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| <b>Report To:</b>       | <b>Education &amp; Communities Committee</b>        | <b>Date:</b> 4 November 2014                |
| <b>Report By:</b>       | <b>Head of Safer &amp; Inclusive Communities</b>    | <b>Report No:</b><br><b>EDUCOM/74/14/DH</b> |
| <b>Contact Officer:</b> | <b>Drew Hall</b>                                    | <b>Contact No:</b> 01475 714272             |
| <b>Subject:</b>         | <b>Clune Park Regeneration Plan Progress Report</b> |   |

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to provide Committee with an update on the proposed regeneration of the Clune Park area of Port Glasgow.

## 2.0 SUMMARY

- 2.1 The Regeneration Plan for the Clune Park Area was approved by the Safe, Sustainable Communities Committee in May 2011. The Housing Supply Division (HSD) is supportive of the approach taken by the Council but is unable to provide additional funding to the plan other than general housing investment to provide housing reprovisioning off site.
- 2.2 The Regeneration Plan features prominently in the approved Inverclyde Local Housing Strategy 2011-2016 (the LHS) and is the top priority in the associated existing and the proposed Strategic Housing Investment Plan 2013-2018 (the SHIP).
- 2.3 The SHIP programme informs the Strategic Local Programme (SLP) for the Inverclyde Council area. The amended SLP includes developments at Lower Mary Street and at Woodhall, Port Glasgow to provide reprovisioning of 46 and 16 housing units respectively.
- 2.4 A structural survey has found that the concrete roofs are in a serious state of disrepair in all the properties in the estate. This Committee at its meetings in March 2014 and May 2014 agreed to make Demolition Orders on the all the flats in remaining 42 tenements, 3 tenements and a single property are already subject to Demolition Orders.
- 2.5 274 Appeals against the Demolition Orders have been lodged with Sherriff Court. The Initial hearing for the Appeals was held on the 24<sup>th</sup> September. The Sherriff has requested further information from the appellants to be provided to the Council. A continuation of the hearing is scheduled for the 5<sup>th</sup> November.

## 3.0 RECOMMENDATIONS

- 3.1 That the Committee:
- Note current progress in respect of the Clune Park Area Regeneration Plan and agree that further progress updates are submitted to future meetings of this Committee.
  - Approve the criteria for assessing well maintained payments outlined in paragraph 6.4.

**John Arthur**  
**Head of Safer & Inclusive Communities**

## **4.0 BACKGROUND**

4.1 The Clune Park Area Regeneration Plan brings together all of the people-related and property-related issues that must be addressed in order to regenerate the area. The plan has been refined and developed in the light of the results of the Private Sector House Condition Survey (PSHCS) carried out in 2011 and of the Personal Housing Plans PHP visits that have been completed to date. The revised plan was submitted to Scottish Government officials in November 2011, as requested, and a written response was finally received in July 2012. Political and financial commitments have been given by Inverclyde Council to the approved Regeneration Plan.

## **5.0 ACTION TO DATE**

5.1 The Regeneration Plan proposes to rehouse existing residents off-site resulting in the separation of people and property. Discussions have been held between Inverclyde Council, HSD officials and Registered Social Landlords to determine which projects in the SHIP programme are to be undertaken. This has informed the SLP for the Inverclyde Council area. The clear priority given to the Clune Park area in the LHS and in the SHIP has helped secure the regeneration of the area through the allocation of Affordable Housing Supply Programme funding to the SLP over the next three years. The amended SLP approved by Committee includes developments at Lower Mary Street and at Woodhall, Port Glasgow to provide reprovisioning of 46 and 16 housing units respectively to assist with rehousing the Clune Park residents.

5.2 Environmental Health staff completed a Tolerable Standard assessment in terms of the Housing (Scotland) Act 1987 of all 430 flats by June 2013 which resulted in 132 flats being found to be Below the Tolerable Standard (BTS) and which were subject to Closing or Demolition Orders.

5.3 The Council has been successful in defending appeals against Demolition Orders for 2 tenement blocks. A third appeal has been withdrawn by the appellant who has agreed to transfer ownership of their 4 flats in the tenement to the Council.

5.4 A Communications Strategy designed to ensure that the local populace and everyone with an interest in the Clune Park area is kept informed of developments is in place. A full explanation of the strategy as set out in the Regeneration Plan has been given to private landlords who own and manage properties in the Clune Park area and they will be kept apprised of progress as the Plan is rolled out.

5.5 A number of owners have approached the Council to transfer ownership of their properties which are subject to Closing or Demolition Orders at nil value and remove their liability for the demolition costs. The Committee has agreed to grant delegated powers to the Corporate Director Education, Communities & OD to acquire properties that are BTS at nil value.

5.6 An external condition survey was completed in June 2013. This survey found structural cracking which was at a level not previously seen. A structural engineer was instructed to assess this structural problem. He reported that the cracking is caused by the deterioration of a fundamental element in the construction of the flat roofs of all blocks within this estate. The steel in the reinforced concrete roofs is corroding causing the roof structure to expand, which in turn is placing stresses on the wall heads causing structural cracking. This is a progressive fault which will ultimately result in structural failure.

5.7 Letters advising all the owners and residents of the information from the Engineer's report on the condition of their properties have been issued.

5.8 Following the presentation of reports on the structural condition of 28 tenements to this Committee on 11 March 2014 and on the 17 other tenements to this Committee on 6 May 2014, it was agreed to make Demolition Orders on 42 tenements in the Clune Park Area. Three tenements and one single property are already the subject of Demolition Orders. The service of the said Demolition Orders was completed at the end of June 2014 with the assistance Legal and Property Services.

5.9 The Council has agreed financial aid to residents who will lose their only home as a result of the service of the Demolition Orders.

## **6.0 FURTHER ACTION REQUIRED**

6.1 274 Appeals against the Demolition Orders have been lodged with Sherriff Court. The Initial hearing for the Appeals was held on the 24<sup>th</sup> September. The Sherriff has requested further information from the appellants to be provided to the Council. A continuation of the hearing is scheduled for the 5<sup>th</sup> November. The final decision on the Appeals by the Sherriff will take a number of months.

6.2 Progress on complete demolition of the area can only begin when the Appeals process has run its course and after the expiry of the evacuation period to allow residents to vacate their flat. Officers will be monitoring progress of appeals to ensure that demolition contracts are tendered and progressed as quickly as is practical.

6.3 At the last meeting it was reported that the Council's Legal Service advised that homeowners and tenants may apply within 3 months of the service of the Demolition Order for a "Well Maintained Payment" under the Housing (Scotland) Act 1987 if their property has been vacated as a result of the Order and if their property has been assessed as being well maintained.

6.4 It is proposed that the criteria for assessing a "Well Maintained Payment" will reflect the repair and condition elements of the Scottish Housing Quality Standard (SHQS) to determine serious disrepair. The Scottish Government recommend the SHQS be used as an assessment tool for all tenures.

The Assessment will examine the internal and external condition of the houses as well as the condition of existing amenities in the house.

Using the SHQS methodology, houses which fail more than one primary element or more than 2 secondary elements of the standard are regarded as in serious disrepair and will not be classed as well maintained. Details of the elements that will be assessed are in Appendix 1.

Houses that are also let must meet the Repairing Standard as defined in the Housing (Scotland) Act 2006. Let houses not meeting this Standard will not be classed as well maintained. The Repairing standard has been incorporated into assessment elements in Appendix 1.

Defects which relate to the Tolerable Standard will be excluded from the assessment.

6.5 The "Well Maintained Payment" is calculated by multiplying the Rateable Value of the house by a factor of 12.7

## 7.0 IMPLICATIONS

### 7.1 Strategic

The progression of the regeneration of Clune Park, through the Strategic Housing Investment Plan 2013-2018 and the SLP, will make a valuable contribution to several strategic aims and objectives as set out in the:

- Inverclyde Alliance Single Outcome Agreement;
- Community Plan; and
- Inverclyde Local Housing Strategy 2011-2016.

### 7.2 Financial

The Council's current financial commitment to the Clune Park Area Regeneration Plan is as follows:

#### Financial Implications - One off Costs

| Cost Centre          | Budget Heading          | Budget Year | Proposed Spend | Virement From | Other Comments |
|----------------------|-------------------------|-------------|----------------|---------------|----------------|
| Clune Park Regen.    | Clune Park Regeneration | 2012/15     | £2,646,000     |               |                |
| Scheme of Assistance | Regeneration enabling   | 2014/15     | £263,000       |               |                |
| TOTAL                |                         |             | £2,909,000     |               |                |

#### Financial Implications - Annually Recurring Costs/ (Savings)

| Cost Centre | Budget Heading | With Effect from | Annual Net Impact | Virement From (if applicable) | Other Comments |
|-------------|----------------|------------------|-------------------|-------------------------------|----------------|
| N/A         |                |                  |                   |                               |                |

### 7.3 Human Resources

Currently being met within existing and temporary staffing.

### 7.4 Legal

Legal and Property Services are continuing to provide advice and guidance on the roll out of the Regeneration Plan to ensure that all possible remedies are pursued and that actions are taken in compliance with appropriate legislation. The Regeneration Plan is based upon existing legislation however the Service is reviewing any changes in legislation.

## 7.5 Equalities

When delivering services to our customers, full cognisance is taken of equality and diversity processes and procedures.

## 7.6 Repopulation

This plan is intended to help remove an area of housing blight in Inverclyde and therefore improve the overall area.

## 8.0 CONSULTIONS

8.1 Officers from Legal, Property and Finance Services are regularly consulted on this regeneration plan.

## 9.0 LIST OF BACKGROUND PAPERS

- 9.1
- Robert Street Area - Housing Options Study: June 2006
  - Robert Street Area – Housing Options Study, Environment & Regeneration Committee, January 2007. ECP/HOU/BB07MSB/010
  - Robert Street Area – Regeneration Strategy Steering Group Update, SSCC, June 2007. ECP/HOU07WR/032
  - Robert Street Area – Regeneration Strategy Steering Group Update, SSCC 25 October 2007. ECP/HOU/WR07/046
  - Clune Park Regeneration: Progress Report – SSCC, March 2011. ECP/Plan/WR10/008
  - Clune Park – Proposed Regeneration Plan – Special SSCC May 2011. SCS/64/11/AH/DH
  - Clune Park Regeneration: Progress Report – SSCC, August 2011. SCS/65/11/AH/DH
  - Clune Park Regeneration: Progress Report – SSCC, January 2012. SCS/85/12/AH/DH
  - Clune Park Regeneration: Progress Report – SSCC, March 2012. SCS/94/12/AH/DH
  - Clune Park Regeneration: Progress Report – E&CC, June 2012. EDUCOM/01/12/AH/DH
  - Affordable Housing Investment – Strategic Local Plan – E&CC, September 2012. EDUCOM/16/12/AH/DH
  - Clune Park Regeneration: Progress Report – E&CC, September 2012. EDUCOM/18/12/AH/DH
  - Clune Park Regeneration: Progress Report – E&CC, October 2012. EDUCOM/38/12/AH/DH
  - Clune Park Regeneration: Progress Report – E&CC, January 2013. EDUCOM/01/13/DH
  - Clune Park Regeneration: Progress Report – E&CC, March 2013. EDUCOM/32/13/DH
  - Clune Park Regeneration: Progress Report – E&CC, May 2013. EDUCOM/47/13/DH
  - Clune Park Regeneration: Progress Report – E&CC, September 2013. EDUCOM/61/13/DH
  - Clune Park Regeneration: Review Report – E&CC, November 2013. EDUCOM/78/13/DH
  - Clune Park Regeneration: Progress Report – E&CC, January 2014. EDUCOM/10/14/DH
  - Clune Park Regeneration Plan Update – Structural Conditions Report – E&CC,

- March 2014. EDUCOM/22/14/DH
- Clune Park Regeneration: Progress Report – E&CC, March 2014. EDUCOM/31/14/DH
  - Clune Park Regeneration Plan Update – Structural Conditions Update Report – E&CC, May 2014. EDUCOM/35/14/DH
  - Clune Park Regeneration: Progress Report – E&CC, May 2014. EDUCOM/34/14/DH
  - Clune Park Regeneration: Progress Report – E&CC, September 2014. EDUCOM/56/14/DH

**Assessment for Well Maintained Payment under the Housing (Scotland) Act 1987, Section 304**

|                 |                         |
|-----------------|-------------------------|
| <b>Address:</b> | <b>Parties Present:</b> |
|                 |                         |

|                            |                 |                    |
|----------------------------|-----------------|--------------------|
| <b>Date of Assessment:</b> | <b>Outcome:</b> | <b>Pass / Fail</b> |
|                            |                 |                    |

|                    |
|--------------------|
| <b>Officer(s):</b> |
|                    |

| No. | Element Description | Descriptor/Indicators | Technical Notes | Pass or Fail |
|-----|---------------------|-----------------------|-----------------|--------------|
|-----|---------------------|-----------------------|-----------------|--------------|

|  |  |  |  |  |
|--|--|--|--|--|
| <b>Element 1: Serious Disrepair (Primary &amp; Secondary Elements)</b> |  |  |  |  |
|--|--|--|--|--|

|                         |  |  |  |  |
|-------------------------|--|--|--|--|
| <u>Primary Elements</u> |  |  |  |  |
|-------------------------|--|--|--|--|

Failure of a primary element means the property cannot be considered to be well maintained. A primary element fails if more than 20% of the element requires repair or replacement

|     |                           |  |  |  |
|-----|---------------------------|--|--|--|
| 1.1 | Wall Structure            | Vertical/diagonal cracking. Movement of lintels, bowing of walls | Assessment made on a surface area basis                    |  |
| 1.2 | Internal Floor Structures | Rot in timber, cracking of concrete, uneven or sloping floors    | Assessment made on a surface area basis of entire property |  |
| 1.3 | Foundations               | Vertical or diagonal cracking of wall structure                  | Assessment made on a linear basis, input from engineer     |  |
| 1.4 | Roof Structure            | Sagging, humping, ponding of water, spread at eaves              | Assessment made on a liner basis                           |  |

|                           |  |  |  |  |
|---------------------------|--|--|--|--|
| <u>Secondary Elements</u> |  |  |  |  |
|---------------------------|--|--|--|--|

Failure of two or more secondary element means the property cannot be considered to be well maintained. A secondary element fails if more than 20% of the element requires repair or replacement

|      |                                 |   |   |  |
|------|---------------------------------|---|---|--|
| 1.5  | Principal Roof Covering         | Torn or cracked flat roof coverings   | Assessment made on a surface area basis of total visible roof   |  |
| 1.6  | Chimney Stacks                  | Leaning stacks, decayed masonry, defective pointing   | Surface area basis: structure 60%, finish 20%, cope 20%*  |  |
| 1.7  | Flashings                       | Detached flashings, loose cement fillets, damaged verges  | Assessment made on a liner basis  |  |
| 1.8  | Rainwater Goods                 | Cracked/corroded gutters/downpipe, loose brackets, missing fittings   | Assessment made on a liner basis  |  |
| 1.9  | External Wall Finish            | Disrepair to pointing, blockwork, roughcast   | Assessment made on a surface area basis of total visible wall   |  |
| 1.10 | Common Access Stairs & Landings | Cracked slabs or treads, movement, broken balustrades/rails/etc.  | Linear basis of total stairs: Risers & treads 60%, Handrails 40%*   |  |
| 1.11 | Damp Proof Course               | Breach of damp proof course by break, bridge or failure   | Assessment made on linear basis (check element 1.2 too)   |  |
| 1.12 | Windows & Doors of Dwellings    | Distorted or unseated frames, rotted cills, broken glass, defective or damaged seals and corrosion of ironmongery | Surface area basis: Frame 50%, Glazing 30%, Ironmongery 20%.<br>Double glazing is not required but should be measured for disrepair.<br>Defective d/g seals are a maintenance issue |  |
| 1.13 | Common Windows & Roof Lights    | Distorted or unseated frames, rotted cills, broken glass, defective or damaged seals and corrosion of ironmongery | Surface area basis: Frame 50%, Glazing 30%, Ironmongery 20%.<br>Double glazing is not required but should be measured for disrepair.<br>Defective d/g seals are a maintenance issue |  |
| 1.14 | Underground Drainage            | Defective manhole or rodding eye covers, gullies, branches, collapsed drains                                      | Assessment made on a linear basis   |  |

| No.  | Element Description                      | Descriptor/Indicators   | Technical Notes  | Pass or Fail |
|--|--|---|--|--------------|
| <b>Element 2: Energy Efficiency</b>  |  |   |  |              |
| <u>Failure of two or more elements means the property cannot be considered to be well maintained</u>   |  |   |  |              |
| 2.1  | Hot Water Tank Insulation                | Is Hot Water Tank Insulation present <u>and</u> in good order   | Assessment made on Yes/No basis  |              |
| 2.2  | Pipe Insulation                          | Is pipe insulation present <u>and</u> in good order   | Assessment made on a Yes/No basis  |              |
| 2.3  | Full Property Space Heating              | Habitable rooms have a heating system controlled from a single point <u>and</u> the heating system must be in good working order                  | Assessment made on a Yes/No basis  |              |
| 2.4  | Efficient Full Property Space Heating    | Check SEDBUK rating for gas and installation date for electric  | <55% efficiency of gas is a fail. Pre-1984 electric system is a fail   |              |
| <b>Element 3: Modern Facilities and Services</b>   |  |   |  |              |
| <u>Failure of two or more elements means the property cannot be considered to be well maintained. An element fails if more than 25% of it requires repair or replacement</u> |  |   |  |              |
| 3.1  | WHB condition (inc. related fittings)    | Wash hand basin and related fittings must be in good and useable condition  | Assessment should be made of the basin; taps; waste pipe. If 25% of any item fails then the element fails (exc. plug & chain)  |              |
| 3.2  | Bath condition (inc. related fittings)   | The bath and/or shower and related fittings must be in good and useable condition. The minimum standard is a bath <u>or</u> a shower              | Assessment should be made of the bath or shower tray/cubicle; bath panel or shower screen/curtain; the taps or controls; overflow and waste pipe. If 25% of any item fails then the element fails (exc. plug & chain)                              |              |
| 3.3  | Shower condition (inc. related fittings) |   |  |              |
| 3.4  | WC condition (inc. related fittings)     | The main WC and related fittings must be in good and useable condition  | Assessment should be made of the cistern and cover; supply pipe and overflow; toilet pan; ballcock and valve. If 25% of any item fails then the element fails  |              |
| 3.5  | Kitchen Sink & Fittings                  | The kitchen sink and related fittings must be in good and useable condition   | Assessment should be made of the sink bowl & drainer; the taps; the overflow and waste pipe. If 25% of any item fails then the element fails (exc. plug & chain)   |              |
| 3.6  | Kitchen Cabinets & Worktops              | The kitchen storage cupboard should be in good and useable condition  | Assessment should be made of the doors; carcasses; worktops. If 25% of any item fails then the element fails   |              |
| 3.7  | Kitchen: Adequate Electrical Sockets     | The kitchen must have at least 6 x 13 amp, wall mounted electrical power sockets  | Assessment is on a Yes/No basis. One double socket is equivalent to 2 sockets. 13amp switched spurs may also be counted as sockets   |              |
| 3.8  | Kitchen: Adequate food storage space     | The kitchen must have at least 1m <sup>3</sup> of food storage space either in the kitchen or immediately adjacent to the kitchen (e.g. a pantry) | Assessment is on a Yes/No basis. All food storage cupboards must be shelved and have a door. Fridges and freezers do not count as storage areas. For guidance a single 600mmx500mmx300mm cabinet provides approx 1m <sup>3</sup> of storage space. |              |



| No.   | Element Description             | Descriptor/Indicators  | Technical Notes   | Pass or Fail |
|---|---------------------------------|--|---|--------------|
| Element 4: Healthy, Safe and Secure   |                                 |  |   |              |
| <u>Failure of two or more elements means the property cannot be considered to be well maintained.</u> |                                 |  |   |              |
| 4.1   | Lead Free Pipework              | The hot and cold water supply should not be exposed to any lead pipe work  | Assessment includes the pipework and water storage system. Visual confirmation of lead is sufficient for failure.   |              |
| 4.2   | Gas system                      | The gas system must not be dangerous. This includes the gas supply system as well as any gas heating element (e.g. fire, boiler, heater, cooker). A valid gas safety certificate is also required for rented properties. | Visual assessment can confirm disrepair. Confirmation of yellow/brown discolouration of any part of the appliance or surrounding area; broken/missing switches; broken/missing glass covers. Disrepair equals failure |              |
| 4.3   | Paths and Drying Areas          | Surface finishes or structure of external paths, ramps, paved areas, courts and drying areas must be in good condition   | Assessment is made on a surface area basis. More than 20% disrepair equals failure.   |              |
| 4.4   | Common Lighting                 | There must be adequate common or public lighting in the block.   | Assessment is on a linear basis for wiring and a unit basis for fittings. There should be at least one working light per floor. More than 25% disrepair equals failure  |              |
| 4.5   | Secure Individual Dwelling Door | All external doors solely within the control of the occupants should have secure locks*  | Assessment is made on a Yes/No basis  |              |
| 4.6   | External Access Doors           | Where common external doors are present they should be in good and useable condition.  | Assessment of disrepair is made on a surface area basis for the door and linear basis for the frame. Door 60%; frame 25%; ironmongery 15%. More than 25% disrepair equals failure                                     |              |
| 4.7   | Fixtures and Fittings           | Any fixtures and fittings not previously noted and provided under a tenancy agreement must be in a state of reasonable repair and in proper working order.   | Assessment is on a Yes/No basis   |              |
| <u>Additional Standard for Let Properties</u>   |                                 |  |   |              |
| 4.8   | Smoke Alarms/Detectors          | There must be at least one working smoke detector present in the property*   | Assessment is made on a Yes/No basis  |              |

| No.   | Element Description   | Descriptor/Indicators | Technical Notes | Pass or Fail |
|---|-----------------------|-----------------------|-----------------|--------------|
| <b>Element 5 - Ownership and Residency</b>  |                       |                       |                 |              |
| 5.1   | Owner's Name          |                       |                 |              |
| 5.2   | Owner's Address       |                       |                 |              |
| 5.3   | Agent's Name          |                       |                 |              |
| 5.4   | Agent's Address       |                       |                 |              |
| 5.5   | Tenant's Name         |                       |                 |              |
| 5.6   | Tenant's d.o.b.       |                       |                 |              |
| 5.7   | Date Property Vacated |                       |                 |              |
|   |                       |                       |                 |              |
| Officer 1:  |                       | Name:                 | Signature:      | Date:        |
| Officer 2:  |                       | Name:                 | Signature:      |              |
|   |                       |                       |                 |              |
| * Assessment elements and/or assessment ratios ammended from SHQS to exclude elements not relevant to Clune Park properties |                       |                       |                 |              |