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<b>Report To:</b>	<b>Education &amp; Communities Committee</b>	<b>Date:</b> 6 <sup>th</sup> September 2016
<b>Report By:</b>	<b>Head of Safer &amp; Inclusive Communities</b>	<b>Report No:</b> EDUCOM/43/16/DH
<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 re-provisioning 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 approved Strategic Housing Investment Plan 2015-2020 (the SHIP).
- 2.3 The SHIP programme informs the Strategic Local Programme (SLP) for the Inverclyde Council area. The current SLP includes developments at Lower Mary Street and at Woodhall, Port Glasgow to provide re-provisioning for up to 46 and 16 housing units respectively; all the units have now been occupied. This leaves around 50 of the 430 flats in Clune Park still occupied.
- 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 and May 2014 agreed to make Demolition Orders on all the flats in the remaining 42 tenements. 3 tenements and a single property are already subject to Demolition Orders.
- 2.5 There are currently 213 Appeals against the Demolition Orders remaining lodged with the Sheriff Court. Six cases were identified as being "test cases" and those proceeded to Proof at Greenock Sheriff Court on 25<sup>th</sup> January 2016 with further evidence submissions on 25<sup>th</sup> April 2016. The Sheriff has found in favour of the Appellants. The Council will now consult with Senior Counsel to determine its options on moving forward.

## 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.
  - Will receive a future report on the outcome of legal consultations and how it proposes

to progress with its statutory duty to tackle sub-standard housing within the Clune Park Estate.

**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 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. The 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. Work has been completed on both sites and all the homes are now occupied.

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 are 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. Building Control has also been advised.

- 5.8 Following the presentation of reports on the structural condition of the tenements to this Committee's meetings in March and May 2014, it was agreed to make Demolition Orders on 42 tenements in the Clune Park Area. Three tenements and one single property were already the subject of Demolition Orders. The service of the said Demolition Orders was completed at the end of June 2014.
- 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. The Committee has also agreed discretionary assistance to help long term residents if they wish to move homes before the Demolition Order Appeals process has been completed.

## **6.0 FURTHER ACTION REQUIRED**

- 6.1 274 Appeals against the Demolition Orders were lodged with the Sheriff Court. The number of Appeals has now reduced to 213. Six Appeals were identified as "test cases". The other 207 cases were sisted (suspended) pending the outcome of the "test cases". An evidential hearing has now taken place between 25<sup>th</sup> and 29<sup>th</sup> January 2016. A further hearing for submissions took place on 25<sup>th</sup> April 2016.
- 6.2 The Council was advised on the 19<sup>th</sup> August that the Sherriff had found in favour of the Appellants. This decision only affects the 4 tenements which were the subject of the 6 "test case" Appeals. The Council is consulting with its legal advisor on how best to respond to this decision and how to further comply with its duty to deal with the substandard homes in Clune Park.
- 6.3 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. Officers are pursuing the possibility of demolishing some of the tenements currently subject to active Demolition Orders and a pre demolition survey has been completed. Plans to demolish 2 buildings are still ongoing.
- 6.4 Community Warden patrols have stepped up to promote community safety in the area as concerns are raised due to the number of vacant flats. This area is also well supported by monitored public space CCTV cameras.

At the beginning of August 2016, there were 50 flats which are subject of housing benefit payment. This translates to under 12% of the 430 flats estimated to be occupied.

## **7.0 IMPLICATIONS**

### **7.1 Strategic**

The progression of the regeneration of Clune Park, through the Strategic Housing Investment Plan 2015-2020 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	2016/17	£1,910,000		EMR
Council Tax	Affordable Housing – 2 <sup>nd</sup> homes income	2016/17	£90,000		estimate
TOTAL			<b>£2,000,000</b>	estimate	

**Note:** in addition to the above the Council has also approved £1million prudential borrowing for this project.

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 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
- Clune Park Regeneration: Progress Report – E&CC, November 2014. EDUCOM/74/14/DH
- Clune Park Regeneration: Progress Report – E&CC, January 2015. EDUCOM/01/15/DH
- Clune Park Regeneration: Progress Report – E&CC, March 2015. EDUCOM/22/15/DH
- Clune Park Regeneration: Progress Report – E&CC, May 2015. EDUCOM/38/15/DH
- Clune Park Regeneration: Progress Report – E&CC, September 2015. EDUCOM/61/15/DH
- Clune Park Regeneration: Progress Report – E&CC, November 2015. EDUCOM/79/15/DH
- Clune Park Regeneration: Progress Report – E&CC, January 2016. EDUCOM/03/16/DH
- Clune Park Regeneration: Progress Report – E&CC, March 2016. EDUCOM/20/16/DH
- Clune Park Regeneration: Progress Report – E&CC, May 2016. EDUCOM/30/16/DH