

## Minute of Meeting

### Infrastructure, Land and Environment Policy Board

Date	Time	Venue
Wednesday, 27 January 2021	13:00	Microsoft TEAMS Platform,

#### Present

Councillor Jennifer Marion Adam-McGregor, Councillor Stephen Burns, Councillor Jacqueline Cameron, Councillor Michelle Campbell, Councillor Carolann Davidson, Councillor Eddie Devine, Councillor Audrey Doig, Councillor Natalie Don, Councillor Neill Graham, Councillor John Hood, Councillor Karen Kennedy, Councillor Scott Kerr, Councillor James MacLaren, Councillor Cathy McEwan, Councillor Will Mylet

#### Chair

Councillor McEwan, Convener, presided.

#### In Attendance

G McNeil, Director of Environment & Infrastructure; S Marklow, Strategy & Place Manager and G Crawford, Senior Communications Officer (both Chief Executive's); O Reid, Head of Communities & Public Protection and C Dalrymple, Communities & Regulatory Manager (both Communities & Housing Services); G Hutton, Head of Operations & Infrastructure, K Anderson, Amenity Services Manager - Waste, G Hannah, Strategic Change Manager, K Gray, Streetscene Manager, D Kerr, Service Co-ordination Manager, S Heron, Facilities Manager (Soft Services) and L Rennie, Operations Manager (all Environment & Infrastructure); and J Lynch, Head of Property Services, G Dickie, Partnering & Commissioning Manager, M Law, Senior Asset & Estates Surveyor, D Pole, End User Technician, F Hughes, Asset Manager, D Farrell, Finance Business Partner and R Devine, Senior Committee Services Officer and P Shiach, Committee Services Officers (all Finance & Resources).

#### Declarations of Interest

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

## **Recording of Meeting**

Prior to the commencement of the meeting the Convener intimated that this meeting of the Board would be recorded and that the recording would be available to view on the Council's website.

### **1 Revenue and Capital Budget Monitoring Report**

There was submitted a Revenue and Capital Budget Monitoring report by the Directors of Finance & Resources, Environment & Infrastructure and Communities & Housing Services for the period 1 April to 13 November 2020.

The report stated that the projected revenue outturn as at 31 March 2021 for all services reporting to this Policy Board was an overspend position of £1.824 million against the revised budget for the year. The projected capital outturn as at 31 March 2021 for projects reporting to the Board was a breakeven position against the revised budget for the year. Summaries were provided over the relevant services in the tables within the report, together with further analysis. It was noted that for financial year 2020/21 the projected outturn position was split into core and Covid-19 related variances. It was highlighted that budget adjustments, totalling £0.334 million, comprising budget carry forwards from 2020/21 to 2021/22 of £0.100 million in the Roads/Footways Upgrade Programme; £0.125 million for the Bridge Assessment/Strengthening budget; and £0.228 million for the Parks Improvement Programme, together with an increase in the 2021/22 Vehicle Replacement Programme of £0.173 million had been processed since consideration of the previous report.

#### **DECIDED:**

(a) That the projected Revenue outturn position as detailed in table 1 of the report be noted, acknowledging that the forecast position was based on best estimates and confirmed government support at this point in time and that forecasts were likely to be subject to considerable fluctuation as the full service implication and associated costs of the pandemic became clearer;

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

(c) That the budget adjustments, detailed in section 5 of the report, be noted.

### **2 Service Update and Performance Scorecard: Environment & Infrastructure**

There was submitted a joint report by the Directors of Environment & Infrastructure and Communities & Housing Services relative to the Service Improvement Plan 2019/20 for Environment & Infrastructure Services which outlined priorities to Spring 2021, key areas of focus and plans to support the Council's recovery plans.

Appended to the report was a performance update, covering all performance indicators and actions within the Service Improvement Plan 2019/20, for the period to September

2020. It was highlighted that elements of the report would also be submitted to the meeting of the Finance, Resources & Customer Services Policy Board to be held on 3 February 2021 in respect of those areas of service activities that were within that Policy Board's remit. It was noted that an update report had also been submitted to the meeting of the Communities, Housing & Planning Policy Board, held on 19 January 2021, in relation to those elements of the Plan that were within that Policy Board's remit.

The report advised that Service Improvement Plans for 2020/21 had been developed for all Council Services, with the Service Improvement Plan 2020/21 for Environment & Infrastructure Services being approved at the meeting of this Policy Board held on 18 March 2020. It was noted that the majority of the agreed actions and activities within that Plan had not proceeded or were not being undertaken in the same way due to Covid-19. In addition, it was noted that work was being progressed to develop Service Improvement Plans for 2021/22 in relation to all Council Services and that these Plans would have a strong focus on recovery and renewal rather than solely improvement and be linked to the recovery plans being developed and delivered by Services.

**DECIDED:**

- (a) That the performance information for quarters 1 and 2 of 2020/21, as appended to the report, be approved; and
- (b) That otherwise the report be noted.

### **3 Renfrewshire Council Carbon Management Plan 2014/20: Update 2019/20**

There was submitted a report by the Director of Finance & Resources relative to progress achieved during 2019/20 in delivering the Renfrewshire Council Carbon Management Plan 2014/20.

Renfrewshire Council Carbon Management Plan 2014/20 (the Plan), approved at the meeting of the Council's former Planning & Property Board held on 11 November 2014, quantified the Council's carbon emissions, from an established baseline of 53,515 tonnes of carbon dioxide, with the aim of reducing this 2012/13 level by 36%, by March 2020.

Reference was made within the report to the recognition by Renfrewshire Council that climate change would have far reaching effects on Renfrewshire's economy, people and environment. The Council was determined to lead by example in tackling the causes of climate change. In this connection, at the meeting of the Council held on 27 June 2019 a Climate Emergency had been declared with a view to working towards Renfrewshire being carbon neutral by 2030. It was also highlighted that a Climate Emergency Sub-Committee had also been established with key priorities, including an adaptation plan, engagement etc, developed to March 2021. The report advised that the final update figure achieved, as at March 2020, showed a reduction of 60% against the baseline carbon emission levels and detailed measures that had contributed to this position. The report indicated that future plans and initiatives would be set as part of Renfrewshire's aspiration to become carbon neutral by 2030.

**DECIDED:** That the report be noted.

#### **4 Renfrewshire Biodiversity Duty Report 2018/20**

There was submitted a report by the Chief Executive relative to the Renfrewshire Biodiversity Duty Report 2018/20.

The report advised that the Nature Conservation (Scotland) Act 2004 set out that all public bodies had a duty to further the conservation of biodiversity. The Wildlife and Nature Conservation (Scotland) Act 2011, which amended the 2004 Act included a requirement that public authorities prepare a report every three years on the actions undertaken to meet biodiversity duties. A copy of the proposed Renfrewshire Biodiversity Duty Report 2018/20 was appended to the report. A summary of actions, progress and achievements during 2018/20 was provided within the report. It was highlighted that the Renfrewshire Biodiversity Duty Report 2018/20 would be published on the Council's website.

**DECIDED:** That the Renfrewshire Council Biodiversity Duty Report 2018/20, a copy of which was appended to the report, be noted.

#### **5 The Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) (Number Two) Compulsory Purchase Order 2021**

There was submitted a joint report by the Chief Executive and Director of Finance & Resources relative to the Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) (Number Two) Compulsory Purchase Order 2021.

The report provided details of land required to implement the Clyde Waterfront and Renfrew Riverside, City Deal Project (the "Project") and which was to be included in the associated Compulsory Purchase Order (CPO) to facilitate the proposed City Deal infrastructure development. A summary of the Project was provided together with the associated benefits. The report indicated that planning consent for the Project had been granted by Scottish Ministers on 16 November 2018 while the Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) Compulsory Purchase Order 2018 had been approved by Scottish Ministers on 4 September 2020. It was highlighted that the planned infrastructure of the Project required the acquisition of an area of land, extending to 29 square metres, at Lobnitz Dock, Meadowside Street, Renfrew, identified on plan E3061 a copy of which was appended to the report which had not been included in 2018 CPO. This land had originally been identified as being within the ownership of the Crown Estate and was therefore excluded from the CPO as it was not competent to include Crown Estate land in a CPO. Subsequent title checks and discussions with the Crown Estate had subsequently confirmed that the property remained in the ownership of Thos. W Ward Limited. It was noted that voluntary purchases had been completed for all land and rights required in terms of the Project which were located within the Glasgow City Council and West Dunbartonshire Council areas.

Scottish Ministers encouraged authorities to recognise that in some cases acquiring all interests by agreement may not be possible or practicable in a reasonable time or at a reasonable cost. As a result, Ministers encouraged authorities to use CPO proactively and positively to promote sustainable economic growth, improve the quality of life and bring real benefits to Scotland's Communities. Scottish Government guidance recommended a "twin track" approach to land acquisition in order to provide a greater degree of certainty on programmes should voluntary negotiations falter and to resolve any defects in the title in the land to be acquired. It was noted that the Council continued to adopt an approach of pursuing acquisition of the land, identified on plan E3061 on a voluntary basis while at the same time progressing with the preparation of the CPO and

that the CPO would be used as a fall back in the event of failure to reach agreement with the affected parties.

**DECIDED:**

(a) That the making of a Compulsory Purchase Order to acquire, from Thos. W Ward Limited (Company Number 00081020), the titles and interests in the land identified on Plan E3061, a copy of which was appended to the report be approved to complete implementation of the Project should voluntary acquisition not be achieved within the project timescales;

(b) That it be noted that all land required for the Project located outside the Renfrewshire area had been secured and that the Renfrewshire Council (Clyde Waterfront and Renfrew Riverside, City Deal) Compulsory Purchase Order 2018, which covered all the other land required within Renfrewshire, had been approved by Scottish Ministers and became operative on 4 September 2020; and

(c) That it be noted that voluntary acquisition discussions would continue concurrently with the publication of the Compulsory Purchase Order and that voluntary acquisition would be progressed if practicable.

## **6 Howwood Public Park - Community Asset Transfer Request Community Empowerment (Scotland) Act 2015**

There was submitted a report by the Director of Finance & Resources relative to the proposed lease of the Pavilion at Howwood Public Park to Friends of Howwood Park following receipt of a community asset transfer request in terms of the Community Empowerment (Scotland) Act 2015.

The report advised that the Community Empowerment (Scotland) Act 2015 (Part 5) sought to encourage community groups to take control of publicly owned assets by lease or ownership, where the Community group was a community-controlled body and proposed to utilise the asset for the wider benefit of the community.

A Community Asset Transfer request for a 10-year lease of the Pavilion at an annual rent of £1, had been received from the Friends of Howwood Park group. This constituted group had been looking to improve the park for the benefit of the community and now specifically wished to refurbish the Pavilion. The Group met the requirements of the Community Empowerment Act. The report indicated that the Council currently held the Howwood Public park in terms of a Trust Deed granted to it by William and Margaret Houstoun in 1929, to retain the park for the benefit of the residents of Howwood for recreational purposes. Confirmation had been received from the Head of Corporate Governance that this burden, would not prevent the Council from granting a lease to a group, as long as the aims of the Group were to continue with the requirements of the Trust deed. The Pavilion, as indicated on plan E289, a copy of which was appended to the report, had not been used for a considerable period and had fallen into disrepair, such that it was no longer in a fit condition for use.

The report indicated that consultation had been undertaken with the local community in respect of the proposed Community Asset Transfer application resulting in positive feedback being received from respondents. The Asset Transfer Panel, which comprised officers, had convened on 4 December 2020 to consider the application. Concerns were raised about the Group's reliance on grant funding to undertake the proposal, in particular

an assumption of a substantial grant from the Council's Community Empowerment Fund, which was not guaranteed, however it was acknowledged that the Group's proposal had considerable merit, was well costed and presented. In terms of the scoring matrix used to determine such applications a positive outcome was obtained. Furthermore, it was recognised by the Panel that the application had been submitted by a constituted group with previous experience of working with Council officers to upgrade the play equipment within the park and who had brought forward a proposal which, if successful, would bring into use a facility which was currently in disrepair, and assist the community in working together to improve community facilities, for the benefit of the community. It was noted that to obtain grant funding, the Group required to secure the property by lease, and while currently they had not secured sufficient funding for their proposal, the Asset Transfer Panel agreed to recommend the application to the Policy Board, subject to the proviso that it was subject to the Group securing sufficient funding to achieve the refurbishment proposals.

**DECIDED:**

(a) That the grant of a lease of the Pavilion at Howwood Public Park, identified on the plan appended to the report, to the Friends of Howwood Park group be approved in terms of the Community Empowerment (Scotland) Act 2015; and

(b) That the Head of Property Services and the Head of Corporate Governance be authorised to conclude the lease on the terms and conditions detailed in the report and any others required to protect the Council's interest.

## **7 Outcome of 2017 Rating Revaluation**

There was submitted a report by the Director of Finance & Resources relative to the outcome for Renfrewshire Council property interests of the 2017 Non-Domestic Rating Revaluation appeals process.

The report advised that non-domestic rates payments were collected by the Local Authority. Renfrewshire Council, as occupier, was liable to pay non-domestic rates as a property running cost. Consequently, it was in the Council's interest to endeavour to minimise new rating assessments, proposed by the Assessor, in each revaluation cycle. The report stated that for the 2017 revaluation, generally, all assessments where the Council had an operational interest had been appealed and summarised the approach to the settlement of the appeals together with the results.

Discussion had continued, after April 2017 with the Assessor to attempt to limit the extent of appeals which were required for the Council's property portfolio. The outcome of this exercise was that non-operational commercial retail and industrial properties, let to external tenants, along with vacant low value operational property which were below the Non-Domestic Rates collection threshold of £1,700 nett annual value were generally not appealed, except where the Council had some specific interest, in order to concentrate resources. All other operational properties were appealed during September 2017 to seek to minimise their rating assessments. The report provided a summary of the appeals process and the outcome of the appeals submitted.

It was noted that the current revaluation cycle had been extended until 1 April 2023 and that the savings achieved would be applicable over a six-year period from 1 April 2017.

**DECIDED:**

(a) That it be noted that Renfrewshire Council's property portfolio had been reviewed to ensure that the Council paid what was appropriate for Non-Domestic Rates for its operational and non-operational property interests, where it had an interest;

(b) That it be noted that it had been considered appropriate for the Council to appeal valuations and seek reductions in respect of 354 properties and that appeals had resulted in a reduction in Rateable Value of £954,450, which translated into an estimated cash value saving of approximately £553,905 per annum, including default water rates, or an estimated total cash value saving of £3.23 million over the period 1 April 2017 to 31 March 2023, when the next revaluation was scheduled to take effect; and

(c) That it be noted that the total appealed Rateable Value for the 354 Renfrewshire Council's property interests, based on the Valuation Roll prepared by the Renfrewshire Valuation Joint Board (the Assessor) and effective from the revaluation date of 1 April 2017, was recorded at £18,578,750, where there was an actual or potential tax liability.