

Citizen Participation and Public Petitions Committee
Wednesday 4 June 2025
10th Meeting, 2025 (Session 6)

PE2105: Safeguard Scottish Listed Buildings at risk of unnecessary demolition

Introduction

Petitioner Lydia Franklin on behalf of SAVE Britain's Heritage

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to set a minimum evidence requirement to prevent unnecessary use of emergency public safety powers to demolish listed buildings.

Webpage <https://petitions.parliament.scot/petitions/PE2105>

1. [The Committee last considered this petition at its meeting on 9 October 2024](#). At that meeting, the Committee agreed to write to the Scottish Government. The Committee also agreed to invite relevant stakeholders to give evidence at a future meeting.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received a new written submission from the Cabinet Secretary for Education and Skills which is set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 8 July 2024](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 3,845 signatures have been received on this petition.
8. At today's meeting the Committee will hear evidence from:
 - Hazel Johnson, Director, Built Environment Forum Scotland
 - Professor Gordon Masterton, Chair, Institute of Civil Engineers Panel for Historical Engineering Works
 - Laura Shanks, Chair, Local Authority Building Standards Scotland

Action

9. The Committee is invited to consider what action it wishes to take.

CPPP/S6/25/10/2

**Clerks to the Committee
May 2025**

Annexe A: Summary of petition

PE2105: Safeguard Scottish Listed Buildings at risk of unnecessary demolition

Petitioner

Lydia Franklin on behalf of SAVE Britain's Heritage

Date Lodged

6 June 2024

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to set a minimum evidence requirement to prevent unnecessary use of emergency public safety powers to demolish listed buildings.

Background information

The emergency powers in the Building (Scotland) Act 2003 can, in our view, allow for the demolition of listed buildings without sufficient evidence to justify the decision. This is in conflict with planning safeguards in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The following policy controls are needed to address this loophole in legislation and to ensure listed buildings (LBs) are not exposed to unjust demolition:

1. Enhanced policy guidance on the minimum evidence and processes required by local authorities before making decisions on the demolition of LBs under emergency powers.
2. A mandatory policy requirement for local authorities to engage with conservation accredited engineers in all cases involving LBs.

Annexe B: Extract from Official Report of last consideration of PE2105 on 9 October 2024

The Convener: PE2105, which was lodged by Lydia Franklin on behalf of Save Britain's Heritage, calls on the Scottish Parliament to urge the Scottish Government to set a minimum evidence requirement to prevent unnecessary use of emergency public safety powers to demolish listed buildings.

We are joined this morning by two of our parliamentary colleagues, Carol Mochan and Paul Sweeney, who are both former members of this committee. Welcome back to you both.

The SPICe briefing explains that local authorities are required by law to intervene where a building presents a danger to people in or about that building, to the public generally or to adjacent buildings or places. Where the local authority considers the required action to be urgent, it can carry out that action without first obtaining the usual statutory consents. That includes where demolition is considered the required action.

The Scottish Government's response to the petition states that works undertaken on listed buildings without prior consultation should be limited to the minimum necessary requirement to protect the public until proper consultations can take place.

It also states that it is for the local authority to determine the most appropriate course of action, taking into account the particular circumstances of each case, and that it is not possible for guidance to be specific about the approach required when the instances of dangerous buildings are unique and require a risk-based approach to determining the appropriate action.

The petitioner's written submission states that in order to adhere to the legislative requirements and good practice, enhanced guidance is needed to set out the minimum structural evidence and processes that are required before demolition works to listed buildings is undertaken. She recognises that the approach to managing dangerous listed buildings is unique and requires a risk-based approach. However, it is her view that that does not prevent the creation of additional guidance to ensure the appropriate expertise is sought when assessing what action should be taken.

Before we consider what we might do, we will hear from Carol Mochan and Paul Sweeney. Carol Mochan, what would you like to say?

Carol Mochan (South Scotland) (Lab): I appreciate the opportunity to come along and speak to the petitions committee this morning. I am obviously here to support the petition PE2105, which I am supporting on behalf of my constituents right across the region that I cover, which is South Scotland. I have been contacted many times about this issue, which is important not only because of the need to save beautiful and historic buildings in the region for future generations, but because there seems to be a need to enhance the guidelines around dangerous buildings.

In my work with constituents since being elected, I have found that we have a number of ordinary members of the public who really care about their communities

and the buildings and the history of the villages that they live in. Often, they raise issues with the council and other public bodies and ask whether advance work could be done before an emergency situation is reached. Unfortunately, in a number of cases in the three years that I have been a member, I have agreed with my constituents that that does not seem to be a priority and that the system seems to not be working very well. We end up the use of legislation around emergency building care. Of course, my constituents understand that it is important that the public is protected. There is no question of that, but they feel that there is a loophole in that we get to emergency situations and then the legislation is used, whereas things could be different if we had enhanced guidelines.

I want to thank, in particular, my constituent Esther Clark, who has worked tirelessly to address this issue in Ayr, where she lives, and where there are many historic buildings, which we know may be getting to the point where they are at risk.

It is with some urgency that I say that we would do well to support the petition, in order that we do not continue to have this unnecessary response in situations where we feel that the public could be vulnerable. I hope that the petitions committee will continue to consider the petition. Thank you.

10:15

Paul Sweeney (Glasgow) (Lab): I thank members of the committee for considering the petition, which concerns an issue that has been a bone of contention for me for many years. When I was growing up in Glasgow, a city that has experienced significant demolition and destruction of its built heritage over the years, I was motivated to become engaged and get involved in many ways by my desire to try to preserve the built heritage of the city and my community.

I guess the matter begs the question: why do all these buildings seem to be getting demolished a lot of the time and what is the process that is underlying that? I have spent a great deal of time interrogating the issues and getting to the nub of what is going on. I could go back to 2004 and the demolition of the Elgin Place memorial church in Pitt Street, which was done unnecessarily two days after Christmas, based on no evidence from a suitably qualified structural engineer. Coming back to the present day, as we speak, in Sauchiehall Street, which is just around the corner, the listed ABC building—the former Regal cinema—is currently being demolished, despite there being advice and an assessment from a conservation-accredited structural engineer that the façade could be preserved. That advice was disregarded by the owner of the building and by Glasgow City Council’s building control officers. The building was summarily served with a dangerous building notice and is currently being demolished without any due process whatsoever. No evidence has been presented that the building could not be saved, at least in part.

That is why this petition is so important. Save Britain’s Heritage’s engagement, as my colleague Ms Mochan mentioned, came about as a result of the Ayr station hotel incident in Ayrshire, where the building suffered a fire. The building was deemed to be dangerous and the council’s building control team came in and started a process of almost wholesale demolition of the building. It made no communication with stakeholders and no evidence was presented transparently about why that

demolition was necessary in its entirety, even though the local Ayr Development Trust had commissioned its own structural specialist engineers—the top experts in their field, Ed Morton and Ben Adam, who were registered conservation-accredited engineers—who had produced reports saying that the building could be substantially saved, at least as a shell, which were completely disregarded. There was not even the courtesy of a response from the council on the matter. That took place was over a period of months, so the notion that the demolition had to happen urgently—in a matter of hours or days—to safeguard the public is a fallacy.

In reality, such exercises are long drawn out and take place over a series of months. Indeed, the ABC building has been standing empty in Sauchiehall Street since 2018 and has potentially been a danger to the public since that time, yet only in the last three months or so, after a proposal from a developer to demolish the building and build a new building has been received, has building control suddenly leapt into action and expedited an emergency demolition order.

I would contend that the process is subject to routine abuse and manipulation. One of the problems, not even just with the dangerous buildings process under sections 29 and 30 of the Building (Scotland) Act 2003 but with the process under the Planning (Listed Buildings and Conservation Areas) Act 1997, is that there is no independent arbitration and no independent scrutiny of the evidence presented by developers or those applying to demolish listed buildings to test whether the evidence presented is sufficiently robust.

I would suggest that the petition makes a reasonable ask: that the conservation accreditation register of engineers, which is maintained by the Institution of Civil Engineers and the Institution of Structural Engineers, is used as the basis for the qualifications that are necessary for an expert to judge the condition of a listed building when it is in a dangerous condition and when applicants are applying for a listed building consent to demolish a listed building or a building in a conservation area. That would be a necessary enhancement. I can tell you, with all sincerity, that the process is subject to routine abuse whereby soft engineers are commissioned by clients to present reports that basically advocate for their desired outcome. Those engineers are not independent—they are commissioned by the applicant. Of course, the engineers will do what the client wants, so that is why the process is inherently tainted by bias under its current guise.

I would suggest that, certainly in the case of listed buildings, there should be a much higher threshold of evidence necessary to justify demolition. There are 2,214 buildings in Scotland on the current buildings at risk register, and over the past three decades or so that the register has been active, 658 listed buildings in Scotland have been demolished. There are probably many more out there that did not make it to the register in the first place. I would say that most of those, if not all of them, could have been saved in whole or in part had a more proactive approach been taken by the planning authorities, and the right expertise was in the room assessing those buildings.

No planning authority in Scotland has a conservation-accredited engineer employed. There is not an in-house set of skills. In the same way that I would not go to a GP to seek treatment for a brain tumour, but would go to a neurosurgeon, there needs to

be the necessary expertise commissioned to ensure that we do not unnecessarily lose the nation's built heritage. The petition has the perfectly reasonable contention that guidance should be enhanced so that in cases of listed buildings at risk when a section 29 or section 30 order is served, a conservation-accredited engineer must be commissioned to investigate the building and determine what could be saved, if anything.

That independent approach would be much better at achieving outcomes such as saving the façade of the ABC building on Sauchiehall Street, which is currently being unnecessarily demolished. That will be a permanent loss to our national heritage, which is a crying shame. I could cite numerous other examples. The Springburn public halls in 2012 could have had its façade preserved, but it was entirely demolished. The Elgin Place church, maybe known to some as the Shack nightclub, on Pitt Street was unnecessarily demolished. There are numerous other examples: Ayr station hotel is the latest in a litany of buildings lost to the nation.

I would encourage the committee to consider further actions by asking stakeholders to present further evidence. I would suggest asking the Institution of Civil Engineers and the Institution of Structural Engineers to talk about why the CARE register is so important and why its use would result in a good professional benchmark for enhancing the guidance in Scotland. I would suggest having Lydia Franklin and Henrietta Billings from Save Britain's Heritage along to discuss, in particular, the case of the Ayr station hotel. I would suggest speaking to registered conservation-accredited engineers who are currently practising in Scotland, such as Ben Adam at Narro Associates, Will Rudd Associates, and Ed Morton, who is a CARE engineer who was involved with the Ayr station hotel. I would suggest engaging with the Scottish Historic Buildings Trust, the Architectural Heritage Society of Scotland, Glasgow City Heritage Trust, whose director is Niall Murphy, the Scottish Churches Trust, and National Trust for Scotland. It might be good to have Liz Davidson along, who has been heavily involved in the Glasgow Building Preservation Trust and efforts to save Glasgow School of Art's Mackintosh building—the Mac. The Ayr Development Trust, of course, was heavily engaged in the saga at Ayr station hotel, and it could recite to the committee the flaws in that process in detail. Esther Clark might be a good starting point, as might Robin Webster, who is an eminent conservation architect—top of his field in Scotland—who could also relate some of the issues. That is just a set of suggestions of people to bring along to the committee. I have many more in my reservoir of suggestions.

I would encourage the committee in the strongest terms to inquire deeply into the issue. I am fully clear that there are flaws in the current process and that the current regulations are open to regular, routine and pretty sophisticated abuse by consultants, planning officials, applicants and property developers.

The Convener: Thank you for that unsurprisingly compelling advocacy in support of the aims of the petition. I am old enough to remember the era before multiplex cinemas when the ABC cinema—the Regal—in Sauchiehall Street was a regular place to go. I can recall Charlton Heston going there for the premiere of “Earthquake”, with surround sound, when we were shaken in our seats during the earthquake. It seems that the cinema survived that, but is not surviving the calumnies that have been visited on it by Glasgow City Council's planning process.

The argument that you make is an interesting one. Most of us are aware of buildings that are being lost without necessarily having fully understood what processes have led to their demolition. Sometimes that will, of course, have been completely necessary and unavoidable, but there is sometimes a suggestion that there is a shiny new model that might better suit the owners and they are keen to pursue it. I am minded, in relation to Glasgow, of the Odeon cinema on Renfield Street, where the magnificent façade was preserved and has been incorporated into the much newer building structure that was allowed to be developed on what had been the site of the auditoria of that cinema complex. There are solutions that can be found if people want to find the imagination to take them forward.

I am quite interested in the petition, and I think that the public is generally interested in it. I do not know whether we have a room in Parliament big enough for all the people whom Mr Sweeney was suggesting, but I am minded to conduct an informed round-table discussion on what is happening with the process and whether legislation might not be more appropriately drafted to give a little bit of weight to the idea of conservation-accredited engineers having a say on this. I think that those arguments were quite interesting.

I wonder whether there is anything that we might do to inform that panel. Does anyone have any suggestions as to what we might do in the first instance?

Maurice Golden: I agree that there is quite a lot in this matter. For decades, perhaps, many of our buildings have been unnecessarily demolished, in my view, across the whole of Scotland.

Initially, we should write to the Scottish Government to ask how it can be confident that existing powers contained in the building standards legislation and supporting guidance are sufficient to protect listed buildings from unnecessary demolition. Furthermore, we should ask it how local authorities should determine whether partial or total demolition is the only appropriate solution to address a safety risk in cases that are considered to be urgent. In addition, we should ask it what level of community engagement might be appropriate for local authorities and whether it has considered producing additional guidance to set out the minimum structural evidence required and the provision of appropriate expertise in cases where a listed building is being assessed against the Building (Scotland) Act 2003.

The Convener: We might specifically ask whether that would include the use of a registered conservation-accredited engineer. I think that would be useful

Are members content that we should write to the Scottish Government in the first instance?

Members indicated agreement.

The Convener: It would then be useful to have a round-table discussion on the issue. The clerks have noted the various recommendations. In this instance, I will invite the clerks to liaise with the committee and with Mr Sweeney, to see whether we can identify the key individuals who might be able to participate. I think that if we had all the people that he suggested, they would get a minute each and we would still not have enough time.

We will keep the petition open—it is one of enormous public interest—and we will pursue the recommendations that the committee has made and that we have heard from Paul Sweeney and Carol Mochan, whom I thank very much for joining us this morning.

Annexe C: Written submissions

Scottish Government written submission, 18 November 2024

PE2105/C: Safeguard Scottish Listed Buildings at risk of unnecessary demolition

Thank you for your letter of 18 October 2024 advising on the outcome of the discussion on petition PE2105 by the Citizen Participation and Public Petitions Committee on 9 October 2024. You have requested a response to the points raised by members to support further consideration of the issues in relation to protecting listed buildings from unnecessary demolition.

I note that a roundtable evidence session with key stakeholders has been agreed to consider the following points:

- how the Scottish Government can be confident that the existing powers contained in building standards legislation and supporting guidance are sufficient to protect listed buildings from unnecessary demolition;
- how local authorities determine whether partial or total demolition is the only appropriate solution to address a safety risk in cases that are considered to be urgent; and
- whether the Scottish Government has considered producing additional guidance to set out the minimum structural evidence required and the provision of appropriate expertise such as the use of an accredited conservation engineer.

Officials in Building Standards Division in Scottish Government met with representatives from Local Authority Building Standards Scotland (LABSS) on 8 November 2024 to discuss current practice by local authorities when taking enforcement action on dangerous buildings. The purpose of the meeting was to understand the approach taken by local authorities and use of expert advice to provide evidence that supports decision-making on partial or total demolition of listed buildings when they are found to be in a dangerous condition.

It should be recognised that the responsibility for stopping any building from falling into a defective or dangerous condition falls to the owner of the building. Buildings that are not properly maintained may become dangerous over time despite efforts by the local authority to work with the owner on improvements before taking statutory enforcement action. A building may also become immediately dangerous as a result of fire, extreme weather, vehicle impacts or other such incidents. Building standards legislation is then relied upon to protect public safety through enforcement action to reduce or remove the danger. However, enforcement action is the backstop and the responsibility of the building owner in protecting listed buildings from unnecessary demolition through neglect and lack of maintenance is key.

LABSS advised that buildings are protected from demolition in the vast majority of cases and a decision to demolish is not taken unless the building or part of the building is about to collapse due to the irreversible nature of the damage sustained.

Wherever possible, the extent of demolition is limited to a part of the building to ensure the minimum necessary action is taken to protect public safety.

The effect of a Dangerous Building Notice on a person required to do work is restricted to work that is not inconsistent with any provisions of the Ancient Monuments and Archaeological Areas Act 1979 or the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Therefore, where the works required by the notice are of a nature that would normally require listed building consent, conservation area consent or scheduled monument consent, that requirement is not affected or removed by the provisions of section 35 of the Act. Even if there has been prior consultation on the serving of the notice, the relevant consents would still be required before carrying out works.

LABSS confirmed that a local authority will not move straight to any demolition action without involvement from a structural engineer instructed by the local authority to provide guidance on all options for next steps with a view to minimising the work to the extent necessary to remove the danger. Furthermore, there is the statutory requirement on local authorities (section 35 of the Building (Scotland) Act 2003) to consult with the relevant authorities before issuing any notice under the 2003 Act powers. While there is an exemption to the requirement to consult where 'it is not reasonably practicable to do so', the Scottish Government consider that this would only apply to cases where demolition was required immediately as a matter of public safety and no other option for removing the danger was available.

In all cases, public safety is the first priority and a dangerous building will be secured with protective Heras fencing or similar to ensure people are unable to enter the cordoned-off area until the danger is removed. This duty to act is a requirement under the Building (Scotland) Act 2003 and when there is an immediate danger to public safety the only solution may be to carry out necessary works and that could include demolition works. However, when there is not an immediate need to carry out work, placing a protective cordon around the affected building gives the local authority time to carry out the necessary consultations and receive advice from the structural engineer, planning colleagues and wider services such as homelessness to ensure there is a comprehensive approach taken in every case.

All dangerous building cases are difficult and require careful judgement. When partial demolition is recommended building standards officers will work closely with their planning colleagues to protect parts of the building wherever possible. A pragmatic approach can be taken in these cases to allow remedial work to be done to protect the character of listed buildings. Historic Environment Scotland understands the need and supports such an approach for listed buildings.

Evidence from structural surveys is always taken into account before a decision whether or not to demolish is taken. However, the low number of accredited conservation engineers in Scotland means that timely access to this type of expertise is not always possible. A local authority will consider the need to involve an accredited conservation engineer, on a case by case basis, following advice from their own structural engineer.

In planning legislation, the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 has a role to save listed buildings. The 1997 Act requires that special regard be given to preserving listed buildings and their settings when making decisions on Listed Building Consent applications. There is a strong presumption in favour of retaining listed buildings. Applications to demolish listed buildings should be refused unless their loss has been fully considered and justified. The unauthorised demolition of a listed building is a criminal offence under the 1997 Act, and prosecution is pursued under that Act. In this regard, using building standards legislation, such as dangerous building powers, is only ever a late intervention by the local authority.

National Planning Framework 4 (NPF4) states that development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building.

Considerations include whether the: i. building is no longer of special interest; ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report; iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.

The Scottish Government is confident that existing legislation provides sufficient protection for listed buildings and that local authorities do not consider demolition under building standards legislation unless there is an urgent risk of collapse. Advice from LABSS demonstrates a risk assessed approach is taken to protect the public from harm while working to save the building wherever possible. Local authorities seek to carry out the minimum intervention necessary in each case and highlight that further work to emphasise the responsibility of building owners to maintain their properties would greatly assist with the aim of the petition to protect listed buildings.

Building Standards Division is considering expanding the existing advice relating to listed buildings in the Building Standards Enforcement Handbook and the Procedural Handbook. The additional guidance would be based on best practice from local authorities who have taken action on listed buildings when these or parts of these buildings have been saved and when it has been necessary to carry out demolition works.

Officials will carry out research into the matter to quantify the extent of the issue, develop a detailed understanding of the steps taken and the evidence used as the basis for decision making. This work will be prioritised to ensure the outcomes from the research are finalised by Spring 2025. It is recommended that the findings from the research project are shared with the Committee before any roundtable evidence session is held. This approach will permit Committee members to see the detail of the expanded guidance and consider if further action is required.

Building Standards Division

Petitioner written submission, 31 January 2025

PE2105/D: Safeguard Scottish Listed Buildings at risk of unnecessary demolition

Thank you for this submission of 18 November 2024 by the Scottish Government on petition **PE2105: Safeguard Scottish Listed Buildings at risk of unnecessary demolition**. We welcome the petition's positive reception at the Citizen Participation and Public Petitions Committee meeting on 9 October 2024, and the call for an expert roundtable session to be convened.

We are supportive of key actions set out in the Buildings Standards Division response dated 18 November to (a) expand advice relating to listed buildings in the Building Standards Enforcement Handbook and the Procedural Handbook, and (b) carry out research to quantify the extent of the issue, develop a detailed understanding of the steps taken and the evidence used as the basis for decision making. However, we urge that the roundtable meeting is *not* delayed until this research is finalised by Spring 2025. The roundtable process is essential to inform this new guidance and help direct further research. To gain a full and thorough understanding of the matters raised by our petition, we consider that the expert roundtable should feed into this research to quantify the extent of the issue.

Our petition, supported widely by MSPs, Scottish and national heritage groups and members of the public, calls for stronger safeguards for threatened listed buildings. We reiterate that SAVE Britain's Heritage fully recognises the paramount importance of making dangerous buildings safe. However, we consider that emergency powers set out in the Building (Scotland) Act 2003 can allow for the demolition of listed buildings without sufficient evidence to justify the decision, in conflict with planning safeguards in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

There is a disparity between the requirements set out in existing legislation and guidance regarding carrying out urgent public safety works to a listed building, and how this is executed in practice.

Under the current system, across Scotland, listed buildings are subject to excessive or total demolition under emergency public safety powers without robust evidence and appropriate consultation to justify the works. This is not an isolated local issue, but an issue of national importance. We wish to draw attention to the following examples of unjustified demolition under emergency powers:

- Ayr Station Hotel, Ayr, South Ayrshire
- ABC Cinema, 292 - 332 Sauchiehall Street, Glasgow
- Braemar Lodge Hotel, Glenshee Road, Aberdeenshire West
- Brown Institute, 41 Canal Street, Renfrew

- TA Building, 76 High Street, Paisley

The need for enhanced guidance:

We consider that the demolition cases highlighted above were executed without robust justification for these works, such as structural evidence provided by a conservation accredited engineer. The majority of cases listed above entail total demolition. Without an up-to-date structural survey of a dangerous building carried out by an appropriate expert, wholesale demolition cannot be verified as the minimum works required to make a building safe.

National legislation and guidance set out that it is good practice to limit works to a listed building carried out prior to consultation to the minimum necessary to protect the public (para 10.3.2, *Building standards: procedural handbook, third edition, version 1.6*, 2019). Section 8 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that works which were carried out to a listed building without authorisation must be proven to have been urgently necessary in the interests of safety or health, that it was not practicable to secure safety or health or the preservation of the building by works of repair or temporary support, and that the works carried out were limited to the *minimum* measures necessary if they are not to be considered a contravention of the Act.

The above examples highlight that there is insufficient guidance on the evidence and information required to justify emergency works in order to fulfill the duties of the 1997 Act and to ensure that emergency works are not excessive and are limited to the minimum loss of fabric necessary to protect the public. Enhanced policy guidance is needed to set out clearly the evidence and processes required by local authorities before making decisions on the demolition of listed buildings under emergency powers. We consider there should be a mandatory policy requirement for local authorities to engage with conservation accredited engineers in all cases involving listed buildings.

We would be pleased to share further information regarding the cases listed above.

Renfrewshire Council written submission, 28 March 2025

PE2105/E: Safeguard Scottish Listed Buildings at risk of unnecessary demolition

Renfrewshire's Listed Buildings

At the February 2025 meeting of Renfrewshire Council a motion was passed requesting that Council officers submit correspondence to the Scottish Parliament Citizen Participation and Public Petitions Committee. The content of this correspondence is to reflect the outcomes of discussion at the Full Council on the above subject.

Given the existing context with heritage buildings in Renfrewshire, the Council wish the Committee to consider the following points:

- The requirement for the introduction of additional powers such as Compulsory Sales Orders and clearer guidance for local authorities to adequately safeguard our heritage for future generations;
- The requirement for an urgent review of listed-building regulations and directives.

It is Renfrewshire Council's contention that existing powers available to local authorities are insufficient to avoid property owners from deliberately choosing to neglect heritage buildings, causing their physical condition to deteriorate to the point where the buildings cannot be returned to a viable new use and in some cases become dangerous.

The Council wish to draw particular attention to the need to introduce new regulations such as Compulsory Sales Orders and request that the Scottish Government provide clearer guidance for all stakeholders on how these can and have worked in practice today across Scotland. It is believed that Compulsory Sales Orders will offer greater confidence for other local authorities to utilise this power.

Many of the powers currently available to local authorities include the following:

- a) AMENITY NOTICE [Town & Country Town and Country Planning (Scotland) Act 1997 s.180]
- b) REPAIRS WORKS NOTICE [Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 S.43]
- c) URGENT WORKS NOTICE [Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 S.49]
- d) DANGEROUS BUILDING NOTICE [Building (Scotland) Act 2003 S.30]

The aforementioned powers work on the presumption that the Council concerned will have the ability and resources to "step in" and carry out the required work directly or take steps towards ownership of the property in question. This is also implicit in the statements to date by Scottish Government for Compulsory Sales Orders.

However, such resources are likely to be unavailable to most Scottish local authorities thus creating significant conflict in efforts to maintain and protect listed buildings and other heritage buildings.

Renfrewshire Council call on the Scottish Government to address the issue of the onus being on the local authority to have to find resources in order to be able to preserve the local area's heritage buildings of note.

Head of Economy and Development