

Agenda



Special Meeting of Infrastructure, Regeneration and Economic Development Committee

Date: Wednesday, 23 January 2019

Time: 14:00

Venue: Council Chamber, Clydebank Town Hall, Clydebank

Contact: Nuala Quinn-Ross, Committee Officer
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Dear Member

Please attend a special meeting of the **Infrastructure, Regeneration and Economic Development Committee** as detailed above. The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Iain McLaren (Chair)
Councillor Marie McNair (Vice Chair)
Councillor Gail Casey
Councillor Karen Conaghan
Councillor Diane Docherty
Provost William Hendrie
Councillor Caroline McAllister
Councillor David McBride
Councillor Jonathan McColl
Councillor John Mooney
Councillor Lawrence O'Neill
Councillor Martin Rooney

All other Councillors for information

Chief Executive
Strategic Director of Regeneration, Environment and Growth

Date of Issue: 15 January 2019

**INFRASTRUCTURE, REGENERATION AND ECONOMIC
DEVELOPMENT COMMITTEE**

WEDNESDAY, 23 JANUARY 2019

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 THE RENFREWSHIRE COUNCIL RIVER CLYDE OPENING BRIDGE SCHEME 2018 ROADS (SCOTLAND) ACT 1984 5 - 8

Submit report by the Strategic Director of Regeneration, Environment and Growth seeking agreement of the Council's final position in relation to the Roads (Scotland) Act 1984 for the Renfrewshire Council River Clyde Opening Bridge.

WEST DUNBARTONSHIRE COUNCIL**Report by the Strategic Director – Regeneration Environment & Growth****Special Meeting - Infrastructure, Regeneration & Economic
Development Committee : 23 January 2019**

**Subject: The Renfrewshire Council River Clyde Opening Bridge Scheme 2018
and the Roads (Scotland) Act 1984**

1. Purpose

- 1.1** To provide an update to Members on the Council's responsibility in relation to the Renfrewshire Council River Clyde Bridge Scheme and recommend to members as to the Council's final position in relation to the Roads (Scotland) Act 1984.

2. Recommendation

- 2.1** It is recommended Committee agree that the objection to the above Scheme under the Roads (Scotland) Act be withdrawn.

3. Background

- 3.1** Scottish Ministers on 6th October 2017 called in three planning applications made to West Dunbartonshire, Glasgow City and Renfrewshire Councils in relation to the proposed construction of a new opening bridge over the River Clyde, a new road and associated works known as the Clyde Waterfront and Renfrew Riverside project. The reason for calling in the applications was the significance of the project for the Glasgow City Region City Deal, which is highlighted in National Planning Framework 3, as nationally important in terms of employment and economic development. Two Reporters from the Department of Planning Environmental Appeals were appointed to consider the planning applications.
- 3.2** This Council had previously lodged objection to the development however it was considered by the Scottish Ministers that the proposed development is consistent with the development plans in the three planning authority areas in which it is located and that there are no material considerations that indicate the planning applications should be refused.
- 3.3** Renfrewshire Council made the Renfrewshire Council River Clyde Opening Bridge Scheme 2018 under the Roads (Scotland) Act 1984. The Scheme is to authorise the construction of, as a public road, an opening bridge and to regulate the operation of that bridge.

West Dunbartonshire Council objected to the Scheme and the objection falls into two categories. Firstly, an objection based on the impact of the Scheme

on roads in Clydebank. Secondly, an objection based on the Scheme being made by Renfrewshire Council despite that Council not having jurisdiction north of the river.

Renfrewshire Council responded to the objection and West Dunbartonshire Council was asked by Transport Scotland whether they wished to maintain or withdraw their objection. West Dunbartonshire Council asked for an extension of time until the end of February 2019 so that the decision on the planning application could be considered by the Planning Committee and to then allow the matter to be considered by this Committee. That request was declined.

4.0 Main Issues

- 4.1** The objection concerning the impact on roads in Clydebank is essentially the same as the roads objection to the planning application. As the objection was rejected by the Scottish Ministers in the context of the planning application, it seems highly unlikely that it would be found to have merit in the context of an objection to the Scheme under the Roads Act.

In response to the objection that they do not have jurisdiction on the north side of the river, Renfrewshire Council have stated that the land required to construct, operate and maintain the bridge is owned by private organisations and Renfrewshire Council have concluded legal agreements with them to enable Renfrewshire Council to obtain all necessary rights at the appropriate time. It therefore appears that Renfrewshire Council will have access to the land needed for the construction of the bridge.

That still leaves the question of whether Renfrewshire Council can carry out the functions of a Roads Authority on the north side of the river. Where a bridge lies partly in the areas of two local roads authorities, the Act provides that the Roads Authorities concerned may make arrangements as to which of them shall be the Roads Authority in relation to the bridge. The Roads Authorities may also make arrangements as to the performance by one of the authorities of the other's functions. Where arrangements are not made, one of the authorities can apply to the Scottish Ministers to be appointed as the Roads Authority.

Accordingly, if West Dunbartonshire Council do not enter into an arrangement with Renfrewshire Council, Renfrewshire Council could apply to the Scottish Ministers to be appointed as Roads Authority for the north side of the bridge and to be given the right to exercise the roads functions of West Dunbartonshire Council in relation to the bridge. If West Dunbartonshire Council maintains their objection to the Scheme, and refuses to reach any kind of agreement with Renfrewshire Council, West Dunbartonshire Council could therefore cease to be the Roads Authority for the north side of the bridge.

As all aspects of West Dunbartonshire Council's objection have been, or can be, overcome, it is highly unlikely that the objection would be successful. If the objection is maintained, a public local inquiry will be held.

In the circumstances there is no justification for maintaining the Council's objection to the Scheme and causing the matter to proceed to a public local inquiry. It is therefore recommended that the objection be withdrawn.

4.2 Should Members decide to maintain the Council's objection the costs incurred in maintaining our objection are expected to be the region of thousands of pounds per party; however this cost has still to be determined.

4.3 The additional costs incurred to Renfrewshire Council in delaying the project (cost inflation) are estimated by them to be in the region of £180,000 per month.

5. People Implications

5.1 There are no direct personnel issues associated with this report.

6. Financial and Procurement Implications

6.1 There financial implications are noted above, though such costs are not known at this time and are unbudgeted. There are no procurement implications in regard to this report.

7. Risk Analysis

7.1 The financial risk is as noted above. There is significant reputational risk to West Dunbartonshire, Renfrewshire and Glasgow City Councils and Glasgow City Region Deal, should an objection be maintained and not upheld.

8. Equalities Impact Assessment (EIA)

8.1 None.

9. Environmental Sustainability

9.1 An Environmental Impact Assessment was undertaken as part of the Planning process.

10. Consultation

10.1 The Planning application was subject to statutory pre-application consultation by the Renfrewshire City Deal Team, with a series of events held on both sides of the River Clyde. A total of 149 comments were received in relation to the pre-application consultation, of which 121 supported the project and 14 did not.

11. Strategic Assessment

- 11.1** West Dunbartonshire Council are partners in City Deal, this project has been assessed as having a positive economic impact in compliance with all Local Plan objectives and ,demonstrates a strategic and positive collaboration between West Dunbartonshire, Glasgow City and Renfrewshire Councils. The proposal would increase access to employment opportunities south of the River Clyde and may make some sites within Clydebank more attractive for investment.

Strategic Director: Richard Cairns
Date: 15 January 2019

Person to Contact: Raymond Walsh
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Appendices: None

Background Papers: None

Wards Affected: Ward 6 (Clydebank Waterfront)