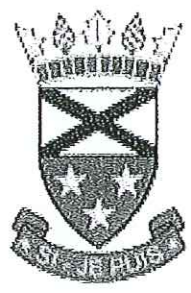


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HELENSBURGH COMMUNITY COUNCIL



THE VISION: HELENSBURGH - BE BETTER - BE EXCELLENT  
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David Stewart MSP  
The Scottish Parliament  
EH 99 1SP

[Redacted]  
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E: [Redacted]  
3 March 2011

Dear Mr Stewart

Re Buildings Repairs (Scotland) Bill Consultation

Attached should be a short paper the Helensburgh Community Council (HCC) wrote last summer about Listed Buildings at Risk in Scotland. There seemed to be enough of an overlap of interest between it and the current Buildings Repair Bill to think it may be useful for you to have a copy.

HCC continues to be concerned in the apparent gap in the legislation that allows buildings to deteriorate with no real, practical powers available to any agency to halt and reverse the situation.

It seems to be a very difficult area to make better, especially in these economically challenging times. Two thoughts on the proposed changes:

- Would the idea of enabling local authorities to place a debt for repairs upon the property rather than the owner discourage a prospective owner from buying the property?
- Would extending the time available to owners to carry out necessary repairs mean that more buildings would deteriorate past the point when it is economically viable to repair and restore them?

But on the other hand, the more buildings of any architectural merit that are destroyed or let fall into decay, the more we lose our proud heritage of *Scottish buildings*. And after all, maintenance of properties ought to make good financial sense for owners.

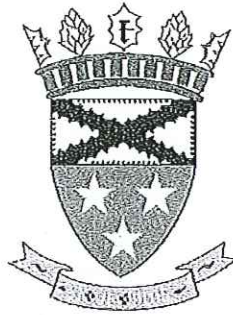
May HCC wish you every success with this difficult area of legislation.

Yours sincerely

A black rectangular redaction box covering the signature of Kathleen Siddle.

Kathleen Siddle (Leader, Helensburgh Community Council Planning Group)

## HELENSBURGH COMMUNITY COUNCIL



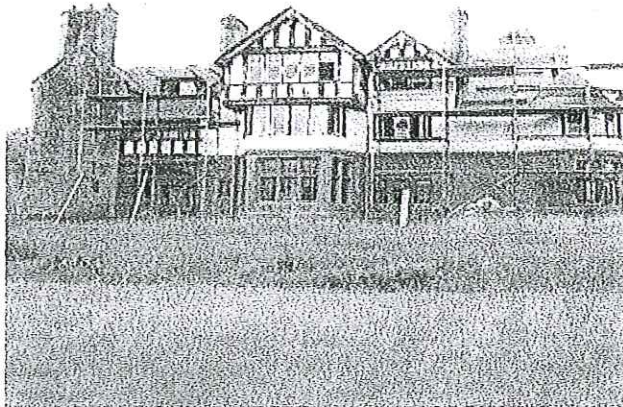
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### SCOTLANDS BUILDINGS AT RISK

The current extremely poor condition of Morar House in Helensburgh points up a huge gap in what all the various Agencies involved with Scotland's Historic Buildings can actually do to protect them when they are at risk.

Morar House (formerly Drumadoon) is an architecturally significant Grade A Listed Building set in one of Helensburgh's Conservation Areas. It was designed by the famous and highly regarded Scottish Architect, William Leiper and was built between 1901 and 1903.



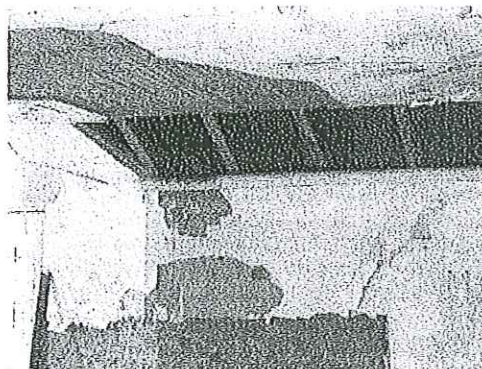
Unfortunately, it is now in an extreme state of disrepair and is steadily deteriorating. (Although at the time of writing this paper, some remedial work has been started on the building.) It has been empty for some three years, during which time, roof tiles have been stripped and only partially replaced, some windows are missing and others have been left open, old scaffolding gives access to the upper levels and the front door has been left open.

The result is that the inside of the building has been very seriously damaged by the weather in general and by water ingress in particular. It is surprising that vandals have not made a bad situation even worse.

Morar House is sited directly across the street from The Hill House, which is famous throughout the world. The Hill House together with its immediate surroundings including Morar House, is in the process of being considered for World Heritage Site status.

Morar House is clearly visible from the street and it is reported in the Helensburgh Advertiser that many of the 44,000 visitors to The Hill House each year ask about it and say that it is a 'disgrace' to Helensburgh.

The plight of Morar House has been known to Argyll and Bute Council, Historic Scotland and the Scottish Civic Trust for some time. It has been placed on the latter's 'Register of Buildings at Risk'. All these three Agencies are actively concerned about Morar House's slide towards dereliction. But what effective action can they take? What powers do they have to effect a change for the better?



- Historic Scotland can act in an advisory capacity and attend meetings with the owner of the property and the appropriate Local Authority.
- The Scottish Civic Trust has no power beyond the making of the Register.
- Currently, the only Agency with any teeth at all is the Local Authority. Under Section 49 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, 'Repairs Notice', the Local Authority has 2 possible responses:
  - *The first is that it "may carry out emergency works for the preservation of listed buildings". The 1997 Act goes on to say that the "planning authority may require the owner of the building to pay the expenses of the work undertaken."*

It is not difficult to see that this procedure will not be effective with all buildings at risk. A number of past cases in Helensburgh show that when a building has deteriorated sufficiently, it will be demolished and part of the town's proud heritage of fine buildings will be lost for ever.

- *According to the 1997 Act, the second possible response by the Local Authority is that "if the requirements of the Repairs Notice are not carried out within two months of the service of the Notice, proceedings to acquire the building compulsorily may be started".*

The theory sounds good, but particularly in these days of economic difficulties for Local Authorities, how likely is it that they will find the money to purchase any Listed Buildings at Risk? Even Local Authorities themselves sometimes find it hard to maintain their own listed buildings under their own funding.

A quick look at the Scottish Civic Trust's Register of Buildings at Risk shows Morar House is only one of many Listed Buildings in Scotland deteriorating steadily towards ruin. Since these buildings are an important part of our Scottish identity and heritage, what can be done to save them?

Suggestions for consideration include the following:

1. Legal powers given to Local Authorities to require owners to halt and turn around the deterioration of historic buildings and maintain them in a wind and weather tight condition. Maintenance of valuable properties ought to make good financial sense for owners.
2. The administration and enforcement of emergency works to effect the preservation of Listed Buildings at Risk could be the responsibility of Historic Scotland or the Scottish Civic Trust. Some of the public moneys currently given to these organisations could be ring fenced for this purpose.
3. Make sure prospective owners of Listed Buildings are made aware of their rights and responsibilities.
4. When Listed Buildings change hands, an obligatory status report should be produced by a reputable surveyor and submitted to Historic Scotland.
5. Allow / encourage some flexibility in Council decisions regarding a Change of Use for Listed Buildings, for example a very sensitively and architecturally designed change from a single owner to multiple owners in an apartment arrangement within the building, or even in appropriate locations, a boutique hotel.
6. Make it much more difficult to redevelop the site of a Grade A Listed Building.
7. Make the site of a listed building, a listed site
8. Any further suggestions?



Jackie Baillie MSP  
Scottish Civic Trust  
Building Preservation Trusts  
John Ashworth  
Helensburgh Civic Society  
Helensburgh Advertiser

Historic Scotland  
National Trust for Scotland  
Argyll and Bute Councillors  
Helensburgh Heritage Trust  
Herald newspaper  
Helensburgh Community Council website

Cc  
Helensburgh Community Council

August 2010

Please reply to [REDACTED]  
Telephone: [REDACTED]