

**Chief Executive's Office**

**Head of Regulatory Services: Catriona Caves**

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Our Ref:

Your Ref:

Date: 11 July, 2019

Mr Norman McLean  
Chair  
Fort Seafield and Wallacetown Community Council  
c/o 38 Seafield Drive  
AYR  
KA7 4BH

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Dear Mr McLean

**Fort Seafield and Wallacetown Community Council  
Participation Request – Riverside Place Flats**

Further to my letter of 10 June 2019 regarding the above, I now enclose the Council's [Decision Notice](#).

Yours sincerely



**Catriona Caves  
Head of Regulatory Services**

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**South Ayrshire Council**  
**Participation Request – Riverside Place Flats**  
**Decision Notice**

I refer to your Participation Request under the Community Empowerment (Scotland) Act 2015, received by South Ayrshire Council on 9 May 2019, in which you ask that Fort, Seafield and Wallacetown Community Council participate in an outcome improvement process. The Participation Request was validated by South Ayrshire Council and you were advised by letter dated 10 June 2019 that a Decision Notice would be issued by 19 July 2019.

The Council has noted that Section 24(3) of the 2015 Act sets out matters which must be taken into account when deciding to agree or refuse a participation request. These are contained in [Appendix 1](#) of this Decision Notice, for your information.

### **The Request**

Section 4 of your request states that the outcome which your body seeks to improve is 'The resolution of the future of Riverside Place Flats, Ayr'.

Section 7 of your request states that the outcome will be improved through the involvement of Fort, Seafield and Wallacetown Community Council :

1. by examining in detail, the scope and costs of the works to achieve best value for tenants, Council and ratepayers; and
2. by proposing alternative solution which does not involve decanting of tenants off the site.

The Council has had regard to the reasons why the Community Council should participate in an outcome improvement process, set out in Section 5 of your request. You have provided additional information regarding the report which was approved by South Ayrshire Council on 27 November 2018, and which set out three potential options for the site. Your Participation Request indicates your opinion that the three options will greatly affect the social cohesion of the tenants, and you have commented on the costings provided and the feasibility of the options, which you request to scrutinise. You have also provided information on knowledge, expertise and experience which your Community Council has in relation to the outcomes, in particular that the Chair Mr McLean is a retired architect with experience of a housing modernisation programme for Lanark District Council and the design of Anderston Cross SDA in Glasgow in the 1990's; and Mr Petrie, a tenant in the flats, has sound building works knowledge.

All of these matters have been noted and taken into account by South Ayrshire Council in their consideration of the Participation Request. The following information has also been taken into account, with reference to the two points in section 7 of your request.

1. ***Examination of the Scope and Costs of the Works***

The Council has noted that, prior to the submission of the Participation Request, members of the Community Council were afforded the opportunity to meet with officers of the Council and senior members of the Technical Design Team, in order to allow discussion to take place regarding the concerns which had been noted by Community Council members.

The first meeting took place with Mr McLean and Mr Petrie on 27 March 2019 and was attended by the Service Lead – Corporate Planning and Improvement, Service Lead – Housing Services and Community Engagement Officer in order to discuss the potential Participation Request. At this meeting, Mr McLean and Mr Petrie were advised that consultative arrangements were already established with the River Ayr Tenants Association, who were representing tenants at Riverside Place, Ayr and were advised in the first instance to make contact with the Association's Committee to discuss and agree the scope of the Community Council's potential involvement. Mr McLean subsequently advised that contact had not been made with the River Ayr Tenants Association and instead the Community Council had obtained signed consent forms from tenants, the final batch of which was submitted to the Service Lead – Corporate Planning and Improvement on 9 May 2019.

A further meeting with the same representatives of the Community Council was held on 9 May 2019, attended by the Service Lead – Housing Services, Service Lead – Professional Design Services and two representatives from LMA Architects who have been the Lead partners on the Design Team. Information relating to the structural survey and external fabric report was discussed, and representatives from LMA Architects provided information on the survey findings and the matters considered in developing and determining the content of the proposed essential and advisable works. It was explained that detailed technical advice had been obtained by the Council regarding specification and costings for the three options for the blocks. It was confirmed that the findings of the survey and report were also discussed with the Scottish Fire and Rescue Service and the Council's Building Standards service. In considering the refurbishment option, it was confirmed that refurbishment work of this scale would be expected to take account of any improved standards in building works and health and safety since the blocks were originally constructed.

Information was also provided regarding the procurement process which had been followed in order to obtain best value for the Council in the required contract arrangements and costings. It was also clarified for the benefit of the 2 representatives of the Community Council, that the costs of the proposed building works would be met from the Housing Revenue Account ie from rent monies paid by tenants, and not from Council Tax revenues.

## **2. *Proposing an Alternative Solution which does not involve a Decant***

At the above meetings with Mr McLean and Mr Petrie, it was also explained that the Council has received expert advice on current Health and Safety standards for building works and the effect on residents' health and welfare. It has been confirmed to the Council as part of this expert advice that it is unsafe for tenants to remain in the building during works, and they could not be carried out safely in a phased manner without the tenants being decanted, given the significant renovations which would be required in order to retain the buildings. As mentioned above, refurbishment work of this scale would be expected to take account of any improved standards in building works and health and safety since the original construction of the blocks.

As part of the decision-making process, the Council conducted a detailed period of consultation with the tenants in all occupied flats in the blocks. This involved face to face discussions with every household, with the three options detailed in the report of 27 November 2018 being proposed, and all tenants being asked to choose their preference. These meetings commenced in March 2019 and were concluded in May 2019, with Housing Officers successfully making contact with 214 of the 215 households.

In addition to the individual meetings with tenants, an invitation was sent to all households at Riverside Place offering the opportunity for them to attend 2 Open Days at Riverside Place. These events were open to all tenants, their family members, friends or carers. They were held onsite in the Recreation Facility at Riverside Place on Thursday 11 April and Monday 15 April 2019, offering a total of 11 sessions. Display Boards on each of the options were available for attendees to view and information was provided on each of the options. Members of the Design Team and Housing Officers were in attendance to provide additional information and deal with any specific questions from tenants. A total of 63 people attended the Open Days, representing 55 households within Riverside Place.

Throughout the period, regular contact has been maintained with the Committee of the River Ayr Tenants Association and they have been kept fully informed of each stage of the process and the work being undertaken by the Council. The Committee were consulted on the proposed engagement materials and the tenant questionnaire, and were given the opportunity to comment and input to this process before the individual meetings with tenants commenced onsite.

Of the 215 households, 99 (46%) chose to be decanted and return to the blocks once refurbished, and 111 (51.7%) chose to be rehoused elsewhere permanently, or decanted and rehoused at the site following the demolishing of the blocks and a rebuild of new properties on the site. 5 of the households (2.3%) did not select an option in the consultation process.

In addition, the social cohesion for tenants undergoing the process of decant was taken into account as part of the proposals. The implementation plan will be considered by the Council's Leadership Panel in November 2019. The information collected from the consultation and engagement process has provided the Council with a greater awareness of the needs of tenants in the blocks. For instance, 149 require ground floor level accommodation, 15 are specifically interested in bungalows, and 35 use a wheelchair and have limited mobility. 90 households have indicated an interest in proposed new-build developments. All of this information along with the needs of individual tenants will be taken into account by the Council when considering rehousing options.

## **Decision**

Taking all of the above into consideration, the Council has decided to refuse both parts of the Participation Request. The reasons for this are as follows.

Your representatives have been afforded the opportunity to discuss their concerns with relevant experts in the Design Team, along with the officers who are leading the project. You have been provided with explanations regarding the current requirements for health and safety and building regulations, which mean that it is not possible to carry out the refurbishment required without decanting of tenants off the site. The three options which were selected for consultation purposes are the three options which are possible in terms of health and safety requirements for the tenants, and have been identified as best value for the Council through the relevant procurement process. The addition of an alternative solution which does not involve decanting the tenants would therefore not improve the outcome.

You have also been provided with confirmation that the costs of this project will be borne by the Housing Revenue Account, generated from Council tenant rent payments, and not the Council Tax payers of South Ayrshire.

There has been significant ongoing consultation and engagement with the Committee of the River Ayr Tenants Association at each stage of the process. There has also been face

to face engagement with tenants themselves through individual meetings with Housing officers and two Open Days. Consultation has also taken place with local Councillors.

The Council is also developing an implementation plan which will, as far as possible, limit the disruption to social cohesion for the tenants affected, particularly for those who are more vulnerable.

In summary, it is the Council's view that agreeing to the participation request will not improve the resolution of the future of the Riverside Place flats and would not be likely to meet the objectives set out in section 24(3) of the 2015 Act.

A handwritten signature in black ink, appearing to read "Graham Cross". The signature is written in a cursive style with a large initial 'G'.

Signed: Head of Regulatory Services

Date: 11 July 2019

The matters set out in Section 24(3) of the 2015 Act are:

- The reasons set out in the request, and any other information provided in support;
- Whether agreeing to the request would be likely to promote or improve:
  - I. Economic development
  - II. Regeneration
  - III. Public health
  - IV. Social wellbeing or
  - V. Environmental wellbeing;
- Whether agreeing to the request would be likely:
  - I. to reduce inequalities of outcome which result from socio-economic disadvantage,
  - II. to lead to an increase in participation in the outcome improvement process to which the request relates by persons who experience socio-economic disadvantage
  - III. otherwise to lead to an increase in participation by such persons in the design or delivery of a public service, the provision of which results in, or contributes to, the specified outcome mentioned in the request;
- Any other benefits that may arise if the request were agreed to; and
- Any other matter (whether or not included in or arising out of the request) that the authority considers relevant.