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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date:</b>	<b>29 October 2015</b>
<b>Report By:</b>	<b>Corporate Director, Environment, Regeneration and Resources</b>	<b>Report No:</b>	<b>E&amp;R/15/10/07/SJ/RG</b>
<b>Contact Officer:</b>	<b>Stuart W Jamieson</b>	<b>Contact No:</b>	<b>01475 712491</b>
<b>Subject:</b>	<b>Glasgow and the Clyde Valley Strategic Development Plan: Proposed Plan – Designation of Braehead</b>		

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## 1.0 PURPOSE

- 1.1 To seek the agreement of Members to maintain Inverclyde Council's position in objecting to the designation of Braehead, Renfrewshire as a 'town centre', and for it to retain its current status of 'commercial centre' in the forthcoming Glasgow and the Clyde Valley Strategic Development Plan: Proposed Plan.

## 2.0 SUMMARY

- 2.1 Members will be aware that a review of the current Glasgow and the Clyde Valley Strategic Development Plan (GCVSDP) 2012 is now underway. The current Plan identifies Braehead in Renfrewshire as a 'commercial centre' within the Network of Strategic Centres.
- 2.2 Following the approval of the GCVSDP in 2012, Renfrewshire Council embarked upon the preparation of their Local Development Plan, seeking the inclusion of Braehead as a 'town centre'. As part of this process, an Examination into unresolved objections by Scottish Government Reporters was held and they recommended that Braehead be retained as a 'commercial centre'. Scottish Ministers however agreed that Renfrewshire Council could adopt their Plan with Braehead as a 'town centre'. This action brought about a legal challenge to the Court of Session by objectors to the Plan.
- 2.3 The opinion of the Court has now been delivered, the conclusion of which is that Renfrewshire Council was not entitled to decline the Reporters' recommendations as they related to Braehead, and the Renfrewshire Local Development Plan 2014 is quashed in part (that part which designates Braehead as a town centre).
- 2.4 The GCVSDP 2012 is now under review, and the Proposed Plan is to be put before the Clydeplan Joint Committee in December 2015 for approval to publish and consult. The latest draft SDP Proposed Plan proposes to change the status of Braehead to a 'town centre'. Inverclyde Council, along with Glasgow City Council and West Dunbartonshire Council, has been consistent in objecting to 'town centre' status being given to Braehead and it is recommended that it should remain as a strategic commercial centre, as identified in the approved GCVSDP 2012.

## 3.0 RECOMMENDATION

- 3.1 That the Committee note the outcome of the legal challenge to the adoption of the Renfrewshire Local Development Plan 2014 in regard to the status of Braehead, and reaffirm Inverclyde Council's opposition to the proposal to change the designation of Braehead to 'town centre' in the forthcoming GCV Strategic Development Plan: Proposed Plan.

**Aubrey Fawcett**

**Corporate Director, Environment, Regeneration and Resources**

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## **4.0 BACKGROUND**

- 4.1 Members will recall that the Glasgow and the Clyde Valley Strategic Development Plan (GCVSDP) was approved by Scottish Ministers in May 2012, and will be aware that a review of this Plan is now underway. The approved Strategic Development Plan (SDP) identifies Braehead in Renfrewshire as a 'commercial centre' within the Network of Strategic Centres.
- 4.2 Following the approval of the SDP, Renfrewshire Council published and consulted upon their Local Development Plan: Proposed Plan in January 2013, which included the designation of Braehead as a 'town centre'. As a result of this, a number of representations were received objecting to the proposed status of Braehead, including from several private sector retailing interests and three neighbouring Councils – Glasgow City Council, West Dunbartonshire Council and Inverclyde Council.
- 4.3 As part of the Examination by Scottish Government Reporters into the unresolved representations to Renfrewshire's Proposed Plan, a Public Hearing was held with all of the objectors invited to expand on their case against the designation of Braehead as a 'town centre'. Inverclyde Council were represented at that hearing, and having heard the evidence presented for and against, the Reporters concluded, in June 2014, that it would be inappropriate, at this stage, to designate Braehead a 'town centre' in the LDP. It was concluded that Braehead did not merit that designation in terms of its role and function as it lacked a diverse mix of uses and the attributes of a town centre.
- 4.4 Renfrewshire Council however chose to proceed to seek Scottish Minister's approval to adopt their LDP, incorporating the modifications recommended by the Reporters, except the recommendation on Braehead. Having considered the Reporters' recommendations and Renfrewshire Council's grounds for declining to accept the recommendations of the Reporters, Scottish Ministers agreed that Renfrewshire Council could proceed to adopt their LDP, incorporating Braehead as a 'town centre'. Having been so advised, Renfrewshire Council advertised the adoption of their LDP on 28 August 2014, a decision that subsequently brought about a legal challenge to the Court of Session from one of the private sector retailing interests.
- 4.5 The opinion of the Court has now been delivered, the conclusion of which is that Renfrewshire Council was not entitled to decline the Reporters' recommendations as they related to Braehead, and the Renfrewshire LDP 2014 is quashed in part (that part which designates Braehead as a town centre).

## **5.0 PROPOSALS**

- 5.1 The GCV Strategic Development Plan 2012 is now under review, with the first stage of the review process, the Main Issues Report (MIR) having been published for consultation between January and March 2015. Representations were received, and a Proposed Plan is to be put before the Clydeplan Joint Committee in December 2015 for approval to publish and consult in January 2016. The Proposed Plan should be the settled view of the eight constituent Clydeplan local authorities and represent what they think the final plan should say.
- 5.2 The latest draft SDP Proposed Plan continues to designate a Network of Strategic Centres, but with a change in the identification of Braehead, which is now proposed as a 'town centre'. Inverclyde Council, along with Glasgow City Council and West Dunbartonshire Council, has been consistent in objecting to 'town centre' status being given to Braehead for the following reasons:
1. Braehead does not fulfil all of the characteristics of a town centre in terms of its role and function, and instead reflects the definition of a commercial centre, having a limited range of uses, with a greater focus on retailing and commercial leisure uses.

2. Scottish Planning Policy (SPP) states that to be identified as a town centre a diverse mix of uses and attributes should be provided, and it is not considered that this is the case at Braehead.

3. As a strategic commercial centre, Braehead already attracts expenditure from outwith Renfrewshire, including from Inverclyde. With a further large additional amount of new retail floorspace planned, this would be exacerbated, adversely affecting Greenock town centre as well as Glasgow City Centre.

4. Designating Braehead as a 'town centre' would allow very little control over what can be developed at Braehead.

5.3 It is maintained therefore that Braehead's designation should not be changed to become a 'town centre', but should remain as a strategic 'commercial centre', as identified in the approved SDP 2012.

## 6.0 IMPLICATIONS

6.1 **Finance:** there are no direct financial implications arising 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

#### 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

6.2 **Legal:** there are no direct legal implications arising from this report.

6.3 **Human Resources:** there are no direct human resource implications arising from this report.

6.4 **Equalities:** there are no direct equalities implications arising from this report.

6.5 **Repopulation:** there are no direct repopulation implications arising from this report.

## 7.0 CONSULTATIONS

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

7.2 **Head of Legal and Property Services:** has been consulted on this report.

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

## 8.0 LIST OF BACKGROUND PAPERS

8.1 None.