

Notice of Meeting and Agenda Infrastructure, Land and Environment Policy Board

Date	Time	Venue
Wednesday, 29 August 2018	13:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM
Head of Corporate Governance

Membership

Councillor Jennifer Marion Adam-McGregor: Councillor Bill Binks: Councillor Stephen Burns: Councillor Jacqueline Cameron: Councillor Michelle Campbell: Councillor Carolann Davidson: Councillor Eddie Devine: Councillor Audrey Doig: Councillor Neill Graham: Councillor John Hood: Councillor Karen Kennedy: Councillor James MacLaren: Councillor Will Mylet: Councillor Cathy McEwan (Convener): Councillor Natalie Don (Depute Convener):

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please either email democratic-services@renfrewshire.gov.uk or telephone 0141 618 7112.

Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Items of business

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

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BUDGET MONITORING REPORT

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| | Joint report by Director of Finance & Resources, Director of Communities, Housing & Planning Services, Acting Director of Children's Services and Director of Environment & Infrastructure. | |
| 2 | Capital Budget Monitoring Report | 13 - 18 |
| | Report by Director of Finance & Resources. | |

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ENVIRONMENTAL ISSUES

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| 3 | Operational Performance | 19 - 28 |
| | Report by Director of Environment & Infrastructure. | |
| 4 | Renfrewshire's Local Air Quality Management Update -
2018 Air Quality Annual Progress Report | 29 - 34 |
| | Report by Director of Communities, Housing & Planning Services. | |
| 5 | Reducing Exposure to Lead in Drinking Water Project | 35 - 38 |
| | Report by Director of Communities, Housing & Planning Services. | |
| 6 | Food Law Code of Practice (Scotland) Consultation | 39 - 50 |
| | Report by Director of Communities, Housing & Planning Services. | |
| 7 | Business Regulation Service Plan 2018/19 | 51 - 84 |
| | Report by Director of Communities, Housing & Planning Services. | |

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ROADS AND TRANSPORTATION

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| 8 | Review of Car Parking Provision and Charges | |
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| | Report by Director of Environment & Infrastructure. | |

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	Report by Director of Environment & Infrastructure.	
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	Report by Director of Environment & Infrastructure.	
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LAND AND PROPERTY

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EXCLUSION OF PRESS AND PUBLIC

The Board may by resolution exclude the press and public from the meeting during consideration of the following items of business as it is likely, in view of the nature of the business to be transacted, that if members of the press and public are present, there could be disclosure to them of exempt information as defined in paragraphs 6 and 9 of Part I of Schedule 7A of the Local Government (Scotland) Act, 1973.

31 Kelvin House: Rescission of Missives



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 30th AUGUST 2018

Report by: DIRECTOR OF FINANCE & RESOURCES AND DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: REVENUE BUDGET MONITORING TO 22nd JUNE 2018

1. Summary

- 1.1 Gross expenditure is £102,000 (1.2%) more than budget and income is £13,000 (0.6%) less than anticipated, which results in a £115,000 overspend for those services reporting to this Policy Board.

This is summarised over the relevant services in the table below:

Division / Department	Current Reported Position	% variance	Previously Reported Position	% variance
Environment & Infrastructure	£115,000 overspend	(1.8%)	n/a	

Details of the budget performance for Environment & Infrastructure are shown below.

2. Recommendations

- 2.1 It is recommended the Infrastructure, Land and Environment Policy Board notes the contents of this report.
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3. Budget Adjustments

- 3.1 Members are requested to note that since the budget was approved on 2nd March 2018, there have been budget adjustments resulting in a decrease in budget of £99,000. This reflects the services share of corporate efficiencies including sales, fees & charges income, overtime and annual leave for those services reporting to this Policy Board.
- 3.2 Details of the budget performance for Environment & Infrastructure services reporting to this Policy Board are as follows;

4. Environment & Infrastructure

Current Position: £115,000 Overspend
Previously Reported: n/a

4.1 Refuse Collection

Current Position: Net overspend £71,000
Previously Reported: n/a

The overspend is mainly due to lower income from trade waste and special uplifts, and higher employee costs, which is partly offset by an underspend on property costs. A report on Waste Management Strategy – Improving Recycling in Renfrewshire, was agreed at this Policy Board on 8th November 2017, with the service changes agreed incorporating service rerouting of kerbside collections. These changes will mitigate some spend pressures over the remainder of the financial year.

4.4 Parking

Current Position: Net overspend £44,000
Previously Reported: n/a

This is due to an under recovery of parking income. A report outlining changes to parking charges was discussed by the Policy Board with a further review being agreed. The financial position to date and the forecast position assumes the implementation of the proposals outlined in this report in 2018. A separate report on this is elsewhere on this agenda.

4.5 Projected Year End Position

It is currently forecast that the Environment & Infrastructure services reporting to this Policy Board will break even at year end as a result of remedial action being taken by the service to mitigate the current overspend; and i

There are a number of risks to this forecast position which the service will monitor and aim to address in relation to the costs of disposal of both residual and recycle waste, the levels of tonnages received for recycling or disposal, roads maintenance throughout the autumn/winter period from October 2018 to March 2019.

Implications of the Report

1. **Financial** – As detailed in Section 3 of the report.
2. **HR & Organisational Development** - None.
3. **Community Planning**

Jobs and the Economy – the service supports the improvement of infrastructure to encourage inward investment. The service actively participates in Invest in Renfrewshire initiatives.

Safer and Stronger - safe working practices are in place for the delivery of our services.
4. **Legal** – None
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None
9. **Procurement** - None
10. **Risk** – None
11. **Privacy Impact** – None
12. **Cosla Policy Position** - none

List of Background Papers – none

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RENFREWSHIRE COUNCIL
REVENUE BUDGET MONITORING STATEMENT 2018/19
1st April 2018 to 22nd June 2018

POLICY BOARD : INFRASTRUCTURE, LAND & ENVIRONMENT

Description	Revised Annual Budget	Revised Period Budget	Actual	Adjustments	Revised Actual	Budget Variance		
(1)	(2)	(3)	(4)	(5)	(6) = (4 + 5)	(7)		
	£000's	£000's	£000's	£000's	£000's	£000's	%	
Employee Costs	17,049	3,340	3,434	(33)	3,401	(61)	-1.8%	overspend
Property Costs	1,044	109	204	(136)	68	41	37.6%	underspend
Supplies & Services	2,995	572	811	(168)	643	(71)	-12.4%	overspend
Contractors and Others	15,482	2,196	2,281	(16)	2,265	(69)	-3.1%	overspend
Transport & Plant Costs	6,566	1,429	1,036	338	1,374	55	3.8%	underspend
Administration Costs	9,720	46	61	(12)	49	(3)	-6.5%	overspend
Payments to Other Bodies	3,257	784	781	(3)	778	6	0.8%	underspend
CFCR	1,500	0	0	0	0	0	0.0%	breakeven
Capital Charges	7,321	0	0	0	0	0	0.0%	breakeven
GROSS EXPENDITURE	64,933	8,476	8,608	(30)	8,578	(102)	-1.2%	overspend
Income	(23,559)	(2,350)	(2,113)	(223)	(2,336)	(13)	-0.6%	under-recovery
NET EXPENDITURE	41,374	6,126	6,495	(253)	6,242	(115)	-1.8%	overspend

	£000's	
Bottom Line Position to 22nd June 2018 is an overspend of	<u>(115)</u>	<u>-1.8%</u>
Anticipated Year end budget position is breakeven	<u>0</u>	<u>0.0%</u>

RENFREWSHIRE COUNCIL
REVENUE BUDGET MONITORING STATEMENT 2018/19
1st April 2018 to 22nd June 2018

POLICY BOARD : INFRASTRUCTURE, LAND & ENVIRONMENT

Description (1)	Revised Annual Budget (2)	Revised Period Budget (3)	Actual (4)	Adjustments (5)	Revised Actual (6) = (4 + 5)	Budget Variance (7)		
						£000's	%	
MSS	138	638	606	32	638	0	0.0%	breakeven
Refuse Collection	4,843	746	970	(153)	817	(71)	-9.5%	overspend
Refuse Disposal	7,964	1,402	1,384	18	1,402	0	0.0%	breakeven
Steetscene	8,798	900	998	(98)	900	0	0.0%	breakeven
Land Services	2,266	(54)	(185)	131	(54)	0	0.0%	breakeven
Transport	1,507	297	236	61	297	0	0.0%	breakeven
Transport Maintenance	(505)	(75)	170	(245)	(75)	0	0.0%	breakeven
Regulatory Services	2,142	267	234	33	267	0	0.0%	breakeven
Roads Maintenance	9,030	984	814	170	984	0	0.0%	breakeven
Flooding	368	92	92	0	92	0	0.0%	breakeven
Structures	305	36	36	0	36	0	0.0%	breakeven
Street Lighting	807	61	60	1	61	0	0.0%	breakeven
Traffic Management	1,396	268	268	0	268	0	0.0%	breakeven
Parking of Vehicles	(912)	(214)	(101)	(69)	(170)	(44)	-20.6%	under-recovery
SPTA	3,228	777	777	0	777	0	0.0%	breakeven
Traffic & Transport Studies	0	2	2	0	2	0	0.0%	breakeven
Roads grant Funded Projects	0	0	134	(134)	0	0	0.0%	breakeven
NET EXPENDITURE	41,374	6,126	6,495	(252)	6,241	(115)	-1.8%	overspend

	£000's	
Bottom Line Position to 22nd June 2018 is an overspend of	<u>(115)</u>	<u>-1.8%</u>
Anticipated Year end budget position is breakeven	<u>0</u>	<u>0.0%</u>



To: INFRASTRUCTURE, LAND & ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: Director of Finance and Resources

Heading: Capital Budget Monitoring Report

1. Summary

- 1.1 Capital expenditure to 22nd June 2018 totals £0.631m compared to anticipated expenditure of £0.630m for this time of year. This results in an over-spend position of £0.001m for those services reporting to this board, and is summarised in the table below:

Division	Current Reported Position	% Variance	Previously Reported Position	% Variance
Environment & Infrastructure	£0.001m o/spend	0% o/spend	<i>n/a</i>	<i>n/a</i>
Total	£0.001m o/spend	0% o/spend	<i>n/a</i>	<i>n/a</i>

- 1.2 The expenditure total of £0.631m represents 4% of the resources available to fund the projects being reported to this board. Appendix 1 provides further information on the budget monitoring position of the projects within the remit of this board.
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2. Recommendations

- 2.1 It is recommended that Members note this report.

3. **Background**

- 3.1 This report has been prepared by the Director of Finance and Resources in conjunction with the Chief Executive and the Director of Environment & Infrastructure.
- 3.2 This capital budget monitoring report details the performance of the Capital Programme to 22nd June 2018, and is based on the Capital Investment Programme which was approved by members on 2nd March 2018, adjusted for movements since its approval.

4. **Budget Changes**

- 4.1 Since the last report budget changes totalling £12.343m have arisen which reflects the following:

Budget carried forward from 2017/18 to 2018/19 (£5.568m):

- Vehicle Replacement Programme (£0.051m);
- Bridge Assessment Strengthening (£0.061m);
- Roads & Footway Upgrade Programme (£0.122m);
- Lighting Column Replacement (£0.002m);
- Waste Transfer Station (£0.400m);
- Parks Improvement Programme (£0.607m);
- LED Street Light Strategy (£3.182m);
- Community Halls Improvement Programme (£1.143m);

Budget increases in 2018/19 (£1.775m):

- Improvements to Cemetery Estate (£1.000m);
- Strathclyde Passenger Transport (£0.775m);

Budget transferred during 2018/19 (£5.000m):

- Roads/Footways Upgrade (£4.000m) transferred from the SAMF;
- Parks Improvement Programme (£1.000m) transferred from the SAMF;
- Budget transferred of (£1.256m) from underspend in LED Street Lighting Strategy to procurement of HDPE Bins.

Implications of the Report

1. **Financial** – The programme will be continually monitored, in conjunction with other programmes, to ensure that the available resources are fully utilised and that approved limits are achieved.
2. **HR & Organisational Development** – none.
3. **Community Planning** –

Creating a sustainable Renfrewshire for all to enjoy – Capital investment in new and existing assets will ensure Renfrewshire is more energy efficient.
4. **Legal** – none.
5. **Property/Assets** – none.
6. **Information Technology** – none.
7. **Equality & Human Rights** – The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be.
8. **Health & Safety** – none.
9. **Procurement** – none.
10. **Risk** – none.
11. **Privacy Impact** – none.
12. **Cosla Policy Position** – none.

List of Background Papers

- (a). Non-Housing Capital Investment Programme 2018/19 to 2020/21 – Council, 2nd March 2018.

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Infrastructure, Land & Environment - Appendix 1

RENFREWSHIRE COUNCIL

CAPITAL INVESTMENT STRATEGY - NON-HOUSING SERVICES

BUDGET MONITORING REPORT

BOARD: INFRASTRUCTURE, LAND & ENVIRONMENT

Project Title	Approved Programme @02/03/18	Current Programme MR 3	Year To Date Budget to 22-Jun-18	Cash Spent to 22-Jun-18	Variance to 22-Jun-18	% Variance	Cash to be Spent by 31-Mar-18	% Cash Spent
ENVIRONMENT & INFRASTRUCTURE								
Programme Funded By Specific Consent	239	239	5	6	-1	-20%	233	3%
Vehicle Replacement Programme	1,500	1,551	5	5	-5	-100%	1,541	0%
Ultra Low Emission Vehicles Grant	0	0	0	5	-5	100%	-5	-
Bridge Assessment/Strengthening	500	561	0	0	0	0%	561	0%
Roads/Footways Upgrade Programme	3,000	7,122	545	546	-1	0%	6,576	8%
Lighting Columns Replacement	250	252	0	2				
Waste Transfer Station Upgrade	0	400	0	0	0	0%	400	0%
Parks Improvement Programme	0	1,607	10	11	-1	-10%	1,596	1%
LED Street Lighting Strategy	0	1,926	60	59	1	2%	1,867	3%
Community Halls & Facilities Improvement Programme	0	1,143	0	0	0	0%	1,143	0%
HDPE Bins	0	1,256	0	0	0	0%	1,256	0%
Improvements to Cemetery Estate	0	1,000	0	0	0	0%	1,000	0%
Strathclyde Partnership Transport	0	775	5	2	3	60%	773	0%
TOTAL INFRASTRUCTURE, LAND & ENVIRONMENT BOARD	5,489	17,832	630	631	-1	0%	17,201	4%



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: OPERATIONAL PERFORMANCE REPORT

1. Summary

- 1.1 This report provides an overview of key service activities over the first 3 periods of 2018/2019, namely 1 April 2018 to 22 June 2018. This report provides an operational performance update on the services and key projects delivered during this period.
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2. Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Approves the operational performance update detailed within this report.
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3. Background

- 3.1 Environment & Infrastructure provides essential services to every household in Renfrewshire and works in partnership with the local community, other services and Community Planning Partners to deliver key Council priorities and initiatives. A progress update on the main projects and activities delivered by the services within Environment & Infrastructure in respect of the areas of activity delegated to this Policy Board, together with key performance indicators is detailed below.

Operational Updates

4. Operations Services

StreetScene

- 4.1 The recent extended dry spell has provided different challenges to the StreetScene activities, in particular grass cutting activities, including the drying out of many grass areas. The appearance of areas will improve following a return to normal rainfall patterns. Bedding plants and displays remain in place, with additional resources allocated to water these on a daily basis during the extended dry weather period.
- 4.2 Litter removal - StreetScene and Transerv, who operate and manage motorways and trunk roads, have been working in partnership to remove litter and carry out grass cutting on key trunk roads (A737, A8 and A898). Social media is being used to inform users and communities of this activity.
- 4.3 The service has fully supported the busy events calendar across Renfrewshire to support local communities for their gala days and assist with preparations for key events across Renfrewshire.
- 4.4 The service has also continued to support all community clean-ups removing litter and waste collected as part of the Team Up to Clean Up campaign.

Review of Naturalised Areas and Review of Grass Cutting, Uplift of Arisings

- 4.5 As per recent Notices of Motion to Council (Naturalised Areas, May 2018 and Grass Cutting, June 2018) both reviews are progressing and a report of both reviews will be brought back to this Policy Board in October 2018. The actions as set out and agreed by Council, for each of these Motions are being examined with financial and operational implications also being quantified. Should minor interim operational works by required meantime, these will be progressed in the short term.

Roads Maintenance

- 4.6 The roads capital investment for 2018/19 was approved by Council on 2 March 2018 and is delivering a capital investment programme of £7.2m in Renfrewshire's roads, pavements, paths and cycle tracks. The programme commenced in April 2018 with 33 roads now having undergone resurfacing. The programme is also addressing footways across Renfrewshire, with six resurfacing projects have already been undertaken.

Waste Services

Planned Service Changes

- 4.7 A separate progress report on the planned implementation of service changes to Waste Services is being presented to this Policy Board.

Household Waste Recycling Centre Permit Scheme

- 4.8 From 16 July 2018, a permit system commenced for residents with commercial style vehicles using the Council's household waste recycling centres. Residents with a commercial style vehicle are now required to obtain a permit before visiting household waste recycling centres. This is to ensure that only household waste, and

not trade waste, is being disposed of at recycling centres. This does not apply to residents using a car to dispose of household waste.

- 4.9 Currently there are a number of commercial businesses and traders attempting to use these facilities free of charge which is illegal. The permit system aims to reduce the cost to Renfrewshire residents of illegal use of our household waste recycling centres by such businesses. Permits must be obtained by 4:30pm the day before the visit. An application form for the permit is available on the Council's website as well as a FAQ section on the new permit system. Since the scheme was launched on 16 July, 472 applications made via the website. A further 567 paper applications have been completed at the sites. Enforcement officers at the sites have also reported a reduction in the number of commercial type vehicles using the sites.

Transportation, Fleet and Infrastructure Services

Public Transport

- 4.10 The planned implementation of Real Time Passenger Information Displays, as being done jointly with SPT, is continuing along Renfrew Road and Paisley Road.

Cycling, Walking and Safer Streets

- 4.11 Cycling, Walking and Safer Streets funding is an annual ring-fenced grant allocation from Transport Scotland to promote cycling, walking or road safety projects. The Council had been successful in obtaining £239,000 of funding for projects to be delivered by 31st March 2019;
- 4.12 A programme of capital works has been developed to promote cycling, walking and road safety in Renfrewshire. The programme includes:
- New crossings;
 - Dropped kerbs;
 - Antiskid surfacing;
 - Small scale civil and lining works;
 - Upgrading of Driver Feedback;
 - Variable Message and 20mph flashing signs; and
 - Additional cycle parking facilities.
- 4.13 This programme is underway with a number of projects having already been completed. These include a new toucan crossing at Barn Green in Kilbarchan; footway works at Albert Rd, Renfrew; gateway alterations at Oldhall Street, Paisley; installation of dropped kerbs at Falcon Crescent; and antiskid surfacing laid in Greenlaw Drive, Paisley.

Consultation on Free Bus Travel for Older and Disabled People and Modern Apprentices

- 4.14 In August 2018 the Scottish Government announced that the national Concessionary Travel Scheme would be extended to companions of eligible disabled children under five. It was also announced that the age of eligibility would not change for the Scheme and that the options to provide free bus travel for Modern Apprentices will continue to be considered.

- 4.15 The consultation on the scheme closed in November 2017, with nearly 3000 responses received from people and organisations all across Scotland. Two thirds of respondents felt that the free bus pass should remain available from the age of 60. A similar number of respondents felt that Modern Apprentices should benefit from free bus travel, and an overwhelming number of respondents were in favour of providing companion cards for eligible disabled children aged under five.

Fleet Services

- 4.16 Renfrewshire has received both electric vehicle and electric vehicle charging infrastructure grant funding from Transport Scotland. A total of £600,000 has been received to fund both electric vehicles and electric charging points throughout Renfrewshire.

5. Environment and Place, Team Up to Clean Up Operational Activity

- 5.1 Community groups continue to embrace the Team Up to Clean Up campaign. 101 clean-ups were recorded from January to June 2018 compared to 36 recorded for the same period in 2017. The Facebook community is growing and community groups are now visiting each other to view the results of the work being carried out in communities across Renfrewshire and are sharing information on support that external companies can provide.
- 5.2 From the period April to June 2018, 67 clean-ups took place with almost 700 volunteers removing over 1200 bags of litter. In some areas, volunteering work has moved up a level with greenspaces being cleared in Ferguslie and Erskine to make way for fairy gardens and superhero trails. Renfrewshire Wardens have been inspired to enthuse a team of 30 local volunteer residents to litterpick and cut back vegetation on a privately-owned housing estate at the Old Ferguslie Bowling Mill. 220 bags of waste were removed.
- 5.3 Businesses have also been engaging with the campaign. Morrisons, Glasgow Airport, Chivas and McDonalds have all created recent litterpick events. Chivas provided 150 volunteers as part of a team building event to clean-up several locations within Renfrewshire including Stanley Reservoir, Durrockstock Dam, Gleniffer Braes, Jenny's Well and Ardgyffe Park. Over 400 bags of litter were collected on this day and 500 bags of vegetation.

6. Performance Update – Indicators and Targets

- 6.1 The table below summarises target and actual performance for key performance indicators and benchmarking targets under each of the key change themes for 2018/19.

Target for 2018/19	Actual to Period 3	Comments
Creating a sustainable Renfrewshire for all to enjoy		
1. % of household waste which is recycled (** Waste data is now published by SEPA on a calendar year basis – this is the data for the calendar year and has still to be verified by SEPA.)		
55% (calendar year)	48% (Jan – June 2018)	<p>This data relates to the first two quarter in the calendar year 2018, January to June. It is an estimate which has not yet been verified by SEPA. The recycling rate was estimated to be 48%.</p> <p>This is an improvement on the performance over the first 2 quarters of 2017 when the recycling rate was 45%.</p>
Working together to improve outcomes		
2. % of front line resolutions dealt with within timescale		
Environment & Infrastructure		
100%	81%	Environment & Infrastructure received 1,259 front line resolutions in the first quarter of 2018/19, of which 1,021 (81%) were responded to within timescale.
3. % of complaint investigations dealt with within timescale		
Environment & Infrastructure		
100%	40%	Environment & Infrastructure dealt with 33 complaint investigations in the first quarter of 2018/19, 13 (40%) of which were dealt with within the agreed timescale. The reduction in performance has been addressed and this will be reflected in quarter two's performance.
4. % of Freedom of Information requests completed within timescale		
Environment & Infrastructure		
100%	97%	<p>Environment & Infrastructure dealt with 167 Freedom of Information Requests in the first quarter of 2018/19.</p> <p>Of the 167 FOI requests received, 127 of which were departmental specific and the other 40 were cross-departmental.</p>

Target for 2018/19	Actual to Period 3	Comments
5. (Traffic and Transportation) Traffic light failure - % of traffic light repairs completed within 48 hours		
95%	93.4%	<p>At the end of Period 3, 93.4% of traffic repairs were completed with 48 hours. This is an improvement on the 84% rate in the same period in 2017/18.</p> <p>Performance has not achieved target due to difficulties in sourcing spare parts for a small number older lamps and additional required to be undertaken by Scottish Power out with the 48hr timescale.</p>
6. Overtime as a % of total employee costs		
i) Environment & Infrastructure		
5%	8.3%	<p>The level of overtime across Environment & Infrastructure, at the end of period 3, was 8.3% which was above the 5% target.</p> <p>It should be noted that the actual overtime rate in this period, for Environment & Infrastructure, now includes four services previously classified as Trading Accounts, namely Catering, Roads, Transport & Building Services, which were reported in separate Board reports.</p> <p>Each Trading Account had its own target, which has historically been set above 5%. A revised Environment & Infrastructure target will be reported to the next Infrastructure, Land and Environment Policy Board to incorporate this change.</p>
ii) Operations Services		
5%	7.9%	<p>At the end of period 3 the level of overtime in Operations Services was 7.9% which was above the 5% target.</p> <p>It should be noted that the actual overtime rate in this period, for Operations Services, now includes two services previously classified as Trading Accounts, namely Roads and Transport. Each trading account had its own target, 20% for Roads and 12.5% for Transport.</p> <p>A revised Operations Services target will be reported to the next Infrastructure, Land and Environment Policy Board to incorporate this change.</p>

Target for 2018/19	Actual to Period 3	Comments
7. Sickness Absence Figures:		
i) Environment & Infrastructure (Days lost per FTE)		
2.15	3.75	<p>The absence performance, measured by days lost per FTE, was 3.75 for the first quarter of 2018/19 and was above the annual target of 2.15.</p> <p>Overall absence rate consisting of:-</p> <ul style="list-style-type: none"> - 77% long-term absences - 23% short-term absences.
ii) StreetScene (Days lost per FTE)		
2.15	1.6	<p>Absence level for StreetScene measured by days lost per FTE, was 1.6 for the first quarter of 2018/19 and was within target.</p> <p>Overall absence is made up of:-</p> <ul style="list-style-type: none"> - 41% long-term absences - 59% short-term absences.
iii) Refuse Collection (Days lost per FTE)		
2.15	2.25	<p>Absence levels for refuse collection measured by days lost per FTE, was 2.25 for the first quarter of 2018/19 and was above target.</p> <p>This consisted of: -</p> <ul style="list-style-type: none"> - 54% long term absence - 46% short term absences.
iv) Roads Services (Days lost per FTE)		
2.15	4.7	<p>Absence levels for Roads Services measured by days lost per FTE, was 4.7 for the first quarter of 2018/19 and was above target.</p> <p>Long term absences make up the majority of performance.</p> <p>All cases are fully supported and were referred to occupational health for guidance and advice on case management.</p> <p>Overall absence is made up of: -</p> <ul style="list-style-type: none"> - 13% long-term absence - 87% short-term absence.

Target for 2018/19	Actual to Period 3	Comments
v) Vehicle Maintenance (Days lost per FTE)		
2.15	2.48	<p>Absence levels for Vehicle Maintenance measured by days lost per FTE, was 2.48 for the first quarter of 2018/19 and was above target.</p> <p>This consisted of: -</p> <ul style="list-style-type: none"> - 30% long-term absence - 70% short-term absence.

Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** – None
3. **Community / Council Planning** –

Our Renfrewshire is thriving / Reshaping our place, our economy and our future - the service is actively involved in the Invest in Renfrewshire scheme and investing in road network to support and facilitate economic growth.

Our Renfrewshire is thriving / Building strong, safe and resilient communities - by working with the local community and through enforcement activities, to improve the appearance of local areas and to help reduce anti-social behaviour.

Creating a sustainable Renfrewshire for all to enjoy - working in partnership with the community to deliver a cleaner Renfrewshire. Promoting and encouraging waste minimisation through reducing, reusing and recycling. Reducing carbon emissions, through the implementation of LED streetlights and electric and low carbon vehicles within the council fleet.

Our Renfrewshire is well - the services encourages use of our parks and open spaces to promote a healthy and active lifestyle.

4. **Legal** – None.
5. **Property/Assets** – The Council's roads, fleet and open space infrastructure is maintained and enhanced.
6. **Information Technology** – None.
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights

have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website

8. **Health & Safety** – None.
9. **Procurement** – None.
10. **Risk** – None.
11. **Privacy Impact** – None.
12. **CoSLA Policy Position** - none

List of Background Papers: None

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To: Infrastructure, Land and Environment Policy Board

On: 29 August 2018

Report by: Director of Communities, Housing and Planning Services

Heading: Renfrewshire's Local Air Quality Management Update – 2018 Air Quality Annual Progress Report

1. SUMMARY

- 1.1 This report provides an update in relation to monitoring air quality within Renfrewshire and details the findings of the Council's most recent local air quality management report, Renfrewshire's 2018 Air Quality Annual Progress Report.
- 1.2 The Scottish Government require each Council to submit an Air Quality Annual Progress report. This provides an overview of air quality in accordance with the standards set out in technical guidance. The Renfrewshire 2018 Annual Air Quality Progress Report contains detailed monitoring and technical information on air quality in Renfrewshire and was submitted in accordance with the Scottish guidance and has now been approved by the Scottish Government. The report is available as a background paper.
- 1.3 The 2018 Annual Air Quality Progress Report reviews air quality monitoring data from 2017. This data confirmed that there were two exceedances of the nitrogen dioxide annual mean air quality objective identified within Renfrewshire during 2017. One within each of the existing Johnstone (High Street) and Renfrew (Renfrew Cross) Air Quality Management Areas.
- 1.4 Within the Paisley Town Centre Air Quality Management Area there were no exceedances of air quality objectives at any monitoring locations and there have now been three consecutive years of compliance with statutory objective levels within Paisley. The legislative framework permits Air Quality Management Areas to be

amended or revoked and Scottish Government Policy Guidance recommends that, as a minimum, there will normally be at least three consecutive years where the pollutants of concern are complying with the relevant objective levels before this is considered. Communities, Housing and Planning Services will continue with the current monitoring programme throughout 2018 to collate a further years' worth of monitoring data before consideration will be given to amending or revoking the Paisley Town Centre Air Quality Management Area in 2019, based on the air quality data collected during this time.

2. RECOMMENDATIONS

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Notes the approval of Renfrewshire's 2018 Air Quality Annual Progress Report by the Scottish Government, with two exceedances of the statutory annual mean air quality objective for nitrogen dioxide being identified during 2017 (one within each of the existing Johnstone and Renfrew Air Quality Management Areas).

3. BACKGROUND

- 3.1 Air Quality is directly related to a number of key Scottish Government National Outcomes and policy priorities, notably those focussed on the environment, sustainable places, environmental impact and healthier lives.
- 3.2 In accordance with the Local Air Quality Management statutory process introduced by the Environment Act 1995, all local authorities are required to undertake a regular review and assessment of air quality within their area and submit their findings to the Scottish Government for approval. Changes to this regime introduced in 2016 now require the submission of an Annual Air Quality Progress Report by the end of June each year. The Annual Air Quality Progress Report for 2018 has now been approved by the Scottish Government.
- 3.3 The Annual Progress Report provides an overview of air quality within Renfrewshire during 2017. It includes a review of 2017 pollutant monitoring data and atmospheric emissions sources within Renfrewshire and compares the available data to national air quality standards.
- 3.4 Within Renfrewshire and across Scotland, the main pollutants of concern are nitrogen dioxide (NO₂) and particulate matter (PM). There are currently three Air Quality Management Areas (AQMAs) declared within Renfrewshire; the Paisley Town Centre Air Quality Management Area declared August 2009 and the Johnstone High Street and Renfrew Town Centre Air Quality Management Areas declared August 2016.

- 3.5 In 2017 the Council operated four automatic monitoring sites (Gordon St Paisley; St James St, Paisley; Cockels Loan, Renfrew and High St, Johnstone) each measuring NO₂ and/or PM concentrations. Concentrations recorded at all automatic monitoring sites were below the annual mean and short-term objective levels for both pollutants. Monitoring of NO₂ was also undertaken via a network of approximately sixty NO₂ diffusion tube sites. Exceedances of the NO₂ annual mean objective (following bias adjustment and distance correction) were identified at two diffusion tube locations; one within the Renfrew Air Quality Management Area and the other within the Johnstone Air Quality Management Area. However, as these two exceedances are already located within existing Air Quality Management Areas, no further action is required by the Council other than to progress with implementation of the Renfrewshire Air Quality Action Plan which as previously reported to the Infrastructure, Land and Environment Policy Board on 24 January 2018 is currently in draft form and has been submitted to the Scottish Government and Scottish Environment Protection Agency (SEPA) for review and comments.
- 3.6 Within the Paisley Town Centre Air Quality Management Area there were no exceedances of air quality objectives at any monitoring locations and there have now been three consecutive years of compliance with statutory objective levels for air quality within Paisley. The legislative framework permits Air Quality Management Areas to be amended or revoked and Scottish Government Policy Guidance recommends that, as a minimum, there will normally be at least three consecutive years where the pollutants of concern are complying with the relevant objective levels. Communities, Housing and Planning will continue with the current monitoring programme throughout 2018 to collate a further years' worth of monitoring data before consideration will be given to amending or revoking the Paisley Town Centre Air Quality Management Area in 2019, based on the air quality data collected during this time.
- 3.7 The recently published Transport (Scotland) Bill introduces a legislative framework for the implementation of Low Emission Zones which has been promoted through the Scottish Government's air quality strategy: Cleaner Air for Scotland - The Road to a Healthier Future. Scottish Councils who have declared Air Quality Management Areas will be required to undertake a screening exercise to determine whether a Low Emission Zone is necessary to achieve compliance with air quality objectives.
- 3.8 This process will assist Councils to determine the need for vehicle access interventions as a means of improving air quality. The requirement to undertake this screening exercise will be embedded in the 2019 Local Air Quality Management Annual Progress Report with the outcome of the screening exercise for Renfrewshire Council reported to Board as part of the 2019 Air Quality Annual Progress Report. The proposed Transport (Scotland) Bill is covered in a separate Board being presented to this Board on 29 August 2018.
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Implications of the Report

- 1. Financial – None**
- 2. HR & Organisational Development – None**
- 3. Community Planning –**

Renfrewshire is well – by reviewing and assessing air quality throughout Renfrewshire and producing our annual Local Air Quality Management report we aim to improve air quality and provide a clean and safe environment for all of Renfrewshire's residents, workers and visitors.

- 4. Legal - None**
- 5. Property/Assets - None**
- 6. Information Technology - None**
- 7. Equality & Human Rights**

(a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website

- 8. Health & Safety – None**
- 9. Procurement – None**
- 10. Risk – None**
- 11. Privacy Impact – None**
- 12. Cosla Policy Position – None**

List of Background Papers

- (a) Background Paper 1 – 2018 Air Quality Annual Progress Report for Renfrewshire Council

The foregoing background papers will be retained within Communities, Housing and Planning Services for inspection by the public for the prescribed period of four years

from the date of the meeting. The contact officer within the service is the Communities and Regulatory Manager.

Author: Oliver Reid, Head of Communities and Public Protection
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To: Infrastructure, Land and Environment Policy Board

On: 29 August 2018

Report by: Director of Communities, Housing and Planning Services

Heading: Reducing Exposure to Lead in Drinking Water Project

1. SUMMARY

- 1.1 The Drinking Water Regulator for Scotland contacted all Councils in 2017 regarding an initiative to reduce potential exposure to lead within drinking water, which is harmful to health. The first phase of this initiative sought to provide information, via Council websites on the risks to health from lead pipes being present within drinking water supply pipes and to ensure that there is no risk of children being exposed to lead in drinking water within Council owned education facilities.
 - 1.2 Over recent months, samples of drinking water have been collected from every school, nursery and pre-school facility in the Council owned estate. The samples have been submitted to Glasgow Scientific Services for professional analysis for lead. None of the results exceeded the current maximum prescribed concentration value. The results of this work have been reported to the Drinking Water Quality Regulator for Scotland.
 - 1.3 The Drinking Water Quality Regulator for Scotland has now advised that as part of Phase 2 of this initiative they have commissioned Scottish Water to undertake a sampling programme for lead across all privately-owned facilities where school or nursery activity takes place. This programme is currently in the planning stages and is expected to start during the coming months. Should any water quality failures be identified in these properties, this will be raised with the relevant Council for further investigation and enforcement of remedial action.
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2. RECOMMENDATIONS

It is recommended that the Infrastructure, Land and Environment Policy Board notes that:

- 2.1 Drinking water samples have been collected and tested from all Council owned education facilities with no elevated levels of lead being identified.
 - 2.2 A further programme of testing will now be carried out by Scottish Water across all privately-run facilities where school or nursery activity takes place.
 - 2.3 The Council website has been updated to provide information on the health risks of lead pipes being present within drinking water supply pipework.
-

3. BACKGROUND

- 3.1 Lead is a toxic substance which accumulates within the body over a lifetime through exposure to lead sources in the environment. Sources include lead-based paint, contaminated soil, dust, petrol, drinking water, food and related products. The World Health Organisation has estimated that 50% of lead exposure is arising from drinking water and their guidance is that lead piping should be removed from the drinking water supply route.
- 3.2 Over the last 30 years, legislation has progressively reduced the limit for lead in drinking water to 10µg/l (micrograms per litre). Over the same period however, concerns have developed within Scotland's health professional community that even this limit may be too high and there is an increasing view that every effort should be made to reduce lead levels in drinking water as far as is practicably possible.
- 3.3 The Scottish Government and Drinking Water Quality Regulator for Scotland endorse this policy and as part of an overall initiative to minimise lead exposure through drinking water, wrote to all Scottish Council Chief Executives in March 2017 seeking their support.
- 3.4 Councils were asked to update their website with information on the health risks associated with lead pipes being present within drinking water supply pipework and to include a link to further information on lead exposure held on the NHS Inform website. This information and link has been published on the Council website (<http://www.renfrewshire.gov.uk/leadinwater>).
- 3.5 The Drinking Water Quality Regulator has also sought assurance from each Council that actions have been taken to remove lead pipes and tanks from drinking water supplies within school and nursery premises which are publicly owned. This information is being sought to provide assurance and certainty to Ministers within the Scottish Parliament that these premises have all had lead pipes removed or replaced.

- 3.6 Over recent months a drinking water sampling programme has been undertaken by Officers within Communities & Public Protection across all Council property which has school and nursery provision. The samples were tested to establish whether they contain lead levels either near to, or above the maximum prescribed concentration value of 10µg/l. The programme included taking samples from within PPP school premises. Each sample has been submitted to Glasgow Scientific Services for analysis and the results confirm that none of these exceed or are near to the maximum prescribed concentration value.
- 3.7 The results of this sampling programme have been passed to the Drinking Water Quality Regulator for their information and to provide assurance that children within schools and nurseries within Renfrewshire Council owned properties are not exposed to elevated levels of lead from drinking water.
- 3.8 The Drinking Water Quality Regulator has now advised that as part of Phase 2 of the project, Scottish Water has been commissioned to carry out similar tests at all privately owned premises where school or nursery activity takes place. This programme will include all relevant premises in Scotland and is expected to start over the coming months.
- 3.9 Where any water quality failures are identified, Scottish Water will liaise with the relevant Council and Consultant in Public Health Medicine to develop a failure response plan and for further investigation/enforcement of remedial actions through the provisions contained within the Public Water Supplies (Scotland) Regulations 2014. This will ensure that the drinking water supply for the affected premises is made suitable and safe for use.

Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** – None
3. **Community Planning** –

Renfrewshire is well – Minimising the exposure to lead in drinking water for children and young adults within education and childcare facilities will improve their health and wellbeing

4. **Legal** - None
5. **Property/Assets** - None
6. **Information Technology** - None

7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website
 8. **Health & Safety** – None
 9. **Procurement** – None
 10. **Risk** – None
 11. **Privacy Impact** – None
 12. **Cosla Policy Position** – None
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List of Background Papers

- (a) Background Paper 1 – Letter dated 8 March 2017 from the Drinking Water Quality Regulator for Scotland to Chief Executive

The foregoing background papers will be retained within Communities, Housing and Planning Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is the Communities and Regulatory Manager.

Author: Oliver Reid, Head of Communities and Public Protection
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To: Infrastructure, Land and Environment Policy Board

On: 29 August 2018

Report by: Director of Communities, Housing and Planning Services

Heading: Food Law Code of Practice (Scotland) Consultation

1. SUMMARY

- 1.1 The Food Law Code of Practice (Scotland) sets out the instructions, processes and criteria which all Local Authorities in Scotland must use when they carry out Official Food Controls (food law inspections) in their role as Food Authorities. The current version of the Code was published in April 2015 following the creation of Food Standards Scotland on 1 April 2015.
- 1.2 Food Standards Scotland (FSS) is now consulting with stakeholders on an updated code that reflects changes in legislation and best practice that have taken place since 2015. The Food Law Code of Practice (Scotland) is an extensive document – containing over 220 pages of detailed professional and technical guidance for Officers carrying out food law inspections.
- 1.3 The current consultation is the largest review of guidance carried out by Food Standards Scotland since they were established in 2015. The consultation opened on 29 June 2018 with responses required by 21 September 2018. The full consultation can be found at:
<https://consult.foodstandards.gov.scot/enforcement-delivery/food-law-code-of-practice-scotland-review-2018/>

- 1.4 The changes proposed to the Code of Practice deliver alignment with a number of strategies that have been previously reported to Board and are broadly to be welcomed:
- Food Standard Scotland's Regulatory Strategy (Reported to the Environment Policy Board on 15 March 2017).
 - The Scottish Government's approach to better regulation as set out in the Scottish Regulators' Strategic Code of Practice and Renfrewshire Council's Integrated Enforcement Policy. (Reported to the Leadership Board on 19 September 2017).
 - Food Standards Scotland's Strategy to 2021, in particular Outcome 4 - Responsible Food Businesses Flourish (Reported to the Environment Policy Board on 9 November 2016).
- 1.5 Some of the changes detailed in the Food Law Code of Practice (Scotland), in particular the technical changes in guidance, will have a significant impact on how food law inspections are conducted across all local authorities. Training will be provided for staff undertaking food law inspections following the final guidance being approved and issued by Food Standards Scotland.
- 1.6 The proposed updated Food Law Code of Practice (Scotland) also prepares for anticipated, planned and prospective changes that will take place during 2019 and beyond, including a new Food Law performance rating system that will replace the current Annex 5 of the Code.
- 1.7 Further phased updates to the Code will therefore be required in 2019 (phase 2) and 2020 (phase 3). These subsequent updates will deliver:
- Changes required to the Code arising from the implementation of the results of the Annex 5 Review Project (Phase 2).
 - A process to simplify future updates to, and re-publications of the Code, and to deliver a Code that is both portable and easily navigable for Food Authorities to use (Phase 3).
- 1.8 Other changes that might arise over the next few years (for example, changes relating to the UK leaving the EU, or developments arising from the work of Scottish Food Enforcement Liaison Committee (SFELC) Working Groups), will be included in the scope of the Phase 2 and Phase 3 Review Projects as appropriate. A separate consultation will be carried out for each phase of the Food Law Code of Practice (Scotland) Review.
- 1.9 The draft Renfrewshire Council response to the current consultation is attached as Appendix 1 to this paper for the consideration and approval of Elected Members.

2. RECOMMENDATIONS

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Notes the consultation on the Food Law Code of Practice (Scotland) and the proposed changes contained therein.
 - 2.2 Approves the Council's consultation response as detailed in Appendix 1 to this report.
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3. BACKGROUND

- 3.1 Scottish Ministers are empowered to issue Codes of Practice concerning the execution and enforcement of Food Law by Food Authorities. In turn, Food Authorities are required to have regard to the Code when discharging their duties, and must follow and implement the provisions of the Code that apply to them. The Food Law Code of Practice (Scotland) is issued under Section 40 of the Food Safety Act, 1990, Regulation 24 of the Food Hygiene (Scotland) Regulations, 2006 and Regulation 6 of the Official Feed and Food Controls (Scotland) Regulations, 2009.
- 3.2 The key, overarching proposals are:
 - To update and publish a new version of the Food Law Code of Practice (Scotland) incorporating changes in legislation and practice since 2015.
 - To ensure alignment of the Code with Food Standards Scotland's Regulatory Strategy.
 - To ensure alignment of the Code with the Scottish Government's approach to Better Regulation as set out in the Scottish Regulators' Strategic Code of Practice.
 - To ensure the Food Law Code of Practice (Scotland) reflects and enables the framework set out in Food Standards Scotland's Strategy to 2021, in particular Outcome 4 – Responsible Food Businesses Flourish.
 - To deliver an up to date Food Law Code of Practice (Scotland) in preparation for future planned and prospective changes including the new Food Law Performance Rating System that will replace the current Annex 5 of the Code.
- 3.3 The consultation is being conducted over a 12-week period reflecting the level and amount of detailed technical information to be considered. A range of

specific technical questions in relation to proposed changes/updates within the code are being asked, including Renfrewshire Council's view on:

- Sub-section 2: Statutory and General Obligations on Food Authorities
- Sub-Section 4: Qualifications and Competence
- Sub-Section 5: Conflicts of Interest
- Sub-Section 6: Food Business Establishment Records
- Sub-Section 8: Managing Incidents and Alerts
- Sub-Section 9: Food Crime and Food Fraud
- Sub-Section 12: Information to be supplied to FSS
- Sub-Section 14: Approach to Enforcement
- Sub-Section 19: Detention and Seizure
- Sub-Section 27: Interventions
- Sub-Section 34: Approved Establishments Subject to Approval under Regulation (EC) No 853/2004
- Sub-Section 37: Matters Relating to Fresh Meat
- Annex 7: Model Forms of Notice
- Annex 8: Model Application Form for the Registration of a Food Business Establishment

3.4 Officers within Renfrewshire Council have a very good working relationship with Food Standards Scotland and the service was represented on the pilot working group to review and undertake changes in relation to the scoring of food premises under Annex 5 of the Code of Practice.

3.5 Overall the proposed changes to the guidance are welcomed in the consultation response that is attached at Appendix 1.

Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** – None
3. **Community Planning** –

Renfrewshire is safe – By implementing the Food Law Code of Practice (Scotland), this will ensure that food that is prepared and consumed in Renfrewshire is safe.

4. **Legal** - None

5. **Property/Assets** - None
 6. **Information Technology** - None
 7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website
 8. **Health & Safety** – None
 9. **Procurement** – None
 10. **Risk** – None
 11. **Privacy Impact** – None
 12. **Cosla Policy Position** – None
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List of Background Papers

- (a) Background Paper 1 – Food Law Code of Practice (Scotland)

The foregoing background papers will be retained within Communities, Housing and Planning Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is the Communities and Regulatory Manager.

Author: Oliver Reid, Head of Communities and Public Protection
Email: oliver.reid@renfrewshire.gov.uk

The consultation aims to seek stakeholders' views on the proposed changes to the Food Law Code of Practice. The changes reflect updates to legislation and practice since 2015, and encompass:

- Local Authorities' and FSS' Better Regulation obligations under the Scottish Regulators' Strategic Code of Practice.
- The duty on Local Authorities and FSS under the Regulatory Reform (Scotland) Act 2014 to contribute to sustainable economic growth.
- New obligations on Local Authorities and FSS with regard to the Scottish National Database.
- Updates to data protection obligations in line with the General Data Protection Regulation.
- The introduction of the Scottish Food Crime Incidents Unit, and updates to the Incident Management process.
- The inclusion of new detention and seizure processes and notices for Food Information and Novel Foods.
- The inclusion of Service Planning with respect to the Intervention programme process.

Views on sub-section 2 of the Code: Statutory and General Obligations on Food Authorities.

This sub-section has been updated to reflect:

1. Food Authorities' statutory duties and powers regarding Food Information and Standards (see paragraphs 11 and 12).
2. Food Authorities' duties under the Regulatory Reform (Scotland) Act 2014, and the need to have regard to the principles of Better Regulation as outlined in the Scottish Regulators' Strategic Code of Practice (see paragraph 16).
3. The removal from the Code of Primary Production Activities that are now included within the Feed Delivery Manual (see paragraph 21).

Renfrewshire Council welcomes the changes to the code and in particular; the inclusion and clarification of the statutory duties and powers in relation to Food Information and Standards. Renfrewshire Council welcomes that the code highlights that Food Authorities must have regard to the principles of Better Regulation. This clearly aligns with Renfrewshire Council principles as part of the Integrated Enforcement Policy.

Views on sub-section 4 of the Code: Qualifications and Competence.

This sub-section has been updated to reflect:

1. Updates to the role and responsibilities of Lead Officer, particularly the responsibility to provide a weekly transfer of Food Law enforcement activity to the Scottish National Database (SND).
2. Updates to Qualifications and Awarding Bodies for Food Hygiene (4.9), and Food Standards (4.10).
3. Updates to reflect the powers regarding Food Information and Novel Foods (4.11).

Renfrewshire Council welcomes the updates and the clarity around the roles and powers. Renfrewshire Council currently provides a weekly transfer of Food Law enforcement activity to the Scottish National Database.

Views on sub-section 5 of the Code: Conflicts of Interest.

This sub-section has been updated to clarify Food Authorities' duty to document any potential conflicts of interest that may arise in an enforcement situation.

Renfrewshire Council would comment that the statement “Officers should not provide their own services e.g. training, in their own time within their Food Authority area, unless they have written permission from the relevant senior official in their Local Authority” should possibly read:

“Officers should not provide consultancy, training or other services in their own time within the Local Authority area in which they are employed. Where such work is undertaken outwith the Local Authority, written permission from the senior official in their Local Authority must be sought. Any decision to allow such work must take any conflicts of interest into consideration.

Renfrewshire Council would suggest that due to officers who work within Environmental Health/food enforcement having access to sensitive/commercially sensitive information potentially regarding businesses outwith their own Local Authority, it could be difficult to secure assurance that no conflict exists.

Views on sub-section 6 of the Code: Food Business Establishment Records.

This sub-section has been updated to reflect:

- Updates to data protection legislation.
- Requirements for the Scottish National Database (SND)
- Clarifications to the instructions for registration of different categories of moveable establishments.

Renfrewshire Council welcomes the updates and clarification on Registration of Food Businesses.

Views on sub-section 8 of the Code: Managing Incidents and Alerts.

- Sub-sections 8 and 10 of the current (2015) Code deal with Incidents and Food Alerts respectively. These sub-sections have been re-written and are now combined into one new sub-section 8 – Managing Incidents and Alerts.
- Note that Food Fraud and Food Crime is now detailed within a new sub-section 9.
- Annexes 3 and 4 of the Code have also been updated. Respectively these are the Schematic Representation for Food Incidents Reporting, and the Food Incident Report Form.

Renfrewshire Council welcomes the updates and particularly supports the use of links to forms and emails. It would be advantageous if links to consolidated legislation and guidance could also be similarly formatted. The 6th bullet point at 8.1.9 should read “Scotland” and not “England”.

Views on sub-section 9 of the Code: Food Crime and Food Fraud.

Sub-section 9 of the Code now contains information on Food Crime and Food Fraud and includes:

- Definitions.
- The FSS organisational structure that supports the investigation of Food Fraud and Food Crime.
- Arrangements for Food Crime reporting, and intelligence gathering.

(Please note that sub-section 9 of the 2015 Code is re-numbered sub-section 10 in the 2018 Code.)

Renfrewshire Council welcomes the updates. A link to the memorandum of understanding should be included within the document.

A clear organisational structure and responsibilities for Food Fraud and Food Crime is also welcomed.

Views on sub-section 12 of the Code: Information to be supplied to FSS

This sub-section has been updated to reflect:

- The new requirement to share information with FSS using the Scottish National Database.
- New data protection legislation.
- A change to paragraph 12.3 - Concerns about Industry Practice - as this is relevant to all Food Business Establishments, not just Approved Establishments.

- An update to sub-section 12.4 regarding live bivalve mollusc purification centres.

Renfrewshire Council welcomes the updates and is uploading data to the Scottish National Database.

Views on sub-section 14 of the Code: Approach to Enforcement

This sub-section has been updated to reflect:

- The National Food and Feed Compliance Spectrum (contained within the FSS Regulatory Strategy).
- The requirement for Food Authorities to ensure that enforcement action is consistent with the principles of Better Regulation set out within the Scottish Regulators' Strategic Code of Practice.
- Clarification of the need to indicate timescales for the rectification of each contravention in correspondence with Food Business Establishments (see paragraph 14).

Renfrewshire Council welcomes the updates but would suggest that:

It would be useful to have links to the documents in sub-section 6, other guidance and consolidated legislation.

Renfrewshire Council agrees that all correspondence should identify clearly, each contravention and the measures to be taken to secure compliance.

This section clearly aligns with Renfrewshire Council policies and the Integrated Enforcement Policy as agreed at previous Boards.

Views on sub-section 19 of the Code: Detention and Seizure.

This sub-section has been updated to include:

- Detention and seizure powers under Section 15B of the Food Safety Act 1990 (as amended) for breaches of Food Information Law.
- Detention and seizure powers under Section 9 of the Food Safety Act 1990 (as amended) further amended by the Novel Foods (Scotland) Regulations 2017.

Renfrewshire Council welcomes the updates and strengthening of this part of the Code of Practice.

Views on sub-section 27 of the Code: Interventions.

This sub-section has been updated as follows:

- Inclusion of information about Food Authorities' duties to produce an Annual Service Plan.

- Removal of reference to Annex 10 - Primary Production. This Annex has been removed from the Code.
- Removal of information about, and reference to, Annex 5A. This Annex has been removed from the Code.

Renfrewshire Council welcomes the updates.

Views on sub-section 34 of the Code: Approved Establishments Subject to Approval under Regulation (EC) No 853/2004.

The following updates have been applied to this section:

- Reference to the new Approved Establishments Scottish National Protocol.
- Clarification of the authorisation information in sub-section 34.2 on collection centres and tanneries that supply raw material for the production of gelatine or collagen intended for human consumption.
- Paragraph on live bivalve mollusc purification centres has been removed.
- Clarification that approval numbers must be unique and should not be re-used (see sub-section 34.12).

Renfrewshire Council welcomes the updates.

Views on sub-section 37 of the Code: Matters Relating to Fresh Meat.

This sub-section has been updated to include the enforcement responsibilities set out in the Country of Origin of Certain Meats (Scotland) Regulations 2016 (see 37.1, para 2).

Renfrewshire Council welcomes the updates. It would be useful to have links to consolidated legislation and guidance, where referenced in the code.

Views on Annex 7 of the Code: Model Forms of Notice.

Annex 7 has been updated to include:

- Privacy Notices on all model forms, in line with data protection regulations.
- Detention and seizure powers under Section 15B of the Food Safety Act 1990 (as amended), for breaches of Food Information Law.
- Detention and seizure powers under Section 9 of the Food Safety Act 1990 (as amended) further amended by the Novel Foods (Scotland) Regulations 2017.

The use of standardised and model forms is welcomed and ensures consistency across authorities. The use of model forms is used within Renfrewshire Council.

Views on Annex 8: Model Application Form for the Registration of a Food Business Establishment.

Annex 8 has been updated in line with new data protection legislation.

Renfrewshire Council welcomes the updates

Views on other sub-sections of the Code.

The preceding pages of this consultation detail the larger changes that are being proposed for this update to the Code.



To: Infrastructure, Land and Environment Policy Board

On: 29 August 2018

Report by: Director of Communities, Housing and Planning Services

Heading: Business Regulation Service Plan 2018/19

1. SUMMARY

- 1.1 Renfrewshire Council is required by Food Standards Scotland to produce a Business Regulation Service Plan each year to detail the work currently planned and being undertaken to enforce Food Law and Food Safety across Renfrewshire during that year.
 - 1.2 The team that covers this for Renfrewshire Council, the Business Regulation Team within Communities & Public Protection, also leads on other areas of work including workplace health and safety and these are included within the plan to provide a comprehensive description of the services provided by the team.
 - 1.3 The Business Regulation Service Plan 2018/19 sets out the objectives, the work being undertaken, methods of service delivery, allocated resources and quality assurance framework for the Business Regulation Team for the period from 1 April 2018 to 31 March 2019. It is based on a programme of inspections and reviews that is developed and carried out each year in accordance with the priorities and standards set by relevant bodies including Food Standards Scotland.
 - 1.4 The Business Regulation Service Plan for the 2018/19 year is attached to this report as an appendix.
-

2. RECOMMENDATIONS

- 2.1 It is recommended that the Infrastructure, Land and Environment Policy Board approves the Business Regulation Service Plan 2018/19 for submission to Food Standards Scotland.
-

3. BACKGROUND

- 3.1 Business Regulation forms part of the Communities & Public Protection Service within Communities, Housing and Planning Services. The team provides an effective regulatory service for food safety, food standards, and occupational health and safety at work on behalf of Renfrewshire Council, ensuring the Council's statutory responsibilities in these areas are met. The objective of the service is to improve the quality and effectiveness of these regulatory activities, and in doing so, ensure public health and safety is maintained.
- 3.2 In terms of food law enforcement, Renfrewshire Council is a statutory food authority under the Food Safety Act 1990 for all food and feed businesses within Renfrewshire. The Council is also an enforcing authority in terms of Section 18 of the Health & Safety at Work etc. Act 1974. This means that the Service is the enforcing authority for health & safety legislation in certain types of premises within Renfrewshire, determined by the main activity being undertaken at the premises as laid down in the Health and Safety (Enforcing Authority) Regulations 1998.
- 3.3 Section 18 of the Health and Safety at Work etc Act 1974 puts a duty on the Health and Safety Executive (HSE) and Local Authorities, as Enforcing Authorities, to make adequate arrangements for enforcement. The Section 18 Standard sets out the arrangements that should be put in place to meet this duty.
- 3.4 The Business Regulation Service Plan 2018/19 highlights the work undertaken by the Business Regulation Team, the current position with regards to premises (as of 1 April 2018) and the planned and programmed work throughout the year.
-

Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** – None

3. Community Planning –

Renfrewshire is safe – By implementing the attached Service Plan, Communities & Public Protection will ensure that food that is prepared and consumed in Renfrewshire is safe and that workplace Health & Safety is regulated.

4. Legal - None

5. Property/Assets - None

6. Information Technology - None

7. Equality & Human Rights

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website

8. Health & Safety – None

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9. Procurement – None

10. Risk – None

11. Privacy Impact – None

12. Cosla Policy Position – None

List of Background Papers

None

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Communities, Housing and Planning Services

BUSINESS REGULATION SERVICE PLAN

2018/19

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BUSINESS REGULATION SERVICE PLAN 2018/19

1. SERVICE AIMS AND OBJECTIVES

1.1 Aims and Objectives

The Food and Health & Safety Service is provided by Communities & Public Protection, within Renfrewshire Council's Communities, Housing and Planning Service. With the exception of feed controls, the service is delivered by the Business Regulation Team. The aim is to provide an effective regulatory service for food safety, food standards, and occupational health and safety at work on behalf of Renfrewshire Council, ensuring the Council's statutory responsibilities are met. The objective of the service is to improve the quality and effectiveness of these regulatory activities, and in doing so to ensure public health and safety is maintained. The Trading Standards & Licensing Team is responsible for the enforcement of feeding stuffs legislation.

In order to achieve this aim, Communities, Housing and Planning Services will:

- Apply the relevant legislation at premises regulated by the Local Authority in line with the Scottish Regulators Code of Practice,
- Work in partnership with agencies such as Food Standards Scotland (FSS) and the Health and Safety Executive (HSE) to achieve nationally agreed strategic aims,
- Ensure that all staff undertaking enforcement activity are properly qualified and competent to undertake their duties,
- Operate a risk based approach to inspection and regulation,
- Carry out a programme of specific, targeted and appropriate interventions in order to improve food safety and health & safety standards,
- Work with local businesses in an open and transparent manner,
- Investigate and take appropriate action upon receipt of accident notifications, service requests, food poisoning notifications and complaints.

1.2 Links to Corporate Objectives and Plans

The Business Regulation Service Plan 2018/19 contributes to Communities, Housing and Planning Services outcomes as well as Renfrewshire Council's Corporate Objectives and Plans. In particular the service has a critical role to play in supporting sustainable economic development, ensuring the health and safety of the public, addressing the impact of poverty and the protection of both the public and legitimate businesses from criminal activities.

1.3 Overview

In terms of food law enforcement, Renfrewshire Council is a statutory food authority under the Food Safety Act 1990 for all food and feed businesses within Renfrewshire. The Council is also an enforcing authority in terms of Section 18 of the Health & Safety at Work etc. Act 1974, the Service is the enforcing authority for health & safety legislation in certain types of premises within Renfrewshire. This is determined by the main activity being undertaken at the premises as laid down in the Health and Safety (Enforcing Authority) Regulations 1998.

Section 18 of the Health and Safety at Work etc. Act 1974 puts a duty on the HSE and Local Authorities, as Enforcing Authorities, to make adequate arrangements for enforcement. The Section 18 Standard sets out the arrangements that Local Authorities and HSE's Field Operation Directorate should put in place to meet this duty.

2. BACKGROUND

2.1 Organisational Structure

The Food Safety and Health & Safety service is delivered by suitably qualified officers within the Business Regulation Team operating in Communities & Public Protection within Communities, Housing and Planning Services

2.1.1 Role of Communities & Public Protection

Communities & Public Protection includes the Business Regulation, Community Safety, Environmental Improvements and Trading Standards teams. Their combined role is to protect the health, safety and welfare of the local community and to safeguard public health, the quality of the local environment and to enhance economic, social and environmental welfare by improving and maintaining standards of fair trading in terms of safety, quality, quantity and price.

2.1.2 Communities & Public Protection

The Service is based at:

Communities, Housing and Planning Services
Renfrewshire House
Cotton Street
Paisley
PA1 1BR

The Service can be contacted by:

email - b-serv.es@renfrewshire.gov.uk, or

phone – 0300 300 0380

2.2 Scope of the Service

The main role of Business Regulation is to undertake regulatory functions of relevant legislation in terms of Food Safety, Food Standards and Occupational Health and Safety at Work on behalf of Renfrewshire Council. The aim is to secure compliance with the standards laid down in primary legislation, associated regulations and codes of practice. Regulatory work is complemented by the work carried out by a Health Promotion Officer. The key activities of Business Regulation are based on the implementation of inspection, survey and sampling programmes and other appropriate monitoring and investigative activities, including responding to, and learning from food complaints, accidents and incidents at work.

Under Section 5 of the Food Safety Act 1990, Renfrewshire Council is a statutory Food Authority, responsible for delivery of official controls under the Act and associated Regulations. Statutory appointments of Head of Food Service and Lead Officer for Food Safety are detailed in the Council's Scheme of Delegated Functions.

Enforcement of the legislation, under Section 6 of the Food Safety Act 1990, includes food hygiene and food standards covering the safety, quality, presentation and labelling of food. To this end, a programme of food business inspections and the surveillance of food is carried out by co-ordinated food sampling and a food standards inspection programme.

Food and premises hygiene complaints are investigated. The investigation and control of food-borne infections within food premises is carried out in conjunction with NHS Greater Glasgow and Clyde. The Service acts as the originating authority to large scale food manufacturers within the area, co-ordinating and assisting in complaints and enquiries from other Food Authorities within the UK and Europe.

As an Enforcing Authority, the Service also has responsibility for the provision of health & safety enforcement services in a range of business activities covering approximately 2600 premises and an estimated 10,000 employees. The enforcement of health & safety legislation is split between the Local Authority (Renfrewshire Council) and the Health & Safety Executive (HSE), depending on the main activity being undertaken at the premises as laid down in the Health & Safety (Enforcing Authority) Regulations 1998. The HSE are responsible for the more traditional "factory" or industrial premises. The premises within the remit of the Council include: offices, shops, warehouses, leisure, hotel and catering premises.

The principal activities of the service, outlined above, have relevance to the Planning, Building Standards, Civic Licensing and Alcohol Licensing services of the Council. The service also delivers official controls in relation to food safety in all Renfrewshire Council food operations.

The Service provides advice and guidance to all businesses to ensure compliance with statutory requirements and assists in sourcing appropriate training and educational support. The Health Promotion Officer is also involved in the provision of food hygiene training for Environment & Infrastructure Facilities Management Soft Services.

The Trading Standards & Licensing Team is responsible for enforcement of animal feeding stuffs legislation.

2.3 Demands on the Service

Table 1: Profile of food businesses in Renfrewshire as at 1 April 2018:

Premises	Number
Primary Producers	20
Manufacturers and Packers	81
Importers/Exporters	11
Distributors/Transporters	27
Supermarket/Hypermarket	35
Smaller Retailers	297
Retailers, Other	65
Restaurant/ Cafe/Canteen	338
Hotel/Guest House	25
Pub/Club	188
Take Away	215
Caring Establishment	234
School/College	88
Mobile Food Unit	99
Restaurants & Caterers, Other	192
Total	1379

Table 2: Profile of Businesses for Health & Safety Enforcement as at 1 April 2018:

Premises	Number
Retail	781
Wholesale	130
Offices	326
Catering	759
Hotels etc	24
Residential Care	20
Leisure	208
Consumer Services	434
Others	72
Total	2685

Table 3: No. of approved and registered feeding stuffs premises as at 1 April 2017:

Premises	Number
Registered Feeding Stuffs Premises	128
Approved Feeding Stuffs Premises	0
Total	128

The Food Safety and Health & Safety Services provided by Renfrewshire Council operate solely from Renfrewshire House, Cotton Street, Paisley, PA1 1BR. The Service's standard working day is 8.45am - 4.45pm Monday to Thursday, and 8.45am - 3.55pm on Friday, with an out of hour's service also being provided in cases of emergency.

The Service works in a number of complex areas, which include:

Glasgow International Airport

As Glasgow International Airport lies within the Local Authority area, this adds further elements of work to the Business Regulation Team. At present there are regular imports of consignments of fish, fruit and vegetables through Glasgow Airport. These foods are subject to controls administered by Business Regulation. The Service is also involved in the surveillance of exports from the Airport and provides export certificates to those businesses exporting foodstuffs from Renfrewshire.

The Business Regulation Team provides a port health role at the airport. Renfrewshire Port Health Authority was originally set up with the primary objective of preventing dangerous epidemic diseases entering the country. Although this can still occur, if a person is patently unwell, this function is now more realistically aimed at contacting and monitoring persons who may be carrying a communicable disease and preventing further cases arising from environmental contamination of aircraft.

There are currently 2 businesses which operate flight catering within the airport estate and these are also subject to inspection by the service.

EHOs operate on a rota basis, with one officer allocated for each day of the working week. The officer carries out all imported food functions at the airport on his/her allocated day. In addition, on weekends and public holidays an emergency call-out service is in place to deal with port health incidents.

Communication and Language

The Council area has a number of food businesses operating for whom English is not a first language. This can introduce communication challenges during the course of inspection and enforcement visits. In order to address this issue, information leaflets translated into other languages have been produced. The service has organised food hygiene training in foreign languages and a translation service is available to officers if required during inspections and other meetings.

Council Operated Food Businesses

The control of food enforcement in Local Authority catering operations provided by Environment & Infrastructure Services is a complex and sensitive area of work. These premises include catering in residential establishments such as those run by the Council and Health and Social Care Partnership Social Work Services as well as schools and nurseries. The service employs the same approach to enforcement in these premises as in other similar businesses.

Approved Premises

There are 10 approved premises (2 meat and fishery products, 6 meat products, and 2 meat, fish & dairy products) operating within Renfrewshire, all of which are approved under Regulation (EC) 853/2004.

Events

A significant number of 1-day events such as The British Pipe Band Championships, fetes, agricultural shows, food festivals and markets are held throughout Renfrewshire on an annual basis, particularly, but not exclusively, during the summer months. These events require a food law enforcement presence in response to the level of external food retailers and caterers providing food for the large number of visitors and this can result in a minor short-term impact on the food service. The events do however; provide an

opportunity for health promotion activities, which the team conduct throughout the year.

Health & Safety Enforcement

The review of Health & Safety enforcement activities by the UK Government has influenced the approach in this area. HSE priority planning guidance directs the work of Local Authorities in relation to Health & Safety, with an emphasis on targeting resources on higher risk activities and reducing the number of routine inspections.

An Intervention Plan based on this guidance has been developed which takes into account local conditions and priorities.

2.4 Performance Management

The percentage of food businesses who receive a “pass” in terms of the food hygiene information scheme is used as the Indicator for performance. This figure is reported on a quarterly basis to the Infrastructure, Land and Environment Policy Board, with the current target set at **97%**.

Elected Members receive quarterly reports on performance in key areas including Food Safety and Health & Safety enforcement and Managers provide an operational update at a bi-monthly Communities & Public Protection Management Meeting. Certificates of Compliance and formal notices are reported to elected members via the Regulatory Functions Board and Information Bulletin reports.

Performance reviews are carried out on a six monthly basis with staff involved in Food Safety and Health & Safety enforcement, in order to maintain performance.

2.5 Enforcement Policy & Procedures

The Regulatory Services Integrated Enforcement Policy is in place to ensure the consistency of enforcement across all areas of Communities & Public Protection. The Policy sets standards clearly outlining the level of service which the public and businesses can expect to receive. It encourages fair and open regulation and commits the Service to ensuring our enforcement service works with businesses to assist them in complying with the law. The Policy has recently been reviewed to ensure it is consistent with the Scottish Regulators’ Strategic Code of Practice.

2.6 Information Systems

Premises records are held on the Authority Public Protection (APP) system, which is used to manage the inspection programme and record details of inspections, accidents, complaints and enquiries. The database is regularly reviewed and updated to facilitate the planning of inspection programmes and production of management reports.

Progress towards local, regional and national outcomes is monitored on a monthly basis using the reporting functions of the system. Statutory returns are made using data from the APP system.

3. **SERVICE DELIVERY**

3.1 **Food, Feeding Stuffs and Health & Safety Premises Inspections**

In accordance with the Food Law Code of Practice (Scotland), all food premises are risk-assessed, both for food hygiene and food standards. Risk assessments are entered in the Services database, which generates "a target inspection date". A report is generated from the database of visits due for each officer. The Service undertakes a full inspection programme based on the risk category of premises. Regulatory activity in relation to Health and Safety at Work is determined in accordance with HSE priority planning guidance.

The tables below illustrate the number of premises in Renfrewshire in each risk category for Food Hygiene, Food Standards, Feeding Stuffs and Health & Safety as at 1 April 2018.

Table 4: Food Hygiene Premises per Risk Category

Risk Band	Number of Premises
A	13
B	219
C	298
D	208
E	78
Unrated	22
Total	838

The risk rating of a food business is based on a number of elements. Hygiene, structure and food safety management are assessed to determine the risk posed by an establishment and the frequency of intervention by the local authority. These are numerically scored and used to derive the rating that is presented to the consumer as the 'score', A-E; Category A posing the highest risk.

In the year, there has been an increase in the number of category A rated premises, (previously 12). In addition, there has been a slight shift upwards in category B, C & D premises. From discussions with officers, it is evident that there has been a fall in both structural and general standards within food businesses. The exact cause of this has still to be determined but businesses

are less prepared to invest money in their premises. Business Regulation will continue to monitor this.

Table 5: Food Standards Premises per Risk Category

Risk Factor Band	Number of Premises
High	5
Medium	487
Low	1007
Unrated	12
Total	1511

Table 6: Feeding Stuffs Premises per Risk Category

Risk Factor Band	Number of Premises
High	3
Upper Medium	11
Lower Medium	114
Low	197
Unrated	5
Total	330

Table 7: Profile by Health & Safety risk category rated at 1 April 2018:

Risk Category	Total number in category
A	1
B1	33
B2	764
C	1565
Unrated	465
Total	2828

The tables below illustrate the number of inspections programmed for 2018/19 in each risk category for Food Hygiene, Food Standards and Feeding Stuffs.

Table 8: Food Hygiene Programmed Inspections for 2018/19

Risk Band	Number of Inspections
A	13
B	219
C	298
D	208
E	78
Unrated	22
Total	838

Table 9: Food Standards Programmed Inspections for 2018/19

Risk Band	Number of Inspections
High	5
Medium	134
Low	1
Unrated	12
Total	152

Table 10: Health & Safety Inspections for 2018/19

Since 2013, the service has refined the intervention strategy for businesses by further improving the targeting of relevant and effective interventions in line with LAC 67. The refinement preserves inspections for higher risk premises and has led to a reduced number of proactive Health & Safety inspections. This has subsequently allowed capacity for more effective outcome focussed interventions whilst protecting people in the workplace and wider society. There are two proactive inspection (Risk Category A premises) in the health & safety programme for 2017/18 and the themed inspections programmed are detailed in the table below:

Date	Special Intervention
August-December 2018	Carry out special interventions at animal visitor attractions in an effort to reduce the risk of contamination especially to children.
August-December 2018	Carry out special interventions for safety in swimming pools and spas where Health & Safety is enforced by the Local Authority to reduce the risk to employees and the public from Health & Safety and Public Health incidents.
August-December 2018	Carry out special interventions at commercial catering establishments to assess gas safety and where the risk of carbon monoxide may be present.
August-December 2018	Carry out special interventions at premises, especially licensed premises that use stored gas to minimise the risk of explosion.
August-December 2018	Planned special intervention for Lone working in premises such as: all night garages, grocers' shops and bookmakers in an effort to reduce violence/incidents involving lone workers.
August-December 2018	Proactive inspection of industrial retail/wholesale premises to ensure adequate control of work at height, work place transport and loading and unloading of vehicles.
August-December 2018	Carry out special interventions in relation to Crowd management at large scale events.

The inspection programme for 2018/19 has been developed to comply fully with the Food Law Code of Practice (Scotland) and LAC Circular 67/2 (Rev 7) Health & Safety priority planning.

From April 1 2018, Renfrewshire Council have formally taken part in the Food Standards Scotland (Annex 5) pilot. Therefore, in addition to the programmed Food Standards Inspections detailed above, the Service will continue to exercise the previous facility afforded to combine Food Standards Inspections with programmed Food Hygiene Inspections.

So far as the inspection of premises outwith normal working hours is concerned, our policy is to ensure that, where premises are only open outwith normal hours, then appropriate provision is made for them to be visited in accordance with at least the minimum number of visits determined by their risk rating.

In addition to the inspection programmes, a number of revisit inspections; estimated for 2018/19 to be in the region of 300 visits, are predicted to be required, in accordance with the Service's Enforcement Policy.

Eight full time equivalent officers carry out the work of the Business

Regulation team, including the Business Regulation Manager and Health Promotion Officer (0.5 FTE). The staffing allocation to food law enforcement is 75% of 7.5 FTE's, with the other 25% allocated to Health & Safety enforcement. Officers are allocated premises within specific geographical areas. A Trading Standards Officer, from the Trading Standards and Licensing team (0.25 FTE) undertakes functions relating to feeding stuffs.

It is considered that the Service has adequate expertise to provide a competent and full portfolio of enforcement and educational roles in relation to Food Safety and Health & Safety. However; where necessary, we are able to draw on expertise from Food Standards Scotland, Glasgow Scientific Services – the Public Analyst, Health Protection Scotland, the Director of Public Health, Animal and Plant Health Authority (APHA), The Health & Safety Executive and other local authorities.

3.2 Food, Feeding Stuffs and Health & Safety Service Requests

The Service has documented policies relating to the investigation and handling of complaints and service requests which ensure that all complaints are investigated in accordance with the appropriate Code of Practice. The numbers of complaints and service requests, detailed by category, received during the last year (April 2017 - March 2018) are shown in the table below:

Table 11: Complaints and Service Requests 2017/18

Category of Complaint/Service Request	Number of enquiries 2017/18
Food Hygiene	79
Food Standards	43
Hygiene of Food Premises	31
Feeding Stuffs (animals)	0
Health & Safety	7
Advice to Business	119
Advice to Consumers	25
Certificates and Consultations	819
Imports/Exports	17
Other	1
Total	1141

*Figure includes accident and asbestos notifications.

Complaints and Service Requests are dealt either by the duty Business Regulation Officer or by the officer responsible for the premises which are the subject of the complaint/request. All service requests are logged in the APP

database against the premises implicated, with visits and actions being recorded when undertaken.

All complaints are recorded and their risk evaluated to distinguish between those which require an on-site investigation and others which may be resolved by telephone or written advice.

3.3 Investigation of Accidents

A procedure is in place for the investigation of notified accidents designed to ensure the consistency and quality of the accident investigation service. It is not possible or appropriate to investigate all incidents and a systematic approach has been adopted to ensure that the more serious incidents are investigated.

3.4 Enforcement Management Model (EMM)

The Guidance in the LAC22/18 along with detailed guidance that was issued for use by EHOs is used to promote consistency of enforcement between individual officers, Local Authorities and with HSE.

All officers in the team have been trained in the use of the Enforcement Management Model. The model is used by officers when considering the most appropriate action to take in more complex situations which are occasionally encountered, including serious accident investigations. It is also used as a monitoring tool by the Business Regulation Manager / Regulatory and Enforcement Manager.

3.5 Home Authority Principle & Primary Authority Scheme

For companies operating under two or more local Council jurisdictions, Primary Authority provides reliable and consistent regulatory advice from a single source when dealing with key aspects of environmental health, trading standards, health & safety, and licensing services. Renfrewshire Council currently has no partnerships in relation to health & safety advice and enforcement.

The Regulatory Reform (Scotland) Act 2014 creates a legal framework for implementation of Primary Authority arrangements relating to the devolved regulatory responsibilities of Local Authorities in Scotland. A process to introduce the scheme for food businesses is currently going through the consultation process.

The Primary/Home authority principle is applied when dealing with food complaint investigations and also routinely in relation to food standards and labelling issues. It is considered to be an aid to good enforcement practice.

The Council has no formal agreements in place to act as a Home Authority with any specific business, but has listed the following significant

establishments as ones which are considered as home authority/originating authority premises:-

A&A Bakers	Moss Road	Linwood	PA3 3HR
Alice Cairns Butchers Ltd	Moss Road	Linwood	PA3 3HR
Alpha LSG Sky Chef's Ltd	Arran Avenue	Paisley	PA3 2AY
Alpha LSG Sky Chef's Ltd	Arran Avenue	Paisley	PA3 2AY
Aulds Delicious Desserts	Barnsford Avenue	Inchinnan	PA4 9RG
Big Bear Bakery	15 Edison Street	Hillington Park	G52 4JW
Buon Giorno	11A Queen Street	Renfrew	PA4 8TR
Chivas Brothers Limited	111-113 Renfrew Road	Paisley	PA3 4DY
Craigton Packaging	Scott's Road	Paisley	PA2 7AN
Davis & Davis	39 Brora Drive	Renfrew	PA4 0XA
Diageo Global Supply	1 Argyll Avenue	Renfrew	PA4 9EA
Diageo Global Supply	500 Renfrew Road	Renfrew	G51 4SP
Earl Haig Foods Ltd	15 Earl Haig Road	Hillington Park	G52 4JU
Fat Boy Distribution Ltd	28 Queen Elizabeth Ave	Hillington Park	G52 4NQ
Foxbar Butchers	44 Foxbar Road	Paisley	PA2 0AY
G Porrelli & Co Ltd	25 Lacy Street	Paisley	PA1 1QN
G&A McHarg	Dalziel Road	Hillington Park	G52 4NN
Gleddoch Family Butchers	60 Glasgow Road	Paisley	PA1 13W
Hannah's of Johnstone	18-20 Walkinshaw Street	Johnstone	PA5 8AB
Henderson Meats	Bargarran Square	Erskine	PA8 6BS
Houston Brewery	58 Kelvin Avenue	Hillington Park	G52 4GA
Ingram Brothers	15 East Lane	Paisley	PA1 1QA
Italian Lifestyle Express	Floors Street Ind. Estate	Johnstone	PA5 8PE
Jaw Brewery	67b Montrose Avenue	Hillington Park	G52 4LA
Jenier Limited	Darluith Road	Linwood	PA3 3TP
JoJo's Cakery	Mossedge Industrial Estate	Moss Road, Linwood	PA3 3HR
Kerry Foods (UK) Ltd)	55-59 Kelvin Avenue	Hillington Park	G52 4LT
Lang Fine Scottish Leather	1 Seedhill	Paisley	PA1 1JL
MacSpice/McAusland Crawford	79/81 Abercorn Street	Paisley	PA3 4AS
McNeil's produce	26 Newnham Road	Paisley	PA1 3DY
NCT Leather Ltd	Kilbarchan Road	Bridge Of Weir	PA11 3RL
Overton Dairy	Burntshields Road	Kilbarchan	PA10 2PB
Peppermill Foods Ltd	14 Watt Road	Hillington	G52 4RY
Rice 'n' Spicy	15 Edison Street	Hillington Park	G52 4JW
Sgaia Foods	88 Greenhill Road	Paisley	PA3 1RD
Stephen Williams First Class	4b Mains Drive	Erskine	PA8 7JQ

Sutherland Cakes	15-17 Earl Haig Road	Hillington	G52 5JU
The Elderslie Scottish Tablet Co	37 Glenpatrick Road	Elderslie	PA5 9AE
W P Tulloch	22a Skye Crescent	Paisley	PA2 8EL

3.6 Advice to Business

Communities & Public Protection undertakes an on-going advisory role to all businesses in Renfrewshire. A range of information and promotional material is made available for businesses by Environmental Health Officers and Health Promotion Officers during visits. Similarly, training opportunities and other information is provided to businesses during visits. The Trading Standards and Licensing Service provides advice on feeding stuffs to any business requesting it.

3.7 Health Promotion Activities

Health Promotion activities are undertaken through an integrated approach throughout Public Protection, co-ordinated by a designated Health Promotion Officer. Through this integrated approach, the Service assists in signposting training opportunities, and providing relevant information and advice to businesses in Renfrewshire. A selection of FSS and HSE publications in English and minority languages, and Information packs for new businesses are also available. A leaflet summarising our Integrated Enforcement Policy is available for businesses. A communications calendar has been devised which will direct the majority of work in relation to Health Promotion activities in 2018/19. Activities will be communicated via the Council website and also social networking sites and press releases.

Premises Name	Premises Address
Accord Hospice	Morton Avenue, Paisley, PA2 7BW
BP Connect & Wild Bean Cafe	White Cart Road, Paisley, PA3 2TH
Braemount Care Home	21 Donaldwood road, Paisley, PA2 8EA
Capability Scotland	Wallace Court, 191 Main road, Elderslie, PA5 9EJ
Erskine mains Care Home	Meadow drive, Erskine, PA8 7ED
Hanover(Scotland) Housing Association Newton Court	23 Maree Road, Paisley, PA2 9DH
Hanover(Scotland) Housing Association, Ailsa Court	1 Ailsa Drive, Paisley, PA2 8HE
Hanover(Scotland) Housing Association, Orchard Court	Orchard Street, Renfrew, PA4 8RZ
Hanover(Scotland) Housing Association, Walikinshaw Court	Walkinshaw street, Johnstone, PA5 8AF
Kibble Education & Care Centre	Goudie Street, Paisley, PA3 2LG

Kibble Works	55 Clark street, Paisley, PA3 1RB
Little Inch Care Home	8 Rashilee Avenue, Erskine, PA8 6HA
Holiday Inn	Caledonia Way, Glasgow Airport PA3 2TE

3.8 FHIS & EatSafe

The Food Hygiene Information Scheme continues to be a success in Renfrewshire with around 1000 food premises who sell food to the public being included.

Currently 98% of premises within Renfrewshire have a pass certificate within the scheme.

There are 12 premises with Eat Safe Awards.

3.9 Sampling

Currently, Renfrewshire Council, along with 9 other local authorities have a Service Level Agreement with Glasgow City Council for the provision of analytical services. The analyst service is provided by Glasgow Scientific Services, Colston Laboratory, 64 Everard Drive, Glasgow G21 1XG. Glasgow Scientific Services are this Authority's appointed Public Analyst for chemical analyses of all food samples, Food Examiner for all microbiological examinations of food samples and Agricultural Analyst for all feeding stuffs samples taken.

The sampling programme for 2018/19 is attached as Appendix 1 to this Service Plan. The programme will focus on high risk premises in Renfrewshire, whilst reflecting national priorities recommended by FSS and SFELC.

Food sampling will also be undertaken at Glasgow International Airport to monitor the quality, composition and labelling of foods imported through the airport as part of the Service's imported food controls. It is not possible to estimate sample numbers or types for this sampling at present.

The Trading Standards Service undertakes risk-based sampling based on intelligence received, and local or national priorities.

3.10 Control and Investigation of Outbreaks and Food Related Infectious Diseases

Communities & Public Protection works closely with NHS Greater Glasgow and Clyde Health Board Consultants in Public Health Medicine in outbreak control situations and the routine investigation of infectious disease. In addition, the Health Board has produced an outbreak control plan for dealing with major outbreaks of food related illness to which this authority has had a major input.

The Business Regulation Team work with the Public Health Protection Unit at NHS Greater Glasgow and Clyde Health Board to ensure the plan is adhered to. In addition, an outbreak control and investigation of notifications of food borne disease procedure is in place.

During 2017/18 there were 32 cases of food poisoning reported and investigated by Environmental Health Officers.

Present resources within Communities & Public Protection are adequate to meet current levels of notification; however in the event of a major outbreak, any required additional resources would be made available by seconding Environmental Health Officers from other service areas.

3.11 Food & Feed Safety Incidents

Food and Feed safety incidents are dealt with in accordance with the relevant codes of practice the Food Law Code of Practice (Scotland) and the Feed Law Enforcement Code of Practice (Great Britain). Notifications of incidents are received from Food Standards Scotland (FSS) by e-mail, telephone, fax, or all three. In case of emergencies, an officer is on stand-by who has contact details for all relevant members of staff. Procedures for food and feed safety incidents are in place and are available to all staff. This allows for alerts to be appropriately actioned, investigations set in motion and warnings issued if necessary. Any enforcement activity which is required in support of an incident is carried out within the terms of the relevant legislation and the Council's enforcement policy for assuring the safety of food and feed.

In addition to responding to notified incidents, Renfrewshire Council will, where necessary initiate Food/Feed Alerts in accordance with Code of Practice Guidance and will liaise with Food Standards Scotland in such situations.

3.12 Liaison with Other Organisations

To ensure enforcement and other activities carried out by the Service are consistent with neighbouring Authorities and to ensure best practice, Renfrewshire Council actively participates in the West of Scotland Food and Health & Safety Liaison Groups. The groups meet regularly throughout the year and comprise representatives from the 14 authorities, which previously made up Strathclyde Regional Council, together with representatives from Glasgow Scientific Services, Food Standards Scotland and the Health & Safety Executive. The groups are attended by the Business Regulation Manager or a suitable deputy.

The Service also has formal and informal links to a range of other organisations and agencies. These include:

NHS Greater Glasgow and Clyde Health Board
Association of Port Health Authorities
Royal Environmental Health Institute for Scotland

Society of Chief Officers of Environmental Health in Scotland
 Society of Chief Officers of Trading Standards in Scotland
 Scottish Food Enforcement Liaison Committee
 Health Protection Scotland
 Food Standards Scotland
 Health & Safety Executive
 Glasgow Scientific Services
 Animal and Plant Health Agency
 Marine Scotland
 West of Scotland Quality Working Group (Feeding Stuff)
 H.M. Revenue and Customs
 Scottish Government Rural Payments and Inspection Directorate (SGRPID)
 Civica APP Scottish Users Group

4. **RESOURCES**

4.1 **Financial Allocation**

The budget detailed below indicates the level of resources available 2018-19 to deliver the necessary services. As highlighted at 3.1 above the resource allocation within the Business Regulation Team is 75% of Food Law enforcement and 25% on Health & Safety enforcement. This split is at the discretion of the Business Regulation Manager and can be amended where there is a service demand.

In addition, the figure for employee costs includes 0.25 of a Trading Standards Officer post for the delivery of Feed Controls.

Budget	2018/19
Employee Costs	£335,987
Supplies and Services	£180,701
Travel and Subsistence	£9,430
Training	£1,600
Total	£527,718

Projected Income Source	2018/19
Export Health Certificates	£9,700
Sales, Fees and Charges	£500
Miscellaneous Income	£3,900
Total	£14,100

4.2 **Staffing Allocation**

Within the context of this plan, the allocation of staff is designed to provide an

effective enforcement service for food safety, food standards, trading standards and occupational health and safety at work on behalf of Renfrewshire Council.

All food enforcement officers are authorised in accordance with the Food Law Code of Practice (Scotland) commensurate with their training and experience. A range of additional relevant qualifications are held including: the REHIS Advanced Food Hygiene Diploma, the REHIS Certificate in the Inspection of Meat and Other Foods, Certificate in Nutrition & Health and the RIPHH Certificate in HACCP Principles. Three officers have completed the ISO 9000 Lead Assessors course.

The Service secures administrative support from a pool of administrative and support staff in the Council's Business Support Service.

4.3 Employee Development Plan

The Service is committed to ensuring all officers are suitably qualified, trained and remain competent in terms of the Food Law Code of Practice (Scotland) and in terms of Section 18 of the Health & Safety at Work Act 1974.

This is facilitated by the provision of in-house training, and all employees have the opportunity on a rotation basis to attend relevant external training events. These include the Food Update, Health & Safety Update, the Law Enforcement course and other courses arranged ad-hoc by organisations such as REHIS, ABC Food Safety, Food Standards Scotland and Health & Safety Executive. Any employee attending such a course is required to "cascade" the relevant information accrued as a result of their attendance to other officers.

Business Regulation Team meetings are held monthly, where performance, food safety and food standards enforcement and Health & Safety enforcement issues are discussed. Matters arising from the quality assessment model for inspections, consistency issues and interpretation issues are discussed. Team meeting minutes and Liaison Group minutes are stored in the staff manual for all officers to use. Relevant points from the Liaison Groups are also discussed at Team meetings.

In addition, all staff have full access to, and are trained in the application of, policies and procedures, which are a requirement of the framework agreement on local authority food law enforcement. Training records are maintained for each officer.

A Corporate Training Plan (Managing Team and Individual Performance Development - MTIPD) has been rolled out. All officers have completed their training needs analysis and have individual development plans prepared for 2018/19.

5. **QUALITY ASSESSMENT**

5.1 **Quality Assessment**

The Service has a documented “Internal Monitoring Procedure – Internal Checks” quality assessment model for inspections. The Business Regulation Manager has primary responsibility for carrying out quality assessments within the Service. The Communities & Regulatory Manager has a secondary responsibility to oversee the performance of the Business Regulation Manager and to ensure that quality assessments are being carried out consistently throughout the Service.

The Internal checks include file checks, one-to-one discussions, team discussions and accompanied inspections. Records of these are retained by the Business Regulation Manager and Communities & Regulatory Manager.

This quality assessment model facilitates the Service’s requirement in accordance with Annex 2 of the Food Law Code of Practice (Scotland) and the Section 18 guidance issued by the HSE to ensure that all staff engaged in enforcement activities retain their competence.

The Business Regulation Manager reviews a monthly report on the performance indicators to ensure that the targets are met. The monthly report also details performance information relating to inspection deadlines, complaints and service requests received and food sampling activity.

6. **REVIEW**

6.1 **Review against 2017/18 Inspection and Sampling Programmes**

The following table details performance against targets for 2017/18**

Programmed Food Hygiene Inspections		
Activity	Targets for 2017/18	Achieved
Category A (6 months)	24	24 (100%)
Category B (12 months)	203	203 (100%)
Category C(18 months)	330	330 (100%)
Category D (2 years)	173	171 (99%)
Category E (Alt. Enforcement /3 Years)	195	192 (99%)
Total	925	921 (99%)
Programmed Food Standards Inspections		
Activity	Targets for 2017/18	Achieved
High Risk (1 year)	10	10 (100%)

Medium Risk (2 years)	134	134 (100%)
Low Risk (5 years)	4	4 (100%)
Total	148	148 (100%)

Complaints/Enquiries/Requests for Service received 2017/18	1141
Total Number of Health & Safety Inspections/Visits 2017/18	83

Programmed Food Hygiene Inspections: Performance remains high in this area as 99% of visits due, took place within the required timescales. All higher risk (A to C) category premises were inspected and 4 lower risk premises were not inspected within the required timescale. One of these businesses remains outstanding as no access can be gained, one business has closed and the other businesses have now been inspected.

The Service continues to aim for 100% performance with a high degree of awareness among officers of the importance of maintaining the inspection programme and its associated performance targets.

Programmed Food Standards Inspections: 100% of targeted inspections were achieved.

Alternative Enforcement: The service has adopted an Alternative Intervention Strategy which is implemented in relation to low risk premises such as pharmacies and similar premises with minimal food elements to their operation. This allows Officers the flexibility to concentrate on those visits which are highest risk.

Complaints/Enquiries/Requests for Service: There was an increase in the number of service requests received. This is due, in part, to the recording of requests for export certification. These were previously not included in the figures.

Sampling:

The Food Sampling programme for 2017/18 continued the risk based approach to sampling. A number of projects were undertaken and follow-up action and surveillance based on results will be carried over into 2018/19. Results are shown in the following table;

119 samples were taken in total during the year; 55 for composition/chemical analysis with 4 fails and 64 for microbiological examination of which 24 failed. All failed samples were followed up or are currently being followed up with interventions by officers. Items included in the project work undertaken for the year are detailed below. **Note: The number of samples taken was determined by availability and priorities for the year.**

Time of Year	Sample Type	Type of Premises	No. of samples Planned	Actual Taken	Pass	Fail
July 2017 to March 2018	Microbiological quality Non pre-packed fruit and veg salads and garnishes (including salads with mayonnaise e.g. coleslaw	Caterers & Retailers	10	16	16	0
July 2017 to March 2018	Microbiological quality of ready to eat fish and shellfish products	Caterers & Retailers	18	12	10	2
July 2017 to March 2018	Microbiological Quality of Fresh Herbs	Caterers & Retailers	5	8	8	0
July 2017 to March 2018	Microbiological quality of Non-pre-packed sandwiches and sandwich fillings containing mayonnaise	Caterers	10	10	9	1
July 2017 to March 2018	Microbiological quality of Non-pre-packed cooked sliced meats (tests to include Salmonella, Campylobacter and E.coli O157)	Caterers	10	10	1	9
July 2017 to March 2018	Microbiological quality of Vacuum packaged ready to eat foods with a shelf-life longer than 10 days	Manufacturers	5	5	5	0
July 2017 to March 2018	Swabs from ready to eat contact equipment (focus on slicing blades and slicing machines)	Butchers	10	15	15	0
July 2017 to March 2018	Meat speciation in venison products	Butchers/Retail	4	2	2	0
July 2017 to March 2018	Free-from claims with a focus on gluten-free and the presence of dairy in non-dairy yoghurt, cheese and milk substitutes	Retailers	10	5	5	0
July 2017 to March 2018	Preservative in Jarred chutneys and relishes	Retailers	3	0	0	0
July 2017 to March 2018	Meat speciation Prepared meals (curries, kebabs etc.) (and mis-use of colours where appropriate)	Caterers (Chinese/Indian /Turkish style)	10	10	8	2

July 2017 to March 2018	Speciation Fish / Fish products (battered, breaded and with sauces)	Caterers	10	10	10	0
July 2017 to March 2018	Speciation Fish / Fish products (prepacked fresh and frozen)	Retailers	10	10	10	0

The Food Sampling programme is evaluated at the end of each year in order to determine priorities for the next year as part of the Service Planning process or in response to any changes in advice/instruction given by Food Standards Scotland or other relevant government bodies. The programme for 2018/19 is based on local priorities, the national programme in agreement with SFELC and the West of Scotland Food Liaison Group. (See Appendix 1).

6.2 Areas for Improvement

It is considered that the service would benefit from an electronic file management system as well as pursuing options to introduce mobile technology to improve efficiency. During 2017/18, further preliminary research was carried out with other local authorities who use similar IT systems to this service. Work in this area is ongoing.

Further development of the APP electronic database will also be pursued during 2018/19.

7. Emerging Issues 2018/19

Food Crime

This continues to be a focus for FSS and Food Authorities. Food Crime erodes confidence and disempowers consumers. This leads in turn to financial losses, negative economic impact and poses a threat to jobs and exports. This is why tackling food crime is so important and why The Scottish Food Crime and Incidents Unit (SFCIU) has been established. The Business Regulation Team will continue to build on the established working relationships with partner Agencies including SFCIU.

Review of Risk Rating Scoring System

In 2012, The Scudamore report **“Review of future arrangements to secure food standards and safety in Scotland”** was published. One of the main recommendations was that: ***“FSA Scotland should review the Food Law Code of Practice (Scotland) to determine if the current risk rating and intervention frequencies are appropriate and represent the best use of enforcement resources in Scotland”***.

In February 2014, The Scottish Food Liaison Enforcement Liaison Committee (SFELC) set up a Working Group tasked with examining the existing arrangements in Annex 5 of the Food Law Code of Practice (Scotland). The group assessed whether an alternative regime would deliver more effective prioritisation of food law enforcement in Scotland.

In September 2016, Renfrewshire Council were invited to be one of 10 Scottish local authorities to take part in a 1-year pilot, commencing October 1 2016, to develop a risk rating scoring scheme to replace the existing Annex 5. From April 2017, Renfrewshire Council have adopted the scheme prior to the full roll out to the remaining Local Authorities.

Review of Risk Rating Scoring System

Food Standards Scotland is currently consulting on the new Food Law Code of Practice (Scotland). Whilst the basis of the code will remain the same, there will be alterations to food law inspections in Scotland. Renfrewshire Council responded to the consultation and all Officers will receive appropriate training in the new Code of Practice.



Communities, Housing and Planning Services

**BUSINESS REGULATION – FOOD SAMPLING
PROGRAMME**

2018/19

1. INTRODUCTION

The annual sampling programme for 2018-19 is designed to fulfil aims and objectives in line with Communities, Housing and Planning Services Food Sampling Policy. The programme outlines the sampling priorities for the year, however it is recognised that circumstances and priorities may change, which require the programme to be flexible in order to respond to these changing circumstances.

The majority of samples are taken informally for the purpose of monitoring, surveillance and information gathering however; formal samples will be taken where enforcement action is anticipated. Environmental Health Officers, Food Safety Officers and other authorised officers are responsible for undertaking the food sampling functions of the Council.

At present there is a Service Level Agreement in place with Glasgow City Council to provide analytical services to Renfrewshire Council. The analyst is: Glasgow Scientific Services, Colston Laboratory, 64 Everard Drive, Glasgow, G21 1XG.

2. APPROACH TO SAMPLING

Renfrewshire Council complies with the requirements of the Food Safety (Sampling and Qualifications) Regulations 1990 and the Food Standards Agency's Code of Practice. The sampling programme for 2018/19 is designed to be more focused on high risk/high value products which are manufactured in Renfrewshire. Focussing on these items will ensure that those which pose the greatest risk to the public of Renfrewshire are adequately controlled.

2.1 Informal Samples

An informal sample may be taken covertly however; the food business operator will always be informed of the results of the sample. Informal samples can be useful in allowing an unrecognised officer to witness activities in business premises in a real-time situation however; for enforcement purposes formal sampling must be undertaken overtly.

2.2 Formal Samples

In accordance with the Regulatory Services Integrated Enforcement Policy, which promotes action which is consistent, fair and proportionate, formal samples will generally be taken after routine samples have been found to fail statutory requirements and no satisfactory remedial action has been taken.

2.3 Sampling Priorities

FSS and The Scottish Food Enforcement Liaison Committee have identified, through intelligence, the areas deemed to be priorities in terms of sampling. The priority plan considers the Scottish perspective but also takes account of

the UK. FSA. priorities. In addition to National priorities, Renfrewshire Council will focus on areas of particular interest to the authority.

2.4 Manufacturing/Approved Premises

Renfrewshire Council will continue to concentrate on sampling from manufacturers and approved premises in our area. These premises will be sampled at least annually. Where possible, samples will be taken in advance of Food Hygiene/Food Standards inspections in order to discuss sample results with the food business operator.

2.5 Sampling Plan 2018/19

The sampling plan for 2018/19 outlines the project work to be undertaken by Renfrewshire Council in high risk areas. The sampling plan is outlined at point 4.2.

3. COMPLAINTS & FOOD BORNE DISEASE INVESTIGATIONS

In response to complaints and notifications of food borne disease received Communities, Housing and Planning Services may opt to take samples in order to resolve any issues arising as a result of any investigations.

3.1 Co-ordinated Sampling

Where appropriate, the Service will participate in food surveillance programmes arranged by regional and national bodies such as Food Standards Scotland, SFELC and the West of Scotland Food Liaison Group.

3.2 Imported Food

In order to monitor the quality, composition and labelling of imported foods, samples of foods imported through Glasgow Airport will be submitted to the Public analyst for examination.

3.3 Special Investigations

There may be circumstances whereby an incident will require special investigation and resources may have to be directed towards dealing with the investigation. In addition this may involve liaison with other partners including Health Protection Scotland and Greater Glasgow & Clyde Health Board.

4. SAMPLING PLAN

4.1 Priority Actions

The following topics have been identified as priority actions by SFELC and will be subject of sampling activity during 2018/19, along with other local surveillance activities outlined in the table below at point 4.2:

4.2 Sampling Plan

Time of Year	Sample Type	Type of Premises	No. of samples
July 2018 to March 2019	Raw, fresh pork meat	Retailers and/or caterers	10
July 2018 to March 2019	Breaded, raw, fresh, chicken goujons, breasts, fillets	Retailers	10
July 2018 to March 2019	Raw shell eggs and raw egg mixes	Caterers	10
July 2018 to March 2019	Ready-to-eat bagged leafy salads	Retailers	5
July 2018 to March 2019	Fried potato products and ethnic breads	Caterers	5
July 2018 to March 2019	Raw and cooked cured meats	Retailers	5
July 2018 to March 2019	Cereals and cereal-based products	Retailers Distributors/ Transporters Importers/Exporters	5
July 2018 to March 2019	Lean minced meat and minced steak	Retailers	10
July 2018 to March 2019	Pre-packed foods with 'reduced' nutritional claims	Retailers	5

4.3 Routine Sampling

The project sampling initiatives listed above will be the focus of sampling activities however, in the course of routine work, officers will take samples as appropriate.

5. Review of 2017/18

The Food Sampling programme for 2017/18 continued the risk based approach to sampling. A number of projects were undertaken successfully, and follow-up action and surveillance based on results will be carried over into 2018/19.

The Food Sampling programme will be evaluated at the end of each year in order to determine priorities for the next year as part of the Service Planning process or in response to any changes in advice/instruction given by the Food Standards Scotland or other relevant government bodies.



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: REVIEW OF CAR PARKING PROVISION AND CHARGES – PARKING CHARGES IN JOHNSTONE AND RENFREW

1. Summary

- 1.1 This report provides a progress update and final position on the Review of Car Parking Provision and Charges, across Renfrewshire, specifically providing an update on the introduction of Parking Charges for on and off-street parking in Johnstone and Renfrew. There is a separate report at item 8b to be considered by this Policy Board which relates to Residents and Business Parking Permits in Paisley, Johnstone and Renfrew town centres.
- 1.2 The report details the feedback received to the online engagement and public meetings of June 2018 on the key findings of the Impact Assessment, as undertaken for Johnstone & Renfrew town centres.
- 1.3 The decisions approved by the Infrastructure, Land and Environment Policy Board (ILE) of 8th November 2017 and 30th May 2018 have been progressed. The report also addresses the Motion to Council in December 2017 which agreed to engage and consult with communities and that the implementation of parking charges would only be introduced if the consensus was that there would be benefit to the local community.
- 1.3 Overall, the feedback received from the public engagement In June 2018, showed agreement with many of the key findings and proposals as set out in the Impact Assessment. The areas of agreement being that there are parking problems and pressures around key locations and residential streets in Johnstone & Renfrew town centres.

- 1.4 The Johnstone community were in overall agreement with the findings of the Impact Assessment. However, the community, and in particular the business community, were opposed to the introduction of parking charges and changes to the current parking management arrangements. In Renfrew, the community and businesses broadly agreed with the Impact Assessment findings and proposals, with a lower number of responses received.
 - 1.5 Overall, the medium-term interventions as set out in the Impact Assessment findings to introduce car parking control charges after a period of free parking were supported by 51% of respondents. The main intervention suggested by the respondents to address parking problems and pressures in key locations in both town centres, was to create additional car parking provision.
 - 1.6 Paragraphs 5.2 to 5.5 of this report sets out options for the Policy Board to consider to take forward the Review of Car Parking Provision and Charges across Johnstone & Renfrew town centres.
-

2. Recommendations

It is recommended the Infrastructure, Land & Environment Policy Board:

- 2.1 Notes the feedback received from the public engagement exercise into the findings of the Impact Assessment for Johnstone & Renfrew town centres.
 - 2.2 Considers implementing option 1, 2, 3 or 4 as set out in paragraphs 5.2 to 5.5 of this report for Johnstone & Renfrew town centres.
-

3. Background

- 3.1 There have been two previous reports considered and agreed by the ILE Policy Board on the Review of Car Parking Charges across Renfrewshire. These reports were considered on 8th of November 2017, and 30th of May 2018. A summary of these Policy Board report findings and decisions of these meetings is set out in Appendix 1 and Appendix 2 respectively to this report.
- 3.2 On the 8th of November 2017 members will be aware that amongst the ILE Policy Board decisions, it was agreed to undertake an Impact Assessment as part of introduction of parking charges in Johnstone & Renfrew town centres. Also, to introduce an annual charge for residents parking permits, to recover costs in Paisley town centre, with the application of a fee suspended until a thorough review was carried out on all parking permits.

- 3.3 On the 30th of May 2018, members will be aware that the ILE Policy Board considered and agreed the Impact Assessment findings, that there are specific pressures on town centre parking, within Johnstone & Renfrew. It was also agreed that the findings of the Impact Assessment be shared with the key stakeholders and the wider public of Johnstone & Renfrew, for their views and comments.

4 Impact Assessment Findings – Public Engagement June 2018

- 4.1 On the 8th of June the Impact Assessment findings and public questionnaire were posted on the Council's "have your say" section of the website and remained open until the 30th June, allowing residents to read the reports and provide their view. All stakeholders involved in the Impact Assessment were also provided with a copy of the Impact Assessment and asked to provide their view and comments. Two public engagement sessions were organised for the wider public to attend and speak with officers to gain a greater understanding and have their questions answered regarding the proposed parking provision and charges. These sessions took place in Johnstone Town Hall on Monday 25th June 1pm to 8pm and at Renfrew Leisure Centre Thursday 28th June 1pm - 8pm. It is estimated around 200 people attended the sessions, with Johnstone being busier than Renfrew. There were 717 online responses received to the questions and views sought, of which 495 people provided an answer to at least one question.
- 4.2 The feedback received through the engagement exercise demonstrated broad agreement with Impact Assessment findings, that there are parking pressures across and specific to Johnstone & Renfrew town centres. In particular, Johnstone did not want the parking charges to be introduced. In Renfrew, with a smaller number of respondents, no particular view was voiced in favour or against the introduction of charges. Johnstone were also against enhanced enforcement as they felt this would also have a negative impact on Johnstone town centre. Johnstone felt that the parking charge proposals or changes to the current arrangements would impact negatively on local business.
- 4.3 In Johnstone, respondents generally agreed with the Impact Assessment findings that there are town centre specific parking problems. In particular for the Church Street car park (Town Hall) being full and impacting on surrounding streets, and car parking in the streets surrounding the train station creating issues for residents through poor and inappropriate parking behaviours. An evenly split view was held on the availability of car parking spaces in Johnstone town centre during the lunch time period, which differed from the Impact Assessment findings, stating there were no spaces.
- 4.4 In Renfrew, the respondents agreed in the main with finding of the Impact Assessment, that there is a high volume of residential parking, and of parked cars within surrounding street within the town centre.
- 4.5 There were split views on the medium-term parking control intervention proposals within the Impact Assessment findings to address the parking problems and concerns

across and within both town centres. More respondents (51%) were positive about the introduction of parking charges with a grace period before charging than those who were against the introduction of parking charges (39%).

5. Review of Car Parking Provision and Charges Across Johnstone & Renfrew Town Centres – Options for Consideration

5.1 Paragraphs 5.2 to 5.5 of this report considers options regarding Car Parking Provision and Charges, across Johnstone & Renfrew town centres. Each option considers the implications on addressing parking concerns in town centres and the associated financial implications.

5.2 Option 1 – No Parking Control Charges or Interventions are implemented within Johnstone & Renfrew town centres

5.2.1 This option takes account of the Motion to Council of December 2017 where it was agreed that implementation of parking charges would only be introduced if the consensus was that there would be benefit to the local community. From the feedback received whilst it is clear that there is agreement with the Impact Assessment findings there is no clear consensus to the introduction of parking control charges in Johnstone & Renfrew town centres.

5.2.2 The existing parking control interventions in Johnstone & Renfrew town centres would continue as is, with parking in on and off-street car parks provided free of charge for residents and businesses.

5.2.3 This option does not address the parking problems and concerns in Johnstone & Renfrew town centres identified through the Impact Assessment. There would be no income generated for reinvestment and this would prevent the investment in the infrastructure in the Council's (9) Council car parks across the 2 town centres, no investment in modern parking meters across the whole of Renfrewshire and there would be limited enforcement across the town centres. There is no income generated by the Council for this option, therefore the income target of £260,000 per annum set out in the ILE Policy Board report of November 2017 will not be delivered.

5.3 Option 2 – Introduce parking control charges to on and off-street parking locations in Johnstone & Renfrew town centres following a time limited period of free parking of up to 2 hours.

5.3.1 This option implements in part, the decisions as already agreed by the ILE Policy Board on the 8th of November 2017. To introduce parking control charges in both Johnstone & Renfrew town centres across (9) off street Council car parks, ie (6) in Johnstone (3) Renfrew, and introduction of on-street parking control charges. The change to the decision agreed by the ILE Policy Board of November 2017, is to introduce a period of free parking of up to 2 hours in both Johnstone & Renfrew town centres before on and off-street car parking charges apply. This option would be

taken forward to detailed design for establishing both short and long stay parking and designation of additional on street parking bays.

- 5.3.2 The level of income generated for this option is anticipated to be £110,000 per annum for a period of up to 2 hours free parking. This is £150,000 less than the £260,000 income generation per annum set out in the ILE Policy Board report of November 2017. The reduced income would decrease the level of investment in modern parking meters across Renfrewshire, enforcement and investment in the car parks and off-street parking locations. This option would be taken forward to detailed design for establishing long stay car parking and designation of on street parking bay locations.

5.4 Option 3 –Introduction of Parking Control Charges for on-street parking only – off-street parking remaining free of charge.

- 5.4.1 This option would be applicable to both Johnstone & Renfrew town centres and is to implemented parking control charges to on-street parking locations only. This would leave off-street car parks free to park in.
- 5.4.2 This option addresses the parking pressures and concerns identified in residential streets and key on street locations within the two town centres through the Impact Assessment findings and public engagement exercise. However, it would likely exacerbate the long-stay and commuter parking in off street car parks, resulting in a lower number of spaces available for visitors to the town centres.
- 5.4.3 As off-street car parks are free to park in, the level of income generated for this option is anticipated to be £80,000 per annum. This is £180,000 less than the £260,000 income per annum set out in the ILE Policy Board report of November 2017. The reduced income would decrease the level of investment in modern parking meters across Renfrewshire, enforcement and investment in the car parks and off-street parking locations. This option would be taken forward to detailed design designated on-street parking bay locations.

5.5 Option 4 – Introduction of Parking Control Charges for Long-Stay Parking Only in Off-Street Car Parks and the Introduction of Parking Control Charges for On-Street Parking - in Johnstone & Renfrew Town Centres.

- 5.5.1 This option would implement the on-street parking control charges as set out in options 2 and 3 in paragraphs 5.3 and 5.4 above and introduce long stay off street parking charges only.
- 5.5.2 The off-street car parks would be free to park in for those who are parking for less than 4 hours per day. Thereafter enforcement would be used to fine those who have parked for greater than 4 hours. Within the off-street car parks, a percentage of spaces would be designated as long stay parking spaces to accommodate long stay parking in the town centres. These long stay spaces would be chargeable at tariffs reflective of the long stay car parks in Paisley town centre. This allows those

commuters, and long stay visitors to occupy designated areas of the town centres to allow the remainder of the spaces both on and off street as car parking for visitors to the towns.

- 5.5.3 This option will support tackling the parking pressures and concerns across both town centres through provision of long stay parking and addressing parking pressures in key residential streets.
- 5.5.4 The level of income for this option is anticipated to be £150,000 per annum. This is £110,000 less than the £260,000 income per annum set out in the ILE Policy Board report of November 2017. The reduced income would decrease the level of investment in modern parking meters across Renfrewshire, enforcement and investment in the car parks and off-street parking locations. This option would be taken forward to detailed design for establishing long stay car parking and designation of on street parking bay locations.

Implications of the Report

- 1. **Financial** – The financial impacts of the options for consideration are set out at section 5 within the report.
- 2. **HR & Organisational Development** – None
- 3. **Community Planning** – None
- 4. **Legal** - None
- 5. **Property/Assets** – The impact associated with investment in parking meters and car parking infrastructure is set out within section 5 of the report.
- 6. **Information Technology** - None
- 7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
- 8. **Health & Safety** – None
- 9. **Procurement** – None
- 10. **Risk** – None

11. Privacy Impact – None

12. CoSLA Policy Position – None

List of Background Papers - None

Author: Director of Environment & Infrastructure

Infrastructure Land & Environment Policy Board – 8th November 2017
Review of Car Parking Provision and Charges, Across Renfrewshire

Summary

- 1.1 This report sets out proposals to increase the parking tariffs in Paisley Town Centre, invest in modern parking meters across Renfrewshire, introduce an annual charge for residents parking permits in Paisley and to widen out the charges for Council owned on and off-street parking for Johnstone & Renfrew town centres.
- 1.2 The recommendations agreed by the board are set out below:
- (a) That the increase of parking tariffs in Paisley, by 10p for 30 minutes parking up to approximately 50p for four hours parking, be approved;
 - (b) That the widening out of charges for Council-owned on and off-street parking to include Renfrew and Johnstone, streamlining the cost of Town Centre parking for Renfrewshire residents, be approved;
 - (c) That investment in a modern parking meter supply be approved, to facilitate the introduction of meters that can accept other methods of payment including contactless payment;
 - (d) That an impact assessment of the approved parking scheme proposals for Johnstone and Renfrew be carried out, over a three-month period, as part of the implementation of the approved parking and charges changes;
 - (e) That the introduction of an annual charge for residents parking permits, to recover costs for all areas within the Pay and Display parking zones in Paisley, be approved and that it be agreed to suspend the application of a fee until a thorough review was carried out on all parking permits (residents and businesses) and a subsequent report was brought to the next appropriate Board; and
 - (f) That it be agreed to continue to charge for parking in Pay and Display for on and off-street zones Monday to Friday only, with Saturday and Sunday remaining free.
- 1.3 The decisions agreed by the Policy Board on 8th November 2017 would improve parking management through interventions & controls, supported by £1.1million investment in modern technology. The 2-year implementation timescale (by 2019/2020) for Johnstone & Renfrew to allow for planned enablement works and preparation of any required Traffic Regulation Orders.

Infrastructure Land & environment Policy Board – 30th May 2018
Review of Car Parking Provision and Charges, Across Renfrewshire Follow Up Report

Impact Assessment Findings

1. Summary

- 1.1 The Impact Assessment provided detailed & actual baseline data, based on site observations and analysis of parking patterns and behaviours, detailed parking surveys and stakeholder engagement with business and communities, mainly through face to face interviews.
- 1.2 The Impact Assessment findings evidenced, from both stakeholder engagement with communities and parking surveys, that there are specific pressures on town centre parking, within both Johnstone & Renfrew. A summary of the key findings of the Impact Assessment for Johnstone & Renfrew are detailed below:
- A high percentage of long stay parking (over 5 hours) in Council car parks by commuters.
 - Parking issues that affect town accessibility are evident within both Johnstone & Renfrew.
 - Johnstone, specific parking pressures are:
 - Difficulties parking at lunch time, within the town centre.
 - Large volumes of cars & long stay parking (over 5 hours), again often commuters, and issues of parking behaviours at the railway station and surrounding residential streets.
 - Parking behaviours within the Town Hall car park and surrounding residential streets.
 - Renfrew, specific parking pressures are:
 - High level of residential parking.
 - High Street car park has a high percentage of long stay parking (over 5 hours), often by those commuting by public transport predominantly to the new Queen Elizabeth University Hospital and to Glasgow City Centre.
 - Town centre streets having parking problems due to the large volumes of parked cars, by residents and commuters.

1.3 In addition to the above detailed key findings, the Impact Assessment highlighted some other issues, both from stakeholder dialogue and onsite observations, that the Council had planned to address through early enabling works. In particular:

- The need for improved enforcement, to address high levels of inappropriate parking behaviours. This will include a review of existing Traffic Regulation Orders (TROs).
- Improved signage and way finding for town centre car parks.
- Infrastructure improvements and lining to some on and off-street parking locations.
- Infrastructure improvements would be required in some car parks to include facilities & charging points for electric vehicles.

1.4 The Impact Assessment as undertaken for Johnstone & Renfrew has provided detailed data and information which will allow the Council to take informed actions to address parking issues in both town centres, delivering benefits to the communities affected. To address the parking issues across and specific to both Johnstone & Renfrew town centres, identified and informed through the key findings of the Impact Assessment, a tailored & targeted approach to parking interventions & controls is required. The parking interventions & controls could include:

- Addressing both short and long stay parking arrangements.
- Addressing on and off-street parking arrangements.
- A period of free parking both for on and off-street parking, before time limited pay & display parking control charges are applied. This free period varying dependent on location and being a maximum of 1 and / or 2 hours.
- Introduction of residents & business parking permits for both Johnstone & Renfrew town centres, aligned with the residents and business parking permit scheme being proposed for Paisley.

1.5 The recommendation set out in the policy board report and agreed by the Policy Board are set out below:

- (a) That the findings of the impact assessment as carried out into the introduction of parking charges in Johnstone and Renfrew be noted;
- (b) That it be agreed that arrangements be made to share, for their views and comments, the findings of the impact assessment Johnstone and Renfrew with the key stakeholders who had contributed to the process and also the wider public of Johnstone and Renfrew;

- (c) That it be agreed that the key findings of the impact assessment Johnstone and Renfrew would inform any future detailed design principles, as would be tailored to both town centres;
- (d) That it be noted that a further report would be submitted to the next meeting of this Policy Board, to be held on 29 August 2018, following feedback and comments from the key stakeholders and wider public of Johnstone and Renfrew, as referred to in paragraphs 1.7 and 2.2 of the report;
- (e) That it be agreed that consideration of an annual charge for residents and businesses parking permits for Paisley and potentially Johnstone and Renfrew be continued until the further report, referred to in (d) above, was submitted to this Policy Board on 29 August 2018 for consideration; and
- (f) That consideration be given to holding public meetings in both Johnstone and Renfrew to obtain feedback on the proposals.



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: REVIEW OF CAR PARKING PROVISION AND CHARGES – RESIDENTS & BUSINESS PARKING PERMITS IN PAISLEY AND JOHNSTONE & RENFREW

1. Summary

- 1.1 This report provides a progress update and final position on the Review of Car Parking Provision and Charges, across Renfrewshire, specifically providing an update on Residents and Business Parking Permits in Paisley, Renfrew & Johnstone. There is a separate report at item 8a to be considered by this Policy Board which relates to the proposed introduction of Car Parking charges for on and off street parking in Renfrew and Johnstone.
- 1.2 The decisions approved by the Infrastructure, Land and Environment Policy Board (ILE) of 8th November 2017 and 30th May 2018 have been progressed. The report also addresses the Motion to Council in December 2017 which agreed to engage and consult with communities and that the implementation of parking charges would only be introduced if the consensus was that there would be benefit to the local community.
- 1.3 Overall, the feedback received from the public engagement In June 2018, showed agreement with many of the key findings and proposals as set out in the Impact Assessment. The areas of agreement being that there are parking problems and pressures around key locations and residential streets in Johnstone & Renfrew town centres.
- 1.3 The Johnstone community were in overall agreement with the findings of the Impact Assessment. However, the community, and in particular the business community, were opposed to the introduction of parking charges and changes to the current

parking management arrangements. In Renfrew, the community and businesses broadly agreed with the Impact Assessment findings and proposals, with a lower number of responses received.

- 1.6 For resident & business parking permits the majority of respondents were either against the introduction of a resident & business parking permit scheme or that the parking permit scheme should be administered free of charge.
- 1.7 The report at section 5 sets out options for Paisley to consider to take forward the deferred decision to introduce a charge for resident & business parking permit scheme. Within section 6, the report sets out options for Johnstone & Renfrew town centres to consider for a resident & business parking permits scheme and cost recovery charges.

2. Recommendations

It is recommended the Infrastructure, Land & Environment Policy Board:

- 2.1 Notes the feedback received from the public engagement exercise into the findings of the Impact Assessment for Johnstone & Renfrew town centres.
- 2.2 Considers implementing option 1 or 2 as set out in paragraphs 5.2.1 and 5.2.2 of this report in relation to administrative charges applied to resident & business parking permits in Paisley Town Centre.
- 2.3 Considers implementing option 1, 2 or 3 as set out in paragraphs 6.2 to 6.4 of this report on the introduction of resident & business parking permits for Johnstone & Renfrew town centres and associate administrative charges.

3. Background

- 3.1 There have been two previous reports considered and agreed by the ILE Policy Board on the Review of Car Parking Charges across Renfrewshire. These reports were considered on 8th of November 2017, and 30th of May 2018. A summary of these Policy Board report findings and decisions of these meetings is set out in Appendix 1 and Appendix 2 respectively to this report.
- 3.2 On the 8th of November 2017 members will be aware that amongst the ILE Policy Board decisions, it was agreed to undertake an Impact Assessment as part of introduction of parking charges in Johnstone & Renfrew town centres. Also, to introduce an annual charge for residents parking permits, to recover costs in Paisley town centre, with the application of a fee suspended until a thorough review was carried out on all parking permits.

- 3.3 On the 30th of May 2018, members will be aware that the ILE Policy Board considered and agreed the Impact Assessment findings, that there are specific pressures on town centre parking, within Johnstone & Renfrew. It was also agreed that the findings of the Impact Assessment be shared with the key stakeholders and the wider public of Johnstone & Renfrew, for their views and comments.

4 Impact Assessment Findings – Public Engagement June 2018

- 4.1 On the 8th of June the Impact Assessment findings and public questionnaire were posted on the Council's "have your say" section of the website and remained open until the 30th June, allowing residents to read the reports and provide their view. All stakeholders involved in the Impact Assessment were also provided with a copy of the Impact Assessment and asked to provide their view and comments. Two public engagement sessions were organised for the wider public to attend and speak with officers to gain a greater understanding and have their questions answered regarding the proposed parking provision and charges. These sessions took place in Johnstone Town Hall on Monday 25th June 1pm to 8pm and at Renfrew Leisure Centre Thursday 28th June 1pm - 8pm. It is estimated around 200 people attended the sessions, with Johnstone being busier than Renfrew. There were 717 online responses received to the questions and views sought, of which 495 people provided an answer to at least one question.
- 4.2 The feedback received through the engagement exercise demonstrated broad agreement with Impact Assessment findings, that there are parking pressures across and specific to Johnstone & Renfrew town centres. In particular, Johnstone did not want the parking charges to be introduced. In Renfrew, with a smaller number of respondents, no particular view was voiced in favour or against the introduction of charges. Johnstone were also against enhanced enforcement as they felt this would also have a negative impact on Johnstone town centre. Johnstone felt that the parking charge proposals or changes to the current arrangements would impact negatively on local business.
- 4.3 In Johnstone, respondents generally agreed with the Impact Assessment findings that there are town centre specific parking problems. In particular for the Church Street car park (Town Hall) being full and impacting on surrounding streets, and car parking in the streets surrounding the train station creating issues for residents through poor and inappropriate parking behaviours. An evenly split view was held on the availability of car parking spaces in Johnstone town centre during the lunch time period, which differed from the Impact Assessment findings, stating there were no spaces.
- 4.4 In Renfrew, the respondents agreed in the main with finding of the Impact Assessment, that there is a high volume of residential parking, and of parked cars within surrounding street within the town centre.
- 4.5 There were split views on the medium-term parking control intervention proposals within the Impact Assessment findings to address the parking problems and concerns

across and within both town centres. More respondents (51%) were positive about the introduction of parking charges with a grace period before charging than those who were against the introduction of parking charges (39%).

- 4.6 For resident & business parking permits the majority of respondents were either against the introduction of a resident & business permit scheme or that the parking permit scheme should be administered free of charge.

5. **Residents & Business Parking Permit Scheme, Paisley Town Centre – Options for Considerations**

- 5.1 This paragraph of the report considers options to charge an administrative fee for resident & business parking permits for Paisley.

- 5.2 In Paisley town centre residents & business currently require a parking permit. The parking permit scheme is currently administered free of charge to residents & businesses. The cost to the Council is around £50,000 per annum to administer. The introduction of a charge for Paisley had been deferred to consider the findings and feedback of the Impact Assessment and public engagement for Johnstone & Renfrew town centres. On the basis of the information received back, residents and businesses would be opposed to a parking permit charge in Johnstone & Renfrew town centres.

5.2.1 **Option - 1 The Council continues to administer Paisley's Resident & Business Parking Permit Scheme free of charge.**

This option continues to administer the Paisley parking permit scheme for residents & businesses free of charge. There is a cost to the Council to administer the parking permit scheme of £50,000 per annum and this option reduces the planned income received by the Council as set out in the ILE Policy Board report of 8th November 2017 by £50,000 per annum.

5.2.2 **Option 2 - Introduction of an administrative charge for Paisley's Resident & Business Parking Permit Scheme**

The option introduces a charge for the administration of the annual Paisley parking permit scheme. It is proposed this charge is £20.00 per annum, aligned with the administration fee levied for the administration of the national blue badge scheme. This £20 per annum administrative charge would generate income of around £20,000 per annum. This would result in the administration of the Paisley residents & business parking permit scheme costing the Council a net £30,000 to administer rather than the current £50,000 per annum, and is £30,000 less income than the £50,000 per annum income set out in the ILE Policy Board report of November 2017.

6. **Resident & Business Parking Permits for Johnstone & Renfrew Town Centres.**

6.1 This paragraph of the report considers options to introduce a resident & business parking permits scheme for Johnstone & Renfrew town centres. The options also include consideration of an annual administrative charge for resident & business parking permits.

6.2 **Option 1 - No Resident & Business Parking Permit Scheme is introduced in Johnstone & Renfrew Town Centre.**

6.2.1 This option continues the current parking arrangements in Johnstone & Renfrew town centres where residents can park without restrictions in off street car parks and the majority of residential streets.

6.2.2 This option does not support addressing the resident parking problems identified in Johnstone & Renfrew town centres. It has no direct financial implications for the Council as there are no additional costs for administration.

6.3 **Option 2 - Introduction of a Resident & Business Parking Permit Scheme for Johnstone & Renfrew Town Centres – Free of Charge**

6.3.1 This option proposes the introduction of a free resident & business parking permit scheme for Johnstone & Renfrew town centres.

6.3.2 The resident & business parking locations would require to be taken forward through detailed design. This would require areas to be marked through lines and signs to enable residents to park in proximity to their property. The scheme would be administered by the Council issuing permits and undertaking enforcement activities. The establishment of a parking permit scheme will address some of the findings set out in the Impact Assessment. It would allow enforcement officers to issue fines to non-residents parked within resident parking bays.

6.3.3 There would be a cost to the Council to establish such a resident & business parking permit scheme and one-off costs to create the associated traffic regulation orders within both town centres. There would also be ongoing costs to the Council to administer the parking permit scheme and undertake additional enforcement activities. It is unknown how many residents or businesses would take up the parking permit scheme. The cost to the Council is estimated at around £50.00 per parking permit, per annum. This would therefore cost the Council an additional £50,000 per annum to administer a new residents & business parking permit scheme across Johnstone & Renfrew town centres.

6.4 Option 3 - Introduction of Administration Charge for Resident & Business Parking Permit in Johnstone & Renfrew Town Centres

- 6.4.1 That a resident & business parking permit scheme is introduced for Johnstone & Renfrew town centres, with an administrative charge of £20.00 per annum for the issue of a resident & business parking permit, consistent with Option 2 in paragraph 6.2.2 for the Paisley parking permit scheme.
- 6.4.2 Based on an estimated uptake by 1000 residents and businesses, this £20 per annum administrative charge would generate income of around £20,000 per annum for the Council. However, the true cost to administer the parking permit scheme could cost the Council £50,000 per annum. This administrative charge would result in the costs to administer being higher than the income generated with a net estimated cost to the Council of £30,000 per annum.

Implications of the Report

1. **Financial** – The financial impacts of the options for consideration are set out at sections 5 and 6 within the report.
2. **HR & Organisational Development** – None
3. **Community Planning** – None
4. **Legal** - None
5. **Property/Assets** - None
6. **Information Technology** - None
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None
9. **Procurement** – None
10. **Risk** – None
11. **Privacy Impact** – None

12. CoSLA Policy Position – None

List of Background Papers -

Author: Director of Environment & Infrastructure

Infrastructure Land & Environment Policy Board – 8th November 2017
Review of Car Parking Provision and Charges, Across Renfrewshire

Summary

- 1.1 This report sets out proposals to increase the parking tariffs in Paisley Town Centre, invest in modern parking meters across Renfrewshire, introduce an annual charge for residents parking permits in Paisley and to widen out the charges for Council owned on and off-street parking for Johnstone & Renfrew town centres.
- 1.2 The recommendations agreed by the board are set out below:
- (a) That the increase of parking tariffs in Paisley, by 10p for 30 minutes parking up to approximately 50p for four hours parking, be approved;
 - (b) That the widening out of charges for Council-owned on and off-street parking to include Renfrew and Johnstone, streamlining the cost of Town Centre parking for Renfrewshire residents, be approved;
 - (c) That investment in a modern parking meter supply be approved, to facilitate the introduction of meters that can accept other methods of payment including contactless payment;
 - (d) That an impact assessment of the approved parking scheme proposals for Johnstone and Renfrew be carried out, over a three-month period, as part of the implementation of the approved parking and charges changes;
 - (e) That the introduction of an annual charge for residents parking permits, to recover costs for all areas within the Pay and Display parking zones in Paisley, be approved and that it be agreed to suspend the application of a fee until a thorough review was carried out on all parking permits (residents and businesses) and a subsequent report was brought to the next appropriate Board; and
 - (f) That it be agreed to continue to charge for parking in Pay and Display for on and off-street zones Monday to Friday only, with Saturday and Sunday remaining free.
- 1.3 The decisions agreed by the Policy Board on 8th November 2017 would improve parking management through interventions & controls, supported by £1.1million investment in modern technology. The 2-year implementation timescale (by 2019/2020) for Johnstone & Renfrew to allow for planned enablement works and preparation of any required Traffic Regulation Orders.

Infrastructure Land & environment Policy Board – 30th May 2018
Review of Car Parking Provision and Charges, Across Renfrewshire Follow Up Report

Impact Assessment Findings

1. Summary

1.1 The Impact Assessment provided detailed & actual baseline data, based on site observations and analysis of parking patterns and behaviours, detailed parking surveys and stakeholder engagement with business and communities, mainly through face to face interviews.

1.2 The Impact Assessment findings evidenced, from both stakeholder engagement with communities and parking surveys, that there are specific pressures on town centre parking, within both Johnstone & Renfrew. A summary of the key findings of the Impact Assessment for Johnstone & Renfrew are detailed below:

- A high percentage of long stay parking (over 5 hours) in Council car parks by commuters.
- Parking issues that affect town accessibility are evident within both Johnstone & Renfrew.
- Johnstone, specific parking pressures are:
 - Difficulties parking at lunch time, within the town centre.
 - Large volumes of cars & long stay parking (over 5 hours), again often commuters, and issues of parking behaviours at the railway station and surrounding residential streets.
 - Parking behaviours within the Town Hall car park and surrounding residential streets.
- Renfrew, specific parking pressures are:
 - High level of residential parking.
 - High Street car park has a high percentage of long stay parking (over 5 hours), often by those commuting by public transport predominantly to the new Queen Elizabeth University Hospital and to Glasgow City Centre.
 - Town centre streets having parking problems due to the large volumes of parked cars, by residents and commuters.

1.3 In addition to the above detailed key findings, the Impact Assessment highlighted some other issues, both from stakeholder dialogue and onsite observations, that the Council had planned to address through early enabling works. In particular:

- The need for improved enforcement, to address high levels of inappropriate parking behaviours. This will include a review of existing Traffic Regulation Orders (TROs).
- Improved signage and way finding for town centre car parks.

- Infrastructure improvements and lining to some on and off-street parking locations.
- Infrastructure improvements would be required in some car parks to include facilities & charging points for electric vehicles.

1.4 The Impact Assessment as undertaken for Johnstone & Renfrew has provided detailed data and information which will allow the Council to take informed actions to address parking issues in both town centres, delivering benefits to the communities affected. To address the parking issues across and specific to both Johnstone & Renfrew town centres, identified and informed through the key findings of the Impact Assessment, a tailored & targeted approach to parking interventions & controls is required. The parking interventions & controls could include:

- Addressing both short and long stay parking arrangements.
- Addressing on and off-street parking arrangements.
- A period of free parking both for on and off-street parking, before time limited pay & display parking control charges are applied. This free period varying dependent on location and being a maximum of 1 and / or 2 hours.
- Introduction of residents & business parking permits for both Johnstone & Renfrew town centres, aligned with the residents and business parking permit scheme being proposed for Paisley.

1.5 The recommendation set out in the policy board report and agreed by the Policy Board are set out below:

- (a) That the findings of the impact assessment as carried out into the introduction of parking charges in Johnstone and Renfrew be noted;
- (b) That it be agreed that arrangements be made to share, for their views and comments, the findings of the impact assessment Johnstone and Renfrew with the key stakeholders who had contributed to the process and also the wider public of Johnstone and Renfrew;
- (c) That it be agreed that the key findings of the impact assessment Johnstone and Renfrew would inform any future detailed design principles, as would be tailored to both town centres;
- (d) That it be noted that a further report would be submitted to the next meeting of this Policy Board, to be held on 29 August 2018, following feedback and comments from the key stakeholders and wider public of Johnstone and Renfrew, as referred to in paragraphs 1.7 and 2.2 of the report;
- (e) That it be agreed that consideration of an annual charge for residents and businesses parking permits for Paisley and potentially Johnstone and Renfrew be continued until the further report, referred to in (d) above, was submitted to this Policy Board on 29 August 2018 for consideration; and
- (f) That consideration be given to holding public meetings in both Johnstone and Renfrew to obtain feedback on the proposals.



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29TH AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: PUBLICATION OF TRANSPORT (SCOTLAND) BILL – CALL FOR EVIDENCE

1. Summary

1.1 On 8 June, the Transport (Scotland) Bill was introduced in the Scottish Parliament and was published on 11 June. According to Transport Scotland, the Transport (Scotland) Bill will help to empower Scotland's local authorities and establish consistent standards to make transport easier, cleaner and smarter than ever before. It supports its aspirations to deliver a safe, efficient, cost-effective and sustainable transport system for all.

1.2 The Bill is divided into six Parts:

- **Part 1: Low emission zones;**

A low emission zone scheme is a scheme under which individuals driving vehicles which fail to meet specified emission standards will be prohibited from driving those vehicles in contravention of the terms of the scheme within a designated geographical area.

- **Part 2: Bus services;**

This breaks down into four sub-topics which provide new powers to local transport authorities to better manage local bus services:

- Provision of local services by local authorities;
- Bus services improvement partnerships;
- Local services franchising;
- Information relating to services.

- **Part 3: Ticketing arrangements and schemes;**

Makes changes to the existing legislation in the 2001 Act about ticketing arrangements and ticketing schemes for bus travel, including:

- extending the arrangements and schemes to include certain connecting rail and ferry services;
 - gives the Scottish Ministers the power over technology standards and smart ticketing arrangements;
 - sets up a National Smart Ticketing Advisory Board;
- **Part 4: Pavement parking and double parking;**
The Bill proposes to introduce a national ban on pavement (footway) parking and double parking in Scotland. The ban is aimed at promoting, supporting and advancing the rights of pedestrians to ensure that pavements and roads are accessible for all. However, local authorities will have the scope to promote exemptions to the footway parking ban, but there will be strict criteria that must be met which will be defined in the Parking Standards, currently being developed in collaboration with Transport Scotland's Parking Standards Group. The Bill will also provide powers to local authorities to enforce the new parking restrictions and enable local authorities without decriminalised parking enforcement to engage with third parties to enforce the restrictions on their behalf.
 - **Part 5: Road works;**
Provides new powers to the Traffic Commissioner and imposes the same duties on local roads authorities working in the road as have been imposed on private undertakers under previous legislation. This opens the authority to inspection and possible fines for non-compliance. It also introduces measures to make road works safer through better identifying competent supervisors and operatives and requires undertakers to provide more information on the timing of their works and the quality of the materials used.
 - **Part 6: Miscellaneous and general.**
Adjusts the basis on which Transport Partnerships are funded and makes other minor amendments.
- 1.3 The Scottish Parliament's Rural Economy & Connectivity Committee has published an online survey 'Call for Views', advising 28 September 2018 as the submission date for responses on the Transport (Scotland) Bill.
- 1.4 SPT will be responding on behalf of the Council to parts 2 and 3 of the Bill, informed by the comments provided to them as outlined in section 3.4 to 3.5 of this report.

2 Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board

- 2.1 Approves the Council's submission on Parts 1, 4, 5 and 6 to the Rural Economy & Connectivity Committee's online survey (Appendix A).
- 2.2 Notes that SPT will be responding on behalf of the Council to section 2 and 3 of the Bill, with this response being informed by the comments outlined at 3.4 to 3.5 of this report.
-

3 Background, to Proposed Response

3.1 On 8 June 2018, the Transport (Scotland) Bill was introduced in the Scottish Parliament and was published on 11 June 2018. The Bill reflects a period of significant public consultation and engagement and brings together a series of measures to improve different aspects of Scottish transport. The Bill takes forward a number of Scottish Government commitments from its 2017-18 Programme for Government.

3.2 The Rural Economy & Connectivity Committee has now launched an online survey 'Call for Views' on the Bill with a deadline of 28 September 2018. The Council's proposed responses are included at Appendix A to this report.

3.3 Part 1 Low Emission Zones

- (a) Part 1 of the Bill introduces the concept of low emission zones. A low emission zone prohibits individuals driving vehicles which fail to meet specified emission standards within a designated geographical area. Where a person breaches this rule, a penalty charge will be payable unless the vehicle is exempt. Exemptions will be set out in regulations but are likely to include emergency service vehicles. Scottish Ministers decide the exemptions and set the charges. The scheme itself may also make provision for the local authority operating the scheme to grant exemptions in certain circumstances.
- (b) The Scottish Government published its air quality strategy: Cleaner Air for Scotland- The Road to a Healthier Future in November 2015 which included proposals for Local Authorities to consider utilising vehicle access restriction schemes where traffic has been identified as the main contributor to poor air quality. This includes Low Emission Zones. The first Low Emission Zone is currently being implemented in Glasgow City Council.

Considerations for Renfrewshire

- Within Renfrewshire, there are currently three Air Quality Management Areas in Paisley, Renfrew and Johnstone Town Centres. Based on current understanding of these areas, it is not expected that a vehicle access restriction scheme, such as a Low Emission Zone would be appropriate to address pollutant levels within these areas. However, a screening exercise, which will be undertaken this year, will confirm whether this is the case. The outcome of this screening exercise will be reported a future meeting of the Infrastructure, Land and Environment Policy Board.
- It enables the creation and civil enforcement of Low Emission Zones (LEZs) by Local Authorities and allows the Scottish Government to set consistent standards for emissions, penalties and certain exemptions from such zones. The most polluting vehicles would be banned from entering a LEZ during its hours of operation. Any banned vehicles entering a LEZ would be subject to a penalty charge, with enforcement carried out using Automatic Number Plate Recognition (ANPR) cameras - technology currently used for bus lane, red light and speed limit

enforcement.

- If there is to be a wide roll out of LEZs the funding requirements for both vehicle owners, residents, businesses and Local Authorities need to be considered. For the Council this would be the ANPR and associated enforcement resource.

3.4 Part 2 Bus Services

- (a) Part 2 of the Bill deals with local bus services. This breaks down into four sub-topics:
- Provision of local services by local authorities;
 - Bus services improvement partnerships;
 - Local services franchising;
 - Information relating to services.
- (b) Most bus services in Scotland are provided by bus operators on a commercial basis, though they are subject to regulation to ensure that vehicles meet safety and environmental standards, that operators and drivers are suitably qualified and comply with their legal obligations, that services are operated punctually and reliably and that accurate passenger information is made available.
- (c) A significant minority of services that would not otherwise be viable receive additional financial support from local transport authorities (SPT) to meet social needs in line with their local transport strategies and plans. In some instances, especially where patronage would be too low to justify conventional scheduled bus services, authorities (SPT) provide demand responsive or dial ride services using a mix of providers.

3.4.1 The Provision of Local Services by Local Authorities

- (a) Provision of local services by local authorities - The Transport Act 1985 deregulated bus services in the UK, moving from council-run buses to an open commercial market. The Bill introduces a new exemption into the 1985 Act, which enables councils to decide to run local services themselves (or by means of a company formed by them) in those situations where they think action needs to be taken to meet a local service requirement. However, if commercially operated services are operating without subsidy, the council cannot compete with them. This is an alternative approach to providing a subsidised service that is open to the authority, in order to secure provision of services in satisfaction of its duty.

Considerations for Renfrewshire

- Councils in the SPT area do not benefit from this new power because SPT already has a similar power which it uses it on behalf of its partner authorities to fill the gaps left by the withdrawal of services considered unprofitable by their private operator. The Bill does not allow local authorities to take over the whole bus operation in its area. It only gives them the ability to run services which

private operators have chosen not to run because they are not profitable.

3.4.2 Bus services improvement partnerships (BSIP)

- (a) The Bill introduces an updated quality partnership model for how local transport authorities (SPT) in partnership with Renfrewshire Council can work with operators to improve the quality and efficiency of local services.
- (b) BSIPs involve local transport authorities formulating a plan (called a partnership plan in the Bill) with the operators in their area and then deciding on how best to implement it through supporting schemes (partnership schemes).
- (c) Partnership plans must also make provision for obtaining the views of those in the community using the local services about how well those services are working and make provision for when it is to be reviewed.
- (d) Failure to comply with the operational service standards of the scheme can lead to an operator being deregistered as an operator of a local service.

Considerations for Renfrewshire

- When introduced by the Transport (Scotland) Act 2001, Quality partnerships were not taken up to any large extent. Quality contracts (a form of franchising) were not taken up at all. Bus operators found the terms of Quality partnerships unattractive. The proposed 'Bus services improvement partnership' is an amended Quality partnership which provides authorities with control over service frequency and fares which was not available before. It is unlikely to gain support from bus operators because it dictates the very metrics which the bus operator depends on to make a profit. The complex rules around its introduction and maintenance are equally likely not to appeal to local transport authorities either. Local bus operators can object to the scheme which will also be subject to a competition test.

3.4.3 Local services franchising

- (a) The Bill introduces the option to enable a local transport authority (SPT) to create and operate local bus services under a franchising model. The franchising model adopted is an update on the Quality Contract approach of the 2001 Act.
- (b) A franchising framework may be made in respect of the whole or any part of the local transport authority's area. Those operators who do enter into franchise agreements to provide services within the scheme will therefore have the exclusive right to operate the local services specified in their agreement.
- (c) The local transport authority will be required to carry out a comprehensive assessment of the suitability and viability of adopting the proposed model before it is adopted. The financial implications of any proposed framework must be independently audited and an independent panel appointed by the Traffic

Commissioner must approve the making of the framework. Local services frequently cross between the areas of local transport authorities.

- (d) Once a local transport authority has made a franchising framework, it may start to enter into franchising agreements for the provision of local services under the framework. This process is governed by the procurement requirements set out in both EU legislation and domestic law. Operators who enter into franchise agreements may be paid for providing the services or indeed may pay for the opportunity to provide them. This reflects that in different prevailing market conditions it may be necessary to pay operators and in others that the profitability is such that operators will pay for the exclusive right to provide them.
- (e) Local transport authorities must prepare a detailed assessment of the proposed franchising framework. A local transport authority must prepare an annual report on the effectiveness of the franchising framework on the anniversary of its introduction.

Considerations for Renfrewshire

- The Bill's provisions make franchising an option for any transport authority to pursue should they see fit. A franchising framework under the Bill will have the effect of displacing the standard arrangements for providing local services within the framework area and will prevent operators from providing services in the area otherwise than under a franchise agreement. A franchising framework may be made in respect of the whole or any part of the local transport authority's area. Those operators who do enter into franchise agreements to provide services within the scheme will therefore have the exclusive right to operate the local services specified in their agreement.

3.4.4 Information relating to services

- (a) The Bill inserts provisions to enable any affected authority to obtain specific service information from an operator who proposes to vary or cancel the registration of a local service and, in limited circumstances, share it with other people who may wish to bid to provide a similar service to the one being withdrawn or varied. Where an operator does not provide the information (or does not provide it timeously) the Scottish Traffic Commissioner will be able to impose a financial penalty on the operator.
- (b) These new powers to obtain and share information are designed to facilitate more effective competition in the bus market.

Considerations for Renfrewshire

- The proposals enable the local transport authority (SPT) to obtain information about a service which is about to be withdrawn by the operator. This information will enable the local authority to better understand why services have been withdrawn to seek suitable commercial or subsidised alternatives.

3.5 Part 3 Ticketing Arrangements and Schemes

- (a) The Bill makes changes to the existing legislation in the 2001 Act about ticketing arrangements and ticketing schemes for bus travel. In particular it:
- extends these arrangements and schemes to include certain connecting rail and ferry services;
 - gives the Scottish Ministers the power to set a national technological standard for the implementation and operation of smart ticketing arrangements;
 - sets up a National Smart Ticketing Advisory Board;
 - makes changes to what a ticketing scheme can include and the process for making one;
 - requires local transport authorities to produce annual reports on ticketing arrangements and schemes; and
 - gives the Scottish Ministers the power to direct a local transport authority to make or vary a ticketing scheme.

Considerations for Renfrewshire

- The changes should speed up the introduction of through-ticketing (the ability to use a single ticket on a variety of transport modes run by different operators) and the ability to use smart card or phone apps for this purpose. This ability has been available for some time in London and other metropolitan areas of England and is available on Scotrail and Glasgow Underground services, by virtue of SPT's Bramble smartcard.

3.6 Part 4 Pavement Parking and Double Parking

Pavement Parking prohibition

- (a) This Part of the Bill makes provision prohibiting parking on pavements (footways and footpaths) and double parking (defined as parking more than 50 cm away from the edge of a carriageway). This replaces the need for each local authority to introduce pavement parking restrictions via Traffic Regulation Orders.
- (b) The new duties will require local authorities to assess if necessary, what footways should be exempt from the national prohibition on pavement parking, in accordance with directions to be given by the Scottish Ministers to local authorities.
- (c) The Bill (and regulations to be made under it) provide for enforcement of the new restrictions to be undertaken by local authorities. The Bill confers on local authorities the power to impose penalty charges.

- (d) The Bill provides that a local authority may allow parking on the footway by making an exemption order, as long as the footway or the carriageway with which the footway is associated, has the characteristics that are specified in a direction yet to be given by the Scottish Ministers.

Double Parking prohibition

- (e) A person must not park a motor vehicle in such a way that no part of the motor vehicle is within 50 cm of the edge of the carriageway

Enforcement of parking prohibitions

- (f) A penalty charge is payable where a person parks a motor vehicle in contravention of the pavement parking prohibition or the double parking prohibition.
- (g) The parking prohibitions do not apply in circumstances such as:
- the purposes of the emergency services,
 - road works,
 - the removal of an obstruction to traffic,
 - the collection of waste by or on behalf of a local authority,
- (h) The Bill confers power on a traffic authority to install cameras to enforce the prohibition and to remove vehicles parked contrary to the prohibition from street to street, and to dispose of the vehicle if necessary.

Considerations for Renfrewshire

- While the Bill saves the Council the expense of making TROs to ban parking on all its footways, the Council will still need to promote exemption TROs for all the footways where it wants to allow footway parking because the road is not wide enough to accommodate parking demand and vehicles traveling down narrow streets. However, the direction from Scottish Ministers on the character of roads allowed to be exempted is still unspecified.
- There is likely to be a high demand from residents for the rapid promotion of TROs in their area which will require the provision of adequate Council resources to satisfy. The cost to the Council of investigating streets suitable for exemption and promoting the associated TROs. In addition, the Council will have ongoing maintenance costs for the renewal of signs and lines in Exempt Areas and an increased workload for its parking attendants. The resource implications for this section of the Bill have the potential to be significant for the Council should funding not support this section of the Bill.

3.7 Part 5 Road Works and the Scottish Road Works Commissioner

- (a) Although the Scottish Road Works Commissioner has the power to require roads authorities, undertakers and road works authorities to provide certain

information, the Commissioner currently has no general inspection function and therefore no independent means of establishing levels of compliance with road works obligations. The Bill addresses this by inserting a number of new sections into the 2005 Act, under which the Commissioner will be able to establish the facts in relation to specific instances of suspected non-compliance and to monitor levels of compliance by roads authorities and undertakers more generally.

- (b) The Bill introduces a new concept of compliance notices into the 1991 Act, which will allow the Commissioner to intervene where a person such as an undertaker, road works authority or roads authority fails in the carrying out of their duties. It will also allow the Commissioner to intervene in a way designed to resolve the problem which has arisen, rather than the person merely being issued with a fine.
- (c) The Bill establishes the concept of a compliance notice (a notice requiring someone to take the steps set out in it in order to address their breach of a duty) and sets out the duties in respect of which such a notice may be issued.

Considerations for Renfrewshire

- The extra powers provided to the Traffic Commissioner will make road works safer and will help guarantee the quality of reinstatements. The new powers enable the Traffic Commissioner to impose the same duties on local roads authorities working in the road as have been imposed on private undertakers under previous legislation. This exposes the authority to inspection and possible fines for non-compliance. For Renfrewshire we do not see this as placing extra measures on the authority as all road works are conducted to the standards we expect contractors and utilities to comply with at present.
- It also introduces measures to make road works safer through better identifying competent supervisors and operatives and requires undertakers to provide more information on the timing of their works and the quality of the materials used. These measures are welcomed as it focuses on the quality of works undertaken to improve road reinstatements and resurfacing.

3.8 Part 6 Miscellaneous and General

Regional Transport Partnerships: finance – section 69

- (a) Section 69 of the Bill amends section 3 of the Transport (Scotland) Act 2005 to adjust the basis on which Transport Partnerships are funded, and allows:
 - Partnerships to carry surplus funds between years,
 - Partnerships to hold and operate capital funds in a similar way to Councils, and
 - Partnerships the power to borrow and lend money and to operate a loan fund.

Considerations for Renfrewshire

- The Council is supportive of the proposal. It gives Regional Transport Partnerships (SPT) the same flexibility to manage financial risks through the building up and use of reserves in the same way that Councils do. It removes the risk of councils having to fund an in-year RTP overspend. The proposal provides RTPs with powers which probably should have been made available when they were set up.

Implications of the Report

1. **Financial** – Although the Bill is at an early stage of development there will be an associated financial impact on the Council if the Bill proceeds in its current format. There is limited detail on whether additional funding will be provided to local authorities to introduce the relevant parts of the Bill.
2. **HR & Organisational Development** – None
3. **Community Planning** – None
4. **Legal** - None
5. **Property/Assets** – None
6. **Information Technology** - None
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None
9. **Procurement** – None
10. **Risk** – None
11. **Privacy Impact** – None
12. **CoSLA Policy Position** – None

List of Background Papers - None

Author: Director of Environment & Infrastructure

Transport (Scotland) Bill Online Survey

Transport (Scotland) Bill

What is this?

A short survey by the Scottish Parliament's Rural Economy and Connectivity Committee to gather the views of individuals and organisations on the proposals in the Transport (Scotland) Bill.

Why should I respond?

The proposals in the Transport (Scotland) Bill would change the way streets, buses, public transport ticketing and roads works are regulated, including:

- establishing a system for the creation and operation of low emission zones, which may prohibit older vehicles from entering a zone
- changing how bus services are managed and provided
- updating arrangements for the management of public transport ticketing schemes
- creating a prohibition on parking on the pavement and double parking
- improving co-ordination of road works and enforcement of quality standards for road reinstatements

These changes will impact on many people's daily travel choices and the Committee wants to hear your views on these proposals.

How do I find out more about the Transport (Scotland) Bill?

You can find the Bill and associated documents by [clicking or tapping here](#).

I am only interested in part of the Bill

No problem. Feel free to skip any questions that do not interest you. However, you must complete the survey for your answers to be considered - make sure you click or tap on the "Finish Survey" icon on the last page.

Nice to know

You will not be asked to provide your name or any personal information. Your response will be held securely and will only be viewed by researchers at the Scottish Parliament Information Centre. Individual responses will not be published, but a summary setting out key themes we find from looking at all of the responses will be.

You can find more on how we handle the information you provide in our [Privacy Policy](#).

The survey will close at 1200 on Friday 28 September.

Low Emission Zones

Part 1 of the Bill enables the creation, and civil enforcement, of Low Emission Zones (LEZs) by local authorities and allows the Scottish Government to set consistent standards for emissions, penalties and certain exemptions from such zones.

The most polluting vehicles would be banned from entering a LEZ during its hours of operation. Any banned vehicles entering a LEZ would be subject to a penalty charge, with enforcement carried out using Automatic Number Plate Recognition (ANPR) cameras - technology currently used for bus lane, red light and speed limit enforcement.

The Bill would grant Scottish Ministers the power to approve all LEZs and to set national rules for their operation. Do you support or oppose these proposals? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly Oppose	No opinion
Scottish Ministers must approve all LEZ proposals		✓				
Scottish Ministers' will have the power to specify certain types of vehicle that will be exempt from any LEZ scheme, e.g. emergency service vehicles		✓				
Scottish Ministers' will be able to order a Council to review a LEZ and direct it to implement changes following that review		✓				

The Bill would grant Councils the power to set the rules governing the operation of individual LEZs. Do you support or oppose these proposals? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly Oppose	No opinion
Councils must specify a grace period of between 2 and 6 years for residents (1 -4 years for non-residents) following the introduction of a LEZ, during which penalties will not be levied		✓				
Councils will be able to suspend a LEZ for an event, held in or near the zone, that it considers to be of national importance		✓				
Councils can grant exemptions from LEZ requirements for individual vehicles, or types of vehicle (up to one year)		✓				

How might the LEZ proposals in the Bill be improved? Please summarise any suggested improvements that you would like to see made in the box below:

Renfrewshire Council has identified a potential consequence of drawing less polluting buses in an operator's fleet towards the routes which cross the future LEZ in Glasgow. Older and more polluting buses may be used on other routes, adversely affecting the air quality in other local authority areas where screening has proved there is no present requirement for a LEZ. Measures should be put in place to protect local authorities from this effect.

Buses

Part 2 of the Bill provides local transport authorities with powers to improve **local bus service** provision through statutory partnership working with bus operators, the creation of local bus service franchises and the ability to operate services themselves - where these are not in competition with commercially operated services.

Part 2 gives Scottish Ministers powers to make regulations setting out what service and timetable information bus operators must make available to passengers and local transport authorities.

The Bill would provide Councils with the following powers, aimed at improving local bus services. Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly Oppose	No opinion
Provide bus service(s) where no commercial service is provided						
Work in a formal partnership with commercial operators to improve services						
Specify all aspects of local bus services, which will be provided by commercial operators following a tendering exercise						

The Bill would require bus operators to share information on routes, timetables and actual running times with third parties - to make it easier for passengers to know when their bus will arrive and how much it will cost.

How best could your Council or bus operator improve the ways it provides timetable and route information? (Please put the following options in an order were 1 is your favourite idea and 5 is your least favourite)

<input type="text"/>	Bus operator website
<input type="text"/>	Bus operator app
<input type="text"/>	Bus stop real-time displays
<input type="text"/>	Bus stop paper timetables
<input type="text"/>	Paper timetables

Do you think the proposed changes to bus regulation in the Bill could be improved? If so, could you briefly summarise the changes you would like to see made in the box below:

Renfrewshire Council has contributed to Strathclyde Partnership for Transport's joint response to the Call for Views as set out in Sections 3.4 to 3.5 of the report.

Smart Ticketing

Part 3 of the Bill would create a national technological standard for **smart ticketing** and provide local transport authorities with further powers for smart ticketing arrangements and schemes.

Smart ticketing is the name given to a system where an entitlement to travel (or ticket) is stored electronically rather than being printed on a paper ticket. Most smart ticketing schemes store payment and ticket data on a smartcard, such as London's Oyster card.

Do you support or oppose the following? (which are all proposed in the Bill)

	Support	Oppose
National technological standard for smart ticketing		
National Smart Ticketing Advisory Board		
Requirement for local authorities to produce annual reports on use of ticketing powers		
Power for Scottish Ministers to direct local authorities to implement ticketing schemes		

What are the reason(s) behind your answers above?

Renfrewshire Council has contributed to Strathclyde Partnership for Transport's joint response to the Call for Views as set out in Sections 3.4 to 3.5 of the report.

Pavement parking and double parking

Part 4 of the Bill would prohibit **double parking and parking on the pavement**, subject to a number of exemptions.

Do you support or oppose the proposed prohibitions on:

	Support	Oppose
Pavement parking	<input checked="" type="radio"/>	<input type="radio"/>
Double parking	<input checked="" type="radio"/>	<input type="radio"/>

What are the reason(s) behind your answers above?

Despite drivers', no doubt good intentions of keeping the carriageway clear, this disadvantages pedestrians by obstructing the footway. This may result in pedestrians access the road to manoeuvre past vehicles.

The Bill proposes a number of exemptions to the prohibition on pavement parking and double parking. These are:

- **Emergency service vehicles responding to an incident**
- **Vehicles used in undertaking road works**
- **Bin lorries**
- **Postal service vehicles**
- **Vehicles used by medical practitioners responding to an incident**
- **Vehicles being used for deliveries**
- **Vehicles in a parking place**
- **Vehicles parked at the direction of a police officer**
- **Vehicles parked for the purpose of saving a life/similar emergency**
- **Vehicle parked to provide roadside assistance**

It is worth noting that the Bill requires vehicles that benefit from an exemption to only use it where it is unavoidable and for the shortest time possible to complete the task in hand (with a limit of 20 minutes on vehicles being used for deliveries).

Overall, do you support or oppose the proposed exemptions? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
Overall view of proposed exemptions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you have any concerns about the proposed exemptions, or wish to see additional exemptions added? If so, please briefly summarise what change(s) you would like to see made and why you think these are necessary.

Is it very often the weight of HGVs which damages footways and presents an unnecessary maintenance cost. Legislation should minimise the type and frequency of large vehicles can park on pavements. These vehicles also if allowed to park may create double parking problems.

The exemptions would also need to be enforceable. This may present practical difficulties if these vehicles are unmarked.

The Bill would allow local authorities to exempt any footway from the prohibition on pavement parking, as long as it has had regard to any guidance issued by Scottish Ministers. Do you support this proposal?

☒ Support

☐ Oppose

What are the reason(s) behind your answer above?

On the assumption the guidance was flexible to local circumstances as local authorities must be given the power to address location specific for exemptions as they see fit. There is further detail required around the traffic regulation order process to introduce and remove exemptions and the associated timescales for doing so. It is anticipated that to introduce, maintain and enforce exemptions will place additional funding requirements on local authorities.

Road Works

Part 5 of the Bill would strengthen the role of the Scottish Road Works Commissioner and improve the regulation of **road works**.

The Scottish Road Works Commissioner is an independent public official who aims to improve the planning, co-ordination and quality of road works throughout Scotland. The Commissioner monitors performance and promotes and encourages good practice across both utility companies and roads authorities. The Commissioner has powers to impose financial penalties on roads authorities who systematically fail in their duty to co-ordinate roadworks and on utility companies who systematically fail to co-operate when undertaking road works.

The Scottish Road Works Commissioner is NOT responsible for works being undertaken in roads on Scotland - which rests with local authorities, utility companies and their contractors. **The Bill would give the Scottish Road Works Commissioner, and Commission staff appointed as inspectors, the power to inspect roads works, documents etc. to establish the facts in possible cases of non-compliance with road works related legislation that falls within the Commissioners remit.**

The Bill would grant the Commissioner, and Commission staff, new powers to investigate and take enforcement action against organisations that failed to comply with statutory road works requirements.

Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
Inspection power	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Power to issue compliance notices	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Power to issue fixed penalty notices for non-compliance	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requirement to provide annual reports to Scottish Ministers on use of powers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

Given that Local Authorities have responsibility for safety at roadworks on the public road network, proposed extra powers provided to the Traffic Commissioner would be supported by Renfrewshire Council as they could only make road works safer.

The Bill would create place new duties/requirements on those undertaking road works on behalf of a local authority. Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No Opinion
New statutory duty on local authority road works to meet fencing and lighting requirements	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ministers can issue a code of practice for safety at local authority road work sites	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
New statutory requirement for local authority road works to be supervised by a suitably qualified person	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

Renfrewshire Council would strongly support the requirement for Local Authority works to be supervised by a suitably qualified person. This should be a requirement for any works on the public road and not just local authorities.

The Bill would create place new duties/requirements on those undertaking road works. Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
New requirement for actual commencement and completion date notices to be placed in the Road Works Register within a prescribed period	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
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Anyone undertaking road works, or works to a road (except roads authorities) must have either a site specific, or general road reinstatement quality plan in place



Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

Renfrewshire Council would strongly support any measures that would improve efficiencies in the road works register and on the public road.

Scottish Canals/Regional Transport Partnership finance

Part 6 of the Bill would give Regional Transport Partnerships more financial flexibility and allow Scottish Ministers to vary the membership and structure of the Scottish Canals Board.

The Bill would allow a Regional Transport Partnership to establish:

- **A capital fund**
- **A renewal and repair fund**
- **An insurance fund**

Do you support or oppose these proposals?

- ☒ Support
- ☐ Oppose

What is the reason for your answer?

Renfrewshire Council is supportive of the proposal. It gives Regional Transport Partnerships the same flexibility to manage financial risks through the building up and use of reserves in the same way that local authorities can.

The Bill would expand the size of the Scottish Canals board, increasing the number of members appointed by Scottish Ministers from "between one and four" to "at least 4 but no more than 9". The aim being to allow the appointment of members with a wider range of skills and experience than at present. Do you support or oppose this proposal?

- ☒ Support
- ☐ Oppose

What is the reason for your answer?

Anything else

Do you have any other comments about the Bill, particularly any changes you would like to see made. If so, please briefly summarise these in the box below.

No further comment



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: FIXED PENALTY NOTICES ASSOCIATED WITH ROAD WORKS

1. Summary

- 1.1 This report seeks to introduce a policy that enables Fixed Penalty Notices to be issued to utility companies and statutory undertakers who fail to comply with the requirements of the New Roads and Street Works Act 1991.
 - 1.2 The use of Fixed Penalty Notices drives greater compliance with all statutory undertakers operating in Renfrewshire. Renfrewshire has established a good relationship with utility companies and statutory undertakers and through the level of compliance and engagement in past years the Council has not issued Fixed Penalty Notices where contraventions occur.
 - 1.3 To take forward the lessons learned from the construction of the roundabout as part of the residential housing development in Brookfield where there were significant delays in the construction, the Council seeks to use existing powers of enforcement, through the issuing of formal Fixed Penalty Notices where non-compliance under the New Roads and Street Works Act 1991 are identified.
-

2. Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Approves the Fixed Penalty Notices Policy set out at Appendix 1 of this report, to enable the issuing of Fixed Penalty Notices on utility companies and statutory undertakers for breaches of the New Roads and Street Works Act 1991.

3. Background

- 3.1 The Scottish Road Works Commissioner introduced a process in 2007 which gave powers to local authorities to issue Fixed Penalty Notices (FPN) to utility companies and statutory undertakers who fail to comply with the New Roads and Street Works Act 1991. Although these powers have been available since 2007, Renfrewshire Council has not issued FPNs to utility companies as they have generally been compliant.
- 3.2 In 2017, there were significant delays to the construction of a roundabout as part of a residential housing development in Brookfield, as a result breaches of the New Roads and Street Works Act 1991 by utility companies and statutory undertakers. As part of the lessons learned from this roundabout construction it was recognised that the Council requires to have authorised enforcement powers where non-compliance with the Act is encountered.
- 3.3 The Council will invoke FPN's, to ensure that all street works operations on the network are managed effectively and undertaken safely. This includes failure to observe the correct notification procedures, providing inaccurate notifications, insufficient or incorrect signing and guarding while the works are in progress and failure to comply with approved codes of practice.

New Roads and Street Work Act 1991 – Fixed Penalty Notices Policy

- 3.4 The policy at Appendix 1 governs all statutory offences under the New Roads and Street Works Act 1991 as amended by the Transport (Scotland) Act 2005. It covers those offences which the Council will seek to take before a Court and those offences for which FPNs can be issued. In all cases where the fixed penalty remains unpaid prosecution will be progressed.
- 3.5 The FPN is set at £80, however this is increased to £120 if unpaid within 29 days of issue, if a further 36 days pass without the penalty notice being paid the case will be sent to the Sheriff Officers to pursue.
- 3.6 Details of what constitutes a breach are found in the Code of Practice for the Co-ordination of Street Works, Works for Road Purposes, and Related Matters (2008) and the Code of practice for Penalties (2008). The Code of Practice for the Co-ordination of Street Works also forms the basis for the Scottish Road Works Register (SRWR) legislative rules.

Some examples include:

- Undertaking works which require a street works notice, without a street works notice
- Not entering an actual end date within one working day of completing works, including uplift of any signing, guarding and lighting, spoil or heavy plant.
- Not making permanent an interim reinstatement within 6 calendar months

- Entering a works closed notice when works are still ongoing, including having signage, guarding and lighting, spoil or plant still on site.
- Creating a notice which is inappropriate for the works being undertaken, e.g. undertaking planned works under an 'Emergency' S116 notice.

Implications of the Report

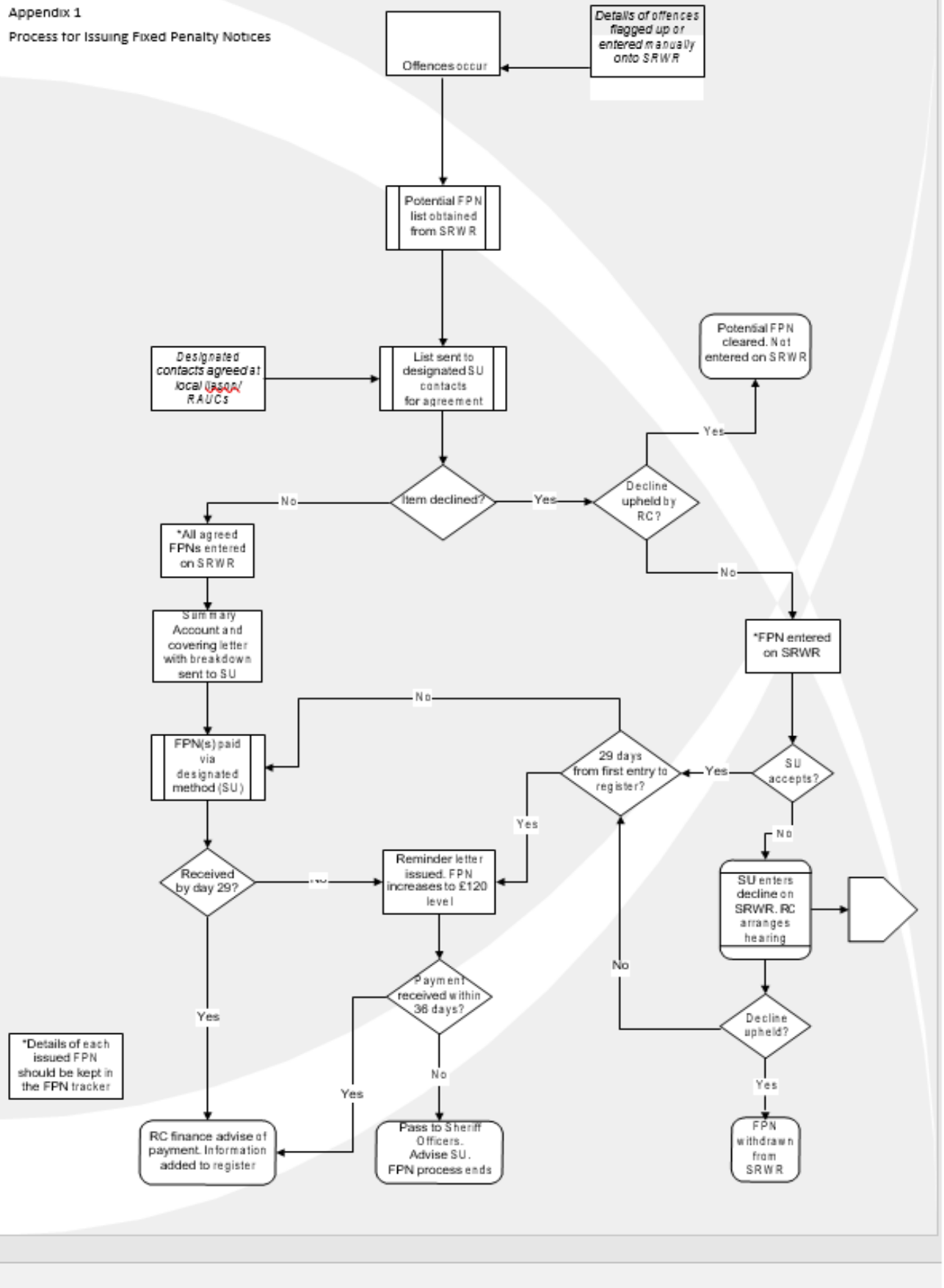
1. **Financial** – The issue of Fixed Penalty Notices may generate a very small level of income to the Council.
2. **HR & Organisational Development** – None
3. **Community Planning** – None
4. **Legal** – Implement the Fixed Penalty Notice Powers under the New Roads and Street Works Act 1991
5. **Property/Assets** - None
6. **Information Technology** - None
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website
8. **Health & Safety** – Improve safety of road network for pedestrians, cyclists and vehicle users.
9. **Procurement** – None
10. **Risk** – None
11. **Privacy Impact** – None
12. **Cosla Policy Position** – None

List of Background Papers - none

Author: Drew McNab, Transportation Manager

Appendix 1

Appendix 1 Process for Issuing Fixed Penalty Notices



Renfrewshire Council

New Roads and Street Works Act (1991) Fixed Penalty Notice Process

FPNs are identified through the following methods:

- 1) System identified breaches
- 2) Breaches discovered following site visit.

In the case of system breaches, the information entered by the Statutory Undertaker (SU) breaks one or more of the legislation 'rules' built into the Scottish Road Works Register (SRWR). The SRWR will automatically register this as a potential breach.

In the case of breaches discovered by site visit, the works found on site are in conflict with the information on the system, for instance where a notice is closed down on the SRWR, but a site visit confirms works still in progress.

In all cases, an FPN can only be applied where works take place. Raising a notice incorrectly may trigger a system identified breach, but only when the work notified by that notice is physically carried out does an FPN apply. In most cases therefore, a system identified breach also require a follow up site visit to confirm that work was actually done on that street. Where there is no street works notice or the notice is updated to show works taking place within the permitted timescales, while in reality is being done out with the permitted timescales, only a site visit can confirm if an FPN applies.

Each Inspector will photograph any potential breach they discover, and email that photograph (time and date stamped) along with details of time and date of discovery, location and responsible utility, to the Streetworks Controller responsible for FPNS. This is done as soon as is reasonably possible after the site visit. The Streetworks Controller will also create lists of sites to visit, based on the information, trends and performance of each utility from the SRWR. These lists are sent to each Inspector to investigate as soon as is reasonably practicable.

The Streetworks Controller will then review the evidence supplied by the Inspector and determine if an FPN applies in line with the Code of Practice for Penalties. A similar review is undertaken of system identified breaches, including whether to request a site visit for confirmation. In some cases a site visit may not be required, for example, if an inspection has been carried out during the progress of the works by the Inspector. This review will normally take place within 1st – 9th of each month, for the breaches identified in the previous month (there may be some adjustment to dates in line with public holiday, weekends etc). During this time potential FPNS are added to the SRWR and placed 'On Hold' and managed through the 'invoice production due' report on the SRWR.

On or near to the 10th of the month, lists are finalised per utility by the Streetworks Controller, detailing the FPNs Renfrewshire Council wish to pursue for the previous period (e.g. up to the 9th of the current month). This list will contain every FPN deemed to be valid within the rules of the various codes of practice. This list will then be split down further into FPNS which will be applied, and FPNS which are technically and legally valid, but will not be issued in the interests of fairness and co-operation with the road works community. An example of this would be where the utility retrospectively issues a notice for its own works, without prompt from Renfrewshire Council - in that instance, only one of the potential three FPNS that would apply.

This approach is part of the Code of Practice for Penalties and has the support of the Scottish Road Works Commissioner as best practice.



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29th August 2018

Report by: DIRECTOR OF ENVIRONMENT AND INFRASTRUCTURE

Heading: CODE OF PRACTICE “WELL MANAGED HIGHWAY INFRASTRUCTURE”

1. Summary

- 1.1 The purpose of this report is to provide information on the new Code of Practice for highway maintenance which will replace the existing Code, ‘Well Maintained Highways – Code of Practice for Highway Maintenance Management 1983’.
- 1.2 A Code of Practice promotes best practice but is not legislation. Therefore, whilst adoption of the new Code is entirely voluntary, it is likely to become the industry standard for maintenance and inspections on the public road network.
- 1.3 Development of this new Code of Practice ‘Well Managed Highway Infrastructure’ has been overseen by the UK Roads Liaison Group (UKRLG) and its Roads, Bridges and Lighting Boards. The new Code will replace the existing 3 codes:
 - Well-maintained Highways,
 - Well-lit Highways , and
 - Management of Highway Structures

The new Code is intended to apply throughout the United Kingdom.

- 1.4 The new Code recommends that a “risk based approach” should be adopted for all aspects of highway infrastructure maintenance, including setting levels of service, inspections, responses, resilience, priorities and programmes”. In essence, all Highway decisions will be backed up with a risk matrix analysis, whereby the level of risk will be defined by considering the category of probability or likelihood against the category of consequence and severity. This is a mechanism to increase visibility of risks and assist professional and management

decision making. Carriageway inspections will become more onerous under the new Code, meaning that some carriageway types will be inspected on a more frequent basis.

- 1.5 The new Code of Practice is a major change in policy, moving away from prescribed inspection frequencies and response times towards a fully risk based process whereby local authorities can develop their own levels of service based on the nature of their own particular network, road types and conditions and historical inspection records
 - 1.6 The Code of Practice was launched in October 2016 with local authorities being advised that the existing codes of practice would remain in place for a period of two years to allow authorities to transition their arrangements to reflect the guidance contained in the new Code of Practice.
 - 1.7 Although the Code of Practice was launched in 2016, there is further guidance due to be issued by the Scottish Chief Officers of Transportation in Scotland (SCOTS) who have been working on the development of a new site based approach over the last 2 years. This will ensure Councils in Scotland develop policy in a consistent manner, reflecting the priorities within the new Code of Practice.
 - 1.8 The general principles within the new Code of Practice are outlined within the report with a further report due to be presented to a future Infrastructure, Land & Environment Policy Board which will include the Councils new policies on roads and footways inspection upon publication of the SCOTS guidance.
-

2. Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Approves the adoption of the new Code of Practice, Well Managed Highways as set out in this report and the change to a risk based approach for management of the road infrastructure network.
 - 2.2 Notes that a further report on the New Code of Practice, Policy will be brought to a future meeting of this Policy Board to approve revised inspection policies for roads and footways upon publication of the SCOTS guidance.
-

3. Background

3.1 Current Highway Maintenance Code of Practice & Policy

- 3.1.1 The Council has a duty to manage and maintain the adopted road network as detailed in Section 1 of the Roads (Scotland) Act 1984. There is a requirement to carry out inspections of the network in order to comply with this duty.

- 3.1.2 To ensure consistency and establish acceptable levels of service across the U.K. the Roads and Highway Authorities produced a Code of Practice for Maintenance Management, entitled 'Well Maintained Highways – Code of Practice for Highway Maintenance Management 1983'. The Code included recommendations for surveys and inspections.
- 3.1.3 Renfrewshire Council's current Carriageway and Footway Inspection Policy was approved at the Roads and Transportation Committee on 30 July 1997. The policy reflected the guidance given in 'Well Maintained Highways', which is the current industry standard at that time, for all aspects of road maintenance.
- 3.1.4 Carriageway and footway inspections in Renfrewshire are carried out by roads & footways inspectors. Inspections are carried out in accordance with the frequencies detailed in the Carriageway and Footway Inspection Policy and either comply with, or exceed, the minimum requirements recommended within the Code of Practice for Highway Maintenance Management 1983.
- 3.1.5 The inspection frequency for carriageways is related to the classification of the road set out in detail in appendix 1 but can be summarised as follows:
- Monthly inspections on main distributor roads, local distributor roads and A and B class rural roads
 - 3 monthly inspections on general access roads and rural C class roads
 - 6 monthly inspections on minor access links
 - 12 monthly inspections on residential streets and unclassified rural roads.
- 3.1.6 The inspection frequency for footways and footpaths is dictated by pedestrian usage with monthly inspections on pedestrianised walking zones and pedestrianised areas, down to annual inspections for local access footways and cul-de-sacs.
- 3.1.7 Defects are currently prioritised depending on the degree of danger presented to the public with five categories of response timescales available ranging from 2-hours for an emergency to 6 months for programmed works.

4 New Code of Practice for Highway Maintenance, with a Proposed Risk Based Maintenance Policy / Approach

- 4.1 Changes to the existing Highway Code of Practice were requested by Local Authorities who wished to tailor their services to local requirements, priorities and needs. It is intended that the new Code will take greater cognisance of Council Asset Management plans and ensure that decisions are data driven, reduce whole life costs and promote evidence led investment.
- 4.2 Delivery of a safe and well-maintained highway network relies on good evidence and sound engineering judgement. The intention of the new Code is that local authorities will develop their own levels of service, with the new Code providing guidance for authorities to consider when developing their approach in accordance with local needs, priorities and affordability. The new Code of Practice is a major change in policy, moving away from prescribed inspection frequencies and response times towards a fully risk-based process whereby local

authorities can develop their own levels of service based on the nature of their own particular network, road types and conditions and historical inspection records.

- 4.3 Changing from reliance on specific guidance and recommendations in the previous Codes to a risk-based approach determined by each Highway Authority will involve appropriate analysis, development and gaining of approval through authorities' executive processes. The previous Codes will remain valid until October 2018.
- 4.4 There are a number of opportunities presented with the introduction of a risk based approach, including:
- Provides an integrated approach to asset management,
 - Creates flexibility within inspection programmes to target resources to priority areas,
 - Provides a sound evidence base for future capital investment programmes, and
 - Delivers the ultimate aim of providing a framework for improving safety of infrastructure within the Council area.
- 4.5 A working party from the Society of Chief Officers of Transportation in Scotland (SCOTS) group, which represents all 32 local authorities in Scotland, worked in tandem with the SCOTS Roads Asset Management Project consultant to produce a template Code of Practice to be utilised by all Scottish local authorities to ensure that the Code is adopted on a consistent basis. This final documentation is expected at the end of August 2018.
- 4.6 Each local authority must now tailor the document to suit their own particular priorities, needs and resources. This process requires input from inspectors in the roads, lighting and infrastructure team to ensure that resources are prioritised in accordance with the road network, local knowledge and historical inspection results, as opposed to standard inspection cycles. This will require to be backed up with a documented risk assessment for roads where there is departure from standard frequencies.
- 4.7 Defect response times / interventions will now be determined by inspectors on a case by case basis utilising a risk matrix, again, this will replace the standard defect response times given in the current Roads Maintenance Policy.
- 4.8 All of the footway and carriageway inspectors have been trained in the new risk based matrix methodology and the roads asset management software (symology) has been updated to reflect changes to current inspection and response frequencies. The new Code of Practice will be operationally adopted by the requested timescale of October 2018, with the new Policy being brought back to this Policy Board for approval in November 2018.

Implications of this Report

1. **Financial** – At this stage it is not anticipated that the implementation of the new Code of Practice will result in the requirement for any additional resources.
2. **HR & Organisational Development** – None

3. **Community Planning** – None
4. **Legal** - None
5. **Property/Assets** – The implementation of the new Code of Practice is designed to improve the safety of roads infrastructure within the Council area.
6. **Information Technology** - None
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None
9. **Procurement** – None
10. **Risk** – The implementation of the Code of Practice will target inspection resources in priority areas which could reduce the level of insurance risk in relation to roads and footway defects
11. **Privacy Impact** – None
12. **CoSLA Policy Position** – None

List of Background Papers - none

Author Drew McNab, Transportation Manager
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To: THE INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: THE RENFREWSHIRE COUNCIL (DISABLED PERSONS' PARKING PLACES) (VARIOUS LOCATIONS, RENFREWSHIRE) NUMBER FIVE ORDER 2018, SUSTAINED OBJECTIONS

1. Summary

- 1.1 In terms of the Road Traffic Regulation Act 1984, the making of a Traffic Regulation Order (TRO) is delegated to the Director of Environment & Infrastructure after consultation with the Convener of the Infrastructure, Land and Environment Policy Board and local ward members.
 - 1.2 On 17 January 2018 a TRO relating to new Disabled Persons' Parking Places was advertised, two objections were received and not withdrawn.
 - 1.3 This TRO proposal will allow Renfrewshire Council to fulfil its duties under the Disabled Persons' Parking Places (Scotland) Act 2009 by making disabled driver's parking bays enforceable.
 - 1.4 In accordance with the Local Authorities Traffic Orders (Procedures) (Scotland) Regulations 1999" and the Council's procedures, the Policy Board may now decide how to proceed, either to decide on the objections itself or appoint an independent Reporter.
 - 1.5 A summary of the details of the proposal and the consultation responses are included at Appendix A and B of this report.
-

2. Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Considers and decides on the 2 objections not withdrawn, in relation to the Renfrewshire Council (Disabled Persons' Parking Places) (Various Locations, Renfrewshire) Number Five Order 2018 at the meeting of the Policy Board rather than appointing an independent reporter.

Subject to recommendation 2.1, and the objections not being upheld, then approves the implementation of the disabled parking bays as advertised on Lochfield Crescent, Paisley and Halifax Way, Renfrew and approves the Director of Environment & Infrastructure, in conjunction with the Convenor of the Infrastructure, Land and Environment Policy Board to make the traffic regulation order .

3. Background

- 3.1 This Order is considered necessary for the Renfrewshire Council to fulfil its duties under the Disabled Persons' Parking Places (Scotland) Act 2009 by making disabled drivers' parking bays enforceable.
- 3.2 The proposals have been consulted upon in accordance with statute and two objections were received.

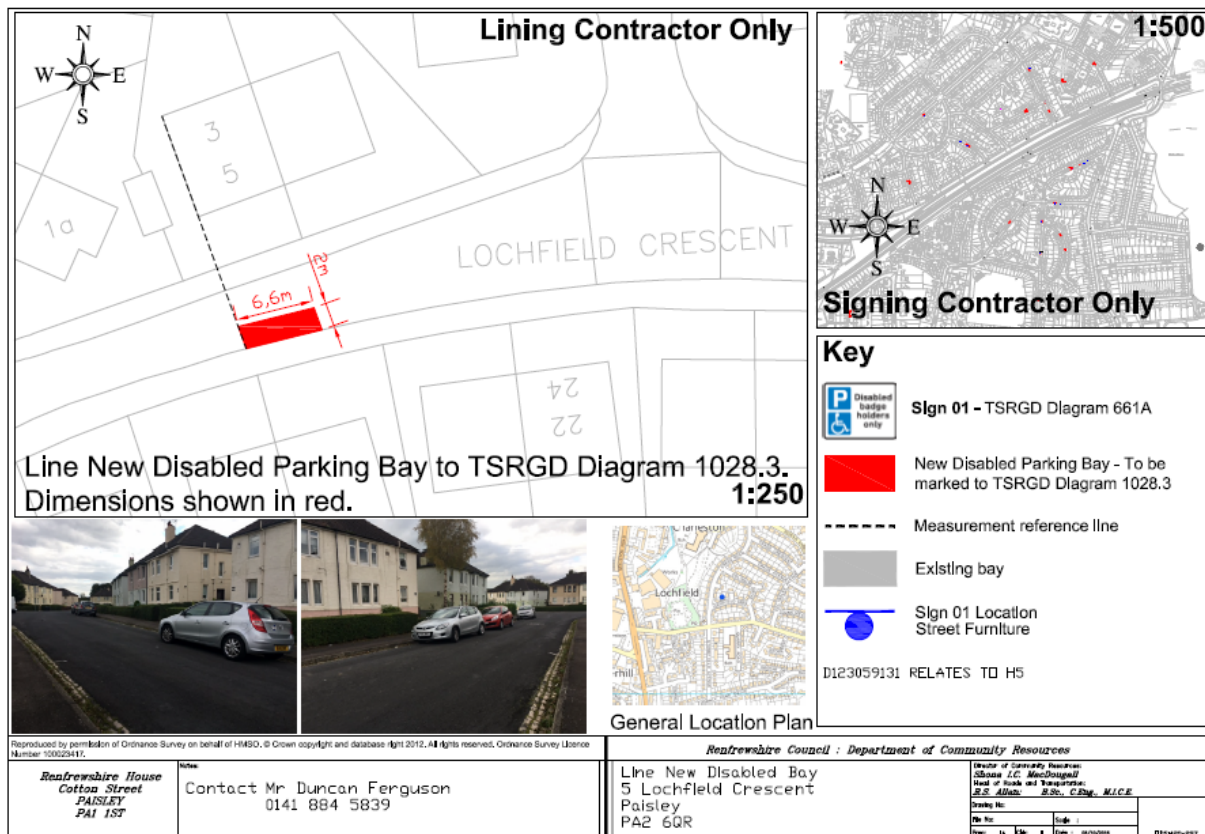
4. Consultation Results

- 4.1 The proposal went through a two-stage consultation process as is normal. The first stage was issued on 16 November 2017 where the proposals were issued to emergency services, public utilities, local road user groups, local community groups and local ward councillors with a response date of 7 December 2017. With no objections or comments forthcoming the TRO went to 2nd stage consultation and was advertised in the Paisley and Renfrewshire Gazette on Wednesday 17 January 2018. Notices were also placed on-street in the vicinity of the proposals at that time.
- 4.2 Those objections, where received related to the location of two disabled parking bays. One objection was received from a resident of Lochfield Crescent, Paisley and the second objection was received from a resident of Halifax Way, Renfrew.
- 4.3 As set out in Appendix 1 objector one's reason for objecting is the placement of the disabled bay outside his residence and the future potential to create a driveway. The Council has responded advising that should an application for a driveway be brought forward in future the bay would be repositioned to allow the driveway construction.
- 4.4 Objector two's reason for objection as set out in appendix B relates to the pressure on parking, the location of signage on path and why a lock up cannot be used. The Council has responded advising a disabled parking bay should be located as close to the person's house as possible and that signage will not create an obstruction.

5. Consideration of the objections

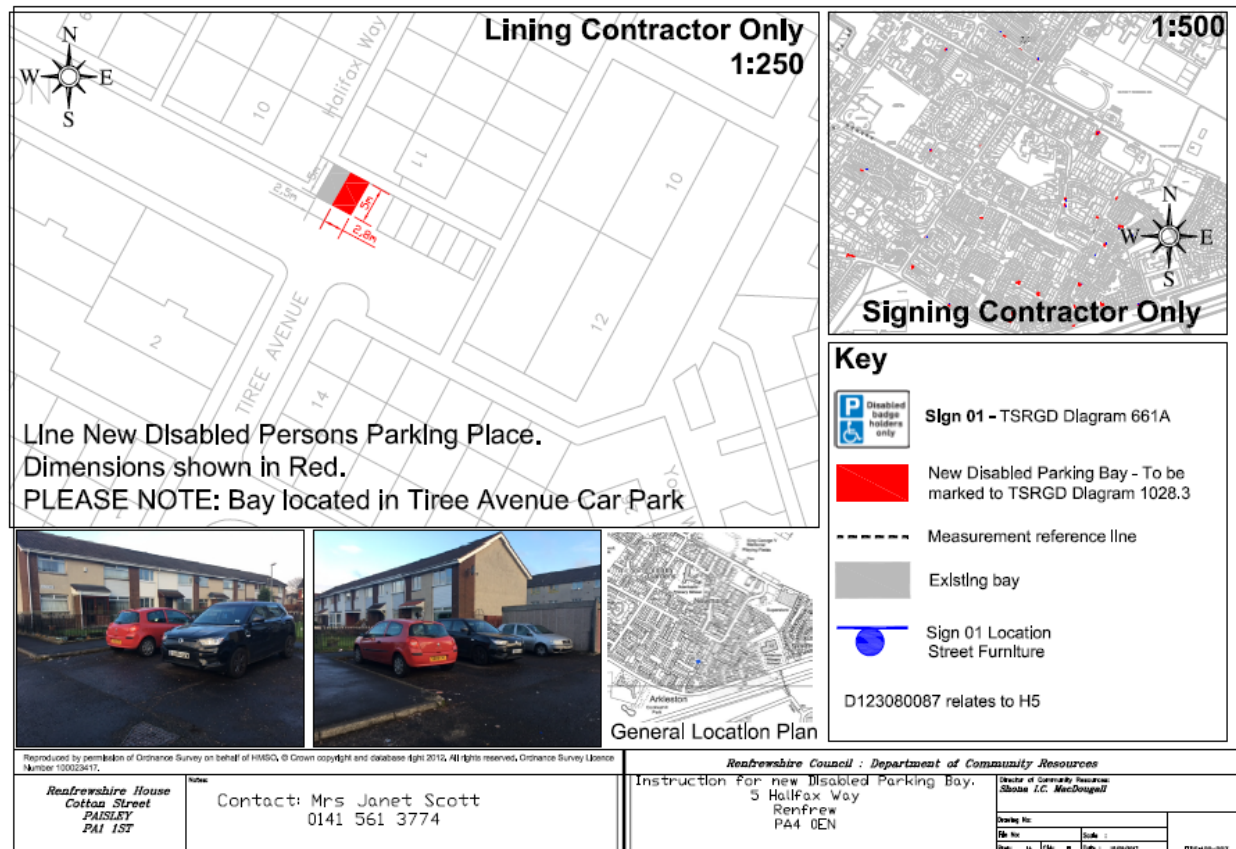
- 5.1 A TRO allows local authorities to impose restrictions on traffic for reasons such as road safety, free flow of traffic and parking controls. This involves following a statutory procedure where the proposals form a consultation process and if not opposed they can be implemented. If opposed then the objections require to be considered by the appropriate Council Policy Board, in this instance the Infrastructure, Land and Environment Policy Board.
- 5.2 The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 state that before making the order, the Council must consider all objections made and not withdrawn. In this respect, the terms of the Regulations state that the Council may consider the objections itself in fulfilment of its statutory obligation to give due consideration to all objections made and not withdrawn. Alternatively, the Council may choose to appoint an independent reporter to hold a hearing to consider the objections.
- 5.3 If the Policy Board decides to exercise its discretion and not appoint an independent reporter, then it must consider the objections and either uphold them in which case the proposal shall be dropped, or consider the objections and then approve the implementation of the restrictions as advertised, authorising the Director of Community Resources to make the Order.
- 5.4 If the Policy Board decides to choose the public hearing, it should be recognised that the reporter's deliberations could take approximately 15 weeks. Thereafter, the Council still has an obligation to consider the report and recommendation(s) made by the reporter. Therefore, once the reporter has submitted the report, it will still have to be considered by this Policy Board at a future meeting for a decision on whether to proceed with the order or not.
- 5.5 The cost of arranging an independent reporter to hold a public hearing is estimated at £5,000. Estimated cost of reporter's time @ £290 per day plus expenses for 15 days.
- 5.6 Reflecting the circumstances surrounding the traffic regulation order the Infrastructure, Land and Environment Policy Board is being asked to consider the objections itself rather than appointing an independent reporter.

Appendix A



Objection 1	Objector indicates that the placement of the new bay outside his residence at Lochfield Crescent, Paisley will cause future restrictions on him in relation to creating a driveway at his property and would also have a negative effect when selling his house. He is also unhappy at the number of bays on the street and also the size of the bay.
Response to Objection 1	An email response was sent to the objectors which detailed that the positioning of this bay was marked in such a way as to maximise the availability of on-street parking and was in keeping with the recognised behaviour of parking on one side of the street, seen at the time of the Council Officer's visit. It was also explained to the objectors that if the Council received an application to install a driveway from him we would look to move the bay to accommodate this. The disabled bay has been lined at 6.6m which is the minimum length in accordance with Government guidance and at the position closest to the disabled applicant's residence. The objector was advised that Renfrewshire Council as a Roads authority, have no powers to install driveways and that there was no evidence to support that the availability of parking space on the road outside a property directly affects its sale value. The objector was not satisfied with this response and therefor unwilling to withdraw his objection.

AppendixB



Objection 2	Objector advised that installation of this new bay next to the existing bay causes problems as parking is already difficult and spaces are at a premium. Concerned that bays will lay empty when no longer required and the signage for the bays will cause obstruction to path users. Also brings up the fact that the disabled applicants may have a lock up and should be using this instead.
Response to Objection 2	An email response was sent to the objector to advise that Renfrewshire Council hold the details of the applicants who have disabled bays and hope that when they move they alert us that bays are no longer required. We would only remove bays when we were certain they were no longer required. In relation to the position of the sign/pole, it was advised that Renfrewshire Council would locate this to not cause obstruction. The objector was also advised that Disabled Bays are located as close to the applicant's house as possible to limit the distance the applicant has to walk. Lock ups are normally some distance away and difficult for a disabled applicant to manoeuvre in and out of, therefore this would not prevent Renfrewshire Council from allocating a Disabled Bay on-street in the normal way.

Implications of the Report

1. **Financial** - the nominal capital and revenue costs of implementing and maintaining the proposed disabled bay lines can be met from within existing budgets.
2. **HR & Organisational Development** – The nominal increase in the number of Disabled Bays to be enforced by the Council's Parking Attendants can be accommodated within the current staffing levels.
3. **Community Planning** - None
4. **Legal** – The relevant legislation is the The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.
5. **Property/Assets** – N/A
6. **Information Technology** – N/A
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – The primary reason for the proposal is for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising
9. **Procurement** – N/A
10. **Risk** - no risks have been identified in relation to what is being proposed.
11. **Privacy Impact** – N/A
12. **CoSLA Policy Position** – N/A.

List of Background Papers - none

Author: Drew McNab, Amenity Services Manager (Transportation, Infrastructure)



To: THE INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: INCORPORATING WASTE PLASTIC INTO ASPHALT, FOR ROAD REPAIRS

1. Summary

- 1.1 This report takes forward a Notice of Motion to Council in December 2017 where it was agreed that the appropriate officers examine this innovative and new approach to road surfacing materials.
 - 1.2 This report informs members of the Council's intention to trial a new asphalt product, that contains recycled plastic waste. The waste plastic is designed to replace part of the bitumen in an asphalt mix.
 - 1.3 Environment & Infrastructure intends to trial the product in a suitable location in the Autumn 2018 as part of a resurfacing programme in Elm Drive, Johnstone.
 - 1.4 The use of the product and road surface will thereafter be monitored on a regular basis to assess its suitability as a product for future roads improvement programmes.
-

2. Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Note that the Council will trial in Autumn 2018 this new asphalt product containing recycled plastic as part of a resurfacing programme.

3. Background

- 3.1 Through 2018 discussions have been held with a specialist company who have developed a new product to be introduced and used as an additive to asphalt, which is currently used for road resurfacing works. The product is made from 100% waste plastic materials and is used to replace part of the bitumen in any asphalt mix. It uses between 3kg to 10kg of waste plastics in every tonne of asphalt, depending on the road design.
- 3.2 Bitumen is a fossil fuel, alternatives to bitumen should be considered to improve sustainability. This product replaces part of the bitumen in asphalt, giving a reduction in fossil fuel usage.
- 3.3 The use of plastics and its detrimental impact on the environment is widely acknowledged. The product uses 100% recycled plastic materials helping to reduce unwanted, discarded plastics from landfill and from oceans. The product comes in the form of pellets or flakes which are fully melted into the bitumen within the asphalt mix.
- 3.4 The company supplying the product is based in Scotland and is the only supplier of waste plastic bitumen replacing additives to the asphalt industry across the world. Their products are being used in asphalt for highways, airfields and other construction and transportation projects, as well as the utility sector and domestic markets. Their products have been used by asphalt manufacturers, local authorities, asphalt laying contractors, Highways England, Transport Scotland and major developers.
- 3.5 The manufacturer of this particular product believes this product has a number of benefits over traditional asphalt mix in that it provides:
- Increased tensile strength;
 - Increased fuel resistance;
 - Increased resistance to deformation;
 - Highly resistant to scuffing and tearing from tight turning vehicles;
 - Raises softening point of asphalt;
 - Reduction in air voids; and
 - Increased resistance to water sensitivity.

4. Potential Use On Renfrewshire's Roads Network

- 4.1 This particular product has only been available for 2 years and is currently more expensive than the existing products used to resurface roads. It is not yet available through local suppliers and contractors at this time.
- 4.2 The service plan to trial this particular product in Elm Drive, Johnston, which will involve laying a patch of around 250 square metres in Autumn 2018.
- 4.3 When the Council trials new road material products, the time period for monitoring these new products must be considered over a number of years, to ensure the

product provides the longevity expected from a new road surface of 20 to 30 years. Local authorities in Ayrshire and Dumfries, along with ourselves, have agreed that we will collectively monitor and evaluate the quality of this particular product over the coming years to improve the evaluation of this product. From experience failures may happen in the first 10 years of a new product where life expectancy of a road is 30 years.

Implications of the Report

1. **Financial** – None.
2. **HR & Organisational Development** – None
3. **Community Planning** – None
4. **Legal** - None
5. **Property/Assets** – This new product will be trialled on the Council's road infrastructure asset.
6. **Information Technology** - None
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website
8. **Health & Safety** – None
9. **Procurement** – None at this stage.
10. **Risk** – This is a new product which should be trialled for a period of time with further assessment prior to more widespread use.
11. **Privacy Impact** – None
12. **Cosla Policy Position** – None

List of Background Papers - None

Author: Drew McNab, Transportation Manager



TO: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

ON: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: SWITCHED ON FLEET GRANT FUNDING

1. Summary

- 1.1 The Scottish Government have launched a new Switched on Towns and Cities Challenge Fund, inviting applications for an award of funding to facilitate a step-change in the uptake of plug in electric vehicles (EV) in Scotland's towns and cities.
- 1.2 The fund has been designed to support intensive high impact actions within a town or city to further encourage and promote the uptake of electric vehicles. The challenge fund will support projects and initiatives which are expected for focus on a combination of activities which will:
 - Deepen and significantly expand the provision of publicly available EV charging infrastructure into new as well as existing areas of a town or city.
 - Address EV charging issues associated with tenement buildings or residential properties that lack off-street parking.
 - Focus upon the development of EV-friendly 'districts' within a town or city.
 - Locate infrastructure for destination charging (e.g. close to public amenities, sport centres, public transport hubs).
 - Replace a significant proportion of public sector fleet cars or light vans with plug-in alternatives.
 - Provide other volume ready plug in vehicle types.
 - Provide infrastructure to enable incentivised car parking/use of restricted road lanes etc.
 - Adopt intelligent management systems to support local EV incentives.
 - Provide infrastructure and solutions for EV taxi ranks (possible).

- Integrate EV infrastructure into wider energy systems including renewable generation and storage
- 1.3 The total project value can be between £1.5 to £2.5 million, and although up to 100% of the costs of the project may be supported by the fund, an applicant's ability to provide some funding toward the project will be considered as part of the assessment of bids.
- 1.4 The Challenge Fund is targeted at local authorities who are well placed to deliver on local incentives to support electric vehicle uptake. Applicants will need to demonstrate existing EV leadership and this will be taken into account in assessment of bids. Other Community Planning Partners as well as wider public sector bodies are eligible project partners.
- 1.5 The Council has been proactive over a number of years, increasing the volume of electric fleet to the current 42 vehicles and regularly participates in opportunities to receive additional funding to supplement the annual £1.5million Capital Vehicle Replacement Programme.
- 1.6 This challenge fund represents a significant opportunity to make a step change in the Council's approach to embracing electric fleet and improving charging infrastructure.
- 1.7 The stage 1 application process closes for submissions on the 31st August, with the successful applicants being informed in November 2018. The successful projects must then be delivered during 2019/20 and 2020/21.
-

2. Recommendations

It is recommended the Infrastructure, Land & Environment Policy Board:

- 2.1 Approves the submission of a stage 1 bid to the Switched on Towns and Cities Challenge Fund, with a grant application of £2.2million, towards a total project value of £2.5million.
- 2.2 Notes that the contribution from the Council for the delivery of the project is anticipated to be £300,000 over 2019/20 and 2020/21, which will be funded from the Council's annual Vehicle Replacement Programme.
- 2.3 Notes that if the bid is successful, a further report will be brought back to a future meeting of this Policy Board setting out the award and the detailed plans over the next two years.
-

3. Background

Application Process

- 3.1 The new Switched on Towns and Cities Challenge Fund aims to facilitate a step change in the uptake of plug-in electric vehicles (EVs) in Scotland's towns and cities. Its objective is to support intensive, high impact capital activity in order to incentivise, encourage and promote the use of plug-in EVs. It will operate as a competitive capital fund with an annual call for bids.
- 3.2 The Challenge Fund is targeted at local authorities who are well positioned to deliver the infrastructure and local incentives to support EV uptake. Community Planning Partners as defined in the Community Empowerment (Scotland) Act 2015 as well as wider public sector bodies, with local bases, are eligible project partners.
- 3.3 Run as an annual competition, it is expected that up to 5 awards will be made through the first round of funding with eligible costs per project in the range of £1.5 million to £2.5 million. Costs below this level will be considered exceptionally. Up to 100% of eligible costs may be supported by Transport Scotland funding, although extra credit will be given to bids that can bring match-funding from non-Transport Scotland sources.
- 3.4 Projects will need to focus upon either a single town or city. It will be up to the local authority to prioritise which town or city this will be in collaboration with any project partners.
- 3.5 Applicants are encouraged to put forward proposals that they consider will deliver greatest impact. Projects containing significant activity aimed at implementing convenient solutions to address EV charging for residents living in tenements or with no off-street parking are particularly encouraged.
- 3.6 Applicants will also be expected to describe the wider non-capital activities they plan or have already implemented to encourage and incentivise EV uptake in the relevant town or city.
- 3.7 The Council was awarded a grant of £208,168 in 2018/2019 for EV and a grant of £415,000 for EV charging infrastructure. It is intended that this grant funding for EV charging infrastructure is located in Johnstone, Renfrew and the Villages, with the bid focussing on Paisley.

4. Renfrewshire Application

- 4.1 It is important that projects should not focus on a single theme, and provide as broad a benefit as possible. A significant proportion of activity can focus on Council fleet vehicle replacement with electric vehicles, but there must be a significant element of the bid that may directly benefit the public.
- 4.2 The application for Renfrewshire focusses on 3 main areas;
 - Expansion of electric vehicles within the Council fleet,

- Expansion of electric vehicle charging infrastructure within Paisley, reflecting the terms of the grant that the project must focus on a single town or city, and
 - Proposals to benefit general public such as increasing the number of charging points in community centres, leisure centres and other public facilities.
- 4.3 The Council has an annual Capital Investment Programme for Replacement of the Light and Heavy fleet of £1.5million. In an average year, the Capital Investment in Light Fleet (vehicles which could be replaced with Electric Vehicles) is £150,000.
- 4.4 It is proposed that the Grant Claim should focus on delivering as many of the activities as listed in section 1.3 above, with the Council having a significant focus of replacing the Council light fleet with electric vehicles and investing in infrastructure to service this fleet.
- 4.5 It is proposed that the grant claim could be allocated £1.5m on Council Fleet/Infrastructure, £200k to support projects agreed with our community planning partners and £800k for schemes of benefit to the General Public.
- 4.6 The application from Renfrewshire will focus activity on the following areas
- Creation of a number of hubs in Paisley town centre as well as installing individual charging points in car parks,
 - Locate infrastructure for destination charging close to public amenities such as the Lagoon centre and other destinations
 - Creation of a large charging hub at Underwood Road and replacement of 70 vehicles to electric (cars and light vans)
 - Potential to create free or reduced tariffs to use electric points within council car parks
- 4.7 The application is attached at Appendix 1 and outlines the approach Renfrewshire Council is taking to secure the grant funding. The successful applicants will be notified during October or November 2018 with the projects then being delivered during 2019/20 and 2020/21

Implications of the Report

1. **Financial** – The Council's contribution to the Project will be £300,000 over two financial years and will be funded from the annual Vehicle Replacement Programme.
2. **HR & Organisational Development** – None
3. **Community Planning** – None
4. **Legal** - None

5. **Property/Assets** –.
6. **Information Technology** - None
7. **Equality & Human Rights** - None
8. **Health & Safety** – None
9. **Procurement** – Engagement will take place with procurement during the process of tendering for contractors to deliver the improvements programme.
10. **Risk** – A risk register will be developed as part of any site associated works programme, reflecting the requirement to continue to have an operational cemetery during any works programme.
11. **Privacy Impact** – None
12. **Cosla Policy Position** – None

List of Background Papers - None

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To: INFRASTRUCTURE, LAND & ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

**Heading: WASTE MANAGEMENT STRATEGY PROGRESS UPDATE & REFRESH –
IMPROVING RECYCLING IN RENFREWSHIRE – IMPLEMENTATION,
PROGRESS UPDATE**

1. Summary

- 1.1** This report sets out progress on the implementation of the waste service changes approved by the Infrastructure, Land & Environment Policy Board on 8 November 2017. In addition, it also progresses the Council's commitment to the Scottish Household Recycling Charter as approved by the Leadership Board on 8th June 2016. This is a commitment to transform waste services to achieve a more uniform waste collection service nationally, to improve collection rates and create a consistent stream of high quality recyclates. The planned service changes will transition the Council towards compliance with the Charter and the associated Code of Practice.
- 1.2** The planned waste service changes agreed by the Policy Board on 8 November 2017 were:
- Move from two weekly to three weekly residual waste collections (grey bins) for approximately 60,000 households
 - Provision of an additional recycling bin to allow Renfrewshire householders to separate their recycle into two distinct streams, namely
 - Paper and cardboard
 - Mixed plastics, cans and glass
 - Householders residing in tenemental, maisonette type or high flatted properties, would be provided with additional recycling infrastructure to to allow further recycle segregation to approximately 30,000 households.

- The comingled food and garden waste collection services remain unchanged, with the comingled food and garden service remaining on a fortnightly collection cycle.
- 1.3 The project is being implemented in line with the Council's Project Management Framework and four distinct work streams have been established to allow a planned and effective implementation.
- Procurement
 - Data Preparation / Routing
 - Operational
 - Communications
- 1.4 This report provides a progress update on each of the 4 workstreams to advise the Policy Board members that implementation is progressing as planned, for implementation in late Autumn 2018.
- 1.5 The Scottish Household Recycling Charter sets clear, consistent standards and objectives in relation to Councils' Waste & Recycling policies. Whilst current Renfrewshire Council waste and recycling policies largely reflect the requirements of the Charter, they have been reviewed to take cognisance of the agreed service changes and to reflect changes in the landscape of recycling and a focus towards education and awareness of improved recycling in Renfrewshire.
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2. Recommendations

It is recommended that the Infrastructure, Land & Environment Policy Board:

- 2.1 Approves the implementation plan, 12th November until 24th December as outlined in sections 4 and 5 of this report and notes the progress update in relation to the implementation of the agreed service changes to improve recycling in Renfrewshire.
- 2.2 Approves the revised Waste Policies attached at Appendix 1.
- 2.3 Approves that as part of the implementation of the agreed service change, that additional support arrangements will be put in place over the festive period 2018/2019, as set out in paragraph 4.4.4 of this report.
-

3. Background

- 3.1 Renfrewshire has proactively introduced a number of key service changes in recent years and as part of the Council's Waste Strategy "journey", including:
- Introduction of Managed Weekly Collections (2009),

- Clyde Valley Residual Waste Treatment & Disposal Project (2012- 2020, in advance of landfill ban of 2021)
- Introduction of an on-request textile collection,
- Provision of comingled food & garden waste services,
- Roll out of kerbside wheeled bin collections to Erskine and other parts of Renfrewshire, previously on sack collections. This has resulted in the percentage of sack collection properties reducing from 5.3% to 1.4% of Renfrewshire householders.

3.2 These service changes have had a significant impact on the Council increasing its recycling performance from 37.4% in 2009 to 48.5% in 2016, which is now above the Scottish average (44.8%). The refreshed Waste Strategy and proposed service changes as set out above will support improvements required to at least achieve the 50% recycling target of 2013 and potentially up to a 5% improvement to the Council's current performance level.

3.3 A key factor in the Council improving its recycling is to address the external drivers and global market conditions it faces. The current markets for recycling dictate that it is essential to improve the quality and quantity of recycling and further separate comingled recyclate materials. High quality recyclates are easier & more cost effective to recycle, achieving a higher value in global markets through reducing processing costs.

3.4 The Council faces a number of legislative responsibilities as well as national policy and guidance in relation to recycling. At the Leadership Board of 8th June 2016 the Council's commitment to the Scottish Household Waste Charter was approved. This is a commitment through the Household Waste Charter to transform waste services to achieve a more uniform waste collection service nationally, to improve collection rates and create a consistent stream of high quality recyclates. The service delivery changes will transition the Council towards compliance with the Charter and the associated Code of Practice.

3.5 A review & analysis of the Council's kerbside waste collection arrangements, indicates that the current waste volumes and contents of residual waste bins have space capacity of approximately 30% for an average household and that residual waste bins still contain a high volume of materials that could and should be recycled.

4. Service Change Implementation Plan

4.1 The agreed service changes as outlined at section 1.2 above are being managed through a specialist wide-ranging project team including officers from Environment & Infrastructure, Finance & Resources, Legal Services, Procurement and the Council's Communications team.

4.2 The project is being delivered through four main work streams which are:

- Procurement

- Data Preparation / Routing
- Operational
- Communications

An update on implementation of each workstream is highlighted below.

4.3 Procurement Update

- 4.3.1 A contract has been awarded for the supply and delivery of 240 litre wheeled bins across Renfrewshire. This also includes the delivery of aforesaid 240 litre bins to householders. Distribution of bins to households will take place between 12 November and 30 November 2018.
- 4.3.2 Tenders are currently being evaluated in relation to recycle processing contracts for each of the two recycling streams (paper and cardboard AND mixed plastics, cans and glass). A report will be submitted to the Finance, Resources and Customer Services Policy Board of 5 September for contract award approval.
- 4.3.3 A procurement exercise is also being undertaken for the purchase of smaller and larger containers to facilitate requests from householders for changing bins to provide flexibility to residents to support the agreed service changes.

4.4 Data Preparation / Routing / Operational

- 4.4.1 As set out in paragraph 1.3 above, property types in Renfrewshire have been split into two distinct groupings, namely:
- **Standard properties** – detached, semi-detached, back and front door properties with a regular kerbside collection service provided for all services.
 - **Non-standard properties** – high flatted, tenemental, maisonette, modern flatted type properties where particular conditions such as back court footprints and service delivery models differ from the standard properties. Residual waste collection frequencies at these properties will remain unchanged; however changes are required in terms of recycling infrastructure.
- 4.4.2 Detailed surveys have been undertaken for the non-standard property locations to identify bin infrastructure change requirements and as a result a number of tenemental properties are now suitable for participating fully in the service changes taking the total number of properties fully adopting the new service to approximately 68,000.
- 4.4.3 Collection routes are at an advanced stage of development, and these are now being prepared for operational testing ahead of the new collection arrangements as will start on 3 December 2018. Although this is the first collection date of the new service change, all residents will have been provided with their new bins, during the period 12th to 30th December 2018, to ensure early engagement with the service change.

4.4.4 In order to support the implementation of the service changes additional resources will be deployed to ensure residents engage with the service change. It is normal operational practice that all excess waste is removed during festive periods. However, reflecting the implementation of the service changes during November and December additional support will be provided to both householders and crews to ensure the uplift of all excess waste.

4.5 Communications

4.5.1 A public communication and marketing campaign plan has been developed to support the changes to the service, to ensure that those affected are aware of the change.

4.5.2 The aim of the plan is to effectively communicate the upcoming changes, ensuring those affected are fully informed.

4.5.3 The campaign objectives are:

- Ensure the public is aware of the upcoming changes to recycling and waste collection
- Ensure the public understands the reasons behind the changes
- Encourage behavioural changes and gain the support of the public in increasing and improving their recycling
- Improve quantity and quality of recycling
- Encourage low or non-recyclers to recycle
- Ensure the public is aware of the service changes well in advance of implementation
- Make it easy as possible for our residents to move to the new collection system

4.5.4 The communication campaign started earlier in 2018 and is now entering Phase 2, with Phase 1 being general awareness raising. This phase started in February 2018 and its objective was to encourage people to become better recyclers. We provided the public with information about recycling via local media and social media. We focused on food waste due to the amount (36%) that is currently put into the general waste bin which could be recycled and would free up space for non-recyclable items.

4.5.5 This second phase will take place over the remainder of the summer into autumn and will specifically highlight the exact waste service changes that are being made. This will be achieved using the following channels:

- **Direct mail** – an information pack issued to each household explaining how to dispose of waste correctly and designed to be kept as a reference guide longer-term,
- **Media releases** – highlighting the changes,
- **Social Media** – the campaign to raise awareness will continue throughout the summer and autumn months to continue to improve recycling levels.

- **Road shows** – presence at events/community councils/shopping centres/libraries/council customer service centres/displays in public buildings

4.5.6 An information session for all Elected Members on the service changes has already taken place. A further information session will take place before the new service goes live and a full pack of information shall be provided. Elected Members have also been provided with details of the roadshows.

4.5.7 Officers from Environment & Infrastructure are also undertaking presentations at all Local Area Committees during August / September. This is complemented by presentations to Community Councils and other community groups.

5. Waste and Recycling Policies

5.1 The Scottish Household Recycling Charter sets clear, consistent standards and objectives in relation to Councils' Waste & Recycling policies, as follows:

- By ensuring that local policies encourage householders to recycle by reducing the collection of waste that cannot be recycled (i.e. excess waste/side waste).
- Ensure that our local policies provide householders with sufficient capacity for their waste, recognising that some households will produce more waste than others,
- Ensure that our local policies direct our collection crews to not collect containers for waste that cannot be recycled that clearly contain recyclable materials (including paper, card, glass, plastics, metals and food)
- Ensure that where householders have not followed our collection advice and policies, we will ensure our policies for communicating and taking corrective action are delivered consistently.
- Ensure that policies for bulky or excess waste encourage citizens to recycle and reuse, where this is practicable to do so.

5.2 Whilst current Renfrewshire Council waste and recycling policies largely reflect the above, these have been reviewed and refreshed to reflect the upcoming service change.

5.3 As part of the agreed service change, residents will be supported during the settling in period, with waste advisers being on site and visiting properties to offer advice and support.

5.4 The reviewed and refreshed policies are attached in Appendix 1 of this report for approval.

Implications of the Report

1. **Financial** – As previously reported to this Policy Board in November 2017, a £1.3 million investment funded from the Council's Strategic Waste Reserve, with a financial payback period of 1.6 years. The financial savings will arise from the implementation of the service delivery changes to residual waste and dry recycle kerbside collections.
2. **HR & Organisational Development** - The service delivery changes will result in a small reduction in the number of employees, approximately 6, which can be managed as part of the service workforce planning process.
3. **Community Planning – Creating a Sustainable Renfrewshire** - It is anticipated that a combination of the revised collection arrangements for residual waste and the provision of the additional recycling bin will increase household recycling levels by up to 5%
4. **Legal** – None
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as the proposals recognise individual arrangements that would have to be accommodated due to particular circumstances. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None
9. **Procurement** – A procurement strategy was developed at the outset of the project and continues to be utilised through to project completion.
10. **Risk** - A risk register has been utilised as part of the implementation.
11. **Privacy Impact** - None
12. **CoSLA Policy Position** – None

List of Background Papers – None

Author: Gerard Hannah, Interim Head of Operations & Infrastructure

**Renfrewshire Council
Household Waste and Recycling Policies**

- 1.1 The Council's Policy is to provide households with the following waste and recycling containers where practicable.
- One 240 litre grey/black wheeled bin for the storage of general domestic (non-recyclable) waste
 - One 240 litre blue wheeled bin for the collection of paper & card
 - One 240 litre brown wheeled bin for the collection of garden waste and food waste.
 - One 240 litre green wheeled bin for the collection of plastics, metal and glass

A small 7 litre internal kitchen caddy and biodegradable liners are available to households to assist in the collection of cooked and uncooked food waste.

- 1.2 Additional recycling capacity will be provided if required, up to a maximum of 2 x 240 litre (blue/green/brown) wheeled bins per household. Alternatively, one single larger container (360 litre capacity) may be provided
- 1.3 Bins that are damaged during collection will be replaced without charge. Where a bin is damaged through negligence or is stolen, the householder will be liable for cost of replacement.
- 1.4 New build properties will be required to purchase their bins prior to receiving a service. The most up to date cost of containers can be found on the fees and charges section of the Council's website. Bins should be ordered via our contact centre on 0300 300 0300.
- 1.5 Only wheeled bins supplied by Renfrewshire Council will be emptied.

2. Additional Non-Recyclable Waste Capacity

- 2.1 Renfrewshire Council will consider providing additional capacity for non-recyclable waste to householders meeting the following criteria and demonstrating recycling of waste products;
- five or more permanent residents in the household
 - non-recyclable healthcare wastes are generated
 - 2 or more children aged 3 or under in disposable nappies
 - exceptional circumstances at the discretion of the Waste Services Manager.
- 2.2 Households considered eligible for additional capacity will be provided with an additional or larger grey wheeled container for non-recyclable waste, free of charge.

- 2.3 Additional capacity will only be provided on evidence that the householder is making full use of the kerbside recycling services. Householders waste may be subject to an audit by a Waste Adviser.
- 2.4 Applicants are required to provide evidence in support of their additional non-recyclable waste capacity application and are required to re-register on an annual basis.
- 2.5 Householders must notify the Council if circumstances change during the 12-month agreement period which may alter their eligibility for additional non-recyclable waste capacity.

3. Presentation, Storage and Collection

- 3.1 The householder is required to present the appropriate bin(s) with the lid closed at the kerbside (or agreed uplift location) by 7:00am on the morning of collection.
- 3.2 The collection crew will not return for bins that are not presented in time. Bins not presented in time for uplift should be returned to the storage location and re-presented on the next scheduled collection day.
- 3.3 Bins should be presented in such a way that they do not cause obstruction to pedestrians or road users.
- 3.4 Side waste or excess waste will not be accepted i.e. excess bags, cardboard boxes etc other than in circumstances communicated by the Council.
- 3.5 Overfilled and/or excessively heavy bins will not be accepted. Bins with items wedged into them will be left as these may present health and safety implications to operatives. The resident should rectify the issue and correctly re-present their bin on the next scheduled collection day.
- 3.6 Any excess recyclables or non-recyclable waste that cannot be accommodated within the appropriate bin(s) can be taken to a Household Waste Recycling Centre. See point 9.1 for location details.
- 3.7 Bins must be stored where possible within the curtilage of the property i.e. bin store, back court, garden etc.
- 3.8 Bins must be removed by the householder from the pavement/collection point and returned to storage location as soon as practical after emptying i.e. the same day as collection.
- 3.9 The Council reserves the right to remove any unauthorised bins presented or left on the pavement, if previous requests for householder co-operation in removing them are not adhered to.
- 3.10 Residents are advised to identify their bins with a house name or number.

- 3.11 Householders are responsible for ensuring the correct materials are deposited in the appropriate bin (see point 5.1).
- 3.12 The cleanliness of bins (inside and out) remains the responsibility of the resident and they should be maintained in a clean and hygienic condition at all times. Unclean or unhygienic bins may not be emptied.
- 3.13 Bins will be replaced after emptying by collectors to the original collection point, or within one refuse collection vehicle length of this location, ensuring adequate space for pedestrian movement and vehicle access to properties is maintained.
- 3.14 Access for the Refuse Collection Vehicle should be maintained on uplift days. Failure to do so may result in a missed collection, see point 6.3. Repeated missed bins due to access issues will result in collection arrangements being reviewed.

4. Assisted Collections

- 4.1 As part of the Council's approach to empowering our communities, residents who would normally need this service are encouraged to ask a relative or neighbour to help with bins.
- 4.2 An assisted collection service will be provided when, due to age or a physical or medical condition no member of a household is able to present or retrieve their own bin(s) and have no other means of support to do this. This service is free of charge to people who qualify for it. You may be visited by a council officer to check your eligibility for the scheme.
- 4.3 Applicants must provide evidence in support of their application and are required to re-register on an annual basis.
- 4.4 Bins will be collected from an agreed location within the curtilage of the property. All properties are risk assessed by a Council Officer to determine the manual handling risks associated with uplifting bins. Should a perceived risk be identified it may necessitate a change to a sack uplift collection service. In instances of this nature, appropriate sacks will be provided to the householder.
- 4.5 Residents are required to ensure the bin storage area is easily accessible to the bin crews. Gates should be unlocked and in good working condition to allow access. Dogs should be secured elsewhere to allow staff safe access to the property.
- 4.6 When moving house, it is important that residents who receive an assisted collection inform the Council so that records can be updated.
- 4.7 Assisted collections will be reviewed on an annual basis. If a household's circumstances change and, as a result, they no longer need an assisted collection, residents must inform the council.

- 4.8 Householders receiving an assisted collection service will be supplied with “assisted collection” stickers to help collectors identify containers that are to be collected. It is the householder’s responsibility to affix the stickers to their bin(s).

5. Contaminated Bins

- 5.1 Only waste or recycling materials detailed in Council provided Service information, will be accepted;

- Grey Bin – Non-recyclable Waste
- Blue Bin – Dry Mixed Recyclables – Paper & Cardboard
- Brown Bin – Garden & Food Waste
- Green Bin – Dry mixed Recyclables– Plastics, Cans & Glass

Refer to www.renfrewshire.gov.uk for more information on recycling

- 5.2 Householders are responsible for the waste and recycling that is contained in their bins. Renfrewshire Council do not take responsibility for contaminated bins.
- 5.3 Contaminated bins will not be uplifted as they may contaminate the entire load within the vehicle.
- 5.4 If contamination is found, the refuse collection crew will place a hanger on the bin, to advise the householder, and record the contamination.
- 5.5 Contaminated bins will not be returned for and will only be emptied on the next scheduled collection provided the contaminants are removed.
- 5.6 Table 1 below is a guide to help determine whether a bin is deemed to be contaminated or not and the action to be taken

Table 1

Contamination level/Reason	Description	Action
Severe contamination; or repeat offender of medium contamination	Filled black bags, food waste, more non-recycling than recycling. Or repeat offender of medium contamination.	1) Do not empty bin 2) Attach Bin Hanger/Sticker 3) Record on Collective 4) Letter sent to householder
Moderate contamination	Obvious misunderstanding of materials accepted – more than two but less than ten wrong items visible when bin lid is opened (there needs to be more recycling than nonrecycling)	1) Empty bin 2) Bin Hanger/Sticker 3) Leave wrong items in a bag tied to the bin or remove if possible 4) Record on Collective
Low contamination	Two or less visible wrong items when the bin lid is opened.	1) Empty bin – likely that it is accidental. 2) No requirement to record

- 5.7 Renfrewshire Council reserve the right to withdraw the recycling service if repeated contamination occurs. Any loss of recycling capacity by service removal (as a result of repeated contamination) will not be replaced and non-recyclable waste collections will remain unchanged.

6. Missed Bins

- 6.1 Bins should be placed at the kerbside or agreed uplift point by 7.00am on the scheduled collection day. The Council will not return for bins missed due to late or incorrect presentation. It will be the resident's responsibility to dispose of any excess waste, either free of charge at a Household Waste Recycling Centre or by arranging a chargeable special uplift.
- 6.2 Where the bin has been missed due to a collection error, this should be reported by contacting the Customer Service Centre. If the Council agree that the cause of the missed bin was a collection error the bin should remain at the collection point, the Council will aim to collect it within 2 days. If after this time the vehicle has been unable to return the bin should be returned to the storage point.
- 6.3 Where the bin has been missed due to access issues, this should be reported by contacting the Customer Service Centre. If the Council agree that the cause of the missed bin was an access issue the bin should remain at the collection point, the Council will aim to collect it within 2 days. If after this time the vehicle has been unable to return the bin should be returned to the storage point. Bagged waste can be placed next to the grey bin when it is presented for uplift on the next scheduled collection.
- 6.4 Adverse weather or other conditions beyond the Council's control can disrupt collections. In such circumstances collection arrangements will be made as soon as possible and householders should leave their bins out for 2 days after the normal collection. If bins are not collected within this time, please refer to the Council's website for collection updates.
- 6.5 If bins are not emptied due to waste being tightly lodged or frozen, the bin will not be collected until the next scheduled collection and excess waste will not be accepted. Householders must ensure that the waste is freed and any items are dislodged before re-presenting.

7. Non-Standard Waste and Recycling Services

- 7.1 There are a number of variations to the standard waste and recycling service outlined above for practical or operational reasons e.g. a large proportion of flats and tenements share bins for refuse and recycling due to restricted storage space. Some properties have a sack collection due to inadequate storage and practicalities relating to presentation of bins. High flats and maisonettes (with bin chutes) use bulk or paladin bins and have a local mini recycling site. Rural properties do not have a garden and food waste collection service. There is no statutory requirement on the Council to provide garden waste collection services and rural properties have been

excluded from the legislative requirements on Councils to collect food waste separately.

The following containers are / will be provided:

Flats and tenements

- Individual or communal grey wheeled bins (240 or 360 litre capacity) – residual, non recyclable waste
- Individual or communal blue wheeled bins (240 or 360 litre capacity) – paper and cardboard
- Individual or communal green wheeled bins (240 or 360 litre capacity) - plastics, cans and glass
- Large communal grey 1280 litre bins – residual, non recyclable waste
- Large communal blue 1280 litre bins – paper and card
- Large communal green 1280 litre bins – plastics, cans and glass
- Food caddies or a communal 140 litre green food waste bin

Rural properties

- One 240 litre blue wheeled bin - paper & card
- One 240 litre or 360 litre grey/black wheeled bin - residual, non-recyclable waste
- One 240 litre green wheeled bin - plastics, cans and glass

Maisonette and High Flats

- Communal Paladin or Continental 1280 litre bulk bins.(weekly / multi frequency)
- Local mini recycling sites with 1280 litre blue & green bins (weekly)
- Green 140 litre wheeled bins for food waste (weekly)

Sack collection

- Black sack (weekly) – residual, non recyclable waste
- Blue sack (weekly) – paper and card
- Green sack(weekly) – plastics, cans and glass

7.2 Additional recycling capacity will be provided if required, up to a maximum of 2 x 240 of each colour bin where space permits.

7.3 Additional capacity for non-recyclable waste will only be provided as detailed in section 2 of this Household Waste and Recycling Policy.

7.4 Additional sacks are provided to residents with this service free of charge and on request.

8. Special Uplift/Bulky Uplift Collections

8.1 The Council also provides a waste collection service for certain large or bulky items. Before booking a special uplift, residents are asked to consider if the item can be re-used by someone else. Charities can also often make good use of items that some

residents are prepared to dispose of and, in some cases, may even be able to arrange for the item to be collected.

- 8.2 The Council charges for collection of bulky waste items. An up to date list of fees and charges is available on the website. Bookings can be made via the website or the customer contact centre.
- 8.3 The items must be booked in for collection and will only be collected if they are easily accessible and as described. Only items listed on the booking will be collected. Where items cannot be collected a waste supervisor will contact the resident to offer advice.
- 8.4 Hazardous, clinical or toxic waste will not be collected. Residents should contact us for advice on the best way to dispose of these types of waste.

9. Household Waste Recycling Centres

- 9.1 The Council operates 5 household waste recycling centres (HWRC) at the following locations:

- **Erskine:** Barrhill Road, Erskine PA8 6BU
- **Johnstone:** Miller Street, Johnstone PA5 8HP
- **Linwood:** Middleton Road, Linwood PA3 3DP
- **Paisley:** Underwood Road, Paisley PA3 1TL
- **Renfrew:** Haining Road, Renfrew PA4 0AJ

A full list of items accepted at each site and opening hours can be found on the Council's [web site](#).

- 9.2 Household Waste Recycling Centres are provided for use by Renfrewshire residents and for the recycling and disposal of household waste only. There is no provision for commercial waste at any site.
- 9.3 Residents wishing to use a commercial style vehicle (van, pick up, trailer or mini bus) to dispose of their waste must apply for a HWRC permit prior to admission to the site. Full terms and conditions of the permit scheme can be found on our website.
- 9.4 Waste is subject to inspection by a member of staff. If waste is suspected to be commercial in origin it will not be permitted to the site.

10 Variations to the New Household Waste & Recycling Service

- 10.1 Recognising that there may be instances whereby conditions might be exceptional, variations will be considered if one or more of the following conditions exist:
- The property is not on a garden waste collection route and therefore does not have access to the food waste service.

- Residents at the property are infirm or disabled such that they cannot put the bin out nor retrieve it themselves and there is no-one else who can complete this task for them reliably.
- Where wheeled bins for waste and recycling cannot be accommodated and/or serviced.
- If multiple properties require to store/present waste in the same location.
- Where travel is required up a private and/or un-adopted road.
- The Council has authorised another receptacle, container or sack in the absence of a wheeled bin.
- In exceptional circumstances as determined by the Waste Services Manager.

11 Rural Collection Services

- 11.1 Renfrewshire Council do not have any obligation to provide all properties with the full range of kerbside services in circumstances where this would present significant operational and/or cost implications, e.g. some flats and tenements and all rural properties are not provided with a garden and food waste collection. Flats and tenements are provided with a weekly food waste (caddy) service as an alternative.

12 Communal Containers

- 12.1 Communal containers will be provided if it is not feasible to provide each individual property within a flatted premise/multi occupancy dwelling with their own containers to store waste and recycling.
- 12.2. Communal containers will be provided at an agreed bin storage location, usually the kerbside or road end, where the refuse collection vehicle cannot gain access to multiple properties to service bins because of the road width, height limitations, inadequate turning or other restrictions out with the Councils control.
- 12.3 Communal bin collection points should be a level hard standing surface, a maximum of 10 metres from where the refuse collection vehicle can safely stop. To enable servicing a suitable surface over which the communal containers can be manoeuvred to the rear of the vehicle must be maintained.

13 Access Road Specification

- 13.1 Refuse Collection Vehicles will only provide kerbside waste and recycling collections to properties situated on a private and / or unadopted road if all of the following conditions are met:
- The private road serves a settlement, or settlements, rather than isolated individual properties (as a guide, a settlement is a grouping of six or more properties).
 - The road is constructed to withstand a gross vehicle weight of 26 tonnes and axle loading of 11.5 tonnes. Features in the road situated, such as manhole

covers, gratings or cattle grids, must also be capable of withstanding these loads.

- There is sufficient space for a refuse collection vehicle to safely access and egress; with adequate space to turn, if applicable (i.e. a turning circle, T-junction or hammerhead).
- The road surface must be in a condition deemed acceptable by Renfrewshire Council and this standard must be maintained (i.e. any surface deterioration such as ruts or potholes must be improved and the road must be cleared/treated in adverse weather).
- Sufficient and safe access for the refuse collection vehicle on collection day (i.e. absence of overhanging branches/overgrown bushes, no parked cars restricting space available to perform manoeuvres).
- The owner(s) of the private road agrees to indemnify the Council against any damage caused from reasonable use of the road by a refuse collection vehicle.

13.2 Failure to meet any of the above conditions will prevent the refuse collection vehicle from servicing bins and result in collection arrangements being reviewed.



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Joint Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: CODE OF PRACTICE ON LITTER AND REFUSE (COPLAR) 2018

1. OVERVIEW

- 1.1 The Scottish Government has issued a revised code of practice on Litter and Refuse to fulfil duties under the Environmental Protection Act 1990, section 89. The code of practice was enacted by the Scottish Parliament in July 2018.

- 1.2 This is the 4th Code of Practice on Litter and Refuse (COPLAR) issued under section 89 (7) of the Act. The first in 1991, was replaced in 1999 and covered Scotland, England and Wales. The third, in 2006, applied exclusively to Scotland and this version replaces it. Its development was informed by a stakeholder steering group. Bodies including Local Authorities, Scottish Ministers, Crown Estate Scotland, railway operators and education institutions must all adhere to the code. Implementation of the code impacts on the StreetScene & Roads service delivery and will support the preventative work undertaken by the Council such as the Team Up to Clean Up project.

- 1.3 Under the Code of Practice Local Authorities have the following duties to act, so far as is practical, to remove litter and refuse:
 - Keep land under their control clear of refuse and litter - Duty 1.
 Duty 1 applies to hard-standing surfaces – roads, walkways, concreted land, soft surfaces – grass, bushes, trees, bare-earth surfaces, verges, embankments and open space, unsurfaced roads, land covered by water – canals, streams/rivers and ponds.
 - To keep certain roads (for which the body is responsible) clean - Duty 2.

- 1.4 Action may be taken on the body's behalf, such as through road maintenance contractors/clean-up operations. However, the responsibility for meeting the duties remains with the owner of the land.
- 1.5 A formal consultation process was held in 2017 on proposed revisions to the code of practice and Renfrewshire Council was one of the 35 respondents.
- 1.6 Whilst the format of the new Code of Practice Litter and Refuse 2018 is broadly similar to its predecessor, there are some significant changes including: chewing gum and detritus being included within the code; a change to the times by which land should be restored to its appropriate cleanliness grade; and a greater focus on proactive work, including prevention, which will specifically involve a number of services across the Council with management and maintenance responsibilities for land assets.
- 1.7 The 3 main changes include:
- (i) An emphasis on the role of prevention (particularly for Duty 1)
 - (ii) Revised cleanliness grades and response times for each duty
 - (iii) Greater clarity about where litter/refuse should be removed from and what constitutes litter and detritus
- 1.8 In responding to the code, key service areas within Environment & Infrastructure will require to further develop regular sweeping and maintenance schedules to allow the duty to be met. This approach can prevent small problems from escalating and ultimately becoming more expensive to fix.
- 1.9 One of the major changes in COPLAR 2018 is the emphasis on the role of prevention. Spending more on prevention is incentivised through the Code of Practice as increased spending on prevention will increase the response time available to return the area to a Grade A, clean standard. The additional funding for Environment & Place, including Team Up to Clean Up and increased enforcement by the Renfrewshire Wardens all provide good evidence of proactive work already being undertaken across Renfrewshire.
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2. RECOMMENDATIONS

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Notes the content of the new Code of Practice on Litter and Refuse (COPLAR) 2018 and the potential implications and challenges for Renfrewshire Council.
- 2.2 Notes the requirement for Environment & Infrastructure Services to undertake a COPLAR re-zoning exercise for Council owned land and roads and the intention to create an intern post to support this project working within the StreetScene service team.

- 2.3 Agrees to publicise the results of the COPLAR zoning exercise on the Council website.
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3. BACKGROUND

- 3.1 The Code of Practice on Litter and Refuse (Scotland) 2018 (COPLAR 2018) was laid before the Scottish Parliament on 17 May 2018 and was subject to a 40-day Parliamentary process following which the Code of Practice was enacted, in July 2018.
- 3.2 There are 3 main changes to the code of practice 2018 compared to the previous code of practice issued in 2006. These include:
- An emphasis on the role of prevention (particularly for Duty 1 – keeping land clear of litter and refuse). Under the code responsible bodies are required to consider what more they can do to encourage people not to litter in the first place. Examples of prevention activities are: communications in the form of signs, social media and news stories; education; partnership working; engagement; provision of infrastructure such as bins and recycling containers; and enforcement.
 - Revised cleanliness grades and response times have been created for each duty:
 - 3.2.1 The basic response times for Duty 1, (keeping land free of litter and refuse) are based on a responsible body allocating between 0% and 10% of its overall litter and fly tipping spend to prevention tactics. An analysis is being undertaken but it is believed that Renfrewshire Council spends approximately 10% of the current budget on preventative measures including education and enforcement. The response times available to restore an area to its relevant cleanliness grade increase in proportion to the percentage of spend on prevention activities. Once an area is restored, the prevention tactics should be sufficient to effectively support the maintenance of the cleanliness standard.
 - 3.2.2 Duty 2 relates to keeping roads clean and for this response times relate to regular sweeping and maintenance schedules which should be prepared by the responsible body to allow the duty to be met. The approach aims to help prevent small problems from escalating and becoming more expensive to fix. Regular removal of detritus will prevent a build-up of materials and other maintenance issues such as weed growth from occurring. The code also regards cutting back or removing any surface vegetation that infringes upon the hard surface of the road as good practice.
 - 3.2.3 Greater clarity about where litter/refuse should be removed from and what constitutes litter and detritus – eg chewing gum.

4. IMPLEMENTING THE CODE OF PRACTICE LITTER AND REFUSE (COPLAR) 2018 DUTIES

- 4.1 To fulfil the duties set out in COPLAR 2018, areas should be clear of litter and refuse and be clean. This is 'the standard' and it is referred to as 'Grade A' for each duty. Duty 1 areas that relate to land, have their condition assessed against six grades from A to F. The grades provide a way for bodies to measure attainment or deterioration over time and evidence their progress.
- Litter is "waste in the wrong place". Litter can include food packaging, drink containers, chewing gum, plastic bags. Escaped materials from waste collection containers are also considered litter.
 - Refuse is larger or more significant items than litter. Refuse includes household and commercial waste, flytipped waste, dog faeces and car parts.
- 4.2 The first step to fulfilling the COPLAR 2018 duties is to categorise areas of land and roads into one of six zones, based on how busy each area is. Zone categories are then used to determine the maximum time a responsible body has before it should restore an area to the Grade A standard. The Council is required to undertake this re-zoning exercise within one year from the Code coming into effect and make the results easily accessible to members of the public. The intention is to publish the results digitally online. There will be a resource implication for this exercise – currently estimated as approximately 1 year's work. In addition, not all land is held by Environment & Infrastructure, therefore while the zoning exercise will be co-ordinated within Environment and Infrastructure Services to ensure a consistent approach and methodology is applied across all Council owned land, there might be additional support required from other services that have land management and maintenance responsibilities on an adhoc basis.
- 4.3 Two factors affect the rate at which litter and refuse standards in an area decline which are common to all land and road types:
1. Footfall/vehicle intensity (guidance is provided in the code of practice on how to determine how busy an area is)
 2. Potential litter sources (numbers of moderate and high-risk groupings e.g. primary schools as moderate and fast food outlets as high-risk).
- 4.4 The COPLAR guidance indicates that areas subject to a significantly higher volume of footfall/traffic than normal for a short period of time, such as one-off events, should be upgraded to the appropriate zone classification on a temporary basis, reverting to the original zone classification following the event.
- 4.5 In addition to litter and refuse, detritus must also be taken into account under Duty 2 of COPLAR, relating to keeping roads clean. Detritus includes dust, mud, soil, grit, gravel, stones, rotted vegetation, glass and plastic. Leaf and blossom can also be considered detritus once they have lost their structure and become mushy and fragmented. Duty 2 areas are assessed against 4 grades from A to D – with A

reflecting that surfaces are free from detritus (the standard) and D that surfaces are obscured or at high risk of hazard caused by detritus.

- 4.6 When making assessments of current condition the Council will be required to be able to justify the grades assessed and have evidence to prove that it is fulfilling its duties.

Implications of the Report

1. **Financial** – Additional financial costs for both preparatory work and then implementation requirements will result from the required changes.
2. **HR & Organisational Development** – None
3. **Community Planning** – Renfrewshire is well – by maintaining the cleanliness of Renfrewshire's streets and roads it improves the wellbeing and belonging of a community.
4. **Legal** – To Follow
5. **Property/Assets** -To follow
6. **Information Technology** – To Follow
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website
8. **Health & Safety** – To follow
9. **Procurement** – None
10. **Risk** – None
11. **Privacy Impact** – None
12. **Cosla Policy Position** – None

List of Background Papers - Background Paper 1 – Code of Practice on Litter and Refuse 2018.

Author: Chris Dalrymple, Communities and Regulatory Manager, 0141 618 4609.



To: INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE

Heading: MEMORIALS AND STRUCTURES IN CEMETERIES

1. SUMMARY

- 1.1 This paper outlines the key recommendations arising from a Fatal Accident Inquiry (FAI) conducted by Sheriff Ruxton that was released in January 2018. The FAI took place after an 8-year-old boy, died at Craigton Cemetery, Glasgow due to a large monument toppling and falling directly onto him.
- 1.2 Memorial safety in cemeteries can pose a risk to the public, contractors and funeral directors, as well as a reputational risk to the Council and has been placed on the Environment & Infrastructure Services risk register for 2018/19.
- 1.3 The current position in Renfrewshire is consistent with most, if not all other local authorities across Scotland in regards to cemeteries.
- 1.4 It is accepted in the FAI that there is confusion as to the proper interpretation of industry guidance on safety management and inspection within cemeteries to determine the stability and safety of memorials. It is further acknowledged there is an absence of Scottish guidance on safe cemetery management, with particular reference to memorial safety.
- 1.5 There were 3 recommendations from the FAI, including that the Scottish Government providing clear and concise guidance to Scottish local authorities with regards to memorials in cemeteries. Whilst the guidance has not yet been finalised, a letter was issued to Chief Executives on 17 May 2018 explicitly reminding local authorities of their statutory health & safety responsibilities and urging all local authorities to review their inspection arrangements for memorial safety in cemeteries ahead of the guidance being issued.

- 1.6 Renfrewshire Council does not currently have a formal programme of inspection regime for memorials within the 9 cemeteries and 11 closed churchyards for which it has responsibility, however, regular visual monitoring does result in hand/topple tests being undertaken to memorials that are leaning/not vertical and where required, they are laid down to make safe. Where the memorials are particularly large, the Council uses mechanical means to safely lower the structure.
 - 1.7 The paper outlines the background to the FAI, current procedures within cemeteries that Renfrewshire Council has responsibility for, and potential implications for Renfrewshire Council with regards to gravestones, monuments and mausoleums in cemeteries in light of the recommendations made by Sheriff Ruxton.
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2. RECOMMENDATIONS

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1 Notes the findings of the Fatal Accident Inquiry (FAI) released by Sheriff Ruxton on 22 January 2018.
 - 2.2 Notes the current arrangements for inspections of cemeteries by Renfrewshire Council.
 - 2.3 Notes the procurement of specialist external support to implement a documented, programmed inspection regime for the cemeteries and Church of Scotland graveyards that Renfrewshire Council has responsibility for.
 - 2.4 Agrees that a further report will be brought back to this Policy Board early in 2019 outlining the findings of the work undertaken and the implications from these findings.
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3. BACKGROUND

Key Findings of the Fatal Accident Inquiry

- 3.1 An 8-year-old boy, died instantly at Craigton Cemetery on 26 May 2015 due to a large monument toppling and falling directly onto him. Whilst the facts are not fully known, it is believed that the boy and four of his friends entered Craigton Cemetery via a large hole in the perimeter wall and were using a large monument (Ross Monument) to climb up onto a nearby tree.
- 3.2 In climbing onto the monument, it became unstable, toppled and struck the boy on the head, killing him instantly. The accident garnered national media interest and prompted a discussion around safety in and around cemeteries.
- 3.3 Following the tragic accident, Glasgow City Council initiated an immediate investigation and laid down many gravestones, monuments and mausoleums that they felt may be unsafe.

- 3.4 A Fatal Accident Inquiry (FAI) was launched and the findings published by Sheriff Ruxton on 22 January 2018.
- 3.5 From the FAI report, the Sheriff highlighted reasonable precautions whereby the death and accident resulting in the death might have been avoided including:
- Carrying out repairs to the perimeter wall at Craigton Cemetery so that the convenient but unauthorised access was sealed.
 - A routine inspection of the Ross Memorial incorporating the application of a hand test at various heights of the pediment in order to detect concerning movement would be a reasonable precaution.
 - The absence of an active system of inspection to ensure the safety and stability of memorials in Glasgow cemeteries was a defect in Glasgow City Council's system of working which contributed to the death and accident.
- 3.6 It is accepted in the FAI that there is confusion as to the proper interpretation of industry guidance on safety management within cemeteries and methods of inspection of memorials to determine their stability and safety. It is further acknowledged there is an absence of Scottish guidance on safe cemetery management with particular reference to memorial safety.
- 3.7 As a result of the above, Sheriff Ruxton gave 3 recommendations as part of the FAI:
- 1) *I recommend that the Scottish Government issue separate guidance on memorial safety in cemeteries for use by local authorities throughout Scotland. Such guidance should include a category of advice on how to inspect large, traditional monuments such as the Ross memorial, as distinct from lawn memorials and other smaller structures. Given the potential danger posed by large leaning memorials, these should be given special attention and clear guidance issued as to the procedures for testing their safety and stability in order to assess whether there is concerning movement associated with such structures.*
 - 2) *I recommend that Glasgow City Council reconsider their recent 2015 guidance on memorial inspection to take account of the issues raised in this Inquiry.*
 - 3) *I recommend that consideration be given by the relevant agencies and associations that the existing industry guidance on memorial safety and stability testing be re-visited with a view to producing separate guidance on the inspection of traditional memorials and, in particular, those whose centres of gravity are shifting from the vertical.*
- 3.8 Recommendations 1 & 3 have an impact on Renfrewshire Council and guidance is currently awaited from the Scottish Government. The Scottish Burial Benchmarking Group (SBBG) has been consulted on this guidance and Renfrewshire Council is a

member of the Scottish Burial Benchmarking Group and feeding into the guidance.

4. CURRENT ACTIONS BEING PROGRESSED

- 4.1 The Director of Environment & Infrastructure Services is currently procuring specialist external support to complete an inspection of all cemeteries in Renfrewshire, compiling an action plan of prioritised essential and desirable actions that will mitigate the risk posed by structures in cemeteries. It is anticipated that this inspection process will take around 4 months and be complete by the end of the year.
 - 4.2 The programme of inspection across all Renfrewshire Cemeteries will have an initial focus on identifying and checking larger monuments and structures over 2m high and give priority to the most frequently used cemeteries when prioritising the programme of works required to mitigate any risks.
 - 4.3 There is potentially a significant cost to undertaking the survey works required which is currently being determined. The cost of structural or safety works required will ultimately be determined by the findings of the programme of inspection, again likely to be a significant cost.
 - 4.4 Initial inspection information and results will be recorded on the Council's corporate asset management system (CAMIS) to ensure that appropriate records are maintained and that a regular risk-based programme of inspection is developed and maintained.
 - 4.5 Corporate Communications are involved to ensure that communications around these essential works are undertaken sensitively due to the emotive nature of cemeteries.
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5. CURRENT POSITION IN RENFREWSHIRE

- 5.1 Renfrewshire Council currently has 9 cemeteries within the local authority boundary, however, it also has responsibility for older, closed cemeteries that were previously part of Church of Scotland grounds. These also have memorials and structures in place and are less frequently visited by Renfrewshire Council staff. There is no record of how many large memorials are in place within Renfrewshire Cemeteries and a visual check has been instructed.
- 5.2 All of Renfrewshire cemeteries (with the exception of Broomward Cemetery in Elderslie which opened in the early 1990's) contain large headstones and memorial structures that have the potential to pose a risk to visitors, staff and contractors. However, Hawkhead Cemetery in Paisley is the largest, busiest cemetery and attracts more visitors than any other cemetery in Renfrewshire. Therefore, applying the principles of the hierarchy of risk control, it would be prudent to start a formal

inspection and recording programme at Hawkhead Cemetery.

- 5.3 Alongside looking at operational and open cemeteries, it is recommended that the 11 closed churchyards within Renfrewshire are also inspected. The reason for this is that Renfrewshire Council has very little knowledge of the condition of memorials and structures in these sites as they are only visited infrequently to cut the grass during the growing season.
- 5.4 Renfrewshire Council undertakes an informal programme of inspection for memorials within the 9 cemeteries, where visual monitoring does result in hand tests being undertaken to memorials that are leaning/not vertical and where required, they are laid down to make safe. Where the memorials are particularly large, the Council uses mechanical means to safely lower the structure.
- 5.5 The current in-house developed software used for cemeteries and burial management is Enviro. This is life expired and is becoming obsolete and therefore a new system requires to be sourced and implemented that can support burial management. In relation to operationally recording and monitoring the structural safety, stability and integrity of monuments and structures in cemeteries however, the Council does have a corporate asset management system – CAMIS and it is intended that this be used to ensure compliance with ongoing inspections and works to ensure the structural safety and stability of all structures within the cemeteries.
- 5.6 Following the FAI, memorial safety in cemeteries was added to the Environment & Infrastructure Services Risk Register for 2018/19. It is intended that this remain on the Environment & Infrastructure Services Risk Register at least until the initial audit and review of monuments and structures in cemeteries is concluded and any resultant mitigating works carried out.

6. IMPLICATIONS FOR RENFREWSHIRE

- 6.1 In light of the need to take immediate action, a resource is currently being procured from specialist surveyors to formally inspect the cemeteries that the Council is responsible for, categorising the numbers and types of structures in terms of their relative risk and condition.
- 6.2 A formal programmed inspection regime is required to be implemented, with recording of findings retained. This will provide a formal record of findings.
- 6.3 This information will be used to develop an asset management database that includes recommended actions, priority response and recommended frequency of inspections to support the development of a compliance database covering relevant structures within cemeteries and their associated inspection regime.
- 6.4 CAMIS can be used to record the location, condition and relevant inspection frequency and results for structure and memorials with cemeteries. This would

ensure that the compliance regime for structures within cemeteries was held and managed within the overall corporate asset management approach rather than as a stand-alone system.

- 6.5 Due to size and visitor numbers, the formal inspection regime will start at Hawkhead Cemetery and initial inspections across all cemeteries will focus on identifying and checking memorials over 2m in height.
- 6.6 Surveyors will also be asked to ensure initial visits are made to closed cemeteries early in the programme as there is currently very little information available on the condition of these cemeteries and the types of structure that they contain.
- 6.7 Recommendations from the surveyors on the work required to ensure the health and safety of members of the public, employees and Funeral Directors will be prioritised in a similar way with the most urgent actions in relation to most at risk structures prioritised for immediate attention.
- 6.8 Costs for this work relate to a number of areas – some of which are one off and others are ongoing regular revenue costs:
 - i. the cost of the initial formal audit and inspection survey and advice
 - ii. the cost of essential / priority remedial and mitigation works – which may involve laying memorials flat or otherwise rendering safe
 - iii. the cost of developing and updating CAMIS to include these assets
 - iv. ongoing costs of formal inspection and compliance works
 - v. Training and development of personnel to conduct inspections
- 6.9 The detailed cost of the initial audit and inspection survey is being ascertained, it is anticipated that this will take 4 months to be undertaken fully, depending on the level of resource procured.
- 6.10 As well as inspections, suitable resources to undertake remedial action will be required e.g. making the memorials safe (machinery/lifting rigs etc).
- 6.11 Whilst Renfrewshire Council has health and safety responsibilities for cemeteries, the lairs are not the property of Renfrewshire Council, therefore the staff also require to contact the last known lair holder to advise of any work that requires to be undertaken in relation to their memorial.
- 6.12 Assistance will be required from Corporate Communications to look at signage for cemeteries/churchyards, press release, update web page with work etc. This is a particularly sensitive area of work and memorials and structures within cemeteries are an important part of the history of the community as well as of particular personal significance to families. The communications in relation to this work will be handled carefully.
- 6.13 Renfrewshire Council will continue to work with the Scottish Burial Benchmarking Group and Scottish Government as it works to produce consistent guidance to be

provided to Scottish local authorities with regards to memorial safety at cemeteries.

Implications of the Report

1. **Financial** – The procurement process has been initiated to allow the inspection regime to be undertaken. The costs for the inspections and any remedial actions are not currently known.
 2. **HR & Organisational Development** – None
 3. **Community Planning** –

Renfrewshire is safe – By undertaking a programmed inspection regime and resolving any issues, Renfrewshire cemeteries will be safe for anyone that enters including employees, visitors and Funeral Directors.
 4. **Legal** - None
 5. **Property/Assets** - None
 6. **Information Technology** - None
 7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
 8. **Health & Safety** – By undertaking a programmed inspection regime, Renfrewshire Council will ensure compliance with all Health and Safety legislation.
 9. **Procurement** – The procurement process has been initiated to procure a specialist external contractor to undertake the inspections on behalf of Renfrewshire Council.
 10. **Risk** – The requirement to have a programmed inspection has been placed on the Environment & Infrastructure Services Risk Management Plan for 2018/19.
 11. **Privacy Impact** – None
 12. **Cosla Policy Position** – None
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List of Background Papers

- (a) Background Paper 1 – Fatal Accident Inquiry published on 22 January 2018.
- (b) Background Paper 2 – Letter from Scottish Government to Chief Executives – 17 May 2018.

The foregoing background papers will be retained within Communities, Housing and Planning Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is the Communities and Regulatory Manager.

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To: INFRASTRUCTURE, LAND & ENVIRONMENT POLICY BOARD

On: 29 AUGUST 2018

Report by: DIRECTOR OF COMMUNITIES, HOUSING AND PLANNING

**Heading: REMOVAL OF LOCAL AUTHORITY CHARGES FOR BURIALS AND
CREMATIONS FOR UNDER 18'S**

1. Summary

- 1.1 At the Council meeting on 2 March 2018, the Council committed £0.050million to help alleviate funeral poverty through the development and implementation of an affordable Respectful Funeral Service for Renfrewshire and also to remove burial and registration fees for children under 16.

 - 1.2 This paper notes that the Scottish Government and CoSLA have now agreed a programme to remove local authority charges for burials and cremations for under 18's in Scotland and sets out how the Council will participate in this programme. The report seeks approval to remove local authority charges for burials and registration fees for under 18's in Renfrewshire, and to work with local Crematoria to seek their support in removing their charges for under 18's.
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2. Recommendations

- 2.1 It is recommended that the Infrastructure, Land & Environment Policy Board:
 - (i) agrees that the existing arrangements to waive any Renfrewshire Council costs (lair and interment) for a funeral of a young person under the age of 16 be extended to ensure that any Renfrewshire Council funeral costs will be waived for any child under 18 in line with the agreed CoSLA / Scottish Government approach;

 - (ii) agrees that officers from Communities, Housing and Planning work with local crematoria to seek their support in removing charges for under 18's; and

- (iii) notes that the Scottish Government has provided a contribution to support policy change towards the costs of implementing this programme amounting to £10,000 for Renfrewshire.
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3. Background

- 3.1 The average cost of a funeral in Scotland is now approximately £3,500, including Funeral Directors costs. All Funeral Directors in Renfrewshire currently provide a “basic funeral package” that is below the national average. The Council charges £479.25 for interments and £459.90 for new lairs for Renfrewshire residents, these fees and charges being among the lowest in Scotland.
- 3.2 At the Policy Board in May 2018 it was agreed that any Renfrewshire Council costs (lair and interment) for a funeral of a young person under the age of 16 would be waived for 2018/19. Since then the Scottish Government and CoSLA have agreed an approach that would see costs removed for all children under the age of 18.
- 3.3 This approach is seeking to create consistency across Scotland and is in line with the approach now being taken across the wider UK. Local authority charges for children have already been removed in Wales, and the UK Government has announced the establishment of a Child Funeral Fund to support the removal of charges in England. Under the agreement now made between CoSLA and the Scottish Government, essentially, the following should not be charged for:
- For burials – interment fee, lair purchase (exclusive right of burial), and headstone permit / foundation
 - For cremation – cremation fee
 - Fees to be waived for both resident and non-residents
 - Pregnancy loss is not included as there are existing arrangements in place through the NHS for families.
- 3.4 The policy intention is to remove fees for lair purchase (exclusive right of burial) for those aged 17 and under, although an interment fee for subsequent adult burials in the same lair would be charged for.
- 3.5 In Renfrewshire, cremation services are provided by the private sector. The agreement is that each local authority broker arrangements with local private providers to seek their support in removing fees in these circumstances.

- 3.6 COSLA Leaders have agreed a recommendation made by the Settlement and Distribution Group on the quantum and allocation of funding to support policy change. The funding is not to reimburse local authorities and private providers on actual costs incurred, it is there to support the change that local authorities will require to make and to sustain the existing commitments already in place. The funding is not for funeral directors to remove their fees.
- 3.7 Scottish Government will provide financial support of £310,000 per annum to Scottish local authorities. This is based on actual and forecasted child deaths and the costs of burials and cremations. Leaders agreed that distribution be based on the population of children aged 0 - 18. The Scottish Government has advised that this provision will be reviewed at the end of a three-year period. For Renfrewshire the share of funding will be 3.3% - approximately £10,000.
- 3.8 Pro-rata funding to implement the agreement within the current financial year will be included as an adjustment to the 2018-19 Local Government Finance Order in early 2019.
-

Implications of the Report

1. **Financial** - None
2. **HR & Organisational Development** – None
3. **Community Planning** –
Renfrewshire is fair – by removing local authority fees and charges for funerals for under 18's and working with nearby Crematoria to do the same for Renfrewshire residents, this should reduce inequalities by providing residents with access to a dignified service.
4. **Legal** - Renfrewshire Council has a legal obligation to comply with the Public Health etc (Scotland) Act 2008.
5. **Property/Assets** - None
6. **Information Technology** - None
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None
9. **Procurement** – None

10. **Risk** – None

11. **Privacy Impact** – None

12. **CoSLA Policy Position** – None

List of Background Papers - Email from Robert McGregor, CoSLA on Removing Local Authority charges for children's burials and cremations – 19 July 2018

Author: *Oliver Reid, Head of Communities and Public Protection;*
E-mail: oliver.reid@renfrewshire.gov.uk



To: Infrastructure, Land & Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Lease of Shop Premises at 55 & 57 Ivanhoe Road, Paisley

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for a new lease of the shop premises at 55/57 Ivanhoe Road, Paisley.
-

2. Recommendations

It is recommended that the Board:-

- 2.1 Grant authority to the Head of Property and the Head of Corporate Governance to conclude a new lease of the shop premises at 55/57 Ivanhoe Road, Paisley, on the main terms and conditions contained in this report.
-

3. Background

- 3.1 The shop premises at 55 and 57 Ivanhoe Road are both leased on a month to month basis to Mr Jasvinder Shergill, at an annual rent of £4,200 per property. No. 57 trades as a pharmacy, and no. 55 does not trade at all at present.

- 3.2 The tenant has plans to combine both units into one larger pharmacy. Assuming, that conversion works are undertaken in accordance with all necessary planning and statutory consents, it would therefore be appropriate to have only one lease covering the property once numbers 55 & 57 have merged.
- 3.3 Discussions have taken place with Mr Shergill, and the following main terms and conditions have been provisionally agreed.

4. **Proposed terms and conditions of lease:-**

- 4.1 The existing leases shall be renounced at a mutually agreed date, to correspond with the date of entry in the new lease.
- 4.2 The new lease shall be for a period of 10 years, and shall be on the Council's standard Full Repairing and Insuring style of lease.
- 4.3 The initial annual rental shall be £9,600, and the rent shall be reviewed every 5 years.
- 4.4 The use of the property shall be a Pharmacy.
- 4.5 The tenants shall meet the Council's reasonable legal expenses incurred in concluding the lease renunciations and new lease.
- 4.6 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Property to protect the Council's interest.

Implications of the Report

1. **Financial** – Annual rent of £9,600 to be received.
2. **HR & Organisational Development** – None.
3. **Community Planning**
- Our Renfrewshire is thriving** – New lease will facilitate an improved local service.
4. **Legal** – Lease renunciations and new lease to be concluded.
5. **Property/Assets** – As per this report.
6. **Information Technology** – None.

7. **Equality & Human Rights**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have any involvement currently at the property. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.

9. **Procurement** – Not applicable.

10. **Risk** – None.

11. **Privacy Impact** – Not applicable.

12. **Cosla Policy Position** – Not applicable.

List of Background Papers

- (a) Background Paper 1 – None.

Author: Andrew Smith
Telephone Number: 0141 618 6180
Email Address: andrew.smith@renfrewshire.gov.uk

User: howardhaughj2

Date: 19/06/2018



Notes:

enter text here

Legend

Shop area to be leased extends to 55sqm or thereby

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To: Infrastructure, Land & Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Lease of Shop Premises at 42 Foxbar Road, Paisley

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for a new lease of the shop premises at 42 Foxbar Road, Paisley.
-

2. Recommendations

It is recommended that the Board:-

- 2.1 Grant authority to the Head of Property and the Head of Corporate Governance to conclude a new lease of the shop premises at 42 Foxbar Road, Paisley, on the main terms and conditions contained in this report.
-

3. Background

- 3.1 Mr Gurjit Singh leases the shop property at 42 Foxbar Road, Paisley on a 9 year' lease which is due to expire on 7th October 2018. The property trades as a Hot Food Takeaway, and has a current passing rent of £13,200 per annum, which is the current full rental value.

The Council's tenant is keen to invest in his business but considers that there will be more incentive to do so if he had more security of tenure. A new longer-term lease has therefore been requested.

- 3.2 Discussions have taken place with solicitors acting on behalf of Mr Singh, and the following main terms and conditions have been provisionally agreed.
-

4. **Proposed terms and conditions of lease:-**

- 4.1 The existing lease shall be renounced at a mutually agreed date between both parties. This date shall also be the date of entry in the new lease.
- 4.2 The new lease shall be for a period of 10 years and shall be on the Council's standard Full Repairing and Insuring style of lease.
- 4.3 The initial annual rental shall be £13,200, and the rent shall be reviewed every 5 years.
- 4.4 The use of the property shall continue as a Hot Food Takeaway.
- 4.5 The tenant shall meet the Council's reasonable legal expenses incurred in concluding the lease renunciation and new lease.
- 4.6 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Property to protect the Council's interest.
-

Implications of the Report

1. **Financial** – Annual rent of £13,200 to be received.
2. **HR & Organisational Development** – None.
3. **Community Planning**
- Our Renfrewshire is thriving – New lease will maintain existing local service.
4. **Legal** – Lease renunciation and new lease to be concluded.
5. **Property/Assets** – As per this report.
6. **Information Technology** – None.

7. **Equality & Human Rights**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have any involvement currently at the property. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.

9. **Procurement** – Not applicable.

10. **Risk** – None.

11. **Privacy Impact** – Not applicable.

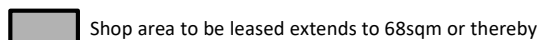
12. **Cosla Policy Position** – Not applicable.

List of Background Papers

- (a) Background Paper 1 – None.

Author: Andrew Smith
Telephone: 0141 618 6180
Email: andrew.smith@renfrewshire.gov.uk

Date: 19/06/2018



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Page 198 of 244



To: Infrastructure, Land and Environment Policy Board

On: 29 August 2018

Report by: Director of Finance and Resources

Heading: Proposed New Lease of Shop at 38 High Street Renfrew

1. Summary

- 1.1 The current tenant of the Council owned shop property at 38 High Street Renfrew Mr Martin Anderson is selling the business and requires to transfer the lease of the property to the proposed purchasers Mr James McArthur and Mrs Mariesha McArthur. Since the lease is now operating on a year to year basis (from May) the proposed purchasers have requested a new 9 year lease on full repairing terms.
-

2. Recommendations

- 2.1 That Board approves renunciation of the existing lease to Mr Martin Anderson subject to all of the Council's costs incurred being met by him and
- 2.2 Approves granting of a new 9 year full repairing lease to Mr James McArthur and Mrs Mariesha McArthur jointly and severally, subject to rent reviews every 3 years, other suitable terms and conditions being agreed with the Director of Finance and Resources including a rental uplift from £3,100 per annum currently to £3,850 per annum and all of the Council's costs incurred being met by the proposed new tenants.
-

3. **Background**

- 3.1 The Council owned shop property at 38 High Street Renfrew has been occupied by jeweller Mr Martin Anderson trading as Andersons Jewellery Workshop for over 20 years. Mr Anderson has requested transfer of his lease to Mr James McArthur and Mrs Mariesha McArthur. Mrs McArthur has been working as a jeweller in the firm for a number of years.
- 3.2 As the lease of the property currently operates on a year to year basis from May each year, the proposed incoming tenants have requested a new 9 year full repairing lease for security of tenure and to enable potential investment in the business.

Implications of the Report

1. **Financial** – Uplift in rent from £3,100 per annum to £3,850 per annum.
2. **HR & Organisational Development** – N/A
3. **Community/Council Planning** – N/A
4. **Legal** – New 9 year lease to be concluded.
5. **Property/Assets**- Enables the property to continue to be occupied for a further 9 years commanding an increased rental.
6. **Information Technology** – N/A
7. **Equality & Human Rights**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety-** N/A
9. **Procurement-** N/A
10. **Risk-** N/A
11. **Privacy Impact –** N/A
12. **Cosla Policy Position-** N/A.

List of Background Papers -N/A

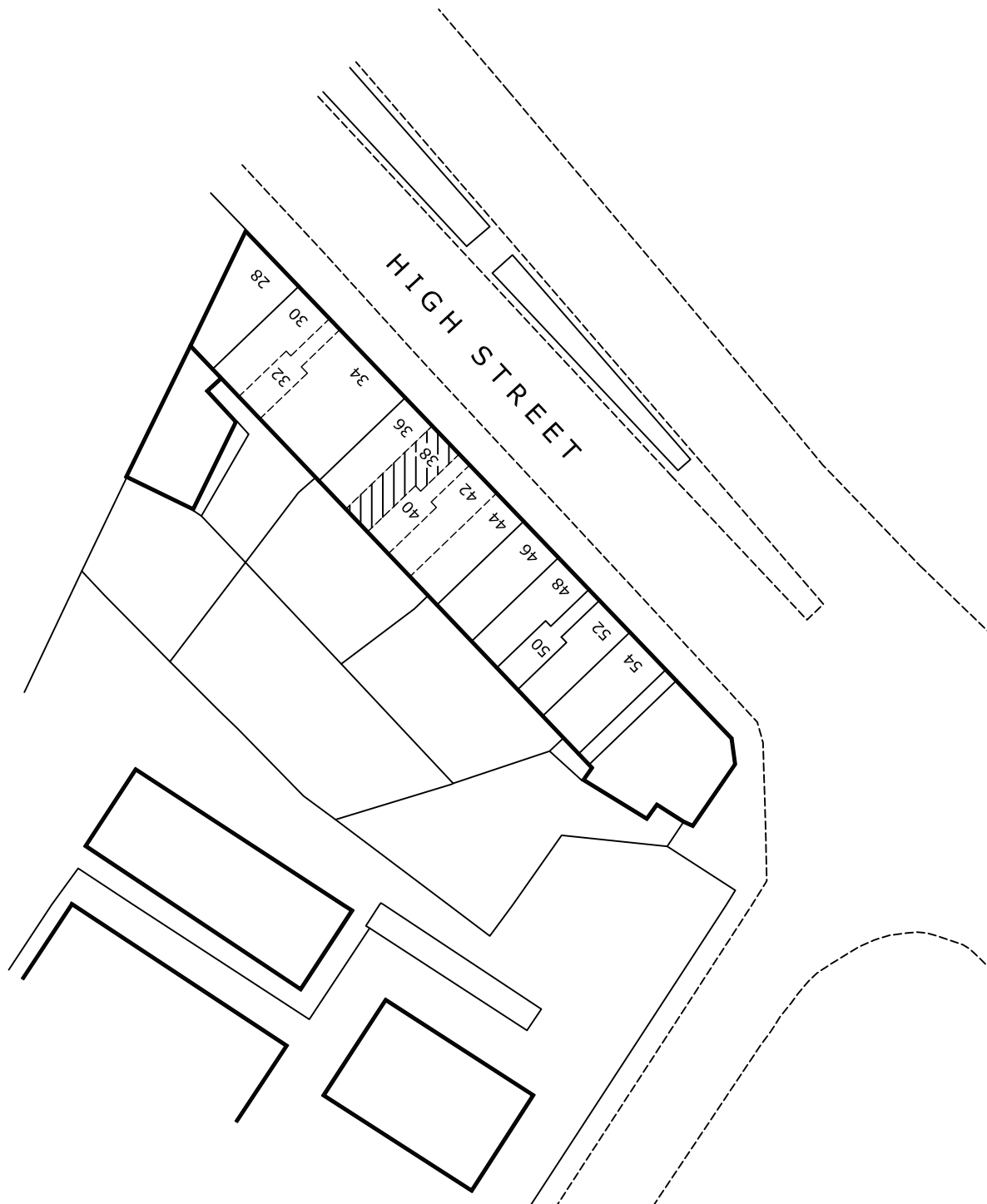
Author: Paul Handyside
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Email: paul.handyside@renfrewshire.gov.uk

FINANCE & RESOURCES ASSET & ESTATES SECTION



Renfrewshire
Council

TITLE	REPORT PLAN SHOP LEASE AT 38 HIGH STREET, RENFREW PA4 8QP	DRAWING No.	E2743	SCALE	1:500
		DRAWN BY	JC	DATE	July 2018



LEGEND



AREA TO BE LEASED



To: Infrastructure, Land & Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Lease of 59 Amochrie Road, Paisley

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for a new lease of the portacabin premises at 59 Amochrie Road, Paisley.
-

2. Recommendations

It is recommended that the Board:-

- 2.1 Grant authority to the Head of Property and the Head of Corporate Governance to conclude a new lease of the premises at 59 Amochrie Road, Paisley, on the main terms and conditions contained in this report.
-

3. Background

- 3.1 Mrs Shirley Graham has been the tenant of the property at 59 Amochrie Road, Paisley since 5th March 2018 on a month to month lease agreement. The property operates as a Community Resource Centre/Café, at an annual rental of £1.00 (if asked). This nominal rental reflects the poor general condition of this 30 year' old portacabin facility.

The Council tenant is however keen to invest in the property but considers that there will be more opportunity to secure grant funding to do so if she had more security of tenure. A new longer-term lease has therefore been requested.

- 3.2 Discussions have taken place with Mrs Graham, and the following main terms and conditions have been provisionally agreed.

4. **Proposed terms and conditions of lease;**

- 4.1 The existing lease shall be renounced at a mutually agreed date between both parties. This date shall also be the date of entry in the new lease.
- 4.2 The new lease shall be for a period of 5 years and shall be on the Council's standard Full Repairing and Insuring style of lease.
- 4.3 The initial annual rental shall be £1.00 (if asked), to be reviewed after 5 years.
- 4.4 The use of the property shall continue as a Community Resource Centre/Cafe.
- 4.5 The subjects are available for let in their current condition, and if the economic life of the subjects expires prior to the lease end date, the Council shall not be obliged to reinstate the property nor provide a replacement facility, nor be liable for any loss suffered by the tenants
- 4.6 The tenant shall meet the Council's reasonable legal expenses incurred in concluding the lease renunciation and new lease.
- 4.7 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Property to protect the Council's interest.

Implications of the Report

1. **Financial** – None.
2. **HR & Organisational Development** – None.
3. **Community Planning**
- Our Renfrewshire is thriving – New lease will maintain existing local service.
4. **Legal** – Lease renunciation and new lease to be concluded.
5. **Property/Assets** – As per this report.

6. **Information Technology** – None.

7. **Equality & Human Rights**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have any involvement currently at the property. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.

9. **Procurement** – Not applicable.

10. **Risk** – None.

11. **Privacy Impact** – Not applicable.

12. **Cosla Policy Position** – Not applicable.

List of Background Papers

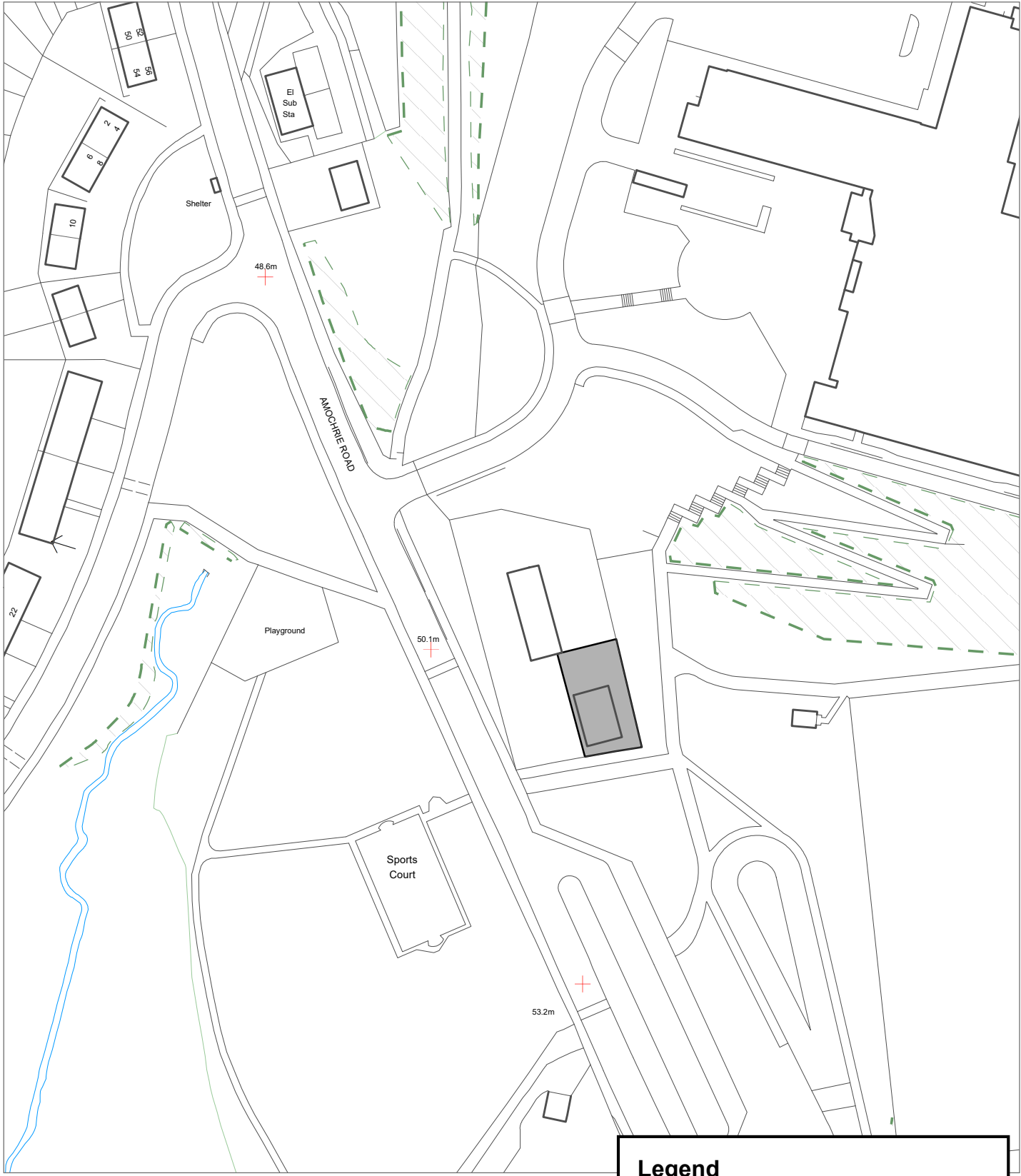
- (a) Background Paper 1 – None.

Author: Andrew Smith
Telephone: 0141 618 6180
Email: andrew.smith@renfrewshire.gov.uk

Property at Amochrie Road, Paisley Report / Lease Plan Ref. E2733

User: howardhaughj2

Date: 20/06/2018



Notes:

enter text here

Legend



Area to be leased extends to 345sqm or thereby



To: Infrastructure, Land & Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Lease of Shop Premises at 180 Braehead Road, Paisley

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for a new lease of the shop premises at 180 Braehead Road, Paisley.
-

2. Recommendations

It is recommended that the Board :-

- 2.1 Grant authority to the Head of Property and the Head of Corporate Governance to conclude a new lease of the shop premises at 180 Braehead Road, Paisley, on the main terms and conditions contained in this report.
-

3. Background

- 3.1 Mr Farooq Malik leases the shop property at 180 Braehead Road, Paisley on an 11' month lease which is due to expire on 28th April 2019. The property trades as a Hot Food Takeaway and Grocer/Newsagent, and has a current passing rent of £9,900 per annum, which is the current full rental value.

The Council tenant is keen to invest in his business, but considers that there will be more incentive to do so if he had more security of tenure. A new longer-term lease has therefore been requested.

- 3.2 Discussions have taken place with Mr Malik, and the following main terms and conditions have been provisionally agreed.

4. **Proposed terms and conditions of lease;**

- 4.1 The existing lease shall be renounced at a mutually agreed date between both parties. This date shall also be the date of entry in the new lease.
- 4.2 The new lease shall be for a period of 10 years and shall be on the Council's standard Full Repairing and Insuring style of lease.
- 4.3 The initial annual rental shall be £9,900, and the rent shall be reviewed every 5 years.
- 4.4 The use of the property shall continue as a Hot Food Takeaway and Grocer/Newsagent.
- 4.5 The tenant shall meet the Council's reasonable legal expenses incurred in concluding the lease renunciation and new lease.
- 4.6 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Property to protect the Council's interest.

Implications of the Report

1. **Financial** – Annual rent of £9,900 to be received.
2. **HR & Organisational Development** – None.
3. **Community Planning**
- Our Renfrewshire is thriving – New lease will maintain existing local service.
4. **Legal** – Lease renunciation and new lease to be concluded.
5. **Property/Assets** – As per this report.
6. **Information Technology** – None.

7. **Equality & Human Rights**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have any involvement currently at the property. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.

9. **Procurement** – Not applicable.

10. **Risk** – None.

11. **Privacy Impact** – Not applicable.

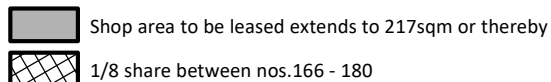
12. **Cosla Policy Position** – Not applicable.

List of Background Papers

- (a) Background Paper 1 – None.

Author: Andrew Smith
Telephone: 0141 618 6180
Email: andrew.smith@renfrewshire.gov.uk

Date: 19/06/2018



enter text here

Page 210 of 244



To: Infrastructure, Land and Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Lease of Premises at 7a Moss Street, Paisley

1. Summary

- 1.1 Communities, Planning and Housing Services wish to continue the services undertaken from 7a Moss Street, as part of the Council's continued commitment to mitigate the impacts of welfare reform on Council tenants; incorporating a "Drop-In" housing options advice service and shop front in Paisley Town Centre.
 - 1.2 This report advises Members of the property implications associated with continued implementation of these services.
-

2. Recommendations

The Board is asked to: -

- 2.1 Authorise the Head of Property Services and the Head of Corporate Governance to enter into a lease extension / new lease of the retail premises at 7a Moss Street, Paisley, based on the terms and conditions noted in 4 below.
-

3. **Background**

- 3.1 The Homechoice shop opened to the public on 21 October 2013. The shop was one of a range of initiatives developed to provide additional support for tenants affected by the UK Government's benefit changes. The shop was developed to provide extended opportunities for marketing and promotion of housing options and exchanges, the shop frontage promotes the partnership within Renfrewshire and footfall remains high.
- 3.2 The Head of Planning and Housing has confirmed that the lease should continue and the costs will be met from existing budgets.
-

4. **Provisional Terms and Conditions: -**

The Terms and Conditions provisionally agreed with the Landlord are as follows: -

- 4.1 Renfrewshire Council will renew / take a new lease over the premises with effect from 28/8/2018 (following the expiry of the existing lease term), on full repairing and insuring terms, for a period of 5 years from the date of commencement of the lease term.
- 4.2 Renfrewshire Council will have the ability to end the lease at the third anniversary of the date of commencement of the lease term, it is anticipated subject to issuing 3 months prior written notice to the Landlord. If the break is not exercised, the lease will continue for the remaining 2 years of the 5 year term.
- 4.3 The rent under the new leasing agreement will be reduced to £12,500 per annum (from the current passing rent of £18,000 per annum).
- 4.4 The rent will not be subject to review during the duration of the lease term.
- 4.5 All other lease terms and conditions will remain as per the current lease.
- 4.6 The existing lease is in effect continuing for 1 further year under common law (tacit relocation) until 27th August 2019, however both parties have agreed to update that default position to backdate the revised lease terms to commence on 28th August 2018.
- 4.7 Each party will bear their own professional and legal expenses in the conclusion of this lease but Renfrewshire Council as Tenant will be responsible for payment of Land and Buildings Transaction Tax, recording dues and any other relevant taxation.

- 4.8 The transaction for the new lease shall include such other terms and conditions as may be deemed necessary by the Head of Property Services and the Head of Corporate Governance to protect the interests of Renfrewshire Council.

Implications of the Report

1. **Financial** – Revenue – Rent will be £12,500 per annum, with additional payments due for service charges, insurance, etc. Capital – Little or no capital costs are anticipated.
2. **HR & Organisational Development** – None.
3. **Community Planning** –

Our Renfrewshire is thriving – encouragement of take up of available space

Our Renfrewshire is fair - facilitation of a practical solutions to Tenant needs.
4. **Legal** – The Head of Corporate Governance will enter Renfrewshire Council into a new / extended and revised lease agreement.
5. **Property/Assets** – As per the report.
6. **Information Technology** – continuation of services already in place.
7. **Equality & Human Rights** – The activity support equality of access to services.

(a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as services in their current format will continue. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** - None
9. **Procurement** – None.
10. **Risk** – Change in funding service delivery priorities mitigated largely by the ability to end the proposed lease in the short / medium term.

Increasing maintenance costs along with potential residual terminal dilapidations costs.

11. **Privacy Impact** – None.
12. **Cosla Policy Position** – None.

List of Background Papers

- (a) Background Paper 1 – Report to the Planning and Property Policy Board on 14th May 2013 entitled – Lease of Premises at 7a Moss Street, Paisley.

The foregoing background papers will be retained within Property Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Joe Lynch, Head of Property Services, tel. 0141 618 6159, email: - joe.lynch@renfrewshire.gov.uk.

Author: John Mitchell
Telephone: 0141 619 6177
Email: john.mitchell@renfrewshire.gov.uk.

E1595 - Report Plan - 7A Moss Street, Paisley



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Scale - 1:1,000

Department: Development & Housing Services

Printed by: L Le Good

Print date: April 2013



To: Infrastructure, Land and Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Lease of Premises at Studio 907, Mile End Mill, 12 Seedhill Road, Paisley

1. Summary

- 1.1 As part of the capital investment works to refurbish the Paisley Museum, there is a requirement to relocate services temporarily. This report seeks authority to extend an already procured short term lease to facilitate this need.
- 1.2 This report advises Members of the property implications associated with the proposed lease extension.
-

2. Recommendations

The Board is asked to: -

- 2.1 Authorise the Head of Property Services and the Head of Corporate Governance to implement an option to extend the existing lease at Studio 907, Mile End Mill, 12 Seedhill Road, Paisley, for a further 3 years, based on the terms and conditions noted in 4 below.
-

3. **Background**

- 3.1 Paisley Museum and Central Library are due to close in October 2018, to allow commencement of major capital investment works to refurbish the premises. Accordingly, staff, exhibits and facilities are being decanted to a range of alternative locations and facilities. Part of that relocation is for the Heritage Centre to be reinstated at an alternative location. This initiative was reported to the Leadership Board at its meeting on the 12th December 2017, report entitled “Suspension of Paisley Museum Loans and Curatorial enquiries during Capital Redevelopment”.
- 3.2 Initially the Council's operational portfolio was reviewed and then a search was completed for external private property solutions. This resulted in the selection of premises at Studio 907, Ground Floor, Mile End Mill, 12 Seedhill Road, Paisley, which are the subject of this report. Given the short-time scales to decant, the Head of Property Services has concluded a 1-year lease of the premises under his Delegated Powers. This was with an “option to extend” included in the legal missives, on the same lease terms and conditions, for a further 3 years, which could be implemented with authority of the Board only.
- 3.3 The terms of the lease deal are as noted in 4. below. Renfrewshire Leisure, who will occupy the premises, will also enter into an appropriate sub-lease, to replicate the lease arrangements at their other existing Renfrewshire Council owned properties.

4. **Provisional Terms and Conditions: -**

The Terms and Conditions agreed with the Landlord are as follows: -

- 4.1 By the date of this Board meeting, Renfrewshire Council will have concluded a new 1-year lease over the premises at Studio 907, Ground Floor, Mile End Mill, 12 Seedhill Road, Paisley, commencing on 20th August 2018, on full repairing and insuring terms. This lease agreed under the Head of Property Services' delegated powers.
- 4.2 Renfrewshire Leisure will take a sub-lease over the premises throughout the duration of the lease and any lease extension period, effectively taking on the Tenant obligations under the lease.
- 4.3 The lease has an “option to extend” included which allows the Tenant to give notice to the Landlord to extend the term of the lease for a further 3 years. This option requires the authority of the Board to progress. Typically, any lease over 1 year would be procured with appropriate Board authority, however the timescales required to begin fit out and preparatory works to the premises precluded this.

The decant lease requirement for the Museum refurbishment programme has always been known as being c. 4 years, hence the action undertaken to secure the premises at the earliest opportunity, while seeking a Board decision at a later date. The Landlord for the premises has proceeded in good faith in assisting us, both in taking the slight risk of signing up to a 1-year initial lease only, and in paying for part of the fit out works as an incentive at his cost.

- 4.4 The rent is £23,000 per annum Plus VAT, payable quarterly in advance. The rent will not be the subject of review during the lease term.
- 4.5 Service charges will be payable in addition, currently running at £10,062.50 per annum plus VAT. This may be reviewed during the term, the landlord acting reasonably.
- 4.6 The Landlord, as an incentive to the Council, is undertaking some preparatory fit out works at his cost, including upgrade of lighting, additional new partitioning, decoration, electrical and IT additions and upgrades. Renfrewshire Council are progressing at cost with any further works beyond that.
- 4.7 Each party will bear their own professional and legal expenses in the conclusion of this lease.
- 4.8 The transaction for the new lease shall include such other terms and conditions as may be deemed necessary by the Head of Property Services and the Head of Corporate Governance to protect the interests of Renfrewshire Council.

Implications of the Report

- 1. **Financial** – Revenue – Rent will be £23,000 per annum + VAT, with additional payments due for service charges, insurance, etc. Capital costs for the Council are estimated at £42,000 or thereby, which is being funded from the Cultural Infrastructure programme.
- 2. **HR & Organisational Development** – None.
- 3. **Community Planning** –
Our Renfrewshire is thriving – encouragement of take up of available space
Our Renfrewshire is fair - facilitation of a practical solutions to Tenant needs.

4. **Legal** – The Head of Corporate Governance will extend the newly entered lease agreement for a further 3- year term.
5. **Property/Assets** – As per the report.
6. **Information Technology** – continuation of services already in place.
7. **Equality & Human Rights** – The activity support equality of access to services.
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as services in their current format will continue only partially revised and in a different location. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** - None
9. **Procurement** – Work for Property Services to procure fit out works at cost.
10. **Risk** – Increasing maintenance costs along with potential residual terminal dilapidations costs.
11. **Privacy Impact** – None.
12. **Cosla Policy Position** – None.

List of Background Papers

- (a) Background Paper 1 – Report to the Leadership Board on 12th December 2017 entitled “Suspension of Paisley Museum Loans and Curatorial enquiries during Capital Refurbishment”.

The foregoing background papers will be retained within Property Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Joe Lynch, Head of Property Services, tel. 0141 618 6159, email: - joe.lynch@renfrewshire.gov.uk.

Author: John Mitchell - Tel: 0141 619 6177 / Email - john.mitchell@renfrewshire.gov.uk



To: Infrastructure, Land and Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Lease of Premises at Glasgow Airport for Environment & Infrastructure Public Health Suite

1. Summary

- 1.1 Under the Public Health (Aircraft) (Scotland) Regulations 1971, Renfrewshire Council in its capacity as Port Health Authority is required to maintain a presence at Glasgow Airport to fulfil obligations in provision of facilities for passengers unwell on aircraft arriving at or returning to Glasgow Airport.
- 1.2 This report advises Members of the associated property implications and of the most appropriate property solution to house the service.
-

2. Recommendations

The Board is asked to: -

- 2.1 Authorise the Head of Property Services and the Head of Corporate Governance to enter into a lease extension / new lease of the premises at Room 0G341 (extending to 18.16 square metres or thereby) at the International Pier, Glasgow Airport, based on the provisional terms and conditions outlined in this report, and subject to such other conditions as may be considered necessary by the Head of Corporate Governance and the Head of Property Service to protect the interests of the Council.
-

3. **Background**

- 3.1 The Director of Environment and Infrastructure Services has maintained a presence at Glasgow Airport in various premises for many years, with the leasing provisions, formerly informal, being formalised with the conclusion of the current lease. It should be noted that the responsibility for public health at Glasgow Airport moved Services in July 2018 from Environment & Infrastructure Services to Communities, Housing and Planning Services.
- 3.2 The service is running well under the current format and therefore the Director of Communities, Housing and Planning Services has confirmed that the current arrangement should be continued.
- 3.3. Although the airport room is used infrequently, under the International Health Regulations (2005) there should still be a provision of adequate space to conduct private interviews with ill travellers. As the competent authority for the implementation and application of health measures under this legislation, this is the responsibility of Renfrewshire Council.
- 3.4 Discussions have taken place with the Consultant in Public Health Medicine (CPHM) and Glasgow Airport and it has been confirmed that this remains a requirement.

4. **Provisional Terms and Conditions: -**

The Terms and Conditions provisionally agreed with the Landlord are as follows: -

- 4.1 Renfrewshire Council will extend / take a new lease over the premises with effect from 1/11/2018 (following the expiry of the existing lease term), on full repairing and insuring terms, for a period of 9 years from the date of commencement of the lease term.
- 4.2 The rent under the new leasing agreement will be continued as passing at £4,994 per annum, payable quarterly in advance.
- 4.3 The rent will be subject to review at the third and sixth anniversaries of the lease commencement date.
- 4.4 All other lease terms and conditions will remain as per the current lease.
- 4.5 Each party will bear their own professional and legal expenses in the conclusion of this lease.

- 4.6 The transaction for the new lease term shall include such other terms and conditions as may be deemed necessary by the Head of Property Services and the Head of Corporate Governance to protect the interests of Renfrewshire Council.
- 4.7 The Board should note that the lease will continue on Tacit Relocation (annually renewable under the existing terms and passing rent) in the absence of notice to quit from either the Landlord or the Council as Tenant, whilst awaiting implementation of the new lease terms.
-

Implications of the Report

1. **Financial** – Revenue – Rent will be £4,994 per annum, with additional payments due for service charges, insurance, etc. Capital – Little or no capital costs are anticipated.
2. **HR & Organisational Development** – None.
3. **Community Planning** –

Our Renfrewshire is thriving – increasing passenger numbers

Our Renfrewshire is well – continued preservation of public health

Our Renfrewshire is fair - facilitation of a practical solutions to Tenant needs.

Our Renfrewshire is safe – part of public health risk prevention strategy
4. **Legal** – The Head of Corporate Governance will enter Renfrewshire Council into a new / extended and revised lease agreement.
5. **Property/Assets** – As per the report.
6. **Information Technology** – continuation of services already in place.
7. **Equality & Human Rights** – The activity support equality of access to services.
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as services in their current format will continue.

If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

- 8. **Health & Safety** - None
- 9. **Procurement** – None.
- 10. **Risk** – None.
- 11. **Privacy Impact** – None.
- 12. **Cosla Policy Position** – None.

List of Background Papers

- (a) Background Paper 1 – Report to the General Management and Finance Policy Board on 20th January 2010 entitled – “Lease of Premises at Glasgow Airport for Environment and Communities Public Health Suite”.

The foregoing background papers will be retained within Property Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Joe Lynch, Head of Property Services, tel. 0141 618 6159, email: - joe.lynch@renfrewshire.gov.uk.

Author: John Mitchell
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Email: john.mitchell@renfrewshire.gov.uk.



To: Infrastructure, Land and Environment Policy Board

On: 29th August 2018

Report by: Director of Finance and Resources

Heading: Disposal of site of the Former Carsewood House, Hillfoot Drive, Howwood

1. Summary

- 1.1 The purpose of this report is to seek Board Authority to progress with the offer received following the outcome of marketing of the site of the former Carsewood House, on Hillfoot Drive, Howwood, shown on the attached plan.
-

2. Recommendations

It is recommended that the Board: -

- 2.1 Authorise the Director of Finance and Resources to accept the offer for the site, in the best financial and other interests of Renfrewshire Council, and subject to any other terms and conditions as are considered necessary by the Head of Property Services and the Head of Corporate Governance to protect the interests of the Council.
- 2.2 Authorise, in the event of an agreement not being concluded timeously with the offeror, that the site is remarketed for sale on the open market.
-

3. Background

- 3.1 The former Carsewood House Children's Home was declared surplus to requirements by the Community and Family Care Policy Board on 31st July 2001 and was subsequently demolished in October 2003.
- 3.2 The site, shown on the attached plan, extends to some 0.52 Hectares (1.30 Acres) or thereby, and lies adjacent to the existing Howwood Primary School, on the periphery of the residential area south of Howwood Village Centre. The land to the east, south and west comprises greenbelt.
- 3.3 The site was previously marketed both in 2004 and again in 2007, with the benefit of formal planning guidance for low density residential development, taking cognisance of road requirements and local representation concerning the traffic implications of site development. Interest was shown earlier but ultimately failed to produce a disposal of the land.
- 3.4 A further marketing exercise was commenced in 2012 with advertisements placed in the Glasgow Herald and Paisley Daily Express on Thursday 11th October 2012 and, following a lack of interest, again on Thursday 29th January 2015. Simultaneously, details of marketing were placed on the Council's marketing website, Nova Loca and Co-Star (webhosting sites), and issued by email to all main developers and interested parties on our mailing list. An Advertising Board was also placed on site in 2012.

4. Comment on Offers Received

- 4.1 Not enough interest was generated throughout the marketing term to justify the setting of a closing date. Offers at price levels considered unsatisfactory have periodically been received and rejected, and interest has been limited. At the 2015 re-advertising, we sought interest in self build, having looked at the necessary investment to service the site for sale as plots, however again, interest was limited.
- 4.2 One offer at a suitable price level has now been received from Sim (Group Holdings) Limited, at a value of £300,000 exclusive of VAT. The offer is not detailed in the provision of plans for development as yet, but we understand is "clean" in that no price adjustment is sought as part of the offer terms with respect to any abnormal development costs which may be identified under preliminary Soil Investigations, etc.

- 4.3 A copy of the offer was sent to the Head of Corporate Governance, who advises that there are no conditions therein which after some adjustment, could not lead to the successful conclusion of missives.
- 4.4 A copy of the offer was sent to the Head of Planning and Housing Services, who, whilst noting that development details are yet to be provided, advises the offer could be considered for progression of development on the site, with specific details being considered in the context of a planning application, which in the context of the Development Brief it is anticipated would amount to up to 10 houses.
- 4.5 The offer is as noted conditional upon the developer achieving a satisfactory planning consent and also being satisfied with soil conditions and further unknown factors following further site investigation works.
- 4.6 The site will be returned to the market if a sale is not realised.

Implications of the Report

1. **Financial** – Capital receipt to the Council of £300,000.
2. **HR & Organisational Development** – None.
3. **Community Planning** –
Our Renfrewshire is thriving – Further development encouraging economic activity.
4. **Legal** – Conclusion of legal missives and conveyancing as appropriate.
5. **Property/Assets** – As per the report.
6. **Information Technology** – None.
7. **Equality & Human Rights**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have interests in the land. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.
 9. **Procurement** – None.
 10. **Risk** – Deal does not conclude in a sale, with re-marketing thereafter.
 11. **Privacy Impact** – None.
 12. **Cosla Policy Position** – None.
-

List of Background Papers

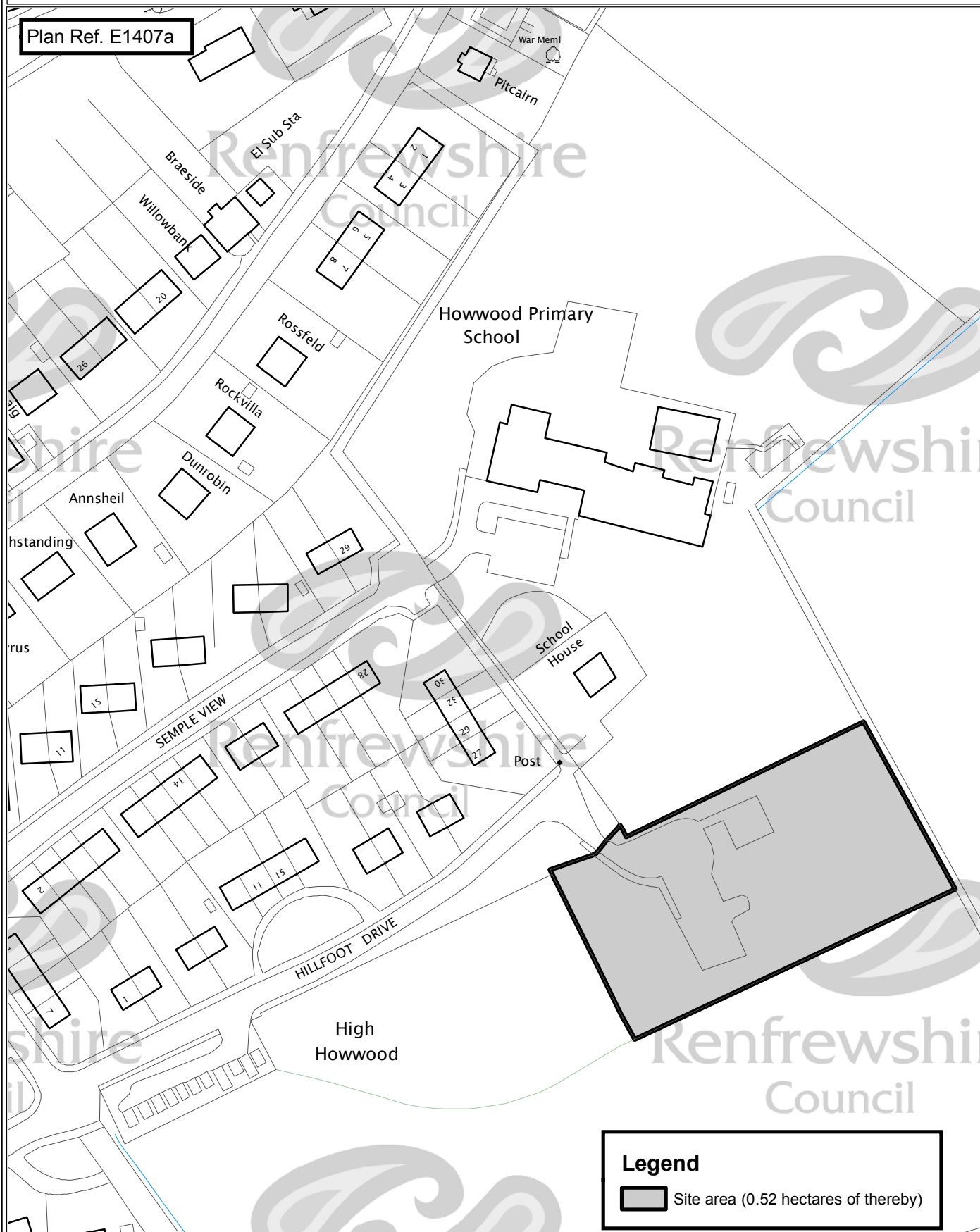
- (a) Background Paper 1 – Report to General Management and Finance Policy Board on 23rd April 2008 entitled “Disposal of Carsewood House Site, Hillfoot Drive, Howwood.

The foregoing background papers will be retained within Property Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Joe Lynch, Head of Property Services, tel. 0141 618 6159, email: - joe.lynch@renfrewshire.gov.uk

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Site Plan: Former Carsewood House, Hillfoot Drive, Howwood

Plan Ref. E1407a



 **Renfrewshire Council**

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Department: Housing & Property Services

Printed by: JW

Print date: Sept 2012





To: Infrastructure, Land and Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Land at Centreholm, Erskine

1. Summary

- 1.1 The purpose of this report is to provide an update on progress for disposal of the land and to seek authority to adjust the terms of the disposal of the site prior to conclusion of legal missives.
-

2. Recommendations

- 2.1 Authorise the Head of Corporate Governance and Head of Property Services to accept the terms of a potential price adjustment as set out in Part 3.3 below.
-

3. Background

- 3.1 The proposed sale of the land was reported previously to the Planning and Property Policy Board, at its meeting on 12th May 2015, where it was agreed to proceed to place the site under offer with the top offeror, with instructions to seek to conclude missives for sale.
- 3.2 As part of those discussions, it was identified that a further additional piece of land should be included in the sale package and this additional land was declared surplus at the meeting on 8th November 2017 of the Infrastructure, Land and Environment Policy Board. Negotiations have continued with the expanded site area as shown on the attached plan.

- 3.3 The proposed purchaser is advising they are unable to progress missives to conclusion whilst taking the risk, at significant cost to them, of procuring their preliminary site investigations, without some certainty over a fair outcome in a price adjustment downwards to reflect any identified ground and environmental problems. Officers have recognised this approach and negotiated a cap on this figure at a maximum of £260,000 reduction off the offer price. This cap figure represents a restricted amount for such abnormal costs in comparison with those noted proportionately in other recent land sales, where the Board agreed the deductions. Typically, the Board has the final say on any proposed price adjustment / reduction, however in this case the Board is being asked to approve the parameters of that in advance, and delegate to the Head of Property Services the ability to agree a closing price adjustment up to the cap figure, without further recourse to the Board. The Offeror has the right to withdraw from missives if the costs exceed the cap figure.

Implications of the Report

1. **Financial** – Proposed reduction from the offer price, still be determined, but capped at a maximum of £260,000.
2. **HR & Organisational Development** – None.
3. **Community Planning** –

Our Renfrewshire is thriving – Progression of development in enhancing the retail offering for the locality.

Our Renfrewshire is fair - More choice for the local consumer market.
4. **Legal** – Requirement for missives to be adjusted to give effect the changes proposed.
5. **Property/Assets** – As per the report.
6. **Information Technology** – None.
7. **Equality & Human Rights** – None.
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as there are no groups or individuals with interests in the land.

If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** - None
9. **Procurement** – None.
10. **Risk** – No change in that the developer has all the risk / cost in procuring works to establish the site conditions.
11. **Privacy Impact** – None.
12. **Cosla Policy Position** – None.

List of Background Papers

- (a) Background Paper 1 – Report entitled Disposal of Land at Centreholm, Erskine to the Planning and Property Board on 12th May 2015.
- (b) Background Paper 2 – Report entitled Land at Centreholm, Erskine to the Infrastructure, Land and Environment Policy Board on 8th November 2017.

The foregoing background papers will be retained within Property Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Joe Lynch, Head of Property Services, Tel 0140 618 6159, email: - joe.lynch@renfrewshire.gov.uk

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Renfrewshire
Council

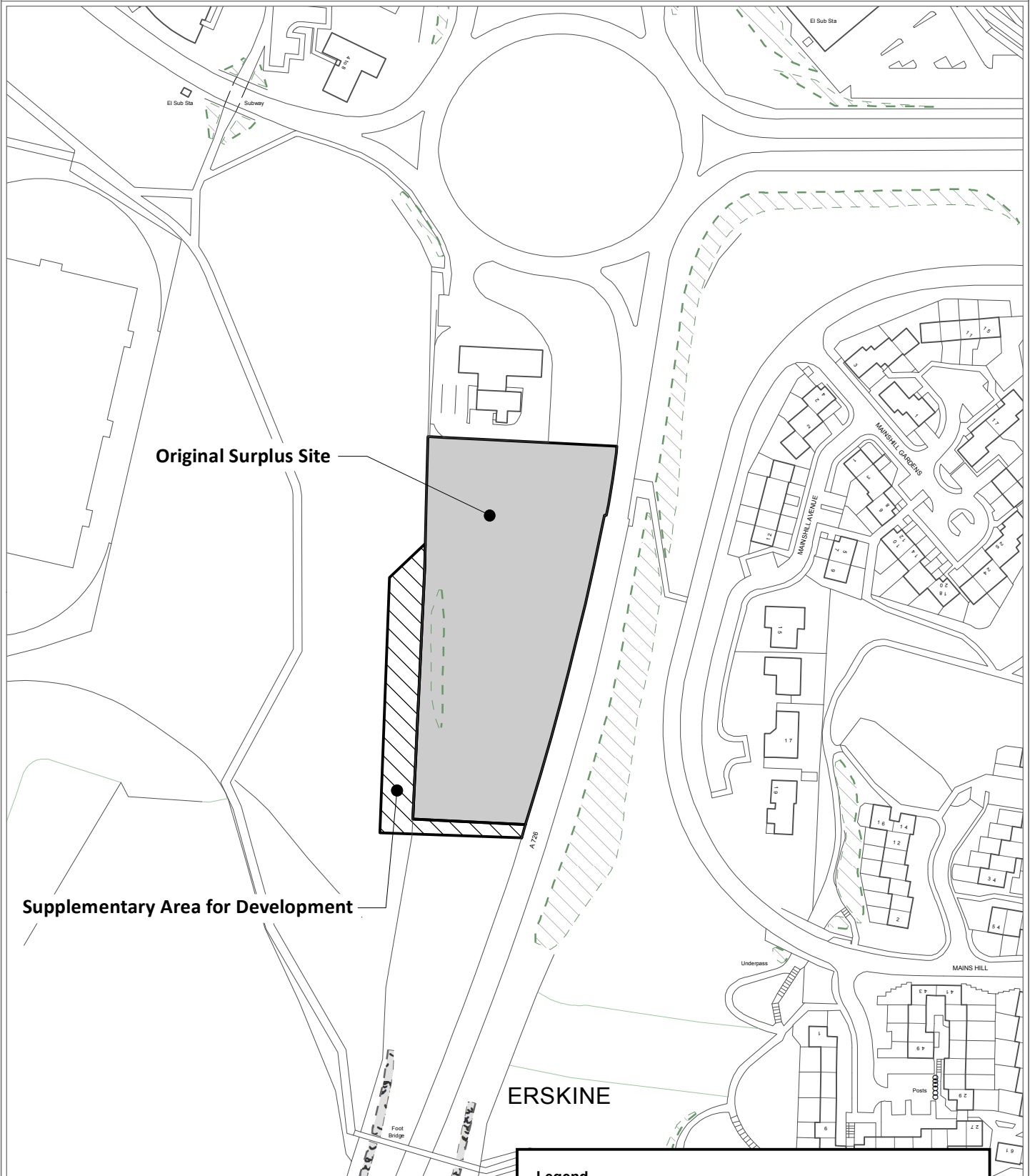
Development Site - A726 at Centreholm Roundabout, Erskine Report Plan Ref. E2134A





1:2,000

User: howardhaughj2

Date: 31/08/2016



Legend

-  Original surplus site area extending to 8097sqm (2 acres) or thereby
-  Supplementary area for development extending to 1469sqm (0.36 acres) or thereby

Notes:

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To: Infrastructure, Land & Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Land at Calderside Road, Lochwinnoch

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for a lease of land at Calderside Road, Lochwinnoch.
-

2. Recommendations

It is recommended that the Board:-

- 2.1 Grant authority to the Head of Property and the Head of Corporate Governance to conclude a lease of land at Calderside Road, Lochwinnoch on the basis of the main terms and conditions contained in this report.
- 2.2 Grant authority to the Head of Property and the Head of Corporate Governance to agree a partial lease renunciation of land at Calderside Road, Lochwinnoch from one party to enable it to be leased to another.
-

3. Background

- 3.1 The area of ground indicated on the attached plan is part of a long term agricultural tenancy in favour of Mr Ian Lamont of West Tandlemuir Farm.

Since 21st May 2018 this site has been occupied under Licence by EE Limited, who have erected a temporary telecommunications installation to serve both the emergency services and mobile phone users. Planning permission for this installation was obtained in May 2017, and the works carried out on site have been done so with the full co-operation and agreement of Mr Lamont. The temporary Licence runs for 11 months and a rent of £3,000 has been paid. EE Limited however wish to make this a permanent installation, and have therefore requested a longer term lease.

- 3.2 To enable this land to be leased exclusively to EE Ltd. it will need to be removed from the area currently leased to Mr Lamont as part of his agricultural let.
- 3.3 This proposed new lease is in accordance with the Council's policy for allowing telecommunications installations on its land and property, as detailed in the Background Papers listed below.
- 3.4 Discussions have taken place with agents on behalf of EE Ltd, and the following main terms and conditions have been provisionally agreed;

4. **Proposed terms and conditions of lease;**

- 4.1 The existing lease shall be renounced at a mutually agreed date between both parties. This date shall also be the date of entry in the new lease.
 - 4.2 The new lease shall be for a period of 20 years and shall be on the basis of the Council's standard Full Repairing and Insuring style of lease.
 - 4.3 The initial annual rental shall be £3,000.00, to be reviewed to market value every 5 years.
 - 4.4 The land shall continue to be used to site a telecommunications installation, with ancillary cabinets and equipment.
 - 4.5 The land to be leased extends to approximately 100 square metres, as shown on the attached plan.
 - 4.6 The tenant shall meet the Council's reasonable legal expenses incurred in concluding the lease renunciation and new lease.
 - 4.7 A partial renunciation of this land from the West Tandlemuir Farm lease shall be necessary before a new lease in favour of EE Ltd can be finalised.
 - 4.8 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Property to protect the Council's interest.
-

Implications of the Report

1. **Financial** – Annual rent of £3,000 to be received.
 2. **HR & Organisational Development** – None.
 3. **Community Planning**

Our Renfrewshire is thriving – New lease will maintain existing local service.
 4. **Legal** – Partial lease renunciation and new lease to be concluded.
 5. **Property/Assets** – As per this report.
 6. **Information Technology** – None.
 7. **Equality & Human Rights**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have any involvement currently at the property. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
 8. **Health & Safety** – None.
 9. **Procurement** – Not applicable.
 10. **Risk** – None.
 11. **Privacy Impact** – Not applicable.
 12. **Cosla Policy Position** – Not applicable.
-

List of Background Papers

- (a) Background Paper 1 – General Management & Finance Policy Board on 7th November 2001 – Report by The Director of Housing & Property Services entitled ‘Telecommunications Installations’.
- (b) Background Paper 2 – Planning & Development Policy Board on 28th March 2006 – Report by The Director of Planning & Transport and The Director of Housing & property Services entitled ‘Council policy regarding siting of telecom masts/antennae on Council land and property’.

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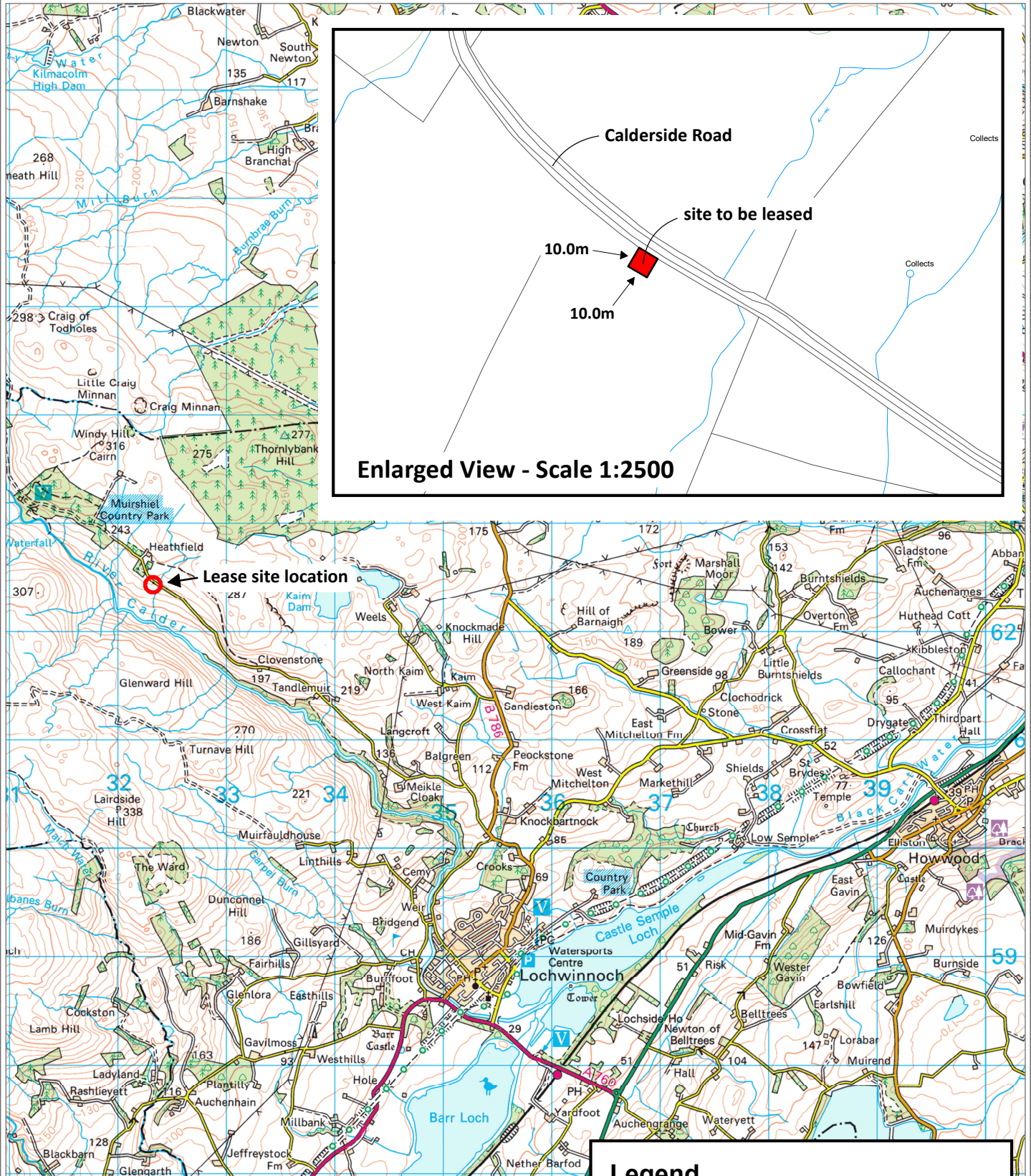
Renfrewshire
Council

Land at Calderside Road, Lochwinnoch Report / Lease Plan Ref. E2732



User: howardhaughj2

Date: 20/06/2018



Notes:

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To: Infrastructure, Land and Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Land at Wallneuk Road, Paisley

1. Summary

- 1.1 This report seeks consent to the disposal of land at Wallneuk Road, Paisley, to the Council's sitting Tenant, GD Chalmers Limited, based on the terms and conditions contained in this report.
-

2. Recommendation

It is recommended that the Board: -

- 2.1 Grant authority to the Head of Property Services and the Head of Corporate Governance to conclude the disposal of land at Wallneuk Road, Paisley, as shown on the attached plan, to GD Chalmers Limited, subject to the terms and conditions contained within this report.
- 2.2 Declare the land in question surplus to requirements in order to progress the proposed disposal to GD Chalmers Limited.
-

3. Background

- 3.1 The area of ground shown on the attached plan, which extends to 0.1731 Hectares (0.43 Acres) or thereby, is leased under 2 ground leases to GD Chalmers Limited which both commenced in 1980 and expire in 2040, with 22 years remaining until expiry. The Ground Tenant has constructed buildings formerly used as a public house, known as the Traveller's Rest. The premises ceased trading with the closure of the adjacent lorry parking facility as part of regeneration proposals in the area and are not viable under their current use. These buildings are not Council owned, only the ground. The current rental for the ground lease of £7,750 was set in 2000.

- 3.2 The Ground Tenant is keen to consolidate ownership interests in the whole title, in order that they can consider disposal of their buildings without further recourse to the Council as Ground Landlord. Property Services consider the proposal to seek future beneficial re-use of the site is a worthwhile basis for selling the Council's interest to the Ground Tenant.
-

4. Proposed Terms and Conditions of Sale

- 4.1 The following provisional terms and conditions of sale have been agreed with the Ground Tenant.
- 4.2 The purchase price payable for the Council's ground lease interest in the land shown on the attached plan shall be £100,000.
- 4.3 The purchaser will meet the cost of all reasonable legal and professional expenses incurred in concluding the sale.
- 4.4 Any other reasonable terms and conditions considered necessary by Head of Corporate Governance and the Head of Property Services to protect the interests of the Council.
-

Implications of this report

1. **Financial Implications** – Capital receipt of £100,000 to be received.

2. **HR and Organisational Development Implications** – None.

3. **Community Plan/Council Plan Implications**

Wealthier and Fairer – Disposal will provide GD Chalmers with the ability to move forward with proposals to sell their interest in encouraging future economic development at the site.

4. **Legal Implications** – Disposal of land to be concluded.

5. **Property/Assets Implications** – As per the report, but also the disposal will relieve the Council of any responsibility for this land.

6. **Information Technology Implications** – None.

7. **Equality and Human Rights Implications**

The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have any involvement currently at the property.

If required following implementation, the actual impact of the recommendation and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

- 8. **Health and Safety Implications** – None.
- 9. **Procurement Implications** – None.
- 10. **Risk Implications** – None.
- 11. **Privacy Impact** – None
- 12. **Cosla Policy Position** – None

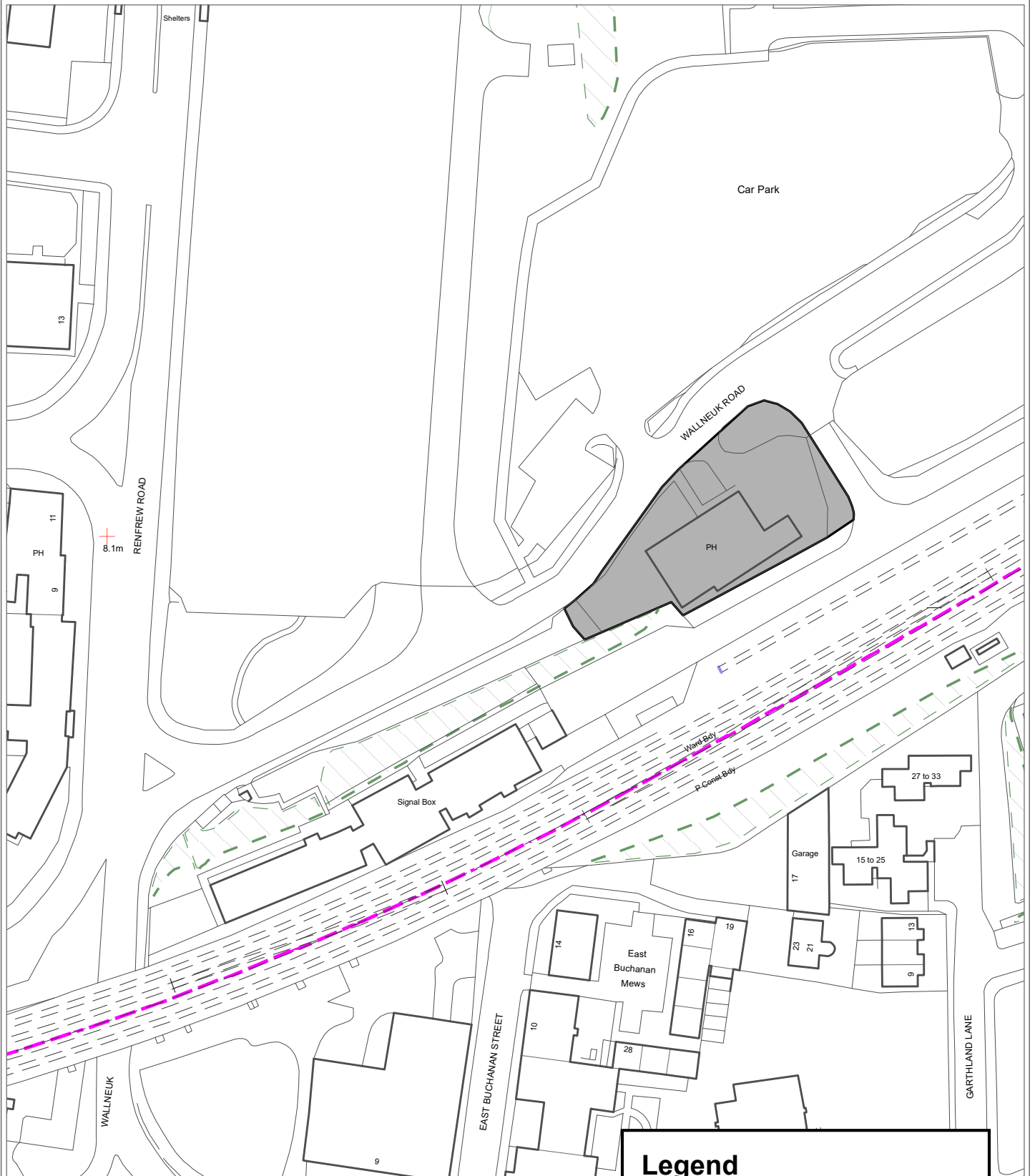
List of Background Papers

None

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Date: 27/06/2018



Notes: