Scottish national planning policy.

Min Ref:  
08/03/11  
para 186

## 3.0 RECOMMENDATION

- 3.1 That Committee note the representations received on the withdrawal of Inverclyde Council from the West of Scotland Archaeology Service and endorses the Safe, Sustainable Communities Committee decision of 8<sup>th</sup> March 2011.

**Aubrey Fawcett, Corporate Director Regeneration and Environment**

## 4.0 BACKGROUND

- 4.1 Following the demise of Strathclyde Regional Council in 1996, the West of Scotland Archaeology Service (WoSAS) was established by Minute of Agreement between 11 Councils, including Inverclyde Council. In the years since the partnership was established, the membership has varied slightly with the Loch Lomond and Trossachs National Park Authority (LLTNPA) joining in 2002, West Lothian Council joining in 2004, and North Lanarkshire Council withdrawing from the partnership in 2009. Currently 12 members remain.
- 4.2 The purpose of the Service is to maintain and update the Sites and Monuments Record (SMR), the complete record of all known archaeological sites, finds, fieldwork and research for the West of Scotland. This database is used primarily to provide information and advice to the local planning authorities and other services of the member Councils, and that of the LLTNPA, on potential archaeological issues raised by development proposals. The Service also provides professional advice to landowners, public utilities, private developers, farmers and other land managers to promote the implementation of national and international policies for the preservation of archaeological remains. The Archaeology Service is run by a Joint Committee supported by a Steering Group of officers from each of the member organisations.
- 4.3 Inverclyde Council was a member of the West of Scotland Archaeology Service (WoSAS) Joint Committee since its inception in 1997 until its withdrawal on 31<sup>st</sup> March 2013. The withdrawal followed a two year period of notice that was required under the partnership's Minute of Agreement, and which was approved by the Safe, Sustainable Communities Committee on 8<sup>th</sup> March 2011. Immediately prior to withdrawal from WoSAS, Inverclyde Council's membership contribution was £10,832 per annum.
- 4.4 The Council's withdrawal from the partnership agreement was based on financial and casework reasons. Since 2000/01, Inverclyde Council's financial contribution to the Service has remained the second lowest of all the members (East Renfrewshire Council being the lowest contributor), while its casework has remained consistently the lowest of all the members by a considerable margin.
- 4.5 Between 2000 and 2011, the proportion of the casework undertaken by WoSAS within the Inverclyde Council area averaged 1.3% per annum, in comparison to the Council's average annual financial contribution of 5.7% of all member contributions. This equates to an average of 18 cases per year, 3.4 of which were for planning applications that raised archaeological issues. Within the partnership during the same period, the most prolific user of the service was Argyll and Bute Council whose casework averaged 31% per annum.
- 4.6 The Council is fully aware of the requirements of Scottish Planning Policy and Planning Advice Note 02/2011 (Planning and Archaeology), where the presence and potential presence of archaeological assets should be considered in both the development plan and in making decisions on planning applications. A policy to protect archaeological sites is currently in place in the adopted Inverclyde Local Plan 2005, and it has been taken forward in the new Local Development Plan: Proposed Plan 2013, which was published for consultation on 31 May 2013.
- 4.7 In taking the decision to withdraw from WoSAS, the potential source of alternative archaeology advice to the Council was given consideration. In this regard it should be noted that statutory protection is limited to Scheduled Monuments, of which there are 33 currently in Inverclyde. The planning application process requires statutory consultation with the Scottish Ministers where development may affect a Scheduled Monument or its setting. This consultation is undertaken directly with Historic Scotland, who has experts in place to offer advice, at no cost to the Council.
- 4.8 The Council maintains a list of monuments and sites of archaeological potential. These sites have no statutory protection, and as such can only be controlled where development requires planning permission and a survey or watching brief is imposed as a planning condition. Such control continues to be attached to permissions irrespective of WoSAS involvement, and should evidence produce important findings, there would be immediate referral to Historic Scotland. Advice from a professional archaeologist will also be sought by the Council should

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it be deemed necessary.

## 5.0 CONCLUSIONS

- 5.1 The Council continues to recognise the importance of archaeology in the development planning and management process, and is fully committed to meeting its obligations under Scottish national planning policy.
- 5.2 It also acknowledges the concern of the various archaeology interest groups over the withdrawal from WoSAS, and seeks to reassure them that measures are in place to address any developments that may pose a threat to existing and potential archaeological sites.

## 6.0 FINANCIAL IMPLICATIONS

- 6.1 Finance:

Financial implications – one-off costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Financial Implications – Annually Recurring Costs/Savings

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From	Other Comments

## 7.0 CONSULTATIONS

- 7.1 **Chief Financial Officer:** no requirement to comment.
- 7.2 **Head of Legal and Democratic Services:** no requirement to comment.
- 7.3 **Head of Organisational Development, HR and Performance:** no requirement to comment.

## 8.0 BACKGROUND PAPERS

- 8.1 Safe, Sustainable Communities Committee Report (8 March 2011) - Partnership Agreement with the West of Scotland Archaeology Service (WoSAS)

**Report To:** Environment & Regeneration Committee  
**Date:** 5 September 2013

**Report By:** Corporate Director – Environment, Regeneration & Resources  
**Report No:** R300/13/AF/SJ/JH

**Contact Officer:** Stuart Jamieson  
**Contact No:** 01475 712401

**Subject:** Tourism Related Projects

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## 1.0 PURPOSE

- 1.1 To seek Committee's support for two key tourism related projects in Inverclyde:
- Provision of one off financial support of £45,000 for Waverley Excursions Ltd (WEL) over the next 3 years;
  - To illuminate Newark Castle at a cost of £28,000 to help promote tourism.

## 2.0 SUMMARY

- 2.1 WEL is seeking to build a partnership funding programme and have approached Inverclyde, North & South Ayrshire, Argyll & Bute Councils to commit to funding the Waverley for 3 years – 2013, 2014 and 2015 at the sum of £20,000 per annum per Council and are seeking a continued commitment from Glasgow City Council of £50,000 per annum.
- 2.2 Meetings have taken place between the Councils and WEL and, subject to confirmation and the acceptability of a self supporting sustainable business plan, the following level of support has been suggested:
- 2013/14 - £20,000, 2014/15 - £15,000, 2015/16 - £10,000 for non City Councils;
  - Glasgow City Council support subject to ongoing review.
- 2.3 The activities of WEL help to promote tourism and the image of our local area and would contribute to the Repopulation and Economic Regeneration agendas. Further support post 2015/16 is not proposed.
- 2.4 Newark Castle is a building of historic significance built in the 15<sup>th</sup> Century. Under an agreement with Inverclyde District Council, Historic Scotland agreed for the building to be illuminated at the Council's cost however this has not functioned correctly for a number of years. Property Services have provided estimates to replace the existing equipment at a cost of £28,000. The timescale for delivery for this proposal would be within the next 12 months.
- 2.5 Funding for Newark Castle will allow for an increase in the number of visitors to the area and will assist in meeting the objectives of the Repopulation and Economic Regeneration agendas.

### **3.0 RECOMMENDATIONS**

3.1 That Committee agree to support the following projects and remit to the Policy & Resources Committee to consider the use of the one off contingency as the funding source:

- Contribute £45,000 to the costs of the Waverley; and
- Contribute £28,000 for the illumination of Newark Castle.

Aubrey Fawcett

Corporate Director – Environment, Regeneration & Resources

## 4.0 BACKGROUND

- 4.1 The five Clyde Local Authorities have been asked to continue to support Waverley Excursions Ltd (WEL) for another 3 years – 2013, 2014 and 2015. Although supportive of WEL, Officers from the various Councils have concerns regarding the prospect that WEL would be self-supporting in the future. Previous payments made by our respective Councils were clearly on the basis that WEL would develop a long term sustainable business plan.
- 4.2 The importance of Paddle Steamer Waverley is recognised as an iconic piece of Scotland's history for the value she brings to local communities as well as being a great day out for residents and visitors to Scotland. WEL argue that they are essentially operating a museum piece, one which makes an economic and social contribution to our communities.
- 4.3 WEL has advised that its charitable organisation can no longer support the operating costs for Waverley from passenger revenue alone. In the last decade the company has overcome a number of challenges but there are two factors they have not been able to moderate which is legislation and fuel costs.
- 4.4 WEL would like to work in partnership with the strategies that Councils are implementing in respect of Community, Heritage, Marine & Coastal and Tourism.
- 4.5 Members should note that WEL's sustainability from a funding perspective remains uncertain and a significant amount of work is required to be undertaken by WEL's executives to confirm how achievable this is. Should it become apparent this is not achievable, Members will be advised accordingly.
- 4.6 Newark Castle, as a building of historic significance, contributes to the development of tourism in Inverclyde creating a more positive image and profile.
- 4.7 Inverclyde's Tourism Strategy 2009-2016 aims to maximise the potential that exists to develop the tourism product in the area as well as improve the quality and range of the tourism offering through innovation and product development.

## 5.0 FINANCE

### 5.1 Financial Implications – One off Costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
Reserves	N/A	2013/14	£28,000	N/A	Subject to P&R Committee approval
		2013/14	£20,000		
		2014/15	£15,000		
		2015/16	£10,000		

### Financial Implications – Annually Recurring Costs/ (Savings)

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

## 6.0 CONSULTATIONS

- 6.1 The Chief Financial Officer has been consulted on the contents of this report.

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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date:</b>	<b>5 September 2013</b>
<b>Report By:</b>	<b>Head of Environmental &amp; Commercial Services</b>	<b>Report No:</b>	<b>ECR/ENV/IM/13167</b>
<b>Contact Officer:</b>	<b>Ian Moffat</b>	<b>Contact No:</b>	<b>01475 715910</b>
<b>Subject:</b>	<b>Parks Management Rules</b>		

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## 1.0 PURPOSE

1.1 The purpose of this report is to:

- seek the Committee's approval of the draft Parks Management Rules prior to statutory public consultation thereon;
- seek the Committee's authority to proceed with the statutory public consultation; and
- advise that there will be a further report to the Committee
  - advising of the outcome of the consultation and allowing their consideration of any representations received;
  - seeking approval of any amendments to the rules considered appropriate in light of the same; and
  - seeking authority to report to the Inverclyde Council recommending they formally approve the rules in the terms agreed on following the consultation.
- advise the Committee that thereafter there will be a report to the Inverclyde Council recommending such approval.

## 2.0 SUMMARY

2.1 As local authority, the Inverclyde Council (the Council) has power to make management rules regulating the use of and conduct of persons while on or in any land or premises owned, occupied, managed or controlled by the Council to which the public have access, in terms Section 112 of the Civic Government (Scotland) Act 1982 (the Act).

2.2 Prior to making management rules, the Council must conduct a statutory public consultation, in terms of which it is required to:

- advertise that it intends to make such rules;
- make copies of the proposed rules available for public inspection throughout that period;
- allow a period of at least one month from the date of the first advertisement for objections; and
- before the management rules are made, take into account any objection received and give any objector the opportunity to be heard by the Council.

2.3 Management rules come into force when they are approved and formally executed by the Council, and unless revoked continue in force for a period of 10 years.

2.4 In terms of the Act:

- an authorised officer of the Council may expel or exclude an individual from the land or premises where they have reasonable grounds for believing that individual has, is or is likely to contravene a management rule affecting that land premises in question;
- it is a criminal offence for an individual on being so expelled to fail to leave the said Land or Premises;
- it is a criminal offence for an individual on being so expelled or excluded to enter or attempt to enter the said Land or Premises;



- the Council may make an Exclusion Order for a period not exceeding one year against an individual who persistently contravenes or attempts to contravene management rules and is, in the opinion of the Council, likely to contravene them again; and
- it is a criminal offence for an individual who is subject to such an Exclusion Order to enter or attempt to enter the Land or Premises that to which the Exclusion Order relates.

### **3.0 RECOMMENDATIONS**

- 3.1** It is recommended that the Committee approve the draft Parks Management Rules for the purposes of statutory public consultation.
- 3.2** It is recommended that the Head of Environmental & Commercial Services be authorised by the Committee to implement the statutory public consultation procedure in connection with the proposed management rules.
- 3.3** It is recommended that it be remitted to the Head of Environmental & Commercial Services to report back to the Committee the outcome of the public consultation exercise to allow the Committee to consider any objections received, and any consequent amendments considered appropriate.
- 3.4** It is recommended that the Committee note that the results of the public consultation exercise and the recommendations of this Committee following that exercise will in due course be reported to the Council and that approval will be sought from the Council for authority to make the management rules.

**Ian Moffat**

Head of Environmental and Commercial Services

## **4.0 BACKGROUND**

**4.1** Under Section 112 of the Civic Government (Scotland) Act 1982 a Local Authority may make management rules in respect of any land or premises owned, occupied or managed by the Authority and to which the public have access in order to regulate:

- the use of such land or premises, and
- the conduct of persons while on or in such land or premises.

**4.2** A local authority may, but is not required to, set such management rules. The Council has not previously set Parks Management Rules although its predecessor Inverclyde District Council had made use of powers to set Parks Management Rules. The previous rules expired on or around 2001 without Inverclyde Council extending them.

**4.3** At least one month before making management rules, the Council is required to give notice (by advertising in a newspaper or newspapers circulating in the Council's area) of –

- their intention to do so;
- the general purpose of the proposed rules;
- the place where a copy of the proposed rules may be inspected ;
- the fact that and time within which objections may be made;
- the address to which objections may be sent; and
- the fact that copies of the proposed rules are available for public inspection without payment at their offices and so far as the authority consider practicable at the land or premises to which the rules are to apply.

**4.4** Any person may, within one month after notice has first been advertised by the Council, notify in writing their objection and the ground of their objection to the Council. Before making management rules, the Council is required take into consideration any objections timeously received by them and give any objector an opportunity to be heard by them.

**4.5** Following on the consultation process a further report will be made to the Committee:

- advising of the outcome of the process;
- allowing consideration of any representations received and any amendments considered appropriate in light of those representations; and
- inviting the Committee to recommend such rules for approval by the Council.

**4.6** Management rules shall come into force on the date of their execution by a Proper Officer on behalf of and with the authority of the Council or on such later date as may be specified in the rules and shall, unless revoked, continue in force for a period of 10 years from that date.

**4.7** Management rules made by the Council must, together with a notice stating where copies of the rules may be obtained, be displayed at the entrance to the land or premises to which they apply or elsewhere so that they may be seen by members of the public intending to have access to the land or premises.

**4.8** Breach of the management rules does not in itself create any criminal offence which can be subject of prosecution, but the principal sanction available is to allow an authorised Officer of the Council who believes that the rules have been or are about to be breached to either expel or exclude the person(s) concerned from the premises.

**4.9** If the authorised Officer requires the person concerned to leave the premises and he fails to do so, or alternatively if the person is excluded from the premises and attempts to re-enter then that action itself is a criminal offence and the individual concerned may be liable, on summary conviction, to a fine not exceeding level 1 on the standard scale, currently £200.00.

**4.10** In addition to the procedure for enforcing management rules by way of expelling or excluding individuals, the Council is entitled to determine that if a particular person persistently contravenes or attempts to contravene the management rules and that person is, in the opinion of the Authority, likely to contravene the rules again, then he may be made subject to an

Exclusion Order.

- 4.11** There is a separate procedure which again allows the individual concerned to make direct representations to the Authority before the Order takes effect. The Order is to apply for such period as the Authority may determine, but this is not to exceed one year. A separate offence is created if an individual who is subject to an Exclusion Order enters or attempts to enter the premises to which the Order relates. Again, the individual concerned may be liable, on summary conviction, to a fine not exceeding level 1 on the standard scale, currently £200.00.
- 4.12** Copies of management rules shall be open to public inspection without payment and a copy of them shall on application be furnished to any person on payment of such reasonable charge as the local authority may determine.

## **5.0 IMPLICATIONS**

### **5.1 Training**

Inverclyde Council parks staff and wardens will be required to implement and where necessary enforce the Parks Management Rules once they are adopted. In-house training will take place to ensure that the relevant staff have the required knowledge and skills for the purpose.

### **5.2 Financial**

There will be costs associated with the supply of new signage and one public notice to be placed in the local press. Costs in question will be contained within existing budgets.

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
Grounds Maintenance	Supplies & Services	2013/2014	£1,500		Signage & Public Notices

### **5.3 Human Resources**

There are no human resources implications associated with the making of these management rules.

### **5.4 Legal, Equalities & Diversity**

It is believed there are no direct issues associated with the making of these management rules however Environmental and Commercial Services will take steps to investigate if there are such issues and will report back to the Committee following the consultation exercise and prior to the Council's promulgation of the rules.

### **5.5 Population**

There are no issues associated with the making of these management rules.

# **APPENDIX**

**Management Rules for Public Parks**  
**Draft document for Public Consultation**  
**September 2013**

# Civic Government (Scotland) Act 1982

## Management Rules

### Public Parks

These rules (known as Management Rules) have been made by Inverclyde Council and are to control the way people use Public Parks and the behaviour of people while in Public Parks, with a view to ensuring that our Public Parks are able to be enjoyed peaceably by the citizens of Inverclyde and visitors to the area;

The Management Rules **only apply to Public Parks** which are:-

- a) **owned or managed** by the Council (or managed on behalf of the council); and
- b) to which the **public have access** (regardless of whether any fee or other charge is made on entry).

These rules do **not** apply to any Public Parks which have their own specific Management Rules, nor to Country Parks, or informal open spaces.

These rules are made by Inverclyde Council in exercise of the powers conferred on it by Section 112 of the Civic Government (Scotland) Act 1982.

#### The Rules

##### 1. Meanings of words and phrases

In these Rules certain words and phrases are used and they have the following meanings:

"**the Act**" means the Civic Government (Scotland) Act 1982 (as amended)

"**the Code**" means the Scottish Outdoor Access Code published under the Land Reform Act and any guidance or regulations extending or amending the same, including any Supplementary Guidance endorsed by the National Access Forum;

"**Corporate Director**" means the relevant Corporate Director of the Council, and for any officer to whom he has delegated authority, or such other Director as may from time to time be responsible for enforcement of these Rules.

"**the Council**" means Inverclyde Council, constituted under the Local Government (Scotland) Act 1994;

"**the Land Reform Act**" means the Land Reform (Scotland) Act 2003 and any Acts or regulations extending or amending the same, and any related guidance;

"**Officer**" means any Officer of the Council or any person employed by the Council in connection with the management or operation of any Public Park;

"**Public Park**" means those parks owned, leased or managed by or on behalf of the Council specified in the Schedule annexed to the Rules, or any part thereof and includes any buildings in the Public Park;

"**Sign**" means any sign or notice or notice board or plate, and includes, where the context so requires, any pole, mounting or other means of affixing the sign in place; and

"**Vehicles**" means any vehicle regardless of whether it has its own engine or is manually propelled and includes any trailers or caravans attached to or pulled by a vehicle or animal.

## **2. Consequences of Breaking the Rules**

- 2.1 The Land Reform Act gives the public the right of responsible access to Public Parks and people should comply with their responsibilities under the Land Reform Act and the Code. The Council reserves the right to refuse admission to any person, group, body or organisation to any Public Park and its decision to do so shall be final.
- 2.2 Any person who has broken or is about to break any of these Rules may be expelled from the Public Park.
- 2.3 Any person who is about to break one or more of these Rules may be refused entry to a Public Park.
- 2.4 If the Council believes that a person who has persistently broken or attempted to break these Rules is likely to do so again, they may make an Exclusion Order in terms of Section 117 of the Act forbidding that person from entering any Public Park mentioned in the Order. The person may be excluded for up to one year.
- 2.5 Any person who:-
- a) refuses to leave when requested to do so by an Officer;
  - b) enters or attempts to enter a Public Park despite being informed by an Officer that he/she is being refused entry; or
  - c) enters or attempts to enter a Public Park when not allowed to do so because of an Exclusion Order.

is **guilty** of a criminal offence and may be liable to a **fine**. Currently, the maximum fine which may be imposed is £200. This maximum level may be increased by Parliament.

## **3. Access to Public Parks**

- 3.1 The Council may temporarily close a Public Park for such time as is considered necessary. The Council, in doing so, will post notices at the entrance to the Park specifying the times of closure.
- 3.2 No person may enter a Public Park that is closed. Any person who is within a Public Park after it has been closed:-
- a) either at the end of any opening hours fixed by the Council; or
  - b) temporarily within those hours

must leave the Public Park when requested to do so.

- 3.3 Under Section 11 of the Land Reform Act, the Council may, by Order, for a particular purpose specified in the Order, exempt any Public Park from the access rights which would otherwise be exercisable during such times as may be specified by the Order. Such exemptions may be made to allow a charge to be levied for admission to a particular event, in the interests of safety and security, or for ensuring the protection of privacy.

## **4. General Behaviour**

The Code gives a general overview of activities which are prohibited by statute and by common law. In addition to those prohibited activities and restrictions:-

### **Annoyance to Other People**

- 4.1 Nobody is to:
- Fight or cause a disturbance or use violent, abusive or obscene language whilst in a Public Park;

- Cause a Breach of the Peace;
- Bring any weapons of any sort into a Public Park;
- Act in any way that risks causing harm, annoyance or concern to any other person using the Public Park; and
- Act in a way that hinders or obstructs an Officer in the performance of his/her duties.

#### **Damaging Council Property**

4.3 Nobody is to damage in any way any Public Park or its contents. This includes damaging, defacing or removing any of the following:-

- any part of any building;
- any fences, gates, walls, fire barriers or railings;
- fountains;
- statues or monuments;
- seats;
- notice boards, signs or plates including any poles;
- trees, shrubs and plants, including grassed areas;
- play equipment or other apparatus;
- any paths, steps, access controls or access information; and
- rubbish bins.

#### **Putting Up Signs and Notices**

4.4 Nobody is to put up any sign in any Public Park without first obtaining the written consent of the Corporate Director.

#### **Protection of Animals, Birds and their Habitats and Nests**

4.5.1 Nobody is to move, disturb or destroy any wild birds' nests or eggs or harm, remove or kill any wild bird or animal unless allowed to do so in terms of the Wildlife and Countryside Act 1982, as amended. Prior to doing so, the person must obtain a special licence in terms of the 1982 Act, any other statutory consent required, and the written consent in writing of the Corporate Director.

4.5.2 Nobody is to set or use any snare or other means for taking, harming or killing any wild bird or animal unless allowed to do so in terms of the Wildlife and Countryside Act 1981, as amended. Prior to doing so, the person must obtain a special licence in terms of the 1981 Act, any other statutory consent required, and the written consent in writing of the Corporate Director.

#### **Litter**

4.6 Nobody is to drop litter of any sort in a Public Park other than in a bin provided.

#### **Selling Goods**

4.7 Nobody is to offer to, or to sell, or let or hire any goods or provide any services in a Public Park without prior written consent of the Corporate Director.

#### **Music and Noise**

4.8 Nobody is to:-

- play any musical instrument;
- sing;
- perform;
- play a radio, television, tape recorder, compact disc player, dvd player, mp3 player or other music or media player; or

- use any amplifier, megaphone or similar apparatus or any other device which plays music or makes a noise;

in a manner which causes annoyance or disturbance to other users of the Public Park.

### **Alcohol and Drugs**

- 4.9 Nobody is allowed to drink alcoholic liquor (except as follows and except in premises, or in an area in a park, licensed for the sale of alcoholic liquor) or to take drugs in a Public Park.

### **Fires etc**

- 4.10.1 Without the prior written consent of the Corporate Director, nobody is to

- fire any firearm, airgun or other weapon, nor
- light any fireworks or fires (including bonfires) or release Chinese Lanterns;
- light any gas cookers or stoves;
- hold a barbecue (except in any barbecue sites provided by the Council).

- 4.10.2 The Corporate Director may exempt appropriate official organisations from this Rule.

- 4.10.3 All applications for exemption or authorisation must be made in writing to the Corporate Director, prior to the events taking place.

- 4.10.4 All exemptions and authorisations may be subject to such conditions as the Corporate Director considers appropriate.

- 4.10.5 Nothing in this Rule applies to Officers in relation to the performance of their duties connected with the maintenance of a Public Park.

## **5. Animals**

### **Control of Animals**

- 5.1 It is permissible to bring an animal (except a dangerous wild animal as defined under the Dangerous Wild Animals Act 1976) into any Public Park, unless a sign is posted by the Council at the entrance to, or elsewhere in, any Public Park indicating that animals are not permitted in any Public Park always provided that the owner or person in charge of such animal shall keep it under close control or on a short lead.

- 5.2 Any person with any animal in any Public Park must comply with the responsibilities in the Code.

### **Annoyance to Others**

- 5.3 All animals brought in to a Public Park must not be permitted to:-

- worry any animals or birds;
- damage or destroy any flowers, plants, trees, grass or shrubs in a Public Park;
- enter any sports pitch or play area;
- annoy other users of a Public Park.

### **Racing**

- 5.4 Nobody is to train or race any dogs in a Public Park in such a way that it causes annoyance or concern to other users of a Public Park.



## **Dog Fouling**

- 5.5 When a dog fouls in a Public Park the person in control of the dog must place the waste into either a Dog Fouling bin, or if there is no Dog Fouling bin provided, they must either place the waste in any other waste bin, or remove it from the Park.

## **Dogs**

- 5.6 Anyone with a Dog must comply with the Control of Dogs (Scotland) Act 2010.

## **6. Vehicles**

### **Speed Limit Etc.**

- 6.1.1 Nobody is to drive any vehicle or ride any cycle in a Public Park except on roadways created by the Council for that purpose. This Rule does not apply to any vehicles operated by the Council in connection with the maintenance of Public Parks. This Rule does not apply to the use of:
- perambulators,
  - wheelchairs (including motorised wheelchairs and other vehicles being used by disabled persons); or
  - similar vehicles drawn or propelled by hand for use by a child or disabled person, where the surface and terrain of the Public Park in question is suited to such use.
- 6.1.2 Nobody is to drive a vehicle or ride a cycle in a Public Park at a speed exceeding 10 miles per hour. The driver of a vehicle or cycle rider must always give way to pedestrian users.
- 6.1.3 While in a Public Park, the driver of any vehicle, the rider of any cycle or horse or other animal must, observe any statutes, rules and regulations in force regulating driving or riding on public streets or roads and for the exhibition of lights on vehicles.

### **Car Parking**

- 6.2.1 Nobody is to park a vehicle anywhere in a Public Park except in an area designated by the Council as a car park;
- 6.2.2 Designated car parking facilities are for the use only of persons using the Public Park;
- 6.2.3 Nobody is to park a vehicle overnight except with the prior written consent of the Corporate Director;
- 6.2.4 Only drivers of vehicles with registered disabled markers may use designated disabled parking spaces.

### **Emergency Vehicles Excepted**

- 6.3 The preceding rules do not apply to ambulances, fire engines or police cars or other vehicles with the prior written consent of the Corporate Director.

### **Bicycles, etc**

- 6.4 Any person riding a bicycle, scooter, skateboard, roller skates, roller blades or similar equipment in a Public Park must do so in a responsible manner in terms of the Land Reform Act and with the Code, and must keep to walkways and areas designated for such use. Those subject to this Rule must not travel at a speed or in a manner or place which injures, disturbs, obstructs, interrupts or annoys any other person.

### **Caravans**

- 6.5 Nobody is to park, stop or site any caravan, mobile home or similar vehicle in a Public Park.

## **7. Use of Public Park**

### **No Access for Public**

- 7.1 Nobody is to go into areas marked "Private" or "Staff Only" or "Authorised Personnel Only" or with similar signs unless authorised so to do by the Executive Director or an Officer.

### **Use**

- 7.2.1 Nobody is to play or take part in any game, exercise, ball game or other activity in a Public Park in any area where there is a sign prohibiting these activities.
- 7.2.2 Those taking part in activities in terms of these Rules should ensure that they do not disturb, annoy or interfere with or cause injury to other persons in the proper use and enjoyment of the Public Park.
- 7.2.3 Nobody is to deliberately interfere with or obstruct any person, playing or taking part in any permitted game, exercise, ball game or other activity in a Public Park.

### **Meetings**

- 7.3 Nobody is to hold any public meeting, procession, demonstration, exhibition, military event, religious ceremony, service, political rally or lecture in a Public Park without the prior written consent of the Corporate Director. This includes the distribution of leaflets or setting up stalls to publicise or support particular political or religious events or points of view.

### **Ornamental Flower Beds etc**

- 7.4.1 Subject to Rule 7.4.2 nobody is to pick, cut, destroy, remove or damage any flower, flowerbed, soil, tree, shrubs or plants and fungi in a Public Park, without the prior written consent of the Corporate Director.
- 7.4.2 The picking of wild flowers or plants protected by the Wildlife and Countryside Act 1981 as amended is forbidden, unless the person has first obtained a licence granted in terms of that Act and the prior written consent of the Corporate Director.

### **Radio Controlled Equipment**

- 7.5.1 Nobody may use any radio controlled equipment including radio controlled cars, aeroplanes, boats or robots in a Public Park without the prior written permission of the Corporate Director.
- 7.5.2 Nobody is to use any radio controlled equipment in a Public Park in such a way that it annoys or frightens any other users of the Public Park or any animals in the Public Park.

### **Metal Detectors**

- 7.6 Nobody is to use a metal detector in a Public Park without the prior written permission of the Corporate Director.

### **Tents etc**

- 7.7 Nobody is to put up any posts, rails, fences, poles, tents, stands, marquees or any other structures in a Public Park without the prior written permission of the Corporate Director.

### **Camping**

- 7.8 Nobody is to camp, or sleep overnight in any Public Park except where authorised by the Council.

### **Photography**

7.9 Nobody is to take any photographs for publication or for commercial use without the express written permission of the Corporate Director.

## **8. Supervision and Fees**

### **Supervision**

8.1.1 Every person in a Public Park must follow the instructions of any signs erected by the Council.

8.1.2 Every person in a Public Park must follow the instructions of an Officer. This includes leaving the park when requested to do so and to stop doing anything when instructed to do so.

### **Fees and Conditions**

8.2.1 Nobody is to use any part of a Public Park or any equipment in the Public Park without paying any fee fixed by the Council for such use.

8.2.2 Nobody is to use any part of a Public Park or equipment in a Public Park in any way which breaks any conditions fixed by the Council in connection with the use of that part of the park or equipment.

8.2.3 In accordance with the Council's Policy, the Corporate Director may waive any fees.

8.2.4 The Council may levy a charge or charges for the use of any Public Park or any building thereon or for any facilities or services provided in any Public Park or building thereon all in accordance with the Council's Policy on charging of fees. The Corporate Director may alter such charges without notice.

8.2.5 The Council may make Orders under Section 11 of the Land Reform Act exempting any Park or part of a Park from access rights under the Act, and when an Order is in effect the Corporate Director may impose a charge for entry to the Park.

**Made by Inverclyde Council**

**On the                      day of                      Two Thousand and Thirteen**

## **List of Parks**

Birkmyre Park, Kilmacolm  
West Glen Park, Kilmacolm  
Parklea Playing Fields, Port Glasgow  
Kelburn Park, Port Glasgow  
Newark Park, Port Glasgow  
Birkmyre Park, Port Glasgow  
Coronation Park, Port Glasgow  
Lady Octavia, Park, Greenock  
Lauriston Park, Greenock  
Wellpark, Greenock  
Whinhill Golf Course, Greenock  
Broomhill Park, Greenock  
Murdieston Park, Greenock  
Lady Alice Park, Greenock  
Lyle Park, Greenock  
Rankin Park, Greenock  
Ravenscraig Stadium, Greenock  
Battery Park, Greenock  
Gourock Park, Gourock  
Darroch Park, Gourock  
Tower Hill, Gourock  
Divert Glen, Gourock  
Kirn Drive Playing Fields, Gourock  
Wemyss Bay Woods, Wemyss Bay

**Report To:** Environment & Regeneration Committee  
**Date:** 5<sup>th</sup> September 2013

**Report By:** Corporate Director, Environment, Regeneration & Resources  
**Report No:** ERC/ENV/IM/13166

**Contact Officer:** Ian Moffat  
**Contact No:** 715910

**Subject:** Maintaining Scotland's Roads - An Audit Update on Councils' Progress (Published by Audit Scotland, May 2013)

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Committee as to the content and conclusion of the Audit Scotland Report of May 2013 regarding "Maintaining Scotland's Roads - An Audit Update on Councils' Progress".
- 1.2 To advise the Committee of Inverclyde Council's progress to meeting the report's findings and recommendations.

## 2.0 SUMMARY

- 2.1 In February 2011, Audit Scotland published Maintaining Scotland's roads: A follow-up report. This was a joint report with the Auditor General. The report examined progress on implementing the recommendations of the previous report on roads maintenance, published in November 2004. The report's findings, together with public sector spending constraints, suggested that radical change was required to halt the decline in roads condition and improve value for money from roads maintenance activity.
- 2.2 During 2012, Councils were each asked to examine how they had responded to the recommendations in the 2011 report. This 2013 audit update report is based primarily on the results of the auditors' reviews. Audit Scotland also carried out some additional work including interviewing representatives from SCOTS and considering aspects of the National Roads Maintenance Review.
- 2.3 It should be noted that Inverclyde Council is well advanced in meeting the findings of the report.
- 2.4 Inverclyde has published its Roads Asset Investment Strategy and has committed, £17m funding between 2013/16 to improve the condition of its road network, including an additional £12K for 2013/14 to develop the strategy further, through involvement with Phase 2 of the SCOTS RAMP project.
- 2.5 The Roads Service continues to report on performance in line with the Council's Strategic Planning and Performance Management Network, and this will include the new SOLACE indicators affecting roads, and contributes to benchmarking via the SCOTS and APSE Groups. The Council continues to build on existing collaborative arrangements and is actively exploring collaborative working with other Councils.

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### **3.0 RECOMMENDATIONS**

- 3.1 The Committee note the content of this report and the progress being made in implementing the recommendations of the report.

**Ian Moffat**  
**Head of Environmental and Commercial Services**

## 4.0 BACKGROUND

- 4.1 Safe, well-maintained transport links are critical to Scotland's economic prosperity and well-being. Roads play a significant part in everyday life. Well-maintained roads are important for individuals and businesses, and can contribute to fewer road accidents, reduced congestion, shorter journey times and lower vehicle maintenance costs.
- 4.2 In February 2011, Audit Scotland published *Maintaining Scotland's roads: A follow-up report*. This was a joint report with the Auditor General. The report examined progress on implementing the recommendations of the previous report on roads maintenance, published in November 2004.

The report's findings, together with public sector spending constraints, suggested that radical change was required to halt the decline in roads condition and improve value for money from roads maintenance activity. Recommendations included the following:

- The Scottish Government should consider a national review of how the road network is managed and maintained, with a view to developing new ways of providing services and increasing the potential for shared services.
- Transport Scotland and councils should work together to consider all opportunities for achieving more with the resources currently available. This included exploring new ways of working, the pooling and flexible use of resources, such as staff and equipment, and partnerships between councils and with the private sector.

Councils should:

- have a roads asset management plan in place no later than the end of 2011;
- ensure they can demonstrate they are making the best use of resources currently available, through benchmarking and improved management and reporting;
- adopt the performance indicators being developed by the Society of Chief Officers of Transport in Scotland (SCOTS) as a first step in allowing the relative performance of councils' roads maintenance activities to be measured consistently.

During 2012, Councils were each asked to examine how they had responded to the recommendations in the 2011 report. This audit update is based primarily on the results of the auditors' reviews. Audit Scotland also carried out some additional work including interviewing representatives from SCOTS and considering aspects of the National Roads Maintenance Review.

- 4.3 During 2012, Audit Scotland, via their local auditors for each council, examined how each Council had responded to the recommendations in the 2011 report, and the May 2013 report is based primarily on the results of the auditors' reviews. Additional work was carried out and this involved interviewing representatives from SCOTS and considering aspects of the national roads maintenance review.
- 4.4 The May 2013 report's main conclusions are as follows:
- Councils need to do more work to develop roads asset management plans;
  - The condition of local roads has marginally improved since 2010 despite a fall in roads maintenance spending;
  - Councils are making more use of performance information but need to do more work to allow meaningful benchmarking to take place;
  - The national roads maintenance review is progressing but it will take time to result in significant new ways of working.

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## **5.0 CONCLUSION**

- 5.1 The main conclusions in 4.4 are based on considering Scotland as a whole. In terms of Inverclyde Council, the following should be noted:
- 5.2 The overall condition of the roads network has been previously reported to Committee and whilst its condition has continued to deteriorate, the Council has responded to this by publishing its Roads Asset Investment Strategy in August 2012, which has a clear focus on addressing roads maintenance.
- 5.3 In February 2013 the Council approved a three year budget which included £17m capital investment for carriageways, footways, street lighting and structures, with a stated intention of increasing this to a total value of £29m for the period 2013/18. The Investment Strategy forms part of the corporate asset management plan and has key links to risk management and insurance processes.
- 5.4 The levels of investment outlined above should make a meaningful contribution to improving the condition of Inverclyde Council Road Network and position within the RCI published by SCOTS.
- 5.5 It should be noted it could take up 3 years before the improvements feed through into the road condition indicator data, due to the timing of the surveys, the survey frequency, and the reduced statistical accuracy for the unclassified roads, which make up just over 70% of Inverclyde's road network.
- 5.6 The next phase of the SCOTS Roads Asset Management project will commence late Summer 2013 and will involve the Scottish and Welsh Roads Authorities; Inverclyde intend to further develop and publish a full Roads Asset Management Plan in the short term and which will incorporate the works done to date on the Roads Asset Investment Strategy, along with more detailed considerations on future demands on the road network, and community requirements.
- 5.7 The Roads service continues to report on performance in line with the Council's Strategic Planning and Performance Management Network, and this will include the new SOLACE indicators affecting roads.
- 5.8 The Roads Service also participates in additional performance monitoring and benchmarking with other Councils via the Association for Public Service Excellence (APSE) performance networks and the recently commissioned SCOTS Performance and Improvement Benchmarking Group. The work with SCOTS builds on works done to date within both SCOTS and APSE, and is intended to ensure a consistent and meaningful approach is taken so that confidence can be built in the data for use in future benchmarking work.
- 5.9 Inverclyde continues to collaborates/ shares with other Councils via the following:
- Joint procurement;
  - Development/sharing of best practise via roads working groups;
  - Inverclyde has been working closely with East Renfrewshire and Renfrewshire Councils, and the Improvement Service, regarding the potential for collaborative working.

## **6.0 CONSULTATION**

- 6.1 None.



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## **7.0 IMPLICATIONS**

7.1 Finance: Spend to be contained within the 2013/16 agreed budget.

7.2 Legal: None.

7.3 Human Resource: None.

7.4 Equality and Diversity: None.

7.5 Repopulation: This report has no implications for the Council's repopulation policies.

# Maintaining Scotland's roads

An audit update on councils' progress

**EMBARGOED UNTIL 00.01 HOURS  
FRIDAY 17 MAY**

The logo for the Accounts Commission, featuring a stylized 'A' with a checkmark inside a circle.

ACCOUNTS COMMISSION

Prepared by Audit Scotland  
May 2013

# The Accounts Commission

The Accounts Commission is a statutory, independent body which, through the audit process, requests local authorities in Scotland to achieve the highest standards of financial stewardship and the economic, efficient and effective use of their resources. The Commission has four main responsibilities:

- securing the external audit, including the audit of Best Value and Community Planning
- following up issues of concern identified through the audit, to ensure satisfactory resolutions
- carrying out national performance studies to improve economy, efficiency and effectiveness in local government
- issuing an annual direction to local authorities which sets out the range of performance information they are required to publish.

The Commission secures the audit of 32 councils and 33 joint boards and committees.

Audit Scotland is a statutory body set up in April 2000 under the Public Finance and Accountability (Scotland) Act 2000. It provides services to the Auditor General for Scotland and the Accounts Commission. Together they ensure that the Scottish Government and public sector bodies in Scotland are held to account for the proper, efficient and effective use of public funds.

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# Introduction

1. Safe, well-maintained transport links are vital to Scotland's economic prosperity and well-being. Roads play a significant part in everyday life. Well-maintained roads are important for individuals and businesses, and can contribute to fewer road accidents, reduced congestion, shorter journey times and lower vehicle maintenance costs.<sup>1</sup>
2. In February 2011, we published *Maintaining Scotland's roads: A follow-up report*. This was a joint report with the Auditor General. The report examined progress on implementing the recommendations of our previous report on roads maintenance, published in November 2004.<sup>2</sup>
3. In relation to council-maintained, or local, roads, our 2011 report found the following:
  - The condition of local roads had worsened, with 66 per cent of classified roads being in acceptable condition in 2010 compared to 70 per cent in 2005.
  - Councils spent £492 million on local roads maintenance in 2009/10. This represented a reduction of £76 million (13 per cent) on 2004/05 levels after taking roads construction inflation into account.
  - The cost of fixing roads defects was increasing. Councils estimated it would cost £1.54 billion to fix all carriageway defects in 2010, £554 million more, allowing for inflation, than in 2004.
  - Councils had made limited progress since the 2004 report in improving how they managed roads maintenance. For example, fewer than half of councils were reporting their maintenance backlog to elected members and a third had still to develop roads asset management plans.
4. The report's findings, together with public sector spending constraints, suggested that radical change was required to halt the decline in roads condition and improve value for money from roads maintenance activity. Our recommendations included the following:
  - The Scottish Government should consider a national review of how the road network is managed and maintained, with a view to developing new ways of providing services and increasing the potential for shared services.
  - Transport Scotland and councils should work together to consider all opportunities for achieving more with the resources currently available. This included exploring new ways of working, the pooling and flexible use of resources, such as staff and equipment, and partnerships between councils and with the private sector.

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<sup>1</sup> *Economic, Environmental and Social Impact of Changes in Maintenance Spend on Roads in Scotland*, Transport Research Laboratory for Transport Scotland, July 2012.

<sup>2</sup> *Maintaining Scotland's roads*, Accounts Commission and the Auditor General for Scotland, November 2004.

- Councils should:
  - have a roads asset management plan in place no later than the end of 2011
  - ensure they can demonstrate they are making the best use of resources currently available, through benchmarking and improved management and reporting
  - adopt the performance indicators being developed by the Society of Chief Officers of Transport in Scotland (SCOTS) as a first step in allowing the relative performance of councils' roads maintenance activities to be measured consistently.
  
- 5. During 2012, we asked the local auditors for each council to examine how it had responded to the recommendations in our 2011 report. This audit update is based primarily on the results of the auditors' reviews. We also carried out some additional work including interviewing representatives from SCOTS and considering aspects of the national roads maintenance review.<sup>3</sup> We expect councils to have made further progress since auditors carried out their reviews, but we consider that this update provides a useful indication of overall progress since our 2011 report.

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<sup>3</sup> See [Appendix 1](#) for details of the national roads maintenance review.

# Conclusions and recommendations

6. The percentage of local roads in acceptable condition has increased marginally from 66.1 to 66.7 per cent over the last two years, despite a reduction in roads maintenance spending from £492 million in 2009/10 to around £400 million in 2010/11 (a 21 per cent reduction in real terms).
7. The national roads maintenance review has resulted in a detailed action plan to improve roads maintenance activity and we acknowledge that considerable activity has taken place. However, there is scope to accelerate the implementation of our 2011 recommendations to improve the management of roads maintenance. For example:
  - Despite our recommendation that all councils should have roads asset management plans in place by the end of 2011, auditors reported that only half of councils had done this. While SCOTS has reported that all councils now have roads asset management plans in place, councils need to ensure that they are of sufficient quality and that they are monitoring them effectively.
  - Although councils are making more use of performance information and a common set of performance indicators has been agreed, they need to do further work to improve the quality and consistency of the data to enable meaningful benchmarking to take place.
8. It is imperative that the national roads maintenance review is translated into more efficient roads maintenance and, ultimately, in improved roads condition. It has been two years since the review began and we consider that now would be an appropriate time to review progress and achievements to date. In particular, we recommend that councils, the Convention of Scottish Local Authorities (COSLA) and SCOTS should:
  - continue to work with Transport Scotland to develop methodologies for evaluating the impact of the national roads maintenance review to date, with a view to further prioritising actions that are likely to have most impact on improving roads condition
  - continue to work with partners on the Roads Maintenance Strategic Action Group to produce a strategy for developing the best service and structural models to deliver roads maintenance.<sup>4</sup>
9. We also strongly recommend that individual councils continue to improve how they manage roads maintenance and value for money. Specifically they should:
  - formally adopt and implement roads asset management plans as a matter of urgency, filling any gaps that auditors have identified in plans

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<sup>4</sup> See [Appendix 2](#) for details of the Roads Maintenance Strategic Action Group.

- develop clear arrangements for monitoring the effectiveness of these plans, including setting out clear milestones and the officers responsible for delivering them
  - submit accurate and complete data to the SCOTS/Association for Public Sector Excellence (APSE) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE)/Improvement Service performance indicators projects to allow consistent benchmarking to take place and unit costs to be established
  - continue to monitor the impact of changing levels of maintenance expenditure on the condition of their roads
  - respond actively to emerging guidance and other support intended to promote innovation and knowledge sharing across councils, and the consideration of shared services options.
10. Overall, while we recognise that councils are facing budget constraints, there is a need to increase the pace of progress in improving roads condition. We will therefore continue to monitor progress and report to the public in due course.



# Progress since our 2011 report

## The condition of local roads has marginally improved since 2010 despite a fall in roads maintenance spending

11. Spending on roads maintenance includes all work on roads other than major new-build or reconstruction work. It includes structural maintenance, safety, weather and winter maintenance, lighting, emergency patching and routine repairs. The amount of money spent on roads maintenance can therefore be influenced by factors such as:
  - the severity of the weather
  - the choice of road surface treatments, for example, surface dressing rather than extensive resurfacing.
12. As a result, annual variation in spend is not necessarily reflected in significant changes to the condition of the road network. However, there are potentially significant consequences if roads maintenance activity is reduced by too much. An example is research by the Transport Research Laboratory (TRL). Based on different expenditure scenarios, this has found that every £1 reduction in local roads maintenance spend could result in a cost of between £1.67 and £1.76 to the wider Scottish economy. The added costs reflect factors such as increased vehicle fuel consumption, more wear and tear and more skid-related accidents.<sup>5</sup>
13. SCOTS carried out a survey of council spending on roads maintenance as part of the national roads maintenance review. SCOTS reported gaps and inconsistencies in the data provided by councils, which meant it was impossible to identify accurately the total spend on roads maintenance. However, it estimated that councils spent no more than £400 million on roads maintenance in 2010/11.<sup>6</sup> Compared to the £492 million roads maintenance expenditure that we reported for 2009/10, this represents a 21 per cent reduction when adjusted for general inflation and a 23 per cent reduction when adjusted for roads construction inflation. In general terms, SCOTS attribute the reduction to a combination of higher than normal spending on winter maintenance activities in 2009/10 due to the severe weather conditions, and to budget cuts in 2010/11.
14. Despite the apparent reduction in roads maintenance expenditure, the latest roads condition data shows that the condition of Scotland's local roads has marginally improved in the last two

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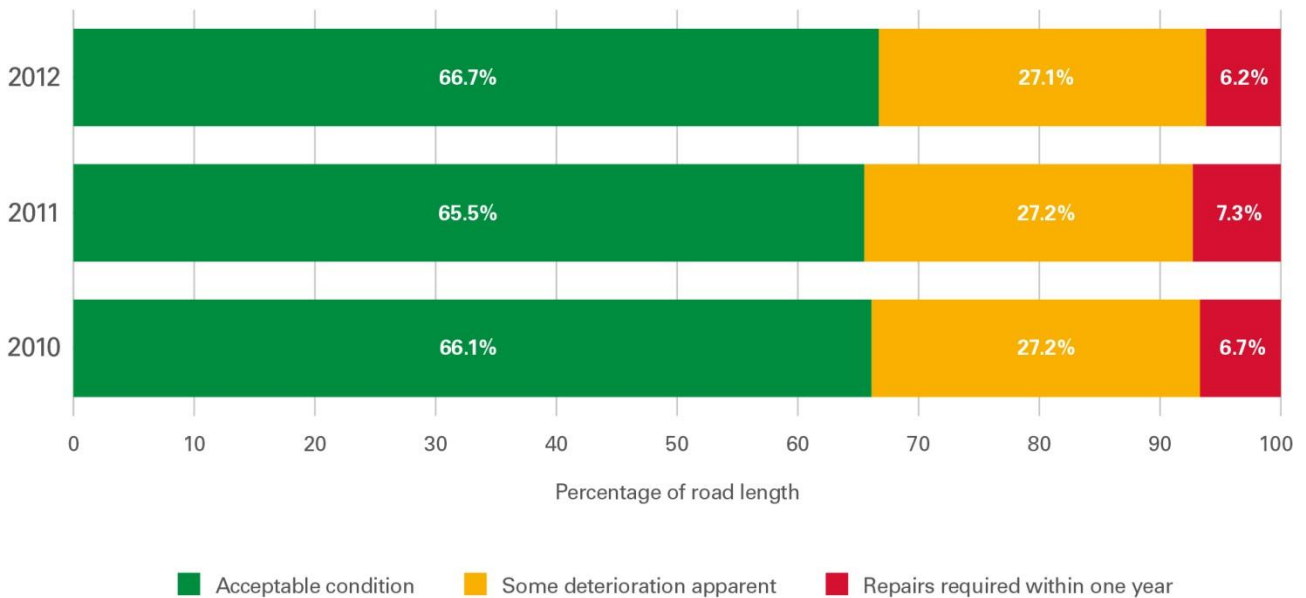
<sup>5</sup> *Economic, Environmental and Social Impact of Changes in Maintenance Spend on Roads in Scotland*, Transport Research Laboratory for Transport Scotland, July 2012.

<sup>6</sup> *Option 30 report. National Roads Maintenance Review Phase 3*, Option 30 Task Group, June 2012. The total maintenance spend figure is an estimate based on survey returns from 23 councils.

years.<sup>7</sup> We reported that 66.1 per cent of local classified roads were in acceptable condition in 2010. This figure has improved slightly to 66.7 per cent in 2012 (Exhibit 1). Overall, however, the percentage of local classified roads in acceptable condition in 2012 is still lower than it was in 2005 (69.6 per cent).<sup>8</sup>

**Exhibit 1**

**How the condition of local classified roads has changed since our 2011 report**



Note: The roads condition survey data is derived from the results of the two most recent surveys, for example the 2012 results in exhibit 1 are based on data for 2011 and 2012. Rather than simply averaging the results from each year, the data collected over the two years is analysed as a single set.

Source: Scottish Roads Maintenance Condition Survey 2012, reported by SCOTS, March 2013

15. While SCOTS considers the latest roads condition results to be a significant achievement, council payments to compensate drivers for pothole damage have risen, from around £340,000 in 2007/08 to £1.2 million in 2011/12. Currently councils do not capture public perception of roads condition on a consistent basis however this is an area being taken forward as part of the national roads maintenance review. A number of roads user surveys, although limited in scope, indicate that the public has concerns about the condition of Scotland's roads. For example:

- Forty-five per cent of local roads users in Scotland consider roads condition to be poor, very poor or terrible, the worst rate in the UK.<sup>9</sup>

<sup>7</sup> Roads condition data is collected annually through the Scottish Roads Maintenance Condition Survey (SRMCS) which is organised by SCOTS. The SRMCS uses specialised vehicles travelling at normal speed to assess the surface condition of the local roads network. Vehicles collect information on road gradient and shape; evenness of the ride; cracking; texture and deterioration.

<sup>8</sup> SRMCS data has been collected since 2002; however sophisticated analysis is only available from 2004/05.

<sup>9</sup> AA survey of 23,000 roads users, conducted in January 2013.

- Scotland is perceived to have more potholes per mile than any other region in the UK, and more worn or faded roads markings.<sup>10</sup>
- Drivers in Scotland are more likely to report pothole damage, with 44 per cent saying their cars had been damaged at some point over the last two years.<sup>11</sup>

## Councils need to do more work to develop roads asset management plans

16. Councils need clear roads asset management plans for managing their roads to ensure they meet service standards and achieve good value for the money they spend on maintaining roads. A good quality roads asset management plan:
  - describes the assets forming the roads network and their condition
  - assesses the future demand likely to be placed on the network
  - clearly describes the level of service the council will provide to maintain the network
  - provides financial information, including a long-term prediction of the cost of managing and operating the roads network.
17. We recommended that councils should have roads asset management plans in place by December 2011. From the information provided by auditors last year, about half of councils had a published or approved roads asset management plan, or an equivalent document, by the target date. Most other councils had draft plans prepared, with most of these due to be finalised during 2012 or 2013. SCOTS report that all councils now have a roads asset management plan in place.
18. There is scope to improve the quality of roads asset management plans and the monitoring of progress against them. Half of the auditors reported gaps in council information, including incomplete or unreliable asset inventory data, incomplete asset lifecycle plans and a lack of detailed long-term funding requirements.
19. Many councils have developed improvement plans to support their overall roads asset management activities. These plans can play a useful role in improving how councils manage roads maintenance activities, so it is important that clear systems are in place to help councils monitor how they are delivering these plans. Only a few auditors reported that adequate arrangements were in place for monitoring how councils were implementing improvement plans.<sup>12</sup> In other councils, it is unclear how progress against asset management plans is being monitored.
20. SCOTS has taken forward a project over the last four years to provide training and guidance to help councils develop their asset management plans. It is important for councils to continue to take advantage of this project as it moves forward. It is also important that councils have

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<sup>10</sup> Streetwatch survey, conducted by AA Streetwatch volunteers in October 2012.

<sup>11</sup> AA survey of 23,000 roads users, conducted in January 2013.

<sup>12</sup> Angus, Clackmannanshire, City of Edinburgh, East Renfrewshire, Glasgow City, Moray, Renfrewshire and Stirling councils.

clearly defined arrangements in place for monitoring their roads asset management plans, so that those responsible for actions can be held to account for delivering them.

## Councils are making more use of performance information but need to do more work to allow meaningful benchmarking to take place

21. In our 2011 report, we noted that SCOTS were developing a suite of performance indicators to help councils manage their roads maintenance activities. These cover areas such as customer service, network condition and availability, and finance. We recommended that councils adopt these indicators to help create more consistency and to allow benchmarking to take place.
22. Last year auditors reported that about half of councils were using all, or most, of the SCOTS performance indicators, often supported by individual council indicators. Most of the remaining councils appeared to have been using the indicators developed by APSE to assess performance.
23. SCOTS and APSE have now agreed a common set of performance indicators covering all aspects of roads maintenance including carriageways, footways, lighting, structures and customer service ([Exhibit 2](#)). In December 2012, all councils submitted data to the joint SCOTS/APSE project.

### Exhibit 2

#### A sample of SCOTS/APSE performance indicators for carriageways



##### Safety

- Percentage of Category 1 defects made safe within response times
- Percentage of safety inspections completed on time
- Percentage of network salted regularly



##### Condition/Asset preservation

- Percentage of carriageway length to be considered for maintenance treatment
- Percentage of carriageway length – surface dressed
- Percentage of carriageway length – fully reconstructed



##### Financial

- Total maintenance expenditure by carriageway length
- Cost per kilometre of planned/reactive/routine maintenance
- Cost per kilometre of winter maintenance treatment

Source: SCOTS/APSE, 2012

24. In March 2013, SOLACE and the Improvement Service launched a new benchmarking framework covering seven main council service areas. Four out of the 55 high-level performance indicators contained in the framework are roads related.<sup>13</sup> The development of the SCOTS/APSE and the SOLACE/Improvement Service performance indicators is a welcome and positive step.
25. To allow meaningful benchmarking to take place, it is vital that councils generate consistent performance information. SCOTS has acknowledged that some councils have still to develop systems to allow them to produce accurate data returns. More work also needs to be done to improve the quality of financial data that will allow councils to calculate unit costs. To help councils make the necessary data improvements, SCOTS has established benchmarking groups to help remove inconsistencies in the way councils produce and report data, and also to promote best practice.<sup>14</sup>

## The national roads maintenance review is progressing but it will take time to result in significant new ways of working

26. The Scottish Government and councils established a steering group in March 2011 to carry out the national roads maintenance review ([Appendix 1](#)). The group published the final report on its work in July 2012, setting out 30 actions, referred to as options. It estimated that these would deliver up to ten per cent efficiency savings through innovative practice, collaborative working and sharing services between roads authorities.
27. Before finalising its report, the steering group identified the need for a more detailed assessment of the 'optimum arrangements for the management and maintenance of roads in Scotland' (known as Option 30). A separate Option 30 report, published in June 2012, concluded that current arrangements could be improved on and that all councils should explore sharing services in the short term.<sup>15</sup> The report also considered that the benefits from setting up a new roads authority, or authorities, was likely to take longer to achieve. It stated that if the benefits of shared services were not realised as anticipated in the short term, work on exploring structural change should be accelerated.
28. Progress against the 30 options is monitored by a newly formed Roads Maintenance Stakeholder Group ([Appendix 2](#)). Many of the options that the review identified reflect recommendations and other findings contained in our 2011 report. At the end of 2012, the Group reported that 20 of the options had either been, or were on track to be, implemented. These included:
  - implementing asset management planning across all roads authorities
  - adopting the SCOTS suite of performance indicators
  - developing and applying consistent unit cost benchmarking methodology

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<sup>13</sup> ENV4a – cost of maintenance per kilometre of roads and ENV4b, ENV4c and ENV4d – percentage of class A, B and C roads that should be considered for maintenance.

<sup>14</sup> The benchmarking groups are: Rural; Islands; Semi-Urban; Urban and Cities.

<sup>15</sup> *Option 30 report. National Roads Maintenance Review Phase 3, Option 30 Task Group, June 2012.*

- delivering and adopting SCOTS recommended minimum levels of service for roads maintenance
  - establishing a Scottish Road Research Board to promote innovation and knowledge sharing across roads authorities.
29. The other ten options were either behind schedule or had not yet been implemented at the end of 2012. These included:
- introducing a lean management culture across the roads maintenance sector<sup>16</sup>
  - developing an overarching communication strategy that raises awareness of the value of roads maintenance
  - investigating ways to capture public perceptions in a cost effective way.
30. Auditors have also reported that individual councils have taken action to improve value for money from roads maintenance. Some of the initiatives considered by councils include:
- undertaking some form of service reconfiguration, such as changing organisational structures or shift patterns
  - establishing joint tendering arrangements with other councils, mainly for winter weather forecasting or minor maintenance work
  - undertaking either cost or performance benchmarking with other councils or the private sector.
31. The national roads maintenance review has also led to other initiatives being developed. In particular, SCOTS and Transport Scotland have recently formed a Shared Capacity and Shared Services Improvement Board to provide guidance and support to councils who wish to explore shared services options.<sup>17</sup> While it will take time for significant changes to ways of working to be made, it is important that councils take advantage of this support, and that offered by other sources such as the Scottish Road Research Board, in considering how best to maximise value for money from their roads maintenance activities.

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<sup>16</sup> 'Lean management' refers to a recognised management technique which focuses on maximising process efficiency and customer value; that is, it seeks to eliminate wasteful and unnecessary processes.

<sup>17</sup> See [Appendix 2](#) for details of the Shared Capacity and Shared Services Improvement Board.

# Appendix 1

## National Roads Maintenance Review

1. A key recommendation in our 2011 report was that the Scottish Government should consider a national review of arrangements for managing and maintaining roads, with a view to stimulating new ways of providing services. Ministers accepted this recommendation and the Scottish Government and councils established a steering group to direct the review. The steering group consisted of the following local and national stakeholders:
  - The Convention of Scottish Local Authorities (COSLA)
  - The Society of Local Authority Chief Executives and Senior Managers (SOLACE)
  - The Society of Chief Officers of Transport in Scotland (SCOTS)
  - The Scottish Road Works Commissioner (SRWC)
  - Transport Scotland.
2. The group was asked to consider how the roads maintenance sector can deliver efficiently managed roads within the budgets available, and identifying opportunities for innovation, collaborative working and sharing services.
3. The review took place in three phases between March 2011 and June 2012:
  - Phase 1 focused on gathering evidence and identified seven broad themes as a focus for change.<sup>18</sup>
  - Phase 2 built on these themes and developed 30 specific options to improve services.
  - Phase 3 sought to take action on the 30 options identified in Phase 2.
4. The steering group produced a report on each phase of the review and published the final report in July 2012.<sup>19</sup>

---

<sup>18</sup> Effective asset management; Prioritisation; Benchmarking and monitoring; Delivery models; Incentivising innovation; Enabling faster change; and Communication.

<sup>19</sup> *Final report, National Roads Maintenance Review*, Steering Group, July 2012.

# Appendix 2

## Remit of roads maintenance groups

1. Following publication of *Final report, National Roads Maintenance Review* in July 2012, Transport Scotland, SCOTS and others agreed to establish a number of groups to take forward its findings.

### Roads Maintenance Strategic Action Group

2. The remit of the group is to:
  - oversee partnership working on roads maintenance
  - develop collaborative approaches on strategic issues
  - deliver the roads maintenance Strategic Framework for Change
  - oversee the Roads Maintenance Stakeholder Group and the Shared Capacity and Shared Services Improvement Board.
3. The group meets twice a year and is chaired by the Minister for Transport and Veterans, and COSLA. Membership also includes senior representatives from the following local and national bodies:
  - The Society of Local Authority Chief Executives and Senior Managers (SOLACE)
  - The Society of Chief Officers of Transport in Scotland (SCOTS)
  - The Scottish Road Works Commissioner (SRWC)
  - Transport Scotland
  - Improvement Service.

### Roads Maintenance Stakeholder Group

4. The group's remit is to underpin the work of the Strategic Action Group. Specifically this includes:
  - ensuring that the 30 options from the national roads maintenance review are progressed
  - evaluating roads authorities' performance in implementing the actions, providing support where required and promoting good practice
  - advising the Strategic Action Group on important current and emerging aspects of road maintenance.
5. The group meets four times a year and is chaired by SCOTS. Membership also includes representatives from:
  - COSLA
  - Transport Scotland
  - Association for Public Service Excellence (APSE)



- SRWC
- roads user groups
- utility companies
- supply chain groups
- Audit Scotland (as an observer only).

### **Shared Capacity and Shared Services Improvement Board**

6. The board's remit is to oversee the central resource (a project support office), which has been created to help develop shared services and skills in roads maintenance.
7. The board is chaired by the Improvement Service and is largely made up of representatives from SCOTS and Transport Scotland (three members each). The board also has representatives from:
  - SOLACE
  - Scottish Futures Trust
  - private partners who have substantial experience of shared arrangements.

# Maintaining Scotland's roads

## An audit update on councils' progress

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ISBN 978 1 909705 00 5

**Report To:** ENVIRONMENT AND REGENERATION COMMITTEE Date: 5 SEPT 2013

**Report By:** CORPORATE DIRECTOR,  
ENVIRONMENT, REGENERATION &  
RESOURCES Report No: LA/1054/13

**Contact Officer:** JOANNA DALGLEISH Contact No: 01475 712123

**Subject:** PROPOSED TRAFFIC REGULATION ORDER – DISABLED PERSONS’ PARKING PLACES (ON STREET) ORDER NO. 2 2013

---

## 1.0 PURPOSE

1.1 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 Environmental & Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

## 2.0 BACKGROUND

2.1 In order to comply with the Disabled Persons’ Parking Places (Scotland) Act 2009, Section 5, it is proposed to introduce a Traffic Regulation Order to accompany the provision of parking bays for the disabled. This will restrict parking to drivers displaying a Blue Badge only, and will enable the Police to enforce such restrictions.

2.2 The proposals have been advertised in the Greenock Telegraph and full details of the proposals have been made available for public inspection during normal office hours at the offices of the Head of Environmental & Commercial Services, the Head of Legal & Democratic Services and at Central, Port Glasgow, Gourock, South West and Inverkip & Wemyss Bay Libraries. A copy of the draft Order is appended hereto for Members’ information.

Appendix

2.3 No objections to the proposals have been received and, accordingly, the Committee is requested to approve the Order.

2.4 The Committee is asked to note that, if approved, 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.

## 3.0 RECOMMENDATION

3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – Disabled Persons’ Parking Places (On Street) Order No 2. 2013 and remit it to the Head of Environmental & Commercial Services and Head of Legal & Democratic Services to arrange for its implementation.

**Legal & Democratic Services**

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES**  
**(ON STREET) ORDER NO. 2 2013**  
**TRAFFIC REGULATION ORDER**

DRAFT

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES (ON STREET)**  
**ORDER NO. 2 2013**

The Inverclyde Council in exercise of the powers conferred on them by Sections 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 Strathclyde Police 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 2013 and shall come into operation on ##
2. In this Order the following expressions have the meanings hereby assigned to them:
  - "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;
  - "parking place" means a place where a vehicle, or vehicles of any class, may wait i.e. the area of land specified in the Schedule for which the use as a parking place has been authorised by the Council under Section 32(1) of the Act;
  - "sign" means a traffic sign;
  - "disabled person's badge" means:
    - (a) a badge issued under Section 21 of the Chronically Sick and Disabled Persons Act 1970;
    - (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;
  - "disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge;
  - "Council" means The Inverclyde Council;
3. Each area of road which is described in the Schedule and plans relative to this Order is hereby designated as a parking place.
4. The parking places designated in this Order shall only be used for the leaving of disabled persons' vehicles displaying a valid disabled person's badge.

5. The limits of each parking place designated in this Order shall be indicated on the carriageway as prescribed by The Traffic Signs Regulations and General Directions 2002.
6. Every vehicle left in any parking place designated in this Order 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;
  - i. 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
  - ii. the vehicle, or any part thereof, is not within the limits of any adjoining parking place.
7. 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.
8. 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:
  - i. for the purpose of facilitating the movement of traffic or promoting its safety;
  - ii. 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;
  - iii. 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;
  - iv. on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - v. for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions.
9. 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.

10. This Order insofar as it relates to the parking places to be revoked (R) and amended, as specified in the Schedule to this Order, partially revokes and amends the On-Street Parking Places (Without Charges) Order No.1 2006 and the Disabled Persons' Parking Places (On Street) Order Nos. 1, 2, 3 and 4 2011 and No. 1 2012 respectively.

Sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ##

DRAFT

**INVERCLYDE COUNCIL**

**DISABLED PERSONS' PARKING PLACES (ON STREET)  
ORDER NO. 2 2013**

**Statement of Reasons for Proposing to Make  
the Above Order**

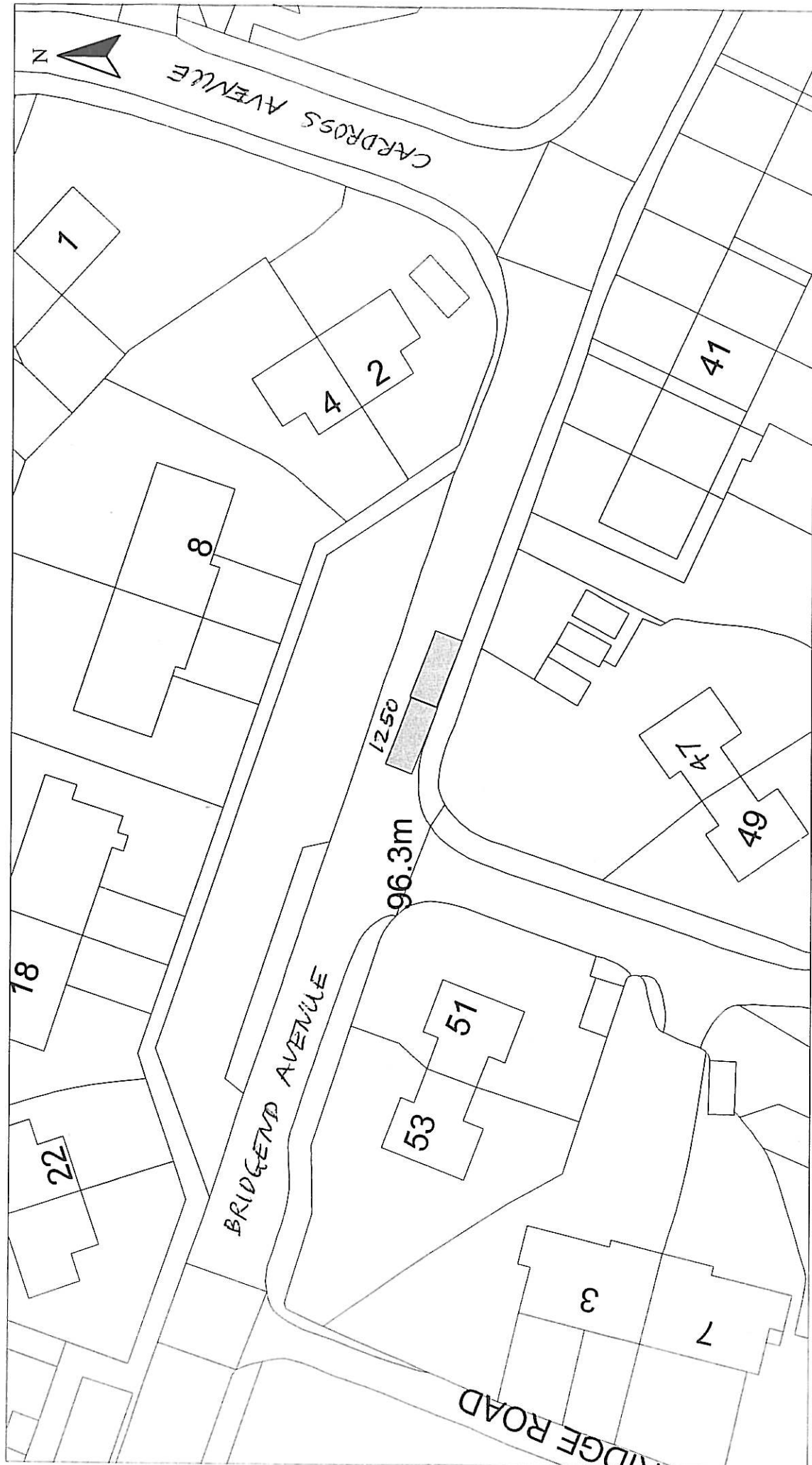
It is considered necessary to make the above Order to provide assistance for disabled persons who hold a badge under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended and by revoking those parking places no longer required to maximise street parking capacity.

DRAFT









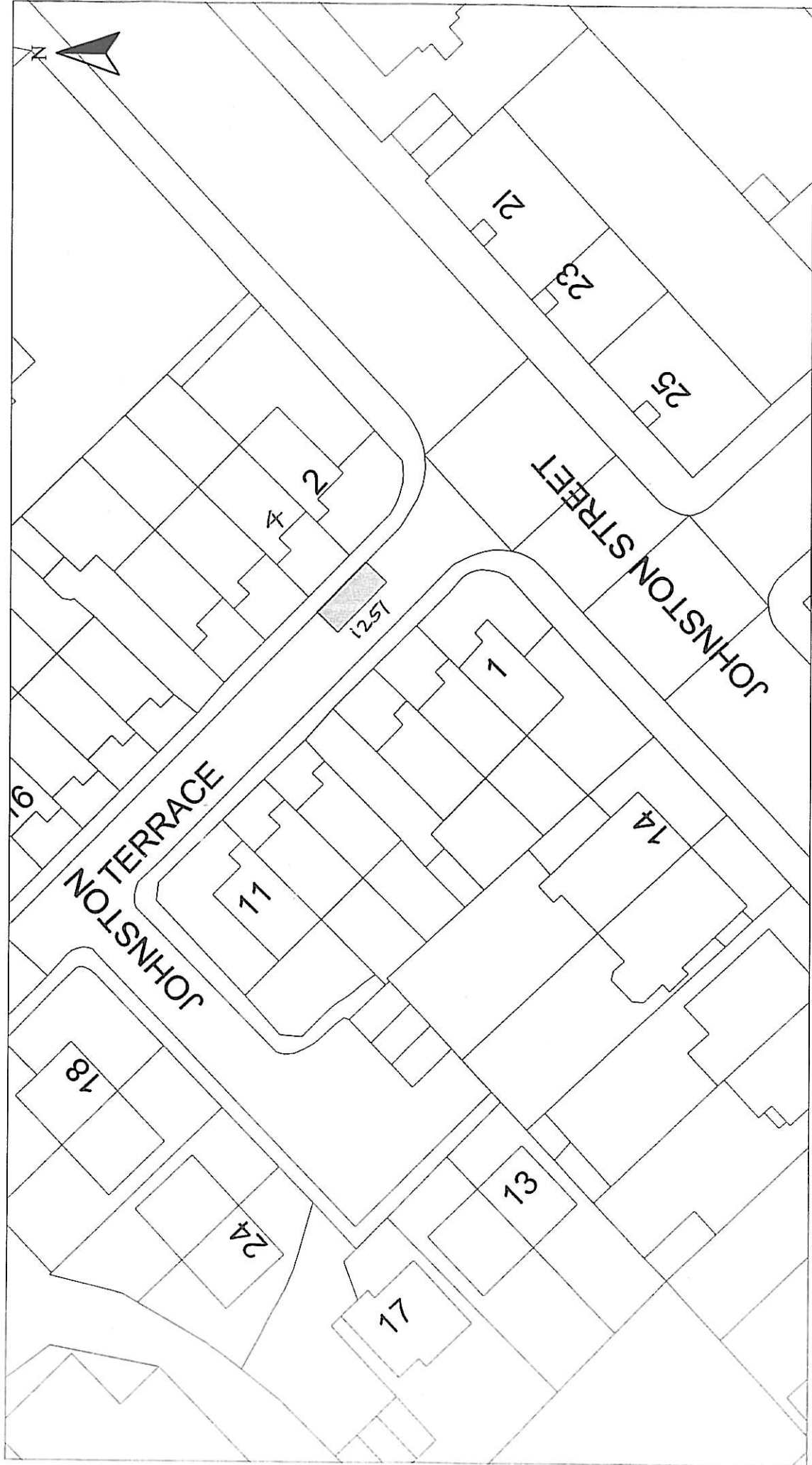
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47 BRIDGEND AVENUE, PORT GLASGOW  
PLACE No. 1250

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Date : JAN 2013  
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Approved by :  
File No. : 19/12

Disabled Bays

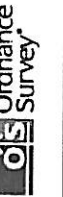


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4 JOHNSTON STREET, GREENOCK

PLACE No. 1251

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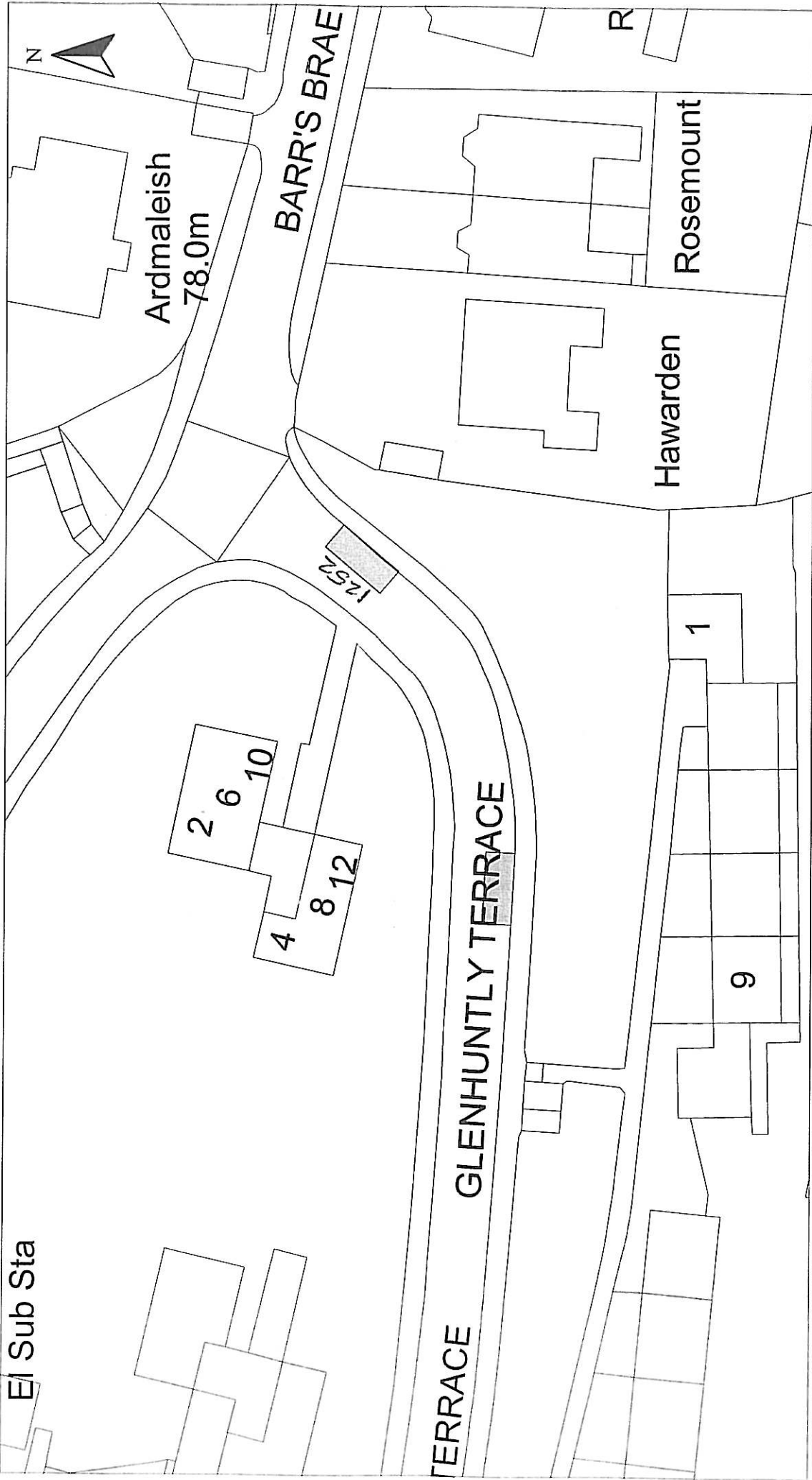
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DISABLED PERSONS' PARKING PLACE  
6 GLENHUNTLY TERR, PORT GLASGOW  
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Disabled Bays



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**4 CASTLEHILL AVENUE, PORT GLASGOW**  
**PLACE No. 1253**

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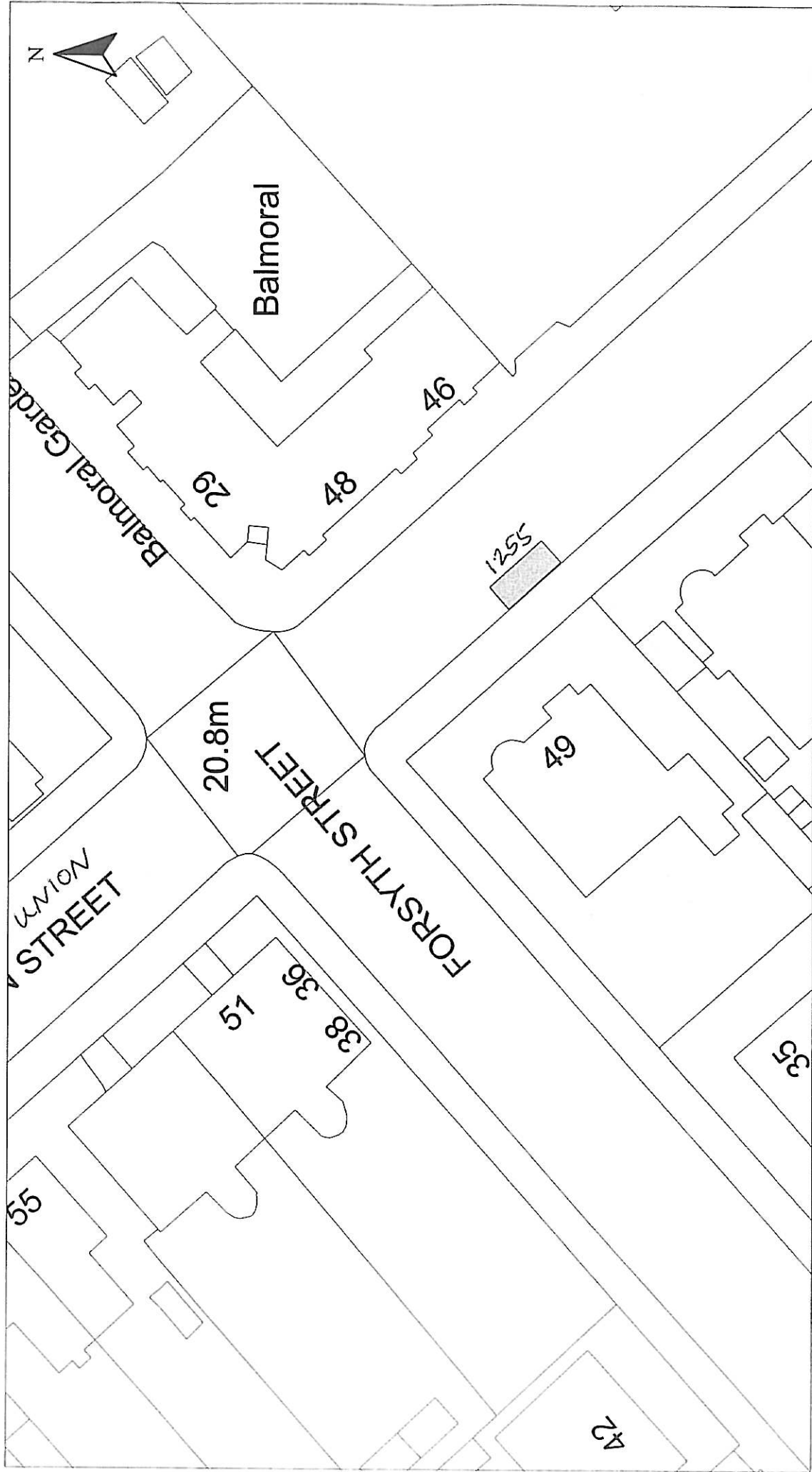
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NORFOLK ROAD, GREENOCK  
PLACE No. 1256

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Drawn by : R. MACKAY

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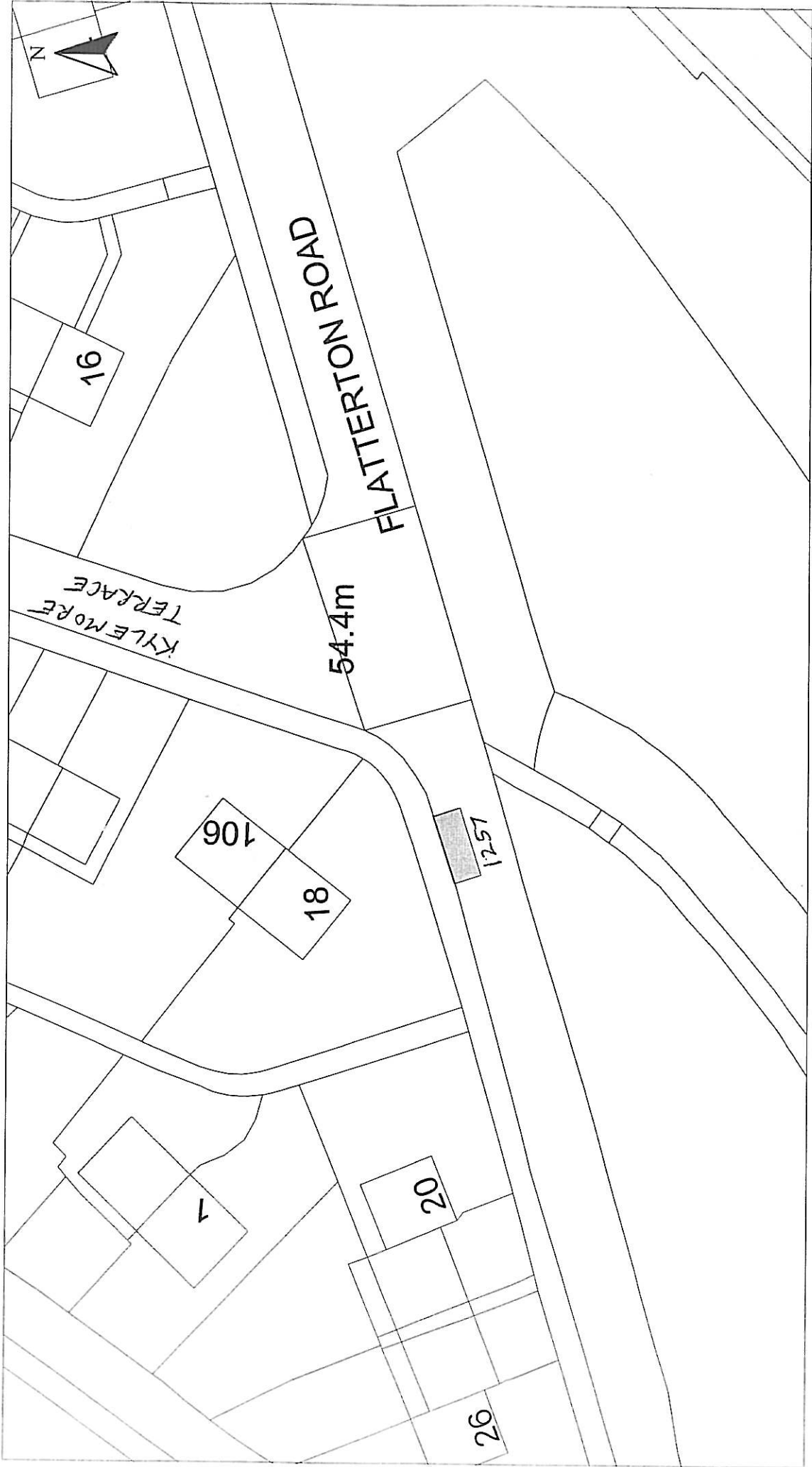
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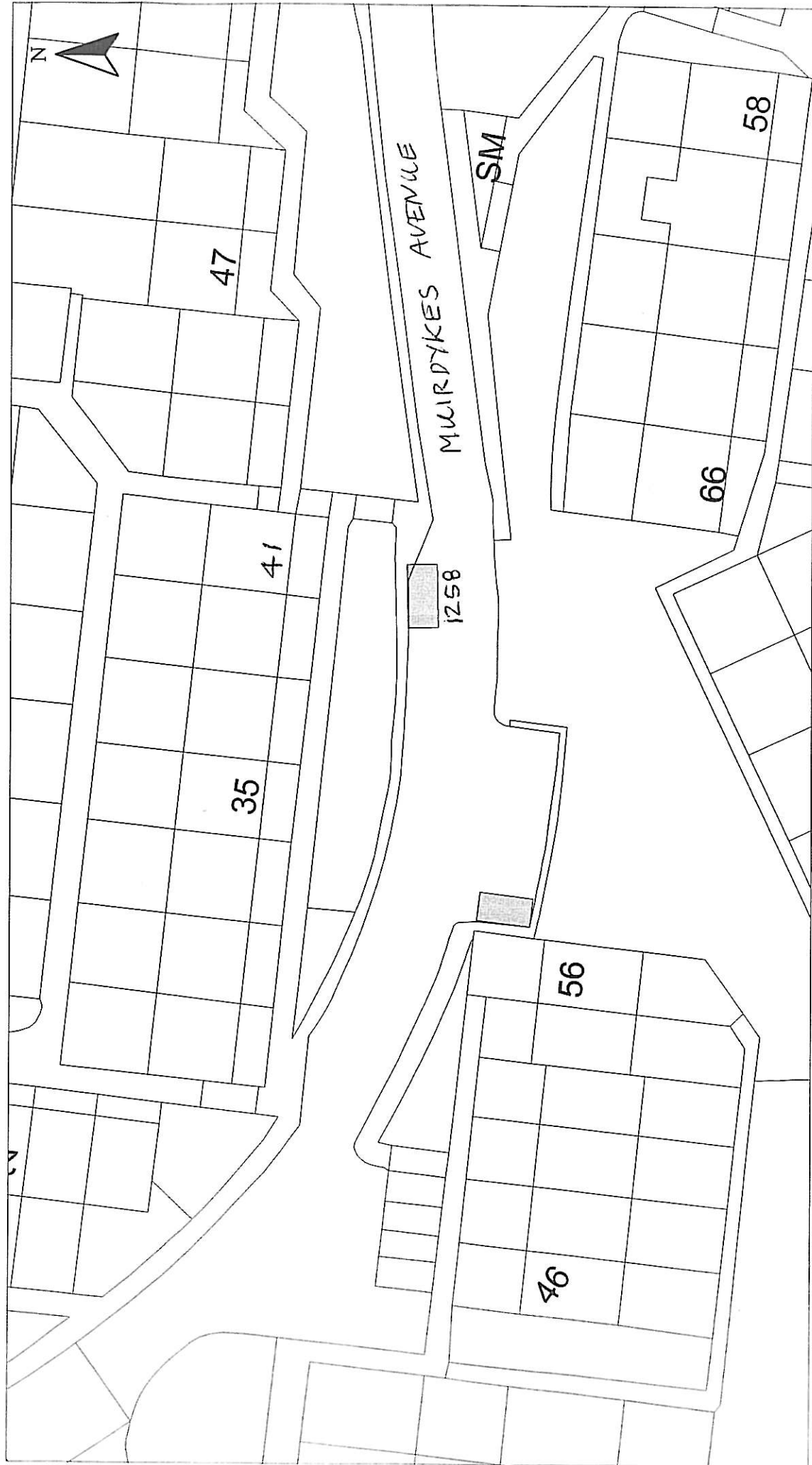
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council



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PLACE No. 1258

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Disabled Bays



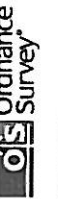
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**72 DAVAAR ROAD, GREENOCK  
PLACE No. 1259**

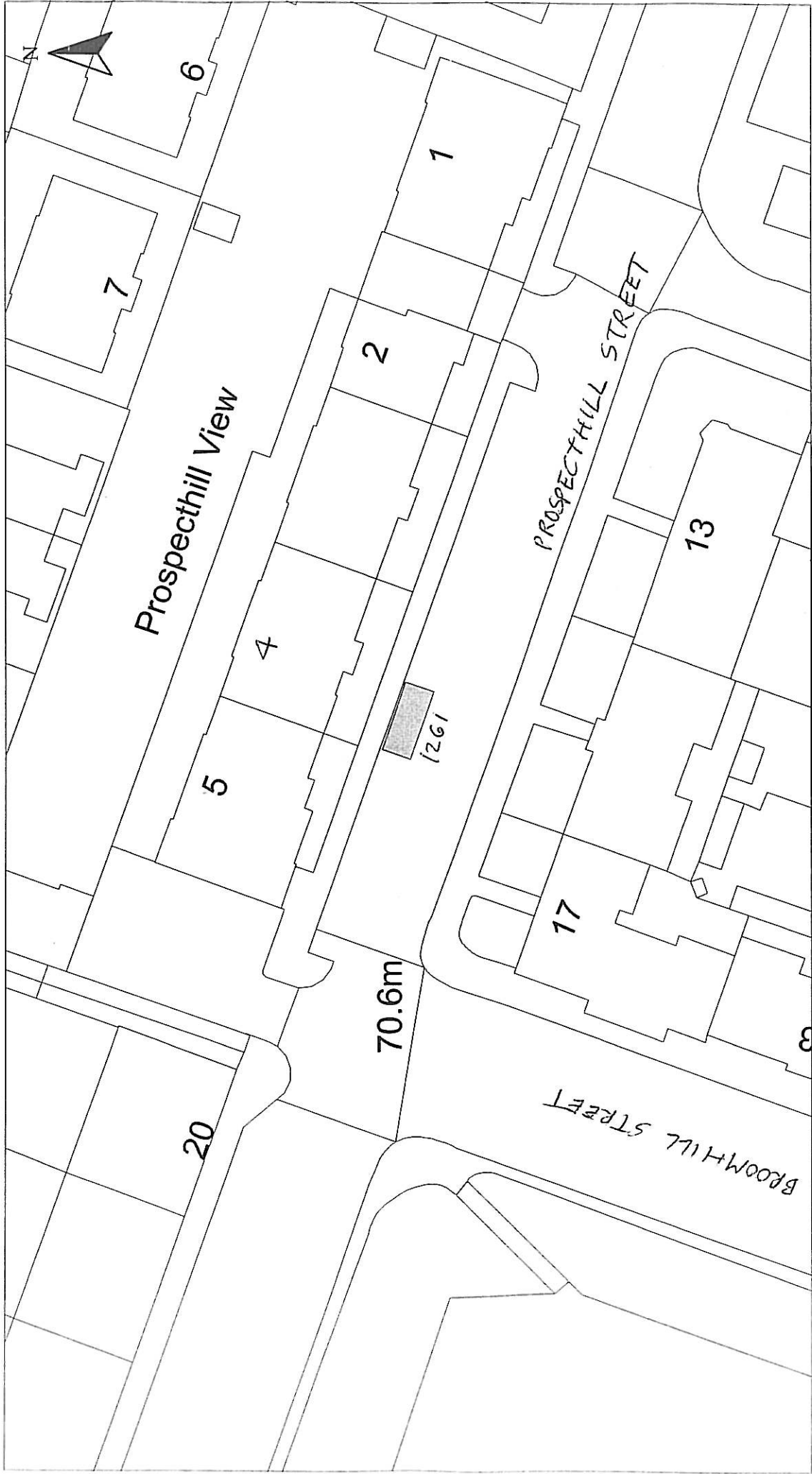
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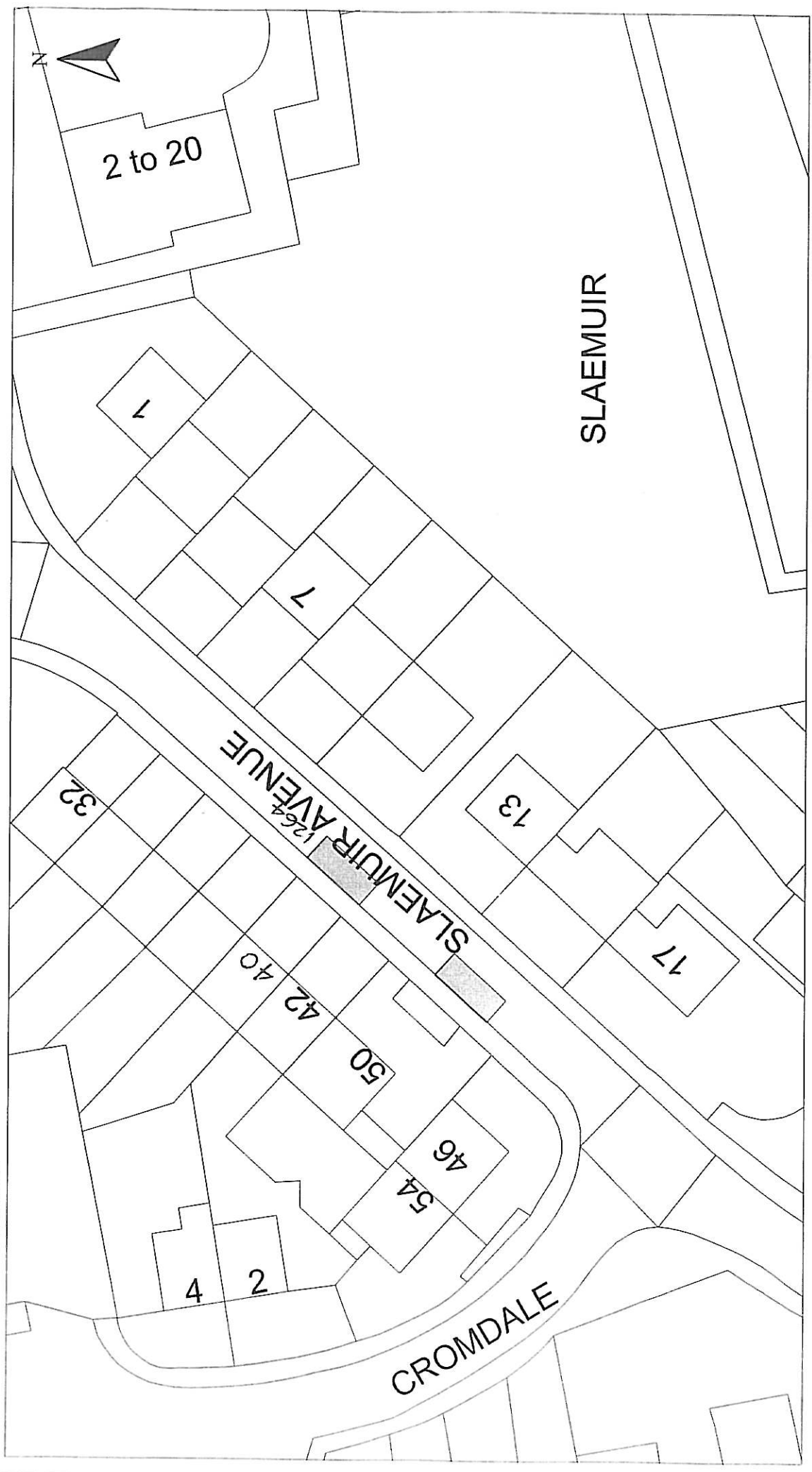
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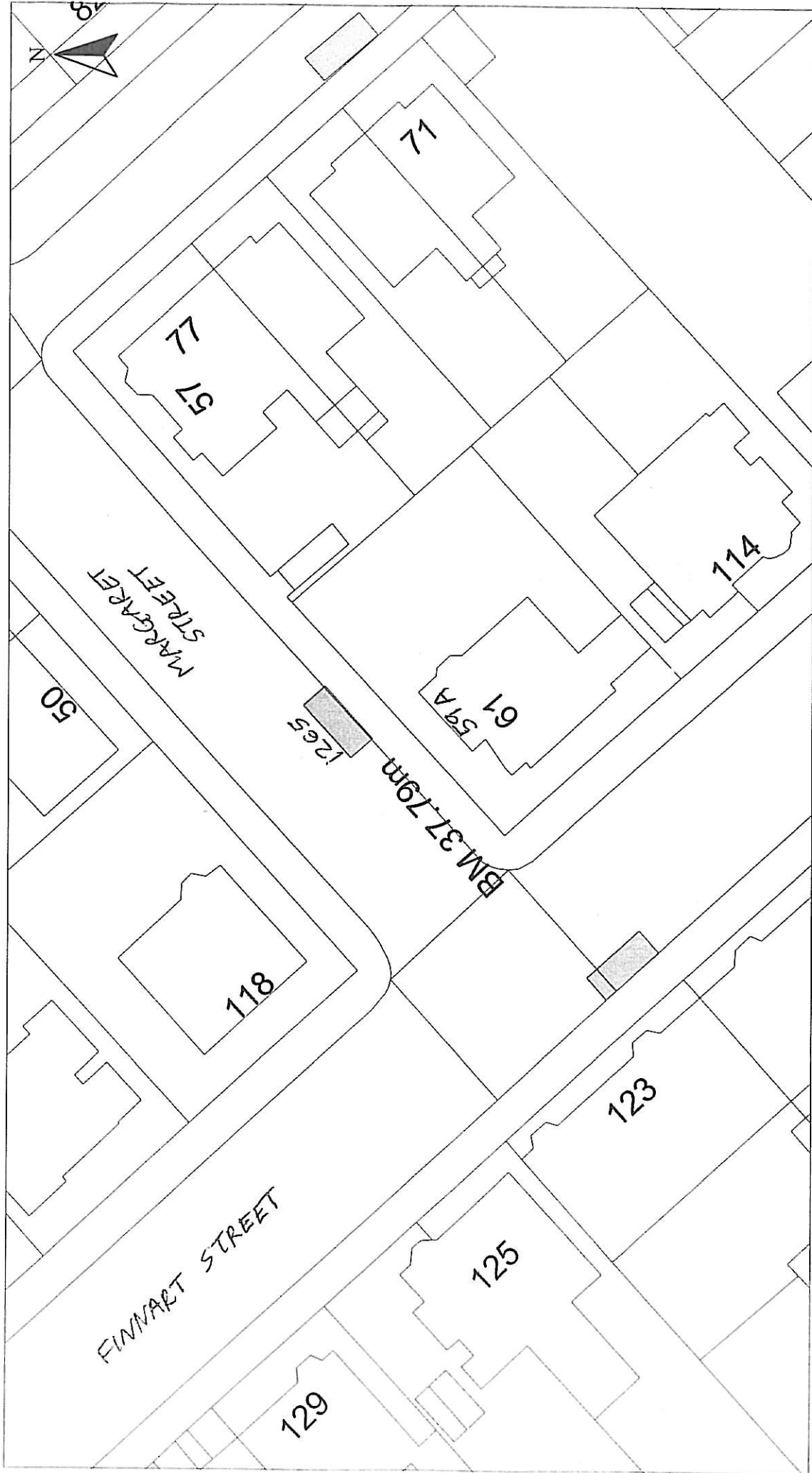
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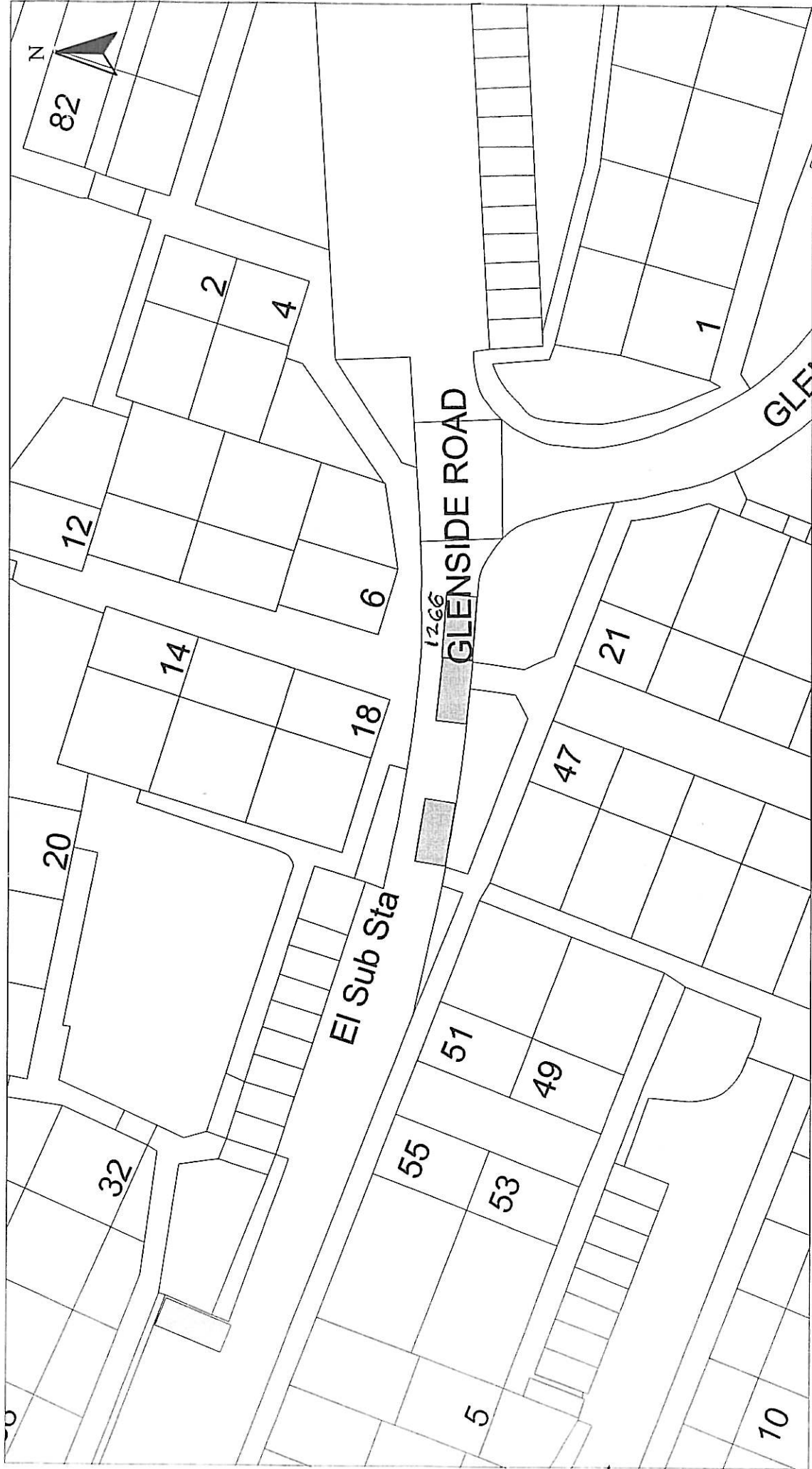
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PLACE No. 1265

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 Prepared by : R. MACKAY  
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21 GLENSIDE ROAD, PORT GLASGOW  
PLACE No. 1266

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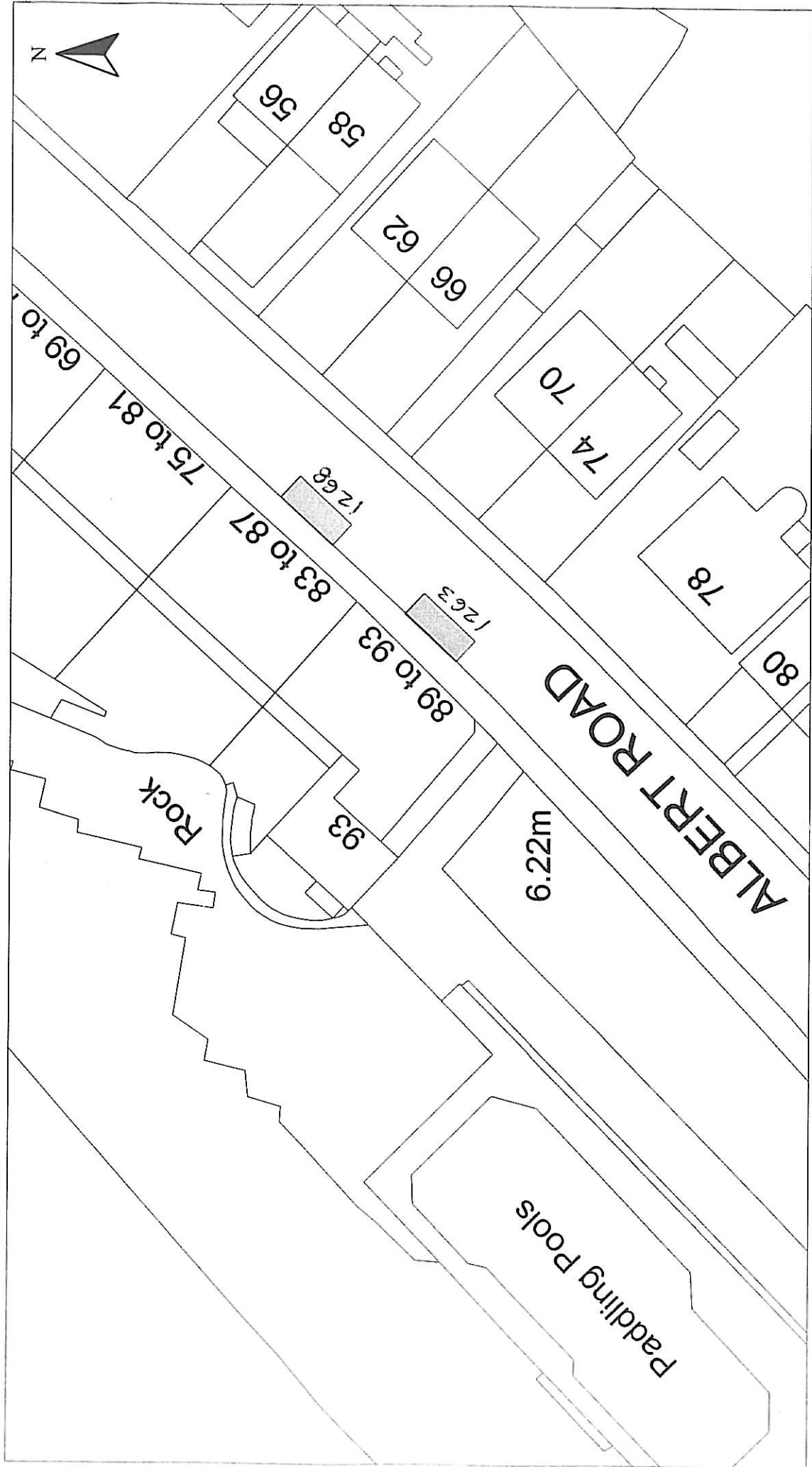
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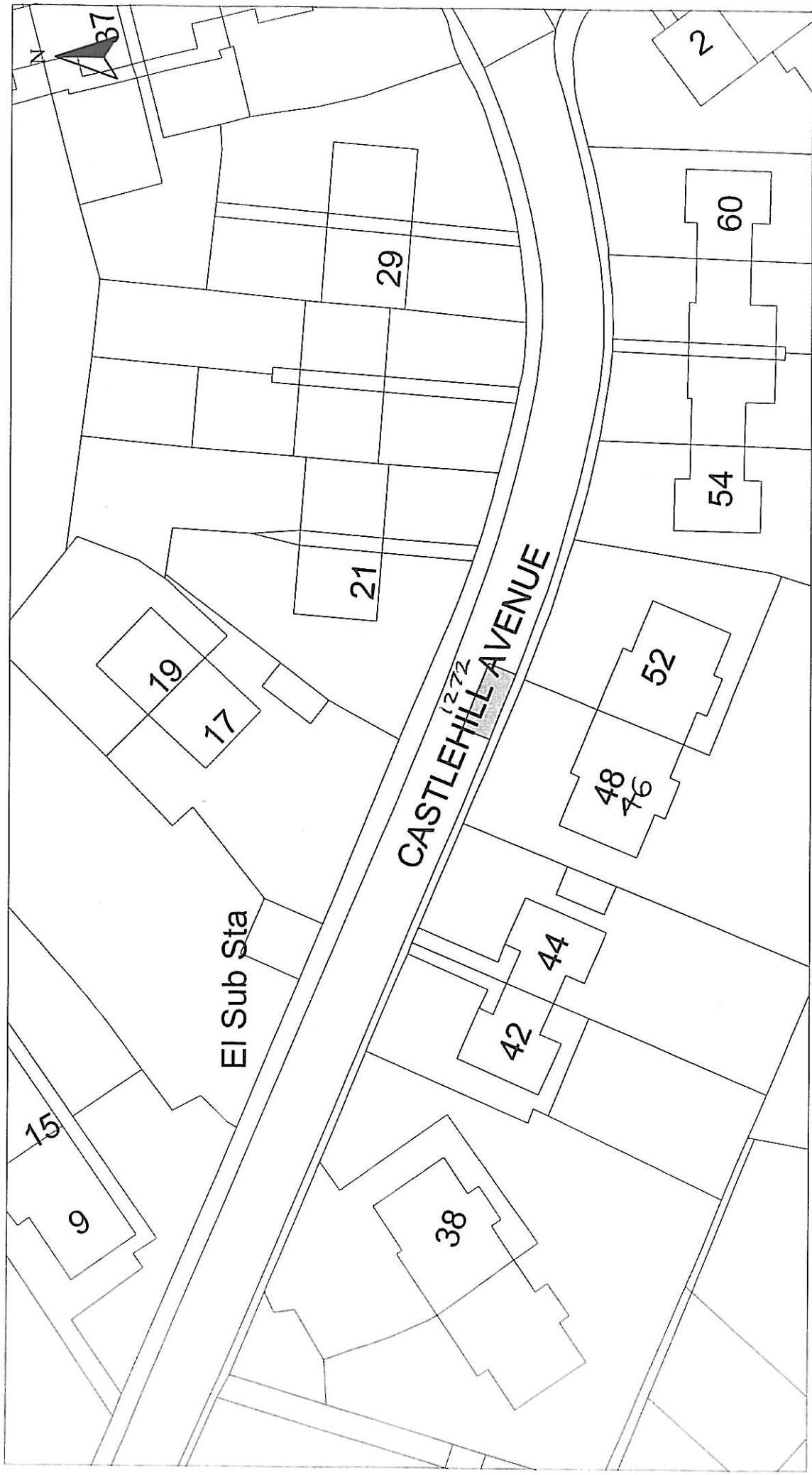
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Disabled Bays HEAD OF SERVICE IAN MOFFAT 71 EAST HAMILTON STREET GREENOCK, PA15 2UA	Disabled Persons' Parking Place 85 & 91 ALBERT ROAD, GOUROCK PLACES Nos. 1263 & 1268	Scale : 1:500 Prepared by : R. MACKAY Drawn by : R. MACKAY Drawing No. :	Date : JAN 2013 Checked by : Approved by : File No. : 19/12
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Disabled Bays

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DISABLED PERSONS' PARKING PLACE

46 CASTLEHILL AVENUE, PORT GLASGOW  
PLACE No. 1272

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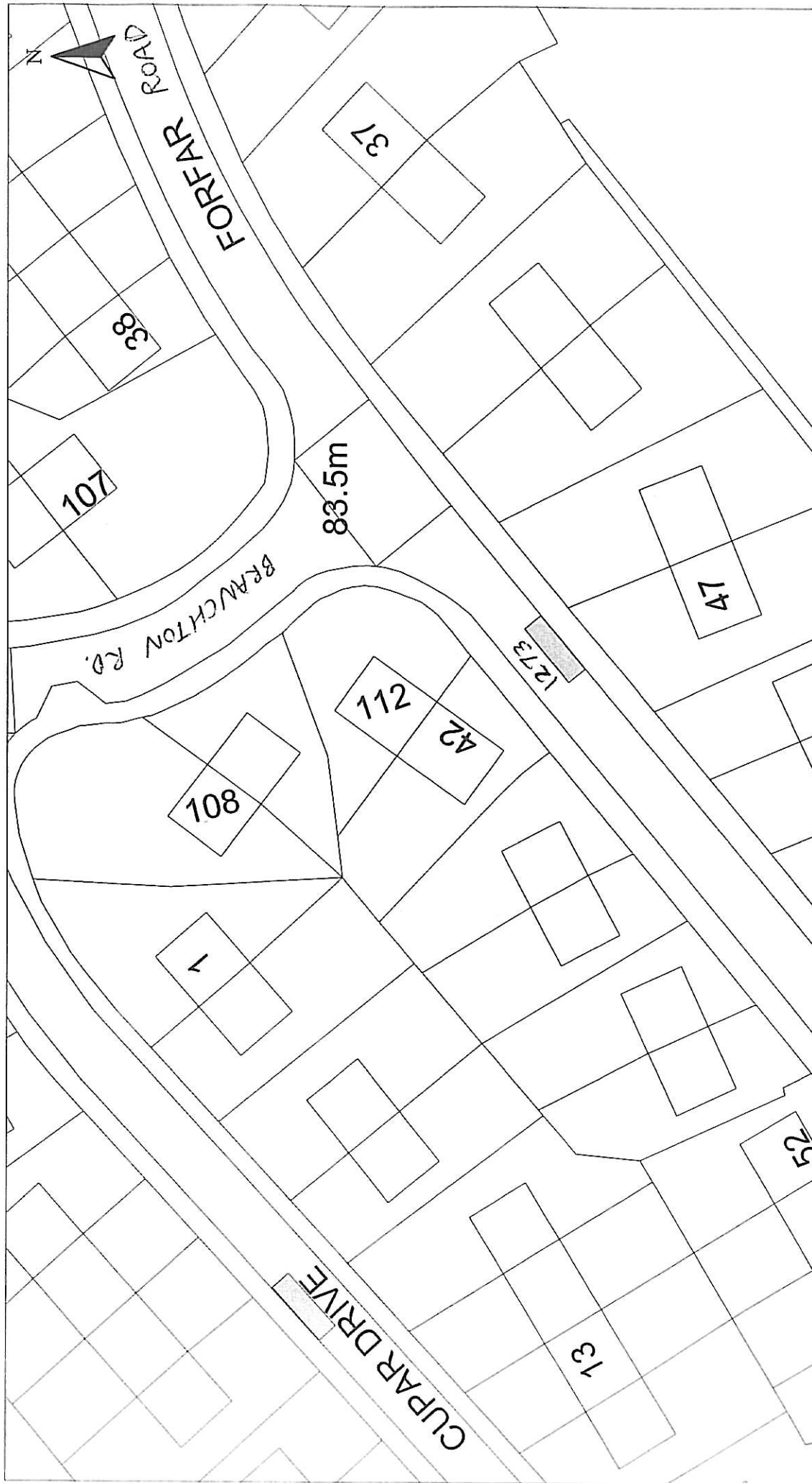
Drawing No. :

Date : JAN 2013

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File No. : 19/12

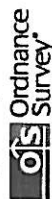


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Disabled Bays

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**DISABLED PERSONS' PARKING PLACE**  
47 FORFAR ROAD, GREENOCK  
PLACE No. 1273

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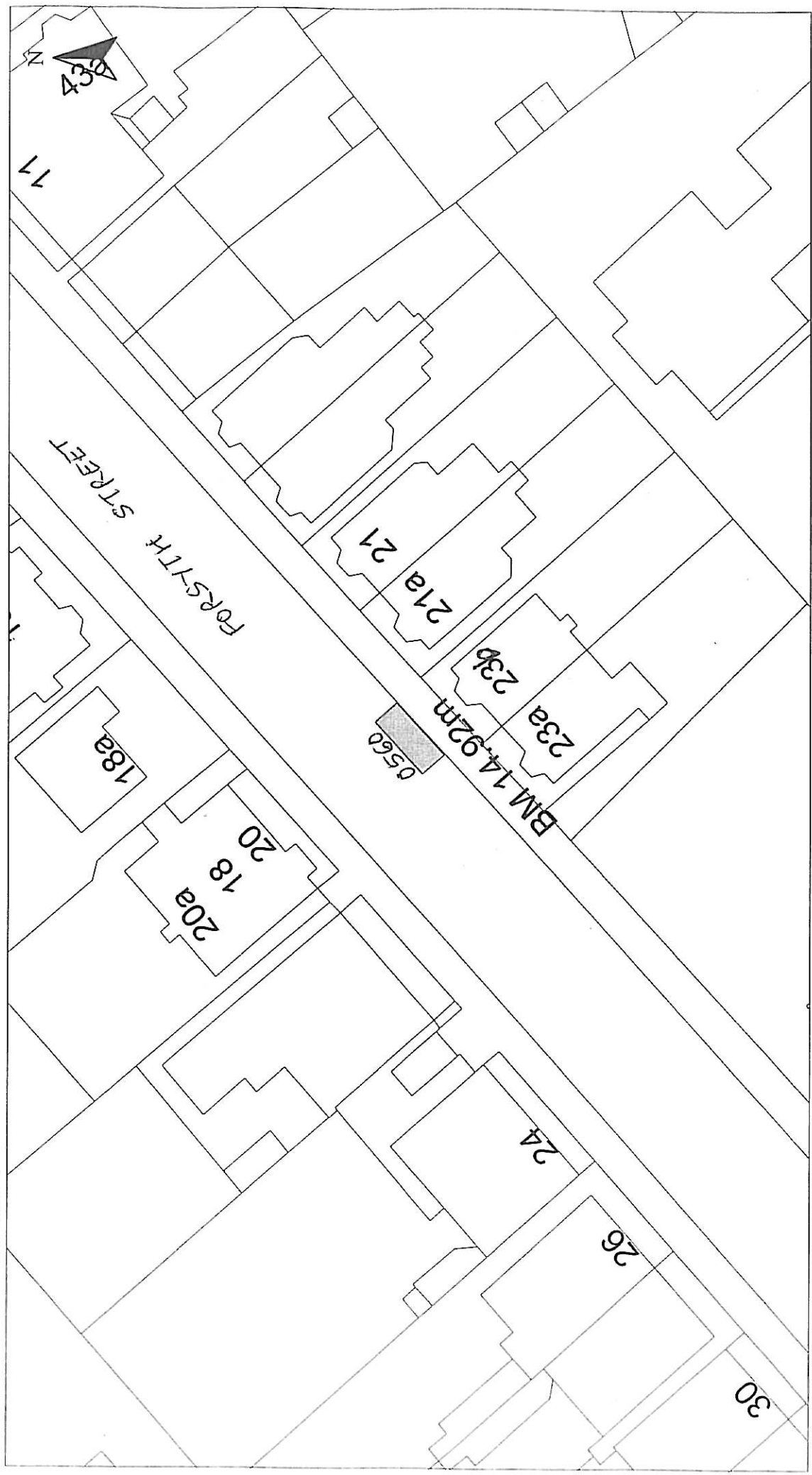
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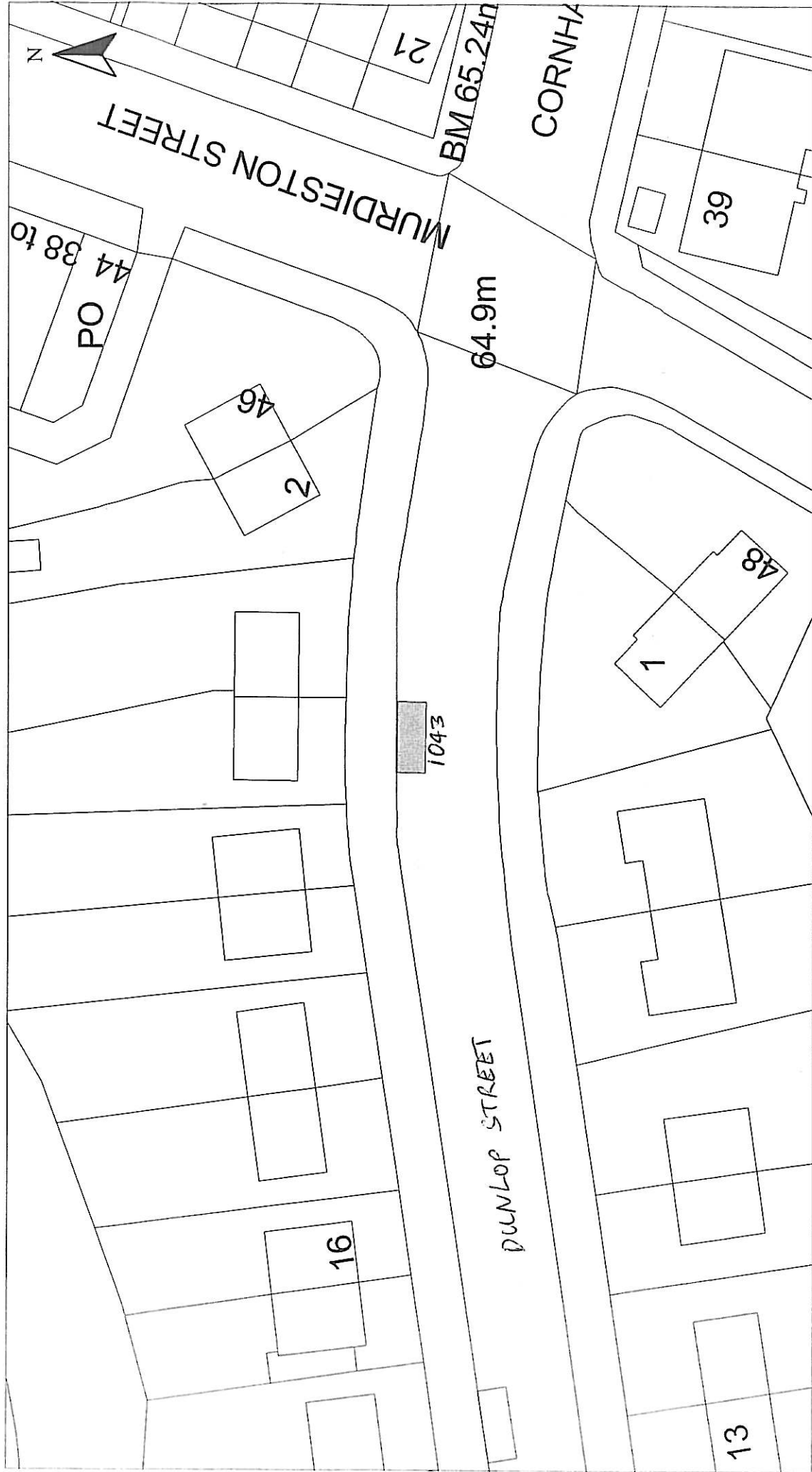
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Disabled Bays		Prepared by : R. MACKAY		Checked by :	
71 EAST HAMILTON STREET GREENOCK, PA15 2UA		Drawn by : R. MACKAY		Approved by :	
Disabled PERSONS' PARKING PLACE 23B FORSYTH STREET, GREENOCK PLACE No. 0560 REVOCATION		Drawing No. :		File No. : 19/12	

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Disabled Bays

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GREENOCK, PA15 2UA

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**DISABLED PERSONS' PARKING PLACE**  
2 DUNLOP STREET, GREENOCK  
PLACE No. 1043 REVOCATION

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

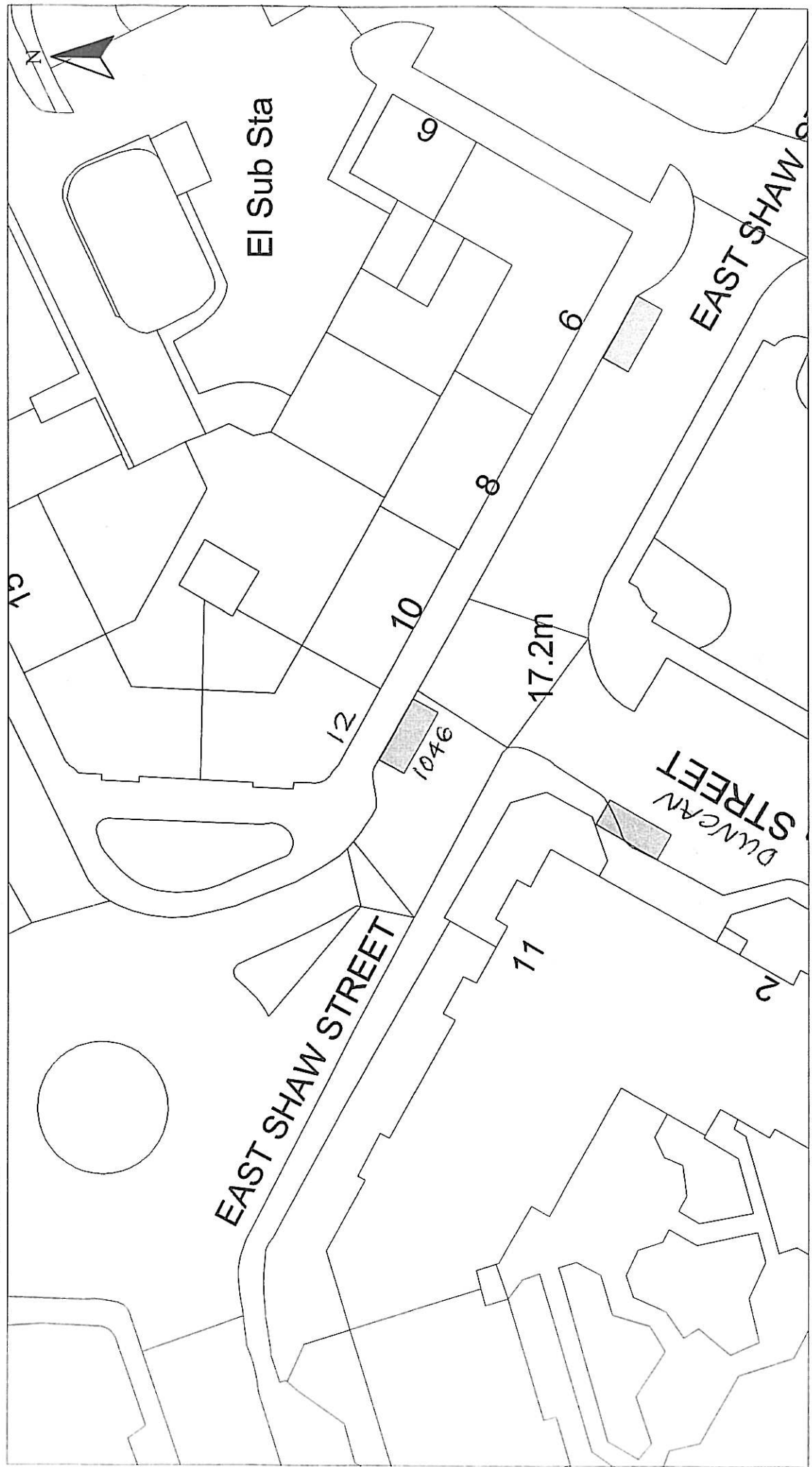
Drawing No. :

Date : FEB 2013

Checked by :

Approved by :

File No. : 19/12



HEAD OF SERVICE  
IAN MOFFAT

Disabled Bays  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

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**DISABLED PERSONS' PARKING PLACE**  
12 EAST SHAW STREET, GREENOCK  
PLACE No. 1046 REVOCATION

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

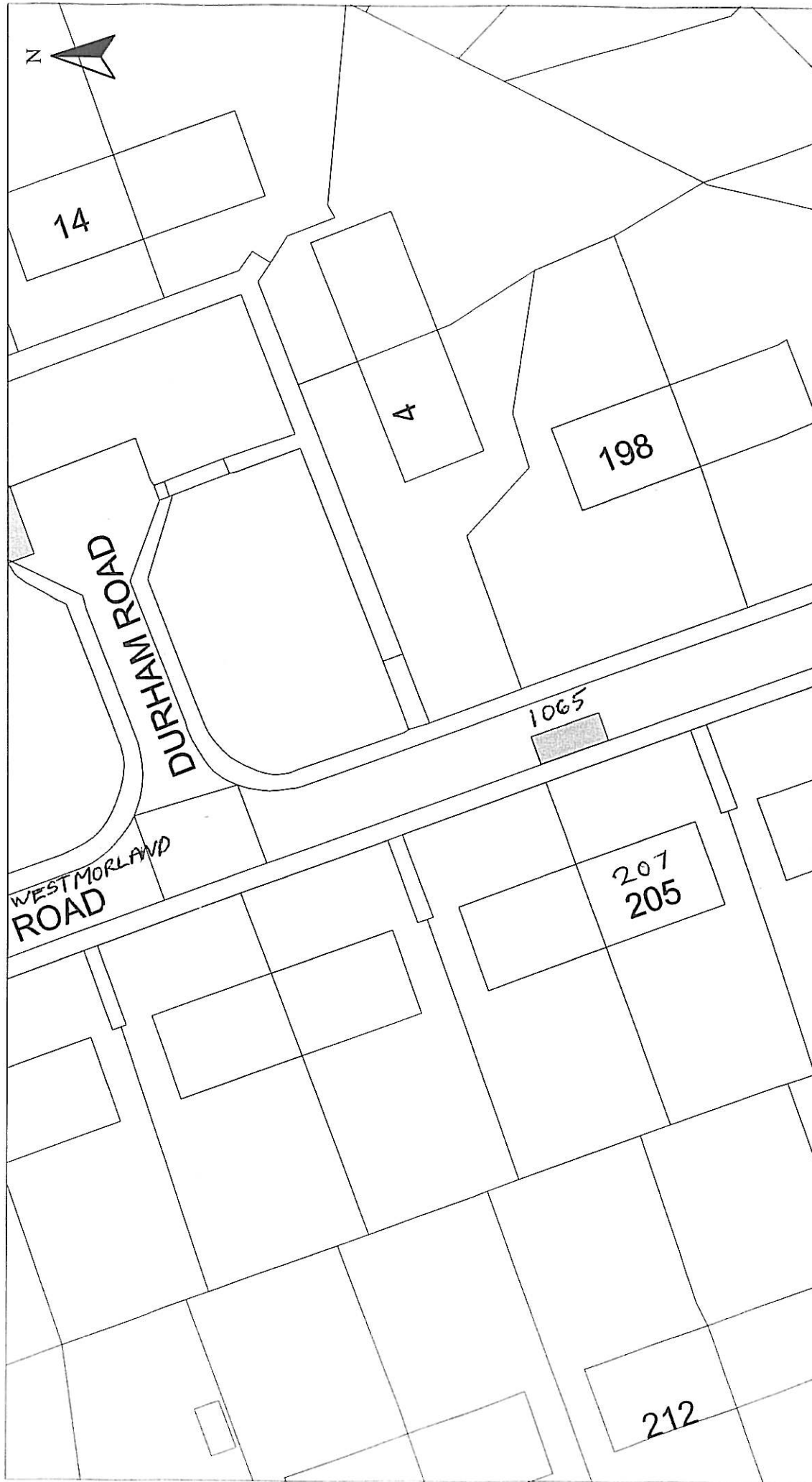
Drawing No. : 19/12

Date : JAN 2013

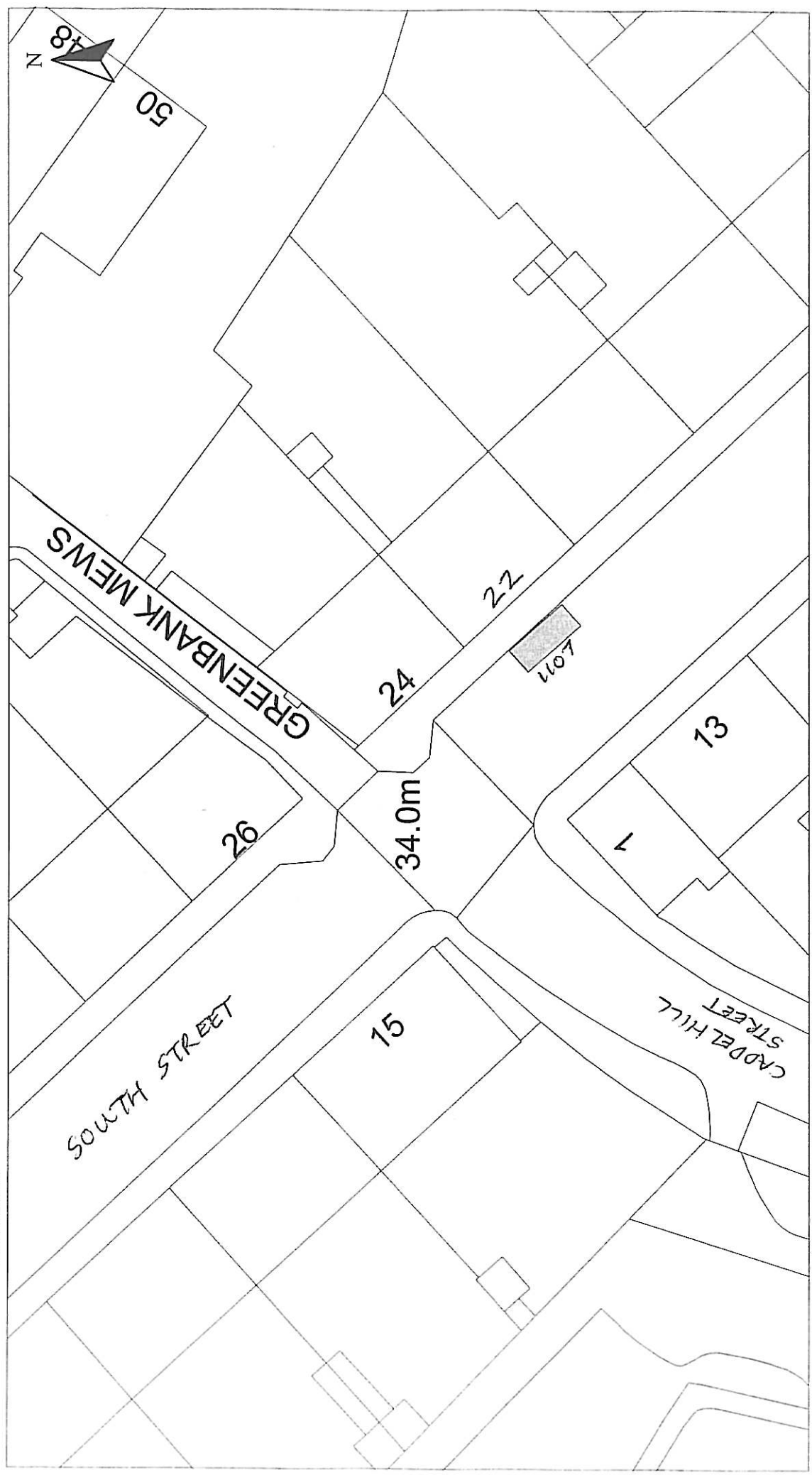
Checked by :

Approved by :

File No. : 19/12

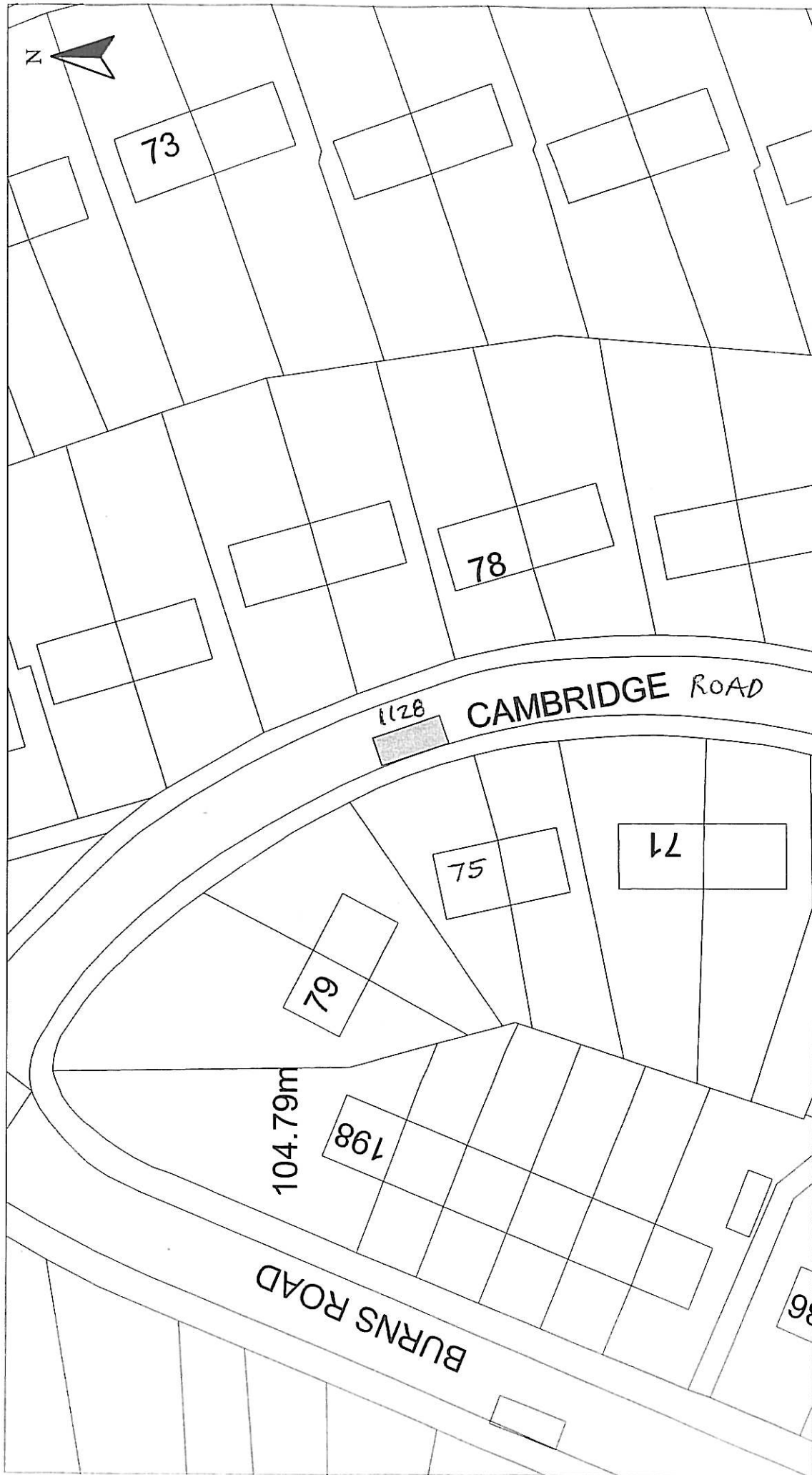


<p>HEAD OF SERVICE IAN MOFFAT</p>		<p>Scale : 1:500</p>		<p>Date : JAN 2013</p>	
<p>71 EAST HAMILTON STREET GREENOCK, PA15 2JA</p>		<p>Prepared by : R. MACKAY</p>		<p>Checked by :</p>	
<p>Disabled Bays</p>		<p>Drawn by : R. MACKAY</p>		<p>Approved by :</p>	
<p>DISABLED PERSONS' PARKING PLACE 207 WESTMORLAND ROAD, GREENOCK PLACE No. 1065 REVOCATION</p>		<p>Drawing No. : 19/12</p>		<p>File No. :</p>	
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	71 EAST HAMILTON STREET GREENOCK, PA15 2UA		Disabled PERSONS' PARKING PLACE 22 SOUTH STREET, GREENOCK PLACE No. 1107 REVOCATION	Prepared by : R. MACKAY Drawn by : R. MACKAY Drawing No. :



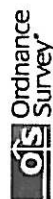


HEAD OF SERVICE  
IAN MOFFAT

71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

Disabled Bays

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**DISABLED PERSONS' PARKING PLACE**  
75 CAMBRIDGE ROAD, GREENOCK  
PLACE No. 1128 REVOCATION

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

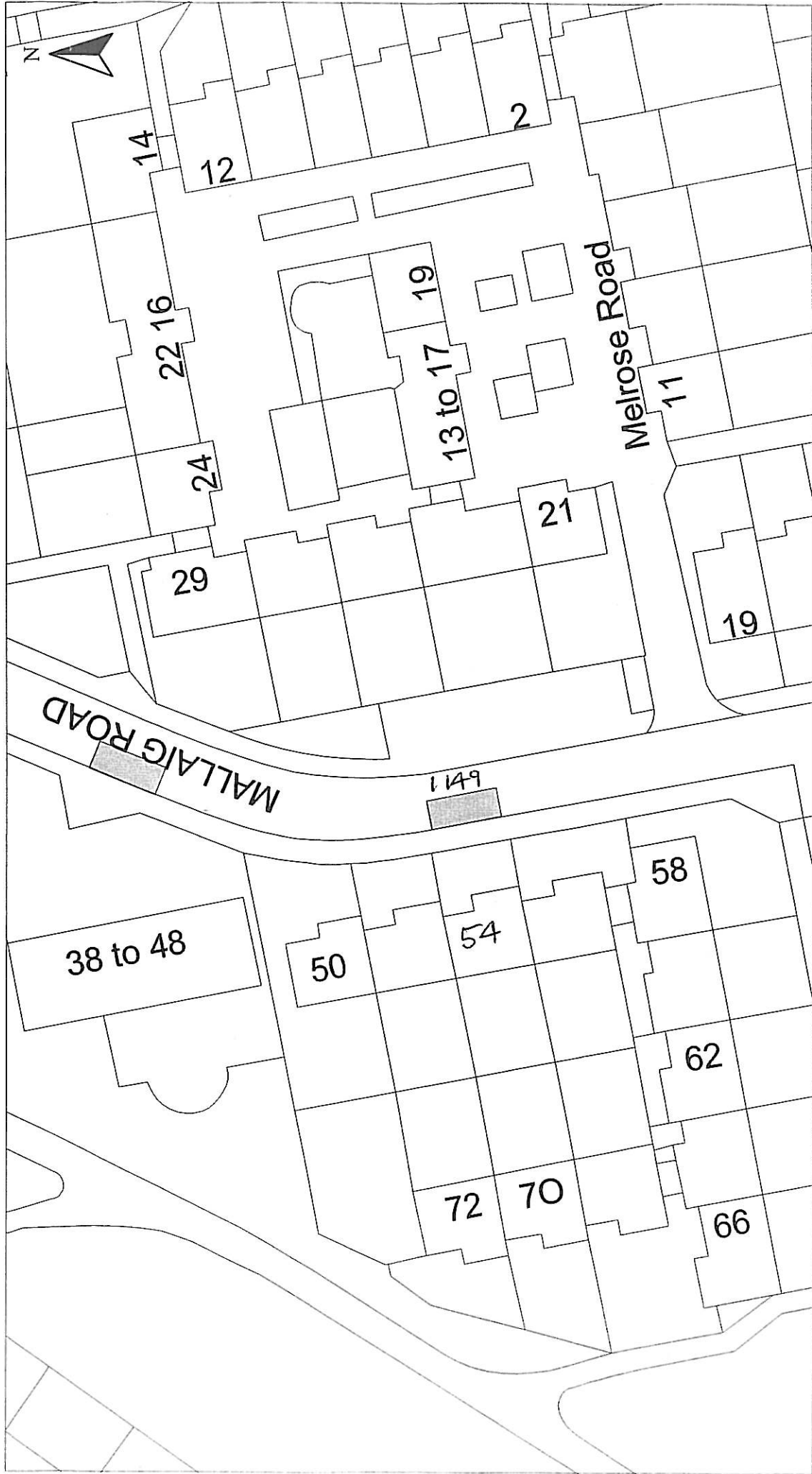
Drawing No. :

Date : JAN 2013

Checked by :

Approved by :

File No. : 19/12



HEAD OF SERVICE  
IAN MOFFAT

71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

Disabled Bays

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**DISABLED PERSONS' PARKING PLACE**  
54 MALLAIG ROAD, GREENOCK  
PLACE No. 1149 REVOCATION

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

Drawing No. :

Date : JAN 2013

Checked by :

Approved by :

File No. : 19/12

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**Report To:** ENVIRONMENT AND REGENERATION COMMITTEE Date: 5 SEPT 2013

**Report By:** CORPORATE DIRECTOR,  
ENVIRONMENT, REGENERATION &  
RESOURCES Report No: LA/1055/13

**Contact Officer:** JOANNA DALGLEISH Contact No: 01475 712123

**Subject:** PROPOSED TRAFFIC REGULATION ORDER – DISABLED PERSONS’ PARKING PLACES (ON STREET) ORDER NO. 3 2013

---

## 1.0 PURPOSE

1.1 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 Environmental & Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

## 2.0 BACKGROUND

2.1 In order to comply with the Disabled Persons’ Parking Places (Scotland) Act 2009, Section 5, it is proposed to introduce a Traffic Regulation Order to accompany the provision of parking bays for the disabled. This will restrict parking to drivers displaying a Blue Badge only, and will enable the Police to enforce such restrictions.

2.2 The proposals have been advertised in the Greenock Telegraph and full details of the proposals have been made available for public inspection during normal office hours at the offices of the Head of Environmental & Commercial Services, the Head of Legal & Democratic Services and at Central, Port Glasgow, Gourock and South West Libraries. A copy of the draft Order is appended hereto for Members’ information.

Appendix

2.3 No objections to the proposals have been received and, accordingly, the Committee is requested to approve the Order.

2.4 The Committee is asked to note that, if approved, 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.

## 3.0 RECOMMENDATION

3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – Disabled Persons’ Parking Places (On Street) Order No 3. 2013 and remit it to the Head of Environmental & Commercial Services and Head of Legal & Democratic Services to arrange for its implementation.

**Legal & Democratic Services**

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES**  
**(ON STREET) ORDER NO. 3 2013**  
**TRAFFIC REGULATION ORDER**

DRAFT

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES (ON STREET)**  
**ORDER NO. 3 2013**

The Inverclyde Council in exercise of the powers conferred on them by Sections 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 Strathclyde Police 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. 3 2013 and shall come into operation on #####"

2. In this Order the following expressions have the meanings hereby assigned to them:

"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;

"parking place" means a place where a vehicle, or vehicles of any class, may wait i.e. the area of land specified in the Schedule for which the use as a parking place has been authorised by the Council under Section 32(1) of the Act;

"sign" means a traffic sign;

"disabled person's badge" means:-

(a) a badge issued under Section 21 of the Chronically Sick and Disabled Persons Act 1970;

(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 has not ceased to be in force.

"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge;

"Council" means The Inverclyde Council;

3. Each area of road which is described in the Schedule and plans relative to this Order is hereby designated as a parking place.

4. The parking places designated in this Order shall only be used for the leaving of disabled persons' vehicles displaying a valid disabled person's badge.

5. The limits of each parking place designated in this Order shall be indicated on the carriageway as prescribed by The Traffic Signs Regulations and General Directions 2002 as amended.
6. Every vehicle left in any parking place designated in this Order 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;
  - i. 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
  - ii. the vehicle, or any part thereof, is not within the limits of any adjoining parking place.
7. 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.
8. 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:
  - i. for the purpose of facilitating the movement of traffic or promoting its safety;
  - ii. 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;
  - iii. 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;
  - iv. on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - v. for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions.
9. 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.

10. This Order insofar as it relates to the parking places to be revoked (R) and amended, as specified in the Schedule to this Order, partially revokes and amends the On-Street Parking Places (Without Charges) Order No. 2 1997, No. 1 2005, No. 1 2008 and the Disabled Persons' Parking Places (On Street) Order No. 1 2010, No. 2 2011 and No. 3 2011 respectively.

Sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ##

DRAFT

**INVERCLYDE COUNCIL**

**DISABLED PERSONS' PARKING PLACES (ON STREET)  
ORDER NO. 3 2013**

**Statement of Reasons for Proposing to Make  
the Above Order**

It is considered necessary to make the above Order to provide assistance for disabled persons who hold a badge under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended and by revoking those parking places no longer required to maximise street parking capacity.

DRAFT



INVERCLYDE COUNCIL

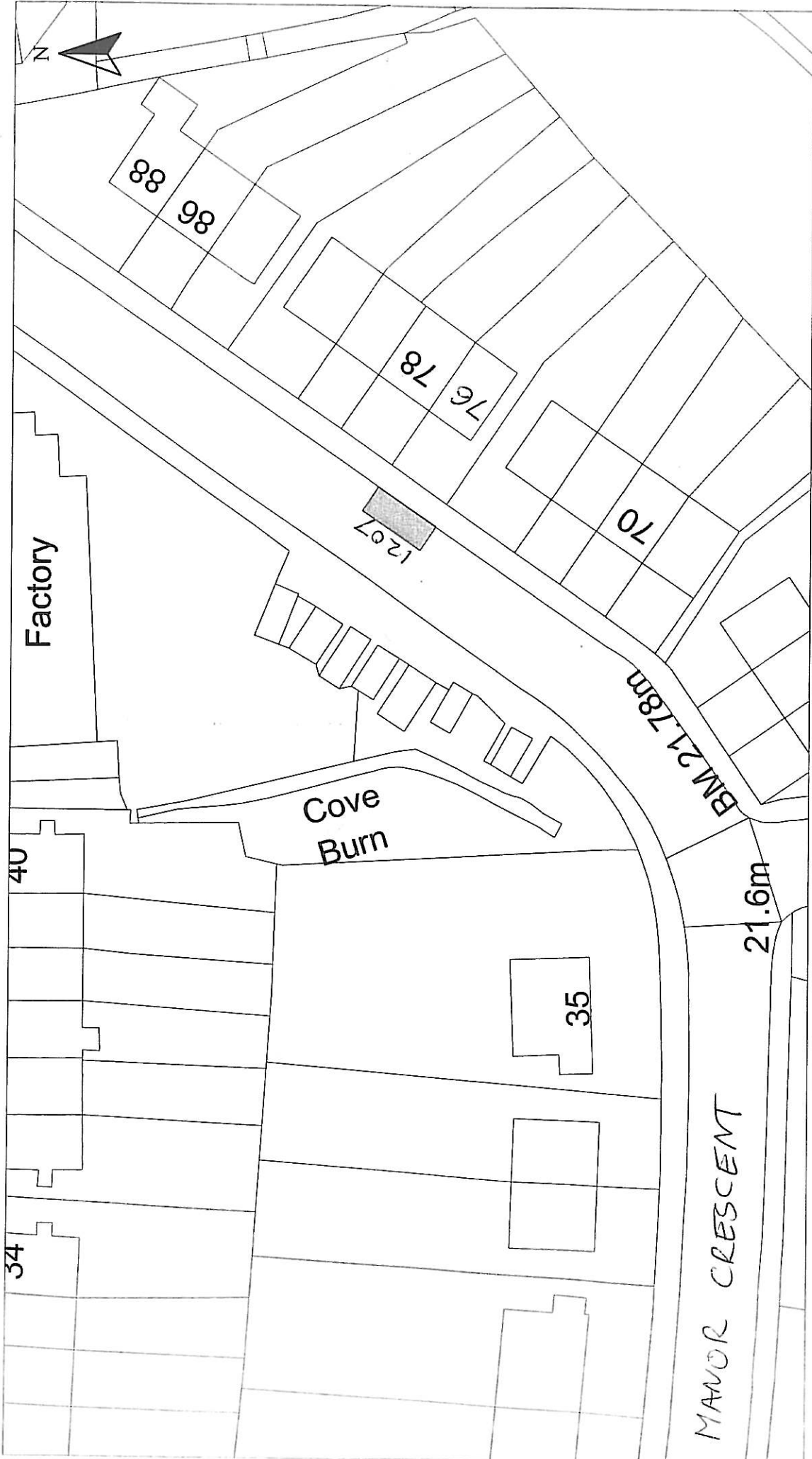
DISABLED PERSONS' PARKING PLACES (ON-STREET)  
ORDER No.3 2013

SCHEDULE

Rev B

All and whole that area of ground as described in Column 2 in the table below:

<u>Ref No.</u>	<u>Address of Disabled Person's Parking Place to be created or revoked @ "ex-adverso"</u>
1207	76 Manor Crescent, Gourrock
1303	28 Newton Street, Greenock
1307	15 Highholm Street, Port Glasgow
1310	30 Newark Street, Greenock
1313	1 Sir Michael Place, Greenock
1314	46A Newton Street, Greenock
0455a	6 Regent Street, Greenock
9741	Cathcart Square, Greenock ®
9741a	Cathcart Square, Greenock ®
0395	Willison's Lane, Port Glasgow ®
0396	Willison's Lane, Port Glasgow ®
0451	34 Brisbane Street, Greenock ®
0762	5 Fergus Road, Greenock ®
1074	69 Islay Avenue, Port Glasgow ®
1082	20 Dunlop Street, Greenock ®



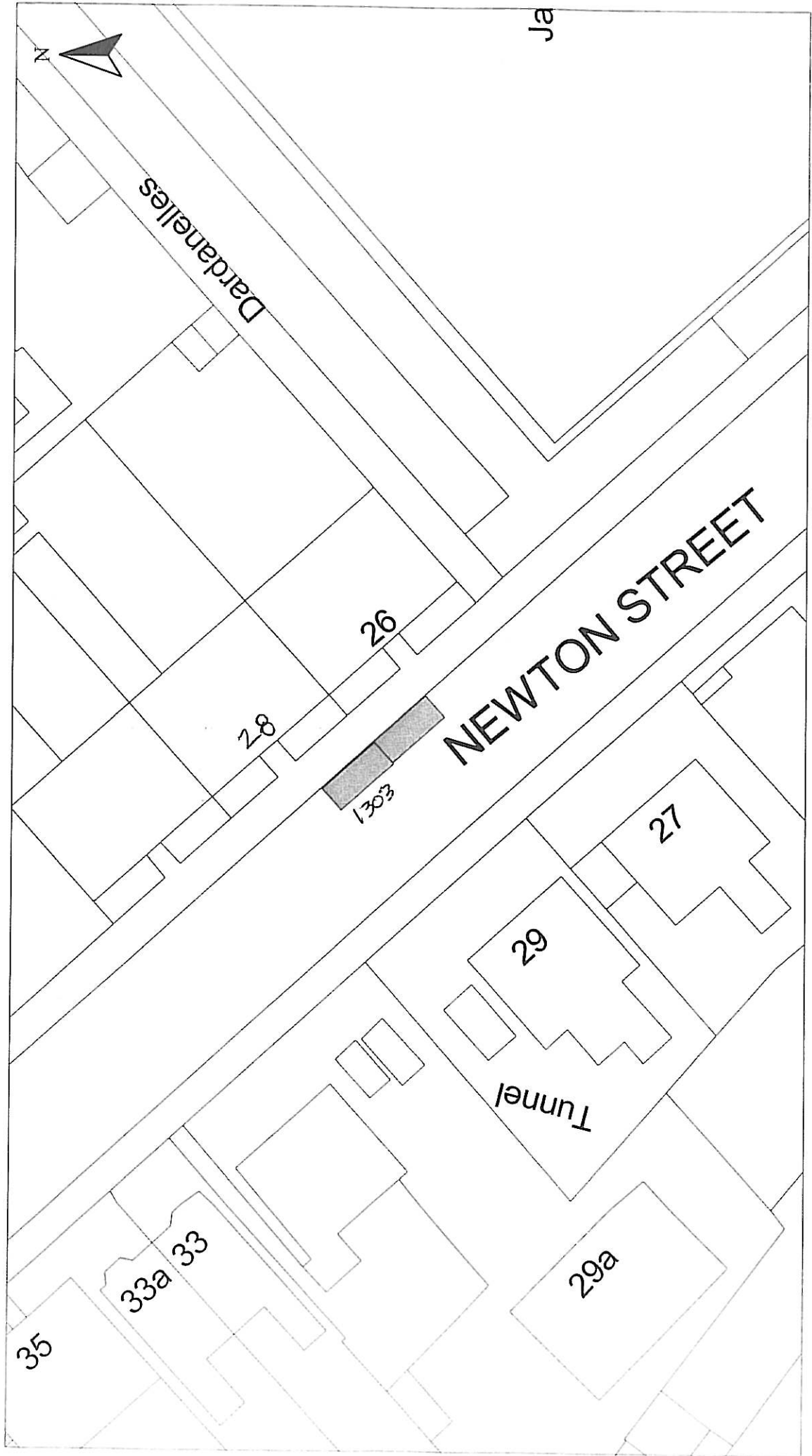
HEAD OF SERVICE  
IAN MOFFAT

Disabled Bays  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

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**DISABLED PERSONS' PARKING PLACE**  
76 MANOR CRESCENT, GOUROCK  
PLACE No. 1207

Scale : 1:500  
Prepared by : R. MACKAY  
Drawn by : R. MACKAY  
Date : APRIL 2013  
Checked by :  
Approved by :  
File No. : 19/12



HEAD OF SERVICE  
IAN MOFFAT

71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

Disabled Bays

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**DISABLED PERSONS' PARKING PLACE**  
28 NEWTON STREET, GREENOCK  
PLACE No. 1303

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

Drawing No. : 19/12

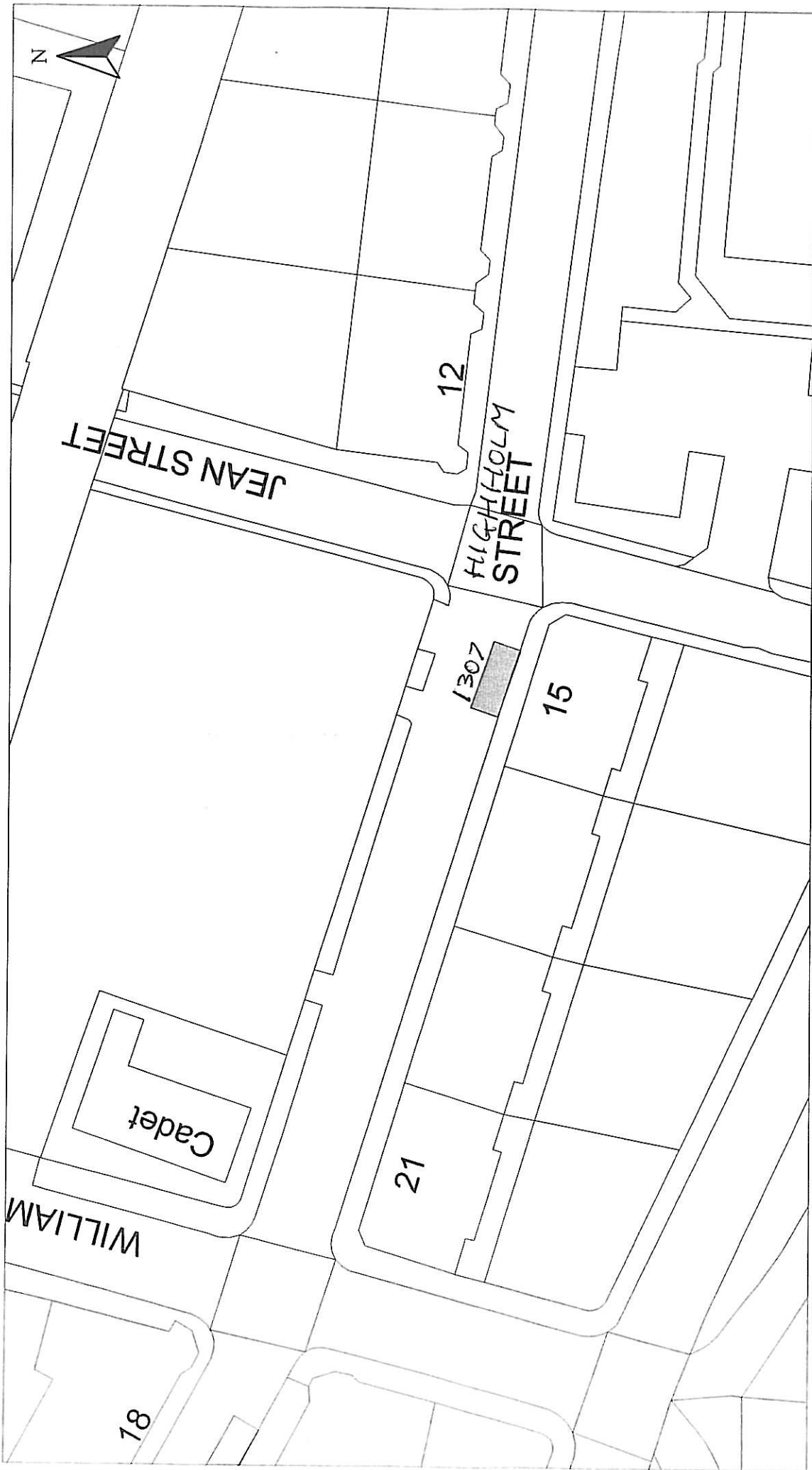
Date : APRIL 2013

Checked by :

Approved by :

File No. :

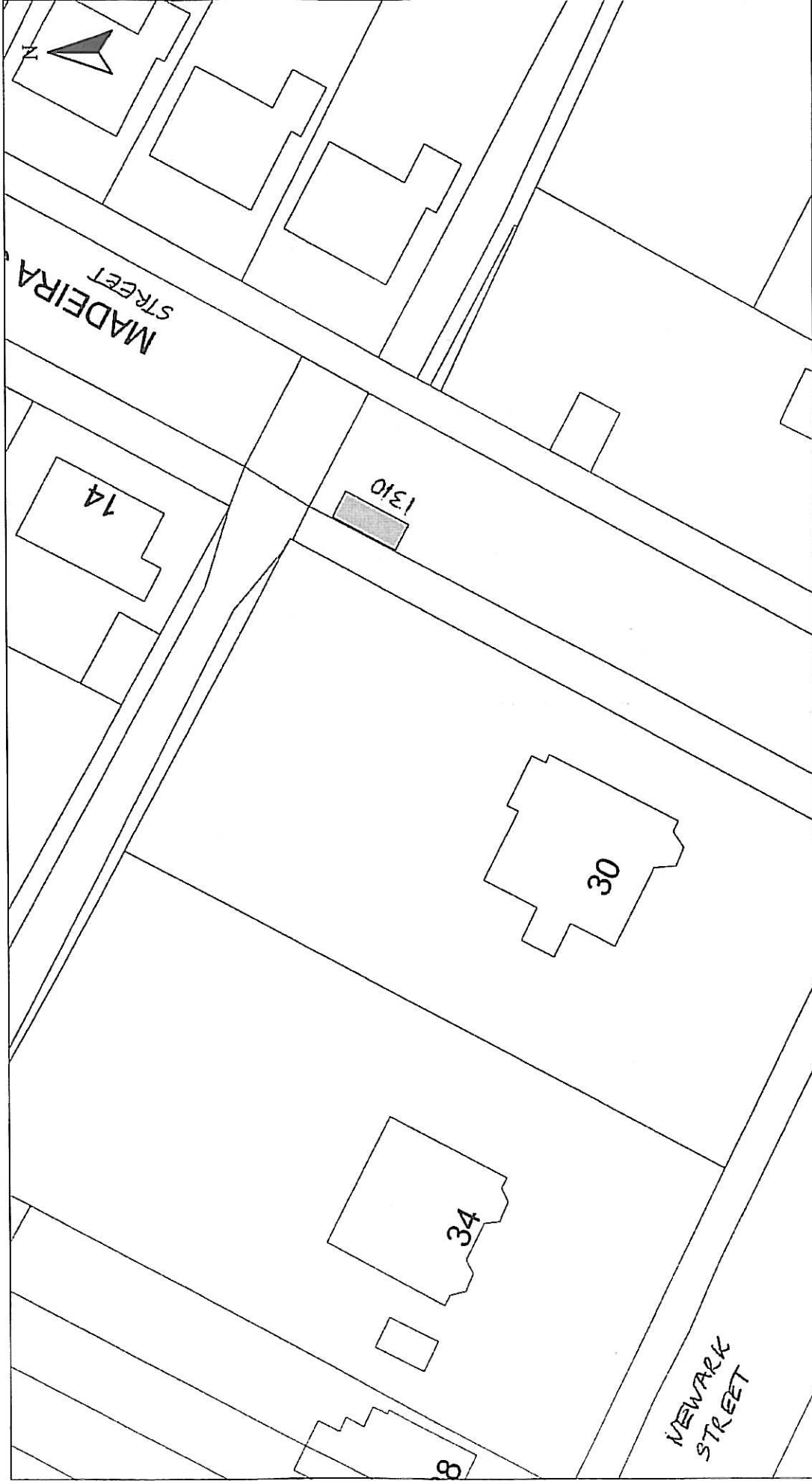
# Inverclyde council ENVIRONMENTAL & COMMERCIAL SERVICES



HEAD OF SERVICE IAN MOFFAT	Scale : 1:500	Date : APRIL 2013
Disabled Bays	Prepared by : R. MACKAY	Checked by :
71 EAST HAMILTON STREET GREENOCK, PA15 2UA	Drawn by : R. MACKAY	Approved by :
Disabled PERSONS' PARKING PLACE 15 HIGH HOLM STREET, PORT GLASGOW PLACE No. 1307	Drawing No. :	File No. : 19/12

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**DISABLED PERSONS' PARKING PLACE**  
30 NEWARK STREET, GREENOCK  
PLACE No. 1310

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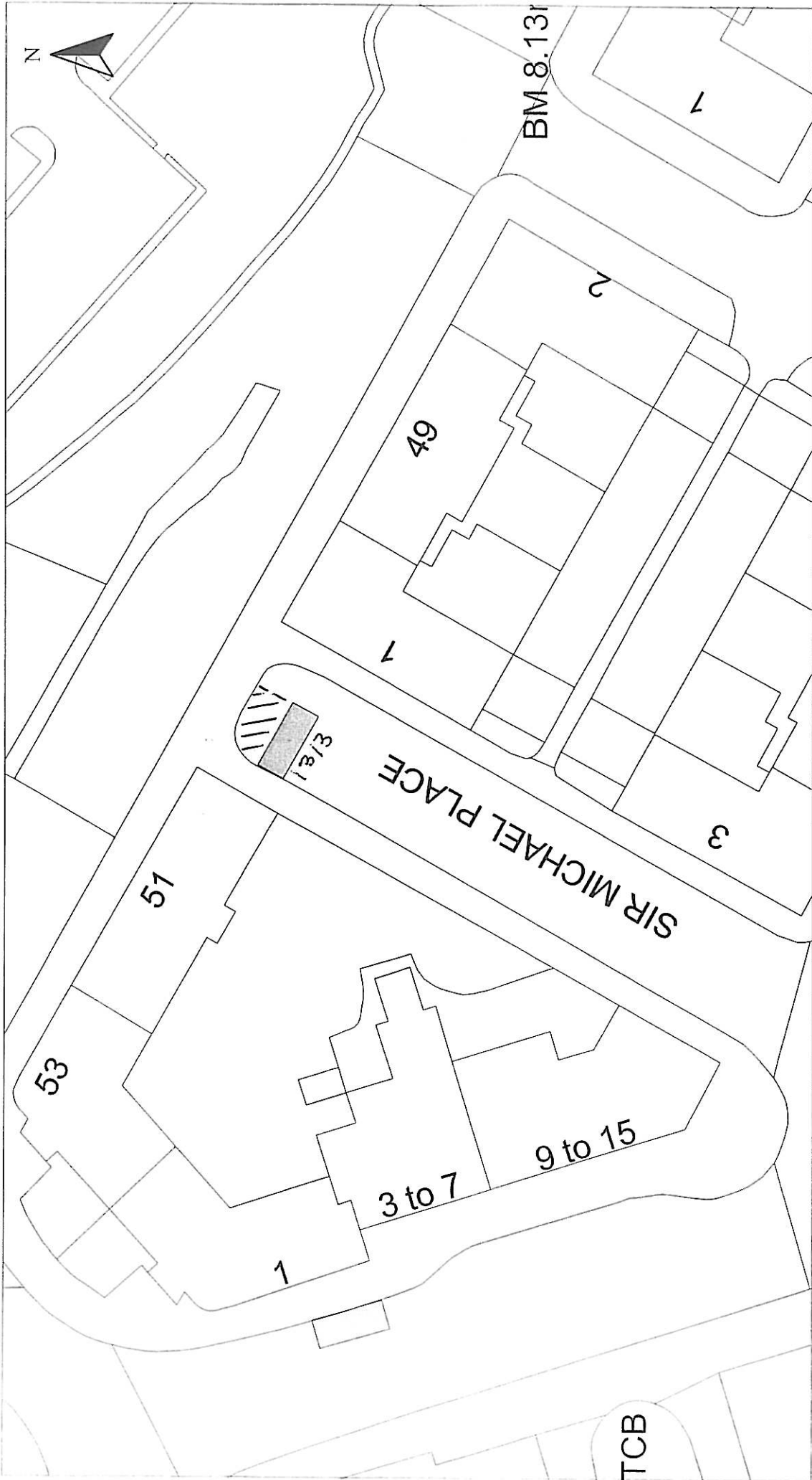
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**HEAD OF SERVICE**  
IAN MOFFAT

71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

Disabled Bays

Scale : 1:500  
Prepared by : R. MACKAY  
Drawn by : R. MACKAY  
Date : JULY 2013  
Checked by :  
Approved by :  
File No. : 19/12



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IAN MOFFAT

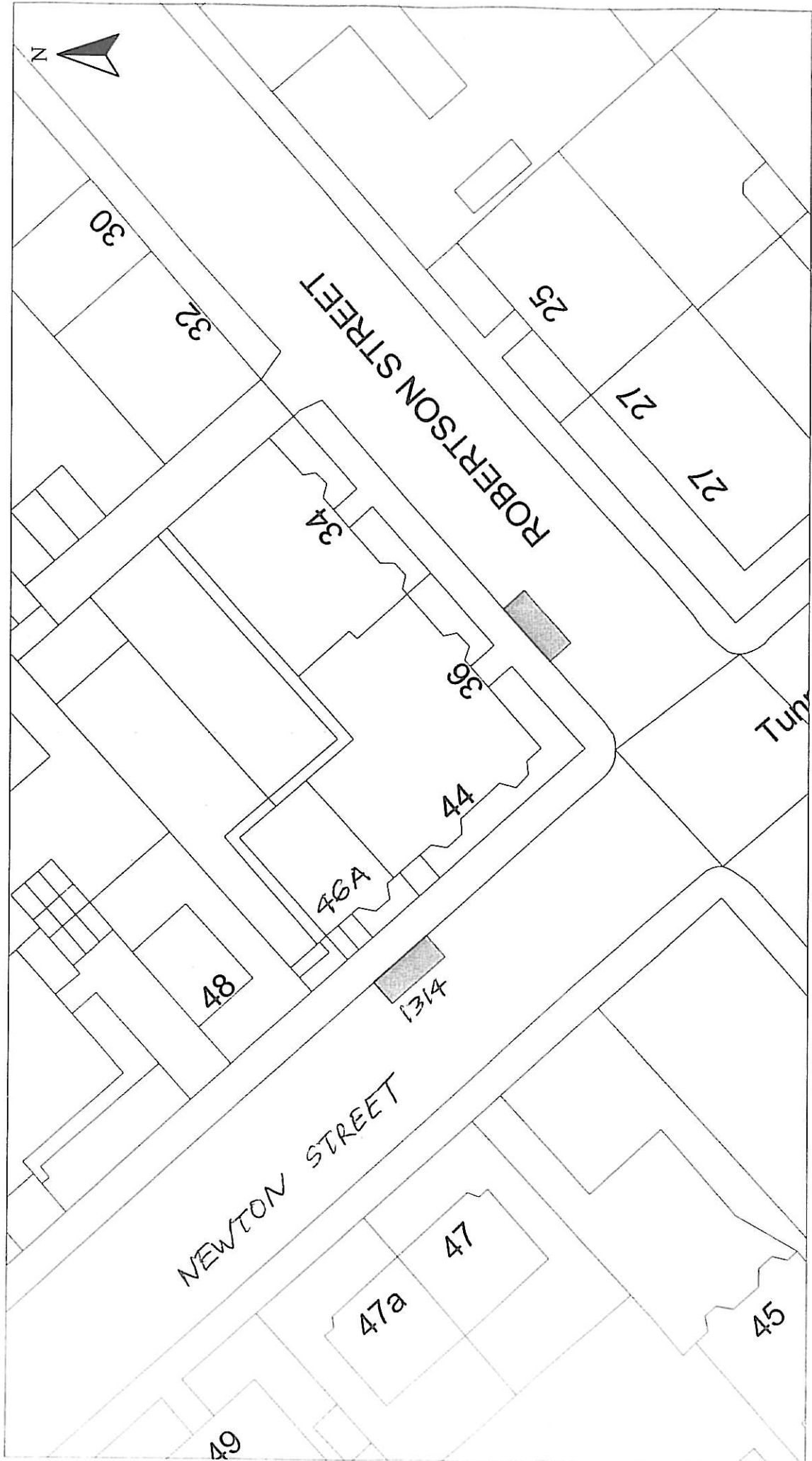
71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

**DISABLED PERSONS' PARKING PLACE**  
1 SIR MICHAEL PLACE, GREENOCK  
PLACE No. 1313

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Prepared by : R. MACKAY  
Drawn by : R. MACKAY  
Date : MAY 2013  
Checked by :  
Approved by :  
File No. : 19/12



HEAD OF SERVICE  
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Disabled Bays  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2JA

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**DISABLED PERSONS' PARKING PLACES**  
46A NEWTON STREET, GREENOCK  
PLACE No. 1314

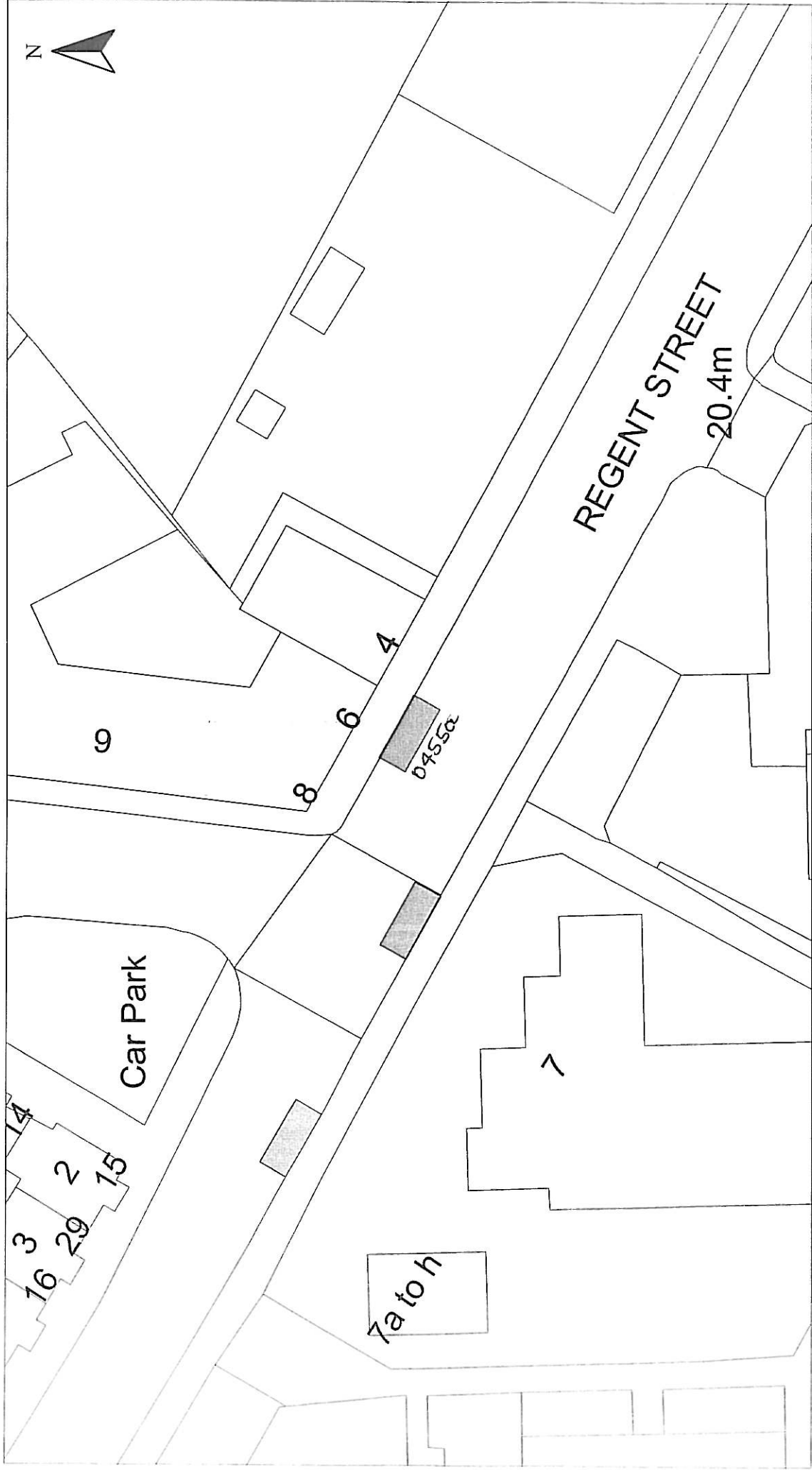
Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

Checked by :  
Approved by :  
Drawing No. : 19/12

Date : APRIL 2013



HEAD OF SERVICE  
IAN MOFFAT

71 EAST HAMILTON STREET  
GREENOCK, PA15 2JA

Disabled Bays

DISABLED PERSONS' PARKING PLACE

6 REGENT STREET, GREENOCK

PLACE No. 0455a

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

Approved by :

Date : APRIL 2013

Checked by :

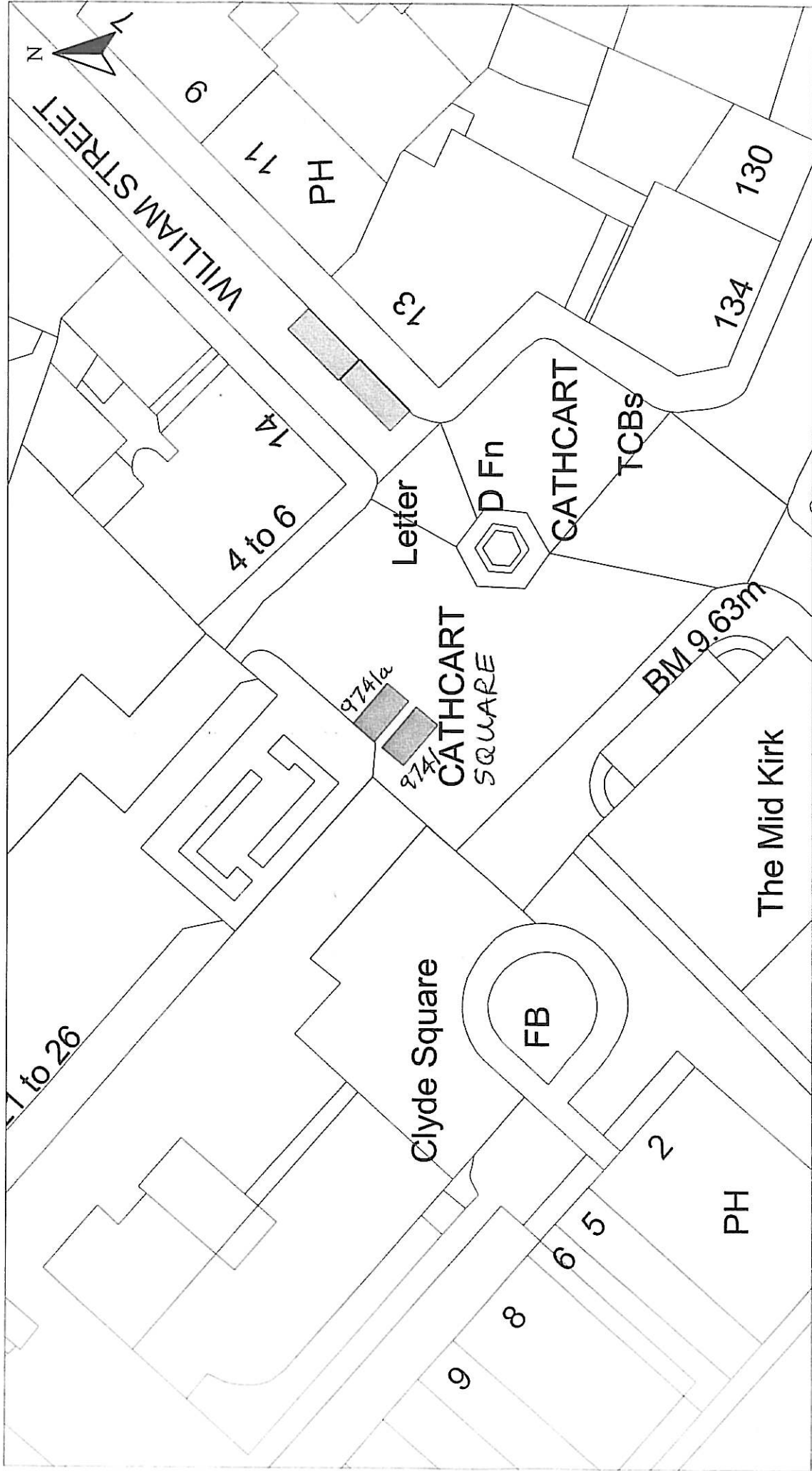
Approved by :


File No. : 19/12

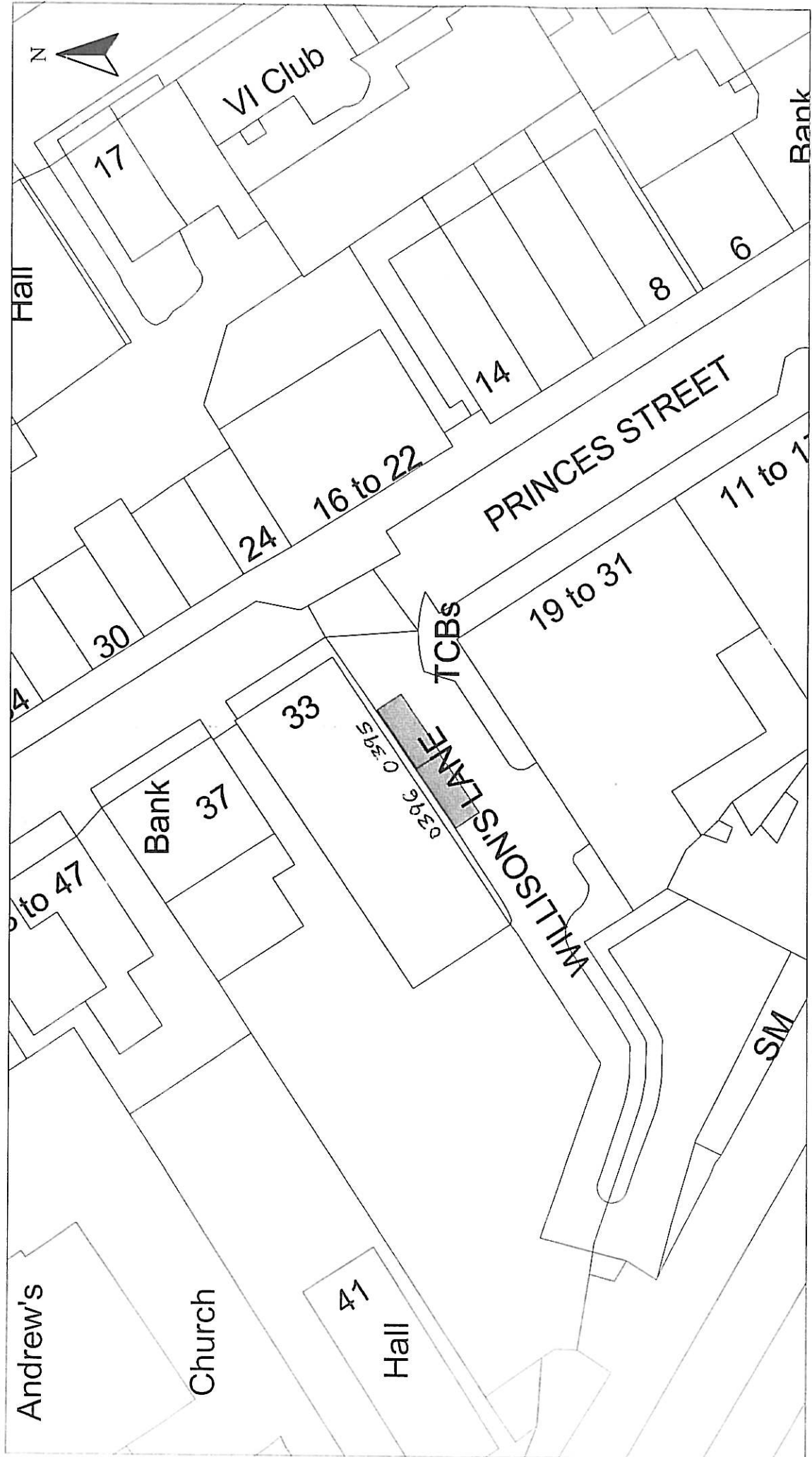
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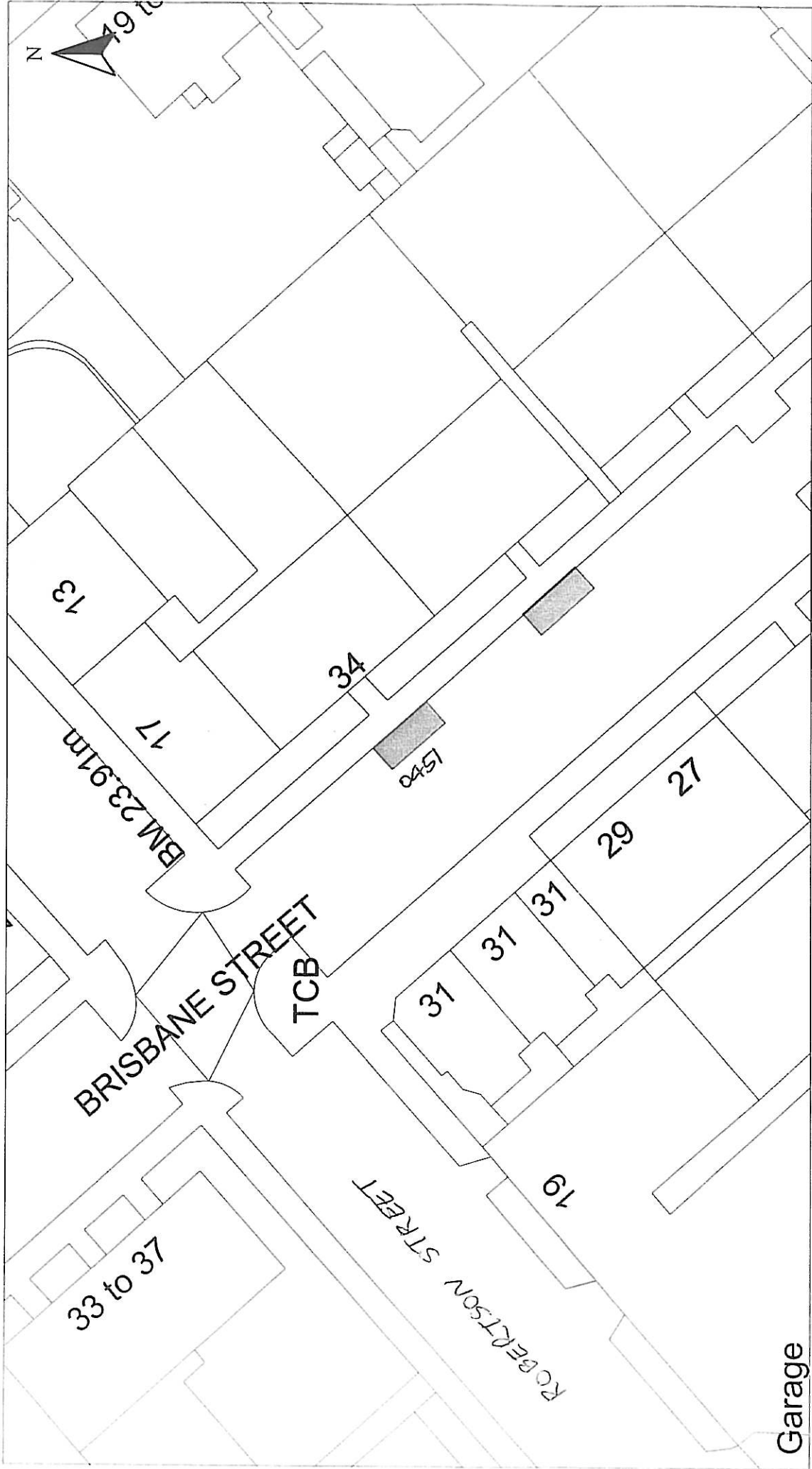


<p>HEAD OF SERVICE IAN MOFFAT</p>	<p>Scale : 1:500</p>	<p>Date : APRIL 2013</p>
<p>71 EAST HAMILTON STREET GREENOCK, PA15 2UA</p>	<p>Prepared by : R. MACKAY Drawn by : R. MACKAY Drawing No. : 19/12</p>	<p>Checked by : Approved by :</p>
<p>DISABLED PERSONS' PARKING PLACE CATHCART SQUARE, GREENOCK PLACES No. 9741 &amp; 9741a REVOCATION</p>		
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HEAD OF SERVICE IAN MOFFAT  71 EAST HAMILTON STREET GREENOCK, PA15 2UA	Scale : 1:500	Date : APRIL 2013
	Prepared by : R. MACKAY	Checked by :
Disabled Bays	Drawn by : R. MACKAY	Approved by :
Disabled PERSONS' PARKING PLACE WILLISON'S LANE, PORT GLASGOW PLACES No. 0395 & 0396 REVOCATION	Drawing No. :	File No. : 19/12

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Disabled Bays  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

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**DISABLED PERSONS' PARKING PLACE**  
34 BRISBANE STREET, GREENOCK  
PLACE No. 0451 REVOCATION

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

Drawing No. :

Date : APRIL 2013

Checked by :

Approved by :

File No. : 19/12



**DISABLED PERSONS' PARKING PLACE**  
**5 FERGUS ROAD, GREENOCK**  
**PLACE No. 0762 REVOCATION**

Scale : 1:500  
 Date : APRIL 2013  
 Prepared by : R. MACKAY  
 Checked by :  
 Drawn by : R. MACKAY  
 Approved by :  
 Drawing No. : 19/12

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HEAD OF SERVICE  
 IAN MOFFAT

71 EAST HAMILTON STREET  
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Disabled Bays



HEAD OF SERVICE  
IAN MOFFAT

Disabled Bays  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2JA

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**DISABLED PERSONS' PARKING PLACE**  
69 ISLAY AVENUE, GREENOCK  
PLACE No. 1074 REVOCATION

Scale : 1:500

Prepared by : R. MACKAY

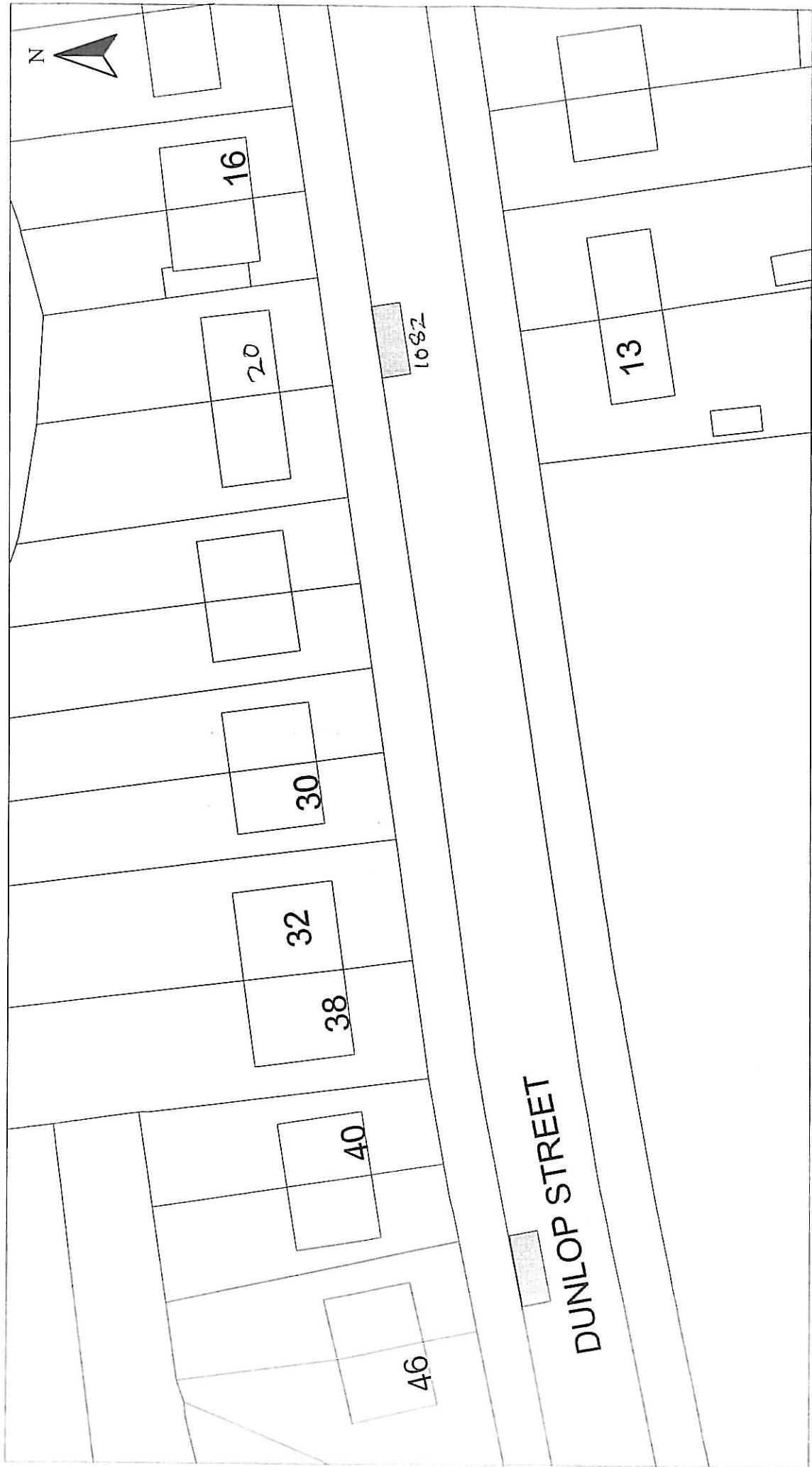
Drawn by : R. MACKAY

Checked by :  
Approved by :  
Drawing No. : 19/12

Date : APRIL 2013

# Inverclyde council

## ENVIRONMENTAL & COMMERCIAL SERVICES



HEAD OF SERVICE IAN MOFFAT	DISABLED PERSONS' PARKING PLACE		Scale : 1:500	Date : APRIL 2013
	20 DUNLOP STREET, GREENOCK		Prepared by : R. MACKAY	Checked by :
Disabled Bays	PLACE No. 1082 REVOCATION		Drawn by : R. MACKAY	Approved by :
	71 EAST HAMILTON STREET GREENOCK, PA15 2UA		Drawing No. :	File No. : 19/12

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**Report To:** ENVIRONMENT & REGENERATION COMMITTEE      **Date:** 5 SEPT 2013

**Report By:** CORPORATE DIRECTOR,  
ENVIRONMENT, REGENERATION & RESOURCES      **Report No:** LA/1057/13

**Contact Officer:** JOANNA DALGLEISH      **Contact No:** 01475712123

**Subject:** PROPOSED TRAFFIC REGULATION ORDER – CARDWELL ROAD, GOUROCK WAITING RESTRICTIONS (AMENDMENT NO. 1) ORDER 2013

---

## 1.0 PURPOSE

1.1 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 Environmental & Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

## 2.0 BACKGROUND

2.1 Traffic signals are to be installed on Cardwell Road, Gourock at the junction with Cove Road and Manor Crescent. It is proposed to introduce waiting restrictions around the junction to prevent vehicles parking adjacent to the stop lines and to facilitate the free flow of traffic along Cardwell Road.

2.2 The existing Traffic Regulation Order in force in Cardwell Road is "The Inverclyde Council, Cardwell Road, Gourock (Waiting Restrictions) Order 2011".

2.3 The proposed Traffic Regulation Order will introduce "No Waiting At Any Time" restrictions on both sides of Cardwell Road, the north side of Cove Road and the northwest side of Manor Crescent.

2.4 The proposals have been advertised in the Greenock Telegraph and full details of the proposals have been made available for public inspection during normal office hours at the offices of the Head of Environmental & Commercial Services, the Head of Legal & Democratic Services, Central Library and Gourock Library. A copy of the draft Order is appended hereto for Members' information.

Appendix

2.5 One objection to the proposals was received but this has now been withdrawn. Accordingly, the Committee is requested to approve the Order.

2.6 The Committee is asked to note that, if approved, 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.

## 3.0 RECOMMENDATION

3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – Cardwell Road, Gourock Waiting Restrictions (Amendment No.1) Order 2013 and remit it to the Head of Environmental & Commercial Services and Head of Legal & Democratic Services to arrange for its implementation.

**Legal & Democratic Services**

**THE INVERCLYDE COUNCIL**

**CARDWELL ROAD, GOUROCK**  
**WAITING RESTRICTIONS (AMENDMENT NO. 1)**  
**ORDER 2013**

**TRAFFIC REGULATION ORDER**



**THE INVERCLYDE COUNCIL  
CARDWELL ROAD, GOUROCK  
WAITING RESTRICTIONS (AMENDMENT NO. 1) ORDER 2013**

The Inverclyde Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3) and Part IV of Section 9 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Strathclyde Police 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 Cardwell Road, Gourock Waiting Restrictions (Amendment No. 1) Order 2013" and shall come into operation on \*\*\*\*\*
2. In this Order the following expressions have the meanings hereby assigned to them:

"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;

"taxi" has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended;

"disabled person's vehicle" means a vehicle which is displaying a disabled person's badge in the relevant position as prescribed by the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;

"Council" means The Inverclyde Council;
3. Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait at any time in any of the lengths of road specified in the Schedule and plan annexed to this Order.
4. Nothing in Article 3 of this Order shall:
  - (a) Prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in that Article:-
    - (i) for so long as may be necessary to enable a person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage;
    - (ii) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of the road so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of the road, of any sewer or of any main, pipe or apparatus for the

supply of gas, water or electricity, or of any telecommunications apparatus as defined in the Telecommunications Act 1984;

- (iii) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;
  - (iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
  - (v) if the vehicle is in the service of or employed by the Post Office and is waiting in any of the lengths of the road while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto;
  - (vi) for the purpose of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (vii) to enable the vehicle to be used in connection with funeral operations.
- (b) Apply to a licensed taxi waiting in a taxi stance during any period for which that stance has been designated by the Council under the Civic Government (Scotland) Act 1982.
5. Nothing in Article 3 of this Order shall prevent any person from causing or permitting a vehicle to wait in the lengths of roads referred to in those Articles for so long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjoining that road provided that:-
- (a) no vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall wait for a longer period than thirty minutes in the same place and no such vehicle shall wait for a longer period than ten minutes in the same place without goods being loaded or unloaded from the vehicle;
  - (b) a driver waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.
6. Nothing in Article 3 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays a disabled person's badge.

Sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by

DRAFT

**THE INVERCLYDE COUNCIL**

**CARDWELL ROAD, GOUROCK  
WAITING RESTRICTIONS (AMENDMENT NO.1) ORDER 2013**

**Statement of Reasons for Proposing to Make  
the Above Order**

It is considered necessary to make the above Order to avoid danger to persons and other traffic using the road.

DRAFT

## SCHEDULE

### CARDWELL ROAD, GOUROCK WAITING RESTRICTIONS (Amendment No.1)

Order to be amended;

The Inverclyde Council Cardwell Road, Gourock  
(Waiting Restrictions) Order 2011

## SCHEDULE 2

### NO WAITING AT ANY TIME

Length of Road in Inverclyde  
within the Town of Gourock

Side of Road to which  
Restriction Applies

Insert additional paragraphs below;

#### Cardwell Road

From a point 12 metres west of the west kerbline of Cove Road westwards for a distance of 32 metres or thereby.

North

From the extended west kerbline of Manor Crescent westwards for a distance of 22 metres or thereby.

South

From the termination of the exit taper of the bus bay southwestwards then generally southwards to the northwest kerbline of the entrance to the parking area, a distance of 28 metres or thereby.

Southeast

#### Cove Road

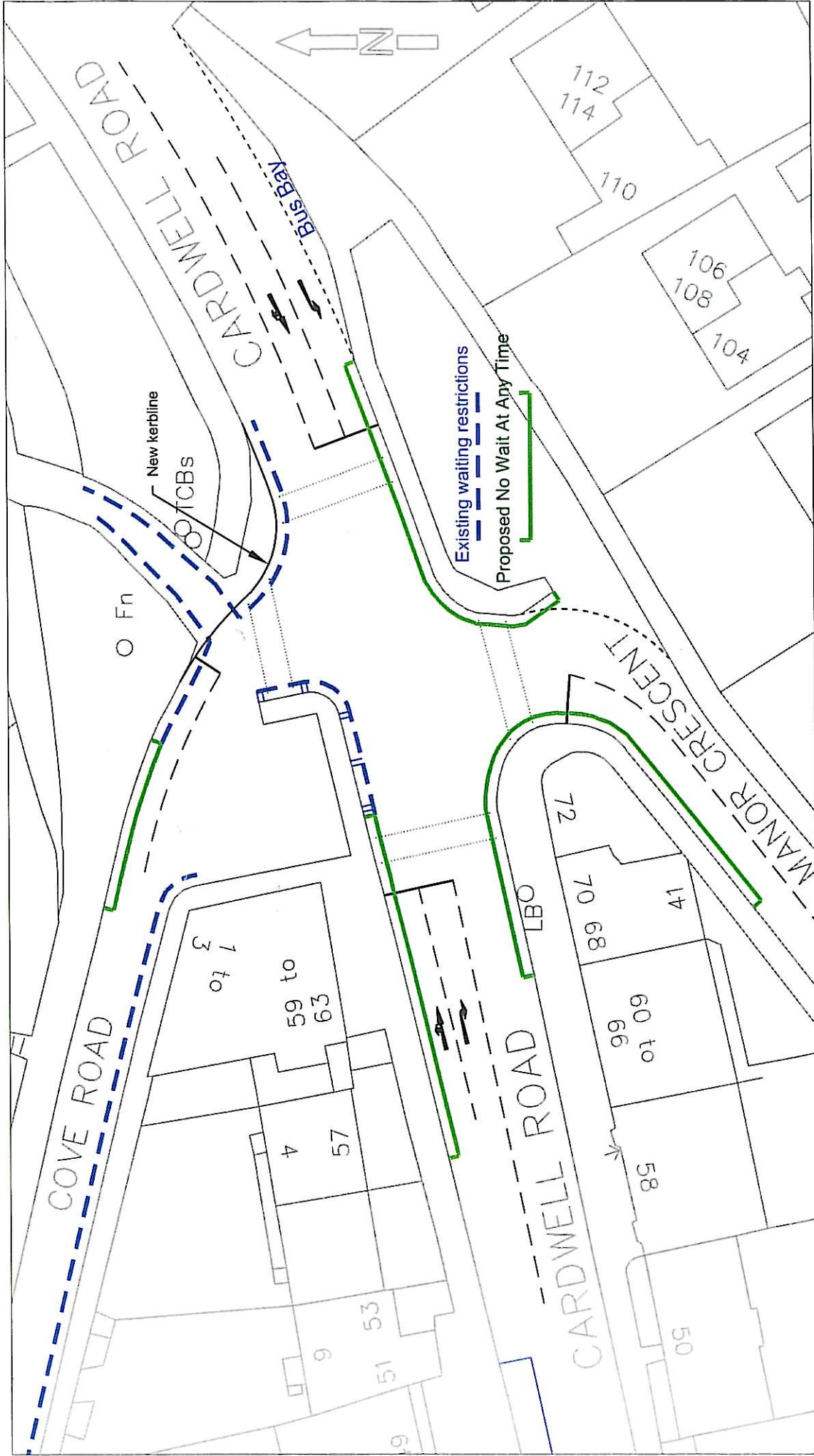
From a point 9.5 metres northwest of the northwest kerbline of the cobbled access to the slipway northwestwards for a distance of 16 metres or thereby.

Northeast

#### Manor Crescent

From the extended south building line of Cardwell Road southwards then southwestwards for a distance of 26 metres or thereby.

Northwest



<p><b>Transportation</b> Sector</p> <p>Original Drawing Size 297 x 210 (A4)</p>	<p>HEAD OF SERVICE Ian Moffat</p> <p>71 EAST HAMILTON STREET GREENOCK, PA15 2UA</p>	<p><b>Ordinance</b> Survey</p> <p><small>This map is reproduced from Ordnance Survey materials with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil liability. LICENCE No. (100032431) (2007)</small></p>	<p>TRAFFIC REGULATION ORDER C124 CARDWELL ROAD, GOUROCK WAITING RESTRICTIONS</p>	<p>Scale : 1:500</p> <p>Prepared by : R.Mackay</p> <p>Drawn by : R.Mackay</p> <p>Drawing No. : TR/TRO/125</p>	<p>Date : MAR 2013</p> <p>Checked by :</p> <p>Approved by :</p> <p>File No. : 19/38</p>
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**Report To:** ENVIRONMENT & REGENERATION COMMITTEE      **Date:** 5 SEPT 2013

**Report By:** CORPORATE DIRECTOR, ENVIRONMENT, REGENERATION & RESOURCES      **Report No:** LA/1056/13

**Contact Officer:** JOANNA DALGLEISH      **Contact No:** 01475712123

**Subject:** PROPOSED TRAFFIC REGULATION ORDER – MANOR CRESCENT, GOUROCK (WAITING RESTRICTIONS) ORDER 2013

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## 1.0 PURPOSE

1.1 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 Environmental & Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

## 2.0 BACKGROUND

2.1 It is proposed to introduce waiting restrictions on Manor Crescent, Gourock between Cardwell Road and Caledonia Crescent. This section of Manor Crescent crosses the main rail line to Gourock by means of a bridge structure 33/1. Due to inappropriately parked cars vehicles proceeding northeastwards are diverted across the centreline of the road into the opposing traffic flow. The road narrows going over the structure and combined with the bend approaching Caledonia Crescent creates forward visibility difficulties for vehicles travelling southwestwards.

2.2 There are no existing Traffic Regulation Orders in force in Manor Crescent, Gourock.

2.3 The proposed TRO will introduce "No Waiting At Any Time" restrictions on both sides of Manor Crescent extending northeastwards from Caledonia Crescent over the bridge.

2.4 The proposals have been advertised in the Greenock Telegraph and full details of the proposals have been made available for public inspection during normal office hours at the offices of the Head of Environmental & Commercial Services, the Head of Legal & Democratic Services, Central Library and Gourock Library. A copy of the draft Order is appended hereto for Members' information.

Appendix

2.5 No objections to the proposals have been received and, accordingly, the Committee is requested to approve the Order.

2.6 The Committee is asked to note that, if approved, 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.

## 3.0 RECOMMENDATION

3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – Manor Crescent, Gourock (Waiting Restrictions) Order 2013 and remit it to the Head of Environmental & Commercial Services and Head of Legal & Democratic Services to arrange for its implementation. **Legal & Democratic Services**

**THE INVERCLYDE COUNCIL**  
**MANOR CRESCENT, GOUROCK**  
**(WAITING RESTRICTIONS)**  
**ORDER 2013**

**TRAFFIC REGULATION ORDER**



**THE INVERCLYDE COUNCIL  
MANOR CRESCENT, GOUROCK  
(WAITING RESTRICTIONS) ORDER 2013**

The Inverclyde Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3) and Part IV of Section 9 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Strathclyde Police 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 Manor Crescent, Gourock (Waiting Restrictions) Order 2013 and shall come into operation on \*\*\*\*\*"
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    - (i) for so long as may be necessary to enable a person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage;
    - (ii) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of the road so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of the road, of any sewer or of any main, pipe or apparatus for the

supply of gas, water or electricity, or of any telecommunications apparatus as defined in the Telecommunications Act 1984;

- (iii) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;
  - (iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
  - (v) if the vehicle is in the service of or employed by the Post Office and is waiting in any of the lengths of the road while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto;
  - (vi) for the purpose of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (vii) to enable the vehicle to be used in connection with funeral operations.
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- (a) no vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall wait for a longer period than thirty minutes in the same place and no such vehicle shall wait for a longer period than ten minutes in the same place without goods being loaded or unloaded from the vehicle;
  - (b) a driver waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.
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**THE INVERCLYDE COUNCIL**

**MANOR CRESCENT, GOUROCK  
(WAITING RESTRICTIONS) ORDER 2013**

**Statement of Reasons for Proposing to Make  
the Above Order**

It is considered necessary to make the above Order to avoid danger to persons and other traffic using the road.

DRAFT

**SCHEDULE**

**MANOR CRESCENT, GOUROCK**

**WAITING RESTRICTIONS**

**NO WAITING AT ANY TIME**

Length of Road in Inverclyde  
within the Town of Gourock

Side of Road to which  
Restriction applies

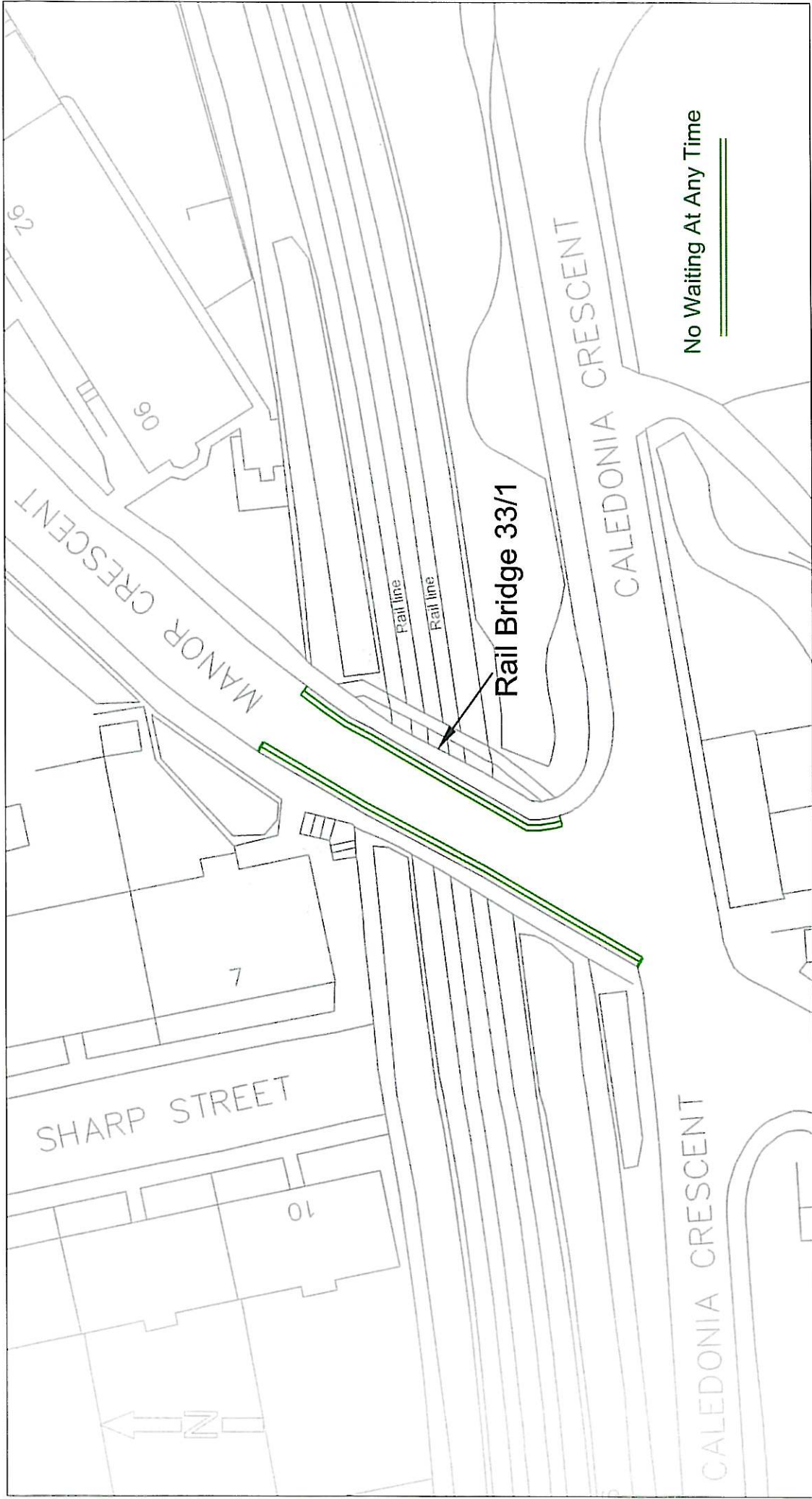
Manor Crescent

From the north kerbline of Caledonia Crescent  
northeastwards for a distance of 40 metres or thereby.

Northwest

From a point 6 metres northeast of the extended  
north kerbline of Caledonia Crescent northeastwards  
for a distance of 26 metres or thereby.

Southeast



No Waiting At Any Time

*Transportation Section*  
29/7/2010 (AA)

HEAD OF SERVICE  
Ian Moffat  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

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**TRAFFIC REGULATION ORDER C123**  
**MANOR CRESCENT, GOUROCK**  
**WAITING RESTRICTIONS**

Scale	: 1:500	Date	: FEB 2013
Prepared by	: R.Mackay	Checked by	:
Drawn by	: R.Mackay	Approved by	:
Drawing No.	: TR/TRO/124	File No.	: 19/88

**Report To:** Environment and Regeneration Committee      **Date:** 05/09/2013

**Report By:** Corporate Director Environment, Regeneration & Resources      **Report No:** R298/13/AF/IM/GB

**Contact Officer:** Graeme Blackie      **Contact No:** 4828

**Subject:** Use of Powers Delegated to the Chief Executive Trial Purchase of Roadstone

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## 1.0 PURPOSE

- 1.1 To advise committee of the use of powers delegated to the Chief Executive to request permission to authorise action in terms of Standing Order 2.3.2 of the Council's Standing Orders Relating to Contracts to allow a trial of a quotation for the supply of Roadstone materials.

## 2.0 SUMMARY

- 2.1 Roadstone is currently purchased using a collaborative framework which was put in place in April 2012. Whilst the current framework is operating successfully, concerns have been raised that the Council may not always be achieving best value in terms of the price of supply of roadstone products for resurfacing schemes.
- 2.2 Some other Local Authorities currently purchase roadstone by issuing periodic quotes to the market for smaller quantities. Benchmarking our current purchase prices with these Local Authorities has led to the conclusion that best value may be available by issuing quotes for smaller quantities on a similar periodic basis.
- 2.3 There is no legal obligation to purchase from the current framework and, our current suppliers, Tarmac have been made aware of our intentions to quote for smaller tonnages.
- 2.4 Roadstone is ordered in bulk for individual road resurfacing schemes. The average values of these orders are above £50,000. Contract Standing Order 3.1.1 details that purchases above £25,000 for the supply of goods or materials must be subject of a tender. It is therefore requested that approval is given in terms of Standing Order 2.3.2 of the Council's Standing Orders Relating to Contracts to allow a trial of a quotation for the supply of Roadstone materials.
- 2.5 It is proposed that quotations be taken for Roadstone materials supply for two RAMP carriageway resurfacing schemes, neither of which shall have an individual cost associated with the supply exceeding £80k.

## 3.0 RECOMMENDATION

- 3.1 It is recommended that the Committee note the use of powers delegated to the Chief Executive to approve, in terms of Standing Order 2.3.2 of the Council's Standing Orders Relating to Contracts, a trial of a quotation for the supply of Roadstone materials.

#### 4.0 BACKGROUND

- 4.1 Roadstone is currently purchased using a collaborative framework which was put in place in April 2012. Whilst the current framework is operating successfully, concerns have been raised that the Council may not always be achieving best value in terms of the price of supply of roadstone products for resurfacing schemes.
- 4.2 Roadstone is a quarried material which is then mixed with an oil based product. Quarries are situated sporadically throughout Scotland. Inverclyde does not have a quarry and this increases the cost of logistics which again is linked to the price of oil. As such the material costs are volatile and more suited to spot pricing in the market as long term price stability can be difficult to predict for suppliers.
- 4.3 Some other Local Authorities have tested this theory by purchasing roadstone by issuing quotes to the market for smaller quantities on a periodic basis. Benchmarking our current purchase prices with these Local Authorities has led to the conclusion that best value may be available by issuing quotes on a similar periodic basis. These Local Authorities include West Lothian, East Lothian and Edinburgh.
- 4.4 The current framework is in place for 4 years but there is no legal obligation to purchase from the current framework. The current supplier, Tarmac, have been made aware of our intentions to quote for smaller tonnages and will be included in the quotation process.
- 4.5 Roadstone is ordered in bulk for individual road resurfacing schemes. The average values of these orders are above £50,000. Contract Standing Order 3.1.1 details that purchases above £25,000 for the supply of goods or materials must be subject of a tender. It is therefore requested that approval is given in terms of Standing Order 2.3.2 of the Council's Standing Orders Relating to Contracts to allow a trial of a quotation for the supply of Roadstone materials.
- 4.6 It is proposed that quotations be taken for roadstone materials supply for two RAMP carriageway resurfacing schemes, neither of which shall have an individual cost associated with the supply exceeding £80,000.

#### 5.0 FINANCIAL IMPLICATIONS

Budget Heading	Budget Year	Proposed Spend this Report	Other Comments
RAMP Capital Carriageways	2013/14	£80,000	Will be contained in approved RAMP budgets

#### 6.0 USE OF EMERGENCY POWERS

- 6.1 The use of Emergency Powers was requested in order that the project could proceed without delay.
- 6.2 The use of emergency powers was authorised by the Chief Executive and by Councillors McCormick, Dorrian and MacLeod.

#### 7.0 CONSULTATION

- 7.1 The Chief Financial Officer has been consulted on this matter and has agreed with the



action proposed.

7.2 The Procurement Manager has been consulted on this matter and has agreed with the action proposed.

7.3 The Head of Legal & Democratic Services has been consulted on this matter and has agreed with the action proposed.

## **8.0 LIST OF BACKGROUND PAPERS**

8.1 None.

**INVERCLYDE COUNCIL  
ENVIRONMENT AND REGENERATION COMMITTEE**

**AGENDA AND ALL PAPERS TO:**

Councillor MacLeod	1
Councillor McCabe	1
Councillor McCormick	1
Provost Moran	1
Councillor Clocherty	1
Councillor Shepherd	1
Councillor Jones	1
Councillor Ahlfeld	1
Councillor Grieve	1
Councillor Dorrian	1
Councillor Nelson	1

All other Members (for information only) 9

**Officers:**

Chief Executive	1
Corporate Communications & Public Affairs	1
Corporate Director Community Health & Care Partnership	1
Corporate Director Education, Communities & Organisational Development	1
Chief Financial Officer	2
Corporate Director Environment, Regeneration & Resources	1
Head of Regeneration & Planning	1
Head of Property Assets & Facilities Management	1
Head of Environmental & Commercial Services	1
Head of Legal & Democratic Services	1
Legal Services Manager (Procurement & Conveyancing)	1
R McGhee, Legal & Democratic Services	1
Chief Internal Auditor	1

File Copy 1

**TOTAL 35**

**AGENDA AND ALL NON-CONFIDENTIAL PAPERS TO:**

Community Councils 10

**TOTAL 10**