

EAST RENFREWSHIRE COUNCILCABINET12 March 2020Report by Director of EnvironmentLAND TO THE FRONT AND REAR OF NEILSTON SHOPS**PURPOSE OF REPORT**

1. The purpose of this report is to seek approval for the acquisition of; (a) a portion of the privately-owned car park at the rear of the shops in the centre of Neilston in order to provide a 14-space public car park; and (b) the frontage of the shops in order to provide a public space for community events and to support future town centre regeneration master planning through improving the overall quality of civic space in the centre of Neilston village.

**RECOMMENDATIONS**

2. It is recommended that the Cabinet:
- (a) approves the transfer of ownership of the land to the front of the Neilston shops to East Renfrewshire Council (as shown in Appendix 1) at nil acquisition cost;
  - (b) approves the transfer of ownership of the private car park (excluding the loading bay for the shops) to the rear of the Neilston shops to East Renfrewshire Council at nil acquisition cost; and
  - (c) delegates to the Director of Environment, in consultation with the Chief Officer - Legal and Procurement to finalise negotiations and conclude the acquisition.

**BACKGROUND**

3. The area of ground from the St Thomas' school fence at the rear of the parking area to the public footway in front of the shops (see hatched area in Appendix 1) at Main Street was leased in 1981 by Renfrew District Council to six shopkeepers (no's 48, 50, 52, 54, 56 & 58) on a 99 year ground lease basis. The ground at that time was undeveloped. The shopkeepers then constructed the shops on the land.

4. The shopkeepers also constructed the car park at the rear of the shops for use by customers. The whole area of the rear car park, the shops and an area to the front of the shops has been the sole responsibility of the shopkeepers from 1981.

5. As time progressed it became apparent that the arrangement posed challenges for both parties.

- The rent received from the shopkeepers was minimal and the administration of the leases was an additional burden on the Council.
- There were continuous disputes and challenges over rent reviews.
- It was difficult to agree an appropriate arrangement for the maintenance of the private car park at the rear.
- The private car park was increasingly being used as a public car park and not confined to those visiting the shops.

6. As a solution to these problems in 2013 the Cabinet agreed to dispose of the Council's entire lease interest in the land including the land on which the shops are situated, the car park to the rear and the open space to the front of the shops.

7. The sale was negotiated in January 2016 and the agreement was that the shopkeepers would buy the land on which their shops are located, the car park to the rear and the open space to the front of the shops at a cost of £50,000. The sale was subsequently agreed.

8. It was hoped that the process outlined above and agreed by the Cabinet would resolve the issue of maintenance and upkeep it has failed to do so. The car park to the rear and the civic square area to the front have not been well maintained. Currently, the shopkeepers feel that they are required to maintain a car park that is used as a public car park for the whole village and a frontage that is similarly used by the wider public. In addition, the frontage is commonly used by local groups as a community resource for displays and weekend activities including markets.

9. Numerous positive discussions have taken place between the Council and the shopkeepers to try and resolve these problems.

10. Whilst the shopkeepers could restrict access to the car park this would be to the detriment of the wider village. Given its village centre location the car park is regularly used by visitors to the village, church users and patrons of the shops and other village facilities. It has therefore been concluded that the best resolution would be to avoid at all costs restricted access to the car park. Similarly, it would be detrimental if the shopkeepers tried to restrict use of the area to the front of the shops.

11. The area to the rear of the shops can accommodate approximately 20 cars. The surface of the car park is in an extremely poor state of repair.

12. The area to the front of the shops, which forms a civic square with benches and trees, is beginning to deteriorate visually. The area is visually prominent. The continuation of the status quo would be to the detriment of the visual amenity of the wider village. Moreover, as noted above the frontage is an area that is used by local groups and as such is not an asset used solely for the benefit of the shopkeepers.

13. The Cabinet is reminded that that a new integrated campus for both Neilston and St Thomas's primary schools and the Madras Family Centre on the site of the existing Neilston Primary School is planned and options for leisure provision under discussion. The Council has made provision within its General Fund Capital programme of an indicative sum of £30.384 million for a Learning and Leisure initiative within Neilston. Regeneration proposals for the village centre are currently being developed. These matters are explained in more detail in a separate report on this Cabinet agenda.

## **REPORT**

14. The Directors of Education and Environment are currently progressing the agreed school campus and library element.

15. A master plan for regeneration proposals is currently being developed and will be the subject of community consultation.

16. Bearing in mind all of the above issues it is proposed that there would be considerable advantages in the Council taking into ownership both the car park to the rear of the shops and the area to the front of the shops.

17. The ownership of shops and the land upon which they are situated would remain with the shop owners. The shops numbered 48 to 58 are shown in Appendix 1.

18. The Council would then have direct control over key strategic areas in the village centre. This would clearly facilitate the wider regeneration/masterplanning of the village in the future including the provision of high quality civic space and public parking in Neilston village centre. Importantly, this area could form a strategic access point into the St Thomas's school site when it is vacated.

19. If the Cabinet approved the proposal it is proposed to upgrade the car park to the rear of the shops as a matter of urgency given its condition. In due course consideration will be given to improvements to the area in front of the shops.

20. The upgrading of the car park would comprise resurfacing, the creation of a footway link to the existing footway on Broadlie Court, the renewal of the existing streetlighting and provision of road markings at an estimated cost of approximately £40k. The upgrading would also include the loading bay for the shops which would remain in the shopkeeper's ownership. The shopkeepers would pay 25% of the costs of upgrade to cover the loading bay. The cost to the Council would therefore be around £30,000.

21. The new car park and frontage would be managed and maintained by the Environment Department.

## **FINANCE AND EFFICIENCY**

22. The cost of acquiring the land is nil. The cost to improve the car park to a suitable and adoptable standard has been estimated at £40,000. The cost for the council will be £30K taking into account of the shopkeepers' contribution of £10,000. In addition, there would be ongoing maintenance costs. The cost of acquisition will be met through the provision already contained within the General Fund Capital Programme. Ongoing revenue maintenance costs will be met within existing resources by the Environment Department.

## **CONSULTATION**

23. Legal Services, Roads & Transportation and Property Services have been consulted.

## **PARTNERSHIP WORKING**

24. Local groups have shown an interest in the public area to the front of the shops and are keen to see the space improved for the local community. This space is already very well used by the community for events and stalls. Improvements to this space would allow for higher quality public realm facilities in the area to the benefit of the local community.

## **IMPLICATIONS OF THE PROPOSALS**

25. There are no staffing, IT, legal, equality or sustainability implications directly associated with this report. The financial implications are addressed within the report.

26. There are some property implications of this proposal whereby the Council would become the land owners for the area to front of the shops and the car park to the rear therefore making the Council responsible for on the ongoing maintenance of this ground. However, this can be managed within existing resources.

## **CONCLUSIONS**

27. This has been a long-standing issue for both the Council, the shopkeepers and the local community in Neilston. The proposals in this report seek to address all of the issues that previous proposed solutions have failed to address. The proposals contained within this report will provide public car parking, help maintain the physical appearance of both the front and the rear of the shops and create improved civic space to be utilised by the local community.

## **RECOMMENDATIONS**

28. It is recommended that the Cabinet:

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Director of Environment

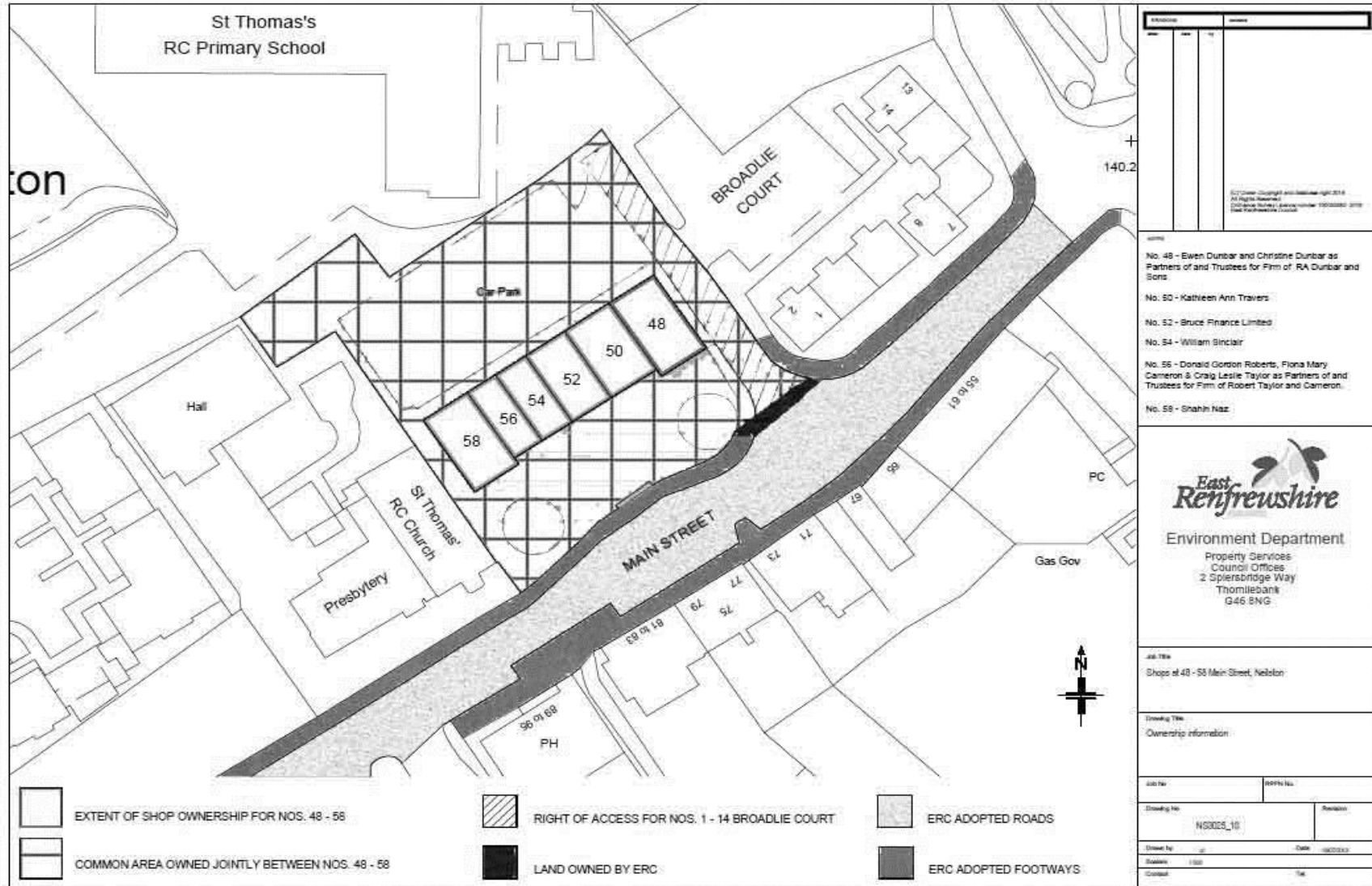
Further information can be obtained from Andrew Cahill Director of Environment or Phil Daws (Head of Strategic Services)

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