

**WHITE HART HOTEL: DANGEROUS BUILDING**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 **Purpose:** This report advises Members of actions taken by the Council's Building Standards in respect of the former White Hart Hotel, Main Street, Campbeltown.
- 1.2 The building has been unoccupied for some years and has fallen into a state of disrepair. Responding to complaints, urgent work was carried out by building standards, using emergency powers under sections 29 and 30 of the Building (Scotland) Act 2003, to remove imminent dangers to public safety. A Dangerous Buildings Notice was been served on the property owner requiring them to "commission a structural engineer to assess the current structural condition of the White Hart Hotel and carry out the structural works as specified by the structural engineer to ensure that no structural issues are evident on completion of the required works."
- 1.3 **Financial:** all costs incurred by the Council in protecting public safety, including the erection and hire of the heras fencing and pedestrian barriers, will be recovered from the property owner.
- 1.4 **Recommendations**

Members are asked to note this report.

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**2.0 INTRODUCTION**

- 2.1 This report advises Members of actions taken by the Council's Building Standards in respect of the former White Hart Hotel, Main Street, Campbeltown. The building has fallen into a state of disrepair and the owner advises that it is their intention to completely renovate the hotel over the next three years. Presently the condition of the building is causing concern to neighbours and the wider community.
- 2.2 Responding to complaints received week commencing 1<sup>st</sup> May 2023, urgent work was carried out by building standards, using emergency powers under the Building (Scotland) Act 2003, to remove imminent dangers to public safety.

**3.0 RECOMMENDATIONS**

- 3.1 Members are asked to note this report.

**4.0 DANGEROUS BUILDING**

- 4.1 The White Hart Hotel is located on Main Street, Campbeltown and has been closed for some time. It is privately owned with the owner responsible for property maintenance and the general conditions of the building has deteriorated since the hotel closed.
- 4.2 Following complaints received on 2 May 2023, an assessment by the Council's Building Standards Team identified that immediate repairs were required to board up a window and remove some debris. This work was carried out using the Council's formal powers and contact was made with the owner requiring further inspections and repairs as a priority.
- 4.3 Given the deteriorating condition of the building and potential risk to public safety, the decision was taken by the Council's Building Standards Team on 3 May 2023, using emergency powers under the Building (Scotland) Act 2003, to erect heras fencing restricting access to the pavement areas around the building, pending further discussions with the property owner. On the recommendations of the Roads Service a pedestrian walkway was been created using additional road barriers to protect the public from road vehicles.
- 4.4 A further inspection on 5 May 2023 carried out with the owner, confirmed that the mitigation measures were appropriate pending a structural engineers report. The owner instructed a structural engineer to inspect the property and agreed to undertake any recommendations following the outcome of that inspection.

- 4.5 A Dangerous Buildings Notice was been served on the property owner requiring them to “commission a structural engineer to assess the current structural condition of the White Hart Hotel and carry out the structural works as specified by the structural engineer to ensure that no structural issues are evident on completion of the required works.”
- 4.6 The structural engineer inspected the building on the 10 May 2023 and the report was received by building standards on the 22 May 2023. The report recommends some structural work and inspections by building standards on the 12 and 23 May 2023 noted that these structural works are well underway.

## **5.0 FUTURE ACTIONS**

- 5.1 The Building (Scotland) Act 2003 provided powers to local authorities to deal with buildings which are an imminent danger to public safety and to service a formal Dangerous Building Notice on the owner(s) requiring immediate repairs or specific actions. The Council can undertake these works in default of the Notice, and where there is an immediate need to protect public safety, with all cost recovered from the owner(s). These powers do not extend to general repairs, which are the responsibility of the owner.
- 5.2 Maintenance of the building is the responsibility of the owner and their intentions with the building are yet unknown. Building Standards can only deal with issues where there is an imminent risk to public safety.
- 5.3 Building Standards will continue to monitor the situation to ensure that the Dangerous Buildings Notice is fully complied with; to liaise with the owner, and determine the adequacy of the current measures in protecting public safety in regards to the structural engineers report.
- 5.4 Building Standards will continue to update local elected members on the situation of any developments

## **6.0 CONCLUSIONS**

- 6.1 The actions taken by Building Standards protected public safety and were undertaken very quickly and effectively. There are ongoing discussions with the property owner and the situation is being monitored. The structural engineers report is currently being actioned by the owner who has given a commitment to carry out all urgent works to comply with the formal Dangerous Buildings Notice. The heras fencing and pedestrian protective barriers will only be removed once all safety measures specified in the structural engineering report have been undertaken and completed.

## 7.0 IMPLICATIONS

7.1	Policy	Consistent with Council priorities
7.2	Financial	Any costs incurred by the Council in responding to this dangerous building will be recovered from the owner.
7.3	Legal	Effective use of powers under the Building (Scotland) Act 2003
7.4	HR	None.
7.5	Fairer Scotland	
7.5.1	Equalities	There are no equality or sustainability issues associated with the plan
7.5.2	Socio-economic	
7.5.3	Islands	There are no island implications.
7.6	Climate Change	There are no climate change implications.
7.7	Risk	Public safety risks have been minimised thorough the actions by Building Standards Risk that Council may require to undertake works in default, if the owner fails to meet their commitment to carry out any specified urgent works.
7.8	Customer Service	No significant issues.

**Executive Director with responsibility for Regulatory Services:** Kirsty Flanagan

**Policy Lead for Planning and Regulatory Services:** Councillor Kieron Green

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Appendix I: Photograph of the White Hart Hotel, Campbeltown

