

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

Date	Time	Venue
Wednesday, 23 March 2022	13:00	Microsoft Teams Meeting,

MARK CONAGHAN
Head of Corporate Governance

Membership

Councillor Jennifer Marion Adam-McGregor: Councillor Stephen Burns: Councillor Jacqueline Cameron: Councillor Eddie Devine: Councillor Karen Devine-Kennedy: Councillor Audrey Doig: Councillor Neill Graham: Councillor John Hood: Councillor Scott Kerr: Councillor James MacLaren: Councillor Will Mylet: Councillor Iain Nicolson: Councillor Jim Sharkey:

Councillor Cathy McEwan (Convener): Councillor Michelle Campbell (Depute Convener):

Webcasting of Meeting

This meeting will be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed. To find the webcast please navigate to

<https://renfrewshire.public-i.tv/core/portal/home>

Items of business

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.

Apologies

Apologies from members.

- | | | |
|----------|--|------------------|
| 1 | Revenue and Capital Budget Monitoring as at 7 January 2022 | 3 - 12 |
| | Joint report by Director of Finance & Resources, Director of Environment & Infrastructure and Director of Communities & Housing. | |
| 2 | Operational Performance Report | 13 - 28 |
| | Joint report by Director of Environment & Infrastructure & Director of Communities and Housing. | |
| 3 | Contaminated Land Strategy 2022 | 29 - 54 |
| | Report by Director of Communities and Housing Services | |
| 4 | Litter and Fly Tipping Consultation | 55 - 80 |
| 5 | Renfrewshire Allotments Annual Report 2021 | 81 - 100 |
| | Report by Chief Executive. | |
| 6 | Lease of 7,9,11 and 13 Dunlop Crescent, Renfrew | 101 - 104 |
| | Report by Head of Economy and Development. | |



To: Infrastructure, Land and Environment Policy Board

On: 23 March 2022

Report by: Director of Finance & Resources, Director of Environment and Infrastructure & Director of Communities and Housing

Heading: Revenue and Capital Budget Monitoring as at 7 January 2022

1. Summary of Financial Position

- 1.1. The projected Revenue outturn as at 31 March 2022 for Infrastructure, Land and Environment is an overspend position of £3.505m (10.9%) against the revised budget for the year, with £3.541m of expenditure directly attributable to the response to the Covid19 pandemic.
- 1.2. The projected Capital outturn as at 31 March 2022 for Infrastructure, Land and Environment is break even.
- 1.3. This is summarised over the relevant services in the table below and further analysis is provided in the Appendices.
- 1.4. For the financial year 2021/22, the projected outturn position is split into Core (or business as usual) and COVID-19 related variances to help readers understand the impact of the pandemic on service finances.

Table 1: Revenue						
Division	Revised Annual Budget £000	Projected Outturn Core £000	Projected Outturn COVID-19 £000	Total Projected Outturn £000	Budget Variance £000	Budget Variance %
Environment and Infrastructure	30,440	30,416	3,498	33,914	(3,474)	11.4%
Communities and Housing (Regulatory Services)	1,675	1,663	43	1,706	(31)	1.9%

Table 2: Capital						
Division	Revised Annual Budget £000	Projected Outturn Core £000	Projected Outturn COVID-19 £000	Total Projected Outturn £000	Budget Variance £000	Budget Variance %
Environment and Infrastructure	16,478	16,478	0	16,478	0	0%

2. Recommendations

Members are requested to:

- 2.1. Note the projected Revenue outturn position as detailed in Table 1 above, considering that the forecast position is based on best estimates at this time;
- 2.2. Note the projected Capital outturn position as detailed in Table 2 above; and
- 2.3. Note the Revenue and Capital budget adjustments detailed in sections 4 and 6.

3. Revenue

- 3.1. The Revenue Budget Monitoring report at Appendix 1 identifies a projected annual overspend of £3.505m (10.9% of total budget) for Infrastructure, Land and Environment. Narrative is provided in the Appendices below to provide context and explanation to the budget position for service areas.
- 3.2. The projected outturn includes £3.541m of costs directly attributable to the ongoing response to and recovery from the pandemic. The projected costs of the pandemic are based on the financial information available at the time of writing this report, and future projections and outturns may vary depending on the operational and financial effect of Covid 19.
- 3.3. The forecast financial overview for the Council being reported to FARCS Board incorporates the overspend position reflected in this report. It is expected that non-recurring resource earmarked at the end of 2020/21 will require to be utilised to fund this projected overspend.
- 3.4. The main reasons for the projected outturn position are indicated below, with the tables showing both the subjective analysis (what the budget is spent on) and the objective analysis (which division is spending the budget).

4. Revenue Budget Adjustments

- 4.1 Since the last report there have been budget adjustments of £18,000, relating to grant income received and the centralisation of the budgets for PVG payments.

5. Capital

- 5.1. The Capital Investment Programme 2021/22 to 2025/26 was approved by the Council on 4th March 2021.
- 5.2. The Capital Monitoring report at Appendix 2 indicates adjustments in the approved capital programme of £0.276m. This mainly arises to reflect updated cash flows for various projects for revised delivery dates and timing of work.
- 5.3. Further detail, including reasons for significant variances, can be found at Appendix 2.

6. Capital Budget Adjustments

- 6.1. Since the last report, budget changes of £0.276m have arisen which reflect the following:

Budget reprofiled from 2021-22 to 2022-23 (£0.276m) to reflect updated cash flows for the following projects;

- Roads Footways (£0.248m) due to timing of resurfacing work at Ferguslie Main Road, Helenslea Road, Glencairn Road and Leven Road;
- Parks Improvement Programme (£0.028m) due to expected timing of contract award for skate park adjacent to Robertson Park.

Implications of this report

1. **Financial** – The projected budget outturn position for Infrastructure, Land and Environment Revenue budget is an overspend of £3.505m, with £3.541m due to the response to the pandemic.

The projected outturn position for Infrastructure, Land and Environment Services' Capital budget is break even. The Capital programme will continue to be monitored closely for the rest of the financial year.

2. **HR and Organisational Development**
None directly arising from this report.

3. **Community/Council Planning**
None directly arising from this report.

4. **Legal**
None directly arising from this report.

5. **Property/Assets**
Capital projects result in lifecycle improvements and replacements to Roads & footways network and vehicles.

6. **Information Technology**
None directly arising from this report.

7. **Equality and 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 for example 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 and Safety**
None directly arising from this report.

9. **Procurement**
None directly arising from this report.

10. **Risk**
The potential risk that the Council will overspend its approved budgets for the year will be managed at a Council-wide level by the Chief Executive and Directors.

- 11. Privacy Impact**
None directly arising from this report.
 - 12. Cosla Policy Position**
N/a.
 - 13. Climate Risk**
None directly arising from this report.
-

List of Background Papers

Revenue Budget and Council Tax Policy Board report. Council 9th March 2020

Non-housing Capital Investment Programme, Prudential Framework and Treasury Management Strategy, and Capital Strategy 2020/21 – 24/25. Council, 9th March 2020.

Authors: Director of Finance & Resources, Director of Environment & Infrastructure and Director of Communities & Housing

RENFREWSHIRE COUNCIL
REVENUE BUDGET MONITORING STATEMENT 2021/22
1 April 2021 to 7 January 2022

POLICY BOARD : INFRASTRUCTURE, LAND AND ENVIRONMENT

Objective Summary	Revised Annual Budget at P8	Budget Adjustments	Revised Annual Budget	Projected Outturn Core Business	Projected Outturn COVID-19	Total Projected Outturn	Budget Variance (Adverse) or Favourable		Previous Projected Outturn Variance	Movement
	£000	£000	£000	£000	£000	£000	£000	%	£000	£000
Directorate and Service Co-ordination	1,435	(7)	1,428	1,428	3	1,431	(3)	(0.2%)	(5)	2
Refuse Collection	5,054	0	5,054	5,426	1,518	6,944	(1,890)	(37.4%)	(1,696)	(194)
Household Waste Recycling Centres	672	0	672	679	299	978	(306)	(45.5%)	(320)	14
Refuse Disposal	7,248	0	7,248	7,289	646	7,935	(687)	(9.5%)	(717)	30
Streetscene	6,142	0	6,142	6,079	154	6,233	(91)	(1.5%)	0	(91)
Sustainability and Place	587	0	587	453	1	454	133	22.7%	128	5
Fleet Services	(185)	0	(185)	(229)	1	(228)	43	23.2%	52	(9)
Social Transport	1,697	0	1,697	1,537	(165)	1,372	325	19.2%	289	36
Roads Operations	2,745	0	2,745	2,490	5	2,495	250	9.1%	127	123
Infrastructure and Assets	1,741	0	1,741	1,811	0	1,811	(70)	(4.0%)	(34)	(36)
Transportation & Development	1,250	25	1,275	1,160	0	1,160	115	9.0%	97	18
Parking of Vehicles	(1,132)	0	(1,132)	(877)	1,038	161	(1,293)	(114.2%)	(1,316)	23
Strathclyde Partnership for Transport	3,168	0	3,168	3,168	0	3,168	0	0.0%	0	0
Requisition										
Regulatory Services	1,675	0	1,675	1,663	43	1,706	(31)	(1.9%)	(31)	(0)
NET EXPENDITURE	32,097	18	32,115	32,079	3,541	35,620	(3,505)	(10.9%)	(3,426)	(80)

Objective Heading	Key Reasons for Projected Variance
Refuse Collection	The pandemic continues to result in increased costs of absence and holiday cover. There is also an expected overspend on the supply of household waste bins, partly due to increased prices, and an under recovery of commercial waste income.
Household Waste Recycling Centres	In order to ensure the public adhered safely to social distancing measures when visiting HWRC sites increased staffing has been required to direct and control the operations. In addition there has been higher vehicle and staffing costs due increased absence.
Refuse Disposal	There continues to be a significant increase in household waste for both residual and recycling tonnages, resulting in a forecast increase in the costs of disposal, compared to pre pandemic years. In addition there is an expected loss of income from both scrap metal and textile contracts.
Sustainability & Place	Management controls and actions to mitigate the overall costs of the pandemic have resulted in an underspend in employee costs due to vacancies within the service.
Social Transport	Additional driver support is required to adhere to service social distancing measures mainly within refuse collection, as mentioned above, resulting in increased income recovery.
Roads Operations	Management controls have resulted in a reduction in the costs of overtime. In addition, additional work has led to a reduction in the projected service costs. This forecast is subject to any fluctuation in winter weather conditions for the remainder of the financial year .
Parking of Vehicles	Off street parking charges have now been reintroduced, however on and off street parking and fine recovery remains significantly lower than pre pandemic years, and this is expected to continue until the end of the financial year.

RENFREWSHIRE COUNCIL
REVENUE BUDGET MONITORING STATEMENT 2021/22
1 April 2021 to 7 January 2022

POLICY BOARD : INFRASTRUCTURE, LAND AND ENVIRONMENT

Subjective Summary	Revised Annual Budget at P8	Budget Adjustments	Revised Annual Budget	Projected Outturn Core Business	Projected Outturn COVID-19	Total Projected Outturn	Budget Variance (Adverse) or Favourable		Previous Projected Outturn Variance	Movement
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	%	£000's	£000's
Employees	22,137	0	22,137	21,710	1,346	23,056	(919)	(4.2%)	(972)	52
Premises Related	1,092	0	1,092	1,091	104	1,195	(103)	(9.4%)	(183)	80
Transport Related	6,108	0	6,108	6,281	538	6,819	(711)	(11.6%)	(650)	(60)
Supplies and Services	12,636	18	12,654	13,129	633	13,762	(1,108)	(8.8%)	(959)	(150)
Third Party Payments	3,203	0	3,203	3,203	0	3,203	(0)	0.0%	(0)	0
Transfer Payments	111	0	111	91	0	91	20	17.6%	20	(0)
Support Services	188	0	188	192	0	192	(4)	(2.2%)	(4)	0
Depreciation and Impairment Losses	0	0	0	0	0	0	0	0.0%	0	0
GROSS EXPENDITURE	45,475	18	45,493	45,698	2,621	48,319	(2,826)	(6.2%)	(2,749)	(78)
Income	(13,378)	0	(13,378)	(13,619)	920	(12,699)	(679)	(5.1%)	(677)	(2)
NET EXPENDITURE	32,097	18	32,115	32,079	3,541	35,620	(3,505)	(10.9%)	(3,426)	(80)

RENFREWSHIRE COUNCIL
CAPITAL INVESTMENT STRATEGY - NON-HOUSING SERVICES
1st April to 7th January 2022
POLICY BOARD: INFRASTRUCTURE, LAND & ENVIRONMENT

Project Title	Prior Years Expenditure to 31/03/2021*	Current Year 2021-22						Full Programme - All years			
		Approved Budget 2021-22	Budget Adjustments in 2021-22	Revised Budget 2021-22	Projected Outturn 2021-22	Budget Variance (Adverse) or Favourable		Total Approved Budget to 31-Mar-26	Projected Outturn to 31-Mar-26	Budget Variance (Adverse) or Favourable	
	£000	£000	£000	£000	£000			£000	£000		
ENVIRONMENT & INFRASTRUCTURE											
Cycling, Walking & Safer Streets (Funded by Specific Con	0	784	0	784	784	0	0%	1,284	1,284	0	0%
Roads/Footways Upgrade Programme	15,584	9,900	(269)	9,631	9,631	0	0%	39,180	39,180	0	0%
Safe Road Crossing	0	0	250	250	250	0	0%	250	250	0	0%
Vehicle Replacement Programme	0	1,700	555	2,255	2,255	0	0%	3,012	3,012	0	0%
Bridge Assessment/Strengthening	0	569	(227)	342	342	0	0%	522	522	0	0%
Lighting Columns Replacement	0	630	110	740	740	0	0%	900	900	0	0%
Traffic Management	0	200	(64)	136	136	0	0%	236	236	0	0%
Core pathways & cycle network	19	0	43	43	43	0	0%	200	200	0	0%
Parks Improvement Programme	2,122	228	(23)	205	205	0	0%	2,390	2,390	0	0%
Improvements to Outdoor Access and Play Area Program	0	0	530	530	530	0	0%	1,630	1,630	0	0%
Multi Purpose Bins	60	20	(20)	0	0	0	0%	80	80	0	0%
Improvements to Cemetery Estate	1,209	150	(59)	91	91	0	0%	1,441	1,441	0	0%
Underwood Depot - Workshop Improvements	106	0	206	206	206	0	0%	312	312	0	0%
Clyde Mission Fund - Renfrew Riverside to Paisley TC Active Travel Route	0	0	65	65	65	0	0%	1,035	1,035	0	0%
Renewal of Play Parks	0	0	158	158	158	0	0%	158	158	0	0%
Nature Restoration Fund	0	0	157	157	157	0	0%	157	157	0	0%
Strathclyde Partnership Transport	0	0	885	885	885	0	0%	885	885	0	0%
TOTAL INFRASTRUCTURE, LAND & ENVIRONMENT BOARD	19,100	14,181	2,297	16,478	16,478	0	0%	53,672	53,672	0	0%

*Rolling programmes have a prior year year expenditure of £0 as the expenditure is not directly linked from one year to the next as a singular project.



To: Infrastructure, Land and Environment Policy Board

On: 23 March 2022

Report by: Director of Environment & Infrastructure and
Director of Communities and Housing

Heading: Operational Performance Report

1. Summary

- 1.1 This report provides an overview of key service activities since the last Policy Board report on 26 January 2022 and an operational performance update on the services and key projects delivered during this period.
 - 1.2 Operational Services have continued on a 'business as usual' basis while working within the current Covid-19 restrictions. All required safety measures are in place and are now well established.
-

2. Recommendations

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

- 2.1 Approves the operational performance update detailed within this report.
 - 2.2 Approves the extension until the end of August 2022 of the three hours of free parking offered in the 8 car parks that had previously been part of the 'free for three' pilot as set out in section 4.12.
-

3. Background

- 3.1 Environment & Infrastructure provides essential services to every household in Renfrewshire and works in partnership with the local community, other service areas and Community Planning Partners, to deliver key Council priorities and initiatives. A progress update on the main activities delivered by the services within Environment & Infrastructure, in respect of the areas of activity delegated to this Policy Board, is detailed below.
- 3.2 Operational Services have continued to deliver services as normal while working within the current Covid-19 restrictions. These include social distancing, enhanced cleaning and PPE measures. Employees across the service continue to show great commitment and resilience while delivering essential services, across Renfrewshire.
-

4 Fleet, Roads and Transportation

4.1 Depot Improvements – Underwood Road

To improve security and safety within the depot CCTV has now been fully installed and training began on the system at the end of February. Access cards for staff have been created. A new barrier system has now been installed and final fencing works will be completed by the end of March. Access to the HWRC remains unchanged.

4.2 Large Goods Vehicle Operator's Licence

Fleet services have successfully renewed the Council's Vehicle Operators Licence that is required to operate Large Goods Vehicles, this is now in place until February 2027. The opportunity was taken during the renewal process to review the vehicle operating centres and the number of vehicles permitted to suit the operational requirements of the services.

4.3 Transport Scotland Consultation

Transport Scotland have opened consultation on the Second Strategic Transport Projects Review (STPR2) Summary Report. Environment & Infrastructure will respond to the consultation. The Summary Report sets out draft transport recommendations for the next 20 years. STPR2 is one of the mechanisms for delivering the vision, priorities and outcomes of the second National Transport Strategy (NTS2) and is an important tool for achieving the Government's commitment to 20% reduction in vehicle kilometres by 2030 and contributing to Scotland's net zero greenhouse gas emissions target by 2045. The consultation is open until midnight on Friday 15 April 2022.

4.4 Roads Capital Programme

- 4.4.1 The Roads Capital investment programme for 2021/22 is nearing completion. The carriageway resurfacing element has ended for the year with 90 of the programmed 98 schemes complete. 8 schemes did not commence due to either lack of contractor availability or proximity to COVID-19 testing centres, these will carry into the next financial year. 38 footways have also been resurfaced and this work will continue until the end of March.

- 4.4.2 The surface dressing programme is complete (16 schemes) as is the micro-surfacing programme (16 schemes) with only remedial works remaining. The permanent patching programme will continue until the end of March.
- 4.4.3 The Roads Capital Programme for 2022/23 has now been finalised and is attached as Appendix 1 to this report. The programme includes the full resurfacing of 89 roads and 83 footways.
- 4.4.4 In addition to the resurfacing programme, officers are currently finalising this years large area patching programme. For members reassurance, this is not pothole repairs but larger areas which are almost considered mini resurfacing scheme with the average area being between 500 and 700sqm.
- 4.4.5 The service will also be investing over £700,000 in drainage improvements in known flooding locations across Renfrewshire and a fund of £100,000 has been created specifically to deliver a programme of improvements to key roundabouts in the area.

4.5 **Community Investment Fund**

Members were updated at the last meeting of the ILE Policy Board in relation to the launch of the #YouDecide campaign on 4 October 2021.

- 4.5.1 The engagement with the communities has been a positive experience with communities and individuals contributing 2,843 ideas. This initial list of ideas has been reduced to a long list of 439 ideas. These 439 suggestions are now undergoing assessments for deliverability and design which will then inform the shortlist that goes to the public vote.
- 4.5.2 There is a range of topics that the public have nominated for inclusion and it was heartening to note that submissions were received from every community in Renfrewshire. The main topic areas suggested are:
- Traffic related issues including ideas for pedestrian crossings and traffic calming measures,
 - Street Lighting, including lighting in parks and other walking routes as well as some rural locations,
 - Public realm features such as seating or gateway features,
 - Wayfinding information for walking trails and cycle routes,

4.6 **Winter Maintenance**

Roads Operations have been conducting winter maintenance duties since the 1st of October. Up until the 28th of February the service has applied salt to the roads of Renfrewshire on 55 days using 4,235 tonnes of salt. Stocks are replenished on a rolling programme when required to maintain resilience.

4.7 Active Travel Update

4.7.1 Collaboration has begun with the City Deal Team on the concept designs for the £38million Levelling Up Fund investment for a new road bridge over the White Cart, an east-west road linking Renfrew Road and Love Street, and enhanced links with Paisley town centre, Glasgow Airport and the Advanced Manufacturing Innovation District Scotland.

4.7.2 Works to strengthen the weak footways on Crosslee bridge, over the national cycle route 7, nears completion with the erection of the permanent formwork to the strengthening concrete bridge soffit. This is one of the last projects in the programme undertaken to bring all the Council's bridges up to national weight bearing standard.

4.7.3 Environment & Infrastructure Services has secured a further £110,000 funding to undertake three more active travel route upgrades that will be completed by the end of March 2022;

- Miller Street, Linwood to the A726 over-bridge
- Canal Street Rail Station ramp, Paisley
- Baronscourt Road / Hillman Crescent, Paisley

4.7.4 Not Far? Leave the Car

This new active travel campaign launched in Renfrewshire on 11 March 2022. It aims to encourage people to walk, cycle or use public transport in place of the car to encourage healthier, more active lives in Renfrewshire - as well as reducing emissions to help us reach our ambitious target of becoming net-zero by 2030. Anyone across Renfrewshire can take part by downloading the free BetterPoints app and using it to track their everyday journeys and workouts. They'll collect points for all sustainable journeys which can be used at local and national businesses for discounted or free items, such as a tea or coffee. It will run for 10 months until mid-January 2023 and more information is available via www.renfrewshire.gov.uk/leavethecar

4.8 The pilot feasibility traffic reduction studies in village settings within Renfrewshire has started with the consultation phase with key stakeholders. The pilot will progress to public engagement in the villages of Howwood, Kilbarchan and Houston via website story boards inviting comment on problem areas. The engagement will also seek views on action that the public believe would help alleviate problems. It is proposed that the feasibility studies are carried out to assess traffic volumes, speeds and travel patterns and then consider a range of potential traffic interventions that could improve road safety in the identified areas.

4.9 Safe Crossing Facilities

As a result of Council and SPT funding to address concerns of road safety, speeding and crossing locations at or around schools, nurseries and key junctions in towns and villages, Pedestrian Crossing installations have been completed at the following locations:

- Sandy Road/Broadloan,
- Sandy Road/Newmains Road,

- Sandy Road/Haining Road,
- Brediland Road/Mannering Road,
- Gleniffer Road/Donaldswood Road,
- Glenburn Road/Braehead Road, and
- Houston Road/Neuk Avenue.

4.10 **Paisley Town Centre Car Parking**

In preparation for the pay by phone parking app pilot the service has reviewed the current parking meter assets, a number of meters, that are beyond economical repair, will be removed over the coming weeks, with each street continuing to have meter provision available. It was previously reported to this Policy Board that the contract for a pilot of a Pay by Phone Parking app had been awarded and it was hoped to have this up and running from March 2022. There has been a slight delay and is expected to go live in late April / early May 2022.

- 4.11 In line with the Scottish Government's guidance on living with Covid in the months ahead and rebuilding for a better future, in order to assist businesses, retail and communities transition, there will be no change to the pilot parking arrangements in Paisley Town Centre with 3 hours free parking within 8 car parks continuing to remain in place until the end of August 2022 to allow a further review of where Renfrewshire is with the pandemic over the summer period.

5 **Parks Investment**

- 5.1 The proposed Outdoor Access and Play Improvements Investment Programme for 2021/22 was approved at the Infrastructure Land and Environment Policy Board on 25 August 2021. Following this, to seek preferences for play equipment to be installed, a public survey that included local schools and community groups was carried out in October 2021. The survey received a total of 1677 responses for the play areas renewals and the refurbishment of Dunvegan. The results have been used to help prepare bespoke specifications for the first phase of play area renewals. The consultations for Lochwinnoch and Maxwellton had previously been carried out with relevant stakeholders that was organised by community groups.
- 5.2 Contracts for works have been awarded for 12 parks / play areas – Kilbarchan Public Park, Barwood, Sandyflats, Robertson Park outdoor gym, Maxwellton, Tinto Square, East End park, Ben Lawers – Hawkhead, Durrockstock, Morar Drive, Elderslie Street and Lochwinnoch parks, with installations taking place between March and August this year. These are a combination of Service and Community led projects, with the latter receiving technical and procurement support from the Council. As a result of the funding of play park renewals across Scotland, there are market capacity issues to support the level investment taking place across Scotland. This has resulted in the time period for tendering and commencements of contracts taking longer than previously anticipated when the Council first approved the Playpark Investment funding and programme.
- 5.3 Funding sources for the above in 5.2 have been a combination of funding from the Parks Capital Allocation, Scottish Government funding, Greenspaces Investment

Fund and the Renfrew Local Partnership. A total sum of £961,767 has been committed this financial year towards play park installations.

- 5.4 Procurement work is ongoing for the remaining renewals of - Campbell Street, Craggs Road, Elm Drive / Sycamore Avenue, Ardgyffe Park, Churchill Drive and Park Mains and the 7 refurbishments approved as part of the first phase of investment.
- 5.5 The second allocation of capital funding from the Scottish Government for 2022/23 of £155,000 for the renewal of play parks within Renfrewshire has been confirmed and will be included in the programme of works.
- 5.6 The work to clear Barshaw Pond of silt and any associated invasive weed has been awarded. The works are expected to commence in March / April this year.

6 StreetScene

- 6.1 Recent storms impacted Renfrewshire with a number of trees falling and significant branches in other areas impacting communities. StreetScene made safe these occurrences with follow-up activity to cut and remove the debris from the storms on an ongoing basis.
- 6.2 We previously reported to board that we were going to pilot a new design of litter bin that can be emptied by the Refuse Collection vehicles. These have now been installed in Lochwinnoch. The service will monitor their usage and assess their efficiency over the coming months to establish whether these could be used wider within our communities.
- 6.3 StreetScene continue to support all our communities through the TU2CU programme with flytipping and waste removal. StreetScene in partnership with the Community Safety team are finalising the preparations for the removal of fly-tipped waste at Abercorn Street/Harbour Road. This difficult to access river embankment has been a target for irresponsible disposal of waste. Removal of waste and surveillance of the area will allow teams to tackle this anti-social behaviour, remove the environmental impact and improve the local community.

7 Climate Change

7.1 Biodiversity

The service has been working with the local community in Lochwinnoch who made an initial approach over 18 months ago regarding a potential biodiversity development on a wet section of Lochlip Park, Lochwinnoch. Planning has taken place between Clyde Muirshiel and members of the community and the intention is to support and deliver this development with a wet meadow mix which will have positive biodiversity and pollination benefits.

8 Team Up to Clean Up

- 8.1 From the beginning of 2022, Team Up to Clean Up's volunteers have delivered 771 clean ups and removed 2,345 bags of litter. Although litter continues to be the main focus, many volunteers have taken it upon themselves to deliver grounds maintenance work, mainly scraping and cutting. With the consent of the landowner, a privately owned, well-used, Right of Access path which was becoming difficult to navigate, has been scraped, cut back and opened up by volunteers. An adopted path in Lochfield in Paisley has been widened and Jenny's Well Nature Reserve is receiving constant attention from a stream of local volunteers.
- 8.2 The Facebook group has recently been used to showcase some StreetScene work in the scraping programme. The shared photographs are proving popular with volunteers who are recognising and appreciating the work, with the team also responsive to volunteers' suggestions.,
- 8.3 Established Team Up volunteers can apply for protective footwear and clothing, tools and equipment, or to have an area of land cleared to enable planting of shrubs and bulbs. This has been possible due to funds allocated for the volunteers through the Green Spaces, Parks & Play Areas and Villages Investment Fund. Notification of works will be given to relevant department and new Risk Assessments have been created in conjunction with Health and Safety and Risk Management.

9 Waste and Recycling Services

- 9.1 Waste Services recently trialled a digital solution across bin deliveries, missed bins and special uplift services. Pictures can be taken and saved in Firmstep to provide customer service advisors with additional information should residents make enquiries. The trial was a success and the process has now been implemented permanently. Emails of pictures can also be sent to residents if they have supplied an email address.
- 9.2 Further trials have included communicating digitally with residents to notify them of impending bin deliveries or planned special uplifts. This allows residents to present items for uplift on the morning of collection, reducing the amount of resultant litter on the streets and improving the street scape.
- 9.3 A consultation setting out plans for a mandatory digital waste tracking service in the UK was launched on 21 January 2022. The consultation is seeking views on the practical aspects of implementing digital waste tracking across the UK including:
- What waste activities and information will need to be recorded
 - What current waste reporting will be replaced by the new service
 - How users will be able to enter information onto the service
 - Who will be required to enter information and relevant timescales
 - Alternative provisions for digitally excluded waste holders
 - Data access controls
 - Cost recovery

- Compliance and enforcement
- How we should go live with the service

It should be noted that the digital tracking system will not be tracking waste from individual households, as it will relate to general tonnages uplifted by the Council and then transferred on for disposal or treatment. Renfrewshire Council will be responding to the review which closes on 15 April 2022.

Implications of the Report

1. **Financial** – The proposed continuation the three for free for parking until the end of August 2022 would result in a loss of income to the Council and this will be captured as part of the ongoing work to identify costs and income losses as part of COVID 19 pandemic through financial management.

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.

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 LED streetlights and electric and low emission vehicles within the Council fleet.

Our Renfrewshire is well - the service 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** – CRMG are continuing to review the Council's risk profile in light of the coronavirus pandemic.
11. **Privacy Impact** – None
12. **CoSLA Policy Position** – None
13. **Climate Risk** – The Council continues to explore opportunities to secure external funding to deliver sustainable, green infrastructure projects.

List of Background Papers: none

Author: Gordon McNeil, Director of Environment & Infrastructure
e-mail: gordon.mcneil@renfrewshire.gov.uk

Structural Maintenance of Carriageways 2022 - 2023

Carriageway Master List Ranking

List No.	Street	Locality
1	B789 High Street (Railway Station to Laighcartside Street)	Johnstone
2	C22 - Old Greenock Road (Bus Link)	Inchinnan
3	Brick Lane	Paisley
4	B774 Neilston Road (Stock St to Braids Rd)	Paisley
5	Garnieland Road (Hawthorn Cresc to Roundabout)	Erskine
6	Parkholm Roundabout	Erskine
7	Cotton Avenue	Linwood
8	Broomlands Street (Maxwellton St to Well St)	Paisley
9	A726 Barrhead Road (Hawkhead Rd to Lochfield Rd)	Paisley
10	B7050 Maxwellton Street (George St to Broomlands St N/B)	Paisley
11	A8 Glasgow Road (Braehead Roundabout to Old Govan Rd)	Renfrew
12	A8 Glasgow Road (Old Govan Rd to Dean Park Roundabout)	Renfrew
13	A761 Ferguslie (Broomlands St to Station Rd)	Paisley
14	A741 Paisley Road (Craigielea Rd to Renfrew Cross)	Renfrew
15	B774 Neilston Road (Calside to Stock St)	Paisley
16	Canal Street (High St to Canal Lane)	Renfrew
17	Blackstoun Road (Bankfoot Rd to Ferguslie Park Ave)	Paisley
18	Horsewood Road	Bridge of Weir
19	Park Road	Bridge of Weir
20	Clippens Road (Craig Rd to Gilmartin Rd)	Linwood
21	Glamis Avenue	Elderslie
22	Queen Street	Paisley
23	B790 Houston Road (Moss Rd to Netherfield Bend)	Houston
24	Well Street (Underwood Rd to McKenzie St)	Paisley
25	A726 St James Street (Eastbound)	Paisley
26	George Street (Causeyside St to Wardrop St)	Paisley
27	A726 Centreholm Roundabout	Erskine
28	A726 St James Street (Westbound to Caledonia Street)	Paisley
29	Hawkhead Road (Barrhead Rd to White Cart Bridge)	Paisley
30	Torr Road (Main St to Torr Hall)	Bridge of Weir
31	Dunn Street	Paisley
32	Dunvegan Avenue (Glamis Ave to End)	Elderslie
33	William Street (Part)	Paisley
34	Findochty	Erskine
35	Portsoy	Erskine

List No.	Street	Locality
36	Old Govan Road	Renfrew
37	Tower Road	Johnstone
38	Elm Drive (Sycamore Ave to Rannoch Rd)	Johnstone
39	Milliken Park Road	Johnstone
40	Garnieland Road Roundabout	Erskine
41	Cairngorm Crescent	Paisley
42	Kings Road (Abbey Rd to Auchenlodment Rd)	Elderslie
43	Freeland Road	Erskine
44	Main Street (Midton Rd to East Gavin Jct)	Howwood
45	B789 Main Street (South St to R/About)	Houston
46	Crawford Road	Houston
47	Braemar Drive	Elderslie
48	Cochranemill Road (Beith Rd to Milliken Park Rd)	Johnstone
49	A741 Paisley Road (Service Rd, Wright St to Clydesdale Ave)	Renfrew
50	Rowan Street (Neilston Rd to Thrushcraigs Cresc)	Paisley
51	Turnhill Drive	Erskine
52	Glencairn Road	Langbank
53	Leven Road	Langbank
54	Fleming Road	Bishopton
55	Maxwell Road	Bishopton
56	Watt Road (Hazelwood Road to Bonar Crescent)	Bridge of Weir
57	Piper Road (No.143 to Magnus Rd)	Houston
58	Brent Crescent	Houston
59	Neuk Crescent & Avenue	Houston
60	Tannahill Crescent	Johnstone
61	Lyle Crescent	Bishopton
62	Shaw Avenue	Bishopton
63	Mar Avenue	Bishopton
64	Lennox Avenue	Bishopton
65	Leslie Avenue	Bishopton
66	Semple Avenue	Bishopton
67	Lang Avenue	Bishopton
68	Foxbar Crescent	Paisley
69	Helenslee Road	Langbank
70	Cowal Drive	Linwood
71	Rosshall Place	Renfrew
72	Locherburn Grove	Houston
73	Cowdray Crescent	Renfrew
74	Aspen Place	Johnstone
75	Dunrobin Avenue	Elderslie
76	Sandringham Drive	Elderslie
77	Bank End Road	Bridge of Weir
78	Alder Place	Johnstone

List No.	Street	Locality
79	Bargarran Roundabout	Erskine
80	Houston Road	Houston
81	Barclay Avenue	Elderslie
82	St Boswells Crescent	Paisley
83	Lossie Crescent	Renfrew
84	Leabank Avenue	Paisley
85	Thomson Street / Ferguson Street (Full length)	Johnstone
86	Erskinefaulds Road (Clippens Rd to Woodford Place)	Linwood
87	Braehead (Mansefield Rd to Semple Ave)	Lochwinnoch
88	Station Road	Kilbarchan
89	Rannoch Road (Elm Drive to Quarry Entrance)	Johnstone

Structural Maintenance of Carriageways 2022-2023

Footway Master List Ranking

List No.	Footway	Location
1	Heriot Way	Paisley
2	Fairway Avenue	Paisley
3	Glenmalloch Place	Elderslie
4	Tantallon Drive	Paisley
5	Braemar Dr / Dunvegan Ave.	Elderslie
6	Church Street	Johnstone
7	Meadowside Avenue	Elderslie
8	Sandringham Drive / Glamis Ave	Elderslie
9	A8 Inchinnan Road	Renfrew
10	Fauldswood Crescent	Paisley
11	Glenburn Crescent	Paisley
12	Moorfoot Avenue	Paisley
13	Braemount Avenue	Paisley
14	Thornly Park Avenue	Paisley
15	Stock Street	Paisley
16	Clevans Road	Bridge of Weir
17	A8 Greenock Road (Roundabout to Kingswood Rd)	Bishopton
18	Park Grove	Erskine
19	Portessie	Erskine
20	Craigburn Avenue	Houston
21	Glen Sax Drive	Renfrew
22	A8 Inchinnan Road (Normandy Hotel to Argyll Ave)	Renfrew
23	A8 Glasgow Road(at Old Govan Rd)	Renfrew
24	Bruce Road	Paisley
25	Todholm Terrace	Paisley
26	A761 Glasgow Road (at Duchray)	Paisley
27	Lansbury Gardens	Paisley
28	Walkinshaw Street	Johnstone
29	East Road	Kilbarchan
30	Houston Road (Remote Footpath)	Crosslee
31	North Road	Johnstone
32	Park Road	Johnstone
33	Abernethy Drive	Linwood
34	Old Candren Road	Linwood
35	Rosshall	Renfrew
36	Ben Ledi	Paisley

List No.	Footway	Location
37	Beith Road (Corseford Rd to Cochranemill Ave)	Johnstone
38	Churchill Place	Kilbarchan
39	Clochoderick Avenue (Both Sides)	Kilbarchan
40	Cochranemill Road (Beith Rd to Huntersfield Rd)	Johnstone
41	Durrockstock Crescent (Both Sides)	Paisley
42	Hallhill Road (Swallow Dr to Martlet Dr)	Johnstone
43	Spateston Road (Hallhill Rd to Spateston Bridge)	Johnstone
44	Hollows Crescent / Foxbar Road	Paisley
45	Moorhouse Ave (Glenholme Av to Meikleriggs Dr)	Paisley
46	Peat Road (Moss Rd to Gorse Cresc)	Bridge of Weir
47	St Barchans Road / Dalhousie Road	Kilbarchan
48	Torr Road (Horsewood Rd to 'Duncraig')	Bridge of Weir
49	Tower Road (Beith Rd to Elm Dr)	Johnstone
50	Wheatlands Drive (Shuttle St to Wheatlands Farm)	Kilbarchan
51	Lochfield Road (At Glenarklet Dr)	Paisley
52	Cardell Road (Cardell Dr to No.53)	Paisley
53	Redhurst Crescent	Paisley
54	Braeview Drive	Paisley
55	A761 Glasgow Road (Oldhall Dr to Tylney Rd)	Paisley
56	Endrick Drive (Both Sides)	Paisley
57	Afton Drive (Esk Ave to Crammond Ave)	Renfrew
58	Townhead Terrace	Paisley
59	Rowan Street (No.82 to 110)	Paisley
60	Tarras Drive (Afton Dr to No.17)	Renfrew
61	Alexandra Drive (No.66 to Coats Dr)	Paisley
62	Lochfield Drive (No. 1 to 21)	Paisley
63	Lammermuir Drive (Both Sides)	Paisley
64	Potterhill Avenue (Arthur Rd to Lammermuir Dr)	Paisley
65	Ballater Drive (Thornly Park Ave to Aboyne Dr)	Paisley
66	Limecraigs Crescent (No.35 to Warehouse Rd)	Paisley
67	B774 Causeyside Street (Ramp at Canal St Station)	Paisley
68	A761 Glasgow Road (Corrie Dr to Drummond Dr)	Paisley
69	Montgomery Road (No.25 to 91)	Paisley
70	Abercorn Street	Paisley
71	Allanton Avenue (A761 to Duchray Dr)	Paisley
72	Ratray	Erskine
73	The Beeches	Brookfield
74	Beith Road	Howwood
75	Milliken Park Road	Kilbarchan
76	Ladeside Drive	Johnstone
77	Burns Drive	Johnstone

List No.	Footway	Location
78	Tannahill Crescent	Johnstone
79	Auchengreoch Road	Johnstone
80	Meikleriggs Drive	Paisley
81	A761 Glasgow Road (Alton Rd to Hawkhead Rd)	Paisley
82	Whitehills	Erskine
83	Elm Avenue	Renfrew



To: Infrastructure, Land and Environment Policy Board

On: 23 March 2022

Report by: Director of Communities and Housing Services

Heading: Contaminated Land Strategy 2022

1. Summary

- 1.1 To comply with its statutory duty under Part IIA of the Environmental Protection Act 1990, Renfrewshire Council produced its first Contaminated Land Strategy in July 2001, with a revised strategy published in 2010.
 - 1.2 The main objective of the strategy is to protect human health and the wider environment by identifying land within the Council's area which has the greatest potential to be contaminated (as defined in the legislation) and to then take appropriate remediation action where necessary.
 - 1.3 Since the introduction of the contaminated land regime in 2000, very few sites across Scotland have been determined to meet the legal definition of 'Contaminated Land'. The majority of remediation on brownfield sites is being driven by redevelopment through the planning process, primarily at cost to private developers
 - 1.4 The 2010 strategy remains largely valid, in terms of its intention to drive remediation of contaminated land through redevelopment. The 2022 strategy is not a replacement of it but, rather an update that complements and strengthens it, whilst also continuing to tie into the broader aims of Renfrewshire Council.
 - 1.5 A draft of the Contaminated Land Strategy is attached as Appendix 1 to this report for the consideration of members.
-

2. Recommendations

- 2.1 It is recommended that the Infrastructure, Land and Environment Policy Board approves the revised contaminated land strategy attached as appendix 1 to this report.
-

3. Background

- 3.1 Since 2000, all local authorities have been required to implement the provisions of Part IIA of the Environmental Protection Act 1990 through the development of a strategy to deal with potentially contaminated land in their area. Renfrewshire's original strategy was approved in 2001, with a first revision approved in 2010.
- 3.2 The contaminated land strategy aims to resolve issues concerning land and water contamination through voluntary agreement, in line with statutory guidance produced by the Scottish Government. Where this approach fails and legal powers in relation to designation and remediation of contaminated land require to be used, further consultation within the Council would be required.
- 3.3 Since the regime was introduced, very few sites across Scotland have been declared as Contaminated Land under Part IIA of the Environmental Protection Act 1990. It has become evident that in the majority of cases, brownfield sites are being remediated as they are redeveloped through the planning process. To date, no sites within Renfrewshire have been formally declared as Contaminated Land.
- 3.4 The revised strategy aims to integrate with the broader aims of Renfrewshire Council. As part of the strategy development, consultation has been held with relevant Officers in other Services to ensure that the strategy complements other Council and Service plans such as the Local Development Plan.
- 3.5 As part of the strategic approach required by legislation and guidance, Communities and Housing Services retain all information relating to site investigations and visits undertaken, largely in an electronic format. One of the key priorities for the next three to five years will be to review the significant volume of information held within various datasets, which will in turn allow a rational, ordered and efficient review of the current prioritisation of sites.
- 3.6 During the life cycles of the current (and previous) strategies, no sites in Renfrewshire have been declared as statutorily contaminated land. However, between 2015 and 2021 Communities and Housing Services has been consulted on over 700 planning applications and 400 building warrant applications related to brownfield sites. This demonstrates that large numbers of sites with potentially contaminating historic uses are being remediated and this continues to be the preferred method for addressing land contamination on sites. The ongoing and successful redevelopment of the Royal Ordnance Factory at Bishopton is a well-known and good example of this.
- 3.7 Where it is considered necessary to protect human health or the wider environment, any sites brought to the attention of Officers as potentially causing issues of concern, will be subject to appropriate levels of investigation, which ultimately could include intrusive investigation and remediation works.
- 3.8 A copy of the draft Contaminated Land Strategy is attached as appendix 1.

Implications of the Report

1. **Financial** – There is the potential for significant cost to the Council, should any potentially contaminated site require intrusive investigation. However, between the duties being implemented and to date, there have only been two such sites - one in Renfrew and one in Linwood requiring such investigation.

2. **HR & Organisational Development - None**

3. **Community/Council Planning –**

Our Renfrewshire is safe - adoption of this strategy provides a framework to ensure that sites which have a previous industrial land use, therefore being potentially contaminated, are rendered safe for use, either by existing occupiers, or through redevelopment and regeneration, future occupiers.

Creating a sustainable Renfrewshire for all to enjoy - adoption of the strategy will enable the Council to focus limited resources to deal with contaminated land in a manner consistent with wider Council objectives, while at the same time protecting human health and the environment. Tackling the issue of contaminated land across Renfrewshire by carrying out required investigations and undertaking agreed actions to restore such sites is a key task within the Council Plan

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 - N/A**

10. **Risk - None**

11. **Privacy Impact - N/A**

12. **COSLA Policy Position - N/A**

13. **Climate Risk – None**

List of Background Papers

None

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



CONTAMINATED LAND STRATEGY 2022

Part IIA of the Environmental Protection Act 1990

Communities and Public Protection
Communities and Housing Services

March 2022

EXECUTIVE SUMMARY

Renfrewshire Council's Contaminated Land Strategy was last revised in 2010. This revision provides a brief update to clearly set out the position and demonstrate a consistent approach with other Council and Scottish Government plans and policies.

Part IIA progress to date has been reviewed in Renfrewshire, and more widely within Scotland, in considering the best way forward.

As per the 2010 strategy, it is anticipated that redevelopment and regeneration will continue to drive the investigation and remediation of potentially contaminated land across Renfrewshire.

Having reviewed the number of planning applications received on brownfield sites in recent years, it is clear that many formerly used (and potentially contaminated) sites in Renfrewshire are coming back into productive use via mechanisms other than Part IIA, in most cases without requiring significant public expenditure.

During the period of this strategy there will be a focus on re-assessing and updating the prioritisation list to ensure the best available information is being held and acted upon.

Any complaint or information received about potential land contamination on any site will continue to be investigated, in line with statutory duties.

1	Introduction	5
2	Scottish Government Policy and Legislation	6
2.1	Part IIA Regulatory context	6
2.1.1	The legal definition of ‘Contaminated Land’	6
2.1.2	Pollutant linkages and risk assessment principles	6
2.1.3	Defining a significant pollutant linkage	7
2.2	Part IIA statutory guidance:	7
2.3	The role of the Scottish Environment Protection Agency (SEPA):	7
2.4	Part IIA progress in Scotland	7
2.5	Development Management	8
2.5.1	The planning process	8
2.5.2	Building Standards:	8
2.5.3	Development on brownfield land in Renfrewshire	8
3	Renfrewshire Council Resourcing and Responsibilities	10
3.1	Staffing	10
3.2	Duties	10
3.3	Funding	10
3.3.1	Part IIA	10
3.3.2	Planning	10
3.4	Additional activities	11
4	Renfrewshire Council Policy	12
4.1	Council Plan 2017-2022	12
4.2	Our Renfrewshire – Renfrewshire’s Community Plan 2017-2017	12
4.3	Adopted Renfrewshire Strategic and Local Development plan	12
4.3.1	Finalised Housing Audit 2019	13
4.3.2	Local housing strategy (2016-2021)	13
4.3.3	Strategic Housing Investment Plan 2022-2027	13
4.4	Renfrewshire Vacant and Derelict Land Strategy 2020	13
5	Renfrewshire Council’s Contaminated Land Strategy 2022	15
5.1	Key Part IIA related practical steps	15
5.1.1	Reviewing the prioritisation of sites	15
5.1.2	Work programme	15
5.2	Workload planning	16
5.3	Interaction with other regulatory functions	16
5.3.1	Planning	16
5.3.2	Building standards	16
6	Timescales	17

7	Regeneration Case Studies	18
7.1	Royal Ordnance Factory, Bishopton	18
7.2	Ciba-Geigy/BASF former pigment works, Paisley	18
8	Part IIA case studies – update since 2010	19
8.1	Linwood – Erskinefauld Park.....	19
9	Useful links.....	20
10	Points of Contact	21

1 Introduction

This document updates Renfrewshire Council's Contaminated Land Inspection Strategy which was published in 2010.

There have been no changes to the overall aims and objectives of the 2010 strategy and this update is intended to compliment, rather than fully replace it. The process of redevelopment and regeneration in Renfrewshire continues to be the main driver for the investigation and remediation of potentially contaminated sites, which is consistent with local authorities across Scotland.

Where land is proposed for redevelopment, or is being redeveloped, it is always more appropriate to deal with any contamination issues via the planning regime than under Part IIA.

Where land remains undeveloped, it may not ever meet the legal definition of 'Contaminated Land' if no significant pollutant linkage (comprising a source, pathway and receptor) can be identified. Part IIA only considers whether land is suitable for its *current* use whereas the planning regime requires that land is made suitable for a *proposed* end use as permission is given for that use.

To date, no sites in Renfrewshire have been determined to meet the legal definition of 'Contaminated Land'.

2 Scottish Government Policy and Legislation

2.1 Part IIA Regulatory context

The statutory contaminated land regime came into force in Scotland on 14th July 2000.

Part IIA of the Environmental Protection Act 1990 (hereafter referred to as 'Part IIA') was inserted by Section 57 of the Environment Act 1995 and imposes a duty on each local authority to strategically inspect its area for the purpose of identifying land in their areas where historical contamination is causing unacceptable risks to human health and/or the wider environment. Local authorities are also required to produce a written strategy outlining how this duty will be fulfilled, which should be kept under periodic review.

The Part IIA legislation specifically focuses on land which has become contaminated as a result of past activity e.g. by legacy industrial, mining and waste disposal practices. The prevention of new pollution as a result of present-day activities is controlled via other regulatory regimes including (but not limited to) the following:

- Environmental Liability Directive (2004/35/EC)
- Pollution Prevention & Control (Scotland) Regulations 2000
- Control of Major Accident Hazard Regulations 2015
- Health & Safety at Work act 1974
- Water Environment (Controlled Activities) (Scotland) Regulations 2005

Regulation of 'new' pollution arising as a result of current activities is outwith the scope of Part IIA and is not discussed any further within this document.

2.1.1 The legal definition of 'Contaminated Land'

Section 78A(2) of the Environmental Protection Act 1990 gives the statutory definition of contaminated land as

"Any land which appears to the local authority in whose area it is situated to be in such a conditions, by reasons of substances in, on or under the land, that:

- a) Significant harm is being caused, or there is a significant possibility of such harm being caused; or*
- b) Significant pollution of the water environment is being caused, or there is a significant possibility of such pollution being caused."*

The definition enables the identification and remediation of land on which contamination is causing unacceptable risk to human health or the wider environment.

Importantly, the definition does **NOT** include all land where contamination is present. This is explained further below.

2.1.2 Pollutant linkages and risk assessment principles

Before a Local Authority can consider whether any land meets the definition of 'Contaminated Land' it must first be satisfied that a pollutant linkage, which comprises all three of the following elements, is present on the land:

- A contaminant
- A pathway
- A relevant receptor

Unless all three elements of a pollutant linkage are present, there can be no risk and the land will not be considered as 'Contaminated Land'.

2.1.3 Defining a significant pollutant linkage

Once a pollutant linkage has been identified, the Local Authority must then consider whether that pollutant linkage is resulting in:

- a) **Significant harm** to the identified receptor
- b) **A significant possibility of significant harm** being caused to that receptor
- c) **Significant pollution of the water environment**
- d) **A significant possibility of significant pollution of the water environment**

The terminology in bold above has specific meaning, and definitions are provided within the current Statutory Guidance (SE/2006/44)¹. Whether the possibility of significant harm being caused is significant should be determined in accordance with Table B at paragraph A.31 of the statutory guidance.

2.2 Part IIA statutory guidance:

First issued in 2000 (as Scottish Executive Circular 1/2000) and revised in 2006 (SE/2006/44), the statutory guidance which accompanies Part IIA sets out the Scottish Government's objectives with respect to contaminated land and highlights the 'suitable for use' approach.

This approach recognises that the risks presented by contamination will vary greatly according to the use of the land and a wide range of other factors, such as the underlying geology. Risks therefore need to be assessed on a site-by-site basis.

The 'suitable for use' approach consists of three elements:

- Ensuring that land is suitable for its current use
- Ensuring that land is made suitable for any new use, as planning permission is given for that new use
- Limiting the requirements for remediation to the work necessary to prevent unacceptable risks to human health or the environment in relation to the current use or future use of the land for which planning permission is being sought

2.3 The role of the Scottish Environment Protection Agency (SEPA):

The primary regulatory role under Part IIA rests with Scottish local authorities, which reflects their function under the statutory nuisance regime and complements their role as planning authorities. In certain specific circumstances, SEPA is the enforcing authority for contaminated land e.g. for 'special sites' and radioactive contaminated land.

In their role as lead regulator under both the planning regime and Part IIA, local authorities may choose to consult with SEPA with regard to potential pollution of the water environment.

2.4 Part IIA progress in Scotland

Since the introduction of the contaminated land regime via Part IIA in July 2000, only 9 of the 32 Local Authorities in Scotland have determined any sites within their area to meet the legal

¹ <https://www.gov.scot/publications/environmental-protection-act-1990-part-ii-contaminated-land-statutory-guidance/documents/>

definition of 'Contaminated Land'. Renfrewshire Council has not identified any site to be 'Contaminated Land'.

At the time of writing there are only 20 such sites in Scotland, which demonstrates that Part IIA has not emerged as a significant driver for the regeneration of brownfield land.

The Scottish Government's website² includes the following comment about Part IIA progress:

"The amount of contaminated and polluted land in Scotland has been steadily decreasing as many high-value sites have been cleaned up as part of redevelopment projects. The regime builds on this progress by providing a route for remediation of site of low development value, or where there are other barriers to redevelopment"

2.5 Development Management

2.5.1 The planning process

Land contamination can be addressed by the planning system, and guidance to planning authorities is set out in Planning Advice Note (PAN) 33 'Development of Contaminated Land' (October 2000).³

In contrast to the limited progress made under Part IIA across Scotland, many potentially contaminated sites are currently being re-developed via the planning process – some high-profile examples in Renfrewshire include the former Royal Ordnance Factory in Bishopston, and the Ciba Geigy/BASF pigment works in Paisley.

Contamination is a 'material consideration' when planning applications are being determined and, where necessary, a planning consent can include conditions requiring investigation and remediation of the site prior to commencement of any new use.

2.5.2 Building Standards:

Regulation 3.1 of the Building (Scotland) Regulations 2004, which set out functional standards for buildings, requires that *"Every building must be designed and constructed in such a way that there will not be a danger to the building nor a threat to the health of people in and around the building due to the presence of harmful or dangerous substances"*.

2.5.3 Development on brownfield land in Renfrewshire

Between 2015 and 2021 the Environmental Improvements Team (which has responsibility within the Council for contaminated land matters) was consulted by colleagues in Development Management and Building Standards on over 700 planning applications and 400 building warrant applications on brownfield sites.

Complex technical reports have also been removed (including site investigations, remedial strategies and verification/completion reports) relating to potential contamination on more than 100 multi-unit residential development sites (totalling circa 5,500 houses and 1,250 flats) as well as around 100 commercial/industrial, education and leisure developments on formerly used land.

² <https://www.gov.scot/policies/pollution/contaminated-land/>

³ <https://www.webarchive.org.uk/wayback/archive/20150218144707/http://www.gov.scot/Publications/2000/10/pa n33>

Furthermore, since 2017, 1,422 new homes have been completed on brownfield and previously used sites, which is 85% of the total housing completions during this period.⁴

This clearly demonstrates that brownfield sites in Renfrewshire are coming forward for redevelopment and providing an opportunity for ground contamination to be addressed outwith the statutory contaminated land regime. In practice, developers tend to adopt a 'minimal risk' approach to remediation, whereas Part IIA can only require removal of 'unacceptable risks'. This means redevelopment of a site under planning invariably results in a higher standard of remediation than could be enforced under the Part IIA legislation.

⁴ Renfrewshire's Vacant and Derelict Land Strategy 2020

3 Renfrewshire Council Resourcing and Responsibilities

Since the 2010 revision to this Strategy, there have been organisational changes within Renfrewshire Council. Responsibility for contaminated land currently lies with the Communities and Public Protection service within Communities and Housing Services.

3.1 Staffing

Within Communities and Public Protection, the Environmental Improvements team includes two full-time specialist contaminated land officers. The officers' workload includes both reactive tasks (e.g. providing technical support to colleagues in Development Management and Building Standards in relations to planning and building warrant applications; responding to public and internal enquiries for information) and strategic Part IIA duties.

3.2 Duties

The majority of the contaminated land officers' workload is made up of tasks related to development management and regeneration (e.g. providing specialist technical review of reports submitted in relation to planning or building warrant applications).

In addition to advising colleagues in Planning and Building Standards, other Council services (e.g. Assets & Estates, Legal Services, Land Services) regularly request input in relation to a range of Council activities that could be impacted by the presence of historical contamination (e.g. land/asset disposals or leases, Council house building programmes, community projects, large infrastructure projects e.g. the Glasgow Region City Deal).

The officers are also responsible for responding to requests for environmental information made by members of the public, in line with the Council's obligations under the Freedom of Information (Scotland) Act 2002 and Environmental Information (Scotland) Regulations 2004.

3.3 Funding

3.3.1 Part IIA

The Scottish Government currently provides no ring-fenced funding to Local Authorities for the investigation and/or remediation of potentially contaminated land, and the costs associated with such works can be significant. As well as liabilities from former Council operations and assets, the Part IIA legislation requires local authorities to take responsibility for cleaning up other sites in certain circumstances e.g. where the original polluter no longer exists or cannot be found.

As an example of the scale of potential costs, the remediation at Royal Inch Crescent in Renfrew (a private development of 26 houses built in the 1970s on a former gasworks) was funded by a grant of £3.25 million from the Scottish Executive in 2007.

This dedicated source of central government funding is no longer available and the Council would bear the costs of any future investigation/remediation works.

3.3.2 Planning

For long-term developments on brownfield sites that require significant regulatory input over a number of years, agreements made under Section 75 of the Town and Country Planning (Scotland) Act 1997 can provide an additional funding stream. Securing a contribution from landowners can help ensure that the Council has sufficient resources to fulfil its regulatory role without causing impacts/delays to other projects. This may include the commissioning of external environmental consultants when required.

3.4 Additional activities

Officers contributed to the content of the 2019 Environmental Protection Scotland document *“Land Contamination and Development – Guidance for assessing and addressing land contamination issues to meet the requirements of contaminated land regulators in Scotland”* which provides guidance on how land contamination should be addressed as part of the development management process.

This document provides a comprehensive introduction to dealing with land contamination matters and aims to ensure consistency in dealing with land contamination across the country. It can be downloaded from the EPS website⁵ - it is also signposted from the Council’s website.

In addition, officers are active contributors to the Central and West SEPA/Local Authority Contaminated Land Liaison Group, the Environmental Protection Scotland Expert Advisory Group on Land Quality and the Scottish Contaminated Land Forum. Officers also participate in both Scotland and UK-wide email forums that promote consistency and knowledge sharing among local authorities and also good practice in the wider contaminated land industry.

⁵ <https://www.ep-scotland.org.uk/guidance/>

4 Renfrewshire Council Policy

The Council's Contaminated Land Strategy is subordinate to (but consistent with the aims, objectives, priorities and timescales of) other strategic plans and policies setting out the Council's long-term vision for Renfrewshire, as outlined within the following sections.

4.1 Council Plan 2017-2022

This plan sets out Renfrewshire Council's strategic vision of *"working together for a thriving and connected Renfrewshire, creating opportunities for all"*

The Council Plan is a *"key strategic document for the organisation, setting out for partners, elected members, employees, local people, businesses and communities the key priorities which we will focus on over the next five years"* and includes the following key outcomes:

- Reshaping our place, our economy and our future.
- Building strong, safe and resilient communities.
- Tackling inequality, ensuring opportunities for all.
- Creating a sustainable Renfrewshire for all to enjoy.
- Working together to improve outcomes.

The redevelopment of potentially contaminated land plays an important role in all of the above key outcomes.

4.2 Our Renfrewshire – Renfrewshire's Community Plan 2017-2017

The Community Plan has been developed together and signed up to by key public, private and third sector organisations. It marks a shared responsibility to work together to get things right for the people of Renfrewshire. The vision for the plan is *"Working together to make Renfrewshire a fairer, more inclusive place where all our people, communities and businesses thrive"* and its priorities are set out below:

- Our Renfrewshire is thriving: maximising economic growth, which is inclusive and sustainable
- Our Renfrewshire is well: Supporting the wellness and resilience of our citizens and communities
- Our Renfrewshire is fair: Addressing the inequalities which limit life chances
- Our Renfrewshire is safe: Protecting vulnerable people and working together to manage the risk of harm.

The redevelopment of brownfield and potentially contaminated land can play an important role in addressing these key priorities.

4.3 Adopted Renfrewshire Strategic and Local Development plan

The Development Plan for Renfrewshire consists of the Clydeplan Strategic Development Plan (2017) and the Renfrewshire Local Development Plan (2021).

The Renfrewshire Local Development Plan (2021) sets out the vision, spatial strategy, sustainable objectives and policies for Planning in Renfrewshire for the next 10 years, including *"continued focus...on the redevelopment and regeneration of brownfield and previously used sites to regenerate and enhance existing places.."*

The plan acknowledges the important role that brownfield sites play in Renfrewshire and *“...promotes the delivery of sustainable mixed communities with a focus on available brownfield land and previously used land to meet the majority of Renfrewshire's Housing Land Requirements”*

4.3.1 Finalised Housing Audit 2019

Annual surveys provide an evidence base for the preparation of policies and allocation of land within the Local Development Plan. The Housing Land Audit identifies potential housing land within Renfrewshire.

Of the 113 sites identified in the 2019 audit as active land supply, 93 have been classed as brownfield.⁶ This is the most recently published audit for Renfrewshire.

4.3.2 Local housing strategy (2016-2021)

The Local Housing Strategy builds upon the Council Plan and the Local Development Plan Proposed Plan to deliver housing on brownfield and previously developed sites.

4.3.3 Strategic Housing Investment Plan 2022-2027

The Strategic Housing Investment Plan sets out how investment in affordable housing will be targeted to meet the objectives of Renfrewshire's Local Housing Strategy whilst meeting current and future affordable housing supply targets.

Many of the sites included in this programme are vacant/derelict or brownfield.

4.4 Renfrewshire Vacant and Derelict Land Strategy 2020

The Renfrewshire Local Development Plan prioritises the redevelopment of brownfield and previously used land. However, not all vacant or derelict sites will be viable for redevelopment for residential or commercial use. This may be due to factors like economic viability, remediation requirements, site size or location.

Renfrewshire Council surveys vacant and derelict land on an annual basis to inform the mandatory return for the Scottish Government's Vacant and Derelict Land Survey (SVDLS). This survey provides evidence of the amount of vacant and derelict land across Renfrewshire and the progress made in bringing such sites back into productive use.

The Council's most recently published Vacant and Derelict Land Strategy (2020) aims to reduce the amount of vacant and derelict land in Renfrewshire by promoting new commercial and residential developments as well as the creation of enhanced green spaces, green corridors and linked spaces for the purpose for species dispersal.

The 2020 document states that in 2019, 149 hectares of derelict land (defined as land *“...damaged by development, so that it is incapable of development for beneficial use without some remedial works”*) and 91 hectares of vacant land (*“land within a settlement that has been previously developed, without physical constraint, and which the planning authority has indicated is available for redevelopment”*) were recorded. This is equivalent to just 0.9% of Renfrewshire's total area. Renfrewshire has seen a reduction of 75% in the level of vacant and derelict land over the last ten years (2009-2019). Some land has been redeveloped for residential and industrial/business use, and some smaller sites have become established as open spaces, growing grounds and community spaces.

⁶ Internal resource (GIS_Content.SDE.HLAA2019_Active_Land_Supply)

In 2019, approximately 86% of vacant and derelict land across Renfrewshire was in private ownership.

This provides good evidence that formerly used sites are coming back into productive use via mechanisms other than Part IIA, in most cases without significant public expenditure.

5 Renfrewshire Council's Contaminated Land Strategy 2022

There is no to change to the approach to the physical inspection of sites, as set out in the 2010 strategy. Land redevelopment and regeneration will continue to be the principal driver for the investigation and remediation of potentially contaminated sites throughout Renfrewshire.

Any complaints or new information that comes to light regarding any site e.g. concerns raised by members of the public or other stakeholders will be responded to and investigated.

Voluntary remediation will be supported by engaging with any landowners who advise of their intention to remediate land outwith the formal development management or Part IIA enforcement processes.

5.1 Key Part IIA related practical steps

A key focus within this strategy is to re-assess and update the large amount of information currently held.

5.1.1 Reviewing the prioritisation of sites

The legislation requires local authorities to identify, in a “*rational, ordered and efficient*” manner, the land within their areas where the most pressing and serious land contamination issues are likely to be present, and to concentrate resources on those areas in the first instance.

In order to do this, all potentially contaminated sites within the council area must first be identified and then arranged in order of priority.

The model originally used by the Council to prioritise sites utilised various datasets (e.g. commercially available historic maps and geological maps) to identify the potential presence of contamination sources, pathways and receptors for each site.

There are some known issues with the current prioritisation list – for example, some sites were missed off the original list in error and now need to be added in.

In addition, new information has become available for a large number of sites (estimated at around 25% of the land parcels on our current list) since the list was originally created in the early 2000s. In many cases, records show that contamination has already been addressed as the sites have been redeveloped through the planning process. Such sites are now considered as a much lower priority for inspection as any pollutant linkage should have been removed.

The critical review of the existing prioritisation list will be a complex exercise. It will include rationalising GIS data layers, which form the basis for when and how the service has been consulted by colleagues on planning and building warrant applications and constructing a working model that can be used to maintain an improved prioritisation list going forward.

5.1.2 Work programme

A range of tasks will need to be completed including:

- Rationalising GIS data layers by merging various sets of mixed-quality and mixed-source data; removing any duplicate entries and verifying the extent of affected land parcels;
- Digitising information on historical tank licences obtained from Trading Standards and predecessor (district council era) local authorities;

- Re-assessing the scoring mechanism and the scores assigned to each site;
- Adding and scoring sites that were omitted from the original list in error (c150 identified to date);
- Removing/downgrading sites known to have been redeveloped through the Planning process; and
- Reviewing and updating GIS records of private water supplies to provide supporting information on potential pathways and receptors for contamination.

At the end of this process, the Council will have a 'reality checked' prioritisation list, which will be fit for purpose and provide support to/for the delivery of Council policies.

5.2 Workload planning

Contaminated land officers will undertake these tasks in addition to their day-to-day reactive workload. Due to the statutory timescales required for certain responses, and the Council's desire to facilitate development on brownfield sites, work relating to active planning consents, building warrants and environmental enquiries will take priority over these scheduled Part IIA tasks. As stated, any new information coming to light about any site will be investigated in terms of statutory duties and this strategy.

5.3 Interaction with other regulatory functions

5.3.1 Planning

Ground contamination will be addressed before redevelopment starts by using planning conditions requiring ground investigation and (where necessary) remediation to be undertaken. Conditions to require that documentation confirming satisfactory completion of works is submitted and approved prior to occupation of any new development will also be used.

5.3.2 Building standards

Through the building warrant consultation process, applicants will be made aware of the known/suspected presence of contamination on their site. Applicants will be advised of any remedial measures known to be present on site (e.g. clean cover layers in gardens, gas protection measures in buildings) which must not be compromised by proposed building works.

6 Timescales

The rationalisation of the prioritisation list is expected to be a lengthy and resource-intensive exercise, with a timescale to completion of 3-5 years estimated.

Revisions to this strategy document will be published as and when appropriate e.g.

- To report on completion of the tasks presented in Section 5; and/or
- Following any changes to the Scottish Government legislation and guidance that underpins our current approach (e.g. PAN33, Part IIA statutory guidance)

The above notwithstanding, it may be necessary in certain circumstances to expedite timescales for the inspection and assessment of a particular site – for example, should additional information come to light that suggests that significant harm, significant possibility of significant harm, or significant pollution of the water environment is (or may be) occurring.

7 Regeneration Case Studies

The following sections present some recent and on-going regeneration case studies on high profile brownfield sites in Renfrewshire.

7.1 Royal Ordnance Factory, Bishopton

The site comprised three separate factories engaged in the production of munitions from the early 1900s until the early 2000s. The site, comprising some 964 hectares, is currently being redeveloped as Dargavel Village and the masterplan proposals include:

- 4000 new homes.
- Infrastructure, including a new motorway junction, link roads, park and ride facilities.
- Retail and Education provision, including a new village centre and primary school.
- Community provision, including healthcare facilities.
- Recreation and open space facilities, including parks and sports pitches.
- A 450-hectare Community Woodland Park.

Contaminated land officers are working closely with the current site owners (BAE Systems) as they remediate the site in stages. Prior to handing over development platforms to new owners/developers, BAE Systems must demonstrate that the site is suitable for its proposed new use in compliance with their planning obligations.

By end-2021, some 460 acres of land had been remediated with over 1,900 new homes occupied.

7.2 Ciba-Geigy/BASF former pigment works, Paisley

A large pigment manufacturing plant operated on the site from the 1950s until 2015. Site ownership and activities varied over the years, but the main industrial process was pigment production for colouring inks, paints, paper and plastic.

The site comprises approximately 20 hectares of land and a 470-unit residential development is currently under construction.

Given the industrial nature of activities on the site, the 'in principle' planning consent (granted in 2016) placed obligations on the applicant to investigate the site and, where necessary, carry out appropriate remediation on the site.

A variety of remedial activities (e.g. removal and offsite disposal of material, bioremediation, placement of capping layers and inclusion of ground gas/radon protection measures) are being incorporated as the development progresses. Satisfactory completion of these works must be reported to the Council to satisfy planning conditions attached to the relevant consents.

8 Part IIA case studies – update since 2010

8.1 Linwood – Erskinefauld Park

At the time of the 2010 revision to the strategy, Part IIA investigations in the Erskinefauld Park area of Linwood were ongoing.

The outcome of these investigations, reported in 2014, was that no part of the investigated area was considered to meet the legal definition of 'Contaminated Land'.

9 Useful links

There are many sources of guidance regarding the investigation, assessment and remediation of potentially contaminated land.

The following web pages provide a good basic introduction to the subject:

<https://www.gov.scot/policies/pollution/contaminated-land/>

<https://www.sepa.org.uk/regulations/land/contaminated-land/>

<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks-the-risks>

<https://www.ep-scotland.org.uk/guidance/>

Legislation relevant to Scotland can be searched and viewed here:

<http://www.legislation.gov.uk/browse/scotland>

10 Points of Contact

Further information regarding land contamination matters within Renfrewshire is available via the following points of contact:

Telephone: 0300 300 0380

Email: e-prot.es@renfrewshire.gov.uk



To: Infrastructure, Land and Environment Policy Board

On: 23 March 2022

Report by: Director of Communities and Housing Services and Director of Environment and Infrastructure Services

Heading: Public consultation on national litter and fly-tipping strategy

1. Summary

- 1.1 In June 2014, the Scottish Government published the country's first National Litter Strategy "*Towards a Litter Free Scotland: A Strategic Approach to Higher Quality Local Environments.*" A review of this strategy was completed in November 2019 which highlighted that progress had been made and identified key successes of the strategy.
- 1.2 The review also recognised that litter and fly-tipping still pose a significant challenge that require further concerted actions; and identified opportunities for potential future action.
- 1.3 As a result, the Scottish Government, in consultation with partners Zero Waste Scotland (ZWS), Keep Scotland Beautiful (KSB) and the Scottish Environment Protection Agency (SEPA) is seeking views on the aims, objectives and actions that sit under the draft strategy.
- 1.4 The draft consultation and response form can be found at:
<https://www.gov.scot/publications/national-litter-flytipping-consultation/>
- 1.5 The consultation was launched on 13 December 2021 and the final date for submissions is 31 March 2022. The opportunity to respond to the consultation is welcomed and a draft response from the Council is attached as Appendix 1 to this report for the approval of members. This will be submitted in line with the timescales provided.

1.6 On 28 February 2022, Murdo Fraser MSP lodged the first stage of the Fly-Tipping (Scotland) Bill and associated consultation at the Scottish Parliament. The Bill clearly notes the current consultation by the Scottish Government and the clear cross-over between the two. The proposed Bill will seek to reduce the incidence of fly-tipping in Scotland by updating the law in this area in four ways. Namely:

- by improving data collection and reporting mechanisms,
- by changing legal liability so that victims of fly-tipping are not also legally responsible for removing the waste,
- by introducing strict liability on the person who disposed of the waste, and
- by increasing the sanctions available to the public authorities responsible for dealing with instances of fly-tipping.

1.7 The deadline for responses is 23 May 2022 and a response consistent with the agreed Appendix to this report will be provided in line with timescales noted.

2. Recommendations

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

- (i) notes the national consultation on litter and fly-tipping;
 - (ii) notes the challenges currently facing Renfrewshire Council around littering and fly-tipping;
 - (iii) agrees the Council's consultation response as detailed in Appendix 1 to this report;
 - (iv) notes that £450k was allocated in the budget agreed at the Council meeting on 3 March 2022 to pilot an enforcement service to tackle fly-tipping across Renfrewshire directly addressing some of the issues highlighted within this report; and
 - (v) notes the Fly-tipping (Scotland) Bill and the associated consultation by Murdo Fraser MSP on 28 February 2022 which closely aligns with this consultation.
-

3. Background

- 3.1 The Scottish Government's overarching vision, which is shared by their partners - Zero Waste Scotland, Keep Scotland Beautiful and SEPA, is one where Scotland's environment is unblighted by litter and fly-tipping. It is also to encourage and support positive behaviours, enabling individuals and businesses to choose the correct route of waste disposal and therefore improve the quality of their local environment.
- 3.2 Scotland's first National Litter Strategy "*Towards a Litter-Free Scotland: A Strategic Approach to Higher Quality Local Environments*" was published in 2014. A review of this strategy and the activity that took place as a result, was completed in 2019.
- 3.3 The review of the 2014 strategy concluded that progress has been made in a number of areas but acknowledged that litter and fly-tipping continue to pose a significant challenge. In 2019, the review included a round-table discussion with local authorities and Renfrewshire Council was represented and fed into the review.
- 3.4 Following the review, a new strategy has been drafted and circulated for consultation. This strategy will have a six-year lifespan and actions will include short (2 years), medium (4 years) and long (6+ years) term timescales for completion.
- 3.5 Objectives and Actions have been suggested and are identified under 3 key themes:
- Behaviour Change
 - Services & Infrastructure
 - Enforcement.
- 3.6 There are 14 key objectives within the consultation with 7 being allocated to littering and 7 to fly-tipping. The consultation splits both litter and fly-tipping and keeps them distinctly separated both as issues but also the associated actions.
- 3.7 Renfrewshire Council agrees that this makes sense as the drivers behind littering and fly-tipping are different as are the required actions and responses. Littering tends to be an issue of public perception and behaviour and requires the involvement of all with a focus on awareness raising, education and behaviour change in order to effect a change in public expectations about what behaviours are acceptable. Fly-tipping on the other hand is often driven by monetary gain, often by criminal groups, offering what appear to be legitimate and licensed services to the public, but then not processing and disposing of waste as expected but simply fly-tipping or dumping waste in illegal landfill sites.

- 3.8 Responding to these issues requires improved joint working across all enforcement agencies and would benefit from improvements to the oversight and audit of license holders and waste operators to identify and reduce unlicensed or unscrupulous behaviours.

Litter

- 3.9 The 7 objectives in the strategy for littering are identified as:

- Objective 1: Understand litter perceptions and behaviour to allow targeted approaches to be developed.
- Objective 2: Develop and adopt a shared approach between Scottish Government, local authorities, public agencies and the third sector, to litter prevention and behaviour change across Scotland
- Objective 3: Improve our understanding of the sources, amount and composition of litter
- Objective 4: Encourage a shared approach to services that will effectively support litter prevention
- Objective 5: Empower community groups to take action
- Objective 6: Develop a more effective enforcement model
- Objective 7: Improve the consistency of enforcement practices

- 3.10 The consultation highlights that Keep Scotland Beautiful conducted the Scottish Litter Survey in 2021, which assessed public attitude and perceptions to litter and littering behaviour. The survey highlighted that 88% of people agreed that litter is a problem across Scotland, and that 70% agree that it is a problem in their local area
(<https://www.keeptoscotlandbeautiful.org/media/1568594/littering-in-scotland-survey-2021-final-071221.pdf>).

- 3.11 Since the review of the National Litter Strategy in 2019, Zero Waste Scotland in partnership with Scottish Government and Keep Scotland Beautiful have developed a national anti-littering campaign, “*Scotland is Stunning*”. This campaign had two phases, which ran in summer 2020 and summer 2021 to address litter challenges that arose during the pandemic. “*Scotland is Stunning – let’s keep it that way*” aimed to inspire people getting out and about to enjoy the outdoors and urged them to bin their litter or take it home.

Fly Tipping

- 3.12 The 7 objectives in the strategy for fly-tipping are identified as:

- Objective 8: Understand behaviours that lead to fly-tipping to allow targeted approaches to be developed.

- Objective 9: Develop and adopt a shared approach and common language between Scottish Government, local authorities, public agencies and the third sector to fly-tipping behaviour change across Scotland.
 - Objective 10: Improve our understanding of the sources, amount, spatial distribution and composition of fly-tipping
 - Objective 11: Support the development of consistent, innovative and effective waste services and infrastructure
 - Objective 12: Provide support to private landowners and land managers that experience fly-tipping on their land
 - Objective 13: Develop a more effective enforcement model
 - Objective 14: Improve consistency of enforcement practices across Scotland
- 3.13 Fly-tipping covers a range of incidents from bulky items such as mattresses and sofas left near bins to several van loads of construction waste dumped in a layby with serious and organised crime groups sometimes involved. It is a blight on local communities and environments and comes at a financial cost to the taxpayer and to businesses.
- 3.14 Tackling fly-tipping is a joint responsibility of Local Authorities and SEPA. Most reports of fly-tipping from the public are made directly to Local Authorities and it is Local Authorities that investigate the majority of incidents. It should be noted that this depends on the scale of the fly-tipping with large-scale/commercial fly tipping discussed and referred to SEPA.
- 3.15 SEPA are the enforcing authority for unlicensed deposits of waste on land e.g. unlicensed landfill sites and for the waste carriers licensing scheme. Where there are large deposits and potential links to Serious and Organised Crime, these are normally passed to SEPA and/or Police Scotland for coordination and response.
- 3.16 The proposed consultation response highlights the financial challenges for both national and local bodies when trying to tackle fly-tipping across Scotland.

4. Renfrewshire position

- 4.1 Like all local authorities in Scotland, Renfrewshire Council has certain areas/hot spots where littering and fly tipping cause issues. These areas are targeted both for reactive cleaning/clearance, but also proactive visits and enforcement to try and catch offenders.

- 4.2 Unfortunately, most offenders are aware that what they are doing is an offence, therefore will go to great lengths to avoid detection - using quiet roads and dumping locations, in the middle of the night, and taking care that no evidence is left as to where the waste originated.
- 4.3 It is challenging to put an exact cost on Council efforts to clear up litter and fly tipping, however, there are approximately 6 members of staff (full-time equivalent) that work on these jobs on a daily basis.
- 4.4 Over the past 2 years, Renfrewshire Council has received over 4000 complaints of fly-tipping. Each incident is visited and assessed. Analysis of incidents shows that there are sometimes duplicate reports and often the issue reported is not fly-tipping but is a bagged collection or a bulk uplift that has been legitimately requested and left out for collection.
- 4.5 Officers within Renfrewshire Council work extremely hard to minimise the impact of littering and fly-tipping on the communities of Renfrewshire. However, it is acknowledged that there are barriers to enforcement including the availability of resources, competing priorities, training and weighing up the cost of task with the potential benefits.
- 4.6 With regards to littering, a lot of work has been done with school children including Safe Kids events and visits to schools to discourage littering. The Clumps Big Mess was launched as part of the Team Up to Clean Up campaign and was a book, directed at young people, that hit home the message about littering. Whilst fixed penalties can be used, behavioural change is crucial in allowing people to understand the damage of litter to the environment. Additional officers have been recruited to remove litter and detritus from all communities in Renfrewshire.
- 4.7 For fly-tipping, a focus has been on hot-spot areas to not only identify areas but remove waste and prevent further fly-tipping. Three large areas in Sergeantlaw Road, Blackstoun Road and West March Road have been cleared and secured in recent years. There are still other areas and proactive work underway, including visits and mobile CCTV cameras to try and tackle incidents. Work is being undertaken in 2022 to have “days of action” with joint working between Police Scotland and Renfrewshire Council (Wardens and Environmental Health). Teams from Environment and Infrastructure Services (StreetScene) and Communities and Housing (Renfrewshire Wardens) are visiting together to try and identify offenders, issue fixed penalties, and remove waste at the same time. The additional £450k funding that was provided in the Budget agreed on 3 March 2022 will be used to enhance this joint working through the development of a pilot enforcement project that will include the use of mobile CCTV to support investigations and enforcement.

- 4.8 The proposed consultation response makes clear that there needs to be ongoing and closer working relationships developed between local authorities, Police Scotland and SEPA to target fly-tipping that is carried out by criminal groups including the disruption of people selling services collecting waste from the public or businesses that is then disposed of as fly-tipping or on illegal landfill sites. Whilst SEPA are the organisation with the relevant enforcement powers for these activities, there is a role for local authorities to pass intelligence and assist in following up and seeing through regulation with SEPA and potentially Police Scotland.
- 4.9 The process for reporting of cases to the Procurator Fiscal requires to be easier and in particular, the process following issuing of fines to anyone that is seen to be fly-tipping or refusing to pay a fixed penalty notice needs to be strengthened. This would give confidence that the hard work and resource invested in enforcement was worthwhile as it will be followed through the by Courts more consistently.

5. Environment and Place/Team Up to Clean Up

- 5.1 Since October 2017, Officers have been using an additional £2.5m investment into improving the Environment and Place of communities across Renfrewshire. Specifically in relation to littering and fly tipping this has included:
- 6 additional Street Sweepers per year
 - Hiring of additional mechanical sweepers to assist cleaning
 - Removal of large scale flytipping and measures to prevent recurrence e.g. Sergeantlaw Road, Blackstoun Road
 - Review of mobile CCTV cameras for enforcement purposes
 - Increased scraping activity across communities
 - Support for waste removal following TU2CU activities
- 5.2 One of the key activities under the Environment and Place programme was the creation of the Team Up to Clean Up campaign to tackle littering and fly tipping. It was put in place to assist communities, give them ownership and create a partnership between the Council and communities to make Renfrewshire a better place to stay, work and visit.
- 5.3 The Team Up to Clean Up campaign has been a massive success, mainly thanks to the great work done by the communities.

5.4 As part of the Team Up to Clean Up campaign – there are now:

- 3,600 Facebook group members
- Almost 1,000 litter pickers gifted to volunteers
- 10 - 40 volunteer litter picks per day
- Over 70,000 bags of rubbish removed by volunteers and disposed of By StreetScene

5.5 The campaign has received both local and national awards and continues to grow from strength to strength. Key elements have been highlighted in the consultation response as an exemplar to the Scottish Government for some of their objectives i.e. giving more ownership to communities. This has been discussed with other local authorities who are keen to try their own community campaigns and try to make in-roads into littering and fly-tipping.

6 Key points from Consultation Response

6.1 The draft response is provided in Appendix 1 and highlights some of the issues/challenges with regards to both litter and fly tipping.

6.2 The key points noted within the response include:

- Target certain audiences
 - Differentiate the responsibilities clearly between local and national bodies and make the public aware
 - Increase awareness of the issue to members of the public e.g. “White Van Man” and where is the waste going? This includes the requirement to strengthen the licensing and enforcement regime around waste carrier licences and the legitimate disposal of waste.
 - Link the damage of litter and fly tipping to Climate Change and carbon footprint
 - The strategy requires (and does) link to other agendas and work e.g. legislation on single use plastics, Deposit Return Scheme and Extended Producer Responsibility
 - Create a single source of reporting
 - Refresh and re-brand the Dumb Dumpers campaign
 - Improved data, information sharing and joint working
 - Increased resource and use of technology
 - Make it easier to refer offenders to the Procurator Fiscal
 - Improve quality of information offered on Scottish Landlord Register
 - Suggestion of tyre traceability register
-

Implications of the Report

1. **Financial** – There is currently a large financial cost to all local authorities trying to tackle littering and fly-tipping across Scotland, therefore, depending on the outcomes of the strategy, this could potentially have a further financial impact on the Council.
2. **HR & Organisational Development - None**
3. **Community/Council Planning –**
 - *Our Renfrewshire is well – by preventing or removing fly-tipping and ensuring communities are kept clean, residents will find satisfaction and wellbeing in the area that they live.*
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 - N/A**
10. **Risk - None**
11. **Privacy Impact - N/A**
12. **COSLA Policy Position - N/A**
13. **Climate Risk** – There can be environmental damage due to effects of fly-tipping including the pollution of water courses and release of gases/leachate from unlicensed waste sites. Littering can also have a detrimental effect with waste potentially taking decades to degrade. This is particularly focused on waterways at the current time e.g. Keep Scotland Beautiful Upstream battle or challenges in the Oceans.

List of Background Papers

None

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

Litter

1. (a) Do you support the proposed action to conduct research to understand the full range of influences on littering behaviours (action 1.1)? Yes

(b) Please give reason(s) for your answer.

It is essential that data and behaviours are used to understand how or why people litter. This will then allow landowners (normally local authorities) to target their resources. This can include both infrastructure (bins) but also cleaning schedules and proactive enforcement.

By understanding the behaviours, hopefully the Scottish Government and national agencies can direct resources to local authorities to allow improvements to current measures and mitigations.

Understanding influences and behaviours will offer a better opportunity for success in a national marketing campaign, ensuring messages are targeted and delivered in the most appropriate manner.

The strategy should also try and understand the demographics for the reasons behind littering e.g. very little litter dropped by Primary School kids but a real issue on routes to/from schools and local shops around Secondary Schools, and FE Colleges/University. There is also a real problem around slip roads, junctions and traffic lights where people feel it is OK to throw litter out of car windows as stopped – work needs to be undertaken to determine why this is deemed to be acceptable by them and what would be required to change this behaviour.

2. (a) Do you support the proposed action to develop and adopt a national antilittering campaign (action 2.1)? Yes

(b) Please give reason(s) for your answer

As described in the consultation, education and behavioural change is going to be one the main actions/themes within the consultation. In particular, it needs to resonate with the people that are “swaying” between dropping/not dropping litter. We believe there are 3 types of people:

- Someone that will never drop litter and always find a bin/take home
- Someone that will always drop litter and doesn't care
- Someone that “may” drop litter but can be persuaded not to

The people in the first two bullets will not be “swayed” by an anti-litter campaign, they will continue to do what they do. The campaign should target the third group to minimise the litter, be consciously aware that what they are doing is wrong and the effects it will have.

In addition to a campaign aimed at those who can be swayed, the campaign should target certain audiences e.g. younger people to allow them to think about their

choices not just in the short term, but in the longer term e.g. Climate Change/ how long it takes for plastics to degrade and the consequences (micro-plastics).

It should be clear of what constitutes litter. Many people do not see chewing gum or cigarette ends as litter and are happy to dispose of on the ground or in drains – the campaign needs to be clear and consistent on all forms of litter.

Finally – the national campaign also needs to have a local strand to allow Local Authorities to support local priorities and needs with their own targeted communications and links to project work e.g. Team Up to Clean Up.

3. Which topics should be a priority to address by behaviour change interventions?

It is important to tailor and target the message both nationally and locally. Some of the priority areas we believe are:

- The journey of litter, what happens after an individual discards it.
- Tailor for different audiences e.g. youths/different demographics
- Highlight the cost of littering and that the money could be spent elsewhere. It is also important to discuss the environmental cost e.g. use of vehicles and staff resource to link to climate
- Climate Change – link the effects for future generations to understand
- Effects on Wildlife – hard hitting can make people think twice about their actions
- Whilst this part of the consultation is about littering, the campaign can highlight that littering can attract other issues – therefore link to other environmental problems e.g. dog fouling, graffiti and fly-tipping.

4. Is there a need to develop a standard definition for litter that can be used across Scotland?

No – Renfrewshire Council believes that the standard definition of litter is covered both by the Environmental Protection Act 1990 and LEAMS. However, it has to be consistent. The majority of the public will know litter as “items that are discarded or dropped” or “waste in the wrong place”, however, some people do not believe that certain items are litter e.g. cigarette butts. This needs to be addressed for consistency.

5. Do you support the following proposed actions to:

- Action 3.1: Review available litter data and reach an agreement between stakeholders on a common approach to data collection?

Yes – data is extremely important to identifying issues and therefore tackling them. However, it needs to be noted that data collection (and submission) is resource intensive and therefore clarity if required on what exactly this action entails

- Action 3.2: Identify commonly littered items and litter hotspots and work with local authorities to develop targeted interventions?

Yes – Renfrewshire Council currently tries to implement this. Work is undertaken to strategically place waste receptacles e.g. food outlets, major walking routes therefore if other areas are identified then inspections are undertaken. Interventions can include increase receptacles, increased cleaning or increased enforcement.

- Action 3.3: Increase the use of citizen science to support data levels and

composition of litter?

Do Not Know - Renfrewshire Council is not sure on this. Through the Team Up to Clean Up Campaign

(<https://www.renfrewshire.gov.uk/teamuptocleanup>) we engage and work with communities to tackle issues. Therefore, we try to understand where issues are (data) but not sure about calling this citizen science.

(b) Please give reason(s) for your answer. – see above

6. What would encourage increased participation in citizen science data collection?

As stated above, Team Up to Clean Up volunteers feed into Renfrewshire Council and would be more than willing to take part in surveys e.g. face masks/Koka noodle cups etc. The volunteers are engaged and active throughout all communities and is a way for local authorities to understand the feelings at the heart of said communities.

7. (a) Do you support the proposed actions to:

- Action 4.1: Review of CoPLaR (2018) and its implementation by duty holders?

Due to the fact that the Code of Practice on Litter and Refuse was enacted in 2018, Renfrewshire Council believes it is too soon to review the impact of CoPLaR – especially given the last 2 years have been during a global pandemic. To get the best results, a reasonable amount of time should be given to understand the outcomes.

However, one consideration for review is trunk road litter:

- Motorways - responsibility for all maintenance including litter and fly-tipping lies with the Road operator (through Transport Scotland).
 - Council Road network (adopted roads) – responsibility for all maintenance including litter and fly-tipping lies with the Council
 - Trunk Road network (Special Roads) - maintenance of the road and infrastructure including maintenance of cleaning gulley pots, grass and vegetation along these roads lies with the Road Operator (through Transport Scotland). However, the Council retains the responsibility for litter and detritus. These roads require significant Traffic Management to maintain (often done by the operator overnight – Councils are not geared up to 24/7 working). Consideration should be given to ensuring a single operator with full responsibility, like motorways, to alleviate challenges and potential problems with one issue- being tackled and not another.
- Action 4.2: Explore the use of flexible and innovative interventions to support litter prevention and removal?
- Yes – depending on what these are, Renfrewshire Council is always willing to explore flexible and innovative interventions. However, as acknowledged in the consultation paper, there are legislative changes on the horizon that will also impact on litter including the Deposit Return Scheme/Single Use Plastics ban and Extended Producer Responsibility – these measures need to

dovetail. Further challenge is that EPR comes into Scotland in 2023 but not to other areas.

- Action 4.3: Establish an action focused group to encourage collaboration and share best practice between local authorities, national parks and other duty bodies?

No – Renfrewshire Council believes that there are currently existing focused groups that could be used (or re-focused) to cover this e.g. Litter Managers Network. Membership and focus could be changed to ensure this is covered and that all relevant bodies sit on and feed into group.

(b) Please give reason(s) for your answers

8. Please provide examples of flexible or innovative interventions that have or have not worked well.

The Team Up to Clean Up campaign

(<https://www.renfrewshire.gov.uk/teamuptocleanup>) has been a massive success and an exemplar in delivering community involvement. Some of the innovative approaches include:

- The Big Spring Clean and Spotless September. Assign a dedicated period to the campaign and tie in with any national actions at that time e.g. KSB Spring Clean. This ignites communities, gives them a focus and increases numbers and participation.
- The Clumps Big Mess – a dedicated book for younger children that tackles littering in their area and what impacts it has on them and their local environment.
- Winter Warriors – working with communities and established group to assist with short term issues during winter months. Providing groups with snow shovels, grit and a gritter to assist local communities with non-priority routes that the Council cannot get to, due to resource and weather. Instead of picking litter, they assist neighbours in any way they can.

As part of the campaign:

- 3,600 Facebook group members
- Almost 1,000 litter pickers gifted to volunteers
- 10 - 40 volunteer litter picks per day
- Over 70,000 bags of rubbish removed by volunteers and disposed of By StreetScene
- 18 new community groups formed due to Team Up to Clean Up
- 36 groups have gone on to apply for funding from Greenspace, Villages, Play Parks and Play areas fund to improve their local community.
- Leams data improved from 88.2% in 2017 to 94.5% in 2020
- 14,000 copies of The Clumps Big Mess issued to school children
- 43 corner shops and 15 larger businesses part of campaign.

Team Up to Clean Up has made attempts at reducing lunchtime litter from local secondary schools. Unfortunately, this appears to have had little impact on the volume of litter noted. Presentations in schools have not been possible during the past 20 months however schools have been delivering local clean ups.

The resource and cleaning directed to areas of high footfall as per the Code of Practice on Litter and Refuse, targeting key areas has certainly appeared to have worked.

One area that hasn't materialised is the vicinity around certain types of premises with regard to cigarette ends and chewing gum e.g. pubs. Efforts have been made to get businesses to take ownership of the area around their premise to assist local authorities in minimising the time spent on single locations.

9. How can increased collaboration and information sharing across local authorities, national parks and other duty bodies be achieved?

There is already some sharing of information and collaboration at the current time including best practice. There is also interaction between local authorities and national bodies e.g. KSB/ZWS.

It is also important that if intelligence is gathered and known that a person may be committing an offence in another local authority – this should be passed onto them immediately for information and noting.

10. (a) Do you support the proposed actions to:

- Action 5.1: Create a national litter hub to provide information to community groups?

Yes, however, it is believed that the basis may already be in place with regards to the Litter Network Hub. One of the issues is that there is nobody to oversee resources, keep up to date. This will need resource to facilitate the full use of the national litter hub. There is currently nothing straightforward and easily accessible for materials for communities. Needs to be delivered nationally but can then be tailored to a local level.

The Team Up to Clean Up Facebook page is very good to keep communities involved and engaged, however, the creation of a national litter hub would allow it to be replicated at a national level. Communities respond to interactive communication e.g. two-way street. If it is a bland interaction, it will not gain momentum or keep them interested.

- Action 5.2: Create a community-focused litter education programme? Yes
This would depend on the focus of the education programme i.e. who are we targeting? Renfrewshire Council is trying to come up with input, discuss with schools and feed into the educational curriculum.

(b) Please give reason(s) for your answer.

11. What advice, information and support should be included in a national litter hub?

- Stats
- Research
- Best Practice
- Materials
- Examples/Case Studies
- Celebrating successes

12. What topics should be included in a community-focused litter education programme?

This should be targeted focused and identify with what resonates with communities i.e. Climate Change/Blue Planet including removing single use plastics. It should

look to show the whole life cycle of waste to again give people a better understanding of the damage they are doing e.g. plastic bag takes 100 years to biodegrade.

It should also look at the enforcement aspects and resource challenges faced by enforcing authorities i.e. CCTV cameras, litter from vehicles, catching people littering etc.

The education programme should be driven at different age groups and therefore be age appropriate, e.g. adults are more interested in the impact of litter in their community, how it makes it look, whereas younger people are more concerned with the wider environment and wildlife. It should also offer real life comparisons e.g. this amount of waste would fill a football field, 6 swimming pools etc.

Finally, using the waste hierarchy, it should also provide the “Carrot as well as stick” – reusable cups etc. Highlighting the need to Reduce, Reuse, Recycle, Replace and remind people to minimise their waste is the best option.

13. (a) Do you support proposed actions on enforcement of litter offences to:

- Action 6.1: Conduct an evidence review of barriers to enforcement?

Yes – it is really important to understand the challenges and barriers to enforcement including resource/staff/catching people/cost benefit analysis. It is not a glamorous job issuing fixed penalty notices every day, however, is a key part of minimising littering.

More requires to be done to ensure that drivers/registered keepers are strictly liable in Scotland for littering from their vehicles whether it is the driver or a passenger. This is currently in place in England but not Scotland.

Greater powers and easier legislation to tackle amenity issues e.g. bins remaining on streets. If fixed penalties were able to be issued, this would ensure people would return them to the correct place. Bins being left on streets often leads to other issues e.g. fly tipping or waste escaping from the bins leading to associated litter.

Illegal traders are getting smarter and are increasingly using Facebook and getting Direct Messages to uplift waste. Therefore, sometimes local authorities and SEPA don't know who is uplifting waste and cannot issue a s.34 Duty of Care notice. A review of the powers available to officers to try and identify who is taking waste and where to is essential.

- Action 6.2: Explore raising current fixed penalty notice amounts?

Yes – this would be welcomed as the threat of getting caught is a strong deterrent especially if the fine is increased.

- Action 6.3: Explore potential alternative penalties to monetary fixed penalties?

Yes – Other alternative penalties, similar to restorative justice should be considered i.e. if found to be littering and cannot pay the fixed penalty notice, consideration should be given to that person undertaking a litter pick with the Community Justice Team.

Further consideration should be given to naming and shaming people that litter – again, this should act as a deterrent.

Finally, a mandatory course should be implemented for someone who has been reported and fined by the Procurator Fiscal.

(b) Please give reason(s) for your answers.

14. (a) Do you support the proposed action to review and further develop guidance on enforcement best practices (action 7.1)?

Yes – if there is a lot of good practice out there then don't reinvent the wheel. However, all enforcement bodies will come back to resource. It is resource intensive to have people out focusing on a certain issue. It is better to tie into general patrols to maximise workload, however, staff can then get side-tracked from the reason they are there i.e. a general community safety patrol is a lot easier than issuing fixed penalty notices.

(b) Please give reason(s) for your answer.

(c) What should be included in this guidance?

It would be good to understand the Best Practice by other local authorities i.e. where to target? It would be good to highlight the successes that have been achieved and how this was done? Again – a cost benefit analysis or return of investment on time spent issuing tickets would be beneficial.

Flytipping

15. (a) Do you support the proposed action to conduct research to understand behaviour that leads to flytipping (action 8.1)? Yes

(b) Please give reason(s) for your answer.

It is essential that data and behaviours are used to understand how or why people fly-tip. This will then allow landowners to target their resources. This may come down to money from waste and serious organised crime, however, would allow local authorities and national agencies to understand and try to stop, or make as difficult as possible to fly-tip waste.

However, over the years, lots of work has gone into trying to understand this – and there is a significant body of information already available that demonstrates that the involvement of organised groups in fly-tipping is not a new phenomenon and is increasing. It is important that further work to understand behaviours doesn't simply collect the same information again but has a focus on understanding the opportunities that these groups are exploiting and the interventions that would be most effective in detecting and disrupting these groups activities - ultimately reducing the benefit they currently get from these illegal actions.

By understand the behaviours, hopefully the Scottish Government and national agencies can strengthen the available powers and direct resources to relevant enforcement and regulatory agencies to allow improvements to current measures and mitigations.

Understanding influences and behaviours will offer a better opportunity for success in a national marketing campaign, ensuring messages are targeted and delivered in the most appropriate manner e.g. do the public realise the white van man may be

dumping in the countryside or illegal landfill site? Do they understand how to avoid this? In particular there needs to be work and resource provided to deliver greater confidence in the oversight and control of licensing arrangements for waste management to allow the key message to the public to be that they need to use licensed operators who they will then know will fulfil their obligations in relation to the duty of care they have for appropriate waste disposal.

16. (a) Do you agree with the proposed actions to:

- Action 9.1: Develop a sustained, evidence based, national anti-flytipping behaviour change campaign?

Yes – similar to the littering behaviour change campaign, this is essential. However, it should once again be targeted at what we can control and change i.e. we are never going to change the minds of serious and organised criminals. However, we can educate the public to ask questions of the “white van man”. It is important for members of the public to understand that they have a “Duty of Care” to ensure they present or pass their waste on appropriately. We can also educate the public as to what fly-tipping is and the damage it can cause. Like littering, focusing on Climate Change (methane gases from landfill) and what can happen to fly-tipping.

- Action 9.2: Create a single information point containing advice on disposal of commonly flytipped materials?

Not sure – it would depend on what exactly is being planned. A lot of the commonly fly-tipped materials are well known e.g. bulk items that are more challenging to dispose of due to people not being able to put in refuse bin and potentially not having access to a vehicle to get to the Household Waste Recycling Sites. A lot of information already in place (<https://www.netregs.org.uk/households/>), however, this often refers back to local authorities. Renfrewshire Council is trying to get smarter to advise people what can and cannot go in bins and be taken to the HWRCs. It may benefit to highlight the issue with tyre fly-tipping and educate the public on where these can be responsibly disposed of.

(b) Please give reason(s) for your answer. Are there topics that should be a priority to address in this campaign?

End of life/2nd hand tyre disposal is a big issue. Consideration should be given to tyres being clearly marked/barcoded to prevent tipping. If this was brought in nationally and tyres could be traced, they wouldn't be so easily fly-tipped.

Raising awareness that a disposal receipt should be sent to a customer of a white van man and that members of the public have a legal responsibility to ensure their waste is disposed of appropriately (Duty of Care) and how to comply with that duty. To be effective the licensing of waste operators needs to be supported by effective audit and scrutiny of license holders.

17. Are there topics that should be a priority to address in behaviour change interventions?

As detailed above there should be a priority on:

- Disrupting and detecting the activities of Serious Organised Crime groups
- Greater oversight and checks on licensed waste carriers e.g. disposal receipts where they are advertising for business
- Marking tyres to ensure their responsible disposal

- Carbon Footprint
- Damage to environment and climate change
- Link to potential decrease in property values e.g. if no-one cares about fly tipping it will lead to other environmental crime e.g. dog fouling, graffiti etc.
- The cost of large-scale fly-tipping being removed – so it doesn't become a wider environmental problem and that this money could be used better elsewhere in the community.
- Landlord responsibilities to dispose of house clearances, or ensure their tenant does so responsibly

18. What information should be included in the single information point?

Once again, this would be an area to highlight best practice between agencies. However, it could also be used as a single source of truth for members of the public i.e. who deals with what?

19. Is there a need to develop a definition of flytipping that can be adopted across Scotland?

Yes – whilst most people understand that fly-tipping is waste being left on land that doesn't have a waste management licence e.g. side of road – however, some enforcement bodies count fly tipping in different ways.

If someone is trying to get rid of their bags legally, however, their bins are full – they may leave the bag next to the bins for uplift i.e. they are trying to get rid of it responsibly. This is more about waste presentation than fly-tipping. However, this could be fly-tipping if done regularly or placed next to a bin in street rather than use bins to rear of property as easier.

There are also “bagged” collections in some locations that if someone was driving past they may report as fly-tipping, however, following inspection, it is clear that they are for routine collection, however, it may still be logged and counted as fly tipping.

There are numerous complaints about the same issues which could lead to duplication and additional counting of fly tipping – therefore a clear definition that would support the consistent recording of incidences of fly tipping would be useful

20. (a) Do you support the proposed actions to:

- Action 10.1: Create a data sharing agreement to support gathering of data and work with stakeholders to improve consistence of data collection?

Yes – this has proven to be really challenging with national agencies. Local Authorities and national agencies need to work closer together.

- Action 10.2: Explore incorporating data into a national database?

Do not know – it would depend on what this would entail and tell local authorities. There is a need a national picture (especially for SEPA), however, this would be challenging as would be the resource for ensuring Officers are not duplicating data recording, and the system is maintained and updated frequently.

If it could be evidenced that a national database could be used to disrupt or detect organised criminal groups that are profiting from fly-tipping then this would be worth considering with relevant resources being identified to support this activity.

- Action 10.3: Review the Dumb Dumpers system and ensure a fit for purpose

mechanism for citizen reporting of flytipping exists in Scotland?

Yes – needs reviewed and a single source that also speaks to Local Authority systems. At the current time, Dumb Dumpers is just another avenue for complaining about fly-tipping including phoning LA directly, reporting to LA online, reporting on Team Up to Clean Up, and going through Elected Members – it needs an easy-to-use single point for people to access. Any system must be easy to operate and intuitive. Individuals will always go for the quickest, simplest way to report.

- Action 10.4: Explore the development of a live picture of flytipping across Scotland?

Yes – however, again this will depend on resource. It requires a single resource talking to each other including national bodies and local authorities. The Fly Mapper tool was a good idea and gave some intelligence but fell down due to lack of resource and definition of fly-tipping. Get 10.3 correct and this would give a good start for a live picture across Scotland.

(b) Please give reason(s) for your answers.

21. (a) Do you support mandatory reporting of flytipping incidents for statutory bodies?

Unsure – the questions would be mandatory reporting to who and for what purpose i.e. what is the data used for. If it will improve data flow then yes, however, there needs to be improved resources behind this. There is a possibility that the same fly tipping incident is reported several times (skewing data) and there is also the problem of waste crews simply lifting the waste materials e.g. they are never reported accurately as they just get rid of waste that they see.

This is related to the issue of development of a national database, If it could be evidenced that mandatory reporting could be used to disrupt or detect organised criminal groups that are profiting from fly-tipping then this would be worth considering with relevant resources being identified to support this activity.

(b) Please give reason(s) for your answer.

22. (a) Do you think we should continue to use Dumb Dumpers as the national reporting tool?

Yes, but as detailed above, needs to be better and allow systems to talk to other systems. It is also needing a brand refresh to re-launch and make the public aware of how to make a compliant.

(b) Please give reason(s) for your answers.

(c) What are barriers to reporting flytipping incidents that occur on private land?

Renfrewshire Council will liaise with landowner to make them aware of their responsibilities with regards to fly-tipping. It can be challenging identifying who owns land, or a waterway, as there may be multiple owners. It is also challenge when the landowner will not engage. Legislation could also be strengthened to make it easier to allow a local authority to remove fly tipping in default and get money back (currently a long and protracted process) or to allow a local authority and SEPA to fine a landowner for the amount of time waste is on land. Again, this is challenging if landownership is dubious.

A local authority may also get into difficulty if the fly tipping is partly on Council land and partly on private land. If the Council clears their part, it looks like they haven't done a good job. The issue over identifying the landowner often causes members of the public frustration i.e. they don't care who owns the land, they just want the fly-tipping removed.

(d) Who would you report flytipping to?

Not applicable to Local Authority as we don't report fly-tipping – we would liaise with landowner.

23. (a) Do you agree with the proposed actions to:

- Action 11.1: Support and encourage information and resource sharing between stakeholders?

Yes – there is no need to reinvent the wheel and quite often this is good amongst local authorities, however, there needs to be better information and resource sharing with national bodies. The one area that needs to improve is between enforcement bodies e.g. SEPA and local authorities. Whilst SEPA may be investigating major fly tipping in local authority areas (or illegal/unlicensed landfills) – it is important for the local authority to know in case of questions by Elected Members. The specifics don't need to be known, simply that work is on-going at certain locations.

This is of particular relevance in relation to fly-tipping as so many instances are now driven by organised crime groups or individuals that are profiting from criminal behaviour. All relevant agencies need to be working together to disrupt this activity and using relevant powers to disrupt and deter these groups. Effective communication and joint working between enforcement bodies is essential to achieve results.

- Action 11.2: Explore how to support and encourage more reuse and repair of products that are commonly flytipped?

Yes – Communications and information on what people can do and where to go to get advice on products that are often fly-tipped. However, the main fly-tipped items e.g. tyres, mattresses, white goods, furniture etc, it is that they cannot be re-used is the problem. Businesses will need to start thinking about the new legislation and Extended Producer Responsibility.

- Action 11.3: Explore a flexible approach to waste disposal with a view to trial interventions?

Yes – within reason, Renfrewshire Council would be open to looking at flexible approaches to waste disposal, particularly if this was around increasing the re-use of waste e.g. Swap Shop. If there is best practice out there, this would be worth looking at nationally, however, it needs to be done safely and potentially away from Household Waste Recycling Centres.

(b) Please give reason(s) for your answers.

24. How can we support and encourage sharing of data and joined up services and infrastructure?

As detailed above – highlighting best practice and preferably the use of one system.

25. Please provide examples of interventions (for example, amnesties or recycling groups) that have or have not work well?

The Team Up to Clean Up campaign has been massively successful including the reduction of fly tipping hot spots. With a group of volunteers out in their communities, they take ownership and report any unauthorised fly-tipping. The campaign will sometimes clear private land and Council will uplift and dispose to get rid of waste. It is a partnership between the Council and the community.

Renfrewshire Council has run a few amnesties in the past in Ferguslie and Shortroods communities with varying success.

The requirement for white van man services to have a waste carriers license appears not to be working. A local individual advertising on Facebook may have a licence, however, the Local Authority cannot request s34 details unless we are aware he is uplifting waste. The white van service requests interested parties to private message them leaving the local authority with no evidence they are uplifting.

In general, the licensing arrangements related to waste management do not appear to be working effectively – where legitimate waste operators are complying, they add significant cost to their businesses that is avoided by operators that are not complying with the legislation. If this goes on, then legitimate waste operators will be undermined and forced to cease operations.

There needs to be a better system of audit and oversight of all license holders to give greater confidence in the licensing system. Currently it is too easy for holders of relevant licenses to fly tip waste rather than properly process it without being noticed. This means that it is difficult for members of the public to exercise their duty of care – as they are often accessing and using contractors that can demonstrate they hold relevant licenses but that unknown to the public are not actually complying with relevant legislation in terms of waste management and disposal. A robust and effective programme of licensing supported by regular and rigorous audit and enforcement of conditions of licenses would require resources but is probably the single most effective action that could impact on current patterns of fly tipping across Scotland.

26. What are the barriers to disposing of asbestos?

There are many barriers to the disposal of asbestos:

- Cost
- Resource
- Disposal
- Health & Safety
- Education
- Road closures
- Training for uplift

27. (a) Do you agree with the proposed actions to:

- Action 12.1: Explore the role of technology in assisting private landowners and land managers deter flytipping on their land?

Yes – technology should always be investigated; however, members of the public also need to be aware of the challenges around some technologies e.g. legislation (RIPSA), power sources and cost and training of technology.

- Action 12.2: Produce updated guidance for private landowners on dealing with flytipping?

Yes - looking to ensure physical measures e.g. fencing, bollards are the first steps to prevention

- Action 12.3: Explore alternative financial support mechanisms available to private landowners and land managers?

This would require further discussion, however, yes, it makes sense to assist them in not only removing the waste, but being able to do something to deter the fly-tipping e.g. bunding/fencing etc.

(b) Please give reason(s) for your answer.

28. What support mechanisms need to be in place to help private landowners that are victims of flytipping?

Private landowners will often need assistance, information, and where required funding is available. Serious and Organised Crime groups can take over land and use tactics which private landowners will find difficult to tackle and need to know where to turn for advice and support.

29. (a) Do you support the proposed actions to:

- Action 13.1: Conduct an evidence review of barriers to enforcement of flytipping offences? **Yes – Resource, staff, no evidence, Reports to PF, technology.**
- Action 13.2: Initially raise current fixed penalties issued by local authorities, Police Scotland, Loch Lomond and Trossachs National Park for flytipping to the maximum (£500) and explore possibility of raising the maximum further at a later date?

Yes – Renfrewshire Council agrees with increasing the level of fixed penalty notices to act as a deterrent to fly-tipping. However, the largest issue for fly-tipping is for people where £500 is not enough to be a deterrent. Work requires to be done nationally to make it easier for local authorities/SEPA to report to the Procurator Fiscal and try to get maximum punishment under the Environmental Protection Act e.g. £40,000.

The importance and seriousness of flytipping should also be noted by Courts who should appreciate the scale of the issue and volume of effort and time which can go in to submitting cases.

We need all agencies from Scottish Government to SEPA/Local Authorities/Police Scotland and importantly Procurator Fiscal to look to follow through from start to finish cases of fly-tipping. Local Authorities have admitted not sending cases to the Procurator Fiscal as they know it will not be followed through. Even low-level cases i.e. evidence found in a bag and no reasonable explanation given, should result in a Fiscal Fine as the person has not been able to comply with their Duty of Care. For more serious offences e.g. Commercial/repeat offenders – fines should be high enough to act as a deterrent and make people think twice about fly-tipping.

- Action 13.3: Explore the possibility and benefits of enabling local authorities and national parks to use civil penalties to enforce fly-tipping offences?

Not sure – whilst this seems logical i.e. it is not a criminal offence therefore civil and can look to go down the debt recovery route, the financial penalty and debt requires to be high enough to allow the local authority to try and recover the cost (not only of the fly tipping but also, the removal and disposal of waste).

- Action 13.4: Explore raising current fixed monetary penalties that can be issued by SEPA for fly-tipping offences to the maximum (£1000) and explore possibility of raising the maximum further at a later date?

Yes – this is agreed as SEPA are national enforcement body for larger fly-tipping cases. However, if costing more to remove, a report to the Procurator Fiscal should be made asking for higher fines.

- Action 13.6: Review existing legislative powers for enforcing flytipping offences?

Yes – whilst most of the powers remain the same, the main enactment of legislation is 22 years old.

(b) Please give reason(s) for your answers.

30. (a) Do you support proposed actions to:

- Action 14.1: Come to an agreement and develop guidance on role and responsibilities in enforcing flytipping offences?

Yes – this is extremely important to differentiate when it is the responsibility of the local authority and when it is SEPA. For many years, the rule was that if it was less than a skip full it was local authority – if more than a skip load then SEPA. This way it can be differentiated with regards to the scale of the fly-tipping e.g. Serious and Organised crime, national agenda, or smaller household/business waste. This is an important part of members of public to know.

Individuals are also of the view that discharges of waste into waterways are the responsibility of SEPA however on discussing this matter with SEPA it seems to be unclear who is responsible.

Enforcing fly-tipping offences however is only dealing with the symptom rather than the cause. Many of the people fly-tipping or conducting illegal landfill operations on a regular basis are holders of licenses or operating with reference to licenses held by others. There needs to be a better system of audit and oversight of all license holders to give greater confidence in the licensing system. Currently it is too easy for holders of relevant licenses to fly tip waste rather than properly process it. This means that it is difficult for members of the public to exercise their duty of care – as they are often accessing and using contractors that can demonstrate they hold relevant licenses but that unknown to the public are not actually complying with relevant legislation in terms of waste management and disposal. A robust and effective programme of licensing supported by regular and rigorous audit and enforcement of conditions of licenses would require resources but is probably the single most effective action that could impact on current patterns of fly tipping across Scotland. It would reduce the numbers of operators that are offering services to the public that do not comply with expected waste management processes.

The reporting of cases to the Procurator Fiscal requires to be easier and in particular, the issuing of fines to anyone that is seen to be fly-tipping or refusing to pay a fixed penalty notice. This would give Officers confidence that the hard work and resource was worthwhile as it will be followed through the courts which at the current time it isn't.

- Action 14.2: Develop guidance on enforcement best practices, including on

private land and seek for this to be voluntarily adopted by statutory bodies?
Do not know – if this puts a burden on local authorities for private land then Renfrewshire Council would not support this due to finance and resource issues.

(b) Please give reason(s) for your answers.

31. Are there any additional proposals you think should be considered for the National Litter and Flytipping Strategy?

One of the considerations in the strategy needs to be the trunk Road network. Where road closures are required, coordination and consideration are required to tackle all issues e.g. grass cutting, gully cleaning and in particular, litter uplift. It would be better if all was the responsibility of a single body similar to motorways.

Another consideration requires to be the littering of main waterways – who is responsible as again, the local authorities pick up a lot of the costs when they don't actually own the riverbanks or the waterway. This should be considered as is a major issue for all local authorities that has a waterway through their area.

Licensing (and licensing enforcement) needs to be made more rigorous with greater scrutiny and oversight. In general, the licensing arrangements related to waste management do not appear to be working effectively – where legitimate waste operators are complying, they add significant cost to their businesses that is avoided by operators that are not complying with the legislation. If this goes on then legitimate waste operators will be undermined and forced to cease operations.

There needs to be a better system of audit and oversight of all license holders to give greater confidence in the licensing system. Currently it is too easy for holders of relevant licenses to fly tip waste rather than properly process it without being noticed. This means that it is difficult for members of the public to exercise their duty of care – as they are often accessing and using contractors that can demonstrate they hold relevant licenses but that unknown to the public are not actually complying with relevant legislation in terms of waste management and disposal. A robust and effective programme of licensing supported by regular and rigorous audit and enforcement of conditions of licenses would require resources but is probably the single most effective action that could impact on current patterns of fly tipping across Scotland.

Improved clarity around areas of responsibility under the legislation with transparency around the roles and responsibilities of each agency would be of assistance, supported by appropriate allocation of resources to fulfil the role requirements.

Finally, a concerted effort needs to be made for all relevant enforcement agencies to share information about ongoing investigations and issues at a local level working together to ensure that all routes to enforcement and control are being actively followed in a deliberate approach to disrupt, detect and deter criminal groups that are currently profiting from fly-tipping and unregulated landfill activities.

32. (a) Do you agree that the accompanying Impact Assessments (BRIA, EQIA, ICIA, FSDA) are an accurate representation of core issues and considerations?

Yes

(b) If not, please provide detail and evidence.

33. (a) Do you agree with the recommendations and conclusions within the Strategic Environmental Assessment Environmental Report? Yes

(b) If not, please provide detail and evidence



To: Infrastructure, Land and Environment Policy Board

On: 23 March 2022

Report by: Chief Executive

Heading: Renfrewshire Allotments Annual Report 2021

1. Summary

- 1.1 The purpose of this report is to advise the Infrastructure, Land and Environment Board of the Council's Allotments Annual Report for 2021. The report has been prepared in accordance with the Council's statutory duties under Section 121 of the Community Empowerment (Scotland) Act 2015.
-

2. Recommendations

- 2.1 It is recommended that the Board:
- (i) Approves the Renfrewshire Annual Allotments Report 2021.
 - (ii) Notes that subject to Board approval, the report will be published on the Renfrewshire Council website in accordance with statutory requirements.
-

3. Background

- 3.1. The Community Empowerment (Scotland) Act 2015 (Part 9) relates to allotments and encourages Councils to support the development of allotments and community growing spaces, recognising their contribution to health and well-being, sustainable local food production and community empowerment.
- 3.2. The Council has a statutory duty to provide allotments under the provisions of the Act and a number of associated duties, including the requirement for the publication of an annual allotments report. The report for 2020 was approved by the Board on 10 November 2021.

4. **Renfrewshire Annual Allotment Report 2021**

- 4.1. The report provides a summary of allotment provision in Renfrewshire over 2021, in accordance with the specific measures set out in Section 121 of the Community Empowerment (Scotland) Act 2015.
- 4.2. The Act requires the Council to establish and maintain a list of all persons who request an allotment. Renfrewshire Council has six Allotment/Growing Ground Associations who lease and occupy Council land as set out in the table below. The sites had a total of 351 individual growing plots and 120 people awaiting allocation of an allotment or growing plot at the final meeting of the Renfrewshire Growing Grounds Forum in October 2021.

Table 1 Renfrewshire allotment sites and associations

Allotment Site	Association
Brediland Allotments, Paisley	Brediland Allotments Association
Grow in Glenburn, Glenfield Road, Paisley	Grow in Glenburn
West End Allotments, Paisley	Paisley West End Allotments Association
Sanctuary Gardens, Paisley	West End Growing Grounds Association
Broadloan Gardens, Renfrew	Renfrew Association of Growers & Gardeners
Erskine Community Allotments	Erskine Community Allotments Association

- 4.3 The number of those awaiting allotments has risen by 13 since the end of 2020 but the total remains below the statutory 50% ratio between waiting lists and plot numbers across Renfrewshire which would require the Council to consider additional allotment provision under Section 112 of the Act. It is however intended to engage with local communities in the preparation of the new Local Development Plan to assess possible sites to meet demand across various communities in Renfrewshire.
- 4.4 Continuing progress has been made in addressing the Council's additional statutory duties under the Act over 2021. This has included identifying growing opportunities for new groups, encouraging existing groups to promote community food growing through the online Paisley Food Festival 2021 and seeking new occupiers for recently vacated growing sites.
- 4.5 The Annual Allotments Report also considers the continuing impact of the Covid pandemic over the last year, recognising the positive mental and physical health benefits for plot holders and some of the challenges faced by allotment and community garden associations in relation to communal management, educational and fund-raising activities.

- 4.6 The Council will continue to support local Allotment and Growing Ground Associations in the delivery of growing opportunities through the Renfrewshire Growing Grounds Forum and annual updates will be reported to the Board as appropriate, in accordance with statutory requirements.
-

Implications of the Report

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

Creating a sustainable Renfrewshire for all to enjoy – The Annual Allotments Report 2021 sets out how the Council is progressing statutory duties in relation to allotments, supporting opportunities for local food growing, developing our outdoor spaces and contributing to healthier lifestyles.
 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.
 13. **Climate Risk** - Community food growing contributes positively to Renfrewshire Council's carbon neutrality targets, particularly through lower levels of CO₂ emissions as a result of reduced "food miles".
-

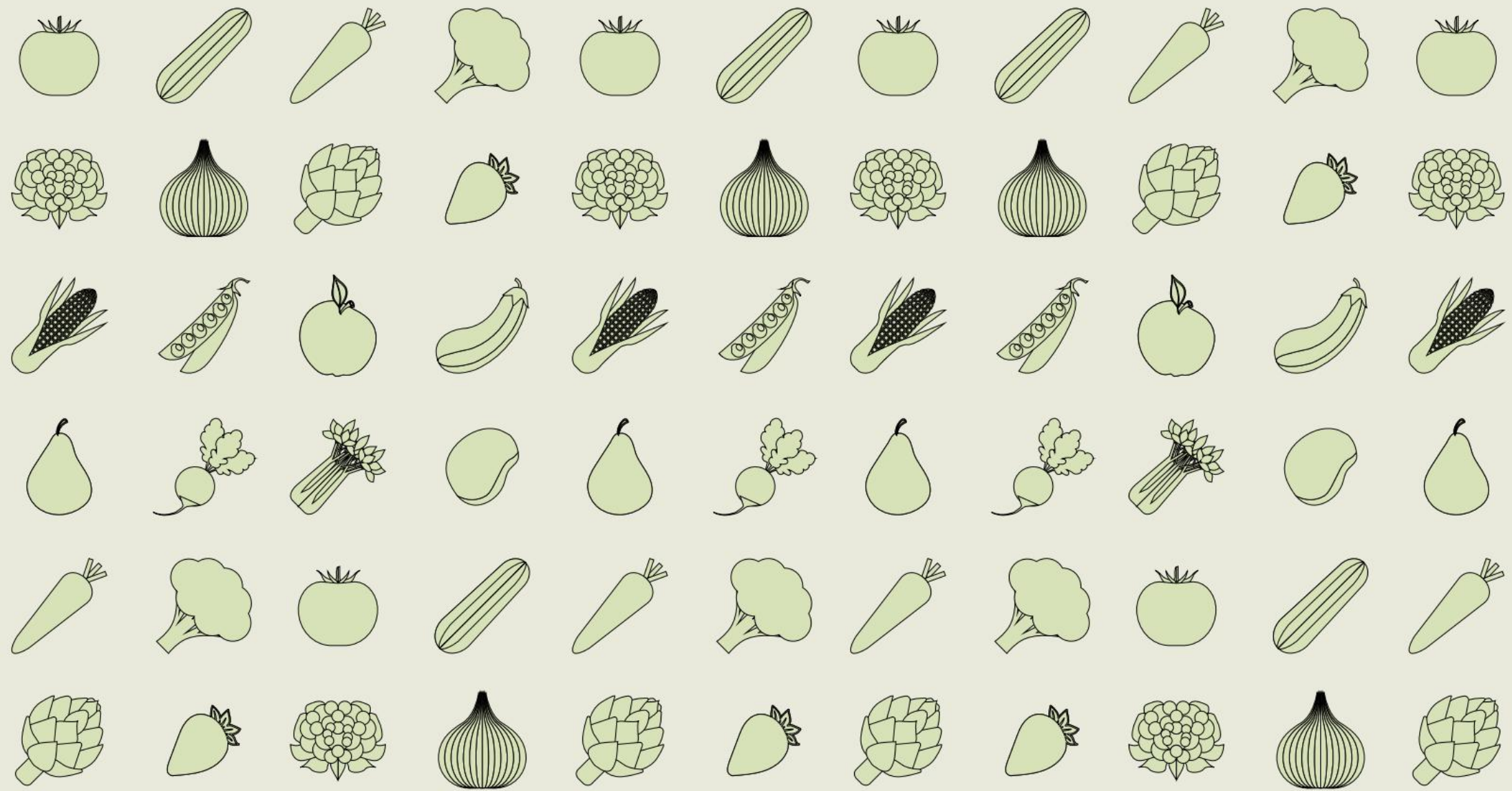
Appendices

1. Renfrewshire Annual Allotments Report 2021

List of Background Papers

- (a) Housing, Community and Planning Board 20 January 2020 - Renfrewshire Food Growing Strategy 2020-25
- (b) Infrastructure, Land and Environment Policy Board 03 November 2021 – Allotments Annual Report 2020

Author: *Stuart McMillan, Regeneration and Place Manager*



Renfrewshire Council

Allotments Annual Report 2021





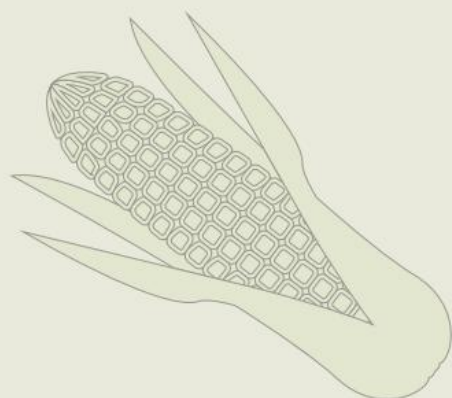
Contents

Introduction	3
Provision of Allotments in Renfrewshire	4
The Renfrewshire Food Growing Strategy 2020-25	5
Annual Reporting Measures	6
Effects of the Covid-19 Pandemic	7
Renfrewshire Council’s Allotment Regulations	8
Funding for Community Projects	9
Summary of Key Issues	10
APPENDIX 1	14

Introduction

Part 9 of the Community Empowerment (Scotland) Act 2015, covering provisions relating to allotments, came into force on 1 April 2018. The Act encourages Local Authorities to support the development of allotments and community growing spaces, recognising their contribution to health and well-being, environmental sustainability and community empowerment.

The Council has a statutory duty to provide allotments under the provisions of the Act and a number of associated duties which have required the introduction of new procedures to ensure compliance with the legislation. This includes a requirement for the Council to prepare and publish an annual allotments report for Renfrewshire.



Provision of Allotments in Renfrewshire

The Act defines an allotment as land owned or leased by the local authority and used, at least mainly, for growing vegetables, fruit, herbs or flowers, but without a view to making a profit. An allotment site is land consisting wholly or partly of allotments and includes other land, which is owned or leased by the local authority, which may be used in connection with the use of the allotments.

The Act allows allotments to be 250 m² in size, but also allows the flexibility to provide varied plot sizes to reflect local demand.

Renfrewshire Council has six Allotment / Growing Ground Associations who lease and occupy Council land, as summarised below:

Allotment Site	Association
Brediland Allotments, Paisley	Brediland Allotments Association
Grow in Glenburn, Glenfield Road, Paisley	Grow in Glenburn
West End Allotments, Paisley	West End Allotments Association
Sanctuary Gardens, Paisley	West End Growing Grounds Association
Broadloan Gardens, Renfrew	Renfrew Association of Growers & Gardeners
Erskine Community Allotments, Erskine	Erskine Community Allotments Association

In 2021 the Council's Chief Executive's Service became the main point of contact for all 6 sites through the Economy & Development Team, but Renfrewshire Council does not directly manage any of the allotment sites. All aspects of the management, allocation and maintenance of the allotments are the responsibility of the respective Allotment Associations and their tenants.

The Associations are responsible for the day-to-day management of the sites, such as managing the tenancies, accounts, and creating and governing their rules and regulations. They also set the plot rents, which must be "fair" taking account of site variables such as the services provided and the cost of providing these services. The current rent payable for plots in Renfrewshire ranges from £10 - £30 per annum, depending upon the plot size.

At present, the sites have a combined total of 351 individual allotments or allotment plots, and the Council is aware of an aggregate total of 120 people awaiting allocation of an allotment, or allotment plot. This is a slight increase from the previous annual report total of 107 but remains below the statutory 50% ratio between waiting lists and plot numbers across Renfrewshire, the threshold which would require the Council to consider a new Allotment provision.

The legislation requires the Council to keep a waiting list and take reasonable steps to identify new allotment sites if demand increases and waiting lists become longer. Most of the existing sites are fully occupied with waiting lists and, as a result, the Council is currently working with local Associations and other community groups to promote and improve the provision of growing grounds in Renfrewshire to meet local demand. This includes the subdivision of plots and provision of raised beds, plus other measures to widen pathways and improve the accessibility to gardening opportunities for disabled people.

The Renfrewshire Food Growing Strategy 2020-25

The Council's Communities, Housing and Planning Policy Board approved the Renfrewshire Food Growing Strategy 2020-25 on 20 January 2020. The Strategy provides a framework to assist in increasing the quantity and quality of growing opportunities in Renfrewshire, as well as setting out how the Council will deliver its statutory duties for allotments and growing grounds over the five-year period.

The strategy recognises the various local and national drivers that seek to improve the quality and quantity of growing grounds and sets out how these outcomes will be delivered in partnership with relevant stakeholders.

Reflecting this partnership approach the document lists a total of 27 community growing spaces in Renfrewshire, many of which have been developed as a result of collaborative working with community groups, the Council and Renfrewshire Health and Social Care Partnership, who jointly manage the Renfrewshire Growing Grounds Forum.

The strategy can be viewed on the Council's website at the following address:-

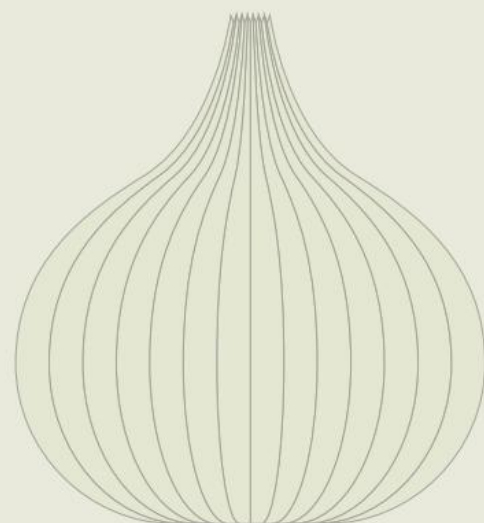
<https://www.renfrewshire.gov.uk/article/10464/Community-Growing>



Annual Reporting Measures

Part 9, Section 121 of the Community Empowerment (Scotland) Act 2015 sets out the following specific measures that are to be included in the Allotments Annual report:

The annual measures for 2021 (as reported at the Renfrewshire Growing Grounds Forum online meeting on 7 October 2021) are provided in Table 3 on page 11.



Item	Requirement
A	The location and size of each allotment site.
B	The number of allotments on each allotment site.
C	Where the whole of an allotment site is leased from the authority by one person, the proportion of land on the allotment site (excluding any other land owned or leased by the authority that may be used by tenants of allotments in connection with their use of allotments) that is not subleased from the tenant of the allotment site.
D	Where allotments on an allotment site are leased from the authority by more than one person, the proportion of land on the allotment site (excluding any other land owned or leased by the authority that may be used by tenants of allotments in connection with their use of allotments) that is not leased from the authority.
E	Where an allotment site is leased by the local authority (i) the period of the lease of each allotment site, and (ii) the rent payable under the lease by the authority.
F	The period of any lease between the authority and the tenant of an allotment site.
G	The rent payable under any lease between the authority and the tenant of an allotment site.
H	The rent payable for each allotment in the area of the authority.
I	How, in the opinion of the authority, such rents are decided by reference to the method of determining fair rent provided for in the regulations provided.
J	The number of persons entered in the waiting list on the final day of the reporting year to which the report relates.
K	The number of persons mentioned in paragraph (j) who, on the final day of the reporting year to which the report relates, have been entered in the list for a continuous period of more than 5 years.
L	The steps taken by the authority to comply with the duty to provide allotments.
M	Reasons for any failure to comply with that duty.
N	The number of allotments on each allotment site that are accessible by a disabled person.
O	The number of allotments on each allotment site adjusted by the authority during the reporting year to meet the needs of a tenant who is a disabled person.
P	The number of persons entered in the waiting list whose request included information about their needs on disability grounds re access, and possible adjustments, to an allotment site or allotment..
Q	The income received, and expenditure incurred, by the authority in connection with allotment sites; and
R	such other information as may be prescribed.

Table 2: Annual Reporting Measures



Continuing Effects of the Covid-19 Pandemic

The first Covid-19 national lockdown started on 23 March 2020. The UK and Scottish Governments recognised from an early stage that plot maintenance was a valid form of permissible daily exercise which could proceed on allotment and community garden sites as long as appropriate social distancing and infection control measures were undertaken, including number restrictions, hand sanitiser dispensers, closure of shared indoor spaces, withdrawal of shared tools provision.

The extra time some people had available, largely as a result of the furlough scheme, led to some group representatives commenting that the standard of plot maintenance had been higher during 2020. This trend was also noted in 2021, with various restrictions remaining in place. On the other hand, some growers could not tend their plots because they were shielded at home. Management committees made special arrangements to help people in these circumstances.

Contact was maintained with growing groups via the Renfrewshire Growing Grounds Forum, and through email exchanges and two online meetings. Outcomes from engagement with groups identified that other key effects of Covid-19 on community food growing sites had been:

- inability to organise communal work parties to maintain shared spaces on the sites.
- similarly, planned site improvements depending on group voluntary inputs were paused;
- inability to access the Council-run Unpaid Work Teams for heavy works, deliveries of compost, etc.
- restrictions on site visitors meant that fund-raising open days could not be held until the autumn.
- education programmes had to be discontinued.
- inability to hold AGMs and other committee meetings where members were unfamiliar with remote online alternatives or not equipped to participate.
- committees spent more time preparing and circulating newsletters or phoning to keep in touch with members.
- continuing overall increase in waiting lists during the year.
- in contrast to the above, one association noted that some new members gave up their plots after only a couple of months.

In addition, the Paisley Florists Society Gardening Club, which does not run a site but performs key educational and peer advice functions, had to cancel its programme of monthly meetings and the annual Paisley Flower Show at St. Mirin's Cathedral, normally a signature event for community growing in Renfrewshire.

Renfrewshire Growing Grounds Forum – 2021 Activities

Despite the impacts of the pandemic, the Council has continued to provide support and guidance through the Renfrewshire Growing Grounds Forum. Two online meetings of the Forum were held in 2021 and enabled the sharing of information, provision of advice on statutory guidance and assistance to local growing organisations.

These efforts supported the following outcomes:-

- Two local groups were able to participate in the online 2021 Paisley Food Festival from 15th – 24th April, with Media students from West College Scotland providing filming and photography assistance.
- Erskine Community Allotments Association was able to report that a CBeebies film crew had spent a week filming at their allotment garden, for an episode of the children's programme "Molly and Mack", which had not been possible in 2020.
- The charitable organisation Pachedu, which works with minority groups, had been put in touch with WEGGA and had taken over a vacant double plot at the Sanctuary Garden in Paisley for its members who were interested in growing vegetables.
- A presentation about the Scottish Government, Creative Scotland and NHS funded Covid Community Memorial Programme was provided by OneRen's Place Partnership and a number of local growing groups had expressed an interest in participating.
- On-site meetings were held to assist in finding new occupiers for the Green Buds Community Garden in Paisley, which the Renfrewshire Learning Disabilities Service could no longer maintain, at the same time potentially providing service expansion opportunities for Barnardo's and a new site for the Grow in Glenburn group.



Funding for Community Projects

In March 2018, the Council established a Community Empowerment Fund (CEF) of £1.5 million which aims to support community organisations that wish to acquire and develop community assets. A Green Spaces, Parks and Play Areas and Villages Investment Fund of £1.87 million was also established by the Council at that time to support communities to develop, improve and use their local green spaces - including allotments, growing grounds and community garden projects.

In 2019 these sources had allocated a total of £72,059 for community food projects in Renfrewshire. Covid-19 associated problems in 2020 and 2021, set out above, meant that allotment associations and community gardening groups could not get together as readily to develop projects to the funding application stage. Therefore, the level of activity continued to be reduced in 2021.

Some projects did make good progress towards potential funding awards and these are summarised in Appendix 1.



Summary of Key Issues



The total area of the six allotment sites owned by the Council and leased to Allotment / Growing Ground Associations extends to 3.3 Ha, or thereby.



Plot rents are fair and vary from £10 per annum for a small plot, to £30 per annum for a large plot. The rents are decided by the local Allotment Association.



There are 351 allotment plots (including raised beds). The number of plots increased by four in 2021, as a result of additional raised beds being created at the Sanctuary Garden in Paisley.



The Renfrewshire Food Growing Strategy 2020-25 references a total of 27 community growing spaces in Renfrewshire and sets out how the Council aims to improve the quality and quantity of growing grounds in partnership with relevant stakeholders.



There were 120 people on the waiting list at the end of 2021, but no individual or group has been on the waiting list for five years.



Significant financial support remained available to community groups and allotment associations to develop and improve growing grounds in Renfrewshire through the Community Empowerment Fund, Green Spaces, Parks and Play Parks and Villages Investment Fund and, in some cases, Local Partnerships which have identified open space enhancements as a local priority for support.



The Council is comfortably below the statutory 50% ratio between waiting lists and plot numbers across Renfrewshire, which would require the Council to consider a new Allotment provision.



Table 3: Renfrewshire Council Allotments Annual Report 2021 - Summary

Item	Information required	Allotment Sites					
		Brediland Allotments	Broadloan Gardens	Erskine Community Allotments	Grow in Glenburn	Sanctuary Garden	West End Allotments
A i	Site location	Cardell Drive, Paisley	Broadloan, Renfrew	Barwood Road, Erskine	Glen Park, Glenfield Rd, Paisley	Underwood Rd, Paisley	Douglas Street Paisley
A ii	Site size	0.9 ha	0.4 ha	0.9 ha	0.4 ha	0.3 ha	0.4 ha
B	Number of plots	63 (plus 8 outside boxes not included in total)	65	44	44 (comprising 23 plots at 5x5m, 5 plots at 2x2m and 16 raised beds).	112 (plus 4 polytunnel beds not included in the total)	23
C	Percentage of the site not subleased	17% (doocots)	0%	0%	21% (habitat)	18% (car park)	6% (tyre store)
D	No. of Plots let directly to growers(Nil)	N/A	N/A	N/A	N/A	N/A	N/A
E	Sites leased by the Council (Nil)	N/A	N/A	N/A	N/A	N/A	N/A
F	Lease period to association	Annual	20 years	Not yet in place but 25-year term requested by Association.	10 years	11 months, then Annual	Annual
G	Rent payable to Renfrewshire Council (RC)	£1 if asked	£1 if asked	£1 if asked	£1 if asked	£1 if asked	£1 if asked
H	Plot rents (£)	Large: £25 Med: £20 Small: £15	Large: £30. Small: £20 "Starter": £15 Community groups: £0 (5 groups had plots)	£20 full plot; £10 half plot	£25 per plot. £12.50 per raised bed.	£30 for double raised bed plot. Group rate £34 for double raised bed. (Polytunnel beds £15)	Large: £20. Small: £10.

Table 3: Renfrewshire Council Allotments Annual Report 2021 - Summary Continued

Item	Information required	Allotment Sites					
		Brediland Allotments	Broadloan Gardens	Erskine Community Allotments	Grow in Glenburn	Sanctuary Garden	West End Allotments
I	How rents are decided	Assoc. AGM	Assoc. AGM	Assoc. AGM	Assoc. AGM	Assoc. AGM	Assoc. AGM
J	Waiting list numbers RC list: 29 Total: 120 (as at 07.10.21).	16	18	54	2	0	1
K	No. of people on waiting list for 5 or more years	Nil	Nil	Nil	Nil	Nil	Nil
L	Steps taken by Council to reduce waiting lists	Nil	Nil	Nil	Nil	Plots still vacant at end of 2021	Nil
M	Reasons for failure to comply with (I) above.	Affected by Covid-19 restrictions	Affected by Covid-19 restrictions	Affected by Covid-19 restrictions	Affected by Covid-19 restrictions	N/A	Affected by Covid-19 restrictions
N	No. plots accessible to a disabled person	N/A. (4 members class themselves as disabled)	N/A. (3 members identify themselves as disabled)	N/A. (2 disabled groups with a plot each)	N/A. (6 new raised beds constructed to replace existing decaying beds).	N/A. (currently 2 disabled members)	N/A
O	No. plots adjusted by RC to meet needs of disabled persons	Nil	Nil. One plot holder adapted his own plot.	Nil, but 1 plot with raised beds and another with partial raised beds and rest of ground with agreed "no dig" management to recognise plot holder's ill-health.	Nil	Nil but WEGGA installed a toilet suitable for disabled people.	Nil

Table 3: Renfrewshire Council Allotments Annual Report 2021 - Summary Continued

Item	Information required	Allotment Sites					
		Brediland Allotments	Broadloan Gardens	Erskine Community Allotments	Grow in Glenburn	Sanctuary Garden	West End Allotments
P	No. people applying for adapted plot or for adjustment to existing	Nil	3	Nil	Nil	Nil	Nil
Q	i) Income received: ii) Expenditure incurred (by the Council).	£1	£1	£1	£1	£1	£1
		£Nil	£Nil	£Nil	£Nil	£Nil	£Nil
R	AOB prescribed by Scot Government	N/A	N/A	N/A	N/A	6 double raised bed plots retained for communal use, with produce shared with "Friends of Sanctuary Garden" – new category of members who do not hold plots.	N/A

APPENDIX 1 - Renfrewshire Council Grant Awards 2021

Allotment Associations and Growing Ground Associations

1 Community Empowerment Fund

No new applications in 2021 reached the stage at which they would have been submitted for approval by the Communities, Housing & Planning Policy Board. The Fund remained open through 2021 and should start to see renewed interest from community growing groups in 2022.

Award	Receiving Organisation	Date	Purpose
The Fund allows eligible Community Transfer Bodies to apply for support of up to £5,000 for feasibility investigations into potential community gardens and then up to £50,000 to deliver the resulting project.	So far, all applying community gardening groups in Renfrewshire have been accepted as eligible Community Transfer Bodies under the legislation	Ongoing	To help community groups to take on Council assets successfully and deliver initiatives which benefit their local communities.

2 Green Spaces, Parks and Play Parks and Villages Investment Fund

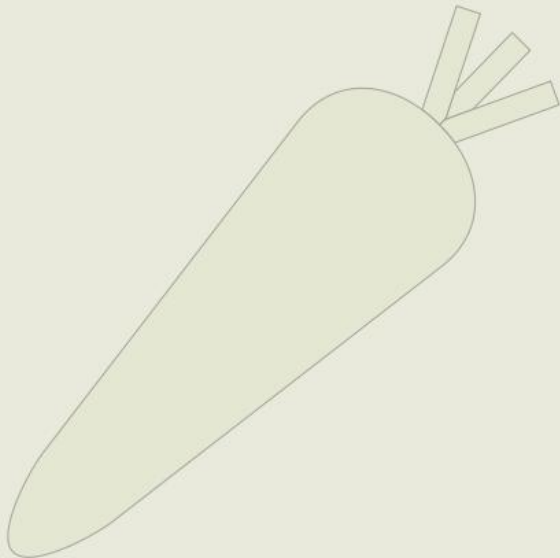
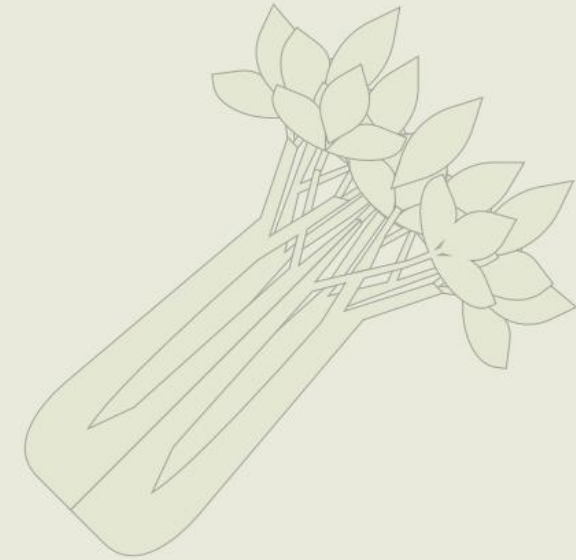
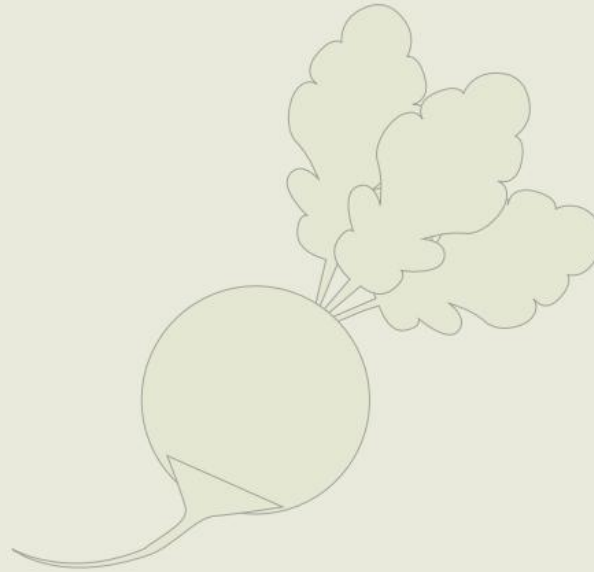
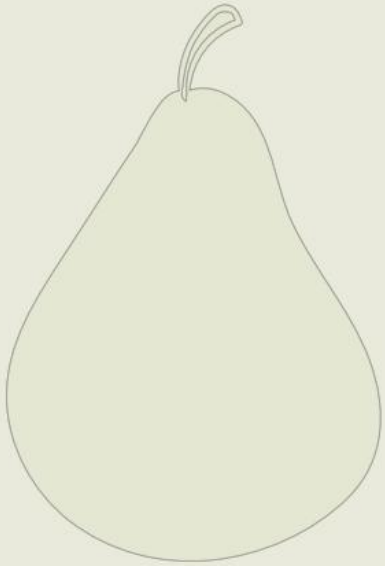
Continuing restrictions associated with the Covid-19 pandemic meant that fewer community growing groups than usual were able to develop larger scale projects to the stage at which applications could be placed before the Communities, Housing and Planning Policy Board for approval.

Award	Receiving Organisation	Date	Purpose
£40,000	Friends of West Primary School	18th May 2021	Restoration of Maxwellton Park Sensory Garden (originally created in 2006)
£14,000	Rossland Circle Community Garden	18th May 2021	Purchase of area of neglected vacant ground in Bishopton to create a community garden.
£5,000	Kilbarchan Improvements Organisation	Delegated Authority noted on 18th May 2021	Improvements to the Old Library – Kilbarchan, Community Garden
£4,900	West End Growing Grounds Association (WEGGA)	Delegated Authority noted on 18th May 2021	Purchase and supply of bank of tools for use by gardeners in the Sanctuary Community Garden.
£10,000	Charleston Tenants and Residents Association	17th August 2021	Creation of a community garden in a bare, underused area of open space surrounded by high-rise flats.

3. Local Partnerships

In some cases, Local Partnerships have identified open space enhancements as a local priority for support, meaning that they are able to offer grants towards local community projects in the growing sector. Successful applications to Local Partnerships in 2021 were as follows:

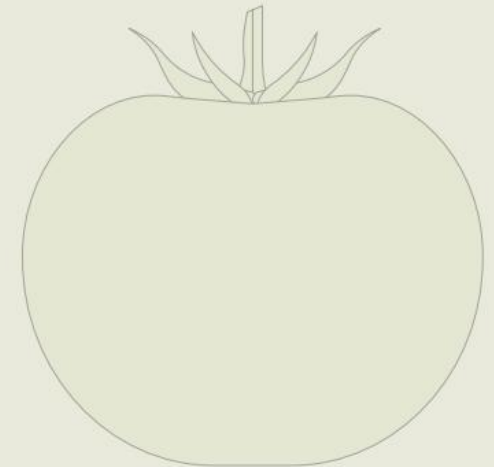
Award	Receiving Organisation	Date	Purpose
£2,000 by Gleniffer Local Partnership	30th Paisley & District St. Peter's Scout Group	1st June 2021	Part of £7,000 bid, of which £2,000 was to be allocated to garden project in the church grounds
£6,300 by Paisley East Local Partnership	Friends of Barshaw Park	16th June 2021	£8,300 requested for items including rainwater harvesting system and a composting toilet for use in the walled garden maintained by the Friends.
£2,050 awarded by Paisley North, West & Central Local Partnership	Renfrewshire Environmental Trust	15th June 2021	"Spuds for Buddies" Project.
£1,273.74 awarded by Paisley North, West & Central Local Partnership	Friends of Barshaw Park	15th June 2021	£2,000 requested for Growing Proud Community Connections For Wellbeing and Health project



Chief Executive's Service
Renfrewshire Council
Renfrewshire House
Cotton Street
Paisley
PA1 1JD

Tel: 0300 300 0144

E: strategyandplace@renfrewshire.gov.uk





To: Infrastructure, Land & Environment Policy Board

On: 23 March 2022

Report by: Head of Economy and Development

Heading: Lease of 7, 9, 11 and 13 Dunlop Crescent, Renfrew

1. **Summary**

- 1.1 This report advises the Board on the provisional terms and conditions proposed for a lease of 7,9,11 and 13 Dunlop Crescent, Renfrew.

2. **Recommendations**

- 2.1 It is recommended that the Board -
- i) Grant authority to the Head of Economy and Development and the Head of Corporate Governance to conclude a lease of 7, 9, 11 and 13 Dunlop Crescent, Renfrew on the terms and conditions contained in this report.
-

3. **Background**

- 3.1 In December 2018 the Leadership Board approved a new Invest in Renfrewshire initiative targeting businesses looking to make their first step into commercial premises. The first of these initiatives converting vacant, Council owned retail units to low-cost but good quality workspaces, operated by a third-sector partner, is now running successfully at George Street, Paisley under the banner 'Start-Up Street'. Further vacant retail units have been identified at Dunlop Crescent, Renfrew which will follow the same model. In this case to be operated by an enterprise trust, LESL who have significant experience in delivering such initiatives such as Business Gateway services.

- 3.2 Participating businesses will benefit from an on-site business advisor, training space and a shared reception and be able to occupy space for up to two years with lease costs incrementally increasing until they are ready to move to an alternative commercial space in Renfrewshire. The operator will cover revenue and operational costs through the sub-letting of space, to those they are working with, and through grant programmes.
- 3.3 Significant refurbishment and upgrade works are being undertaken by the Council at the Renfrew premises to facilitate the initiative. The four units involved are all vacant former office and shop properties and are part of the Housing Revenue Account portfolio. Shopfront improvements and the removal of a dilapidated canopy and new security grills were installed at a cost of £110,000 in 2020 through the Town Centre Capital Fund. Further capital funding for this specific project was agreed by Leadership Board in September 2021 from the Place Based Investment Programme. Enabling works and asbestos removal have been completed at a cost of £50,000 with main fit-out works being tendered and due to start in April. These works will make internal connections between units 7, 9, 11 and 13 and separate out units 15 – 17 as a stand-alone unit for commercial let.
- 3.4 A lease of 5 years is proposed for units 7-13. A period of discounted rent is proposed as the purpose of the facility is to deliver business creation and economic development outcomes for the local area.
- 3.5 Discussions have taken place with LESL and the following main terms and conditions of lease have been provisionally agreed.
4. **Proposed terms and conditions of lease;**
- i) The date of entry shall be at a mutually agreed date, once the upgrading works have been concluded.
 - ii) The lease shall be for a period of 5 years and shall be on the Council's standard Full Repairing and Insuring style of lease. A break option will be available to both parties at 2.5 years.
 - iii) The initial rent shall be £1.00 pa (if asked), reviewed to market value at 2.5 years.
 - iv) The premises shall be used as a business development hub only.
 - v) Each party shall bear their own legal and professional expenses incurred.
 - vi) Any other reasonable terms and conditions considered necessary to protect the Council's interest.

Implications of the Report

1. **Financial** – No initial rental income.

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

3. **Community Planning**

Our Renfrewshire is thriving – This proposal will support additional business start-up growth and sustainment in Renfrewshire and will occupy vacant space within Renfrew town centre.

4. **Legal** – Property leases required.

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.

13. **Climate Risk** – None.

List of Background Papers

i) Report to Leadership Board on 15th September 2021: Place Based Investment Fund 2021/22.

Author: Aileen Johnston, Principal Estates Surveyor

