

## EAST AYRSHIRE COUNCIL

CABINET MEETING – 22 OCTOBER 2008

### CONSERVATION AREA REGENERATION SCHEME (CARS) FOR CUMNOCK AND CONSERVATION AREA APPRAISAL

#### Report by the Depute Chief Executive/Executive Director of Corporate Support

#### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to homologate the submission of the Cumnock CARS bid and approve the identification of priority buildings and areas for improvement within Cumnock Town Centre, to confirm the Council's financial commitment to the scheme and to approve the draft Conservation Area Appraisal for consultation.
- 1.2 The report also seeks the Cabinet's approval for the creation of a new post (for an initial period of three years) to implement the Cumnock CARS within the Planning and Economic Development Division of the Department of Corporate Support, subject to consultation with Trade Unions. ***The above staffing proposal only requires to be implemented in the event of the Cumnock CARS bid being successful.***

#### 2. BACKGROUND

- 2.1 At the 2 July 2008 meeting Cabinet agreed
  - (i) To submit a bid to Historic Scotland for grant assistance to establish a Conservation Area Regeneration Schemes for Cumnock Conservation Area;
  - (ii) To the appointment of a consultancy team, led by a RIAS accredited architect with specialist knowledge and experience in relation to listed building repairs and Historic Scotland's grant requirements;
  - (iii) In principle, to commit funding to the Cumnock CARS to enable the funding bid to be submitted but that the level of funding to be considered at a future Cabinet;
  - (iv) In principle, to the appointment of additional temporary qualified conservation staff and associated administrative support to deliver the Cumnock CARS, if the bid is successful.
- 2.2 In August 2008 the Council appointed a consultancy team led by Austin-Smith:Lord to prepare the information required for the bid and to produce a draft Conservation Area Appraisal.

### 3 CUMNOCK CONSERVATION AREA REGENERATION SCHEME (Cumnock CARS)

3.1 The CARS is a rolling 5-year grant offer from Historic Scotland. It offers resources towards meeting the costs involved to implement a programme of repair work to the historic fabric of a conservation area, with an emphasis on building repair rather than public realm work. **The CARS Cumnock project bid includes the following :-**

**Priority buildings/sites** - grant assistance for the following buildings which are in need of major repair work:

- 14 -16 Glaisnock Street
- 18 Glaisnock Street
- 20 - 24 Glaisnock Street
- 26 - 30 Glaisnock Street
- The Baird Institute

**Building repair - small grant scheme** - A general grants scheme which provides the incentive to use appropriate materials and workmanship in lieu of modern alternatives. Priorities for this scheme will be based on the comprehensive building-by-building assessment prepared by the consultants. Grants would cover restoration of historic shop fronts, smaller scale building repair works (such as window replacement or masonry repairs), and reinstatement of missing or damaged architectural detail. ***The Square is considered to be the priority target area for small grants.***

**Streetscape and Urban Realm** - Previous streetscape and public realm works have resulted in some noticeable changes to the character and amenity of the town centre area particularly at the Square. However, further improvement work is recommended in the following areas, within the conservation area:-

- Tower Street
- Between Tower Street and Glaisnock Water
- Glaisnock Water
- The Square
- Bank Lane and Baird Museum

**Educating and Awareness** - Development and distribution of a short, accessible, non-technical maintenance guide for all owners and occupiers. A programme outlining appropriate repair techniques for local contractors and consultants with a parallel programme of interpretation and outreach to inform the people of Cumnock about the history, architecture, and importance of their historic buildings.

**Skills Training** - To include assistance in sending staff employed by local contractors to formal training courses, working with local educational organisations, and specific training events. An Outline Training Plan is included in the CARS submission.

**Administration** – There will be a requirement for a dedicated temporary full time CARS Project Officer to administer the Cumnock CARS project.

- 3.2 The bid was submitted to Historic Scotland on 30<sup>th</sup> September, based on the surveying and estimated costs carried out by the team of consultants led by Austin-Smith:Lord. The bid seeks a grant of £888,050 from Historic Scotland, with a contribution from Corporate Support's Departmental General Fund Balances of £273,050, with £270,000 proposed to be allocated from the Planning & Economic Development Division's Restoring Communities Programme budget, funded through the Fairer Scotland Fund and £332,000 being contributed by the various property owners. The total project cost is £1,763,100. A summary of all the costs is included as Appendix 1 to this report.

#### **4. DRAFT CONSERVATION AREA APPRAISAL**

- 4.1 One of the requirements of a successful CARS project is that the Conservation Area is being actively managed in line with best practice set out in *Planning Advice Note 71: Conservation Area Management*. To date a Conservation Area Appraisal or Conservation Area Management Plan has not been prepared for Cumnock Conservation Area. The team of consultants have therefore produced a draft Conservation Area Appraisal as part of the CARS submission. Copies are available on the member's portal.
- 4.2 It is proposed that the Draft Conservation Area Appraisal be approved for consultation purposes and that a 4 week period of consultation is undertaken. Thereafter, the results of the consultation process and the finalised Conservation Area Appraisal will be reported to Cabinet for approval.

#### **5. PERSONNEL IMPLICATIONS**

- 5.1 Temporary additional qualified conservation staff will be required to deliver the Conservation Area Regeneration Scheme, if the bid is successful. The minimum requirement essential to ensure that the project meets its aims and objectives is a temporary full time Project Officer. Subject to the approval by Historic Scotland of the Cumnock CARS bid, it is proposed to create the following post for a temporary three year period (to be reviewed at the end of the 3 year period to determine the potential for a further two years appointment subject to funding:-
- Cumnock CARS Project Officer at grade G11 (£30,885 - £32,796). This grading is required to attract suitably qualified and experienced applicants, and is the same grade as the existing Kilmarnock CARS Project Officer. The post holder will develop and implement a

programme of projects in line with the approved bid from the Council to regenerate the Cumnock Conservation Area.

## 6. TRADE UNIONS

- 6.1 The staffing proposals above are subject to consultation with Trade Unions.

## 7. FINANCIAL IMPLICATIONS

- 7.1 The financial management of the CARS will be governed by the Council's Accounting Policy Bulletins APB 27C and APB 27D specifically drawn up for the CARS and THI grant schemes. In addition audited annual accounts covering the approved scheme are required.
- 7.2 This report is seeking an allocation of £273,050 to the Cumnock CARS from Corporate Support's Departmental General Fund Balances over a five year period from 2009/10 to 2013/2014. In addition permission will be sought from the Community Planning Partnership Unit to allocate £270,000 from the Planning & Economic Development Division's Restoring Communities Programme budget, funded through the Fairer Scotland Fund.
- 7.3 The financial implications associated with the staffing proposals will only be implemented on the approval of the Cumnock CARS bid by Historic Scotland. These proposals identified in Section 5 above are as follows: -

<u>Post</u>	<u>Grade</u>	<u>Add*</u>
Cumnock CARS Projects Officer	11	£32,287
<b>Total</b>		<b>£ 32,287</b>
<b>Employers Costs (25.3%)</b>		<b>£ 8,169</b>
<b>Total</b>		<b>£ 40,456</b>

(\*Calculations based on mid-point of salary scale for illustrative purposes)

- 7.4 The total additional costs associated with the above proposals amount to £40,456 per year including employers' costs. The new post will be funded from Cumnock CARS funding, made up from funding from Historic Scotland, the Council, and potentially the Restoring Communities Programme budget, funded through the Fairer Scotland Fund.

## 8. LEGAL/POLICY IMPLICATIONS

- 8.1 The duty to formulate proposals for the preservation and enhancement of Conservation Areas is contained within Section 63 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

- 8.2 The Conservation Area Appraisal for the Cumnock Conservation Area will become Supplementary Planning Guidance and a material consideration in the determination of planning applications upon approval by Cabinet following consultation as discussed in paragraph 4.2 above.
- 8.3 The Cumnock CARS Project Officer will process the grant applications and prepare a report recommending approval/refusal of the grant application to the Head of Planning and Economic Development. Where a grant is approved it will be subject to standard conditions required by Historic Scotland to ensure high quality workmanship and that the objectives of the Cumnock CARS are met. Additional conditions may also be attached depending on individual circumstances.
- 8.4 Offers of grant will be issued by the Solicitor to the Council following the appropriate authorisation as detailed in the grant approval process. Monitoring of all repair work funded by grants and the discharging of conditions that may be attached will also be undertaken by the project officer.

## **9. COMMUNITY PLANNING IMPLICATIONS**

- 9.1 The "Improving the Environment Action Plan" which forms part of the Community Plan specifically identifies the implementation of Cumnock Town Centre Regeneration Project as an action. The development of the Cumnock CARS is a key element of the Cumnock Town Centre Regeneration Project.

## **10. RISK MANAGEMENT IMPLICATIONS**

- 10.1 All offers of grant will be subject to the following condition: "the Grantee shall, having taken professional advice ensure that adequate insurance cover exists to protect the existing structures and the contract works, having first carried out the relevant risk assessments and ensured compliance with the Health and Safety at Work etc Act 1974 and all other relevant statutory provisions applicable to such works for which a grant has been awarded. Where relevant, the Grantee shall also consider the need to vet that its appointed design consultant hold adequate Professional Indemnity Insurance, which should remain in force for a period of at least 6 years. In all cases the Grantee must seek its own professional insurance advice from a suitably qualified practitioner.
- 10.2 "Where the nature of the works involves the risks of vibration, piling, removal or weakening of support, or shoring up, or lowering or raising of ground-water the Grantee shall consider the need to for its

appointed contractor to take out 21.2.1 Non Negligent Liability Insurance.”

- 10.3 “It is further recommended that the Grantee takes its own insurance advice in relation to Public/Products Liability risks associated with the works and it is recommended that the Grantee and its appointed Contractor insures to a minimum Indemnity Limit of £5m any one event/in the aggregate in any one period of indemnity in respect of Public/Products Liability risks. ” This wording has been agreed with the Council’s Risk Manager, and Legal Services.
- 10.4 The financial risks associated with the implementation of the CARS grant scheme will be minimised by the compliance with the Council’s Accounting Policy Bulletins APB 27C and APB 27D. It will also be minimised by the conditions attached to any offer of grant. On larger contracts the grantee should request a performance bond be provided by the successful contractor.

## **11. RECOMMENDATION**

### **11.1 It is recommended that Cabinet:**

- (i) Agree to homologate the submission of the Cumnock CARS bid as detailed in Section 3 above;**
- (ii) Agree to allocate £273,050 of funding from the Department of Corporate Support General Fund Balances to the Cumnock CARS between 2009/2010 and 2013/2014;**
- (iii) Approve the Cumnock Conservation Area Appraisal for consultation purposes; and**
- (iv) Approve the staffing proposal contained in Sections 5, 6 and 7 above, subject to the approval of the Cumnock CARS bid by Historic Scotland, and consultation with Trade Unions.**

**Elizabeth Morton**  
**Depute Chief Executive/**  
**Executive Director of Corporate Support**

6 October 2008 (CMcK/SA)  
FV-AN

## **LIST OF BACKGROUND PAPERS**

1. Report to Cabinet – 2 July 2008” Conservation Area Regeneration Scheme (CARS) For Cumnock Conservation Area”
2. Report to Development Services Committee – 2 May 2006 “CARS & THI for John Finnie Street & Bank Street, Kilmarnock, and a CARS for Catrine Outstanding Conservation Areas – Update”

Anyone wishing further information should contact Karl Doroszenko, Development Planning and Regeneration Manager, Tel: 01563 576751

***Implementation Officer: Alan Neish, Head Of Planning and Economic Development***

## Appendix 1

### Cumnock CARS Project Cost Summary

EAST AYRSHIRE COUNCIL									
CUMNOCK									
CONSERVATION AREA REGENERATION SCHEME									
<b>Quantity Surveyors Costings - 26 SEPTEMBER 2008</b>									
<b><i>Project Cost Summary</i></b>									
<b>Q15</b>									
				<b>Total Cost</b>	<b>Eligible Costs</b>	<b>assumed grant level for calculation</b>	<b>Historic Scotland CARS</b>	<b>Other - (Please list source and sum anticipated) e.g. - HLF £</b>	
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<b>A</b>	<b>Building projects</b>								
1	Glaisnock Street								
	14 - 16 Glaisnock Street			£ 240,000	£ 210,000	70%	£ 147,000	Owners	£ 72,000
								East Ayrshire Council	£ 21,000
	18 Glaisnock Street			£ 60,000	£ 50,000	70%	£ 35,000	Owners	£ 20,000
								East Ayrshire Council	£ 5,000
	20 - 24 Glaisnock Street			£ 170,000	£ 150,000	70%	£ 105,000	Owners	£ 50,000
								East Ayrshire Council	£ 15,000
	26 - 30 Glaisnock Street			£ 200,000	£ 180,000	70%	£ 126,000	Owners	£ 56,000
								East Ayrshire Council	£ 18,000
2	Baird Institute			£ 170,000	£ 150,000	70%	£ 105,000	East Ayrshire Council	£ 65,000
<b>B</b>	<b>Small Grants Scheme</b>			£ 290,000	£ 260,000	60%	£ 156,000	Owners	£ 134,000
<b>C</b>	<b>Education &amp; Awareness</b>			£ 66,000	£ 66,000	50%	£ 33,000	East Ayrshire Council	£ 33,000
<b>D</b>	<b>Training &amp; Skills</b>			£ 20,000	£ 20,000	50%	£ 10,000	East Ayrshire Council	£ 10,000
<b>E</b>	<b>Public Realm Works (max 20%)</b>			£ 410,000	£ 410,000	25%	£ 102,500	East Ayrshire Council	£ 307,500
<b>F</b>	<b>Other (please list)</b>								
<b>G</b>	<b>Administration</b>			£ 137,100	£ 137,100	50%	£ 68,550	East Ayrshire Council	£ 68,550
				£ 1,763,100	£ 1,633,100		£ 888,050		£ 875,050
<b>Notes on the costs</b>									
1	Although the HS CARS grant for the Glaisnock Street properties is at 70%, with East Ayrshire Councils proposed contribution the overall level of grant assistance to owners will be 80% of the eligible costs.								
2	Less than 25% of the proposed Historic Scotland grant is targeted at public realm works.								
3	Less than 10% of the proposed Historic Scotland grant is targeted to support Administration costs								