

## **WEST DUNBARTONSHIRE COUNCIL**

At the Meeting of West Dunbartonshire Council held in the Council Chamber, Council Offices, Garshake Road, Dumbarton on Wednesday, 29 June 2016 at 5.06 p.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, George Black, Jim Bolland, Jim Brown, Gail Casey, Jim Finn, William Hendrie, David McBride, Jonathan McColl, Michelle McGinty, Patrick McGlinchey, Marie McNair, John Millar, John Mooney, Ian Murray, Lawrence O'Neill, Tommy Rainey, Gail Robertson, Martin Rooney, Kath Ryall and Hazel Sorrell.

**Attending:** Joyce White, Chief Executive; Angela Wilson, Strategic Director – Transformation and Public Service Reform; Keith Redpath, Chief Officer of the Health & Social Care Partnership; Peter Barry, Strategic Lead – Housing & Employability; Malcolm Bennie, Strategic Lead – Communications, Culture and Communities; Ronnie Dinnie, Strategic Lead – Environment & Neighbourhood; Peter Hissett, Strategic Lead – Regulatory; Jim McAloon, Strategic Lead - Regeneration; Laura Mason, Chief Education Officer; Stephen West, Strategic Lead - Resources; Pamela Clifford, Planning and Building Standards Manager; Craig Jardine, Programme Manager; Gillian McNeilly, Finance Manager and Christine McCaffary, Senior Democratic Services Officer.

**Also Attending:** Karen Cotterell, Senior Auditor, Audit Scotland.

**Provost Douglas McAllister in the Chair**

### **MINUTE OF SILENCE**

Having heard Provost McAllister, the Council agreed to observe a minute's silence as a mark of respect for Jo Cox MP, who had been killed whilst carrying out her constituency duties in Yorkshire; and also for those killed in recent terrorist attacks on Pulse nightclub, Orlando, Florida and Ataturk Airport, Istanbul.

## **URGENT ITEM OF BUSINESS**

Having heard Provost McAllister inform the Council that he had received an Emergency Notice of Motion from Councillor Bollan in relation to the rise in xenophobic incidents, the Council agreed that the matter would be dealt with at the end of the business on the agenda.

## **DECLARATIONS OF INTEREST**

Councillors McGlinchey, Rainey and Rooney declared interests in Item 6(b) – DC15/043: Erection of Residential Development at Lomondgate Area 5 (land to south of A82 and north of Dumbarton Golf Course, Dumbarton), all being members of Strathleven Regeneration Board, stating that they would leave the meeting during consideration of this item.

## **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of West Dunbartonshire Council held on 27 April 2016 were approved, subject to the following corrections:-

- (1) That the minute for agenda item 11 – ‘Dalmonach C.E. Centre Options Appraisal’ be amended to show that Councillor Bollan had accepted from Councillor Robertson the following addendum to his amendment:-

“Should the user groups find the portacabin option unsuitable then an alternative temporary facility adjacent to the current Centre should be provided.”; and

- (2) To note that agenda item 12(b) – ‘Motion by Councillor Patrick McGlinchey – Tackling Structural Inequality in Scotland’ had been withdrawn.

## **MINUTES OF AUDIT & PERFORMANCE REVIEW COMMITTEE**

The Minutes of Meeting of the Audit & Performance Review Committee held on 8 June 2016 were submitted for information, and where necessary, ratification.

## **OPEN FORUM**

The Council noted that no open forum questions had been submitted by members of the public.

## **PLANNING APPLICATIONS**

Reports were submitted by the Strategic Lead – Regulatory on the undernoted planning applications.

A presentation on each application was given by the Planning and Building Services Manager in view of both applications relating to major developments which would be significant departures from the adopted development plan and there being a statutory requirement for applications of this nature to be determined by full Council.

**(a) DC16/022: Residential development with associated Access, open space and landscaping etc. on land Opposite Strathleven Park Estate, Stirling Road, Bonhill**

After discussion and having heard the Planning and Building Standards Manager and Strategic Lead – Regulatory in answer to Members' questions, Councillor O'Neill, seconded by Councillor McColl, moved:-

That the Council agrees to grant planning permission subject to the conditions set out in Section 9 of Appendix 1 of the report, details of which are contained in Appendix 1 to these minutes, and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a financial contribution to the Loch Lomond Rugby Club.

As an amendment, Councillor Bollan, seconded by Councillor Black, moved:-

To mitigate the deviation from the Local Development Plan and to provide benefit for local people, Council is minded to agree the application subject to 25% of the properties being affordable properties for rent in the public independent sector.

With almost 4,000 applicants on the Council Housing waiting list it is critical we take all measures we can to reduce the numbers of families on the waiting lists.

While the Council is making every effort through its own Housing Building programme this is not enough and we need a policy which will determine that a minimum of 25% of units in every private housing development in West Dunbartonshire will be for affordable public rent in the public independent rented sector."

On a vote being taken, 2 Members voted for the amendment and 20 for the motion, which was declared carried.

Having expressed declarations of interest earlier in the meeting, Councillors McGlinchey, Rainey and Rooney left the Chamber before discussion on the following item of business took place.

**(b) DC15/043: Erection of residential development at 51 Lomondgate Area 5 (land to south of A82 and north of Dumbarton golf course, Dumbarton)**

After discussion and having heard the Planning and Building Standards Manager in answer to Members' questions, Councillor O'Neill, seconded by Councillor Agnew, moved:-

That the Council agrees to grant planning permission subject to the conditions set out in Section 9 of Appendix 1 of the report, details of which are contained in Appendix 2 to these minutes, and to the completion of statutory notification of the Scottish Ministers.

As an amendment, Councillor Bollan, seconded by Councillor Black, moved:-

To mitigate the deviation from the Local Development Plan and to provide benefit for local people, Council is minded to agree the application subject to 25% of the properties being affordable properties for rent in the public independent sector.

With almost 4,000 applicants on the Council Housing waiting list it is critical we take all measures we can to reduce the numbers of families on the waiting lists.

While the Council is making every effort through its own Housing Building programme this is not enough and we need a policy which will determine that a minimum of 25% of units in every private housing development in West Dunbartonshire will be for affordable public rent in the public independent rented sector.

On a vote being taken, 2 Members voted for the amendment and 16 for the motion, which was declared carried.

Note: Councillors McGlinchey, Rainey and Rooney returned at this point in the proceedings.

### **GLASGOW CITY REGION CITY DEAL – UPDATE**

A report was submitted by the Strategic Lead – Regeneration providing an update on the progress with the implementation of the Glasgow City Region – City Deal.

Councillor McGlinchey provided the Council with an update from the City Deal Cabinet meeting that he had attended recently and moved the recommendations in the report, namely:-

- (1) to note the progress with the implementation of the Glasgow City Region City Deal;
- (2) to note that the Exxon project will continue to be reported to Council in the regular General Services Capital reports; and

- (3) to note that future reports to the Infrastructure Regeneration and Economic Development (IRED) Committee will be provided to expand on any further details as required to update on the Exxon project and site development.

After discussion and having heard the Manager, Economic Development in answer to Members' questions, Councillor McColl asked Councillor McGlinchey if he would accept the following adjustment to his motion to replace paragraph (3) of the motion<sup>1</sup>:-

Council notes that while Glasgow City Region updates will continue to be reported to each full Council meeting, detailed reports on the Exxon project will resume to full Council after expiration of the confidentiality agreement.

Councillor McGlinchey confirmed his acceptance of the adjustment which then became (3) of the motion and the motion was then seconded by Councillor McColl.

As an amendment, Councillor Black, seconded by Councillor Bollan, moved:-

That Council agrees:-

- (1) to note the progress with the implementation of the Glasgow City Region City Deal;
- (2) to note that the Exxon project will continue to be reported to Council in the regular General Services Capital reports; and
- (3) to note that future reports on the Exxon project and site development will continue to be provided to meetings of full Council.

On a vote being taken, 2 Members voted for the amendment and 20 for the motion as adjusted.

## **SUSPENSION OF STANDING ORDERS**

Having heard the Strategic Lead – Regulatory, and in terms of Standing Order 27, the Council agreed unanimously to suspend Standing Order 19 to allow consideration of the next item of business.

## **BALLOCH SCHOOL CAMPUS – REVISED COSTS**

A report was submitted by the Strategic Lead – Regeneration providing financial information relating to the Balloch School Campus.

Note: Councillor Finn left the meeting at this point in the proceedings.

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<sup>1</sup> As corrected by West Dunbartonshire Council at its meeting on 31 August 2016

Councillor McGinty moved that Council agrees:-

- (1) to note the progress made to date on the development of the new Balloch School Campus;
- (2) to the additional allocation of up to £0.888m to address the shortfall, with the additional sum being accommodated within the 2017 Update to the General Services 10 Year Capital Plan, and
- (3) that the Strategic Lead – Regulatory, following consultation with the Strategic Directors of Regeneration, Environment & Growth and of Transformation & Public Service Reform, be authorised to enter into all necessary contracts for the construction of the facility at an anticipated capital cost of no greater than £16.464m.

Councillor McColl asked Councillor McGinty if she would be willing to accept the following addendum to her motion:-

Council agrees the recommendations at para 2.1 of the report and further agrees that officers, taking into account the issues of ground contaminants in West Dunbartonshire (particularly the need for safe disposal of heavy metals and asbestos), should look at all planned development projects and consider whether enough money has been built into the associated contingency funds. Any increases officers consider as prudent should be included in the figures issued for consideration as part of the 2017/18 budget process.

Councillor McGinty confirmed her acceptance of Councillor McColl's addendum, which became (4) of her motion, which was then seconded by Councillor Mooney.

As an amendment Councillor Black, seconded by Councillor Bollan, moved that Council agrees:-

- (1) to note the progress made to date on the development of the new Balloch School Campus;
- (2) to the additional allocation of up to £0.888m to address the shortfall, with the additional sum being accommodated within the 2017 Update to the General Services 10 Year Capital Plan, and
- (3) that a report be brought to Council for consideration, following consultation between the Strategic Lead – Regulatory and Strategic Directors of Regeneration, Environment & Growth and of Transformation & Public Service Reform, on all necessary contracts for the construction of the facility at an anticipated capital cost of no greater than £16.464m.

On a vote being taken, 2 Members voted for the amendment and 19 for the motion which was declared carried.

## **CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT – JULY 2015 TO MARCH 2016**

A report was submitted presenting the West Dunbartonshire Chief Social Work Officer's Annual Report for the first 9 months of the Health and Social Care Partnership, from 1 July 2015 to 31 March 2016.

After discussion and having heard the Chief Social Work Officer in further explanation of the report and in answer to Members' questions, the Council noted the contents of the report and associated Appendices and that the Chief Social Work Officer (CSWO) will make this report available widely within the Health and Social Care Partnership, Council and externally as appropriate.

### **ADJOURNMENT**

At the request of Councillor McNair, the Council agreed to adjourn at 8.05 p.m. for a period of 15 minutes.

Immediately prior to the adjournment, Councillor McBride moved the suspension of Standing Order 6(c) to allow the remaining business on the agenda to be considered beyond 8.30 p.m.

The meeting reconvened at 8.40 p.m. with all those Members shown on the sederunt in attendance, with the exception of Councillor Finn.

### **DRAFT FINANCIAL STATEMENTS 2015/16**

A report was submitted by the Strategic Lead – Resources providing a copy of the draft Annual Accounts for 2015/16 and highlighting matters of interest.

After discussion and having heard the Strategic Lead – Resources in answer to Members' questions, the Council agreed:-

- (1) to note the contents of the report and the attached draft Final Accounts, subject to the understanding that the draft accounts may change depending upon the audit of the accounts undertaken by the Council's external auditors;
- (2) to delegate authority to the Audit and Performance Review Committee to formally approve the audited accounts on 28 September 2016, prior to submission to the Accounts Commission by 30 September 2016;
- (3) to note that a report on the audited accounts will be submitted to Council in October 2016; and
- (4) to note management's proposed 2017/18 budget timetable.

## **DELIVERING FOR THE FUTURE – JOINT WORKING AND SHARING SERVICES**

A report was submitted by the Chief Executive seeking approval to establish a Shared Services Joint Committee that will oversee the operation of, and provide democratic accountability for, shared local authority services for West Dunbartonshire, Inverclyde and East Dunbartonshire Councils.

Councillor McBride moved:-

In October 2014, against a backdrop of increasing demand for services, reducing budgets, and a desire to maintain and where possible to improve the quality of our service provision to local people, this Council agrees its Strategy for delivering for the future.

At that time, we were clear that we would not go down the ALEO route as some Councils have. Instead we were keen to retain the public service ethos and maintain democratic control over our services. This naturally pointed towards sharing and pooling resources to minimise costs; retain jobs and skills locally; and to retain the high quality associated with public service provision.

The Report in front of us today addresses these issues and is also designed to provide us with the long-term, structured approach to service delivery that the Council needs and our staff and residents would expect.

Elected Members already know that local services can be delivered on behalf of the Council using a variety of different models and providers.

There has been engagement with TUs, Elected members and employees in preparation for this Council meeting and Elected Members had the opportunity to hear first-hand about the successes of the Ayrshire Roads Alliance at a recent seminar in Clydebank.

In simple terms: (i) we will be setting up a Joint Committee, comprising a board of democratically elected members; and (ii) we are setting out our intention to include Roads & Transportation as a shared service, within the new arrangements.

West Dunbartonshire Council currently, spends £16.138m on road services. Over the next four years or so, the Council would expect to make savings of around £400k per year by 2020. This would be achieved through removing duplication, sharing of assets, and by using our collective buying power to secure better deals through procurement.

Importantly, we would also be able to maintain the quality of service and provide more development opportunities for our Roads & Transportation staff by moving from a generalist worker model to a more specialist worker model. This approach would also position the organisation to do more work in-house in future.



Council notes that with any change, there will always be challenges and opportunities. We recognise that the staff involved will want reassurance; we also recognise that local residents will be keen to ensure that local services and jobs are protected, and we recognise that elected members will have a real interest in both performance and scrutiny of the new arrangements. These issues will be addressed in the normal way through the governance arrangements, organisational Plans and performance reporting.

Given the above, this Council agrees the recommendations in 2.1 of the report:

- (i) To approve the establishment of a shared services Joint Committee with partner councils;
- (ii) To request the Chief Executive, in conjunction with colleagues in East Dunbartonshire Council and Inverclyde Council, draft the detailed Minute of Agreement for the establishment of the Joint Committee for consideration and approval at a future meeting of the Council;
- (iii) To agree that Roads and Transportation be included in a shared service with East Dunbartonshire and Inverclyde Councils, subject to approval of the joint committee agreement by Council and the subsequent approval of the business case for that to be a shared service by the Joint Committee. Thereafter agrees to the Strategic Lead – Regulatory, concluding a Minute of Agreement with East Dunbartonshire and Inverclyde Councils for the inclusion of Roads and Transportation in the shared service arrangement; and
- (iv) This Council also supports the outline timetable in section 8 of the report.

This Council also requires that the Chief Executive ensures that:

- The final Minute of Agreement referred to in recommendation 2.1 (iii), or the business plans, whichever is the most appropriate, contains detail that protects any budget allocated by this Council to deliver services within this area subject to an equitable allocation of central costs between the Councils involved.
- This will ensure that locally elected members will continue to be involved in setting policy for West Dunbartonshire; while at the same time, accruing the benefits of sharing services with partner Councils.

Following a request from Councillor McColl, Councillor McBride confirmed that he was willing to accept the following addendum to his motion:-

Council further agrees that the business case referred to in para 2.1(iii) of the report must receive the consent of full Council before being submitted for approval by the shared services Joint Committee to allow all members of West Dunbartonshire Council to have a say in the final decision to move forward.

As an amendment, Councillor Bollan moved:-

Council agrees that in view of the lack of agreement by Trades Unions and formal signing off of the report, that this report be remitted back to them for discussion and consultation with their members, signing off and agreement, and the report to then come back to Council for consideration.

Councillor Rooney then asked Councillor McBride if he was willing to accept the following second addendum to his motion:-

Furthermore, this Council notes that the meeting with the Trades Union reps was very positive and they agreed the report and their views are reflected in the motion.

Councillor McBride agreed to the second addendum and his motion, with both addendums, was then seconded by Councillor O'Neill.

Councillor Black seconded Councillor Bollan's amendment at this point in proceedings.

Following debate and on a vote being taken, 2 Members voted for the amendment and 19 for the motion, which was declared carried.

## **REVIEW OF LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS**

A report was submitted by the Strategic Lead – Regulatory requesting consideration on whether to comment on the Local Government Boundary Commission for Scotland ("the Commission") report to the Scottish Government on Local Government Electoral Arrangements.

Councillor Mooney, seconded by Councillor Ryall moved the recommendations contained in the report that:-

The Council agrees to write to the Scottish Government stating its view of the proposals for councillor numbers and Council ward boundaries

As an amendment Councillor McColl, seconded by Councillor Agnew moved:-

Council agrees to write to the Scottish Government in support of the LGBCS report; specifically, we agree that:-

- Council supports the consideration of deprivation in calculating Councillor numbers;
- Council supports retaining 22 Councillors over 6 wards; and
- Council supports the proposed ward boundaries.

On a vote being taken, 7 Members voted for the amendment and 14 for the motion which was declared carried.

### **NOTICES OF MOTION**

#### **(a) Motion by Councillor Jim Bollan – Financial Transaction Tax - FTT.**

This Council notes the suffering forced upon local residents as a result of this Tory Government's cuts programme and asserts that there is an alternative to its ideologically driven attack on public services - namely the levy of a financial transaction tax on the speculative activities that have accelerated the recent enrichment of the few to the detriment of the many. This Council therefore calls upon Government to fully enact the FTT and use the revenues from this measure to reverse ongoing shrinkage in central government grants/funding to Scotland and West Dunbartonshire Council in particular. Council resolves to write to the Prime Minister, the Leader of the Opposition and our local MP stating our support for extending the current FTT to bonds and derivatives.

Councillor McColl asked Councillor Bollan if he would be willing to accept the following addendum at the end of his motion:-

Council does not believe that the UK Government has done enough to foster consensus for a Financial Transaction Tax on an international basis and the letter should ask the Government to ensure that efforts are made by the Foreign and Commonwealth Office and other relevant Government Departments to promote FTT as a positive way forward globally.

Councillor Bollan confirmed his acceptance to the addendum and the motion and the Council agreed the motion.

#### **(b) Motion by Councillor Denis Agnew – St Margaret of Scotland Hospice**

This Council agrees to support St Margaret of Scotland Hospice in its independent and selfless delivery of hospice care.

Furthermore, this Council also supports the core principle of hospice care at St Margaret of Scotland Hospice

Councillor McNair asked Councillor Agnew if he would be willing to accept the following addendum to his motion:-

In addition, Council recognises that there has unfortunately been for many years ongoing uncertainty regarding funding for the hospice.

Council unites on the position that everything possible should be done to remove this uncertainty and that the hospice should be placed on the secure financial footing it deserves.

Councillor Agnew confirmed his acceptance of the addendum, and following discussion and having heard the Chief Officer of the Health & Social Care Partnership, the Council agreed to approve the motion.

**(c) Motion by Councillor John Mooney – Universal Basic Income (UBI)**

West Dunbartonshire Council has a history of supporting ideas and initiatives that can support radical social change and improvement.

We were one of the first Councils in Scotland to campaign for and to introduce the Living Wage. We've also supported TU campaigns against blacklisting, the Trans-Atlantic Trade & Investment Partnership, and the TU Bill.

Council notes the interest in the various campaigns and initiatives to develop the concept of a Universal Basic Income (UBI).

Both Finland and the Netherlands are planning pilot projects to explore the potential of the Universal Basic Income (UBI) concept. The Labour Party and Scottish National Party are also exploring the potential of UBI.

The underlying principle of the Universal Basic Income is that the state unconditionally gives an income to every citizen: This means a Universal Basic Income for: (i) Working-age adults; (ii) Pensioners; and (iii) each child.

There is a variety of potential variations and models which would aim to simplify the current welfare state distribution apparatus potentially saving billions of pounds on administration and targeting these additional resources at citizens.

Given the above, this Council agrees to support in principle the concept of a Universal Basic Income.

This Council also agrees to write to both the UK and the Scottish Government calling on them to explore the potential of UBI as a potential alternative to the current complications and complexities of the UK welfare system.

## Notes

The potential benefits of UBI include:

- (1) a reduction in unnecessary bureaucracy.
- (2) a guaranteed basic income for every citizen.
- (3) the facility to incentivise work in innovative ways.
- (4) the facility to have transitional arrangements from the current system.
- (5) provision of a sustainable system for a future in which fewer people will work full-time throughout their entire working life.
- (6) UBI could considerably increase the income of low earners and reduce child poverty by 45%.

Councillor McColl asked Councillor Mooney if he would be willing to accept the following addendum to his motion:-

Add after paragraph 6 –

Council deplores the UK Government's assault on our welfare state, which is causing hardship and suffering to some of the most vulnerable people in society. Council believes that everyone has the right to live in dignity and free of poverty.

Council believes the UK and Scottish Governments should closely monitor and evaluate the pilots in Finland and the Netherlands to assess whether a universal basic income can potentially provide a foundation to eradicate poverty, make work pay and ensure all of our citizens can live in dignity.

Councillor Black then asked Councillor Mooney if he would be willing to accept a second addendum to his motion, namely:-

Council also commits to ensuring no type of zero hours contracts are used in this authority.

Councillor Mooney confirmed his acceptance to both addendums and the Council agreed to approve the motion.

### **(d) Motion by Councillor David McBride - Relief of Historic Council HRA Debt**

Over the last four years West Dunbartonshire Council has positioned itself into a much stronger position strategically in terms of housing; this has been reinforced and recognised through discussions with the Scottish Government and Scottish Housing Regulator.

The Council has expended record levels of investment in housing, both in terms of the delivery of the new build programme and also accelerating capital programme expenditure to meet the requirements of the SHQS and also to deliver an ambitious housing asset management strategy.

While welcomed and supported by our tenants this has come at a cost and our current rent strategy has required higher than inflation annual rent increases.

In order to make a case for any housing debt write off we need a fuller understanding of our own debt to be able to make the case made to the Scottish Government/UK Treasury.

The potential relief in terms of the historic pre-reorganisation debt of **£9m** alone would have a positive impact on both rent levels and new build council housing delivery and this would still support both UK and Scottish Government current policy direction.

Therefore, this Council agrees:

- (1) to instruct the Strategic Directors with responsibility for Housing and Finance to establish a working group in order to prepare a strong Business Case to support a West Dunbartonshire Council proposal for relief on historic housing debt.
- (2) the Business Case should also highlight the positive impact that this could have on both an increase to council house building in West Dunbartonshire and on current rent council house rent levels.
- (3) the Business Case should also explore the options for other potential debt relief relating to the new investments made since Local Government reorganisation in 1996.
- (4) the Council also agrees to invite UK and Scottish Government Ministers, as well as West Dunbartonshire MP and MSPs, to a Summit on West Dunbartonshire Council Housing Debt in order to promote the benefits of debt write-off for the West Dunbartonshire and Scottish economy.

Councillor Hendrie asked Councillor McBride if he would be willing to accept the following addendum to his motion:-

Add at end –

- (5) An update report will be brought to a future Council meeting when we have a response to our submission.

Councillor McBride confirmed his acceptance to the addendum, and the Council agreed to approve the motion.

## **EMERGENCY NOTICE OF MOTION**

Councillor Bollan moved:-

We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Our Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

We will work to ensure that local bodies and programmes have the support and resources they need to fight and prevent racism and xenophobia across the UK <sup>2</sup>.

We reassure all people living in this area that they are valued members of our community.

The Council agreed to approve the above motion.

The meeting closed at 10.24 p.m.

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<sup>2</sup> As corrected by West Dunbartonshire Council at its meeting on 31 August 2016

**DC16/022: Residential development with associated Access, open space and landscaping etc. on land Opposite Strathleven Park Estate, Stirling Road, Bonhill**

**Permission was GRANTED subject to the following conditions:-**

1. Prior to the commencement of development on site, a phasing plan of how the development will be implemented shall be submitted for the written approval of the Planning Authority. Thereafter the development shall be completed in accordance with the approved phasing plan.
2. No house shall be occupied on site until a scheme for the provision of affordable housing for rent has been submitted for the written approval of the Planning Authority. This scheme shall:
  - (a) Provide that 8 of the approved dwellings are affordable houses available for rent;
  - (b) Provide details of the timing of their provision relative to the phasing of the development. Thereafter, the development shall be completed in accordance with the approved scheme and the approved phasing plan.
3. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
4. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
5. Prior to the commencement of development on site , full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
6. Prior to the commencement of development on site details of the design and location of the bin stores, street furniture and lighting shall be submitted for the further written approval of the Planning Authority and thereafter implemented in accordance with the approved phasing plan.
7. No houses shall be occupied until the vehicle parking spaces associated with that house have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.



8. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented in accordance with the approved details and the approved phasing plan.
9. A landscaping and open space scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented as per the agreed phasing plan. The landscaping scheme shall include suitable replacement trees for the mature trees that are to be removed. The landscaping shall thereafter be completed in accordance with the approved phasing plan and maintained in accordance with these details.
10. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
  - (a) a detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)
  - (b) an assessment of the potential risks (where applicable) to:
    - human health;
    - property (existing and proposed), including buildings, pets, service lines and pipes;
    - ground waters and surface waters.
  - (c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
11. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.

12. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required carrying out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
13. A monitoring and maintenance scheme to include the long term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.
14. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
15. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
16. No commercial vehicle making deliveries to or collecting material from the development site shall enter or leave the site before 8am or after 6pm.
17. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority, shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.

18. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
19. All plant or machinery being used on site shall be enclosed with sound insulating material in accordance with a scheme which shall be submitted to, and approved in writing by the Planning Authority. The approved sound insulation measures shall thereafter be retained at all times during construction on site.
20. Prior to the commencement of development on site, a noise impact assessment shall be submitted to and approved in writing by the Planning Authority to determine the noise impact and where potential noise disturbance is identified and it shall include a scheme for protecting the proposed houses from road traffic noise. The approved scheme for the mitigation of noise shall be implemented prior to the occupation of the first house and thereafter it shall be retained and maintained in accordance with the approved details.
21. Prior to the commencement of development on site, a noise impact assessment shall be submitted to and approved by the Planning Authority to determine the impact of Loch Lomond Rugby Club on the proposed development. The assessment shall identify

The maximum rating levels: and

The minimum background noise level to which any part of the development will be exposed.

The approved scheme for the mitigation of noise shall be implemented prior to the occupation of the first house and thereafter it shall be retained and maintained in accordance with the approved details.

22. Prior to the commencement of development on site, detailed plans showing the re-location of the bus lay-by on the east side of Stirling Road shall be submitted to and approved by the Planning Authority. The bus lay-by shall thereafter be relocated in accordance with the approved details and the approved phasing plan.
23. Prior to the commencement of development on site, detailed plans showing the location of a pedestrian crossing on Stirling Road shall be submitted to and approved by for the Planning Authority. The pedestrian crossing shall be constructed in accordance with the approved details and the approved phasing plan.

24. Prior to the commencement of development on site, detailed plans showing a cycle/footpath on the east side of Stirling Road shall be submitted to and approved by the Planning Authority. The cycle/footpath shall be constructed in accordance with the approved details and the approved phasing plan.
25. Prior to the commencement of development on site, a report addressing the provision of recreational access into the adjacent woodland shall be submitted for the written approval of the Planning Authority. The agreed recommendations contained within the report shall thereafter be implemented in accordance with the approved phasing plan.
26. Prior to the commencement of development on site, a nesting bird survey, bat survey, badger survey and otter survey shall be submitted for the written approval of the Planning Authority. The recommendations contained within the reports shall thereafter be implemented approved within a timescale to be agreed with the Planning Authority.
27. Prior to the commencement of development on site, details of the final location, design and maintenance arrangements for the proposed steps that are to be installed on site shall be submitted for the written approval of the Planning Authority and thereafter shall be constructed in accordance with the approved details and the approved phasing plan.
28. Prior to the commencement of development on site, details of and material which requires to be imported onto the site shall be submitted for the written approval of the Planning Authority and thereafter the development shall be completed in accordance with the ground levels shown on Drawing No(s). 121 Rev. D, 124 & 101 Rev. H.
29. Prior to the commencement of development, details of the design and location of the play areas and play equipment shall be submitted for the further written approval of the Planning Authority and thereafter implemented in accordance with the approved details and the approved phasing plan.

## **APPENDIX 2**

### **DC15/043: Erection of residential development at 51 Lomondgate Area 5 (land to south of A82 and north of Dumbarton golf course, Dumbarton)**

#### **Permission was GRANTED subject to the following conditions:-**

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
2. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved. With regard to driveways and private parking spaces, these shall be surfaced using permeable materials.
3. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site, including a 2.2 metre high acoustic fence to be erected along the rear boundaries of plot numbers 113 to 130 and the north-facing side boundary of plot number 110, shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the houses to which they relate.
4. Prior to the commencement of works details of the design and location of all street furniture including lighting shall be submitted for the further written approval of the Planning Authority, in consultation with Transport Scotland, and thereafter implemented prior to the occupation of any houses.
5. Prior to the commencement of works, a phasing plan of the development shall be submitted for the further written approval of the Planning Authority. The plan shall include details of the phasing of the houses, the roads infrastructure, amenity open space and landscaping area and shall be implemented as approved.
6. Prior to the commencement of works, a landscaping scheme for the entire development, including the formal landscaping to be provided within and around the edges of the residential part of the site, as well as the enhancements to be made on the nondevelopable part of the site shall be submitted for the further written approval of the Planning Authority and implemented in accordance with the phasing plan. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
7. Drainage of the site shall be in accordance with drawing number E002. All surface water shall drain into the existing SUDS pond to the west of the site.
8. The development shall be constructed in accordance with the ground levels shown on drawing number E003 Rev D and the minimum finished floor level of all buildings shall be 5.4m AOD. Any alterations to these levels shall be agreed in writing with the Planning Authority.

9. No development (other than investigative works) shall commence on site until further details relating to changes in site levels (from existing to final) shall be submitted to and approved by the Planning Authority. The submitted details shall include an assessment which will demonstrate how any risk from existing site conditions to future site users is mitigated. The approved details and measures shall be implemented prior to the occupation of any house and maintained thereafter
10. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall summarise all the measures previously agreed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
11. Prior to the importation of any material onto the site, details of the source of the material and associated test results to demonstrate its suitability for use shall be submitted to and approved by the Planning Authority. In addition to this and in accordance with BS3882:2015, the material shall be free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils.
12. Prior to installation of any of the proposed gas measures, details (including qualifications) of both the installer and verifier shall be submitted to and approved in writing by the Planning Authority. Any changes in the approved installer and verifier shall be notified immediately to the Planning Authority for their approval.
13. Notwithstanding the submitted details a validation report on the installed ground gas protection measures for each individual plot shall be submitted to and approved by the Planning Authority within 5 working days following verification of the gas protection measures and prior to any further construction works being undertaken on the respective plots.
14. Remediation of the site shall be carried out in accordance with the approved remediation scheme. Any amendments to the approved remediation scheme shall be immediately submitted to and approved in writing by the Planning Authority and implemented as approved.
15. On completion of the remediation works a completion report shall be submitted to and approved by the Planning Authority. This report shall demonstrate that the works have been carried out in accordance with the approved remediation plan.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any order replacing or re-enacting it, no development under Classes 1A to 1C or 3A to 3D shall take place within the curtilage of all plots without an express grant of planning permission. Any future owner of these plots shall be made aware of the terms of this condition and it shall be contained within the title deeds of the retrospective plots.
17. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
18. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
19. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority, and any piling works shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.
20. No commercial vehicle making deliveries to or collecting material from the development site shall enter or leave the site before 8am or after 6pm.
21. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
22. Prior to the commencement of works, details of the design and siting of a fence to be erected between the site boundary and the A82 shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of any houses. No direct access, either pedestrian or vehicular shall be formed from the site to the A82 trunk road at any time without application for planning permission.

23. Notwithstanding the submitted details, and prior to the commencement of development on site, any windows within the north facing facades of plots 110 to 120 and the north-west facing facades of plots 121 to 130 shall be fitted with uprated acoustic glazing prior to their occupation of these retrospective houses. Details of the glazing type shall be submitted for the further written approval of the Planning Authority.
24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any order replacing or re-enacting it, integral and detached garages granted under this consent shall not be converted into habitable rooms without an express grant of planning permission and any future owner of these plots shall be made aware of the terms of this condition and it shall be contained within the title deeds of the retrospective plots