

## **EAST AYRSHIRE COUNCIL**

**DEVELOPMENT SERVICES COMMITTEE : 19 DECEMBER 2000**

### **AYRSHIRE RAILWAY PRESERVATION GROUP – VARIATION IN MINUTE OF AGREEMENT**

#### **Report by Director of Development Services**

## **1 PURPOSE OF REPORT**

- 1.1** To recommend agreement to waive a requirement in a Minute of Agreement between Strathclyde Regional Council, Ayrshire Railway Preservation Group and the Dalmellington and District Conservation Trust.

## **2 BACKGROUND**

- 2.1** Under a Minute of Agreement between the ARPG, SRC and DDCT signed in 1994, the Regional Council donated £10,000 to the ARPG for the refurbishment of the bathhouse at the former Minnivey Colliery (ARPG's principal base) to form the centre piece of the proposed Scottish Industrial Railway Centre. The ARPG have not carried out this refurbishment work and are now seeking to release the funds for other purposes. The key clause in the Minute of Agreement is:-

*“In the event that ARPG use all or any of said sum of £10,000 for purposes which in the sole opinion of the Council (acting reasonably) do not constitute remedial and general refurbishment work to the said Minnivey Colliery Bath-house then, at the option of the Council, the said sum shall be repayable to the Council in whole or in part.*

## **3 PROPOSAL**

- 3.1** The ARPG has not carried out the work on the bathhouse as originally intended for two reasons:
- The £10,000 donated by SRC formed only a small part of the total cost. The ARPG have not been successful in raising funds for the remainder of this particular project.
  - While in the context of ambitious plans to establish a Scottish Industrial Railway Centre the bathhouse was seen as a key project, the ARPG's priorities have since changed: their current top priorities are the introduction of regular steam train services and the construction of enclosed areas to protect their most significant items of rolling stock from the elements.

In order to introduce regular steam train services, the ARPG will require to install locking mechanisms at each set of points over which passenger trains will pass

between Dunaskin and Minnivey. They propose, subject to agreement by East Ayrshire Council to use the £10,000 for this purpose.

In a previous report to the Committee reviewing the prospects for the Dunaskin Open Air Museum, reference has been made to the potential of regular steam train services between Dunaskin and Minnivey as a major visitor attraction. There are no other equivalent attractions in the West of Scotland. There is a well established joint ticketing arrangement between the ARPG and the Dunaskin Open Air Museum. It is forecast that the increased visitor numbers, as a result of the introduction of regular steam train services, should be a major factor in balancing the Dunaskin Open Air Museum's income and expenditure.

It is concluded that with the passage of time, the purpose originally stipulated by the Regional Council for use of the £10,000 donated is no longer as high a priority as its application towards the cost of introducing regular steam train services.

The Board of the Dalmellington and District Conservation Trust has already agreed not to object to the proposed waiver.

#### **4 FINANCIAL IMPLICATIONS**

- 4.1 There are no immediate financial implications from this proposal.

#### **5 LEGAL IMPLICATIONS**

- 5.1 Formal agreements by the Council, acting as the successors to Strathclyde Regional Council, not to demand the repayment of the £10,000 donated to the ARPG under Clause 4 of the legal agreement referred to above will be required if the Council agreed to the proposal by the ARPG. This formal agreement would also require the ARPG to utilise the funds specifically for the new purpose approved by the Council.

#### **6 RECOMMENDATION**

- 6.1 It is recommended that the Committee agree to authorise the Solicitor to the Council to waive the Council's right to repayment of the sum of £10,000 donated by the former Strathclyde Regional Council to the Ayrshire Railway Preservation Group for the purpose of refurbishment of the Minnivey Colliery Bathhouse to allow the ARPG to release the funds for investment in installations required to introduce regular steam train services between Minnivey and Dunaskin.

**Stephen Chorley**  
**Director of Development Services**  
**14 December 2000**

#### **BACKGROUND PAPERS**

**Nil**

**AGENDA**

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