
ARGYLL AND BUTE COUNCIL

Bute and Cowal Area Committee

Development and Infrastructure

07.04.2015

West Kirk Rothesay

1.0 EXECUTIVE SUMMARY

The main purpose of this report is to up-date the Bute and Cowal Area Committee with regarding the current position with West kirk Rothesay.

Financial: There will be a financial implication, this is detailed in the report, briefly, costs will be associated with stabilising the building so a sustainable future can be developed or for demolition. Until tenders are returned for either option it is not possible to be exact about the difference in these costs, however it is estimated that neither one will be considerably different from the other.

It is recommended that the Area Committee note the contents of this report.

West Kirk Rothesay

2.0 INTRODUCTION

2.1 This is an up-date paper regarding the West Kirk Rothesay.

3.0 RECOMMENDATIONS

3.1 It is recommended that members note the content of this report

4.0 DETAIL

4.1 **Background:** The West Kirk Rothesay is a B listed building which makes a significant land mark contribution to the sky line and town scape of Rothesay.

The building has been monitored for some time by council officers from Environmental Health and Building Standards, with both teams intervening as necessary to ensure public safety and control pests. However the passage of time and no effective maintenance has led to the continued decay of the building and the risk to public safety becoming a greater concern.

Ownership: One of the main issues with the building is the lack of owner with whom to engage with or pursue to ensure adequate maintenance of the building. The property was last in the ownership of a Limited company which was dissolved several years ago. Property, cash and any other assets owned by a company when it is dissolved automatically pass to the Crown (QLTR) as bona vacantia property in accordance with the provisions of the Companies Act 2006. The QLTR has however issued a notice of disclaimer in respect of the West Church, Rothesay. The property of a dissolved company which has been disclaimed by the Crown becomes ownerless.

Condition: Engineers have inspected the building; from their initial report the following summary can be provided. The building is clearly in a dilapidated condition and continuing to deteriorate. This deterioration is occurring primarily as a result of water ingress through failed and missing

rainwater goods and finishes (slates, pointing etc). There are no obvious indications of ongoing structurally-significant distortions in the main walls of the building, although there are signs of historic movement. These localised areas of historic movement are not progressive in a significant way. The steeple was found to be in a reasonable structural condition, however closer inspection is required to assess the impact of the vegetation growth. Of most concern at this time is the condition of the primary roof trusses at their bearings on the wallheads, both because of the associated safety issues and because the roof structure restrains the wallheads. The timberwork at these locations needs to be checked and measures taken to address any significant deterioration to ensure that the main structure of the building is not compromised in the short term. This action will allow the interior of the building to be cleared and made safe, and will assist in securing the stability of the building.

Building standards are in the process of commissioning these investigative works to ascertain the exact condition and requirements of the roof trusses.

Options: There are currently several options;

- § Secure a sustainable future for the building working in partnership with third sector
- § Carry out moth balling repairs and undertake ongoing maintenance until such time that the council had resolved ownership issues and developed an end use in partnership with a private developer
- § Demolition

Secure a sustainable future: third sector partnership:

An increasing amount of interest in securing a sustainable future has been developing for some time now in the local community. A group has been formed and several community meetings held. Council officers are working with the group to support them as they develop their ideas and monitor their progress. This is to ensure they have the advice they require and that our decisions regarding dealing with the condition of the building take into account all the relevant factors. The community group are working toward submitting an initial Architectural Heritage Fund grant by the end of March to secure funds to investigate the viability of several ideas in more detail, these ideas include:

- innovation/business space centre – start-up/small business, wifi and serviced - potentially including some low rent retail/workshop space
- theatre/photography/studio/arts space – potentially allied to some residential courses/training
- themed community use training/learning centre – including healthy living or marine (boat building) theme
- indoor activity/adventure centre – with soft play adventure, climbing wall(s) etc. year round but with tourist appeal too

Initial talks with the Architectural Heritage Fund have been, positive a formal response to the grant application should be provided in May.

The group continues to work towards becoming formally constituted and have also began talks to work in partnership with the Bute Conservation Trust. They have also considered the future funding requirements from various funding sources and made positive progress in terms of understanding the processes, work and time scales involved.

Secure a sustainable future: private sector partnership:

There is currently no evidence of significant interest in this option. Equally this option is likely to be costly to the Council, both financially and in terms of officer resource. The Council would have to resolve the ownership issue, take the building into ownership through a form of compulsory purchase and pass it on through a back to back agreement if there was a possibility of this, or market the building on the open market. The current conditions of the open market and the deteriorated state of the church would make offers unlikely, coupled with the fact that if the building was bought for private development access to grant funding would be unlikely. Alternatively the Council, at its own cost, could move to market the building, but without the ownership issue resolved or any significant prospect of grant aid, it is even less likely that a private developer will express interest. For the reasons presented this option is not currently being pursued by officers.

Demolition:

Building Standards can only legally justify demolition if the building is assessed to be in danger of immediate collapse; this is currently not the case. However engineers have advised that works are required in the short term to ensure that collapse is avoided in the near future. In order to ensure immediate public safety Building standards have therefore cordoned off the area and will establish in more detail any risk of future collapse through the investigative works currently being commissioned.

Impact: The following table briefly considers the impacts of some of the key considerations.

Secure a sustainable future	Demolition
Cost to Council, investigative works currently out to tender, those coupled with resulting intervention are estimated to be broadly similar to the costs of demolition although this cannot be confirmed until the results of the tenders are in and the investigative works complete.	Cost to Council, estimated to be broadly similar to the costs of investigative works and resulting intervention, although this cannot be confirmed until the results of the tenders are in and the investigative works complete.
Potential economic impact : <ul style="list-style-type: none"> § Local employment during initial stabilisation works § Local employment during later renovation works § Long term job creation opportunities 	Potential economic impact: <ul style="list-style-type: none"> § Creation of local employment during demolition works § If the steeple is retained there will be an ongoing maintenance cost to the Council. § No scope for increased local employment

<p>associated with end use</p> <ul style="list-style-type: none"> § Creation of a visitor and Community Asset § Ripple effect on local economy due to the all of the above 	<p>during full refurbishment</p> <ul style="list-style-type: none"> § No long term job opportunities created. § No ongoing ripple effect from any new business activity.
Aligns with wider regeneration objectives in Rothesay	Does not align with wider regeneration objectives in Rothesay
Improves quality of place by retaining a B listed building which makes a significant land mark contribution to the sky line and town scape of Rothesay. This has positive economic and social benefits.	Quality of place is negatively impacted through the loss of a land mark building and the economic and social opportunities its retention would have brought about.
Reputation impact with local communities and funding partners is positive.	<p>Negative reputational risk to the Council from local community who are expressing a desire to retain the building.</p> <p>Negative reputational risk to the Council from funders who have already invested heavily in heritage led projects in Rothesay</p>
Financial risk to Council through cost of works, however there is a wider economic benefit in return	Financial risk to Council through cost of works, little wider economic benefit in return

5.0 CONCLUSION

It is not possible to deal with the west kirk, without the Council being open to some risk, financial or reputational. The key therefore is to manage the risk as effectively as possible and bring about the most positive outcome for the local area and the Council. Taking the relevant factors of the current status into account officers from planning and building standards are working towards establishing a solution which both ensures public safety and helps deliver the wider benefits of a sustainable re-use of the building by a community led group. The condition of the building and the progress of the group will be kept under review.

6.0 IMPLICATIONS

6.1 Policy : None

6.2 Financial : Cost of demolition and intervention works estimated to be broadly similar costs, although this cannot be confirmed until the results of the tenders are in and the investigative works complete

6.3 Legal : May have resource impact if legal are required in any way to assist with resolving the ownership issue. However they have already advised on this and there are options open to any group or individual wishing to obtain ownership using their own legal team.

6.4 HR : None

6.5 Equalities: None

6.6 Risk : Potential reputational risk detailed in report. Continued risk to public safety.

6.7 Customer Service : None

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