

ABERDEEN CITY COUNCIL

COMMITTEE	City Growth and Resources
DATE	3 February 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Listing of the Aberdeen Inner City Multi Storey Blocks
REPORT NUMBER	RES/21/025
DIRECTOR	Steven Whyte, Director of Resources
CHIEF OFFICER	Corporate Landlord
REPORT AUTHOR	Stephen Booth
TERMS OF REFERENCE	1.1, 2.1 & 4.1

1. PURPOSE OF REPORT

- 1.1 This report formally advises the committee of the decision of Historic Environment Scotland (HES) to place a Category A listing against 8 multi-storey buildings in Aberdeen City Centre, and discusses the impact of this on the Housing Revenue Account and options available.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Note the content of the report in relation to listing of all 8 multi- storey buildings at Category A by Historic Environment Scotland and the implications of this on the council and owners; and
- 2.2 Note the advice in relation to the appeals process for a listing and instruct the Chief Officer - Corporate Landlord to review this advice and if there are competent grounds for such an appeal to submit this within the required timescale, incurring such professional fees as required, within the Delegated levels of the Chief Officer - Corporate Landlord.

3. BACKGROUND

- 3.1 Elected Members will be aware that Historic Environment Scotland were undertaking consultation on the Inner City multi storey blocks with a view to determining whether they should be listed.
- 3.2 HES have now formally written to the Council (see Appendix 1) advising that the following city centre blocks be listed at Category A: <http://portal.historicenvironment.scot/decision/500002119>.
- 3.3 The Council have a majority ownership interest in the 8 city centre multi storey buildings (across 5 sites). The properties were constructed as part of the city's post-Second World War housing programme and are all now approaching 50

years or older and whilst they have been subject to regular maintenance and upgrading they will continue to have further investment requirements to maintain and improve these properties for tenants but also to meet regulatory requirements. A summary of the properties and ownership is noted below.

Property	No of units	Tenanted	Owned
Gilcomstoun Land	75	40	35
Porthill Court	72	56	16
Seamount Court	126	80	46
Virginia Court	48	35	13
Marischal Court	108	99	9
Thistle Court	126	77	49
Hutcheon Court	140	109	31
Greig Court	144	117	27
	839		

- 3.4 Attached at Appendix 1 of this report is a background note prepared by officers in relation to this decision. Should the Council wish to appeal the decision the process is detailed in this appendix. Attached at Appendix 2 is Historic Environment Scotland's Report of Handling.
- 3.5 All of the listed properties are currently on the Housing Revenue Account (HRA). Therefore the operating costs and any works undertaken to the properties will have to be borne by council tenants and any private owners.
- 3.6 Under the Housing (Scotland) Act 1987 any costs associated with the properties owned by the HRA require to be charged to the HRA. The Council's General Fund is prohibited by law from incurring any associated costs.
- 3.7 While the HES listing acknowledges this, it does not take the economic or financial implications into account in deciding whether to list the property or properties. The financial impact of listing all 8 of the multi storey buildings is uncertain, however it is likely to add financial cost to the Housing Revenue Account, as well as the private owners, that are beyond those currently factored into the 30 year HRA business plan.
- 3.8 Over coming years there will be ongoing requirements to invest and ideally upgrade and improve the properties. Other multi-storey buildings within the city have seen the significant investment in recent years, predominantly though recladding, window improvement and in many cases the introduction of district heating schemes. These works have not been progressed yet to city centre multi's for a number of reasons. These are predominantly:
- Building design makes recladding scheme's difficult to progress
 - The building fire evacuation and other access measures over shared balconies etc. make a traditional reclad option impossible.
 - A high level of ownership makes it more difficult to progress.
- Whilst HES have shown a willingness to discuss these issues, the listing could add greater challenge.
- 3.9 The properties have a range of other challenges all of which may be similarly impacted by the decision to list them. These include:-

- Ongoing fabric maintenance, repairs and improvements.
- Poor thermal performance.
- Poor heating and energy performance.
- Failure to meet changing compliance requirements (ESSH and ESSH2).
- Layouts do not meet homes for varying need standards (HFVN)
- Layouts to meet changing demographics/ wheelchair accessibility etc.

4. FINANCIAL IMPLICATIONS

- 4.1 The initial financial implication of the listing will be that the Council's insurers will require to review the premium in relation to the properties. The impact of this is not known at this stage.
- 4.2 There will be additional costs in relation to any future upgrading and improvement works to the properties and this may require, along with any other consents, Listed Building Consent. This may incur additional application fees (currently no fee for LBC) along with additional officers time.
- 4.3 From a Planning Authority perspective, the decision of Historic Environment Scotland to list these building will likely lead to an increase in Listed Building Consent applications and queries which will result in added pressure on the financial and staff resources of the Council's planning service.
- 4.4 Officers continue to work through the financial implications and this will be reported back to the relevant committee in due course. An update on the likely committee that officers will report to will be advised to this committee at its next meeting.
- 4.5 If an appeal is to be lodged and professional fees have to be incurred then the Housing Revenue Account will have to fund those fees.

5. LEGAL IMPLICATIONS

- 5.1 There are no immediate legal implications arising from this report or its recommendations.
- 5.2 Should there be a strong case to appeal against the listing appropriate legal advice will be sought.
- 5.3 As the properties are in shared ownership, some with high levels of owners, owners will continue to be consulted in relation to any future works.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	The buildings being listed may have an impact on the HRA's ability to upgrade the properties	H	It is proposed that regular and ongoing engagement with HES and the Planning Authority will be required.
Compliance	The Category A listing on the properties may impact on future compliance requirements	H	This will continue to be monitored and early engagement with HES and the Planning Authority will be sought around any legislative changes.
Operational	The listing will create further demands on ACC with additional processes and risk around any scheme improvements.	H	This will continue to be monitored and early engagement with HES and the Planning Authority will be sought around any legislative changes.
Financial	There will be additional costs to the HRA for any upgrades and improvements to the properties including insurance premiums etc.	H	The implications of the listing and estimated impact will be incorporated into reviews of the HRA Business Plan and underpinning 30-year financial model.
Reputational	The council seek to work in a positive way with all public sector partners including HES.	M	The report highlights the need for ongoing engagement with HES
Environment / Climate	The properties have a poor environmental footprint.	H	The full impact will be addressed in a future report.

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	The report will have an impact on future city centre living and the city centre masterplan.
Prosperous People Stretch Outcomes	This report considers a significant number of housing and the impact of quality housing which impact people and their homes.
Prosperous Place Stretch Outcomes	The Report may have an impact on how the council reduces it's carbon emissions.
UK and Scottish Legislative and Policy Programmes	<p>The Report refers to properties being listed by HES under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.</p> <p>The Report also references a range of other government initiatives including ESSH, ESSH2, HFVN and SHQS.</p>

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	not required at this stage although will be included in future reports.
Data Protection Impact Assessment	not required

9. BACKGROUND PAPERS

10. APPENDICES

1. Background Note
2. HES Report of Handling

11. REPORT AUTHOR CONTACT DETAILS

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