

## **INFRASTRUCTURE, REGENERATION AND ECONOMIC DEVELOPMENT COMMITTEE**

At a Meeting of the Infrastructure, Regeneration and Economic Development Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday 16 March 2016 at 2.00 p.m.

**Present:** Councillors William Hendrie, David McBride, Patrick McGlinchey, Marie McNair, John Mooney, Ian Murray, Tommy Rainey\*, Gail Robertson, Martin Rooney and Kath Ryall.

\*Arrived later in the meeting.

**Attending:** Richard Cairns, Executive Director of Infrastructure and Regeneration; Peter Barry, Head of Customer and Community Services; Ronnie Dinnie, Head of Neighbourhood Services; Jim McAloon, Head of Regeneration and Economic Development; John Kerr, Housing Strategy Manager; Michael McGuinness, Economic Development Manager; Pamela Clifford, Planning & Building Standards Manager; Stuart Gibson, Asset Co-ordinator; Alan Douglas, Manager of Legal Services and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Gail Casey and Hazel Sorrell.

**Councillor Patrick McGlinchey in the Chair**

### **DECLARATIONS OF INTEREST**

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

### **MINUTES OF PREVIOUS MEETING**

After discussion and having heard the Head of Neighbourhood Services in answer to Members' questions, the Minutes of Meeting of the Infrastructure, Regeneration and Economic Development Committee held on 25 November 2015 were submitted and approved as a correct record.

Note:- Councillor Rainey arrived during discussion of the above item of business.

## **REGENERATION FUND**

A report was submitted by the Head of Regeneration and Economic Development seeking approval to endorse the key operating principles of the £12.4M Regeneration Fund.

After discussion and having heard the Head of Regeneration and Economic Development and the Head of Neighbourhood Services in further explanation of the report and in answer to members' questions, the Committee agreed:-

- (1) to approve the key operating principles of the new Regeneration Fund; and
- (2) to note that all proposals for Regeneration Fund support would be submitted to the Committee for approval.

## **OUR LADY AND ST PATRICKS HIGH SCHOOL REPLACEMENT: AUTHORITY TO PROCEED TO FINANCIAL CLOSE**

A report was submitted by the Head of Regeneration and Economic Development:-

- (a) providing information on the scope, nature, commercial terms and financial consequences of the proposed Design Build Finance and Maintain Contract ("DBFM"); and
- (b) seeking approval for officers to proceed to Financial Close of the Contract.

After discussion and having heard the Executive Director of Infrastructure and Regeneration further explanation of the report, the Committee agreed:-

- (1) to note the progress to date on the development of the new Our Lady and St Patrick's High School (OLSP);
- (2) to note the nature of the proposed design and build, finance maintenance agreement ("DBFM") and ancillary documents as listed within paragraph 2.8 of the report and to acknowledge that these documents facilitate the delivery of educational facilities as incidental to the discharge of the Council's function as education authority in accordance with the statutory provisions conferring this function within Sections 1, 6 and 17 of the Education (Scotland) Act 1980, as amended, and Section 123 of the Local Government (Scotland) Act 1973, as amended;
- (3) that the Council has the statutory powers to enter into the DBFM and ancillary documents in pursuance with such statutory provisions;
- (4) to note the financial implications of the proposed DBFM identified within paragraphs 4.8 to 4.15 of the report, and that these will be built into future budgeting processes;

- (5) to note that the expected build cost of the school of £25.910m would be funded through revenue funding from the Scottish Government over the 25 year life of the DBFM contract;
- (6) to note that the Council will invest up to £0.296m by way of subordinated debt, in the project, and that the Council will invest £1, being 10% of the shares in Hold Co(No 4) Limited;
- (7) that authority be delegated to the Head of Legal, Democratic and Regulatory Services to agree the final terms of the DBFM in consultation with relevant officers and agree the execution, delivery and performance of the Contract Documents (as described in paragraph 2.8 of the report);
- (8) that Peter Hessel, Head of Legal, Democratic and Regulatory Services, Alan Douglas, Manager of Legal Services, Sally Michael, Raymond Lynch and Nigel Ettles, all Section Heads within Legal Services, or their successors in office, be authorised to execute the DBFM and ancillary documents listed below on behalf of the Council;
  - (a) the Funder Direct Agreement;
  - (b) the Contractor's Collateral Agreement;
  - (c) the Service Provider Collateral Agreement;
  - (d) the Independent Tester Contract;
  - (e) the Insurance Proceeds Account Agreement;
  - (f) the Key Subcontractor Collateral Warranties;
  - (g) the Professional Team Collateral Warranties;
  - (h) the Intercreditor Agreement; and
  - (i) any additional documentation relating to the Contract to which West Dunbartonshire Council is required to be a party (the "Contract Documents").
- (9) to note that the DBFM and the Funder Direct Agreement shall be certified contracts within the meaning of Section 2 of the Local Government (Contracts) Act 1997 (the "1997 Act") and shall meet the certification requirements within Section 3 of the 1997 Act and that the said Peter Hessel, Alan Douglas, Sally Michael, Raymond Lynch and Nigel Ettles, are duly authorised to sign and issue the certificate in terms of the 1997 Act;
- (10) to confirm the Contract has met all approval requirements such that when executed and delivered by the Council, the project documents will form binding contracts, fully enforceable against the Council; and
- (11) that Stephen West, Head of Finance and Resources and Craig Jardine, Capital Investment Programme Manager, be confirmed as the Council nominated director and alternate director respectively, to the Boards of Directors of hWS Project Co (No. 4) Limited and Hold Co (No.4) Limited.

## **TRANSFER OF THE FORMER ST ANDREW'S HIGH SCHOOL SITE, CLYDEBANK TO THE COUNCIL'S HOUSING REVENUE ACCOUNT**

A report was submitted by the Head of Regeneration and Economic Development seeking approval for the proposed transfer of the site of the former St Andrew's High School, Clydebank from the General Services Account (GSA) to the Housing Revenue Account (HRA).

After discussion and having heard officers in further explanation of the report and in answer to members' questions, the Committee agreed:-

- (1) to approve the transfer of the former St Andrew's High School site from the GSA to the HRA for a consideration of £200,000 (Two Hundred Thousand Pounds);
- (2) that authority be delegated to the Executive Director of Infrastructure and Regeneration to conclude the transfer; and
- (3) to note the change in the proposed development of the former Braidfield site to one hundred percent private residential development.

## **FORMER ST EUNANS PRIMARY SCHOOL SITE, CLYDEBANK**

A report was submitted by the Head of Regeneration and Economic Development:-

- (a) advising of the outcome of recent studies undertaken at the former St Eunan's Primary School site in Clydebank; and
- (b) seeking agreement to consult the local community on potential options for the site's future use.

After discussion and having the Head of Regeneration and Economic Development and the Head of Customer and Community Services in further explanation of the report and in answer to members' questions, the Committee agreed:

- (1) to note the outcome of the site investigations and options appraisal study for the former St Eunan's Primary School site;
- (2) that consultation with the local community on potential options for the site's future use be undertaken, the results of which would be the subject of a further report to Committee; and
- (3) that the Community Planning Partnership (CPP) through the 'Your Community' initiative would lead on the consultation with the local community supported by the Regeneration Team.

## **PREFERRED BIDDER FOR MITCHELL WAY REDEVELOPMENT SITE, ALEXANDRIA**

A report was submitted by the Head of Regeneration and Economic Development:-

- (1) advising of the outcome of a recent tender for the Mitchell Way redevelopment site in Alexandria; and
- (2) seeking agreement to select the preferred bidder and to conclude the disposal transaction.

After discussion and having heard officers in further explanation of the report and in answer to members' questions, the Committee agreed:-

- (1) to note the outcome of the tendering process and that CCG (Scotland) Limited/Kingsmead Developments be selected as the preferred developer;
- (2) that authority be delegated to the Head of Legal, Democratic and Regulatory Services to conclude the disposal transaction by long-term development agreement, subject to such legal conditions that are considered appropriate; and
- (3) to note the estimated timescales for the demolition of 30-40 Mitchell Way.

## **BUSINESS GATEWAY CONTRACT FOR WORKSHOPS AND EXPERT HELP**

A report was submitted by the Head of Regeneration and Economic Development seeking approval to secure workshops and expert help services to be delivered on behalf of the Council's Business Gateway service.

After discussion and having heard the Manager of Economic Development in further explanation of the report and in answer to members' questions, the Committee agreed:-

- (1) to approve the expenditure of up to £130,000 over an 18 month period from 1 April 2016 to 30 September 2017 to provide specialist workshops and expert help on behalf of the Business Gateway service; and
- (2) that authority be delegated to the Executive Director of Infrastructure and Regeneration to accept the most economically advantageous tender received and appoint a successful tenderer.

## **ATTENDANCE MANAGEMENT: QUARTER 3 - 2015/16**

A report was submitted by the Executive Director of Infrastructure and Regeneration advising on attendance within Housing, Environmental and Economic Development (HEED) and providing a summary of the Quarter 3 absence statistics.

Having heard the Executive Director of Infrastructure and Regeneration in further explanation of the report the Committee agreed to note the content of the report and the attendance results for the year, namely a decrease of 537 FTE days lost (11.5%) compared to the same period last year.

**INFRASTRUCTURE, REGENERATION & ECONOMIC DEVELOPMENT  
BUDGETARY CONTROL REPORT 2015/16 TO PERIOD 10 (31 JANUARY 2016)**

A report was submitted by the Executive Director of Infrastructure and Regeneration providing an update on the financial performance to 31 January 2016 (Period 10) of those services under the auspices of the Infrastructure, Regeneration & Economic Development Committee.

The Committee agreed:-

- (1) to note the contents of the report which shows the revenue budget forecast to underspend against budget by £0.489m (1.7%) at the year-end;
- (2) to note the net projected annual capital underspend of £14.834m (35.45%), of which £14.988m (35.82%) relates to project rephasing and an in-year overspend of £0.154m (less than 1%); and
- (3) to note the progress on savings incorporated into budgets for 2015/16.

The meeting closed at 3.06 p.m.