

Report To: Performance Scrutiny Committee.

Date of Meeting: 12th December 2013

Lead Member / Officer: Lead Member for Public Realm/
Head of Planning and Public Protection

Title: Listed Buildings at Risk.

1. What is the report about.

1.1 This report is about the condition of the listed building stock within the County.

2. What is the reason for making this report.

2.1 This report was requested by Members to enable a clearer understanding of the extent of listed buildings at risk within Denbighshire and the implications to the Authority.

3. What are the recommendations.

3.1 This Members consider the information provided and comment accordingly.

4. Report Details.

4.1 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 Welsh Government are responsible for compiling lists of buildings of architectural or historic interest. Once a building is placed on a list it is subject to provisions of the above Act and given extra protection from inappropriate alterations and demolition. Structures included in the list are varied type and size and range from milestones to country houses and castles.

4.2 Under the Act local authorities have responsibilities to protect listed buildings through the listed building consent process and through enforcement powers. Enforcement powers include an Urgent Works Notice where a building requires urgent work to save it from total loss and a Repairs Notice which is a precursor to the compulsory purchase of the building or structure. The enforcement powers carry an element of risk to the local authority with regards the costs of carrying out the urgent works in default or the costs associated with compulsory purchase and consequential responsibility of being the owner of a dilapidated building. Enforcement powers are therefore exercised with caution. The powers are discretionary; however in the circumstances where there are no other options and where the building might be close

to total loss then a decision not to use enforcement powers may be a threat to the reputation of the authority

- 4.3 Cadw completed a nationwide resurvey of buildings in Wales and produced a report in 2009. The report identified the numbers of buildings placed on the statutory list was over 30,000 nationally. These are the most up to date national figures at the moment. In Denbighshire the total is 1812.
- 4.4 Cadw recognised that many listed buildings were in poor condition but the extent of dilapidation was unknown. In order to improve our understanding of the listed building stock condition Cadw funded a building at risk survey for each local authority. In 2011 the Building at Risk surveys were carried out by a specialist surveyor and followed a standard methodology which took account of the condition of certain components of each building and whether the building was occupied. The result was a score out of 6 for each building with 1 for buildings in a very bad condition and 6 for buildings in good condition. Buildings are classed as at risk if they have a point score of 1 - 3.
- 4.5 While the figures in the Cadw report in 2009 and our own survey in 2011 are not strictly comparable they can give an indication of how Denbighshire compares to the national situation
- 4.6 On the basis of the 2011 survey the number of buildings in Denbighshire in the at risk category is 148 which is 8.16% of the total. This compares to the national figure in 2009 of 9.64. The number of buildings in Denbighshire in the worst at risk category with just one point is 35 which is 1.99% of the total compared to the 2009 national percentage of 1.73%. The building at risk survey needs to be treated with some caution in terms of accuracy. The surveyor only views the building from the outside and may only be able to view the building from outside the site boundary.
- 4.7 The table below summarises the number and percentage of properties at risk in Denbighshire

Buildings at Risk in DCC Risk Category 1-3	Buildings at Risk in DCC Risk Category 1
8.16%	1.99%
148 No	35 No

- 4.8 The table overleaf summarises the number and percentage of properties at risk nationally

Buildings at Risk Nationally Risk Category 1-3	Buildings at Risk Nationally Risk Category
9.64%	1.73%
2892 No	519 No

- 4.9 Many of the buildings in the worst category are buildings or structures which stand little or no chance of being a financial asset to the owners. Listed buildings like this such as limekilns, telephone call boxes, wells, tombs, monuments etc., are the most difficult to tackle if they are in poor condition. The owners are more likely to see these structures as a financial burden rather than an asset and therefore be reluctant to spend money on repairs resulting in dilapidation. Of the 35 structures with a point score of 1, 13 fall into this category. Enforcement action is likely to result in carrying out work in default and trying to recover the cost from the owner or compulsory purchasing the building/structure. Neither option is an attractive for a local authority.
- 4.10 Grants however are becoming increasingly scarce. The only major funding body with a growing grant budget is the Heritage Lottery Fund but they tend not to grant aid private individuals. In the past they have funded umbrella grant schemes such as the Townscape Heritage Initiatives in Denbigh and Rhyl managed by DCC. The Denbigh scheme funded 60 - 70 historic building repairs many of which were classed as at risk. Grants from Cadw are less likely due to their reduced budget. There may be opportunities for grants from less likely sources but these are often very specific in the objectives and not necessarily related to putting a listed building or structure in good order. Overall since 1996 DCC has been very successful in bringing in external funding for heritage based projects. It is difficult to be precise but it is in the region of between £30 - 40m.
- 4.11 With some listed buildings there are opportunities sometimes to add value by granting planning permission and listed building consent for a change of use. Consent to change a dilapidated farm building into a dwelling for example can turn a liability into an asset but of course the conversion has to be sensitively handled.
- 4.12 Another route is to grant planning permission for enabling development. Enabling development is intended to release capital to save a heritage asset such as the proposal for the former North Wales Hospital Denbigh. This can however be a very complicated process and is not suitable in most cases.
- 4.13 Working with an owner to try to help improve the condition of buildings at risk is by far the best way forward but in some cases the owner rather than the building is the problem.

4.14 With the scarcity of funds and the present economic climate officers have recognised the need to target available resources more effectively. Therefore a building at risk strategy is being drafted which looks at how limited resources can be used most effectively.

4.15 Appendix 1 sets out the category 1 Buildings at Risk in Denbighshire by communities

5. How does the decision contribute to corporate priorities?

The work on addressing listed buildings at risk contributes to the corporate priorities of clean and tidy streets, developing the local economy

6. What will it cost and how will it affect other services?.

This report has no cost implications and will not affect other services

7. Equalities

Not applicable for the purpose of this report.

8. Consultations

There has been no consultation carried out in order to compile this report

9. Chief Financial Officer Statement

Intervention by the council would be on a case by case basis and any financial implications would also be assessed on an individual basis.

10. What risks?

The risks are set out in the body of the report. There are financial and resource implications with tackling buildings at risk but these are managed on a case by case basis. Should there be exceptional cases, such as Denbigh Hospital, the risks are mitigated as far as possible and the projects are subject to formal approval and authorisation. The reputational risk associated with not taking action is also a significant consideration.

11. Power to make the decision

Article 6.3.2(c) stipulates Scrutiny's powers to consider any matter affecting the area or its inhabitants

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