

**EAST AYRSHIRE COUNCIL**

**CABINET – 22 JUNE 2011**

**NORTH WEST KILMARNOCK**

**Report by Depute Chief Executive/Executive Director of Neighbourhood Services**

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to provide Cabinet with an update on three properties impacting on the quality of the built environment in northwest Kilmarnock. These are: (i) Ardbeg Centre; (ii) flatted properties at 45 Ardbeg Avenue; and (iii) Morven Avenue shops.

**2. BACKGROUND**

- 2.1 A report was submitted to Cabinet on 27 August 2008 which sought the agreement of Cabinet to declare the Ardbeg Centre in northwest Kilmarnock surplus to requirements. Cabinet agreed with this recommendation and remitted the Executive Director of Education and Social Services to enter into discussions with the Knockinlaw Community Association regarding the potential for the community management of the building.
- 2.2 In addition to the Ardbeg Centre, there are a number of properties in northwest Kilmarnock which have become run down and have a negative impact on the quality of the local environment.
- 2.3 The flatted properties at 45 Ardbeg Avenue have experienced a substantial decline in the appearance of their exterior as well as extensive internal damage due to vandalism and fire damage. This is in addition to general neglect of the property by the owners. This has had a significant negative impact on the surrounding local environment.
- 2.4 At 38 – 46 Morven Avenue, a number of shops occupy the site. The single storey building comprises of five units of which three are operating businesses. The appearance of the building suggests neglect and the remaining units, which have their windows boarded, contributes to the overall poor appearance of the site.
- 2.5 A plan showing the location of each of these sites is attached (Appendix 1).

**3. ARDBEG CENTRE**

- 3.1 The Knockinlaw Community Association has previously expressed an interest in leasing and reopening the former Centre. The Group commissioned Chartered Surveyors to conduct a detailed survey to determine the condition

of the building and to prepare a cost estimate for carrying out the necessary repairs.

- 3.2 The survey was undertaken in June 2009 and the total estimated cost of repair and refurbishment works amounted to £129,142 plus VAT.
- 3.3 As a result of the findings of the survey, the Knockinlaw Community Association decided subsequently not to pursue their interest in the property on the basis that the Council would be prepared to hold the site for a period to allow a new build option to be pursued. In the period since the survey was undertaken, the condition of the property has deteriorated further and the costs associated with repair and refurbishment may have increased.
- 3.4 The opportunities for other organisations and voluntary groups to make use of the building in a community management approach had been considered; no organisation has indicated the willingness to take on the responsibilities associated with the community management of the building.
- 3.5 Due to the declining condition of the building and the absence of interest for any group to take on the management, including financial responsibility for operating the Centre, it is proposed that the building be demolished immediately and that the opportunity be taken to engage with the local community to determine interest in the development of a new build on the site. It is recommended that the site be held for a period of 3 years to allow a viable and funded proposal to be developed.
- 3.6 The cost of demolishing the building and leaving a green field site has been estimated at £55,000 plus any additional cost for asbestos removal should asbestos be found to be present within the building.
- 3.7 While this building does not sit within the Neighbourhood Services portfolio, recognition has been taken of the unallocated balances sitting within departmental budgets; it is suggested, therefore, that the funding of this demolition work be drawn from the Department of Neighbourhood Services unallocated balances.

#### **4. ARDBEG AVENUE FLATS**

- 4.1 The flatted properties at 45 Ardbeg Avenue, Kilmarnock comprise 9 individual domestic premises in varying states of disrepair; many of the properties lack a satisfactory supply of hot and cold water, are without suitable means of heating and the electrical wiring commonly appears to be in an unsafe condition.
- 4.2 A number of the flats are owned by private landlords who are absent from the property and who, on 6 June 2011, were issued with Demolition Orders as a consequence of the accommodation failing to meet the Tolerable Standard for habitation.

- 4.3 The owners of the properties are required to ensure that the properties are vacated within 28 days from the date of the Order and are further required to ensure the demolition of the property within six weeks from the end of this first period of 28 days.
- 4.4 In the event that the owners of the properties do not act to improve or demolish the building, the Council will exercise the full extent of its powers to ensure that the demolition proceeds and, thereafter, consider possible future uses.

## **5. MORVEN AVENUE SHOPS**

- 5.1 There are 5 units comprising the shop premises at 38 – 46 Morven Avenue some of which are double units owned by the same person. None of the units are in Council ownership. Only three of the units appear to be trading and include a Post Office counter within a convenience store and a fast food outlet.
- 5.2 The external appearance of the properties is of a poor standard and is unlikely to support the Council's priority of promoting community regeneration. However, an external upgrading programme would improve the appearance of the units and potentially attract new business to the vacant units. Since the properties are not in Council ownership, any works would require the consent of the owners of the properties.
- 5.3 A detailed survey would be required to be undertaken in order to determine the extent of works required to bring the units up to a more appropriate standard; this would be required to be undertaken in consultation with the shop owners. It is further proposed that should the building be found to be structurally sound, works of up to £0.250m be authorised for improvements to the property.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 It is proposed that funding of the demolition works at the Ardbeg Centre be drawn from the Department of Neighbourhood Service's unallocated balances.
- 6.2 In the event of the owners of the flatted property at 45 Ardbeg Avenue failing to meet the terms of the Demolition Order; the Council will exercise the full extent of its powers and recover any costs from the owners of the property.
- 6.3 It is proposed that the survey and subsequent works required to be undertaken at the Morven Avenue shop units be drawn from the Regeneration – Other Area Fund.

## **7. POLICY/COMMUNITY PLANNING IMPLICATIONS**

- 7.1 The improvement works outlined would assist the Council meet the Delivering Community Regeneration theme of the Community Plan.

## **8. LEGAL/POLICY IMPLICATIONS**

8.1 The are no legal or policy implications which arise from this report.

## **9. RISK MANAGEMENT**

9.1 This proposal will assist in implementing the Council's Asset Management Plan. If the Ardbeg Centre is not demolished, there are a number of health and safety issues which will require to be addressed.

9.2 Failure to demolish or make safe the flatted property at 45 Ardbeg Avenue will result in significant health and safety issues arising at the premises.

## **10. CONCLUSIONS**

10.1 The Ardbeg Centre was declared surplus to requirements by Cabinet on 27 August 2008. Since that time, the Council has been unable to secure the involvement of an external organisation to take on the community management of the Centre including the financial costs of renovating the premises.

10.2 The demolition of the Centre would address health and safety concerns associated with the declining condition of the building.

10.3 The demolition of the flatted property at 45 Ardbeg Avenue will significantly improve the appearance of the local area and eliminate the risks to health and safety associated with the poor condition of the building.

10.4 The shops which operate from the premises at 38 – 46 Morven Avenue provide valued services to the local community. The general neglect the exterior of the building has experienced has had a negative impact on the surrounding area.

10.5 The renovation of the building containing the shop premises would improve the appearance of the local neighbourhood and may attract further businesses to operate from the site. This would require to be undertaken in partnership with the owners of the premises and in consultation with local stakeholders.

## **11. RECOMMENDATIONS**

11.1 It is recommended that Cabinet:

- (i) notes the steps to be taken to achieve the demolition of the Ardbeg Community Centre and the finishing of the cleared site;
- (ii) approves the use of the Department of Neighbourhood Services unallocated balances for this purpose;

- (iii) agrees that the cleared site be held for a period of 3 years to allow a viable and funded new build option on the cleared site to be developed, and that it be remitted to appropriate officers to advise interested parties accordingly;
- (iv) notes the issue of Demolition Orders to the owners of the flatted properties at 45 Ardbeg Avenue and the subsequent actions detailed at paragraph 4 and 6.2 of this report;
- (v) approves the allocation of up to £0.250m from the Regeneration – Other Areas capital allocation for improvement works to the Morven Avenue shop units; and
- (vi) otherwise notes the contents of this report.

Elizabeth Morton

**Depute Chief Executive/Executive Director of Neighbourhood Services**

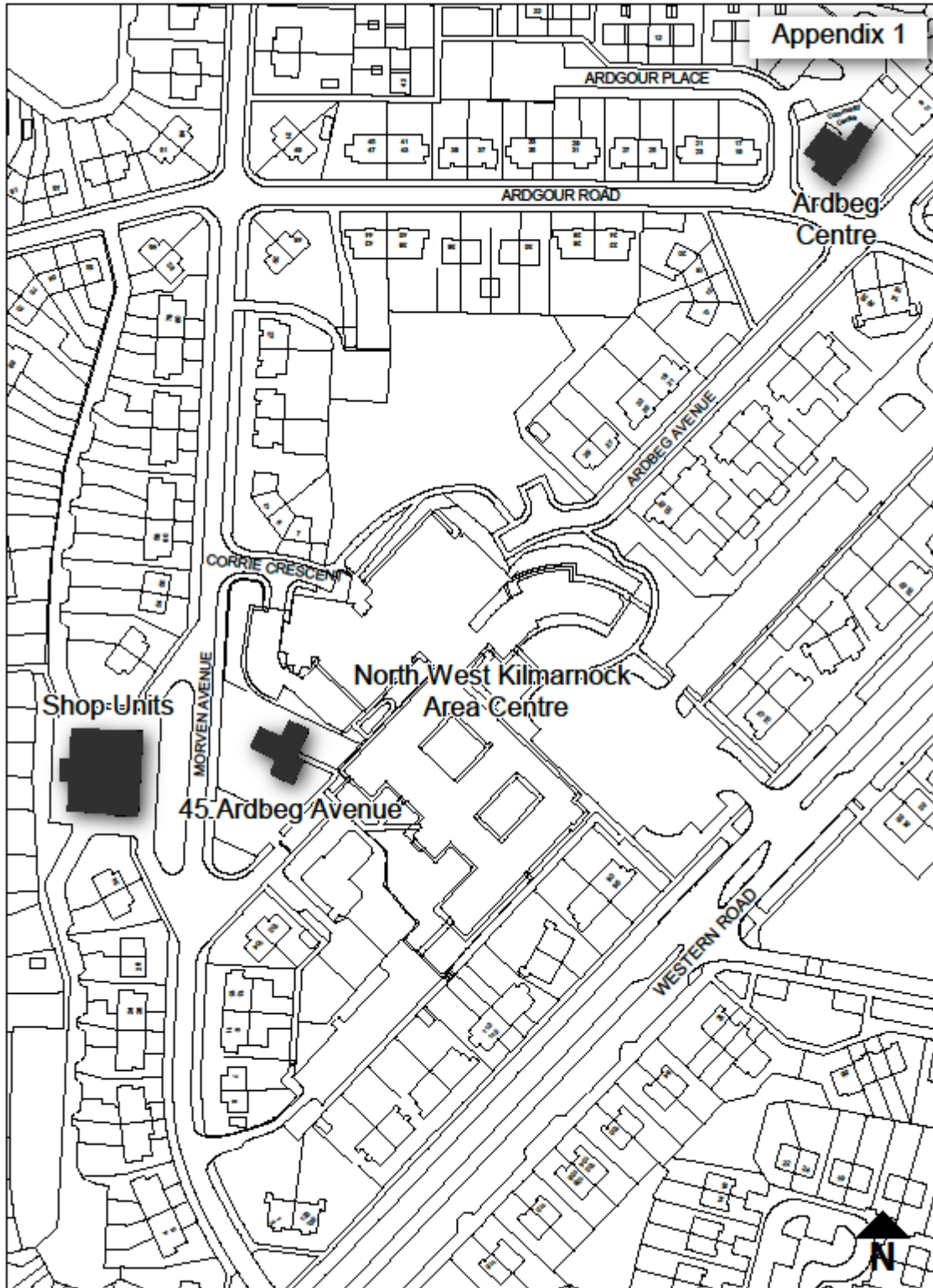
13 June 2011

EM/MT

**LIST OF BACKGROUND PAPERS**

**NIL**

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