

Agenda



Infrastructure, Regeneration and Economic Development Committee

Date: Wednesday, 16 September 2020

Time: 2:00 p.m.

Format: Zoom Video Conference

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk

Dear Member

Please attend a 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 Gail Casey
Councillor Karen Conaghan
Councillor Diane Docherty
Provost William Hendrie
Councillor Caroline McAllister
Councillor David McBride
Councillor Jonathan McColl
Councillor Marie McNair (Vice Chair)
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: 03 September 2020

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**INFRASTRUCTURE, REGENERATION AND ECONOMIC
DEVELOPMENT COMMITTEE**

WEDNESDAY, 16 SEPTEMBER 2020

AGENDA

1 STATEMENT BY CHAIR – AUDIO STREAMING

The Chair will be heard in connection with the above.

2 APOLOGIES

3 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.

4 MINUTES OF PREVIOUS MEETING 5 – 8

Submit, for approval as a correct record the Minutes of Meeting of the Infrastructure, Regeneration and Economic Development Committee held on 12 February 2020.

5 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

6 FOOD GROWING STRATEGY 9 - 46

Submit report by the Strategic Lead – Roads and Neighbourhood seeking approval for the adoption of the West Dunbartonshire Council Food Growing Strategy.

7 /

7 PROPOSED REVISALS TO THE RULES AND REGULATIONS FOR THE MANAGEMENT OF WEST DUNBARTONSHIRE CEMETERIES 47 - 60

Submit joint report by the Strategic Leads – Regulatory/Roads and Neighbourhood seeking approval for the proposed changes to the Rules and Regulations for Management of West Dunbartonshire Cemeteries.

8 SALE OF 87-89 BANK STREET, ALEXANDRIA, G83 0LZ 61 - 67

Submit report by the Strategic Lead – Regeneration providing an update on the re-marketing of the property at 87/89 Bank Street, Alexandria.

9 DISPOSAL OF 0.057HA LAND AT ATTLEE AVENUE, CLYDEBANK, G81 2SH 69 - 73

Submit report by the Strategic Lead – Regeneration seeking approval to dispose of 0.057ha land at Attlee Avenue, Clydebank to Clydebank Housing Association so that they can combine it with their adjacent site and increase social housing provision.

10 BUDGETARY CONTROL REPORT TO 31 JULY 2020 (PERIOD 4) (To Follow)

Submit report by the Strategic Director – Regeneration, Environment and Growth providing an update on the financial performance to 31 July 2020 (Period 4) of those services under the auspices of the Infrastructure, Regeneration and Economic Development Committee.

INFRASTRUCTURE, REGENERATION AND ECONOMIC DEVELOPMENT COMMITTEE

At a Meeting of the Infrastructure, Regeneration and Economic Development Committee held in the Civic Space, Council Offices, 16 Church Street, Dumbarton on Wednesday, 12 February 2020 at 2.00 p.m.

Present: Provost William Hendrie and Councillors Gail Casey, Karen Conaghan, Diane Docherty, Caroline McAllister, David McBride, Jonathan McColl, Iain McLaren, Marie McNair, John Mooney and Martin Rooney.

Attending: Richard Cairns, Strategic Director – Regeneration, Environment & Growth; Peter Barry, Strategic Lead – Housing & Employability; Michael McGuinness, Manager, Economic Development; Craig Jardine, Corporate Assets Manager; Michelle Lynn, Assets Co-ordinator; John McKenna, Energy & Compliance Co-ordinator; Janice Rainey, Business Unit Finance Partner; Sally Michael, Principal Solicitor and Gabriella Gonda, Committee Officer.

Apologies: An apology for absence was intimated on behalf of Councillor Lawrence O'Neill.

Councillor Iain McLaren in the Chair

STATEMENT BY CHAIR – AUDIO STREAMING

Councillor Iain McLaren, Chair, advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Infrastructure, Regeneration and Economic Development Committee held on 20 November 2019 were submitted and approved as a correct record.

OPEN FORUM

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

SALE OF FORMER CARE HOME KNOWN AS BOQUHANRAN HOUSE, DICKENS AVENUE, CLYDEBANK, G81 3EP

A report was submitted by the Strategic Lead – Regeneration advising on the outcome of the marketing of the former care home known as Boquhanran House, Dickens Avenue, Clydebank, G81 3EP, detailing the offer received and seeking approval to conclude disposal of the site.

After discussion and having heard the Assets Co-ordinator in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to approve the disposal of the former care home known as Boquhanran House, Dickens Avenue, Clydebank for a consideration of £461,000 (Four Hundred and Sixty One Thousand Pounds) to Turnberry Homes Ltd;
- (2) to authorise the Strategic Lead – Regeneration to conclude negotiations; and
- (3) to authorise the Strategic Lead – Regulatory to conclude the transaction on such conditions as considered appropriate.

PROCUREMENT OF A SERVICE FOR THE REPAIR/REPLACEMENT OF TYRES FOR THE COUNCIL'S VEHICLE & PLANT FLEET

A report was submitted by the Strategic Lead – Roads & Transportation seeking approval to initiate a procurement process for the provision of a tyre repair/replacement service to the vehicle and plant fleet.

Having heard the Strategic Director – Regeneration, Environment & Growth in further explanation of the report, the Committee agreed:-

- (1) to approve the initiation of a procurement process for the provision of a tyre repair/replacement service to the vehicle and plant fleet; and
- (2) that on completion of the procurement process, a further report would be submitted to the Tendering Committee with recommendations on the award of the contract(s).

USE OF SOLAR PHOTOVOLTAICS (PV)

A report was submitted by the Strategic Lead – Regeneration advising of the progress made in relation to increasing the Council's energy self-sufficiency through the use of solar PV.

After discussion and having heard the Corporate Assets Manager in further explanation of the report and in answer to Member's questions, the Committee agreed:-

- (1) to note the content of the report; and
- (2) to note that officers would present options for new energy efficiency projects through the capital planning budget process each year.

INFRASTRUCTURE, REGENERATION & ECONOMIC DEVELOPMENT BUDGETARY CONTROL REPORT 2019/20 TO PERIOD 9 (31 JANUARY 2020)

A report was submitted by the Strategic Director – Regeneration, Environment & Growth providing an update on the financial performance to 31 January 2020 (Period 9) of those services under the auspices of the Infrastructure, Regeneration & Economic Development Committee (IRED).

After discussion and having heard the Strategic Director – Regeneration, Environment & Growth in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to note the contents of the report showing the revenue budget forecast to overspend against budget by £0.073m (0.3%) at the year-end;
- (2) to note the net projected annual position in relation to relevant capital projects which is highlighting a projected variance of £17.652m (-31.1%) due to slippage of £18.020m (-31.73%) and an overspend of £0.368 (0.63%); and
- (3) to note the progress on efficiencies incorporated into budgets for 2019/20.

The meeting closed at 2.20 p.m.

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – Roads & Neighbourhood (Shared Service)

Infrastructure, Regeneration and Economic Growth: 16 September 2020

Subject: West Dunbartonshire Council Food Growing Strategy

1. Purpose

- 1.1 The purpose of this report is to seek Committee's approval for the adoption of the West Dunbartonshire Council Food Growing Strategy (**APPENDIX 1**).

2. Recommendations

- 2.1 It is recommended that Committee:
- a) Agree the contents of the West Dunbartonshire Council Food Growing Strategy which reflects the Council's duties arising from Part 9 (Allotments) of the Community Empowerment (Scotland) Act 2015.

3. Background

3.1 The Community Empowerment (Scotland) Act 2015

The Act received Royal Assent on 24th July 2015 and came into force on 1st April 2018. Part 9 of the Act, which updates and modifies allotments legislation, was developed through discussions with stakeholders in the wider public, private, third and community sectors and also through consultation.

- 3.2 The Act repeals allotments legislation dating from 1892, simplifies provisions and acknowledges and endorses the rising interest in community growing.

Part 9 of the Act lays a number of statutory duties on Local Authorities, including:

- a duty to maintain an allotment waiting list
- when certain trigger points of demand are reached, a duty to take reasonable steps to ensure: (1) that the number of people on their waiting list for an allotment does not exceed half the total number of allotments owned and leased by the Authority; and (2) that a person on the list does not wait more than five years for an allotment
- a requirement to make allotment site regulations
- a duty to develop a Food Growing Strategy. This includes the identification of land for allotments and other community growing and describing how the Authority will meet demand for such land

3.3 Section 119 of the Act requires Local Authorities to include the following in their Food Growing Strategies:

- land identified in the area that could be used for allotment sites
- other land identified in the Local Authority area which could be used by a community to grow vegetables, fruit, herbs or flowers
- a description of how the Authority intends to increase the provision of allotments or other land for community growing; and
- when detailing how the Authority intends to increase the provision of allotment sites and community growing areas of land in its area as it is required to take reasonable steps under section 112 (1), a description of whether and how this will apply to communities which experience socio-economic disadvantage

3.4 Each Local Authority must publish the Food Growing Strategy it prepares on a website or by other electronic means.

3.5 Section 120 of the Act requires every local authority to review its food-growing strategy. This review must be carried out within 5 years of the date of the publication of the initial food-growing strategy, and every five years thereafter. When the local authority decides to change its strategy following a review, the local authority is required to publish an amended strategy electronically.

4. Main Issues

4.1 The West Dunbartonshire Council Food Growing Strategy vision is:

To inspire people to make West Dunbartonshire the best Community Food growing and Garden location in Scotland.

4.2 The strategy outlines our plans to enhance and support food growing opportunities across West Dunbartonshire over the next five years.

4.3 Food growing in West Dunbartonshire is in high demand. The current waiting list for an allotment has 275 applicants. With the current provision and turnover this equates to a potential wait of up to 10 years.

4.4 In response to this demand and to meet the Council's obligations under the Community Empowerment (Scotland) Act, capital funding of £500,000 has been allocated to develop new growing spaces.

4.5 In addition to traditional allotments there are many different ways of growing your own food including community gardens, backcourt spaces, school gardens and windowsill potting.

4.6 The strategy has been developed to encourage and empower people to take an active role in producing and growing their own food. This has real benefits for the health and fitness of our Society and Environment. It will also contribute to the Scottish Government's goal of Scotland becoming a Good Food Nation by enabling people from all walks of life to enjoy and learn about nutritious and healthy food.

4.7 The strategy also identifies the environmental benefits that growing food locally provides, including reducing the miles that food travels from growing space to plate and creating increased biodiversity areas for birds, bees and insects.

4.8 Current Provision

West Dunbartonshire Council manages two well established traditional allotment sites in Dumbarton at Castlegreen Street and Townend Road. These sites have 38 allotment plots that are serviced with water, composting facilities, green waste skips, fencing and access paths. Both sites have a high level of interest, with a low level of turnover.

In addition to the Council managed sites there are three privately managed sites in Clydebank at Bannerman Street, Second Avenue and Agamemnon Street. These sites have 100 traditional allotment plots.

There are 65 other Community Food Growing sites operating within the Growing West Dunbartonshire group. The group is made up of community groups, nurseries and schools, working together to spread the message and share the benefits of local grown food.

The Work Connect Levensgrove Gardening Project provides training and mentoring in gardening and Food Growing skills for upwards of 100 individuals in 13 client groups through-out the year. The project has access to plots, raised beds, poly-tunnels, greenhouses, land for development and a training suite, all located in the Greenspace Depot at Levensgrove Park.

The Friends of Levensgrove Park maintain a community orchard within the Park. The Friends group were successful in securing grant funding to purchase trees for the creation of the orchard and to purchase equipment to allow them to harvest the fruit and arrange jam making sessions.

Learn and Grow is a partnership committed to engaging, motivating and ultimately supporting residents to develop an active community food growing and outdoor activity resource in every education centre and community in West Dunbartonshire. There are currently 42 active food growing sites within West Dunbartonshire Education establishments benefiting from the Learn and Grow resource.

The Strategy provides maps identifying all of the current food growing sites. There will also be an interactive version of the maps made available online via the Council website.

4.9 Developing Future Provision

In line with part 9 of the Community Empowerment Act the Council will continue to maintain a list of residents wishing to have an allotment. One of the objectives of the Strategy is to reduce the number of people on the waiting list to less than half the number of Council allotments available.

Actions identified in the Strategy will offer opportunities to achieve this target by linking together the organisations and stakeholders who have an interest in food growing. This will allow for the development of a joined up approach to increasing food growing spaces throughout West Dunbartonshire.

A food growing working group will be established to assist with the development of food growing opportunities in West Dunbartonshire. The working group will represent the Council, Community groups and individuals who have an interest in food growing. The group will also assist with future consultation activities and the reviewing of the Food Growing Strategy action plan.

The Council has agreed to allocate £500,000 of capital funding to develop new food growing sites. It is recognised that given the scale of demand for allotments in West Dunbartonshire, other forms of funding will need to be secured. The Council will work with partners and community groups to secure external funding for the creation of additional growing spaces. In relation to community growing spaces options for community asset transfer will also be explored.

There are currently three projects being progressed to provide food growing sites:

- Townend Road Allotment site – a mix of 30 traditional allotments and community raised beds. Development work being carried out for delivery in early 2021.
- Clydebank Community Sports Hub – 20 traditional allotments to be managed by the sports hub board. Due for completion in October 2020.
- Melfort Community Park - 30 raised beds within a community garden. Due for completion November 2020.

The Strategy also identifies a further twenty three potential food growing spaces throughout the area.

West Dunbartonshire's industrial heritage has left a legacy of contaminated land that is not suitable for food growing. The food growing working group will continue to work with the council's contaminated land officers to assess land that has been identified as potential for food growing.

- 4.10** The Action Plan associated with the Food Growing Strategy is intended to be a functional working document that will be reviewed regularly and updated annually.

5. People Implications

- 5.1** There are no direct people implications resulting from this report.

6. Financial and Procurement Implications

- 6.1** Financial – The Strategy identifies that £500,000 of Council capital funding has been allocated for the development of new food growing spaces. The management and maintenance of the Council's allotment sites will continue to be funded by the Greenspace revenue account. The Council will work with partners and community groups to secure external funding for the creation of additional growing spaces
- 6.2** Procurement – A project team comprising of Officers from Greenspace, Procurement and Consultancy Services are developing tender documentation for a new allotment site at Townend Road, Dumbarton. It is anticipated that this project will be delivered over financial years 20/21 and 21/22.

7. Risk Analysis

The Council has a duty under the Community Empowerment (Scotland) Act 2015 to develop a Food Growing Strategy.

There is a risk that if the Council fails to produce a Food Growing Strategy, this may lead to legal action and reputational damage.

8. Equalities Impact Assessment (EIA)

- 8.1** An initial screening confirms there is no adverse impact.

9. Consultation

- 9.1** A public consultation on the development of the Food Growing Strategy has taken place. The consultation will play a major part in the success of this Food

Growing Strategy by setting actions that work towards what people really want.

The consultation engaged with 65 community food growing groups, 275 residents that are on the allotment waiting list, schools and nurseries, Community Councils and Council Officers from Environmental Health and Forward Planning.

10. Strategic Assessment

10.1 This report supports the following Council Strategic objectives:

- A Strong local economy and improved employment opportunities.
- Supported individuals, families and carers living independently and with dignity.
- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged.
- Open, accountable and accessible local government.
- Efficient and effective frontline services that improve the everyday lives of residents.

Gail MacFarlane

Strategic Lead – Roads & Neighbourhood (Shared Service)

Date: 12 August 2020

Person to Contact:	Ian Bain, Greenspace Manager
Appendices:	Appendix 1 - West Dunbartonshire Council Food Growing Strategy
Background Papers:	None
Wards Affected:	All



West Dunbartonshire Council

Food Growing Strategy

2020 - 2025

Inspiring people to make West Dunbartonshire the best Community Food growing and Garden location in Scotland

July 2020 - Draft



CONTENTS

- 1 Executive Summary
- 2 Forward
- 3 Aims and Objectives
- 4 Policy Context
- 5 Consultation
- 6 Current Provision
- 7 Developing Future Provision

Appendices:

- Appendix 1 Food Growing Action Plan

1 Executive Summary

West Dunbartonshire Council recognises the benefits associated with community food growing, and is committed to developing a strategic approach to facilitate food growing activities throughout West Dunbartonshire.

This strategy has been developed to encourage and empower people to take an active role in producing and growing their own food. This has real benefits for the health and fitness of our Society and Environment.

It will also contribute to the Scottish Government's goal of Scotland becoming a Good Food Nation by enabling people from all walks of life to enjoy and learn about nutritious and healthy food.

The Community Empowerment (Scotland) Act 2015 requires each Local Authority to prepare a Food Growing Strategy for its area. West Dunbartonshire Council Food Growing Strategy identifies land that may be used as allotment sites. The strategy also identifies other areas of land that could be used for community growing, and describes how the Council intends to increase provision for community growing, in particular in areas which experience socio-economic disadvantage.

Stakeholder engagement has identified what allotment and community food growing provision already exists in West Dunbartonshire. This has allowed us to capture the current status, management arrangements and potential interest from community groups and individuals in food growing.

There is an increasing demand from the local community looking for advice and assistance with food growing activities.

The Food Growing Strategy Action Plan outlines how the Council will work with partner organisations and communities to develop and support community food growing throughout the Authority.

For more information on Community Food Growing activities in West Dunbartonshire please contact:

Greenspace Section
5 Elm Road
Dumbarton
G82 2RH

Tel: 01389 608413

Email: wdc.greenspace@west-dunbarton.gov.uk

2 Forward

“I am delighted to introduce West Dunbartonshire’s Food Growing Strategy, which outlines our plans to enhance and support food growing opportunities across our area over the next five years.

We know that food growing is in high demand in West Dunbartonshire, and our existing allotments and community gardens are extremely popular. In our budget earlier this year, we committed to spending £500,000 to develop new growing sites and already, we are seeing work progressing across the authority at Clydebank Community Sport Hub; Melfort Community Park and Townend Road in Dumbarton.

The aim of this strategy is to improve our growing facilities even further by working with communities, partners and stakeholders to ensure we can expand opportunities for residents to grow their own fruit, vegetables and herbs. Perhaps when considering growing food, many people think of allotments. In fact, there are many different ways to start on the journey to growing your own food, from community gardens to using backcourt space to potting on your windowsill.

This strategy highlights the different options for establishing and growing, as well as encouraging residents from all walks of life who have an interest to get involved. As a Council, we know there are multiple benefits to food growing, both to our communities and the environment.

Successfully growing a crop of fruit and vegetables is well known to have a positive impact on both mental health and physical wellbeing, as is the active social side of participating in a community allotment or garden.

In addition, ensuring good food-growing opportunities are available to all residents will help to reduce food and health inequalities in our area.

Producing food locally has environmental benefits too, reducing the miles food travels from field to plate and also creating biodiversity areas for birds, bees and insects to thrive.

I am confident that these plans will allow us to continue to empower our residents to take an active role in growing their food and encourage them to get involved. I look forward to seeing it progress.”

Councillor Iain McLaren, Convener of Infrastructure, Regeneration and Economic Development.

3 Aims and Objectives

The main aim of the strategy is to increase the opportunities for West Dunbartonshire residents to access and enjoy the pleasures and health benefits associated with growing your own food.

An action plan is contained in APPENDIX 1 outlining the objectives that have been set out to meet the aims of the strategy. These objectives include:

- Identify land potentially suitable for allotments and other food growing areas within West Dunbartonshire
- Help our communities to develop the skills to grow their own food and make healthy lifestyle choices by working together with community partners including existing gardening projects and third sector organisations
- Ensure that the strategy is embedded into future local development planning and that community food growing areas become a consideration in the determination of planning applications
- Improve communications with current partners and the wider community about the potential for food growing within the area
- Regularly review the Food Growing Strategy and update as required

4 Policy Context

The Community Empowerment (Scotland) Act 2015: The Scottish Government is committed to communities being supported to do things for themselves, and to people having their voices heard in the planning and delivery of services.

The Act received Royal Assent on 24th July 2015 and came into force on 1st April 2018. Part 9 of the Act, which updates and modifies allotments legislation, was developed through discussions with stakeholders in the wider public, private, third and community sectors and also through consultation.

The Act repeals allotments legislation dating from 1892, simplifies provisions and acknowledges and endorses the rising interest in community growing.

Part 9 of the Act lays a number of statutory duties on Local Authorities, including:

- a duty to maintain an allotment waiting list
- when certain trigger points of demand are reached, a duty to take reasonable steps to ensure: (1) that the number of people on their waiting list for an allotment does not exceed half the total number of allotments owned and leased by the Authority; and (2) that a person on the list does not wait more than five years for an allotment
- a requirement to make allotment site regulations
- a duty to develop a Food Growing Strategy. This includes the identification of land for allotments and other community growing and describing how the Authority will meet demand for such land

Section 119 of the Act requires Local Authorities to include the following in their Food Growing Strategies:

- land identified in the area that could be used for allotment sites
- other land identified in the Local Authority area which could be used by a community to grow vegetables, fruit, herbs or flowers
- a description of how the Authority intends to increase the provision of allotments or other land for community growing; and
- when detailing how the Authority intends to increase the provision of allotment sites and community growing areas of land in its area as it is required to take reasonable steps under section 112 (1), a description of whether and how this will apply to communities which experience socio-economic disadvantage

Each Local Authority must publish the Food Growing Strategy it prepares on a website or by other electronic means.

Section 120 of the Act requires every local authority to review its food-growing strategy. This review must be carried out within 5 years of the date of the

publication of the initial food-growing strategy, and every five years thereafter. When the local authority decides to change its strategy following a review, the local authority is required to publish an amended strategy electronically.

For the purposes of the Act, an allotment is land owned or leased by a local authority for use by people to grow vegetables, fruit, herbs or flowers on a non-profit basis.

The Scottish Government's Vision for National Wellbeing, contained in the National Performance Framework sets out 11 National Outcomes together with a suite of National Indicators and UN Sustainable Development Goals.

The framework seeks to build a more successful and inclusive Scotland and sets out the way in which progress can be measured. It describes a vision for national wellbeing in Scotland across a range of economic, social and environmental factors.

The goals of this food-growing strategy will work towards aiding the achievement of some of the Scottish Government's National Outcomes, and National Indicators and UN Sustainable Development Goals, as set out in the National Performance Framework, such as:

- We are healthy and active;
- We value, enjoy, protect and enhance our environment;
- We live in communities that are inclusive, empowered, resilient and safe.

Over the next 5 years West Dunbartonshire Council, through this food-growing strategy will aim to achieve the following key goals which will meet a number of National Outcomes, National Indicators and UN Sustainable Development Goals:

i. West Dunbartonshire Council will underpin the National Outcome "We are healthy and active" by:

- Taking steps to make food-growing opportunities available to all residents of West Dunbartonshire to improve their health and wellbeing and reduce health inequalities;
- Helping to alleviate food poverty and raising awareness about the benefits of food-growing to mental and physical well-being through public engagement and encouraging uptake of food-growing opportunities.

This underpins a number of the "We are healthy and active" National Indicators, including mental wellbeing, healthy weight, and physical activity.

ii. West Dunbartonshire Council will underpin the National Outcome "We value, enjoy and protect our environment" by:

- Providing opportunities for local production of food through all forms of community growing/grow-your-own which will reduce carbon mileage of food;
- Encouraging biodiversity, contributing to a Low Carbon Scotland, encouraging climate change mitigation through changed behaviours, improving soil condition and carbon retention in the soil through appropriate food-growing site design, practice and management, signposting to training and learning opportunities, and encouraging behavioural change, which will all contribute to protecting our environment.
- Avoiding negative impacts, for example by the excessive removal of existing pollinator species or hedgerows, loss of ponds or wetland areas, creation of hard-standing parking areas etc., or creating a heightened risk for contaminated land by introducing activities (such as permitting food-growing on the land) on areas already affected by contamination. Local authorities should take appropriate site-specific steps to limit such negative impacts.

This underpins a number of the "We value, enjoy, protect and enhance our environment" National Indicators, including visits to the outdoors, waste generated, biodiversity, climate action, and life on land.

iii. West Dunbartonshire Council will underpin the National Outcome "We live in communities that are inclusive, empowered, resilient and safe" by:

- Making all of our allotments and other food-growing sites well managed, accessible by public transport and active travel, and community empowered with quality facilities, as far as is practicable;
- Making the supply of allotment and other food-growing sites transparent to all and compliant with the provisions of the Act;
- Encouraging all forms of community-led enterprise and/or social enterprise through making available and encouraging uptake of food-growing opportunities.

This underpins a number of the "We live in communities that are inclusive, empowered, resilient and safe" National Indicators, including perceptions of local area, loneliness, access to green space, and social capital.

5 Consultation

In line with the ethos of the Community Empowerment Act, we have ensured that consultation will play a major part in the success of this Food Growing Strategy by setting actions that work towards what people really want.



Growing West Dunbartonshire

Growing West Dunbartonshire are a collection of 65 local community food growing groups set up in 2016 to spread the message and share the benefits of local grown food.

The group have worked with West Dunbartonshire Council Greenspace section to secure the views of a wide range of interested parties. This approach will allow us to target the provision of food growing activities in a productive and sustainable manner.

Growing West Dunbartonshire held a series of stakeholder engagement workshops to gather information from interested parties on what they would like to see in the Food Growing Strategy.

The results of these events can be summarised as follows:

- WDC should ensure that the Local Development Plan identifies land that is suitable for the purposes of Allotments or growing spaces and pollinator corridors.

- Provide a register identifying derelict ground and greenspace deemed fit for community food growing activities, orchards, soft fruit forests and herb corridors.
- Encouraging developers through the planning process to include space for community gardens and food growing within new developments.
- Growing spaces should be identified and mapped within the West Dunbartonshire Open space audit and shared with the community via WDC website and Growing West Dunbartonshire network.
- Ensure developers include space for community gardens and food growing within new developments.
- Capital funding should be allocated to community food growing activities across West Dunbartonshire from 2020 to 2025.
- Continue to Support and develop the Community Involvement in Neighbourhoods project.
- Provide resources for the delivery of a food growing training programme
- Establish Learn and grow and Growing West Dunbartonshire as strategic partners.
- Report allotment waiting lists via Council website and Growing West Dunbartonshire.
- Map demand, both current and anticipated future demand to take account of planned housing developments etc.
- Assign resources to the delivery of a community led, Learn and Grow healthy eating campaign integrating education centres, health centres and community organisations.
- Connect the school holiday program to the aims of the Community food growing strategy and the community networks and support.
- Facilitate an annual stakeholder community food growing review.
- Development of a community food growing directory.
- Resource a community wide awareness program delivered by Growing West Dunbartonshire increasing communities understanding of and capacity to support and deliver the food growing action plans.
- Deliver an annual Growfest celebration event incorporating a Community Eco Award.



Allotment Waiting List

As part of the Food Growing Strategy stakeholder engagement, West Dunbartonshire Council carried out a survey of 270 residents that make up the Council's allotments waiting list.

A total of 101 responses have been received.

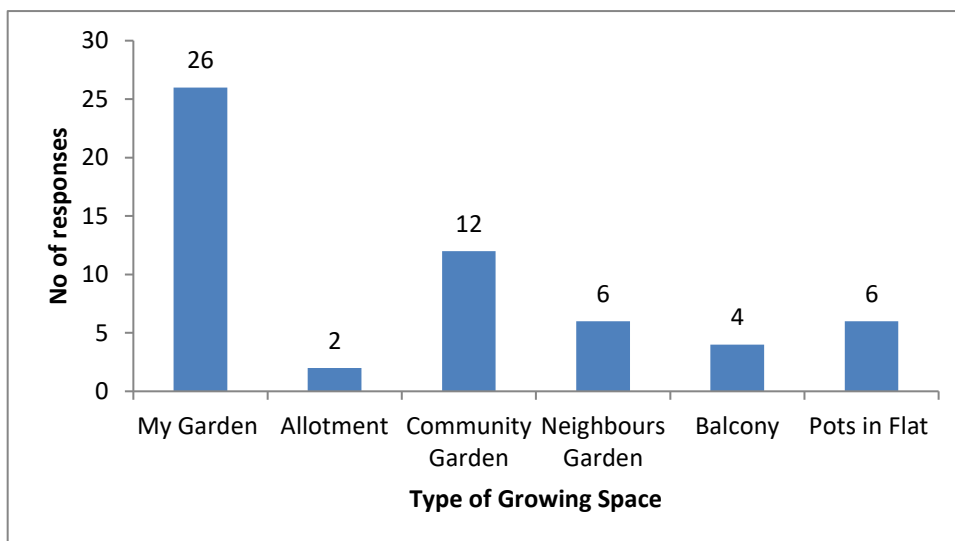
The responses to the survey are as follows:

1. Do you grow your own fruit and vegetables?

Yes 56 No 45

2. If you have answered yes to question 1, what kind of space do you currently have the use of.

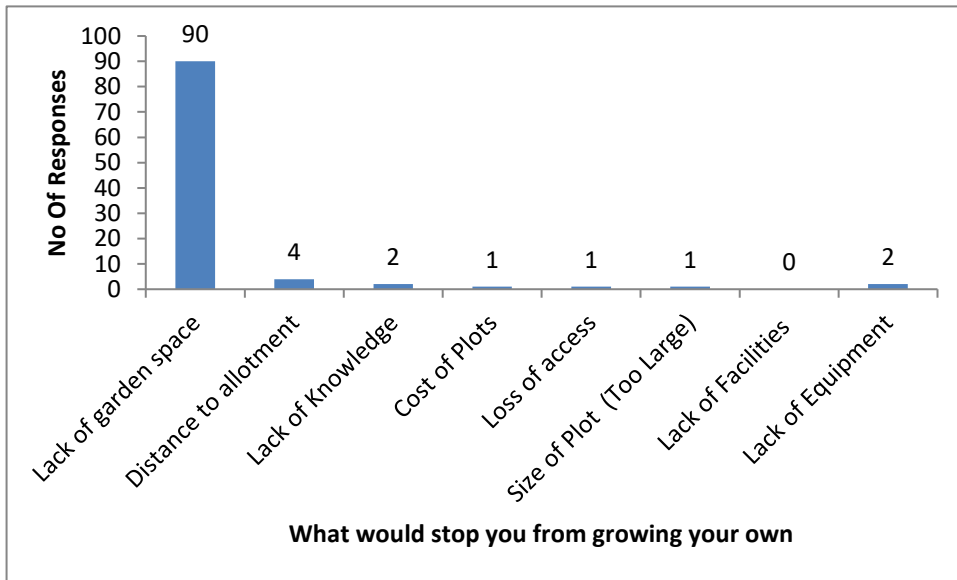
Of the 56 respondents who answered yes to Question 1 26 currently grow food in their gardens with 14 having access to allotments or community gardens. Six people has access to a neighbours garden with 4 people growing food on their balcony. Six of the respondents also grow pots within their homes.



3. 45 respondents who answered no to Question 1, stated they would you like to grow their own vegetables, herbs and flowers.

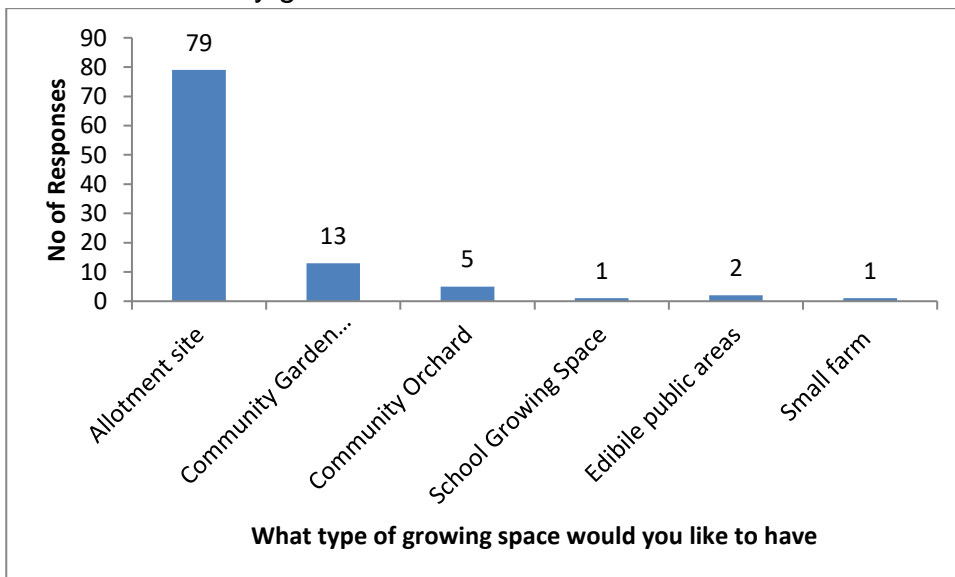
4. What would stop you from growing your own vegetables, herbs and flowers?

Of the 101 responses received the 90 stated that the lack of space was the main barrier to growing their own food.



5. What kind of growing space would you like to have the use of ?

79 of the respondents would prefer to be allocated a traditional allotment while 13 would make use of community gardens.

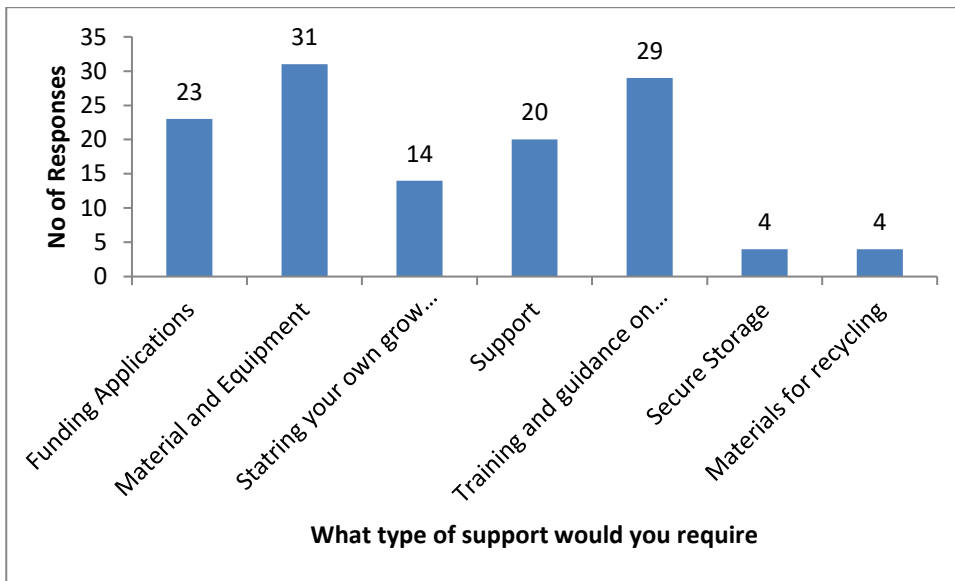


6. The Council has identified areas that may be suitable for use as community growing spaces or allotment areas. Are you aware of any vacant land which may be identified as suitable for growing your own vegetables, herbs and flowers?

- Braehead Primary School, Dumbarton
- Site of old St Eunans Primary School
- Clydebank Waterfront
- John Knox Street, Clydebank
- Cordale Community Garden
- Vacant land at Dalmuir/Old Kilpatrick boundary
- Derelict land at Littlemill, Bowling

7. What support do you feel you would need if any for being involved with a food growing project ?

The major issues appear to be availability of materials, training and support for funding applications and how to start a project featuring high on the list.



8. Would you like to be kept up to date on future community growing events and activities within the local area?

100 of the respondents would like to be informed about future projects.

Yes 100 No 1

The results of the stakeholder engagement exercises have helped to shape and develop the action plan associated to this Food Growing Strategy (**APPENDIX 1**). The action plan will deal with removing the barriers to community food growing and providing opportunities for those who would like to become more actively involved in growing their own food.

6 Current Provision

West Dunbartonshire Council are the land owners for two well established Allotment sites. Both of these sites are based in Dumbarton:

Castlegreen Street Allotments

This site was established in the early 20th Century . The site is managed by West Dunbartonshire Council in partnership with a constituted Allotment committee. This management model has been succesful in attracting external funding to improve the infrastructure around the site.

The site has 31 traditional allotment plots and is serviced with water, composting facilities, green waste skips, fencing and access paths.

There are high levels of interst in the site and there is a slow rate of turnover of plot holders.



Round Riding Road Allotments

This site was established in the 1970's. The site is solely managed by West Dunbartonshire Council.

The site has 7 traditional allotment plots and is serviced with water, fencing and access paths.

There are high levels of interest in the site and there is a very slow rate of turnover of plot holders.



In addition to the two Council managed sites there are three other privately managed traditional allotment sites in West Dunbartonshire. The three sites are located in Clydebank:

- Bannerman Street, Clydebank – 44 allotments
- Second Avenue/Queen Mary Gardens, Clydebank - 6 allotments
- Dalmuir Plots, Agamemnon Street, Clydebank – 50 allotments.

Community Food Growing

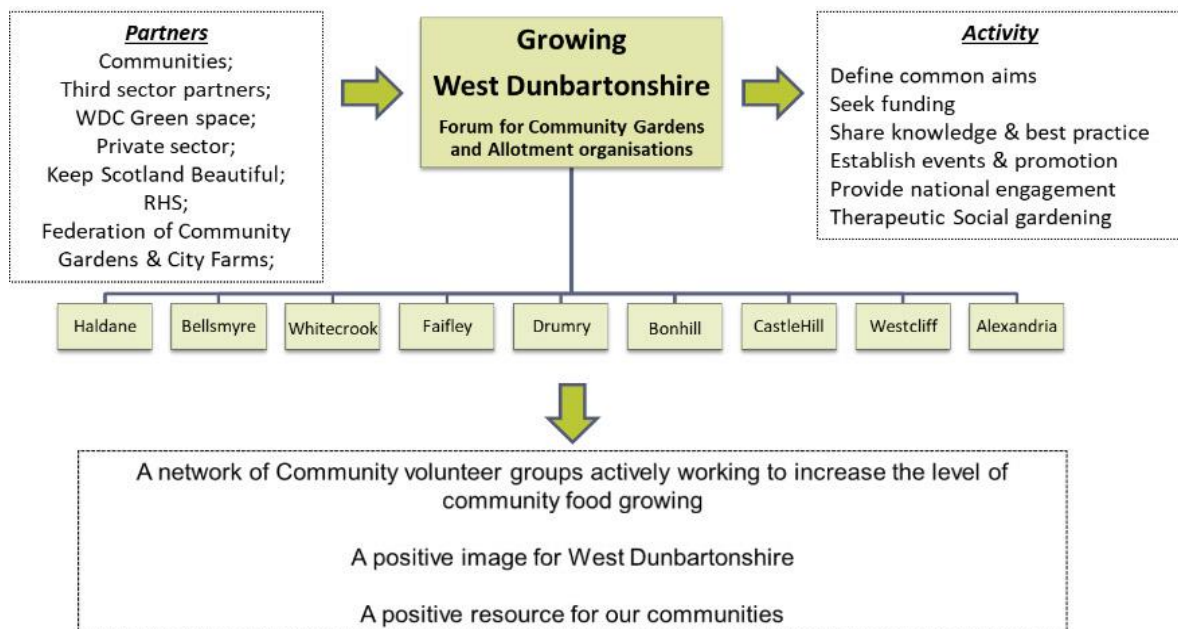
There are 65 other Community Food Growing sites operating within the Growing West Dunbartonshire group.

The primary aim of Growing West Dunbartonshire is to provide advice and encouragement to people wishing to establish a community garden or food growing activity small or large, or who wish to use our communities green space as sources of positive activities for all our residents.

Growing West Dunbartonshire is made up of community groups, nurseries and schools, working together to spread the message and share the benefits of local grown food. Since 2016 Growing West Dunbartonshire has been holding monthly meetings providing residents and groups with support and advice.

Growing West Dunbartonshire provides the following supports:

- Promote environmental best practices
- Increase awareness and connect groups and schools
- Monthly training & Information sessions
- Share seeds, plants, produce and equipment.
- Annual event showcasing activity across West Dunbartonshire



The shared vision of Growing West Dunbartonshire and West Dunbartonshire Council is what underpins this Food Growing Strategy and the associated action plan:

Inspiring people to make West Dunbartonshire the best Community Food growing and Garden location in Scotland

Growing West Dunbartonshire active groups:

<p>Dalmonach ELCC Ferryfield ELCC Gartocharn ELCC Ladyton ELCC St. Mary's Alexandria ELCC Riverside ELCC St. Kessogs ELCC Auchnacraig ELCC Clydebank Family centre Dalmuir ELCC KEYS Kilbowie ELCC St. Mary's ELCC Duntocher Whitecrook ELCC Linnvale ELCC Brucehill ELCC Meadowview ELCC St. Eunans ELCC Lennox ELCC Faifley Lennox ELCC Alexandria St. Ronans PS Bonhill PS Gartocharn PS VOLA Communicatons Hub St. Kessogs PS Whitecrook Cunard Eco Group</p>	<p>Dalreoch PS Dumbarton Academy Bowie Street Gardens Trellis Tullochan Trust Lomond Community Allotments Association Scottish Beekeepers Association Bellsmyre Community Gardens Royal Horticultural Society The Leamy Foundation St. Mungo's Growing space Action Old Kilpatrick Haldane Youth Services Eco Warriors group West Dunbartonshire Council Green space Alzheimer's Scotland Bonhill Community Gardens West Bridgend Community Gardens</p>	<p>Levenvale PS OHR PS Whitecrook PS Curard PS Carleith PS Our Lady of Lorreto PS St. Joesphs PS Edinbarnet PS Gavinburn PS Kilpatrick PS St Stephen's PS St. Mary's Duntocher PS Central Alexandria Community Growing space (Blue Triangle) Central Alexandria Betty's Bloomers Growing Beardmore Scottish Fruit Trees Faifley Community Allotments Association DACA CHAS Balloch Childrens Hour Nursery, Hardgate One Beardmore Gardens Knoxland Primary</p>
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Levensgrove Gardening Project

The Work Connect Levensgrove Gardening Project provides training and mentoring in gardening and Food Growing skills for upwards of 100 individuals in 13 client groups through-out the year. The project has access to plots, raised beds, poly-tunnels, greenhouses, land for development and a training suite, all located in the Greenspace Depot at Levensgrove Park.

This Work Connect project is a partnership between Greenspace, Working 4U (Community Learning & Development) and the CHCP. It aims to give people with a disability or other vulnerability, the space, tools and support to improve their quality of life through opportunities to learn and apply their skills and creativity in mutually supportive groups.



During their time on site, individuals are encouraged to see themselves as plotters or gardeners rather than clients and to work together; supporting and mentoring each other in learning and applying new skills and, of course, to enjoy and take pride in their work.

The work is an excellent example of how a local authority, thinking outside the box, can combine spare capacity in one department (park space) with resources (staff and funding) in another, to improve public services to people who may have difficulty accessing mainstream recreation, learning and employment provision.

Levengrove Community Orchard

The Friends of Levengrove Park are an inclusive, informal group of local volunteers who are passionate about the park and work in close partnership with the WDC Greenspace Community Ranger Service and the HSCP Work Connect Specialist Supported Employment Service. The group base their activities in the park and volunteer their time assisting with various activities including managing and maintaining the community orchard and the war memorial garden. Group members were successful in securing grant funding from the Council's Community Fund to purchase trees for the creation of an orchard within the park and to purchase equipment to allow them to harvest the fruit and arrange jam making sessions in partnership with the Community Engagement Ranger and Cafe staff. In addition, the group apply for other sources of grant aid to enhance the park and provide additional activities to improve the visitor experience.



Learn and Grow

Learn and Grow is a partnership committed to engaging, motivating and ultimately supporting residents to develop an active community food growing and outdoor activity resource in every education centre and community in West Dunbartonshire.

It is dedicated to the provision of an active community food growing space and outdoor education resource in every school and early years establishment in West Dunbartonshire, supporting family participation in a well being activity.

Learn and Grow offers a lively, engaging, multi-sensory way to teach children and families about growing and eating healthy food all year round. Aside from the physical health benefits that eating well brings, learning in an outdoor environment combats Nature Deficit Disorder and has been shown to increase mental health by boosting mood, confidence and self-esteem.

Learn and Grow provides the opportunity for parents, family members and volunteers to participate with education colleagues to ensure children have the opportunity to participate in Learn and Grow activities at school and in their wider communities.

There are currently 42 active food growing sites within West Dunbartonshire Education establishments benefiting from the Learn and Grow resource.

Learn and Grow is a collaborative partnership of the following:

- Royal Horticultural Society's "campaign for school gardening"
- Bellsmyre Community Gardens
- West Dunbartonshire Council Greenspace
- West Dunbartonshire Council Education Service
- Learning and Attainment
- Growing West Dunbartonshire
- The Leamy Foundation
- Better Views
- Claire Ramjan, PHD student



Learn and Grow Aims:

- Increase our awareness and use of our natural heritage resources throughout West Dunbartonshire
- Increase the active connections between schools, residents and community groups
- Increase opportunities for our residents to develop their wellbeing through increased use of natural heritage resource
- Increase our access to locally grown fruit and veg as per the “Good Food Nations” aims
- Encourage enterprise skill and improving behaviour
- Establish a community led legacy framework for Learn and Grow to be established as a consistent outdoor learning tool

Learn and Grow achievements since 2017:

Learn & Grow Schools & Nurseries in West Dunbartonshire

Why get outside and Grow.

Know where our food comes from	Eat more fruit and veg
Know the benefits of eating healthy food	Be active

Our Food Growing

- Supports curriculum learning
- Delivers outdoor learning
- Develops life & confidence skills
- Improves well being
- Protects our environment
- Gets our Community involved
- Is amazing fun

4460 volunteer hours
143 Parents and Volunteers
900 pupils participated

32 Growing spaces built
42 Schools & Nurseries involved
369 Activities

WE ARE A COMMUNITY

14 Partners in 15 Communities

Partners: Better Views, Belsmyre Community Gardens, The Leamy Foundation, West Dunbartonshire Council, West Dunbartonshire Council Environmental Fund, SCHOOL GARDENING, Growing West Dunbartonshire

Learn and Grow: the very best of our local food growing expertise, to inspire and equip every school and nursery to grow their own food.

Here are some testimonials from staff and parents involved in Learn and Grow activities:

"The environment has become a safe and fun place to learn and play. We have grown as a team and community with just some seeds and soil."

Claire Campbell, Early Education and childcare officer

"The garden has been good for the staff team as it is encouraging us to get our hands dirty and be creative. It has helped us to develop our basic gardening skills and teach the children about respect and nurturing towards the plants/vegetables. I believe it has improved our mood and increased staff morale."

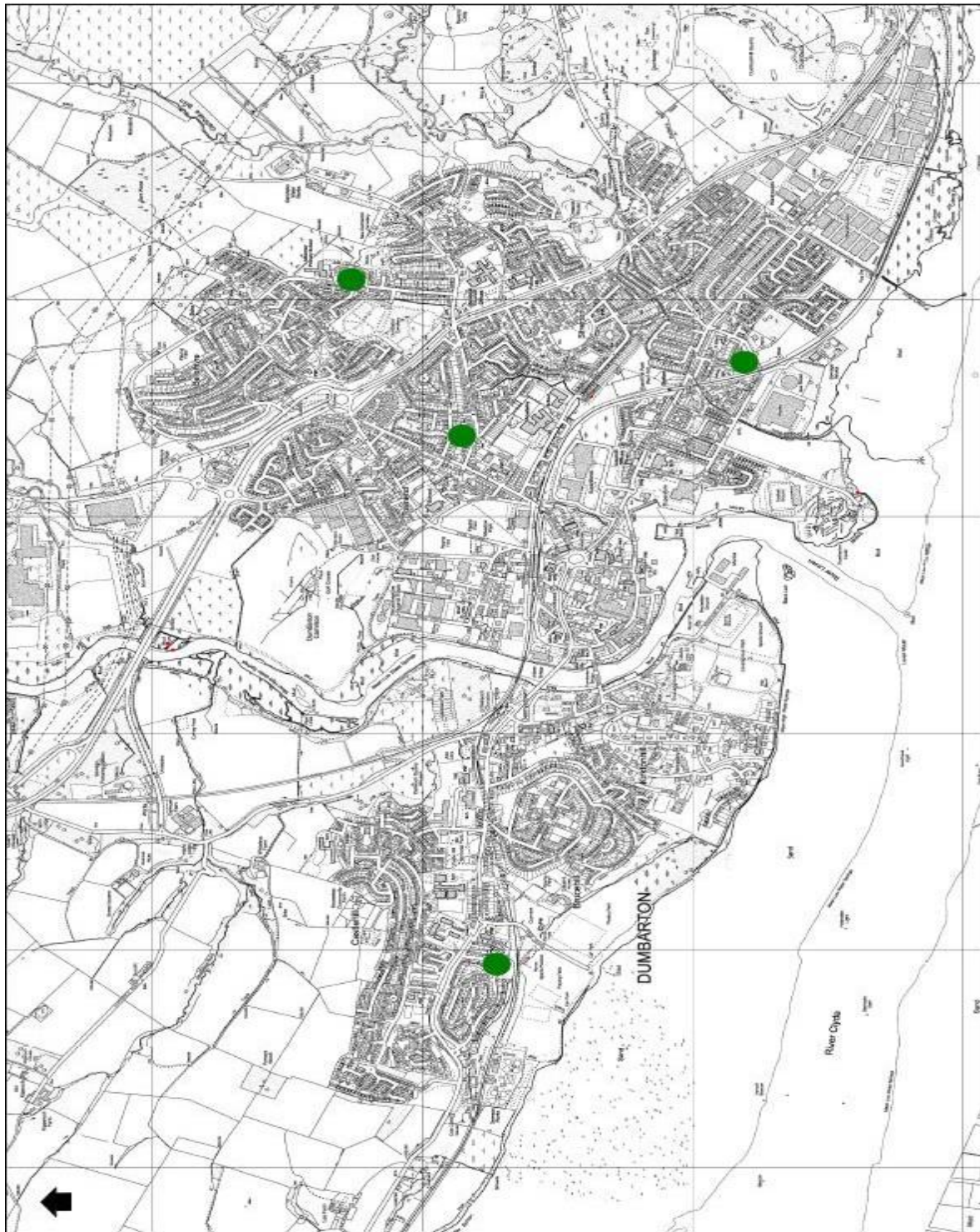
Susan Allsop, Early Education and childcare officer

"Fab way to get involved and join in your child's learning in the nursery environment, it also feels good to contribute to the nursery grounds too. And the kids get to see progress of their work as the flowers and veg grow."

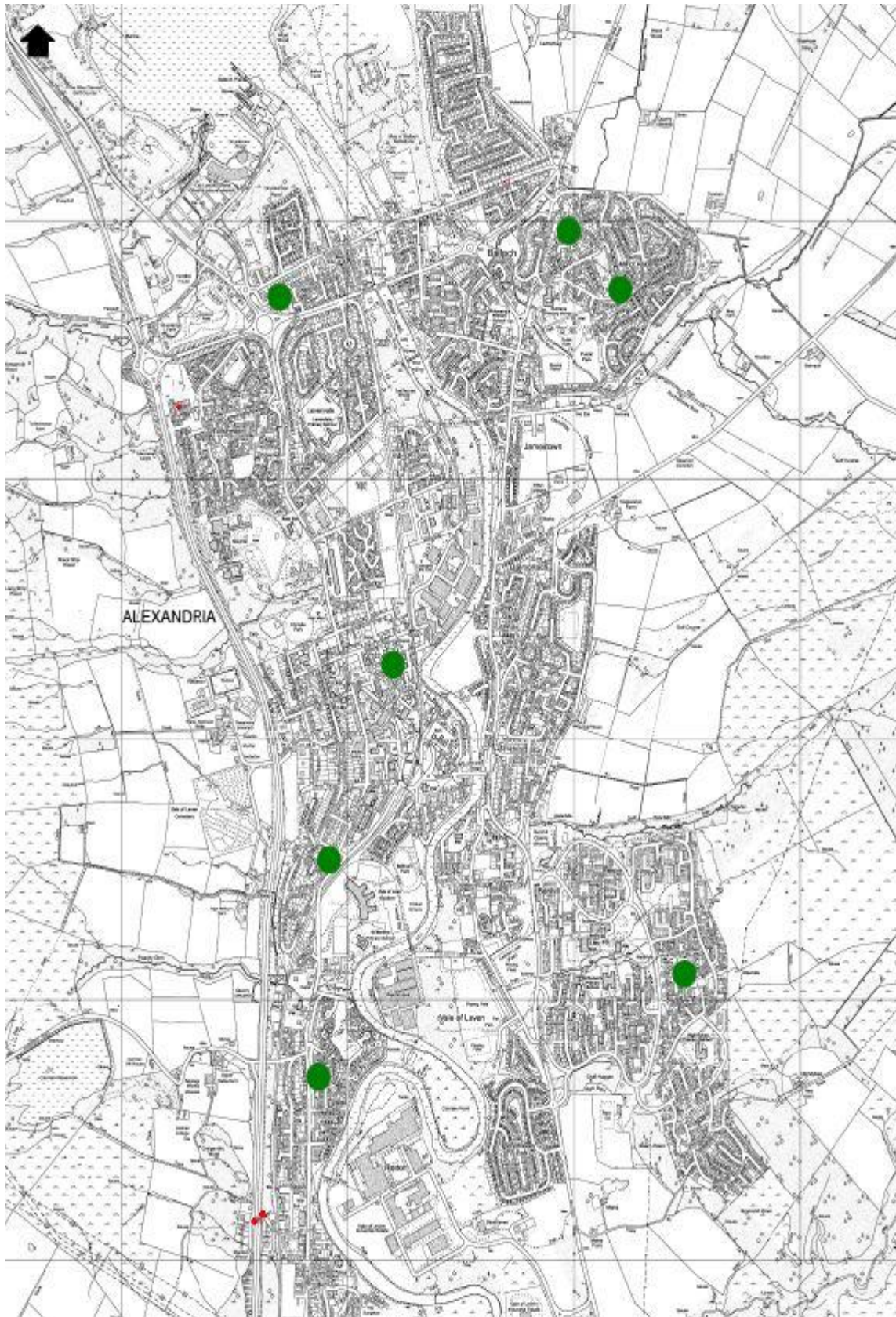
Louise, amazing parent helper!

The following maps identify current food growing locations throughout West Dunbartonshire.
These maps are also available online in an interactive format using the link below:

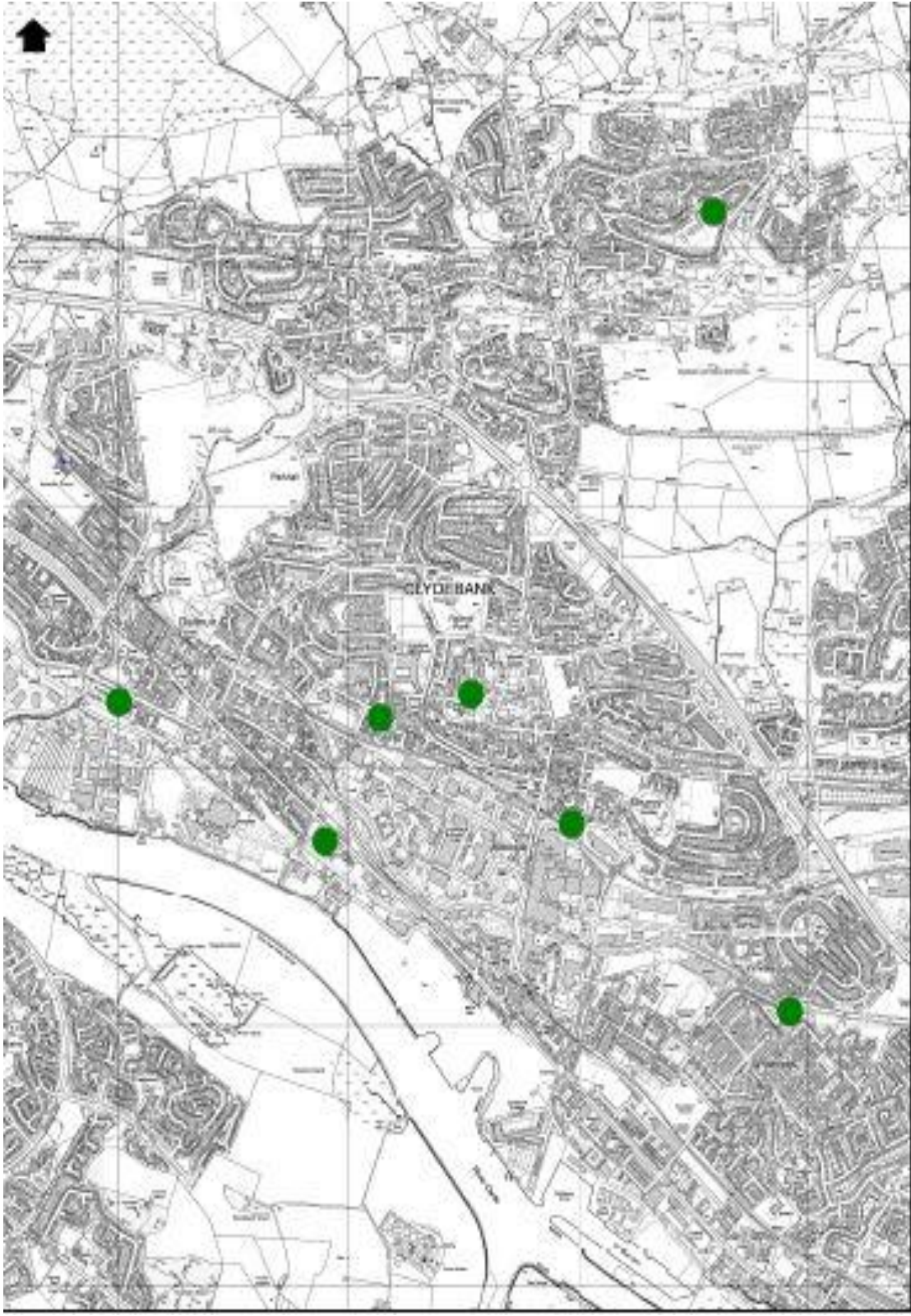
Dumbarton Map



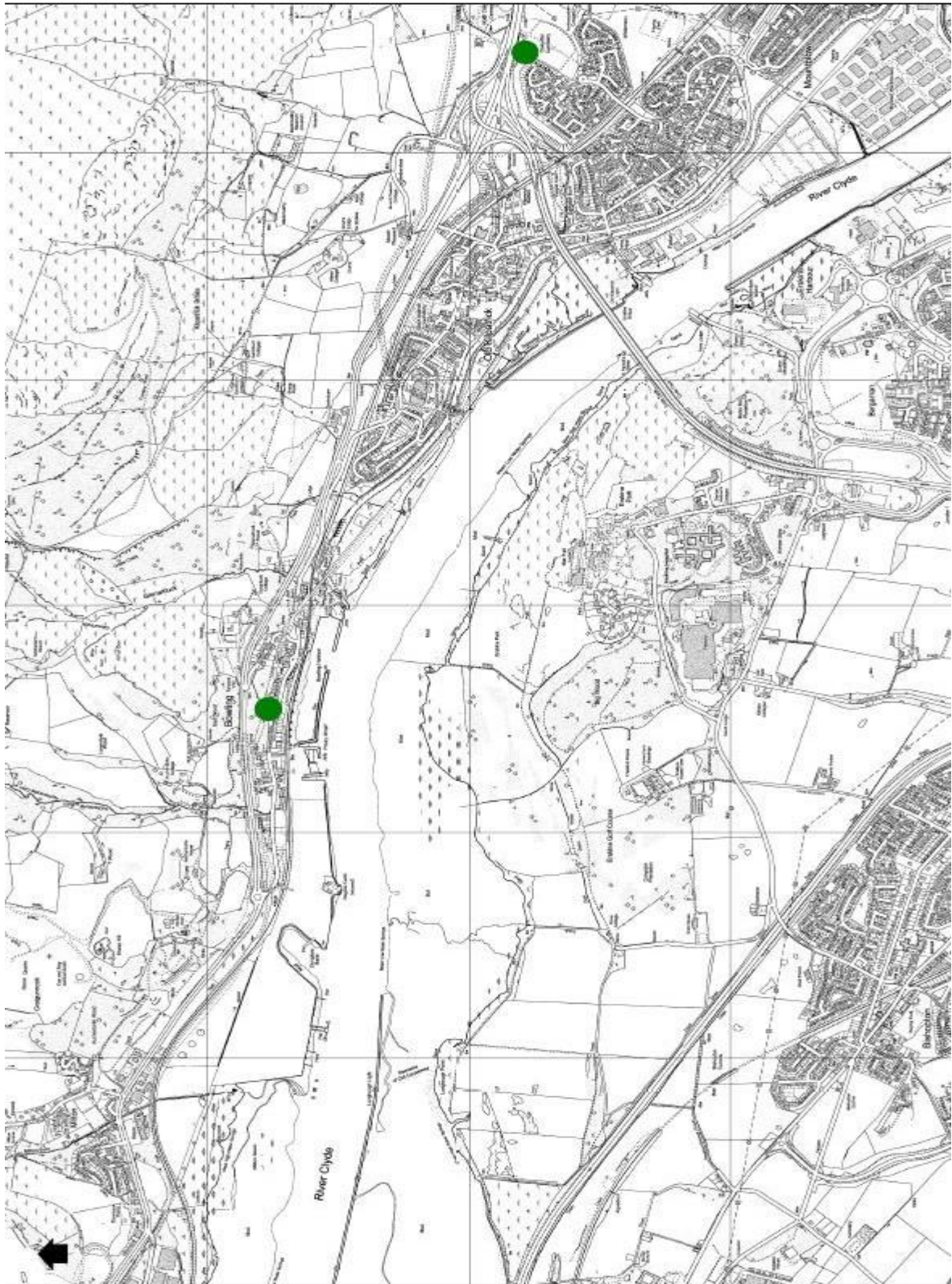
Vale of Leven Map



Clydebank Map



Milton, Bowling & Old Kilpatrick map



7 Developing Future Provision

West Dunbartonshire Council will continue to maintain a list of residents wishing to have an allotment plot. In line with part 9 of the Community Empowerment Act the aim is for the number of people on the waiting list to be no more than half the number of Council allotments available.

The Food Growing Strategy offers an opportunity to achieve this target by linking together the organisations and stakeholders who have an interest in food growing. This will allow for the development of a joined up approach to increasing food growing spaces throughout West Dunbartonshire.

A food growing working group made up of interested parties will be established to develop opportunities for food growing in West Dunbartonshire. This group will represent the Council, Community groups and individuals who have an interest in food growing. The group will assist with future consultation activities and the reviewing of the Food Growing Strategy action plan.

To ensure that the Council meets its obligations under the Community Empowerment Act we have carried out an audit of existing open spaces and gap sites to identify potential future allotment sites and community growing spaces.

West Dunbartonshire's industrial heritage has left a legacy of contaminated land that is not suitable for food growing. The food growing working group will continue to work with the council's contaminated land officers to assess land that has been identified as potential for food growing.

The Councils 2020/21 budget has agreed to provide £500,000 of capital funding to develop new allotment sites. It is recognised that given the scale of demand for allotments in West Dunbartonshire, other forms of funding will need to be secured. The Council will work with partners and community groups to secure external funding for the creation of additional growing spaces. In relation to community growing spaces options for community asset transfer will also be explored.

Projects that are currently being developed to provide future food growing sites:

- Townend Road Allotment site – a mix of 30 traditional allotments and community raised beds. Development work is being carried out for delivery in early 2021.
- Clydebank Community Sports Hub – 20 traditional allotments to be managed by the sports hub board. Due for completion in October 2020.
- Melfort Community Park - 30 raised beds within a community garden. Due for completion November 2020.

Potential Growing Spaces:

Vale of Leven:

- Woodlands Court, Tullichewan
- Inler park, Haldane
- Manse Gardens, Haldane
- Christie Park
- Central Alexandria Redevelopment Area
- Cordale, Renton
- Vale of Leven Academy
- Gap site next to St Ronans Primary
- Unused play area near Bonhill Quarry
- Urban foraging along the River Leven

Dumbarton:

- Knowtop Farm, Castlehill
- Phoenix Centre, Castlehill
- Field adjacent to Leven valley Centre
- Posties Park
- Firth View, Brucehill
- Mill Dam, Silverton
- Milton Park
- Willox Park
- Urban foraging along the River Clyde

Clydebank

- Singer Road, disused football park
- Dalmuir Park
- Drumry Linear Park
- Bedford Avenue, Drumry
- Glasgow Road, Bowling
- Urban foraging along the F&C Canal

Many of the sites identified fall within areas that have high levels of deprivation and food poverty.

The Council recognises that there can be economic barriers to growing your own food. These barriers include the purchase of equipment and materials, accessing training opportunities and the general running costs associated with an allotment. The Council will work with community groups and allotment associations to help to identify funding streams that will help to mitigate these barriers.

Food Growing Action Plan

The actions detailed within this action plan will be reviewed regularly and updated annually

No.	Action	Lead	Timescale
1	Form Food Growing Working Group to review and develop West Dunbartonshire Food Growing Strategy	WDC Greenspace	December 2020
2	Carry out public consultation on Draft Strategy	WDC Greenspace	November 2020
3	Develop new allotment site at Townend Road, Dumbarton	WDC Greenspace	July2021
4	Assist Community groups to develop potential food growing opportunities	Food Growing Working Group	Ongoing
5	Update database of current and future growing spaces	WDC Greenspace	October 2020
6	Provide opportunities for training and best practice workshops	WDC Greenspace/ Growing West Dunbartonshire	Ongoing
7	Monitor demand for allotments and respond as per Community Empowerment Act	WDC Greenspace	Ongoing
8	Review waiting list and offer alternative food growing options if available	WDC Greenspace	December2020
9	Maintain and update interactive maps	WDC Greenspace	Ongoing
10	Develop internal and external capital funding bids to provide food growing spaces	Food Growing Working Group/ Community groups	Ongoing
11	Establish Learn and grow and Growing West Dunbartonshire as strategic partners.	WDC Greenspace/ Growing West Dunbartonshire	December 2020
12	Report allotment waiting lists via Council website and Growing West Dunbartonshire.	WDC Greenspace	October 2020
13	Map demand, both current and anticipated future demand to take account of planned housing developments etc.	WDC Greenspace/ Development Management	Ongoing
14	Facilitate an annual stakeholder community food growing review	Food Growing Working Group	Ongoing
15	Develop a community wide awareness program delivered by	Food Growing Working Group/	January 2021

	Growing West Dunbartonshire increasing communities understanding of and capacity to support and deliver the food growing action plans.	WDC Greenspace/ Growing West Dunbartonshire	
16	Deliver an annual Growfest celebration event incorporating a Community Eco Award	Food Growing Working Group/ WDC Greenspace/ Growing West Dunbartonshire	Ongoing
17	Assign resources to the delivery of a community led, Learn and Grow healthy eating campaign integrating education centres, health centres and community organisations.	WDC Greenspace/ Growing West Dunbartonshire/ Leamy Foundation	Ongoing
18	Review Action Plan annually	Food Growing Working Group/ WDC Greenspace	September 2021
19	Review Strategy every five years	Food Growing Working Group/ WDC Greenspace	September 2025
20	Seek capital and revenue funding to meet legislative requirements in relation to Community Empowerment Act	WDC Greenspace	Ongoing
21	Continue to support and resource the Learn and Grow initiative	WDC Greenspace/ WDC Education	Ongoing
22	Provide assistance for individuals and groups to develop food growing opportunities in disadvantaged areas of West Dunbartonshire	Food Growing Working Group/ WDC Greenspace	Ongoing
23	Encourage intergenerational food growing learning activities in communities	Food Growing Working Group/ WDC Greenspace/ WDC Education	Ongoing
24	Develop Food Growing Strategy website	Food Growing Working Group/ WDC Corporate Comms	December 2020
25	Complete new Community Allotment site at Melfort Gardens	WDC Greenspace/ WDC Economic Development	October 2020
26	Complete Community Allotment site at Clydebank Sports Hub	WDC Greenspace/ Sports Hub Committee	November 2020
27	Review Allotment Tenancy agreements	WDC Greenspace	November 2020

28	Investigate opportunities for renewable energy sources within growing spaces	WDC Greenspace	December 2020
29	Ensure future food growing sites are considered to be funded by Developers Contributions	WDC Greenspace/ Forward Planning	Ongoing

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead – Regulatory/Roads & Neighbourhood****Infrastructure, Regeneration and Economic Growth: 16 September 2020**

Subject: Proposed Revisals to the Rules and Regulations for the Management of West Dunbartonshire Cemeteries**1. Purpose**

- 1.1** The purpose of this report is to seek Committee's approval for the proposed changes to the Rules and Regulations for Management of West Dunbartonshire Cemeteries (**APPENDIX. 1**).

2. Recommendations

- 2.1** It is recommended that Committee approve the revised Rules and Regulations for the Management of West Dunbartonshire Cemeteries following on from public consultation.

3. Background

- 3.1** Following a report to this Committee on 15 May 2019, the proposed revised Rules and Regulations for the Management of West Dunbartonshire Cemeteries were publicly advertised on 4 June 2019. In addition other interested parties were asked for their comments/views, including Community Councils, Clergy and Funeral Directors. No comments were received.
- 3.2** Under the Civic Government (Scotland) Act 1982, a Local Authority can make Rules and Regulations for the management of its Cemeteries. The current Rules and Regulations require to be reviewed and officers have extensively looked at the current terms of the Rules.
- 3.3** In this review, officers have considered how these rules can be updated in a modern context to be clearer and more user-friendly. Accordingly, the proposed draft Rules have been updated to reflect recent legislative changes.

4. Main Issues

- 4.1** Since the last review of the Rules and Regulations there has been a legislative change with the introduction of the Burial and Cremation (Scotland) Act 2016. The 2016 Act has consolidated various Acts dating from the mid-nineteenth century onwards, to provide for one authoritative piece of legislation covering burial, cremation and associated arrangements.

4.2 Funeral Arrangements

Arranging a funeral is always a very difficult and emotional task. For some families, however, there is the added complexity of determining the contentious question of who actually has the right to make arrangements for the body and the funeral. Historically this highly sensitive issue has triggered family disputes.

While many people choose to include their funeral wishes within their Will, this is not binding on their Executors or family. Although in most cases individuals will want to fulfil the wishes of the deceased, conflicts can and do arise. This is particularly the case where the instructions provided in the Will can no longer be reasonably achieved, such as if the church or crematorium no longer exists. Where no instructions are left at all, this can also lead to arguments. The 2016 Act provides welcome clarity in this area.

Going forward, where an adult dies and either leaves no indication of their intended arrangements on death, or these arrangements cannot reasonably be achieved, the legislation confirms that the deceased's 'nearest relative' is entitled to make the necessary funeral arrangements. The 2016 Act provides a hierarchy of individuals who may fall within the definition of nearest relative. The person's spouse or civil partner tops the list, followed by other adult relations ranked in order of priority. Should the person have no surviving adult relations who are over the age of 16, or none who wish to take responsibility for attending to arrangements, a longstanding friend can step in.

Although the legislation does not remove the possibility of disputes arising, it does provide a clear answer to the question of who can take control of the funeral arrangements. Ultimately, if a dispute arises between individuals with an interest, such as two relatives who rank equally under the new Act, a claim can be brought before the Sheriff Court in order to resolve the matter.

4.3 Burial Rights

The 2016 Act includes new provisions regarding the right to burial. This will affect arrangements following a death as well as those wishing to put in place a pre-paid funeral plan setting out their wishes.

The legislation introduces the concept of a 'burial right'. This is essentially the right to be buried in a particular plot of land. Burial Authorities, being the Local Authority for the particular region, are given the power to sell a right of burial in/to a plot or lair within a burial ground. This right includes a right to be buried in that plot and also to determine who else may be buried there.

While this may sound similar to the previous system, the important point to note is that the burial right is no longer indefinite. The right now remains in force for a period of 25 years, after which it expires unless an application to extend the period is made and granted. An extension is valid for a further 10 years. This change reflects a need for burial space and limits the likelihood of lairs remaining empty when a person is buried elsewhere.

It should also be noted that a burial right does not include the right to erect a headstone and a separate application requires to be made to the Burial Authority for this.

4.4 Cremation

There have been a number of scandals in recent years concerning cremation and the disposal of ashes. The 2016 Act addresses this matter, particularly the concerns voiced by the Infant Cremation Commission following historical practices at some crematoriums. While much of the new provisions are aimed specifically at crematoriums, the Act also makes provision for how ashes are to be dealt with following a cremation.

While this may sound unlikely, it is not unheard of that ashes are left with either the crematorium or funeral director after the funeral. This can arise due to a family misunderstanding where one family member thinks that another has collected them, or simply where no one knows what is to happen to the ashes. In some cases ashes can be held by funeral directors or crematoriums for a number of years.

Where ashes are not collected, the legislation imposes an obligation on the crematorium or funeral director to undertake reasonable investigation to ascertain from the person who registered the deceased for cremation whether the ashes are to be picked up. If they continue to be left following further communication, the ashes can be returned to the crematorium (if not already there) and ultimately disposed of by the crematorium staff.

- 4.5** The purpose of the management rules in addition to the 2106 Act is to set out rules that are particular for West Dunbartonshire.

5. People Implications

- 5.1** There are no people implications associated with this report.. The administration of the revised Rules and Regulations will continue to be absorbed within existing staff resources.

6. Financial and Procurement Implications

- 6.1** There are no financial or procurement implications. The administration of the revised Rules and Regulations will continue to be absorbed within existing revenue budgets.

7. Risk Analysis

- 7.1** Rules and Regulations are in place for the proper administration of West Dunbartonshire Cemeteries and are required to be consulted upon and approved by Members. There is a risk of legal challenge if these Rules and Regulations are not revised.

8. Equalities Impact Assessment (EIA)

- 8.1** An initial screening confirms that there is no adverse impact.

9. Consultation

9.1 A full public consultation on the Rules and Regulations has been carried out. No comments were received as a result of the consultation.

10. Strategic Assessment

10.1 This report supports the following Council Strategic objectives:

- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged.
- Open, accountable and accessible local government.
- Efficient and effective frontline services that improve the everyday lives of residents.

Name Peter Hesselton/Gail MacFarlane
Designation Strategic Lead - Regulatory/Roads & Neighbourhood
Date: 17 August 2020

Person to Contact: Christopher Anderson, Solicitor and Notary – Regulatory Council Offices, Municipal Buildings, Station Road, Dumbarton G82 1NR
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Telephone: (01389) 608405
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Appendices: Appendix.1 - Rules and Regulations for the Management of West Dunbartonshire Cemeteries

Background Papers: None

Wards Affected: All

**RULES AND REGULATIONS FOR
THE MANAGEMENT OF
WEST DUNBARTONSHIRE COUNCIL CEMETERIES**

By virtue of the powers contained in Sections 112-118 of the Civic Government (Scotland) Act 1982, West Dunbartonshire Council, incorporated under the Local Government Etc (Scotland) Act 1994 and having their offices at 16 Church Street, Dumbarton, hereby make and enact the following Management Rules for the regulation of all cemeteries and Burial grounds situated within the boundaries of West Dunbartonshire and which are under the Council's control. These Management Rules shall be read in conjunction with any regulations introduced by Scottish Ministers by virtue of powers contained within the Burial and Cremation (Scotland) Act 2016. In the event of any conflict between these rules and the regulations, these rules shall prevail, unless prescribed otherwise by Scottish Ministers.

**1. INTERPRETATION OF TERMS THROUGHOUT THESE
MANAGEMENT RULES**

Throughout these management rules:-

“Burial” refers to burial of a corpse or corpses in a Coffin and may also include Burial of ashes of a body in a wooden casket.

“Cemetery” refers to any Burial ground and where appropriate also includes a “crematorium” as defined by the Burial and Cremation (Scotland) Act 2016, Cemetery which has been, which is presently, or which may subsequently be, vested in West Dunbartonshire Council. Burial

“Claimant” refers to a person claiming to be entitled to exercise a right of Burial in a Lair in terms of regulation 6 hereof.

“Coffin” refers to a box or casket in which is enclosed a corpse and may also include an urn, if appropriate.

“Director” refers to the Strategic Director of Regeneration, Environment and Growth of West Dunbartonshire Council or his Representative from time to time.

“Lair” refers to a Lair in a Cemetery.

“Lairholder” refers to the owner of the exclusive right of Burial in a Lair.

“Lawful day” refers to any Monday to Friday inclusive, subject to the terms of regulation 16 hereof.

“Lair Certificate” has the definition assigned to it by Clause 4 a) hereof.

“Monument” refers to a Monument, gravestone, tablet or any appropriate Monumental inscription.

“Register of Lairs” has the definition assigned to by Clause 3 a) hereof.

“Representative” refers to all employees of West Dunbartonshire Council employed on, in or around a Cemetery or any other person authorised by West Dunbartonshire Council to act on behalf of the Strategic Director of Regeneration, Environment and Growth in connection with these Rules and Regulations.

“Resident” refers to having a main or sole residence within West Dunbartonshire at the time of application to purchase an exclusive right of Burial in a Lair; or, at the sole discretion of the Strategic Director of Regeneration, Environment and Growth, shall mean having such other connection with West Dunbartonshire as the Strategic Director of Regeneration, Environment and Growth in his sole opinion shall consider appropriate.

Except where stated otherwise, the Interpretation Act 1978 shall apply to the interpretation of these Rules and Regulations in the same manner as it applies to the interpretation of an Act of Parliament.

2. SALE OF AN EXCLUSIVE RIGHT OF BURIAL

- a) Residents of West Dunbartonshire and non-Residents may, on payment of the appropriate fee, to be fixed from time to time by West Dunbartonshire Council, which fee may vary between Residents and non-Residents, apply to purchase an exclusive right of Burial in a Lair.
- b) The Council, under certain circumstances, may determine that the sale of Lairs shall be restricted to Residents of West Dunbartonshire and that further restrictions, as approved by the Director, may apply to the sale of such Lairs.
- c) Certain Lairs are reserved for interment of cremated remains, which must be interred in urns conforming to such dimensions and specifications as West Dunbartonshire Council may from time to time stipulate.
- d) The exclusive right of Burial in Lairs shall be sold at such price as West Dunbartonshire Council may from time to time determine.
- e) Notwithstanding the above, all rights in a Lair shall be deemed to have transferred back to the Council should said Lair be unused for fifty years or more from the date of purchase of the rights. The deemed transfer shall be effective after the Council has taken all reasonable steps to identify and notify the Lairholder or their successor.

3. REGISTRATION OF SALE OF EXCLUSIVE RIGHT OF BURIAL

- a) In respect of each Cemetery there shall be kept a Register (hereinafter called "Register of Lairs) in which shall be recorded the names and addresses of Lairholders from time to time, along with particulars of the Lairs to which the Lairholders have acquired exclusive right of Burial.
- b) The name of one person only shall be entered in the Register of Lairs as the owner of the exclusive right of Burial in a Lair. Joint ownership is expressly prohibited except in the case of Trustees or where West Dunbartonshire Council so permits.
- c) The entry in the Register of Lairs of the name of the Lairholder and the corresponding Lair, in which he has an exclusive right of Burial, shall be prima facie evidence of that person's right to that Lair.

4. CERTIFICATES OF EXCLUSIVE RIGHT OF BURIAL

- a) West Dunbartonshire Council shall furnish Lairholder with a Certificate (hereafter called "a Lair Certificate") specifying the Lair to which he/she is entitled.
- b) An entry of the issue of a Lair Certificate shall be made in the appropriate Register of Lairs.
- c) West Dunbartonshire Council shall charge a specified fee for making entries in the Register of Lairs and for the issue and endorsement of Lair Certificates.

5. TRANSMISSION OF RIGHT OF BURIAL

- a) A Lairholder shall not be entitled to sell, dispose of, or transfer his right of Burial in his lifetime except with the written consent of West Dunbartonshire Council, which shall have the right of pre-emption. Where such consent is granted it shall only be granted on payment of such fee as may from time to time be determined by West Dunbartonshire Council. West Dunbartonshire Council may exercise said right of pre-emption without requiring to compensate the Lairholder therefore.
- b) Should a Lairholder who is Resident in West Dunbartonshire wish to transfer his right of Burial to a non-Resident within five years of the initial date of purchase from West Dunbartonshire Council, the Council shall reserve the right to charge a fee for the transfer, which shall be equivalent to the difference between the Resident and the non-Resident purchase fees.
- c) A Lairholder shall not be entitled to inter any body or ashes in his or her Lair for any consideration or other onerous causes whatsoever.

- d) Subject to the provisions of these Rules and Regulations, a Lairholder may dispose of his right of Burial after death, and a Lairholder in two or more Lairs may, after death, dispose of the right of Burial in each Lair separately.
- e) If a Lairholder bequeaths a Lair to more than one person, the assignation in that case shall be disregarded and the foregoing Rules as to succession of the Lair shall be applied and take effect. In the event of such a bequest, West Dunbartonshire Council shall not be responsible for any misunderstanding or error in the acceptance of any person claiming to be the Lairholder or to have a right of Burial even though it should be ascertained subsequently that such a claim was unfounded, and shall not compensate, reimburse or otherwise make good any loss howsoever caused by such acceptance.
- f) If a Lairholder dies leaving a widow or widower and/or children then, notwithstanding the transmission of the right to some other person, such widow and such children as shall not have attained the age of 21 years may be interred in the Lair unless the Lairholder shall have made express provision to the contrary in any valid testamentary writing.
- g) If a Lairholder bequeaths his Lair more than one person or if he dies without making any provision for the transfer of his Lair or otherwise in the event that a specific bequest of the Lair cannot be implemented the Lair shall pass to his widow whom failing his eldest child which failing the succession shall be regulated by the law of succession in Scotland.

6. EVIDENCE OF TRANSMISSION OF RIGHT OF BURIAL

- a) A person claiming to be entitled to exercise a right of Burial in a Lair shall not be recognised nor entitled to exercise that right until he has:
 - i. Provided evidence of his title thereto to the satisfaction of West Dunbartonshire Council, and West Dunbartonshire Council may order such public or other notice of any application to be made as they judge necessary, at the expense of the Claimant;
 - ii. Lodged with West Dunbartonshire Council the Lair Certificate to which he claims to be owner either by original purchase thereof or by succeeding thereto in terms of clause 5(f) hereof or other such evidence as may satisfy West Dunbartonshire Council, and
 - iii. Paid the appropriate fees specified from time to time by West Dunbartonshire Council.
- b) Particulars of every such transmission of a right of Burial shall be entered in the appropriate Register of Lairs.

- c) Prior to exercising the right of Burial as aforesaid, a Claimant may apply, on production of the original Lair Certificate, to have a memorandum of entry endorsed on the original Lair Certificate confirming that he has been registered as a Lairholder with West Dunbartonshire Council. Such endorsement will be issued only on production of such fee as West Dunbartonshire Council may from time to time impose. If the said original Lair Certificate is missing an application as aforesaid may be made and a new Lair Certificate with memorandum of entry endorsed thereon may be issued. This is subject to payment of such fee as West Dunbartonshire Council may from time to time impose and payment of the premium of such indemnity insurance policy as West Dunbartonshire Council may wish to obtain.
- d) In the event of there being competing claims to a Lair the Director shall settle such dispute in such manner as he shall see fit and shall thereupon register that person as a Lairholder and shall not pay the other party or parties compensation in any form in respect of any unsuccessful claim.

7. INTERMENTS

- a) An interment in a Cemetery shall not be allowed unless notice of the intended interment shall have been given in accordance with paragraph (b) hereof, and the appropriate Lair Certificate or other satisfactory evidence of the applicant's right exhibited to the Director or his Representative in accordance with Regulation 6 hereof. The appropriate interment fees as shall be fixed from time to time by West Dunbartonshire Council must also have been paid in full.
- b) Notice of an interment must be given to the Director as early as possible. Separate details of interment notification timescales shall be issued from time to time in accordance with the prevailing operating procedures. Notice of interment shall state name, age, date of death, address of deceased and day and Lair of interment.
- c) Every such notice of an intended interment shall be made on the printed form which may be obtained from West Dunbartonshire Council Offices.
- d) West Dunbartonshire Council will not be responsible for any delay in preparing a grave for an interment howsoever such delay is occasioned, whether through the fault, negligence or otherwise of West Dunbartonshire Council, its employees or any independent contractors employed by West Dunbartonshire Council.
- e) Subject to the terms of regulation 16 hereof, interments must take place between the following hours:-

Monday to Saturday inclusive 09.00 -14:30

No interment will be permitted to take place outwith these hours or on Sundays, except on production of a Medical Certificate in cases of urgency as agreed with the

Director and then only on payment of the appropriate fees determined from time to time by West Dunbartonshire Council.

8. DIGGING OF GRAVES

Only authorised employees of West Dunbartonshire Council shall be allowed to dig and infill graves in a Cemetery.

9. DEPTH OF GRAVES

- a) No Lairholder shall be entitled to have the ground opened to a greater depth than seven feet, unless the Lairholder shall have obtained the prior written permission of the Director, which permission shall state the maximum depth permitted and the maximum numbers of Coffins to be interred.
- b) In a grave not exceeding six feet in depth, not more than two, and in a grave of seven feet, not more than three Coffins shall be interred, provided always that no interment shall be made without there being at least three feet of soil between the ordinary surface of the ground and the upper most side of the proposed topmost Coffin.
- c) Due to variations in ground conditions and other factors, it may not be possible for a Lair to accommodate a second or third interment.

10. PROHIBITED REMOVAL OF COFFINS FROM GRAVES

No Coffin shall be disturbed or removed to make room for a new interment or otherwise without first obtaining the sanction of West Dunbartonshire Council and otherwise complying with all relevant statutory and other requirements.

11. DRAPING OF GRAVES

West Dunbartonshire Council may, on application, drape a grave for an interment on payment, along with the interment fees, of the fees determined from time to time by West Dunbartonshire Council.

12. MAINTENANCE OF LAIRS

- a) No planting or pruning, dressing or decorating of Lairs shall be done by or on behalf of a Lairholder except with the written consent of the Director.
- b) The turf of a Lair shall not be cut for the purpose of forming a flowerbed or border or for any other purpose, nor shall anything whatsoever be placed in or upon such turf except wreaths or flowers. Without prejudice to the foregoing, an

unturfed space, approximately three feet x one foot shall be left at the head of each Lair for the erection thereon of Monuments and the planting therein of flowers; declaring that nothing other than flowers shall be planted on a Lair without written consent of the Director.

13. ERECTION OF MONUMENTS

- a) The Director or his Representatives may, on the written application of a Lairholder, allow him to erect a Monument on the Lair in which he has a right of Burial and to have said Monument inscribed. Such application must detail the type of Monument intended to be erected and materials to be used, all other information which the Director may from time to time require and shall in all events include detailed drawings of the proposed Monuments. Such application shall also include a specific written Statement of the inscription proposed. Such permission as may be granted shall be without prejudice to the duty of the Lairholder to comply with and obtain all requisite statutory and other consent and permissions. Without prejudice to the foregoing, said permission may be granted subject to such conditions of which the Director in his sole opinion shall consider appropriate. In respect of Monumental inscriptions, permission granted shall be subject to the requirements that the inscriptions are both decent and proper of which the Director shall be sole judge.
- b) The erection of railings, fence, kerbs, or other structures enclosing Lairs is prohibited, and West Dunbartonshire Council reserve the right to remove any such structures in circumstances where such structures pose a hazard or are unsightly or for any other reason which the Director may deem appropriate. Further, West Dunbartonshire Council reserve the right to remove and dispose of any wreaths of natural or artificial flowers whenever said wreaths shall, in the opinion of the Director, have become unsightly, all at the expense of the Lairholder or his Representative.
- c) No Monument, etc. is to protrude in any way over that part of the Lair to be opened for Burial or over any adjacent Lair. All excavation for the foundation of Monuments and all other earthwork connected with the erection and maintenance of Monuments shall be done only by authorised staff of West Dunbartonshire Council or such contractors as West Dunbartonshire Council may appoint and at the expense of the person ordering the work.
- d) The Lairholder is liable for all risks or any damage by or to all adjoining lands and Monuments erected thereon, in respect of any damage caused by any Monument erected or planned, situated on or within his Lair.
- e) A person erecting a Monument in a Cemetery must remove all rubbish resulting from the erection and make good any damage done to turf or walks all at his own expense and to the satisfaction of the Director or his Representative.

- f) Monuments erected on Lairs must not exceed three feet six inches in height, above the ground level of the Lair without the prior written approval of the Director.

14. MAINTENANCE OF MONUMENTS ETC.

- a) A Lairholder must maintain in a neat and proper condition, of which the Director shall be the sole judge, any Monument erected by him on the Lair on which he has a right of Burial.
- b) If any such Monument falls into disrepair, West Dunbartonshire Council, after giving one month's notice to the Lairholder or his Representatives at the address as contained within the Register, may themselves have the Monument repaired or removed from the Lair and dispose of the materials as they think fit, all at the expense of the Lairholder or his Representative.

15. SUPERVISION OF CEMETERIES

- a) The Director shall, subject to these Rules and Regulations, and to such other directions as he may from time to time receive from West Dunbartonshire Council, be responsible for the control of the cemeteries and the employees of West Dunbartonshire Council employed therein.
- b) No employee of West Dunbartonshire Council shall be entitled to solicit or accept any gratuity whatever.
- c) The Director shall regulate the hours during which Monumental sculptors and any other contractor instructed by or on behalf of the Lairholder will be admitted to a Cemetery, the routes by which they bring materials into and out of a Cemetery and the manner in which such materials are conveyed.

16. ADMISSION OF PUBLIC TO CEMETERIES AND CONDUCT THEREIN

- a) The Cemeteries shall be opened and closed to the public at such hours as may from time to time be intimated by notice, which notice shall be displayed at or near the entrance to the Cemeteries.
- b) West Dunbartonshire Council may close any Cemetery or any portions thereof to the public for such a time as they may consider necessary or expedient, and that without intimating same by notice. Further, cemeteries shall close for interments and all other purposes during all public holidays, of which dates the Director of the Council shall be the sole judge.
- c) A person shall not enter or leave any Cemetery except by the gateways provided for the purpose and shall not enter or remain in any Cemetery at any time when the Cemetery is closed to the public.

- d) Subject to terms of regulation 15 (c) hereof, unless the Director shall otherwise agree, only hearses and vehicles carrying persons to and from a Burial or cremation shall be permitted within a Cemetery. Visitors will be required to park at Cemetery entrances unless they are registered as disabled.
- e) No person shall consume alcohol, as defined in the Licensing (Scotland) Act 2005 and in accordance with the West Dunbartonshire Council Bylaws, in a Cemetery.
- f) Riotous, disorderly or indecent behaviour including offensive or insulting language is forbidden within the Cemetery. No person shall otherwise commit any nuisance in a Cemetery or cause any obstruction or annoyance to any person attending a Cemetery.
- g) Without prejudice to the powers conferred upon authorised employees of West Dunbartonshire Council by s116 of the Civic Government (Scotland) Act 1982 the Director or his Representative are authorised to remove from the Cemetery any person who contravenes the provisions of this regulation.
- h) The Council shall not be responsible for any vandalism or damage caused to Monuments/other memorials or the theft of Monuments or memorials.

17. DOGS TO BE UNDER CONTROL

- a) A person shall not allow any dog belonging to him in his charge to enter or remain in any Cemetery unless such dog is led by a leash and kept under proper and effective control. No person shall allow any dog belonging to him/her to foul any part of the Cemetery.
- b) The Director or his Representative is authorised to remove from the Cemetery any person who contravenes the provision of this Regulation.

18. INTERPRETATION

Should any difference or dispute arise as to the intent, meaning or interpretation of these rules or fees to be charged or in any other respect the same shall be taken up and determined by the Director whose decision shall be final and conclusive and not subject to review of any court.

19. ALTERATION OF RULES AND REGULATIONS

West Dunbartonshire Council reserve the right to waive, alter, add to, or revoke all or any of the foregoing rules and enact others in their place, all of which shall

apply to all Lairholders and their Representatives immediately said alterations, additions and revocations are effective and that without warning or reference to said Lairholders or their Representatives.

20. REPEAL OF EXISTING REGULATIONS

All prior rules made by West Dunbartonshire Council or their forebears relating to the management of cemeteries, prior to the date of the commencement of these rules, are hereby revoked.

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead, Regeneration****Infrastructure Regeneration and Economic Development Committee:****16 September 2020**

Subject: Sale of 87/89 Bank Street, Alexandria G83 0LZ**1. Purpose**

- 1.1** The purpose of this report is to update the Committee on the re-marketing of the property at 87/89 Bank Street, Alexandria. The report details the offers received and seeks Committee approval to conclude disposal of the property.

2. Recommendations

- 2.1** It is recommended that the Committee:

- (i) Approve the disposal of the property at 87/89 Bank Street, Alexandria for a consideration of a gross purchase price of £130,000 (One hundred and thirty thousand pounds) to two individuals.
- (ii) Authorise the Strategic Lead, Regeneration to conclude negotiations.
- (iii) Authorise the Strategic Lead, Regulatory to conclude the transaction on such conditions as considered appropriate.

3. Background

- 3.1** Following receipt of Committee approval in November 2019 we engaged with the preferred party, Alternatives WD, to progress the disposal of the property.
- 3.3** Following receipt of their survey report, Alternatives WD, decided that the cost of upgrading and converting the property was more than they could afford and they withdrew their interest
- 3.4** The property was remarketed during January and February 2020, with a Closing date for best offers set on 28th February 2020.

4. Main Issues

- 4.1** The property is not required by the Council for any operational purpose and is therefore regarded as surplus.

- 4.2 Retention of the property will cost the Council in terms of security and utility charges in the short to medium term.
- 4.3 There is no certainty as to how long it would take to get the building let and income producing and there would be ongoing management time involved in this process.
- 4.4 The property was re-marketed during January and February 2020, sales particulars (Appendix 1) were uploaded onto various property websites, including the Council's own website. An e-mailing campaign was undertaken to a comprehensive list of property agents, developers, solicitors and property companies. Two "For Sale" signs were also erected at prominent positions on the front and side of the building. Finally, the availability of the property was circulated on Social media.
- 4.6 A Closing date was set for offers of Friday 28th February 2020 at which four offers were received ranging in value from £39,000 to £130,000. This compares with the previous offer received from Alternatives WD of £110,000.
- 4.7 The sale will result in a capital receipt for the Council of £130,000.
- 4.8 The highest offer is from two individuals who are local residents of West Dunbartonshire. They intend to renovate the second floor flat for residential use and to retain commercial uses on the ground and first floors. They already have a local business with five employees wanting to lease the first floor office this will assist in supporting local jobs within the area.

5. People Implications

- 5.1 There are no significant people implications other than the resources required by the Asset Management and Legal Services to conclude the proposed disposal.

6. Financial and Procurement Implications

- 6.1 The financial implications are that the Council will receive a capital receipt of £130,000 and will save on ongoing utility charges of approximately £1,000 per annum.
- 6.3 There are no procurement implications arising from this report.

7. Risk Analysis

- 7.1 The offer conditional upon them receiving a satisfactory mortgage to assist with the funding of the purchase.
- 7.2 The uncertainty created by the coronavirus pandemic may influence the prospective buyers plans adversely.

7.3 There is clearly a risk that the purchasers do not proceed with the acquisition due to factors which may arise out of their due diligence or due to difficulties with obtaining funding.

7.3 If the preferred bidder did not proceed with the acquisition on the agreed terms, we would recommend that the property be re-marketed.

8. Environmental Sustainability

8.1 The Strategic Environmental Assessment legislation will be considered and taken into account as part of the planning application assessment

9 Equalities Impact Assessment (EIA)

9.1 An Equality Impact Screening did not indicate any further action required

10. Consultation

10.1 Consultations have been undertaken with Legal in relation to the proposed disposal.

10.2 Wider consultation will take place during the Planning Application process.

11. Strategic Assessment

11.1 By agreeing to this proposal the Council will assist in the provision of an exclusive required service solely for residents of West Dunbartonshire.

11.2 A prominent town centre building will be refurbished and brought back into beneficial use.

Jim McAloon

Strategic Lead, Regeneration

Date: 13 July 2020

Person to Contact:

Michelle Lynn, Assets Co-ordinator, Council Offices,
Bridge Street, Dumbarton, G82 1NT. T:01389 776992
Email: michelle.lynn@west-dunbarton.gov.uk

J David Johnston, Estates Surveyor, Bridge Street,
Dumbarton G82 1NT. T: 01389 737581
Email: david.johnston2@west-dunbarton.gov.uk

Appendices:

Appendix 1 – Marketing Details.

Background Papers: Report by Strategic Lead, Regeneration to Infrastructure, Regeneration and Economic Development Committee on 20 November 2019

Wards Affected: Ward 2



FOR SALE: SUBSTANTIAL LANDMARK BUILDING



**87/89 BANK STREET,
ALEXANDRIA,
G83 0LZ**



PROPOSAL

West Dunbartonshire Council are pleased to offer for sale this imposing sandstone building on the east side of Bank Street, Alexandria. The Council are offering For Sale the heritable interest in the property.

Alexandria Town Centre

Alexandria is the principle town within the Vale of Leven and is located 20 miles west of Glasgow. The town is the main retail centre within the Vale of Leven serving the nearby towns of Balloch, Bonhill, Jamestown and Renton, which together have a combined population of over 20,000.

The Vale of Leven is a major tourist attraction with Loch Lomond and the Trossachs National Park attracting over 4 million visitors per year.

Alexandria is well connected with the A82 running to the west of the town being the main vehicular route between the Central belt and the Western Highlands and Argyll. Alexandria Railway Station, which is located within the town centre, provides regular train services to Glasgow Queen Street.



PROPERTY

The subject property is situated on the east side of Bank Street, within Alexandria town centre. The property was originally built for the Vale of Leven Constitutional Club in the early 20th century. The building is of sandstone construction with a grey slate roof. The building is Category 3 Listed.

Access to the ground floor is via timber doors on the front elevation. Internally the ground floor comprises a general office, private office, kitchen, safe room, toilets and boiler room.

Upper Floors

Access to the upper floors is taken from an entrance on the south side of the building which leads to a staircase. The first floor has been divided into 2 office suites one of which has a kitchen. There are also toilet facilities on this floor. The second floor is accessed via a timber stair and comprises a 3 room flat with kitchen and bathroom.

Floor Area

We calculate the property has the following Net Internal floor areas:

Ground floor:	75.6 sqm (814 sqft)
First floor:	70.42 sqm (758 sqft)
Second floor:	50.8 sqm (547 sqft)
Total floor area:	196.82 sqm (2,119 sqft)

PARKING

The owner of the subject property has the exclusive right to use six car parking spaces within the adjoining Aldi car park, subject to making good any damage (except wear and tear). Further details can be provided to interested parties.

PLANNING

The site lies within Alexandria town centre and is covered in the adopted Local Plan which stipulates that the town centre is the preferred location for new retail, commercial leisure, cultural and public service developments and for other town centre uses. The West Dunbartonshire Council Local Development Plan (Proposed Plan 2016) states that one of the strategies for Alexandria is to increase the population of the town centre through the identification of residential development opportunities. The residential use would be considered as a compatible use in this location subject to compliance with other relevant Local Plan and Local Development Plan policies.

Any interested parties are advised to contact: Planning and Building Control, West Dunbartonshire Council.
Tel 0141 951 7930. Email: development.management@west-dunbarton.gov.uk

RATEABLE VALUE

The property is currently listed in the Valuation Roll with the following rateable values:

87 Bank Street - Ground floor:	£3,900
89 Bank Street - First floor:	£5,300

TENURE

The heritable interest in the property is available for sale.

OFFERS

We are seeking offers for the benefit of the Council's interest in the property. It is likely that a closing date will be set for receipt of offers and it is strongly recommended that parties, register their interest in writing.

FURTHER INFORMATION AND VIEWING

Parties are asked to register their interest in writing with:

J David Johnston, Asset Management
West Dunbartonshire Council
Council Offices, Bridge Street
Dumbarton, G82 1NT
Tel : 01389 737581
Email: david.johnston2@west-dunbarton.gov.uk

IMPORTANT NOTICE

1. These particulars are set out as a general outline only for the guidance of intended purchasers or lessees, and do not constitute, nor constitute part of an offer or Contract.
2. All descriptions, dimensions, reference to condition and necessary permissions for use and occupation, and other details are given without responsibility and any intending purchasers or tenants should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the accuracy of all matters upon which they intend to rely.
3. No person in the employment of West Dunbartonshire Council has any authority to make or give any representation or warranty whatever in relation to this property.
4. This brief does not constitute approval under the Planning Act. The purchaser will require to submit applications for planning permission etc. in the usual manner. Advice in this respect is available from the Council's Development Management Team.
5. West Dunbartonshire Council reserve the right to impose title conditions/ securities to take into account the particular circumstances of the transaction including, for example, the proposed use of the subjects and any price restrictions."

Date prepared:
10th June 2019.

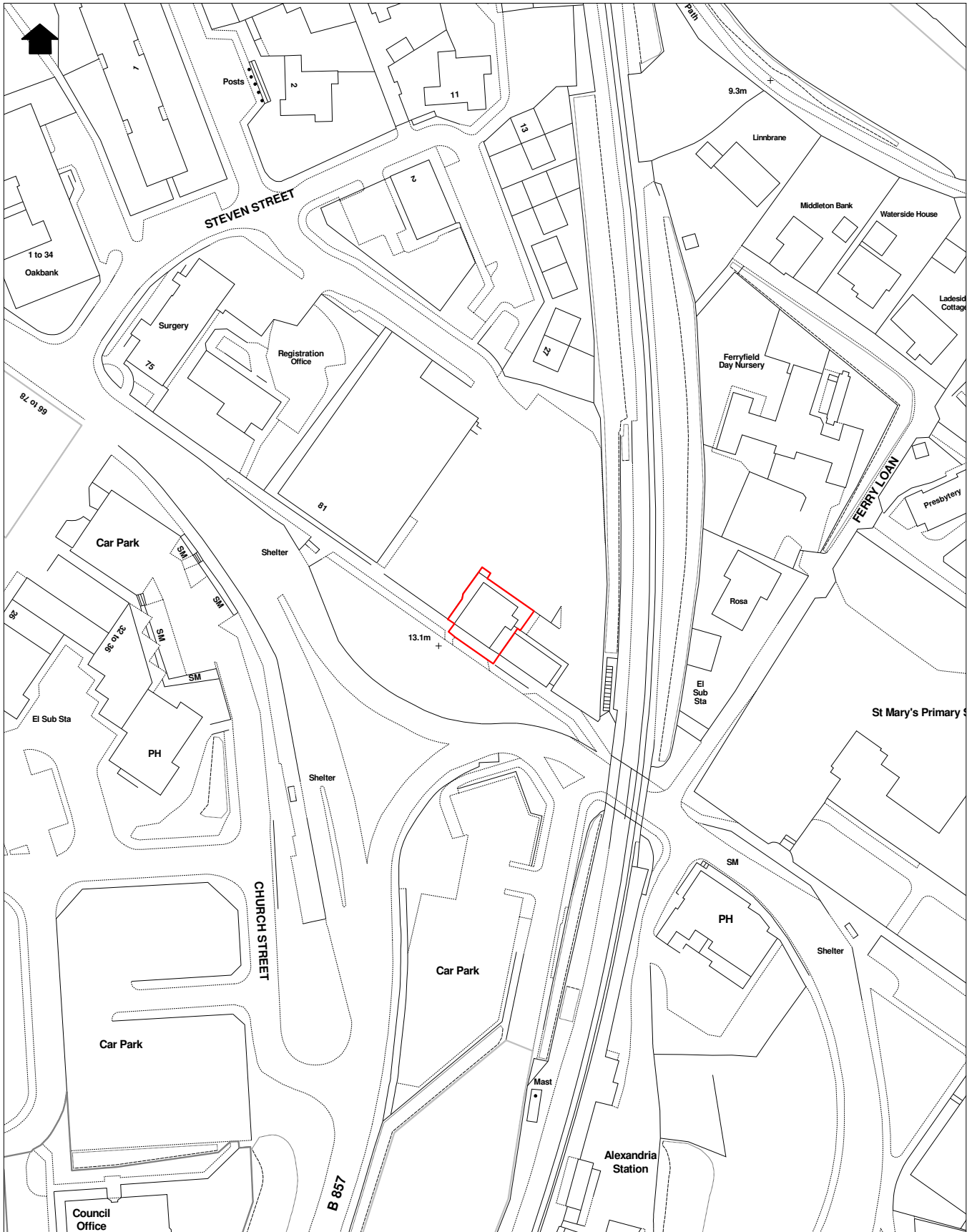
West Dunbartonshire Council

Title : 87/89 Bank Street, Alexandria

Map No : AM522
Date : 06/06/2019

Map Ref : NS3980SW
Scale : 1:1250

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WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead, Regeneration

Infrastructure Regeneration and Economic Development Committee:

16 September 2020

**Subject: Disposal of 0.057ha Land at Attlee Avenue,
Linnvale, Clydebank G81 2SH**

1. Purpose

- 1.1 The purpose of this report is to seek Committee's approval to dispose of 0.057ha land at Attlee Avenue, Linnvale to Clydebank Housing Association ("CHA") so that they can combine it with their adjacent site and increase social housing provision. The report details the negotiated price and seeks Committee approval to conclude disposal of the site.

2. Recommendations

- 2.1 It is recommended that the Committee:
- (i) Approve the disposal of 0.057ha land at Attlee Avenue, Linnvale for a consideration of a gross purchase price of £30,000 (Thirty Thousand Pounds) to Clydebank Housing Association.
 - (ii) Authorise the Strategic Lead, Regeneration to conclude negotiations.
 - (iii) Authorise the Strategic Lead, Regulatory to conclude the transaction on such conditions as considered appropriate.

3. Background

- 3.1 CHA purchased the 0.29 ha St Cuthbert's Church site ("the CHA land") at the junction of Attlee Avenue and Dalton Avenue from the Church of Scotland. The purchase is subject to Scottish Government funding, site investigations and outline planning permission to build social housing and we understand that all these conditions have been purified.
- 3.2 West Dunbartonshire Council own an adjacent 0.057 ha triangle of land ("the WDC land") with street frontage to Attlee Avenue. This land is presently open space, level, laid to grass, and contains a single mature tree. A footpath crosses the land.
- 3.3 CHA contacted the Council with a view to potentially purchasing the land to combine with the CHA land to enhance their development proposals. CHA presented scheme proposals indicating that the CHA land alone could accommodate dwellings for 98 persons; but that inclusion of WDC land could accommodate dwellings for an additional 17 persons which would bring the

total to 115 persons across 28 units.

- 3.4 CHA commissioned Avison Young valuers to provide a valuation of the WDC land in the context of CHA being a Special Purchaser willing to pay above Market Value to secure the site. Avison Young reported a value of £30,000 and after assessment Asset Management are of the opinion that this is a fair value.
- 3.5 WDC granted planning consent (Ref DC20/018) on 10th June 2020 for *“Demolition of former St Cuthbert’s Church and the erection of 24 flatted residential units at Dalton Avenue Clydebank by Clydebank Housing Association.”* This planning consent includes the WDC land. The report to planning committee concluded that *“the proposed development would ... result in the construction of much needed affordable housing ... and will contribute positively to the character and appearance of the local area”*
- 3.6 Following the grant of DC20/018 planning consent CHA wish to acquire the WDC land and proceed with the approved scheme.

4. Main Issues

- 4.1 The WDC land serves as open space for the community and sale of the land would forego this use in exchange for following benefits of sale- additional social housing accommodation for 17 persons and a £30,000 capital receipt.
- 4.2 Retention of the property would cost the Council in terms of ongoing maintenance charges.
- 4.3 The disposal will result in a capital receipt for the Council of £30,000.
- 4.4 The proposed disposal will facilitate development of affordable housing for an additional 17 persons over and above the potential of the CHA land alone.

5. People Implications

- 5.1 There are no significant people implications other than the resources required by the Asset Management and Legal Services to conclude the proposed disposal.

6. Financial and Procurement Implications

- 6.1 The financial implications are that the Council will receive a capital receipt of £30,000 and will save on maintenance costs for the land.
- 6.3 There are no procurement implications arising from this report.

7. Risk Analysis

- 7.1** There is a risk that the CHA do not proceed with the acquisition due to factors which may arise out of their due diligence or due to difficulties with obtaining funding.
- 7.2** We acknowledge the general uncertainty created by the coronavirus pandemic and that this may influence the prospective buyers plans adversely.
- 7.3** However, we understand that CHA have all approvals and funding that they require to commit to the project and consider risk to the transaction to be low.
- 7.3** If CHA did not proceed with the acquisition on the agreed terms, we would recommend that the property continue to serve the property in its present use, pending clarification of the future of the CHA land.

8. Environmental Sustainability

- 8.1** The Strategic Environmental Assessment legislation has been considered and taken into account as part of the DC20/018 planning application assessment.

9 Equalities Impact Assessment (EIA)

- 9.1** An Equality Impact Screening did not indicate any further action required.

10. Consultation

- 10.1** Consultations have been undertaken with Legal, Housing and Employability and Greenspace in relation to the proposed disposal.
- 10.2** Wider consultation has taken place during the DC20/018 Planning Application process.

11. Strategic Assessment

- 11.2** The proposed disposal would facilitate development of much needed affordable housing for and additional 17 persons over and above the potential of the CHA land were it to be developed on its own.

Jim McAloon

Strategic Lead, Regeneration

Date: 13 July 2020

Person to Contact: Michelle Lynn, Assets Co-ordinator, Council Offices,
Bridge Street, Dumbarton, G82 1NT. T:01389 776992
Email: michelle.lynn@west-dunbarton.gov.uk

Craig Gill, Estates Surveyor, 6-14 Bridge Street,
Dumbarton G82 1NT. T: 07785 632 993
Email: craig.gill@west-dunbarton.gov.uk

Appendices: Appendix 1 – Site Layout Plan

Background Papers: None

Wards Affected: Ward 5

