

Minute of Meeting

Infrastructure, Land and Environment Policy Board

Date	Time	Venue
Wednesday, 18 March 2020	13:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Jacqueline Cameron, Councillor Michelle Campbell, Councillor Audrey Doig, Councillor John Hood, Councillor James MacLaren

Chairperson

In the absence of both the Convener and Depute Convener from the meeting, in terms of Standing Order 11(c), the Democratic Services Manager sought nominations for a member to take the Chair.

Councillor Audrey Doig, seconded by Councillor Campbell, moved that Councillor J Cameron take the Chair. There being no other nominations, this was agreed, and Councillor Cameron assumed the Chair.

In Attendance

G McNeil, Director of Environment & Infrastructure; O Reid, Head of Communities & Public Protection (Communities, Housing & Planning Services); and J Lynch, Head of Property Services, and L Belshaw, Democratic Services Manager (both Finance & Resources).

Apologies

Councillor Adam-McGregor, Councillor Burns, Councillor Davidson, Councillor Devine, Councillor Don, Councillor Graham, Councillor Kennedy, Councillor Kerr, Councillor McEwan, Councillor Mylet.

Declarations of Interest

Councillor Audrey Doig declared a non-financial interest in agenda item 10 - Clyde Muirshiel Park Joint Committee – Withdrawal of North Ayrshire Council - as she was Chair of Clyde Muirshiel Park Authority Joint Committee. Councillor Doig indicated that she would remain in the meeting and participate in any discussion or voting thereon.

1 Revenue Budget Monitoring Report

There was submitted a joint revenue budget monitoring report by the Directors of Finance & Resources, Environment & Infrastructure and Communities, Housing & Planning Services in respect of services reporting to this Board for the period 1 April 2019 to 3 January 2020.

DECIDED: That the report be noted.

2 Capital Budget Monitoring Report

There was submitted a joint capital budget monitoring report by the Directors of Finance & Resources and Environment & Infrastructure in respect of services reporting to this Board for the period 1 April 2019 to 3 January 2020.

DECIDED: That the report be noted.

3 Operational Performance Report

There was submitted an update report by the Director of Environment & Infrastructure relative to operational performance.

The report provided updates since the previous Board meeting in respect of the main projects and activities delivered by services within Environment & Infrastructure, which were within the remit of this Policy Board, together with performance updates which summarised target and actual performance indicators and benchmarking targets under each of the key change themes.

DECIDED: That the operational performance updates, detailed within the report, be approved.

4 Environment & Infrastructure Service Improvement Plan 2020 - 23

There was submitted a report by the Director of Environment & Infrastructure relative to the Service Improvement Plan 2020/23 for Environment & Infrastructure Services, a copy of which was appended to the report.

The Service Improvement Plan set out a comprehensive statement of the service aims and objectives for the next three-year period, based on the resources likely to be available, and took account of the themes, actions, outcomes and targets contained

within the Council Plan, Single Outcome Agreement and Community Plan. The report highlighted that at the core of the Service Improvement Plan process was an action plan which detailed the priorities, the key tasks to be implemented, the implementation timetable and the outcomes against which progress would be measured. It was noted that progress to deliver the Service Improvement Plan 2020/23 for Environment & Infrastructure Services would be monitored and reported to this Policy Board on a six-monthly basis.

DECIDED:

(a) That the Service Improvement Plan 2020/23 for Environment & Infrastructure Services, a copy of which was appended to the report, be approved in terms of those areas of activity delegated to this Policy Board;

(b) That it be agreed that progress in respect of those areas of activity delegated to this Policy Board be reported to the meeting of this Policy Board scheduled to be held during October 2020; and

(c) That it be noted that the Service Improvement Plan 2020/23 for Environment & Infrastructure Services would also be submitted to the meeting of the Finance, Resources and Customer Services Policy Board to be held on 25 March 2020 to approve those elements of activity within the remit of that Policy Board.

5 Communities, Housing & Planning Services Service Improvement Plan 2020 - 23

There was submitted a report by the Director of Communities, Housing & Planning Services relative to the Service Improvement Plan 2020/23 for Communities, Housing & Planning Services, a copy of which was appended to the report.

The Service Improvement Plan set out a comprehensive statement of the service aims and objectives for the next three-year period, based on the resources likely to be available, and took account of the themes, actions, outcomes and targets contained within the Council Plan, Single Outcome Agreement and Community Plan. The report highlighted that at the core of the Service Improvement Plan process was an action plan which detailed the priorities, the key tasks to be implemented, the implementation timetable and the outcomes against which progress would be measured. It was noted that progress to deliver the Service Improvement Plan 2020/23 for Communities, Housing & Planning Services would be monitored and reported to this Policy Board on a six-monthly basis.

DECIDED:

(a) That the Service Improvement Plan 2020/23 for Communities, Housing & Planning Services, a copy of which was appended to the report, be approved in terms of those areas of activity delegated to this Policy Board;

(b) That it be agreed that mid-year progress in respect of those areas of activity delegated to this Policy Board be reported to the meeting of this Policy Board scheduled to be held during November 2020; and

(c) That it be noted that the Service Improvement Plan 2020/23 for Communities, Housing & Planning Services had also been submitted to the meeting of the

Communities, Housing & Planning Policy Board held on 10 March 2020 to approve those elements of activity within the remit of that Policy Board.

6 Roads Digital Advertising Guidance

There was submitted a report by the Director of Environment & Infrastructure relative to the proposed inclusion of supplementary guidance, in connection with the placing of digital advertising panels in relation to roads and traffic signals, as a Renfrewshire Council local variation to the Scottish Chief Officers of Transportation in Scotland (SCOTS) National Roads Development Guide.

Reference was made to the decision taken at the meeting of the Council's former Infrastructure, Land & Environment Policy Board held on 6 June 2017 when the Council had adopted the SCOTS National Roads Development Guide subject to the inclusion of an amendment for Renfrewshire regarding parking standards in urban areas being added to the Local Authority Variations Appendix.

The report stated that digital advertising was becoming commonplace across the country and increasing numbers of advertising applications were being received by the Council which required the adoption of a consistent, evidence-based, approach to their assessment. Approval was now sought to add Supplementary Guidance in connection with the placing of digital advertising panels in relation to roads and traffic signals as a further amendment for Renfrewshire to the SCOTS National Roads Development Guide Local Authority Variations Appendix. A copy of the proposed supplementary guidance was appended to the report. National guidelines had been produced by the Institution of Lighting Professionals in respect of requirements, such as the brightness and refresh rate of digital screens and the prohibition of siting digital screens where they could cause a distraction to drivers. The Council's proposed Supplementary Guidance incorporated and adopted these standards.

DECIDED: That the inclusion of Supplementary Guidance – Roads (Digital Advertising), a copy of which was attached as Appendix 1 to the report, be approved as a Renfrewshire Council local variation to the SCOTS National Roads Development Guide.

7 Health (Tobacco, Nicotine etc and Care)(Scotland) Act 2016 - An update on the enforcement of provisions relating to Tobacco and Nicotine Vapour Products (NVPs)

There was submitted a report by the Director of Communities, Housing & Planning Services relative to the enforcement of provisions relating to Tobacco and Nicotine Vapour Products (NVPs)

The report indicated that during 2011, the Scottish Government had agreed to provide Renfrewshire Council with £44,000 per annum for three years to fund the rollout of the Tobacco & Primary Medical Services (Scotland) Act 2010. As part of this agreement, the Scottish Government had required Renfrewshire Council to undertake a programme of activities, known as the Enhanced Tobacco Sales Enforcement Programme (ETSEP). In this connection annual targets had been set for specific activities, such as advice to traders and test purchasing, and these figures were collated and sent to the Scottish Government on a quarterly basis. The success of the ETSEP programme and

associated funding had led, in 2017, to the Scottish Government offering local authorities three years' of funding to carry out enhanced activities in relation to NVPs. As part of this funding agreement regular performance figures were submitted to the Scottish Government, through the Society of Chief Officers of Trading Standards in Scotland. The figures to be collated reflected targets that were similar to those required for the ETSEP programme. Due to the success of the approach, the Scottish Government had now offered a further year of funding to continue the enhanced enforcement of NVPs and had also indicated that it would provide future, permanent funding to facilitate the mainstreaming of the budget.

An update on the operation of the enhanced local tobacco sales enforcement programme was provided within the report. In particular, it was noted that within Renfrewshire the enhanced enforcement of NVP activities, which included age-restricted sales, targeted test-purchasing and the issuing of Fixed Penalty Notices would be undertaken by the recently recruited Fair Trading and Licensing Standards Officers. It was also highlighted that Fixed Penalty Notices would be issued in line with the Council's approved Integrated Enforcement Policy, for repeated contraventions of the legislation, and that training would be available to enable Fair Trading and Licensing Standards Officers to become Trading Standards Officers.

DECIDED:

(a) That the update on activity undertaken to regulate Tobacco and Nicotine Vapour Products be noted;

(b) That it be noted that funding had been extended for a further year and that the proposed future transfer of the baseline budget from Scottish Government to Trading Standards, to allow continued and enhanced activity to regulate Tobacco and Nicotine Vapour Products be supported; and

(c) That the role of the Fair Trading and Licensing Standards Officers within the Trading Standards and Licensing Team to take forward this area of work and the intention to increase enforcement, including the issuing of fixed penalty notices for repeat offences, in line with the approved Renfrewshire Council Integrated Enforcement Policy, be noted.

8 Excess packaging - legislative framework and internal monitoring

Under reference to item 14 of the Minute of the Meeting of the Council held on 5 December 2019, there was submitted a report by the Director of Communities, Housing & Planning Services relative to the legislative framework and internal monitoring undertaken in relation to excess packaging.

Reference was made within the report to the decision of the Council held on 5 December 2019 recognising the climate emergency and condemning the excessive use of packaging by supermarkets and online retailers. The decision also called on officers to investigate the issue within Renfrewshire and to take action against retailers that did not comply with current legislation. The report provided an update of the work carried out in this connection.

The report summarised the current and proposed legislative framework relating to packaging, made reference to the consultation exercise being undertaken in respect of the introduction of a new tax on the production and importation of plastic packaging, the introduction of a deposit return scheme for single use drinks containers and the

desirability of ensuring that producers paid the full cost of managing packaging waste for their products. Trading Standards officers were responsible for enforcing the current legislation in relation to the packaging of items for retail sale. The report stated that current legislation placed the responsibility on the producer or packager first placing goods into the EU market. Retailers themselves were not responsible for ensuring compliance with the legislation, as the legislative responsibility fell on the producer/packager. The focussed programme of packaging checks undertaken by Trading Standards in this connection was outlined. Reference was also made to changes made in order to minimise excess packaging associated with services provided by the Council.

DECIDED: That the ongoing activity undertaken to address and minimise excess packaging in Renfrewshire be noted.

Declaration of Interest

Councillor Audrey Doig having declared a non-financial interest in the following item remained in the meeting.

9 Clyde Muirshiel Regional Park Joint Committee - Withdrawal of North Ayrshire Council

There was submitted a report by the Director of Communities, Housing & Planning Services relative to the withdrawal of North Ayrshire Council from the Clyde Muirshiel Park Authority Joint Committee.

The report advised that Clyde Muirshiel Regional Park was formally constituted by the Clyde Muirshiel Regional Park Designation Order 1987 and was managed by a Joint Committee comprising North Ayrshire Council, Renfrewshire Council and Inverclyde Council, known as the Park Authority. The current role of the Joint Committee was set out in a Minute of Agreement agreed in 2004 and Renfrewshire Council, as lead authority, was responsible for appointing the Clerk and Treasurer as well as providing professional, technical and administrative support to the Park Authority.

The activities and priorities of the Park had changed significantly since its inception and in this context the Joint Committee had authorised Renfrewshire Council to undertake, in consultation with the Partner Authorities, a review of the governance arrangements including the Minute of Agreement. This review had provided an opportunity for North Ayrshire Council to re-evaluate its role within the tri-partite partnership and to take the opportunity to assess the benefits gained from being a member of the Joint Committee. North Ayrshire Council had noted that its participation in the activities of the Park was severely limited and given that that Council had no income generating facilities within the Park had subsequently decided that it was appropriate to withdraw from the Joint Committee.

In terms of the Minute of Agreement there was a two-year period of notice which Councils required to give, in the event they withdrew from the Joint Committee arrangement. This was to allow the remaining Councils sufficient time to ensure that arrangements were in place to meet any costs that might have accrued and to ensure that appropriate arrangements were in place to ensure that the significant benefits to be gained from the Park's resources could still be delivered. During the period of notice

all partner Councils remained liable for outstanding financial liabilities. North Ayrshire Council at its meeting held on 12 February 2020 had agreed to serve notice of withdrawal from the Clyde Muirshiel Park Authority Joint Committee. The withdrawal of North Ayrshire Council from the Joint Committee would not affect the designation of the Clyde Muirshiel Regional Park, which would remain in existence and continue to support the Scottish Government's National Outcome of "Value and enjoy our built and natural environment and protect it and enhance it for future generations".

Based on the decision taken by North Ayrshire Council and the situation thereafter where no financial contribution would be made by that Council after 31 March 2020 it was considered that a lesser period of notice could be agreed. It was highlighted that discussions were underway among the three constituent Councils and it was anticipated that a suitable arrangement could be agreed that would ensure that the Park, its facilities and its staff resources could be suitably managed and funded. It was noted that further discussion and consultation would continue with the constituent Councils and be the subject of a report to the next meeting of this Policy Board. It was also noted that there was recognition that consideration required to be given to the role of local communities, who lived in and on the periphery of the Park, and their participation in its activities and active management.

DECIDED:

(a) That the decision taken by North Ayrshire Council to serve notice of withdrawal from the Clyde Muirshiel Park Authority Joint Committee be noted;

(b) That the Head of Planning & Housing Services be authorised, in consultation with the Head of Corporate Governance, to liaise with officers of Inverclyde and North Ayrshire Councils to confirm the date of North Ayrshire Council's formal withdrawal from the Joint Committee; and

(c) That it be noted that a report would be submitted to the next meeting of this Policy Board seeking approval for the ongoing governance arrangements for the Regional Park.

10 Proposed Renfrewshire Allotment Site Regulations in terms of the Community Empowerment (Scotland) Act 2015

There was submitted a joint report by the Director of Communities, Housing & Planning Services and the Director of Finance & Resources relative to the proposed Renfrewshire Allotment Site Regulations.

The report referred to Part 9 of the Community Empowerment (Scotland) Act 2015, which related to allotments and which encouraged Council's to support the development of allotments and community growing spaces. This was aimed at improving health and well-being along with the creation of a sustainable food strategy. A summary of the main provisions of Part 9 of the Act and its implications had been provided in the report submitted to the meeting of the Council held on 3 May 2018. The report highlighted that the Council had a statutory duty to provide allotments and the Act imposed several additional requirements on the Council including an obligation to introduce Allotment Site Regulations. The report outlined the mandatory and discretionary matters which should be provided for within the Regulations. A copy of the Council's proposed Allotment Site Regulations were appended to the report. The requirement for the Council to consult with persons appearing to the local authority to have an interest

before finalising the Regulations was highlighted. This consultation would be undertaken between 27 March and 26 April 2020 inclusive. It was noted that, in accordance with the requirements of the Act, the consultation would be advertised in local newspapers, on the Council's website and the proposed Regulations would be made available in selected Council offices and libraries and at all six allotment sites in Renfrewshire.

DECIDED:

(a) That the proposed Renfrewshire Allotment Site Regulations, detailed in the Appendix to the report, prepared in accordance with Part 9 of the Community Empowerment (Scotland) Act 2015, be approved for consultation; and

(b) That it be noted that a further report seeking authorisation to implement the finalised regulations, taking account of responses to the consultation, would be submitted to the meeting of this Policy Board scheduled to be held on 27 May 2020 for consideration.

11 Disposal of Former Brownside Farm, Caplethill Road, Paisley

There was submitted a report by the Director of Environment & Infrastructure relative to the proposed disposal of the former Brownside farm, associated buildings and land at Caplethill Road, Paisley.

The report sought approval to declare the site of the former Brownside farm, associated buildings and land, identified on the plan appended to the report, as surplus to the Council's operational requirements and to instruct the Head of Property Services to market the buildings and site for sale. The site, extending to approximately 0.46 hectares, was situated on the eastern edge of the Gleniffer Braes Country Park to the south east of Paisley.

DECIDED:

(a) That the buildings and site, identified on the plan appended to the report, be declared surplus to operational requirements to enable the marketing for sale of both the buildings and site; and

(b) That the Head of Property Services market the property as available for sale on the open market.

12 Proposed Disposal of Kelvin House, Forbes Place and Marshall's Lane, Paisley

There was submitted a report by the Director of Finance & Resources relative to the proposed disposal of Kelvin House, Forbes Place and Marshall's Lane, Paisley.

The report advised that following declaration of Kelvin House as surplus to the Council's requirements at the meeting of the Council's former Community & Family Care Policy Board held on 4 November 2008 the premises were vacant for several years and eventually sold in 2016, subject to a development programme with the preferred purchaser for an hotel and associated uses. This sale however proved abortive and as part of the protection arrangements in favour of the Council included in the sale

missives, the Council reserved the right to resume ownership if the development did not proceed or meet agreed targets. The property reverted into Council ownership during October 2018.

Following renewed interest, the site and buildings at Kelvin House, identified in a plan appended to the report, were re-marketed, during 2019, with one offer being received prior to the deadline set for bids. The offer from Nixon Blue, in the sum of £260,000, was for re-development for primarily residential purposes with 37 flatted units, one commercial space and car parking facilities and was conditional upon the developer being satisfied on obtaining the necessary statutory planning, listed building and demolition consents, etc.

A copy of the offer had been passed to (i) the Head of Corporate Governance who advised that there were no conditions therein which after some adjustment, could not lead to the successful conclusion of missives; and (ii) the Head of Planning & Housing Services, who advised that the offer could be considered for progression of development on the site, subject to pre-application consultation with perhaps some revision/re-design to provide an acceptable proposal. The proposal was generally supported as a suitable development solution by the Head of Property Services

The report indicated that in seeking to protect the Council's interests in ensuring early progression of a redevelopment, conditions would be included in the missives for reaching development milestones, particularly for the planning application, which should be made by the end of October 2020, with any reasonable delay only by agreement, with additional longstop dates for the completion of the grant of planning, demolition and other consents.

DECIDED:

(a) That the Director of Finance & Resources be authorised to accept the offer for the land and buildings, in the best financial and other interests of the Council, and subject to any other terms and conditions considered necessary by the Head of Property Services and the Head of Corporate Governance to protect the interests of the Council; and

(b) That it be noted that the subjects would be re-marketed if a suitable bargain could not be concluded with the preferred offeror.

13 Lease of Property - 168 Braehead Road, Paisley

There was submitted a report by the Director of Finance & Resources relative to the proposed lease of the property at 168 Braehead Road, Paisley.

The report advised that Mr Mohammed Ramzan, had leased the shop property at 168 Braehead Road, Paisley, identified on the plan appended to the report, since 2 February 2020 for use as a licensed-grocer and newsagent. The current annual rental for the property, agreed in February 2020, was £13,800 and the lease had been granted for an initial ten-month period. Mr Ramzan had requested security of tenure to facilitate investment in the property. Discussions had taken place with Mr Ramzan and the main terms and conditions of the lease, which were detailed in the report, had been agreed provisionally

DECIDED: That the Head of Property Services and the Head of Corporate Governance

be authorised to conclude a new lease of the shop property at 168 Braehead Road, Paisley on the terms and conditions contained within the report.

14 Lease of Property - 8 Blackford Road, Paisley

There was submitted a report by the Director of Finance & Resources relative to the proposed lease of the property at 8 Blackford Road, Paisley.

The report advised that Mr Abdul Ghaffar, had leased the shop property at 8 Blackford Road, Paisley, identified on the plan appended to the report, since September 2011 for use as a grocer and newsagent. The current annual rental for the property was £12,000 and the current lease was due to expire in September 2020 and Mr Ghaffar had requested a new lease to retain security of tenure. Discussions had taken place with Mr Ghaffar and the main terms and conditions of the lease, which were detailed in the report, had been agreed provisionally.

DECIDED: That the Head of Property Services and the Head of Corporate Governance be authorised to conclude a new lease of the shop property at 8 Blackford Road, Paisley on the terms and conditions contained within the report.