

Dumfries and Galloway Council

Vacant and Derelict Land Property Strategy

MARCH 2023



Foreword – Chair of Economy and Resources Committee



Cllr Katie Hagmann

Welcome to this Vacant and Derelict Land and Property Strategy, which sets out how the Council aims to turn these empty spaces into productive uses, for the benefit of local residents. I hope it clearly sets out the challenges, but also the opportunities, these sites present for our region. It has an ambitious strategic vision that helps deliver key themes set out in the Council Plan 2023-28.

There are opportunities for Dumfries and Galloway in the future and we are committed to working with our communities and partners to ensure these are realised. Our Council will help Dumfries and Galloway to thrive and build a strong local economy that enables the region to grow. We will create opportunities for businesses to invest, people to visit and our citizens and communities to reach their ambitions.

Both our Local Development Plan, and Strategic Housing Investment Plan, focus on tackling vacant and derelict sites. As Chair of the Economy and Resources Committee, I am delighted to see the role this can play in combatting the climate emergency. By focussing our future investment and policy decisions, to find long term sustainable uses, we can work with our communities to drive forward their aims and aspirations. Great work has already been taken forward in partnership with local groups and registered social landlords to turn empty buildings into new, high quality affordable homes. This puts people at the heart of our towns and villages, supporting a wide range of other services, like schools, shops, and libraries.

I am grateful for the support we have received to develop this strategy following our extensive engagement with residents, groups and organisations. The physical environment is fundamental to the health and wellbeing of our local communities and everyone in Dumfries and Galloway has a stake in this strategy, and in the future of the region. It contains a wide range of actions that reflect the unique character and diversity of our region. I hope that by the end of the strategy period we will collectively have met a range of housing needs, reduced inequalities, and improved wellbeing for our residents.

Council Priorities and Commitments

The Draft Council Plan 2023-28

The Draft Council Plan sets out a Vision, supported by our priorities and commitments, for where we want the region to be:

'Dumfries and Galloway will be a successful region, with a growing economy, based on fairness, opportunity and quality public services, where all citizens prosper. Working in partnership, with connected, healthy and sustainable communities, the region will be the natural place to live, work, visit and invest.'

The aim of the Vacant and Derelict Land and Property strategy is to support the delivery of this vision, with a particular focus on the following themes and strategic outcomes:

Economy

- There is a diversified and growing local economy that benefits all
- Rural communities and places are vibrant and thriving
- Local communities and businesses benefit through enhancing the region's natural capital
- Enhancing the region's natural capital benefits local communities and businesses

Travel, Connectivity, and Infrastructure

- Roads, footpaths, cycling and walking networks in the region are improved
- Communities are protected from the impact of floods
- The Council is a low carbon organisation

Health and Wellbeing

- People are active, resilient, and improving their health and wellbeing
- Help is provided to tackle the causes and effects of poverty and increased cost of living

Statement of Intent

Vacant and derelict land and property can blight communities, harm wellbeing, and limit opportunities. They can disempower communities from developing Local Place Plans that make full use of local assets. By prioritising their reuse and protecting our existing natural capital and environment, we can ensure that future investment goes into areas where it is needed the most, supporting shared ambitions for place, housing, community regeneration, town centres, and the principle of 20-minute neighbourhoods.

The Council will have in place a Vacant and Derelict Land and Property Strategy that targets investment and development opportunities towards these locations and allows the leverage of additional funding from sources such as the Borderlands Place Programme, the Place Based Investment Programme and the Vacant and Derelict Land Fund to deliver sustainable end uses. The Strategy shall also utilise statutory powers and coordinated collaborative action amongst public bodies to protect from risks that arise at these locations.

The size threshold for inclusion in the Scottish Vacant and Derelict Land Register is a minimum of 0.1 hectares. This generally overlooks smaller sites, even though they may be a cause of blight and be comparatively deliverable. Dumfries and Galloway Council will put in place a strategy that ensures smaller sites highlighted by local communities can also receive the support required to be brought back into meaningful use.



Contents

Local and National Context.....	5
Legislation	9
Definitions.....	10
Community Led Regeneration	11
Green Renewal.....	12
Empty Properties.....	12
End Uses - Case Studies	14
Anti-Social Behaviour	16
Prioritisation/Risk Register.....	17
Council land and property.....	17
Data co-ordination.....	18
Funding Sources.....	20
Objectives and Action Plan	22

Local and National Context

Scottish Vacant and Derelict Land Survey

The Scottish Government annually publishes the Scottish Vacant and Derelict Land Survey (SVDLS) using data supplied by Local Authorities and National Park Authorities. Scotland has almost 11,000 hectares of vacant and derelict urban land. This legacy of our industrial past means that almost a third of the Scottish population lives within 500 metres of a derelict site. These sites blight communities, harm wellbeing, and limit opportunities, but they could be so much more, helping to solve some of society's biggest challenges. An example of some of the Scottish Government's criteria includes sites must not be in use (except temporary open space), must be over 0.1 hectares, and must not be ready for development without further works.

Dumfries and Galloway Vacant and Derelict Land Report

The Dumfries and Galloway Vacant and Derelict Land Report presents a summary of the Council's return to the Scottish Government's SVDLS. The purpose of the survey is to maintain a record of and regularly monitor the extent and state of vacant and derelict land, the remediation of vacant and derelict land and the progress of bringing it into reuse in Dumfries and Galloway. This information feeds into the Local Development Plan making process, and the amount of vacant or derelict land

is an indicator of the state of the Council's built and natural environment. There are currently 58 sites identified in the survey. The majority are below two hectares, with only four sites over 10 hectares. In addition,

there is notably more derelict land (97%) by hectares to vacant land (3%). The previous use of the most significant derelict land sites is inherited from Ministry of Defence activity (88%) including former munitions and airfield sites, located outside of settlements. Information sheets for each site on the Vacant and Derelict Land Register have been produced and are available at Technical Papers, Land Use Audits and Supporting Documents (www.dumgal.gov.uk). The sheets are intended to assist development of the sites and include information on location and ownership, condition, constraints, planning history and Local Development Plan allocation.

Local Outcomes Improvement Plan 2017-27

The Community Empowerment (Scotland) Act 2015 requires Dumfries and Galloway Community Planning Partnership (CPP) to prepare and publish a Local Outcomes Improvement Plan (LOIP) that sets out what we want to achieve for the people of our region. In carrying out its functions, the CPP must act with a view to reducing inequalities of outcome which result from socio-economic disadvantage.

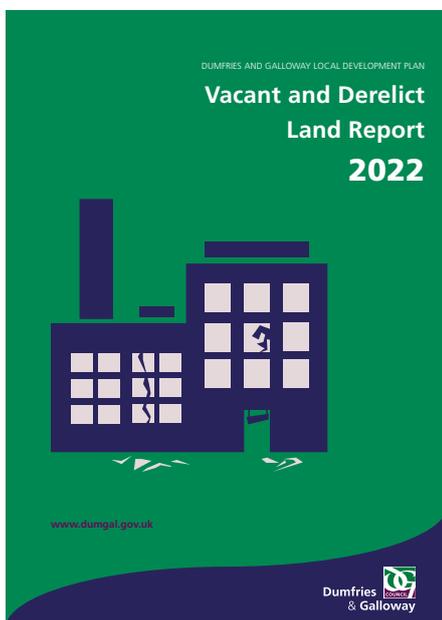
The overarching Community Planning Vision is:

'working together to create an ambitious, prosperous and confident Dumfries and Galloway where people achieve their potential'.

Over the next ten years we want to make positive and tangible changes in our region. Eight LOIP outcomes have been agreed, based on national and local research and evidence, and by engaging with local people about their experiences and aspirations. The Vacant and Derelict Land and Property Strategy provides a further opportunity to support a number of these outcomes, in particular:

- Health and wellbeing inequalities are reduced.
- There is affordable and warm housing for those who need it most.
- People are safe and feel safe.
- People are well connected.
- Individuals and communities are empowered.

It is important to recognise that the outcomes are all connected. In most cases, one LOIP improvement action makes a contribution to more than one outcome.



Local Development Plan 2

Local Development Plan 2 (LDP2) sets out how and where land and property will be used in Dumfries and Galloway to realise the vision for the next 20 years. All planning applications the Council receives are decided on the basis of land allocations and policies within LDP2. The overarching principle is that all development proposals should support sustainable development, including the reduction of carbon and other greenhouse gas emissions. The following broad principles have been followed when identifying sites for development:

- reduce overall flood risk by avoiding areas at risk of flooding and erosion;
- where possible, avoid the use of prime quality agricultural land;
- consider reusing brownfield, vacant and derelict land and buildings instead of greenfield land;
- maximise the use of existing infrastructure including public transport;
- consider opportunities to develop mixed communities.

The Place Principle

The Scottish Government and COSLA have agreed to adopt the Place Principle to help overcome organisational and sectoral boundaries, to encourage better collaboration and community involvement, and improve the impact of combined energy, resources and investment.

The principle was developed by partners in the public and private sectors, the third sector and communities, to help them develop a clear vision for their place. It promotes a shared understanding of place, and the need to take a more collaborative approach to services and assets to achieve better outcomes for people and communities. The principle encourages and enables local flexibility to respond to issues and circumstances in different places.

Place is where people, location and resources combine to create a sense of identity and purpose and is at the heart of addressing the needs, and realising the full potential, of communities. Places are shaped by the way resources, services and assets are directed and used by the people who live in and invest in them. A more joined-up, collaborative, and participative approach to services, land and buildings, across all sectors within a place, enables better outcomes for everyone and increased opportunities for people and communities to shape their own lives.

All those responsible for providing services and looking after assets in a place need to work and plan together, and with local communities, to improve the lives of people, support inclusive and sustainable economic growth and create more successful places.

Borderlands Place Programme

The Place Programme is a central part of the Borderlands Inclusive Growth Deal and will support the towns' growth through Place and Town Investment Plans. The overarching aim is to provide flexibilities and resources that enable communities across Borderlands to repurpose and



reinvent towns through the delivery of individual Place Plans, which would be prepared for selected priority towns. It will support the development and renewal of towns across the Borderlands region. Developed at local level, each Place Plan will set out the community's vision for the future of their area and enable them to apply for investment through a range of matched funding beyond the Deal's investment.

Local Housing Strategy

The Local Housing Strategy (LHS) sets out the vision of Dumfries and Galloway Council and our partners for the future of housing across all tenures. It also confirms our strategic response to local priorities such as town centre living, reducing carbon emissions, improving place-making and design standards and supporting the development of sustainable communities. The first objective of the LHS is to:

'Ensure that the available housing stock in our region is fully utilised and new housing development supports the sustainability of our towns, settlements and villages'.

A number of actions stem from this objective that are of relevance to the Vacant and Derelict Land and Property Strategy:

- Deliver the Council's annual £1million Town Centre Living Fund to maximise the impact of wider regeneration activities
- Ensure the Council's Strategic Housing Investment Plan (SHIP) maximises investment in new affordable housing supply and helps create attractive places that support a broad range of service
- Seek opportunities to develop brownfield sites and empty buildings across our region for new housing
- Reduce the number of empty homes in our region by providing advice to owners and local communities
- Consider the use of Compulsory Purchase Orders to bring empty properties back into use where purchase on the open market has not been successful.

The SHIP sets out the priorities for affordable housing development within the local authority area over a 5 year period. It is a working tool,

detailing how the Council's strategic investment decisions will be delivered and identifies the resources required through the Scottish Government's Affordable Housing Supply Programme (AHSP).

By prioritising the reuse of persistent vacant and derelict land and property, and protecting our existing natural capital and environment, the SHIP aims to ensure that investment goes into areas where it is needed the most, supporting shared ambitions for place, community regeneration, town centres, and accessible neighbourhoods

Carbon Neutral Strategic Plan

On 27 June 2019 Dumfries and Galloway Council declared a Climate Emergency, implementing a 12 point plan, with the aim of achieving a net zero carbon status by 2025. The Carbon Neutral Strategic Plan highlights the benefits of forest and grassland as natural sinks that remove CO2 from the atmosphere. Baseline emissions for Dumfries and Galloway show that currently almost half of all emissions created are offset via this route. By seeking to promote and protect our region's natural environment, utilising brownfield sites for future development, this strategy will support the Council's net zero target. It will also help to make changes in the way that people work and commute supporting increased use of active travel and public transport.



Regional Economic Strategy

The Regional Economic Strategy (RES) is the economic plan for the South of Scotland being progressed by the South of Scotland Regional Economic Partnership (REP). It sets out a bold vision, for the South of Scotland to be Green, Fair and Flourishing by 2031, supported by six themes each with four priorities. A focus of the RES is on a green and sustainable economy, prioritising the harnessing and enhancing of the region's natural capital. It also recognises the need for thriving and distinct communities, emphasising quality of life, connectivity, amenity and vibrant neighbourhoods.

The RES aims to do this by revitalising towns and rural communities, creating and sustaining high quality affordable homes, enhancing connectivity and empowering communities.

Community Asset Transfer Strategy

Council land and property could be an ideal resource to help local communities realise their plans and aspirations. The policy intent of this Strategy is to empower communities through their ownership of properties across the region. The primary purpose is community benefit, while also making a positive contribution to the Council's long term budget position.

Community Asset Transfer (CAT) is not just about the transfer of land, buildings and structures; rather it is part of a wider picture in helping communities meet their shared aspirations and visions. It is about helping and empowering communities make best use of their local assets to become resilient, entrepreneurial; and thriving in a fiscal climate where the capacity for councils to continue to deliver services in the traditional manner becomes challenging. The Council values local empowerment and works in partnership with communities to sustain services.



5.11 Active Travel Strategy

Increasing walking and cycling is a priority for Dumfries and Galloway Council, supporting better places and infrastructure along with healthy lifestyles. The Active Travel Strategy 2022-27 will build on the progress from the previous strategy and incorporate recent data to better picture the actions that will be required to improve the uptake of active travel. The Strategy will also help shape Council goals and align with national aims to decarbonise transport and achieve the vision towards compact and sustainable communities.

There will be an emphasis on the delivery of projects and initiatives, researching and monitoring the progress of actions, and the development of stronger partnerships with key stakeholders. Place-based approaches will be at the forefront of the strategy, which aims to better align the Council's initiatives with those led by communities and local groups with an interest in making an active region together, on the journey to net zero.

Disposals and Acquisition Policy

Dumfries and Galloway Council requires buildings and land to provide services for the regions people and communities. Council property must be held for a specific use pursuant to statutory or operational business, or the agreed priorities and commitments of the Council. It must be seen as a dynamic resource, the need for and use of which must be continually reviewed against service needs and corporate strategy. It is the Council's aim to have "Fewer, Better Assets". The Council also has a commitment to empower our communities to make the most of their assets through its Priority to be an Inclusive Council. In addition, the Council needs to generate capital receipts to fund capital projects through the sale of properties which are surplus to requirements. The Disposal and Acquisition Policy sets out the Council's policy for disposing of and acquiring property, including leasing.

Legislation

Legislation related to Planning, Building Standards, Environmental Health and Housing may be an appropriate basis for potential interventions by the Council. The intention of these powers is to mitigate and minimise risk to people. At the point where a building owner has failed to take the necessary action, as a last resort the Council can decide to intervene to ensure public safety. This can result in a range of actions including:-

- Issuing a Dangerous Building Notice. (safety net to protect public)(take into account risk)
- Issuing a Listed Building Repair Notice.
- Compulsory Acquisition.
- Demolition Orders and Closing Orders (housing).
- Improvement Orders (housing).
- Repairs Notices and Repairs Grants (housing).

It is however important to recognise that in the first instance the Council will seek to engage effectively with identified land and / or property owners to encourage solutions and investment. This is a key step before consideration of any action based on legal powers. Formal enforcement action should be viewed as a last resort. In addition, it can lead to the Council being bound to take action at its' own expense.

Property owners are responsible for preventing their buildings from falling into a dangerous condition. The powers given to local authorities by the Building (Scotland) Act 2003 do not diminish this responsibility but provide a safety net to be used in order to protect the public when it appears to a local authority that a building owner has failed in their duty to fulfil this responsibility. The legislation makes it a reactionary process rather than a preventative one (i.e. something has to have actually happened or be self-evidently in danger of imminently happening rather than being a potential future issue). It is important to note, that the Council is empowered to do only what is required to make the building safe at that time.

The Civic Government (Scotland) Act 1982 gives local authorities powers in relation to buildings in need of repair. Where it appears to a local authority to be necessary in the interests of health or safety

or to prevent damage to any property that they should repair immediately a building in their area, they may without prior notice rectify such defects in the building as could have been specified in a notice.

Action will be delivered through direct involvement of a multi-disciplinary group from relevant Council Services including Economy and Development, Community Planning and Engagement, Governance and Assurance, Assessor and Electoral Registration, and Roads and Infrastructure. This approach will ensure that the required technical expertise and legislative responsibility underpins the process.

The Land Reform Review Group was set up by the Scottish Government to make recommendations aimed at addressing the problem of empty homes and vacant/derelict land. One such recommendation was to give planning authorities the power to require vacant or derelict land to be sold by public auction, a "compulsory sales order" (CSO).

The compulsory mechanisms currently available require the local authority or community to have a clear plan for how the land or building should be used. This is not required for a CSO where there need only be a desire to see the land or building brought into productive use. The proposal suggests that a CSO would provide a "valuable alternative" to the existing compulsory purchase powers held by local authorities and right to buy powers held by communities. The Scottish Government has committed to introducing these powers to local authorities, and the Council will support this mechanism to bring un-used land and buildings back into use.



Definitions

Vacant Land

Vacant land is defined by the Scottish Government as unused land over 0.1 ha located within a settlement which is viewed as an appropriate site for development in the LDP or via planning permission. It must have had previous development on it and be ready for new development.

Derelict Land

Derelict land is defined by the Scottish Government as unused land over 0.1 ha which has previously been developed and has a physical constraint caused by its previous use which hampers its redevelopment or naturalisation.

Derelict Building

Over a long period of time an un-used and empty property can deteriorate so badly that it's no longer capable of being repaired without very significant reconstruction. To make it habitable may mean that the property's character will have been changed so much that it will not bear any relation to the type of accommodation that was originally there. Following the completion of the works it would virtually be a new property.

Brownfield Site

LDP2 defines brownfield sites as 'Previously developed land and premises, including the curtilage of buildings, which may still be partially occupied or used. Most commonly associated with derelict urban land with redundant industrial buildings. Excludes agriculture, forestry and previously used land which now has nature conservation or recreation value.'

Small-scale sites

The size threshold for inclusion in the Scottish Vacant and Derelict Land Register is a minimum of 0.1 hectares. This means that the Register generally overlooks smaller sites, even though these may be a cause of blight and be comparatively deliverable. The sheer number of these sites would make it impractical to incorporate all of them, yet there is clearly a need for the most problematic to be prioritised for action. To address this, the Scottish Vacant and Derelict Land Taskforce recommends that communities should identify particularly problematic or harmful vacant and derelict sites through Local Place Plans.

Dangerous Building

Building owners are responsible for preventing their buildings from falling into a dangerous condition. Lack of proper care and maintenance of privately owned buildings is a problem which exists right across the region. The Building (Scotland) Act 2003 defines a dangerous building as:

'...where it appears to a local authority that a building constitutes a danger to persons in or about it or to the public generally or to adjacent buildings or places.'

Where building owners fail to carry out required works, the powers conveyed to local authorities to tackle dangerous buildings, allow only for the immediate danger to be rectified.

Buildings at Risk

The Historic Environment Scotland Buildings at Risk Register (BARR) for Scotland (buildingsatrisk.org.uk) has been in operation since 1990 and highlights properties of architectural or historic merit that are considered to be at risk. Buildings at risk are not necessarily in poor condition, they may simply be standing empty with no clear future use or be threatened with demolition. A building at risk may be:

- long-term vacant
- neglected and/or poorly maintained
- structurally unsound
- damaged by fire
- unsecured and open to the elements
- threatened with demolition

Long Term Empty Homes

When a home has been unoccupied for 12 months, the council tax rate can be doubled, this is called the Long Term Empty Property Tariff. There are a number of exemptions available so that owners aren't unfairly penalised. The tariff is designed to encourage people to deal with empty properties and can apply if a property is derelict or in very poor condition.

Community Led Regeneration

Regeneration is the process of transforming the economic, physical and social potential of places. Community-led regeneration is about people identifying issues and opportunities in their local area, deciding what to do about them, and making positive changes in their communities. We support community-led regeneration by enabling local organisations to take ownership of assets such as buildings or land, helping people to co-ordinate action and respond to challenges in areas where there are high levels of disadvantage and assisting people to identify and act on the priorities in their areas.

The Place Principle is the overarching context for place-based working in Scotland. It has been adopted to help overcome organisational and sectoral boundaries, to encourage better collaboration and community involvement, and improve the impact of combined energy, resources and investment. It promotes a shared understanding of place, and the need to take a more collaborative approach to services and assets to achieve better outcomes for people and communities. The principle encourages and enables local flexibility to respond to issues and circumstances in different places. It helps partners and local communities unlock the National Performance Framework and make it applicable to where and how they live and work.

A handy guide to finding out how you and your community can bring unloved places back into use:

<https://myland.scot/communityaction/>

Recommended Interim Measures

The Wigtown Derelict Buildings pilot Project made a number of recommendations to the Council, including providing advice and guidance in relation to interim measures that could be applied. The intention is to mitigate some of the negative visual impact an abandoned building or site can have on a local community.

Throughout Dumfries and Galloway, different measures have been put in place to help remove blight caused, including art work, hoardings and

light shows. The Council will provide advice to owners and communities on a case by case basis to ensure an appropriate interim solution can be delivered. Some potential measures may include:

- Fencing, barriers and security
- Painting building frontages
- Building wraps and hoardings
- Artwork and murals
- Garden tidy ups, butterfly gardens and weeding.

This information will also be included on a specific Council webpage, as well as advice being provided by staff responsible for tackling vacant and derelict sites.



Green Renewal – Protect and restore our nature

The potential for reusing vacant and derelict sites is vast. It is difficult to think of a single major area of public policy that would not benefit from a concerted national effort to bring these sites back into use. Climate action needs to be a collective endeavour, but barely half of those living in the most deprived communities, with the highest concentrations of vacant and derelict land, see it as an urgent priority. To make climate action a collective priority, then tackling our legacy of vacant and derelict sites is a key part of becoming a carbon neutral region by 2025.

A focus on land reuse could also play a major role in tackling climate change. A significant proportion of Scotland's most persistent derelict sites are already partially naturalised and could – with relatively modest effort – be restored to fully functional natural capital assets. This would have several environmental and ecological benefits. These sites could provide informal amenity greenspace for local communities. They could provide rare patches of urban habitat, supporting biodiversity and providing wildlife corridors through our towns and cities – and they could sequester carbon while helping to reduce adverse urban climate impacts like flooding, overheating and air pollution.

Using abandoned sites to grow food could help reduce unnecessary food miles while making it easier for communities to access fresh, healthy produce. Reusing brownfield land in preference to greenfield sites can help reduce the impact of development on the climate by reducing the need for residents to travel long distances for work and leisure. Some sites may even have the potential for renewable energy generation

The Planning Scotland (2019) Act presents a major opportunity to rectify this and deliver a step-change in how Scotland approaches land reuse. Addressing Scotland's most challenging sites through NPF4, which will incorporate Scottish Planning Policy, is an opportunity to act on climate change, strengthen local economies, tackle health and wellbeing inequalities and deliver inclusive growth.

Empty Properties

A key component of regeneration is bringing empty properties back into use. They can have a negative impact on the local economy and our communities. Bringing empty properties back into use helps to reverse these negative effects. The benefits to the Council include an increased supply of housing, supporting our communities, a revitalised property market, increased revenue through collection of council tax, reduced requirement for legal action and less intervention required by Council officials.

Empty properties are an unutilised resource that can often have the following negative impacts:

- Provide a focus for anti-social behaviour
- Cause blight in neighbourhoods if the property condition is neglected
- Undermine wider regeneration activity
- Reduce the size of the effective housing stock in the region
- Value of neighbouring properties can be impacted

The Local Government Finance (Unoccupied Properties etc.) (Scotland) Act 2012 allowed the Council to introduce a levy that took effect in December 2013. This means the owner is charged 200% Council Tax if their property has been empty for 12 months or more. There are a number of specific exemptions to the application of this levy, for example if evidence can be provided that it is being actively marketed for sale or is being renovated. A similar levy is being introduced in relation to properties classified as non-residential. The core purpose of this policy is to act as an incentive for owners to bring their property back into use.

From 1st April 2023, Councils in Scotland will be required to develop a policy on the charging and reliefs available to empty properties within the non-domestic rating system. This follows the devolvement of this function under the Non-Domestic Rating (Scotland) Act 2020. Thus, Dumfries and Galloway Council is able to replace the current rates relief awarded to owners of empty non-domestic properties with an agreed scheme. However, the timeframe to amend the current relief scheme is short and does not allow proper

communication with owners of empty properties. It is likely that there will be a need to retain a policy which mirrors the current relief scheme for 2023-24 and to review charges on selected exempt properties from April 2024, which encourages owners to bring these back into use.

Bringing empty properties back into use is also better for the environment. Research shows that this can cut carbon emissions by approximately a third when compared to the impact of building a new home. It can bring a valuable boost to the local

economy by generating income for owners as well as the local businesses that re-furbish them.

Empty homes also have a significant economic impact on local services. Figures obtained from the Office for National Statistics show the average amount spent by a household in their community is £13,000. Re-using existing properties prevents the deterioration of our local buildings and contributes to the regeneration of our towns by creating safe sustainable communities.



End Uses - Case Studies

There have been many successful examples of disused and derelict sites being repurposed to serve the current needs of communities throughout the region.

Housing

The SHIP has delivered a number of successful housing developments on previously derelict and brownfield sites, and others are planned or underway.

The former Carrs Billington site in Annan became empty when the company relocated to modern premises, leaving a brownfield site in the town centre. The site was identified as a potential site for redevelopment in the Annan Regeneration Masterplan and LDP. Through the Strategic Housing Investment Plan it was successfully redeveloped by the Cunninghame Housing Association into 27 affordable homes in a courtyard setting, retaining the sandstone frontage to the High Street.



In Dalbeattie, the contaminated former station yard site has been remediated and new houses built in a phased development by Loreburn Housing Association. The first phase delivered twenty affordable homes. In the second phase sixteen affordable homes are currently being built to high energy efficiency ratings, half of them to Passivhaus standards.

The disused former Academy in Lockerbie was identified in the Lockerbie Community Action Plan as a priority for the development of affordable housing. The project, delivered by Cunninghame Housing Association, provides 45 homes including 3 for wheelchair users and 9 amenity properties.

In Glenluce, a derelict hotel on the main street has been demolished and works are underway for the development by DGHP of ten affordable housing units.

Community

Community groups are well placed to identify needs and opportunities in their area and provide imaginative solutions.

Dalbeattie Community Initiative are progressing the Rocks and Wheels project to develop the site of the disused former primary school to provide a pump track, bouldering centre, hostel and community facility to tie in with the nearby 7Stanes mountain bike trail. The group was successful in finalising a stage two Community Asset Transfer, however, this is conditional on obtaining sufficient capital funding for the project, which is one of several included in the D&G constituency Levelling Up Bid. The Council and SOSE have both been supportive of the project and are currently working together to fund the design development stage.

Also in Dalbeattie, the Birchvale Theatre group used a Community Asset Transfer to take ownership of a disused small school building and successfully convert it into a 72-seat theatre/cinema and community facility.

In Langholm, the site of the disused Border Fine Arts facility and former station is to be developed into an artisan village with retail, event and exhibition areas and workshops for business start-ups, with a focus on heritage and local produce. The project has been funded by the Stevenson Trust as part of wider regeneration plans under the Langholm Alliance umbrella community organisation.

Industrial

The use of derelict land for business and industry is historically the most common outcome, an example being the former airfield at Heathhall in Dumfries. While some areas have a need for more business and industry sites, there is over capacity in other areas, with sites remaining vacant. For example, a significant investment was made by Scottish Enterprise to remediate the former munitions factory at Cargenbridge, but there has been limited uptake over ten years and most of the site remains on the VDL register as a vacant site.

Retail

A number of derelict sites have been redeveloped for retail, an example being the Aldi store at Cuckoo Bridge Dumfries, which was built on a disused printworks, with contamination of the site being remediated as part of the development.

At the other end of the scale, some community groups in the region have expressed an interest in developing small vacant or derelict sites as community run shops. Pop-up shops and rotating occupancy can be a good use of empty retail properties, maintaining a retail presence and giving small or start-up businesses opportunities and experience.



Green Spaces/Naturalisation

Responses from the public consultation showed that reuse of sites as green spaces was a popular choice, with 20% of respondents to the online survey selecting green spaces and play areas as a first choice. The provision of allotments was also suggested at the public meetings, with evidence of a strong demand and an ongoing search for suitable sites in Stranraer. The recent covid pandemic has highlighted the importance to communities of access to green spaces for leisure and exercise. Opportunities for local food production supports aims such as community resilience and sustainability.

Green spaces can be used as a temporary solution to long term VDL sites. In Glasgow, the Stalled Spaces programme has delivered over 100 projects on a total of 25 hectares of vacant sites, with a variety of community uses such as growing spaces, play areas/urban gyms, wildlife areas and exhibition spaces.

On a small scale locally, the Incredible Edible community organisation has transformed many small unused spaces by planting with vegetables and fruit for the public to enjoy, and many community groups take responsibility for planting and maintaining similar sites in their areas.

Sites can be removed from the VDL register if they meet the criteria of having become naturalised. The site of the former smallpox hospital at Greenbrae Loaning, Dumfries was listed on the VDL register as a derelict site. The site had been allocated for housing in the LDP, however the local community identified a need for open space and made representations to the Council. An inspection of the site confirmed that it met the criteria, and the site was reallocated as open space in LDP2. It is now a well-used and attractive park.



Anti-Social Behaviour

The Dumfries and Galloway Antisocial Behaviour Strategy 2020-24 sets out the aims and objectives to proactively tackle antisocial behaviour, and to keep our communities safe:

Objective 1 – Prevention and Early Intervention

Objective 2 – Community Engagement

Objective 3 - Enforcement

The Antisocial Behaviour Strategy Group agreed a list of behaviours that could best describe antisocial behaviour. The prevalence of these behaviours varies in different areas of the region:

- Noisy Neighbours
- Vandalism and Property Damage
- Litter and Fly Tipping
- Neighbour Disputes
- Intimidation and Harassment
- Substance Misuse and Dealing
- Rowdy Behaviour
- Deliberate Fire-Setting
- Animal Nuisance
- Non-compliance with COVID restrictions

The Antisocial Behaviour Strategy Group employ a range of techniques to profile the nature of antisocial behaviour as it occurs across the region. They share information in accordance with legal frameworks to understand the nature of local problems, assess risk, and direct resources where they are needed most.

The Resilience Team would typically be involved in issues associated with vacant and derelict land on a reactionary basis where a specific risk has been identified by multi-agency partners. This could include large quantities of chemicals or dangerous materials present on site that could have a detrimental impact to the surrounding communities.

The involvement of the Community Safety Team in matters associated with Vacant and Derelict buildings varies. If any building is identified as “at risk” they will patrol the area to deter or prevent any persons from entering the site. If any signs of misadventure or foul play are found they will be reported to the relevant authority, be it Police, Fire or Building Standards.



Prioritisation/Risk Register

The Council currently collects information on vacant or derelict or empty property in two categories. The annual VDL survey for the Scottish Government of sites over 0.1 hectares, and data on empty homes is collected through Council Tax and reports from the public. There are many other sites out with these categories that can also cause problems for communities or present opportunities for development. A central system of recording would provide a more efficient service and enable actions and resources to be targeted in the most effective way.

A database will be developed to include all categories of unused land and buildings, where information on sites can be collected and maintained. A prioritisation system will be applied to enable identification of the most problematic sites in a robust and ordered way.

Public consultation on the VDLP strategy identified sites that are a danger to safety as a clear priority for action. Sites may be seen as a danger to safety when buildings are in a dangerous condition or where anti-social behaviour is a problem. 60% of respondents to the online survey reported often or sometimes feeling unsafe due to such sites.

The second public priority was identified as sites in a prominent location. Over 93% of the public reported that vacant, derelict or empty sites made them feel the area was less attractive and 90% thought these sites should be prioritised for development. Location is a more important factor for prioritisation than size. Many of the sites meeting the size criteria of the VDL register are located outside of settlements and therefore cause less concern than smaller more prominent sites. 68% of the public indicated that they would like smaller sites to be included.

Other factors could be included in a prioritisation system with appropriate weighting such as reported crime, fire risk, involvement of internal and external services, length of time unused, environmental risk, community interest, listed/historic building status and development potential.

Council Land and Property

Dumfries and Galloway Council has produced and agreed a Community Asset Transfer Strategy. The policy intent is as follows:

‘To empower communities through their ownership of properties across the region. The primary purpose is community benefit, with a secondary aspect that it makes a positive contribution to the Council’s long term budget position’.

This strategy is supported by a Community Asset Transfer procedure, which sets out the relevant stages in the process on a sequential basis. A key part of this being the five aspects the assessment will look at:

- 1. The strength of the outline proposal - particularly the potential community benefit & dis-benefit**
- 2. The standing of the organisation – its governance arrangements and board members**
- 3. A viable and sustainable vision, supported by a robust business plan.**
- 4. Evidence of community support. It is unlikely to be sufficient for a group to be motivated to ‘save’ an asset.**
- 5. The sustainability of the funding model - where grant funding will be a core element of a business plan, such as with a development project, it is essential that groups engage with potential funders at this early stage. Lead in times for applications to progress through application stages should be considered. Many key funders have long processing timelines. Funder requirements can have a significant influence on the shape and structure of a project.**

There is a clear role for the Council in ensuring that when properties are disposed of, that they do not fall into a poor state that then negatively impacts on the area.

The Disposal & Acquisition policy intent was agreed by Finance, Procurement & Transformation Committee on 17 June 2021. Members agreed that the delivery of the Policy should ensure that the Council’s asset portfolio supports our Council’s Transformation Programme and Climate Emergency Action Plan; supports local businesses

and communities; contributes to the longer-term budgetary position for the Council and ensures the Council continues to be an inclusive organisation.

In order to deliver on the policy intent specific objectives have been identified:

Intent One: Best Value – All disposals and acquisitions must achieve Best Value for the Council or the Common Good

Intent Two: Disposing of assets should positively impact the Council by maximising capital receipts where assets are sold and minimising ongoing revenue costs by timeously disposing of assets that are empty & surplus.

Intent Three: Policy should enable the Council to manage its estate in a dynamic fashion by responding to opportunity and need.

Intent Four: Council and Council assets should serve the needs of communities and provide opportunities for them to become empowered by making the most of their local assets where need has been identified.

Intent Five: Disposal & acquisition of assets must contribute to the Councils strategic objectives and align with its Priorities and Plan.

Data Co-ordination

Register of Persons Holding a Controlled Interest in Land

The Register of Persons Holding a Controlled Interest in Land (RCI) is a RoS register, required by law, that became available from 1 April 2022 and is free to use.

The register shows who has significant influence or control over the owner or tenant (for more than 20 years) of land and property in Scotland where this information may not be publicly transparent elsewhere.

RCI will provide information on the people making key decisions on land and property.

Regulations place a responsibility on owners and tenants (for more than 20 years) to supply information to RCI of their controlling interest from Friday 1 April 2022. There is a 12 month grace period to register before penalties become applicable for failure to do so.



Who will need to register

Owners or tenants (for more than 20 years) of land or property may have a responsibility to supply information to RCI where:

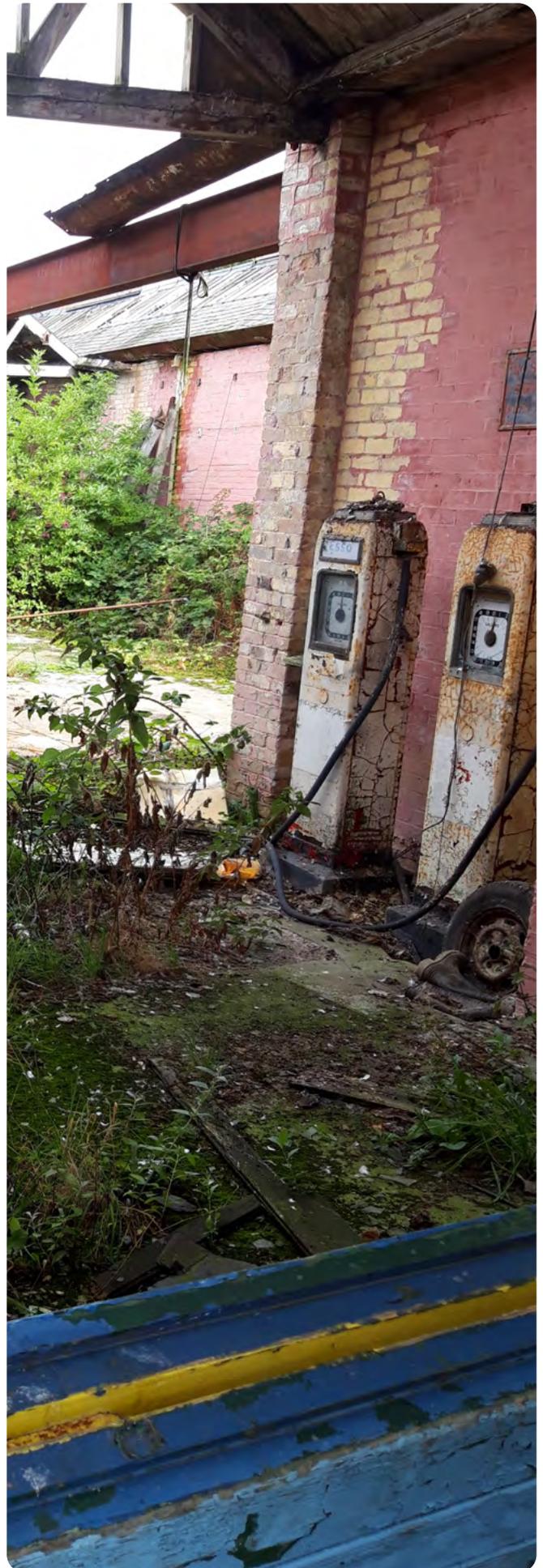
- there is someone with significant influence or control
- the information is not publicly available elsewhere (for example, from the People with Significant Control Register at Companies House)

People and significant control

People who have significant influence or control are likely to be in the following categories:

- persons who have certain contractual or other arrangements with an individual who owns or tenants land (for more than 20 years)
- partnerships and persons who own or tenant land (for more than 20 years) on their behalf
- trusts and persons who own or tenant land (for more than 20 years) as trustees of a trust
- unincorporated bodies and persons who own or tenant land (for more than 20 years) on their behalf
- overseas legal entities

The Keeper of the Registers of Scotland (RoS) is responsible for establishing and maintaining RCI as a legal register. This includes making sure the information supplied is entered into the register according to the regulations.



Funding Sources and Information

Vacant and derelict land, whatever the size, affects our communities and their potential. Over time derelict sites can damage an area, resulting in social, economic and environmental harm. However, these sites also present opportunities for regeneration and renewal – unlocking growth, reviving communities and reducing inequalities. There is a wide variety of funding options available to help bring the land back into use and benefit those living around vacant and derelict sites.

This table provides a brief description of different funding sources available in Dumfries and Galloway, highlighting the objectives of each and indicating what type of activity the funding is most suitable for. Individual funding options are not mutually exclusive, and a mix of sources is often used by groups for financing projects. The circumstances of the community involved and the development opportunity it is seeking to finance will influence which source/s are used:

Fund Name and Provider	Applicants	Project Type	More info
Town Centre Living Fund Dumfries and Galloway Council (DGC)	Registered Social Landlords, Housing Developers, Community Organisations, Charities and Private Owners	Delivery of affordable housing within settlements in Dumfries and Galloway	Town Centre Living Fund
Regeneration Capital Grant Fund Scottish Government (SG)	Local Authorities	Areas of deprivation, community involvement, regeneration outcomes, address market failure	Capital investment for regeneration
Affordable Housing Supply Programme (SG)	Registered Social Landlords and Housing Developers	Delivery of social rented housing, homes for mid-market rent and housing for low cost home ownership (potential use for VDL)	Affordable Housing Supply Programme
Place Based Investment Programme (DGC)	Local Authority Discretion	Place based investments shaped by the needs and aspirations of local communities.	Capital investment for regeneration
Vacant and Derelict Land Investment Programme (SG)	Local Authorities (Lead)	Physical development and regeneration of VDL	Capital investment for regeneration

Fund Name and Provider	Applicants	Project Type	More info
Scottish Land Fund (SG)	Voluntary or community organisations, charities, social enterprises etc	Ownership and management of assets by communities to become more resilient and sustainable	Scottish Land Fund
Dumfries Conservation Area Regeneration Scheme Historic Environment Scotland (HES)	Property owners, the public sector and community groups.	Heritage focused community and economic growth projects targeting disused properties	Dumfries Conservation Area Regeneration Scheme (CARS)
Heritage & Place Programme (HES)	Local Authorities, National Park Authorities and suitably experienced not for profit organisations	The Heritage & Place Programme is an area-based funding programme that aims to contribute to the development of vibrant and sustainable places in Scotland, through community-led regeneration of the historic environment.	Heritage & Place Programme
Empowering Communities Programme (SG)	SCIO, charities, community interest companies, community councils	The Empowering Communities Programme supports the SG commitment to investing in communities so that they can develop the resources and resilience to decide their own aspirations, priorities and solutions.	Empowering Communities Programme
Rural Housing Fund (SG)	Community organisations' development trusts, private landowners, private developers, traditional housing providers	Projects that increase the supply of affordable housing of all tenures in rural Scotland	Rural Housing Fund

Objectives and Action Plan

Prioritise relevant Council investment decisions towards tackling vacant and derelict land

We will	Description	Timescale	Lead Support
Collect information on vacant and derelict sites to be held on a Council database	Carry out site inspections to inform both the Scottish Vacant and Derelict Land Register, and also a Council specific register supported by a database highlighting priorities and potential end uses.	Annual	Strategic Housing and Regeneration Local Development Plan Team
Promote major regeneration priorities	Ensure that opportunities to deliver significant change to the physical environment are progressed throughout the region, focussing on social and economic benefits	Ongoing	Strategic Housing and Regeneration/ Strategic Economic Investment
Remediation of Council owned property	Deliver capital investment to repair and secure Council buildings, setting a clear benchmark for private property owners to replicate.	Ongoing	Property, Estates and Programmes
Produce site-level information for vacant and derelict locations	A package of high level information to assist development covering current planning and development status, flood risk, contamination, and ownership	October 2023	Strategic Housing and Regeneration Local Development Plan Team
Carry out due diligence on disposal of property to ensure its productive reuse	In line with the Community Asset Transfer Strategy, and Disposals and Acquisition Policy, ensure that buildings declared surplus by the Council have a long-term sustainable use.	Ongoing	Property, Estates and Programmes
Identify funding to carry out feasibility studies on priority sites	Produce a priority assessment process based on consultation feedback, and seek funding opportunities that allow feasibility studies that further enable site re-use.	April 2023	Strategic Housing and Regeneration

We will	Description	Timescale	Lead Support
Recognise the additional costs experienced re-developing vacant and derelict sites	Identify capital funding options to support eligible organisations seeking to remediate sites, that will ultimately deliver strategic benefits for the Council and communities within the region. We will also engage with the Scottish Government to identify funding support for this work from national sources.	Ongoing	Strategic Housing and Regeneration
Measure change through the social value engine	Carry out a robust assessment of social value following site remediation to forecast, plan and evaluate activities. This will allow the Council to understand the societal return of every £ of investment	Ongoing	Strategic Housing and Regeneration

Prioritise development on brownfield and previously used land

We will	Description	Timescale	Lead Support
Support the development of sites by the private sector	Provide advice and guidance to support the delivery of developments on brownfield locations	Ongoing	Strategic Housing and Regeneration Local Development Plan Team
Development of affordable housing on private and public sector land	Through the Council's annual review of the Strategic Housing Investment Plan, we will focus on identifying future sites that support the re-use of vacant and derelict land.	October 2023	Strategic Housing and Regeneration
Utilise strategic investment to support sustainable inclusive economic growth and unlock development potential	By targeting available funding, and seeking new opportunities, the Council will aim to promote developments that maximise inward investment, while also providing long term sustainable uses for sites.	Ongoing	Strategic Housing and Regeneration/ Strategic Economic Investment

We will	Description	Timescale	Lead Support
Compact growth to limit urban expansion where brownfield, vacant and derelict land and buildings can be used more efficiently	The draft National Planning Framework 4 (NPF4) gives greater emphasis and priority to the redevelopment of brownfield sites. Redevelopment of sites with a previous use will help deliver the spatial principles set out in NPF4 including compact growth, balanced development and conserving and recycling assets.	By 2025	Local Development Plan Team
Enable delivery through review of staff roles	Assess the capacity of existing roles involved in the delivery of services linked to site remediation, and through review of future objectives, ensure resources are in place to be specifically responsible for providing advice and guidance to developers, communities, and businesses.	April 2023	Strategic Housing and Regeneration
Produce self-service information	Through modernisation and digital reform, produce a suite of information to be published on the Council website providing advice and assistance to remediate contaminated, vacant and derelict sites.	April 2023	Strategic Housing and Regeneration

Work with landowners and community groups to consider options for the re-use or temporary re-use of vacant sites.

We will	Description	Timescale	Lead Support
Engage with local communities	We will engage regarding unused assets in communities, including finding future uses for small sites not recorded on the national vacant and derelict land register, through the use of local Place Plans.	Ongoing	Strategic Housing and Regeneration/ Local Development Plan Team/ Economic Development/ Community Planning and Engagement.

We will	Description	Timescale	Lead Support
Identify sites which may be suitable for greening, growing, planting or biodiversity opportunities	Through engagement with local communities, we will seek opportunities to enhance green infrastructure as a long term use for abandoned sites.	Ongoing	Strategic Housing and Regeneration/ Community Planning and Engagement.
Write to owners of vacant and derelict property	By writing to owners regarding their plans for the land, we will encourage them to take steps to 'clean-up' the area. We will also highlight available support to bring back into use.	April 2023	Strategic Housing and Regeneration
Continue meetings of the Officer Working Group	By bringing together key Council departments, we will identify solutions and actions to be taken forward that require a co-ordinated approach.	Ongoing	Strategic Housing and Regeneration Associated Council departments

Ensure that the empty properties in our region are brought back into use to support the sustainability of our towns, settlements and villages.

We will	Description	Timescale	Lead Support
Utilise Council Tax on second homes income to support housing led regeneration priorities	Income collected from this source should be used for the delivery of housing priorities. Annual reviews of the use of this budget will be brought back to Committee for consideration.	Annual	Strategic Housing and Regeneration
Where appropriate, apply additional levies to long term empty properties	To act as an incentive for the reuse of empty buildings, the Council will continue to use powers that require liable parties to pay additional sums when not actively seeking to bring property back into use.	Ongoing	Financial Wellbeing and Revenues
Reduce the number of empty properties in our region	Continue to provide advice and guidance to owners and local communities through a range of formats, including the Council's website.	March 2023	Strategic Housing and Regeneration

Utilise appropriate legal interventions

We will	Description	Timescale	Lead Support
Maintain the availability of, and prioritise, legal intervention where appropriate	Where engagement with the property owner has not enabled progress within a reasonable period of time, the Council will consider use of legal interventions to progress identified end uses for vacant and derelict land.	Ongoing	Relevant department Legal Services
Lobby the Scottish Government for additional powers	While there are legislative levers that can be utilised to support the delivery of work to tackle vacant and derelict land, they often require significant resources and time. We will support new powers that enable prompt action to be taken, such as proposed compulsory sales orders.	Ongoing	Strategic Housing and Regeneration Legal Services
Produce a procedure for vacant and derelict sites.	A step by step procedure that sets out key stages in the process will be developed and published on the Council website to enable further intervention where it is required	March 2023	Strategic Housing and Regeneration Officer Working Group
Consider the use of Compulsory Purchase Orders	There may be instances where options have been exhausted where the Council has sought to bring empty properties and derelict sites back into use. Where purchase on the open market has not been successful, CPOs will be considered. We will also seek to engage further with the Scottish Government to improve and refine the process that is required.	Ongoing	Strategic Housing and Regeneration/ Legal Services