

# **EAST AYRSHIRE COUNCIL**

**DEVELOPMENT SERVICES COMMITTEE - 21 OCTOBER 2003**

## **DERELICT PROPERTY REVOLVING FUND**

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

#### **1 PURPOSE OF REPORT**

- 1.1** The purpose of this report is seek authority for the use of the Derelict Property Revolving Fund to implement an initial programme of projects to secure the demolition of a number of derelict properties within East Ayrshire, implement associated remedial works and, as appropriate, acquire the sites for the Council and enter into any legal agreements which may be required to secure implementation of the projects.

#### **2 BACKGROUND**

- 2.1** The establishment of the Derelict Property Revolving Fund was approved by the Development Services Committee on 20 March 2002. It was also agreed that demolition of properties at 115-123 main Street, Auchinleck should be brought forward at an early stage.
- 2.2** At its meeting on 20 May 2003, the Committee considered a further report concerning the regeneration of vacant and derelict buildings and sites. That report:-
- Informed the Committee of those settlements, and areas within settlements, where the prevalence of vacant and derelict buildings was adversely affecting the physical appearance of an area and its potential for regeneration, and
  - Updated the Committee on existing regeneration projects being progressed by the Development Services Department.

#### **3 CURRENT POSITION**

- 3.1** A number of projects have since been identified for intervention through the use of the Fund if the necessary agreement with proprietors can be reached. These are summarised in the table below.

Property	Description	Action to date	Proposed next steps
115/117 Main Street, Auchinleck	This was a neglected two storey property that was particularly unsightly, was subject to increasing vandalism and was potentially dangerous. The Auchinleck Town appraisal undertaken as part of the Restoring Communities Programme reported that the community has identified this property as a high priority for demolition.	The property has now been demolished. The demolition works were carried out by the owner with grant assistance from the Council funded from the Derelict Property Revolving Fund.  The owner has informally agreed to sell the cleared site to the Council.	A legal agreement requires to be entered into with the owner to secure the Council's acquisition of the site and the carrying out of any identified additional remedial works on site.
119 Main Street, Auchinleck	This is a vacant property bounded to the south by the vacant plot resulting from the demolition of 115/117 Main Street and to the north by an occupied residential property. The Auchinleck Town appraisal undertaken as part of the Restoring Communities Programme confirms that the community has identified this property as a high priority for demolition	A structural survey of the property has been undertaken and estimates obtained for the costs of demolition.  Informal discussions have been held with the owners of the property and they have agreed, in principle, to a proposal whereby the property will be demolished, remedial works undertaken and the site acquired by the Council.	A legal agreement requires to be entered into with the owner to secure the demolition of the property, the Council's acquisition of the site and the carrying out of any identified additional remedial works on site.

Property	Description	Action to date	Proposed next steps
123 Main Street, Auchinleck	This is a very unsightly fire damaged derelict property. It abuts the occupied residential property at 121 Main Street referred to above. The Auchinleck Town Appraisal undertaken as part of the Restoring Communities Programme confirms that the community has identified this property as a high priority for demolition.	<p>Structural survey of the property has been carried out.</p> <p>The owner of the property has obtained the necessary statutory consent for the demolition of the property.</p> <p>Informal discussions have been held with the owners of the property regarding a proposal whereby the Derelict Property Revolving Fund might be used to secure the demolition of the property, undertake remedial works and for the Council to acquire the site.</p>	Further informal discussions with the property owner will be undertaken in conjunction with ongoing monitoring of the property condition. If an agreement is reached in principle then a legal agreement will require to be entered into with the owner to secure the demolition of the property, the acquisition of the site by the Council and the carrying out of any additional identified remedial works.
1-7 Bridge Street, Muirkirk	This comprises a terrace of sandstone properties in Main Street, Muirkirk that has been vacant for a number of years and has recently been subject to fire damage. Demolition of the property is seen as a high priority by the community and is consistent with the objectives of the community led strategy for the regeneration of the town	<p>Statutory powers have been used by the Council to ensure that the building is made safe.</p> <p>No discussions have been undertaken with the owners to date.</p>	In the event of the use of statutory powers being exhausted it is proposed to initiate discussions with the owners regarding the possible use of the Derelict Property Revolving Fund to support the demolition of the buildings, to implement necessary remedial works and for the Council to acquire the site. If an agreement is reached in principle then this will thereafter require to be formalised by a legal agreement.
Former factory site, 26 Castle, New Cumnock	This is a former factory that is vacant and has been subject to extensive vandalism. It is located on an extensive and very prominent site in the centre of New Cumnock	No actions regarding the possible use of the Derelict Property Revolving Fund have been initiated to date.	Informal discussions with the property owner should be initiated and progressed as appropriate. If an agreement is reached in principle then this will thereafter require to be formalised by a legal agreement.

Property	Description	Action to date	Proposed next steps
Kilmarnock Amateur Boxing Club, Kirkton Road, Kilmarnock	This is a very unsightly wooden building formerly used by the Kilmarnock Amateur Boxing Club. This building is adjacent to the North West Community Centre, the Neighbourhood Learning Centre, making an otherwise much improved area particularly unsightly.	Structural survey and recommending that demolition is a sensible option.  The property sits on Council owned land presently leased to the Club. The Club has agreed informally to terminate their let and to the demolition of the building.	Termination of the existing let will require to be formalised by legal agreement which agreement will further secure the demolition of the building.

#### **4 POLICY IMPLICATIONS**

4.1 Nil

#### **5 FINANCIAL IMPLICATIONS**

5.1 The proposed actions identified within this report would be undertaken within the budget available to the Derelict Property Revolving Fund.

#### **6 LEGAL AND PERSONNEL IMPLICATIONS**

6.1 The actions proposed within this report will be progressed as appropriate through the entering into of formal legal agreements with the third party property interest holders. Any property transaction outside the limits of delegation to the Director of Development Services will be subject to approval by the Corporate Governance Committee.

#### **7 RECOMMENDATION**

7.1 It is recommended that Committee:

- (a) Note the current position regarding the cluster of properties centring on 115-123 Main Street, Auchinleck; 1 – 7 Bridge Street, Muirkirk; 26 Castle, New Cumnock and premises of the Kilmarnock Amateur Boxing Club, Kirkton Road, Kilmarnock; and
- (b) authorise the Head of Legal Services to enter into any necessary legal agreement to secure the successful implementation of the projects as indicated in the table of projects attached to this report.

**Stephen Chorley**  
**Director of Development Services**  
**SC/DAH/MB**  
**23 September 2003**

## **BACKGROUND PAPERS**

1. East Ayrshire Council Development Services Committee: 13 March 2002  
“Restoring Communities Programme”.
2. East Ayrshire Council Development Services Committee: 20 May 2003 “The  
Regeneration of vacant and Derelict Buildings and Sites”

Anyone wishing further information on the contents of this report, or to inspect the above papers should contact David Hewet on 01563 554608.

**Implementation Officer: Robert Paton**