

PE1749/E

Petitioner submission of 27 November 2019

In response to other submissions

1. PE1749/A Historic Environment Scotland submission of 28 October 2019.

This is an informative, helpful and comprehensive response which acknowledges the existence of the problem and highlights the difficulties of applying a financial viability assessment to all listings. I would not expect this proposal to be retrospective and in addition believe it should be applied with discretion only to future listings.

Having been personally involved in the financial assessment of both A and B listed buildings in the past, I am fully acquainted with the limitations such listings place on potentially financially viable developments. This highlights the one point which is omitted from the response and that is that such listings automatically apply planning barriers to commercial development and, as these are not negotiable the developer will usually walk away. This is where the rot can begin.

I would suggest this particular aspect might be addressed at modest cost by the listing authority appointing a staff surveyor with commercial experience who could provide unbiased advice in cases where financial viability was in doubt.

I appreciate it may not be easy to frame this into legislation but this should not exclude the provision of Guidelines whereby some independent advice would be freely available to all concerned parties.

2. PE1749/B Royal Town Planning Institute submission of 28 October 201

The first part of this response expresses concern that any cost to the public purse of this proposal would divert resources from other priorities of the RTPI. This might be a valid observation at the end of their response but I feel is premature as opening remarks.

The example quoted of specific listed buildings being secured as part of a more comprehensive development is an excellent example of how financial viability can be achieved. Unfortunately this is the exception rather than the rule and the proposal of the petition is to address situations where such solutions do not apply.

The two concluding paragraphs of my response to HES above are equally applicable to these observations.

3. PE1749/C Built Environment Forum Scotland submission of 29 October 2019.

This is an interesting and constructive response containing much useful information as to past and existing methods of assisting financial viability problems. The suggestions of VAT and tax relief for developers might well tip the balance - certain cases but is presently outwith the aegis of the Scottish government.

There are initiatives here of which many potential developers would be unaware and again the response suggests that the appointment of an appropriate independent and experienced surveyor dedicated to advising on the financial viability of listings and versed in the practicalities of securing public and/or private assistance towards viability would be a useful and inexpensive way of addressing and defining any potential problems at the time of listing.

4. PE1749/D Scottish Government submission of 31 October 2019

Again, there is no suggestion in the proposal to legislator retrospectively on the 47,000 existing listed buildings. It is suggested that a start could be made with future listings. The experience gained may or may not have retrospective applications.

The petitioner was not aware of the OPiT working group and it would appear that the present proposal could well fit into their terms of reference. It is however very wide-ranging remit with significant funding demands associated with the likely outcomes.

As in previous responses above, the existing legislation relative to the powers of local authorities to address the deteriorating and dangerous buildings is cited. It also frankly acknowledges the legal, financial and practical difficulties of enforcement.

Petitioner's conclusions to official submissions.

Serious consideration has been given to the proposal and all reflect the ominous shadow which lies over all public expenditures. None however deny the existence of a very real problem.

I feel however that the suggestion above whereby HES appoints an appropriately qualified person to specifically address the financial implications and viability of future listings would go some way to slow the growth of the problem and help achieve more positive outcomes.

I would further suggest that if such an appointment were read that all future notifications of listing should make recipients aware that independent and specialist advice on the financial implications of any future development is freely available.

I thank the Committee for the substantive investigation of my proposal and would be glad to assist in expanding upon what I believe is a practical and relatively inexpensive means of improving, if not entirely resolving, the present situation.