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To: Infrastructure, Land & Environment Policy Board

On: 27 January 2021

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Report by: Chief Executive and Director of Finance and Resources

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Heading: The Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) (Number Two) Compulsory Purchase Order 2021

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## 1. Summary

- 1.1 To submit details for land required to implement the Clyde Waterfront and Renfrew Riverside, City Deal Project (the “**Project**”) and to be included in a Compulsory Purchase Order (CPO) to facilitate the proposed City Deal infrastructure development.
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## 2. Recommendations

- 2.1 The Board is asked to approve the making of a Compulsory Purchase Order to acquire the titles and interests in the land shown on Plan E3061 required to complete implementation of this Project should voluntary acquisition not have been achieved within the project timescales. The owners are Thos W Ward Limited Company Number 00081020, a subsidiary of Rio Tinto Metals Limited.
- 2.2 Note that all land outwith Renfrewshire Council administrative area has been secured and The Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) Compulsory Purchase Order 2018 (which covers all of the other land required within Renfrewshire Council’s administrative area), was approved by Scottish Ministers and became operative on 4<sup>th</sup> September 2020.

- 2.3 Note that voluntary acquisition discussions will continue concurrently with the publication of the Compulsory Purchase Order and voluntary acquisition will be progressed if practicable.
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### **3. Background**

- 3.1 Scottish Ministers encourage authorities to recognise that in some cases acquiring all interests by agreement will not be possible or practicable in a reasonable time or at a reasonable cost. Ministers encourage authorities to use CPO proactively and positively to promote sustainable economic growth, improve the quality of life and bring real benefits to Scotland's Communities.<sup>1</sup>
- 3.2 The Clyde Waterfront and Renfrew Riverside (CWRR) project comprises a new 'opening' bridge across the River Clyde; the Renfrew Northern Development Road and new cycle routes, all of which are aimed at providing improved access to development opportunities, employment, education, health and leisure locations. The Project will link the communities of Renfrew, Yoker and Clydebank and will provide improved access to the considerable job opportunities that will be delivered by the Glasgow Airport Investment Area Project (GAIA), which will be home to the national development to be known as the Advanced Manufacturing Innovation District Scotland (AMIDS) which will also include the new National Manufacturing Institute for Scotland (NMIS). AMIDS is a national development comprising ground at the former Netherton Farm (now in Council ownership as a result of voluntary acquisition due to GAIA) and both Inchinnan and Westway Business Parks. NMIS is to be located on the former Netherton Farm site and an early phase of this, the Lightweighting Manufacturing Centre, funded by the Scottish Government and announced by the First Minister in June 2017, is already located in the Westway site.
- 3.3 Planning consent for the Project was granted by Scottish Ministers on 16<sup>th</sup> November 2018.
- 3.4 The Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) Compulsory Purchase Order 2018 was approved by Scottish Ministers and became operative on 4<sup>th</sup> September 2020.
- 3.5 The CWRR Project will facilitate delivery of significant public benefits including much needed new housing (including affordable housing), new retail space offering facilities and choice for the community, new public realm space, job opportunities for the local population (including a boost to the incomes of young people, those in longer term unemployment and those tackling barriers to gaining employment) and improved access links to the AMIDS area, feeding into the inclusive growth agenda.

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<sup>1</sup> Circular 6/2011 compulsory Purchase Orders,

The main public benefits from the CWRR Project include the following:

- regeneration of the waterfront as an attractive, vibrant and sustainable urban area by improving access to key development sites, providing new housing, business and employment opportunities;
- highest contributing project of GVA to the Glasgow City Region City Deal;
- more efficient and better connected transport system, improving the mobility and opportunities for the area's workforce and enhance the attractiveness of the area to inward investment;
- significant expansion of active travel network removing barriers to cycling and walking;
- improved safety and conditions for pedestrians and cyclists;
- improved access to and enhanced local green space;
- relieving traffic congestion in Renfrew;
- provision of high quality road infrastructure improves driver choice;
- improved connectivity between communities and key facilities north and south of the River Clyde which will improve access to healthcare (including QEUH & Golden Jubilee hospital), education, employment and leisure facilities;
- release land for development and regeneration, create jobs and provide better access to wider job opportunities;

3.6 In order to complete the Project it is necessary to progress land assembly for one area not covered by the original 2018 compulsory purchase order.

#### **4. Compulsory Purchase Powers**

4.1 Scottish Government guidance (Planning Circular 6/2011) recommends a "twin track" approach to land acquisition in order to provide a greater degree of certainty on programme should voluntary negotiations falter and to resolve any defects in the title in the land to be acquired and the Infrastructure, Land and Environment Board approved the use of CPO in Principle on 6 June 2017. The Council therefore continues to adopt this approach i.e. pursuing acquisition of land required on a voluntary basis while at the same time progressing with the preparation of a compulsory purchase order ("CPO"). The CPO would be used as a fall back in the event of failure to reach agreement with the affected parties.

- 4.2 The use of CPO powers is considered appropriate for this Project and was approved by the Council at the Infrastructure, Land & Environment Board in May 2018 and by Scottish Ministers with the approval of The Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) Compulsory Purchase Order 2018.
- 4.3 The planned infrastructure referred to in 3.2 above requires the acquisition of an area of land, extending to 29 square metres, at Lobnitz Dock, Meadowside Street, Renfrew, as identified on drawing E3061. This land was originally identified as being within the ownership of the Crown Estate and was therefore excluded from the CPO detailed above (it is not competent to include Crown Estate land in a CPO). Subsequent title checks and discussions with the Crown Estate have confirmed the property remains in the ownership of Thos W Ward Limited, Company Number 00081020, a subsidiary of Rio Tinto Metals Limited. Title to the land remains in the Sasine Register. The surrounding land was transferred to Archibald Young (Storage) Limited (SC020387), by virtue of a 1967 Disposition in their favour. It would seem that during this 1967 transfer this small area of land was omitted from the plans and was not transferred over to Archibald Young (Storage) Limited. The Council has already completed voluntary acquisitions for most of the required land in this location and has agreed terms with the Crown Estate for the rights required from them.
- 4.4 The Council, as Roads Authority, will use powers of compulsory purchase under the Roads (Scotland) Act 1984 in order to acquire the land required for this Project. As the land being acquired is solely to construct the infrastructure this is the appropriate power for the Council to use.
- 4.5 The Council will continue to attempt to reach agreement with Thos W Ward Limited but requires the CPO to be progressed to ensure the Project is not delayed by this one land acquisition.
- 4.6 This paper relates to the use of compulsory purchase powers for the acquisition of one remaining land interest within the Renfrewshire Council boundary. Voluntary purchases have been completed for all land and rights within the Glasgow City Council boundary area and within the West Dunbartonshire boundary area. The Board have previously approved voluntary acquisitions and the main CPO.
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## Implications of the Report

1. **Financial** - Project Budget of £90.6m for Clyde Waterfront and Renfrew Riverside Project funded through City Deal. Cabinet authorisation of £10.84m includes for land acquisition for this project.
2. **HR & Organisational Development** – N/A.

3. **Community/Council Planning –**

- *Our Renfrewshire is thriving* – the completed infrastructure will provide connectivity and access to new and existing jobs for people in our communities.
- *Creating a sustainable Renfrewshire for all to enjoy* - The completed infrastructure will include segregated provision for walking and cycling. It will also enable improved public transport links.
- *Working together to improve outcomes* - By linking the communities of Renfrew, Yoker and Clydebank the CWRR project will provide improved connections between key educational and health centres, such as: Queen Elizabeth University Hospital; Golden Jubilee Hospital; West College Scotland (Clydebank and Paisley Campuses) and West of Scotland University. The GAIA development will facilitate new development opportunities and business growth with both projects improving educational and health opportunities for people within the local communities as well as aiding employees to access these major existing and new employment centres. The cycle ways will link west to the boundary of the complementary City Deal Project at Glasgow Airport Investment Area.

4. **Legal** - Acquisition of the property as outlined in the body of the report.

5. **Property/Assets** – as detailed in this 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** - Should the additional CPO not be approved timeously then this would delay Project delivery and realisation of Project benefits.

11. **Privacy Impact** – None.

12. **COSLA Policy Position** – None.

13. **Climate Risk** – None.

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## List of Background Papers

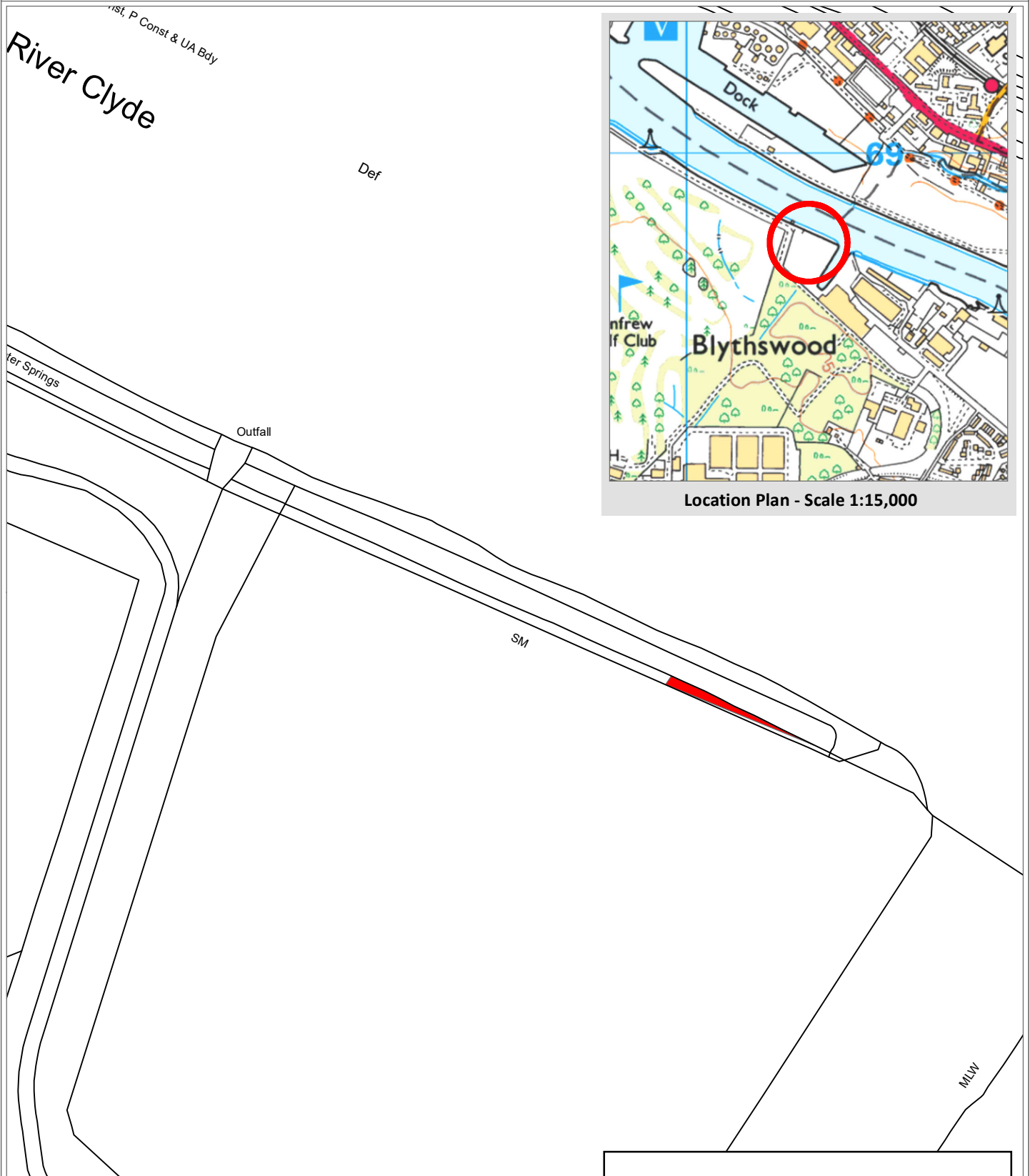
### Plan E3061

**Author:** Barbara Walker, City Deal Depute Project Director  
Telephone 0141 618 7156  
Email [Barbara.walker@renfrewshire.gov.uk](mailto:Barbara.walker@renfrewshire.gov.uk)

# Lobnitz Dock, Renfrew Acquisition Plan Ref. E3061

User: howardhaughj2

Date: 15/07/2020



Location Plan - Scale 1:15,000

## Legend

Area to be acquired from Thomas W. Ward Ltd (29 sqm or thereby)

Notes: