

Minute of Meeting Infrastructure, Land and Environment Policy Board

Date	Time	Venue
Wednesday, 30 August 2023	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present: Councillor Jennifer Adam, Councillor Stephen Burns, Councillor Jacqueline Cameron, Councillor Michelle Campbell, Councillor Carolann Davidson, Councillor Audrey Doig, Councillor Chris Gilmour, Councillor John Gray, Councillor James MacLaren, Councillor Janis McDonald, Councillor Iain McMillan, Councillor John McNaughtan, Councillor Will Mylet, Councillor Iain Nicolson, Councillor Ben Smith

Chair

Councillor Campbell, Convener, presided.

In Attendance

G McNeil, Director of Environment, Housing & Infrastructure; A Morrison, Head of Economy & Development Services, B Walker, Programme Director (City Deal & Infrastructure), C Henderson, Senior Planning & Policy Development Officer, G Crawford, Senior Communications Officer and S Inrig, Programme Manager – Community Asset Transfer & Regeneration (all Chief Executive's); G Hutton, Head of Operations & Service Development, G Hannah, Head of Climate, Public Protection & Roads, N Drummond, Lead Officer (Environmental Co-ordination), K Anderson, Sustainability & Place (Assets) Manager, L Rennie, Operations Manager, K Gray, Streetscene Manager and S Heron, Assistant Transportation & Development Manager (all Environment, Housing & Infrastructure); and M Conaghan, Head of Corporate Governance, L Dickie, Finance Business Partner, G Dickie, Partnering & Commissioning Manager, J McLean, D Pole, L Sandell and J Skinner, all End User Technicians, E Gray and C MacDonald, both Senior Committee Services Officers, D Cunningham, Committee Services & Licensing Officer and C Lamb and K Marriott, both Licensing & Committee Assistants (all Finance & Resources).

Webcasting of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting of the Board would be filmed for live or subsequent broadcast via the Council's internet site.

Declarations of Interest and Transparency Statements

There were no declarations of interest or transparency statements intimated prior to the commencement of the meeting.

Valedictory

The Convener advised that this was the last meeting of the Policy Board that Karen Anderson, Sustainability & Place (Assets) Manager, would attend before her retirement. The Convener took the opportunity to wish her all the best for the future and to thank her for her years of service to the Council, making reference to the help, support and advice she had provided. Other elected members took the opportunity to echo the sentiments expressed by the Convener.

1 Community Asset Transfer Sub-committee

There was submitted the Minute of the meeting of the Sub-committee held on 24 May 2023, a copy of which forms the Appendix to this document

DECIDED: That the Minute be approved.

2 Operational Performance Report

There was submitted a report by the Director of Environment, Housing & Infrastructure relative to the operational performance of the service.

The report provided updates since the previous Policy Board meeting in respect of key areas delivered by services within Environment, Housing & Infrastructure, which were within the remit of this Policy Board, including fleets, roads and transportation; parks investment; Streetscene; climate change; Team Up to Clean Up; waste and recycling services; and cemeteries.

DECIDED: That the operational performance update detailed in the report be approved.

3 Revenue and Capital Budget Monitoring as at 23 June 2023

There was submitted a joint Revenue and Capital Budget Monitoring report by the Directors of Finance & Resources and Environment, Housing & Infrastructure as at 23 June 2023.

The report stated that the projected revenue outturn as at 31 March 2024 for all services reporting to this Policy Board was an overspend position of £2.348 million against the revised budget for the year, 7.6 percent of the budget. The projected capital outturn as at 31 March 2024 for projects reporting to the Board was a breakeven position against the revised budget for the year. Summaries were provided around the relevant services in the tables within the report, together with further analysis.

It was noted that there had been revenue budget adjustments to the value of £0.317 million which reflected a number of savings targets for 2023/24 incorporated into the reported position, together with a drawdown from reserves. It was further noted that there were capital budget adjustments to the value of £4.808 million arising from £0.721 million in budget reprofiling from 2022/23 to 2023/24 and £4.087 million in budget increases in 2023/24.

DECIDED:

(a) That the projected Revenue outturn position, as detailed in Table 1 of the report, acknowledging that the forecast position was based on best estimates available at the time, be noted;

(b) That the projected Capital outturn position, as detailed in Table 2 of the report, be noted; and

(c) That the budget adjustments, detailed in sections 4 and 6 of the report, be noted.

4 **Renfrewshire Council Proactive Tree Management**

There was submitted a report by the Director of Environment, Housing & Infrastructure relative to the proposed proactive approach to tree management within Renfrewshire.

The report provided a summary of the proposed Tree Risk Management Strategy and the Operational Tree Management Policy, which were set out in full at Appendices 1 and 2 to the report respectively.

The report provided information on the resource implication that the introduction of the Tree Risk Management Strategy and the Operational Tree Management Policy would require with regard to fulfilling all obligations around proactive tree management. It was anticipated that the full-year additional cost of the proposed structure would be £0.650 million per annum. For the remainder of 2023/24 a cost of £0.450 million would be incurred and it was suggested that this be funded through the use of unallocated reserve balances with future costs being incorporated into the revenue estimates process for 2024/25 onward.

DECIDED:

(a) That the Tree Risk Management Strategy and the Operational Tree Management Policy as attached at Appendices 1 and 2 of the report be approved;

(b) That the resulting financial implications of the Tree Risk Management Strategy and the Operational Tree Management Policy be noted;

(c) That the use of unallocated reserves to fund associated 2023/24 costs be approved; and

(d) That it be noted that future costs would be incorporated into financial planning proposals from 2024/25 onward.

5 **Outdoor Access and Play Area Improvements 2023- 2026**

Under reference to item 3 of the Minute of the meeting of this Policy Board held on 24 May 2023, there was submitted a report by the Director of Environment, Housing & Infrastructure relative to a planned investment programme to provide improvements to play parks within Renfrewshire.

The report provided detail on the 25 play parks which had been refurbished since 2021 and the further 10 play parks which were scheduled for refurbishment in 2023/24 together with detail of the financial investment in the project which included £0.335 million of Council funding and £0.307 million of Scottish Government funding and scheduled work up to 2026. The Play Park Renewal & Improvement 2021/26 strategy was set out in full at Appendix 1 to the report.

A number of play parks had been identified as not suitable for renewal, as detailed in Appendix 2 to the report, and it was proposed that these be removed with the sites used to boost biodiversity through habitat and species restoration, the cost of which would be met with £0.100 million from the Nature Restoration Funds.

DECIDED:

(a) That the planned programme of works for renewal and refurbishment of play areas and the priorities for investment from 2024/25 and beyond, as detailed in Appendix 1 of the report be approved subject to the current capital allocation of grants continuing from the Scottish Government for 2024/26;

(b) That officers be authorised to escalate the programme based on need and condition of the remaining play parks and to change the order of replacement based on any unexpected significant failures identified through regular health and safety inspections; and

(c) That the play areas which were not suitable for refurbishment, as identified in Appendix 2 of the report, be removed and the land reinstated for biodiversity and habitat restoration.

6 **Noisy Vehicle Exhausts- Council Options for Action**

Under reference to item 16 of the Minute of the meeting of Council held on 4 May 2023, there was submitted a report by the Director of Environment, Housing & Infrastructure relative to the powers currently available to deal with excessive noise from vehicle exhaust systems.

At the meeting of Council held on 4 May 2023 it was agreed that "Renfrewshire Council is concerned about the increase in road illegal vehicle exhaust systems and excessive exhaust noise and instructs the Director of Environment and Infrastructure to investigate options to clamp down on this practice and bring a report back to a future ILE Board on proposals to stop this practice".

The report noted that enforcement powers in terms of excessive vehicular noise were held by Police Scotland through provisions contained within the Road Vehicles (Construction and Use) Regulations 1986. It was further noted that the Environmental Protection Act 1990 was the main legislation that the Council used with regard to enforcement powers to deal with statutory noise nuisances and that whilst it was recognised that noise from defective/modified vehicle exhausts did cause annoyance and disturbance the statutory nuisance provisions under the Environmental Protection Act 1990 specifically excluded road traffic noise from being actionable.

The report indicated that as Police Scotland were the appropriate enforcing authority there were no proposals for the Council to take any action in respect of this matter.

DECIDED: That it be noted that the Council had no enforcement remit with regard to excessively noisy vehicle exhaust systems, with the powers resting fully with Police Scotland and that no further actions were proposed in respect of the Council decision.

7 **Transport Scotland Act (2019) Update**

There was submitted a report by the Director of Environment, Housing & Infrastructure in respect of the work undertaken to progress the opportunities afforded by the Transport (Scotland) Act 2019 with regard to transport arrangements in Scotland.

The report provided detail on the Transport (Scotland) Act 2019 and its provisions for improvements to transport arrangements. It was noted that of the five areas which were under the Council's remit, two were not currently being explored - Low Emission Zones and Workplace Parking Levy.

Updates were provided in respect of the work being undertaken around bus provision, the pavement parking ban and 20mph speed limit zones.

DECIDED: That it be noted that regular progress updates in respect of the Transport (Scotland) Act 2019 would be brought to future meetings of this Policy Board.

8 **Dargavel – Land transfer to Renfrewshire Council for New School Site**

There was submitted a report by the Chief Executive relative to the transfer of two sites within Dargavel Village from BAE to the Council for education purposes. The sites were identified in a plan attached as an appendix to the report.

The report provided a background to the housing development at Dargavel and the under provision of primary education which was identified in 2022. Reference was made to the discussions which had taken place between the Council and BAE, the landowner, with a view to identifying an appropriate site on which an additional primary school could be constructed and also to secure a site adjacent to the current primary school to allow for flexibility in terms of future expansion. Following discussions preferred sites for both the new school and to allow for expansion of the current school were identified.

The report summarised the draft Head of Terms which specified that both sites would be transferred to the Council for a fee of £1 and included a number of conditions for both the Council and BAE. The draft Head of Terms was set out in full at Appendix 2 to the report.

It was anticipated that, should the transfer be approved, the land would come under ownership of the Council in September 2023 following which work could begin on the design and construction of a new school. It was noted that updates on the progress would be submitted to the appropriate Policy Boards in due course.

DECIDED:

(a) That the draft Heads of Terms, as set out at Appendix 2 to the report be approved; and

(b) That the Head of Economy & Development, in conjunction with the Head of Corporate Governance, be authorised to progress towards exchanging agreed missives with BAE for the formal transfer of the land itemised in the report to Council ownership.

9 **Acquisition of Land – CWWR Layby Berth**

There was submitted a report by the Chief Executive relative to the acquisition of property required for the creation of a layby berth as part of the Clyde Waterfront and Renfrew Riverside (CWWR) project. The site was identified in a plan attached as an appendix to the report.

The report provided a background to the Clyde Waterfront and Renfrew Riverside (CWWR) project and advised that a layby berth was essential for the operation of the bridge to allow ships to wait safely for it to open to river traffic and that there was a statutory requirement for the Council to provide land for this purpose under the Section 75 agreement approved by Scottish Ministers. The finalised layby berth design approved by Peel was not fully accommodated within the land previously acquired from Clydeport and additional land and servitude rights over a total area of 1.081 acres were now required.

It was noted that the required land did not fall within the boundaries for which the Council had compulsory purchasing powers for the project and that the land would need to be purchased on a voluntary basis.

Clydeport were seeking a purchase price of £500,000 which was £338,000 higher than the price determined by the Council's Registered Valuer who valued the land at £162,000.

The report recommended that, because the site was critical to the project and the Council had a statutory obligation to provide it, the acquisition proceed at a price of £500,000 to avoid additional contract delays and spiralling construction costs which would quickly exceed the over payment of £338,000.

DECIDED:

(a) That the acquisition of the site, identified in the plan appended to the report be approved; and

(b) That the Head of Corporate Governance in conjunction with the City Deal & Infrastructure Programme Director be authorised to conclude the acquisition of the property as detailed in the report.

10 Disposal of Land for Substations – CWWR Bridge Supplies

There was submitted a report by the Chief Executive relative to the disposal of property required for the creation of two electricity substations within the land acquired for the Clyde Waterfront and Renfrew Riverside (CWRR) project. The sites were identified in a plan attached as an appendix to the report.

The report provided a background to the CWRR project and the requirement for a substation to be constructed on both sides of the river to provide power to an opening bridge. Sites for the substations had been identified and it was proposed that the land be sold to SP Distribution plc for a price of £1 each. The provisional terms and conditions of the sale were set out in full in the report.

DECIDED:

(a) That the sites identified in the plan appended to the report be declared surplus to requirement;

(b) That the sale of the sites to SP Distribution plc (“SPD”), along with servitude rights for appropriate connections, subject to the Head of Economy & Development agreeing their exact location and subject to the terms and conditions detailed within the report, be approved; and

(c) That the Head of Corporate Governance in conjunction with the City Deal & Infrastructure Programme Director be authorised to conclude the disposal of the property as detailed in the report.

11 Telecommunications Mast – Craighendhill, Erskine

There was submitted a report by the Chief Executive relative to a new ground lease at Craighendhill, Erskine. The site was identified in a plan attached as an appendix to the report.

The report provided a background to the site at Craighendhill, Erskine and intimated that EE Limited had been a tenant there since 1994 and operated a mobile telecommunications network from a mast they had installed on site. The ground lease was currently running on a year-to-year basis at an annual rent of £4,663.

The report further intimated that due to provisions in the Electronic Communications Code, updated as part of the Digital Economy Act 2017, the income which could be generated by site owners leasing to telecommunications operators was reduced due to compensation no longer being in the form of an annual rental based on market value.

EE Limited sought to renounce their current lease and enter into a new agreement for a period of 10 years at an annual rent of £1,000. The proposed terms and conditions for the lease were set out in full in the report.

DECIDED: That the Head of Corporate Governance be authorised, in conjunction with the Head of Economy & Development, to conclude a new ground lease at Craighendhill, Erskine based on the terms and conditions detailed in the report.

12 **Alteration to Lease, KLAS Care (CIC), Gilmartin Road, Linwood**

There was submitted a report by the Chief Executive relative to proposed changes to the existing lease of a property at Gilmartin Road, Linwood to KLAS Care CIC. The site was identified in a plan attached as an appendix to the report.

The report intimated that KLAS Care CIC were the current leaseholders at the property on Gilmartin Road, Linwood. The lease commenced on 31 January 2017 and was due to expire in 2042. KLAS Care CIC sought to amend the wording of their lease to allow additional buildings to be constructed on the site as they intended to add a wellbeing hub for children in care to the site.

DECIDED: That the Head of Corporate Governance be authorised, in conjunction with the Head of Economy & Development, to vary the existing lease to KLAS Care to facilitate the development of a further building on their leased area on the basis of the terms and conditions outlined in the report.

13 **Lease Renewals (Renfrewshire Council as Tenant), Tannahill Centre, Blackstoun Road, Ferguslie, Paisley**

There was submitted a report by the Chief Executive relative to the renewal of the Council's leases on two premises at the Tannahill Centre, Blackstoun Road, Paisley.

The report intimated that the Council was currently the leaseholder of two premises within the Tannahill Centre which hosted the Ferguslie pre-five Nursery and Ferguslie Library. The current lease arrangements commenced in October 2014 and ran to October 2022 following which they continued on tacit relocation for £22,374 and £31,931 per annum for the library and nursery respectively. The landlord served a notice to quit on 20 July 2023 which had the effect of ending the leases on 29 October 2023. The Council required to agree new lease terms with the landlord to remain in the premises beyond this date.

Due to the timing of the notice to quit and the termination date, a three month extension to the leases, on existing terms, had been offered by the landlord in order to accommodate the Council's board cycles and to allow for negotiation of terms.

DECIDED: That a three month extension of the two leases on existing terms be approved.

