

DATA LABEL: PUBLIC



COUNCIL EXECUTIVE

THE LOW PORT CENTRE, BLACKNESS ROAD, LINLITHGOW

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To declare surplus the Low Port Centre, Blackness Road, Linlithgow as it is no longer required for the delivery of council services and to seek agreement that officers should market the property in accordance with the council's approved Surplus Property Procedure.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Formally declares the Low Port Centre, Blackness Road, Linlithgow surplus to the council's requirements.
2. Agrees that officers should market the Low Port Centre, Blackness Road, Linlithgow in accordance with the council's approved Surplus Property Procedure.
3. Agrees that officers shall provide Council Executive with a further update report following the marketing period.
4. Notes that in the event of a community asset transfer request being received for the Low Port Centre, Blackness Road, Linlithgow, the request would be determined by the council's Asset Transfer Committee in accordance with approved governance arrangements.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; Being honest, open and accountable; Making the best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The council is required to consider properties it no longer requires for service delivery in accordance with its approved Surplus Property Procedure.</p> <p>The council's approved Surplus Property Procedure satisfies the council's legal requirement to obtain "Best Value" under the 1973 and 2003 Local Government (Scotland) Acts and the Disposal of Land by Local Authorities (Scotland) Regulations 2010.</p>

It also accommodates the provisions of the Community Empowerment (Scotland) Act 2015 (Part 5) relating to community asset transfer.

III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	The disposal of surplus property by commercial sale would contribute to annual capital receipts targets. A commercial lease would contribute towards revenue income targets for the Tenanted Non-Residential Property portfolio.
V	Relevance to Single Outcome Agreement	We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	Declaring properties surplus and disposing of them in accordance with the council's Surplus Property Procedure saves capital and revenue expenditure by negating unnecessary property holding costs. It can also provide rental income to the Tenanted Non-Residential Property portfolio in the event of disposal via a commercial lease, or a capital receipt in the event of a sale. Disposals via community asset transfer may deliver non-financial community benefits in lieu of market value.
VII	Consideration at PDSP	None.
VIII	Other consultations	<p>All of the council's Heads of Service have been consulted and none have identified any operational need for this property.</p> <p>The local elected members for the ward have received a copy of this report for information.</p>

D. TERMS OF REPORT

D1. Background

The Low Port Centre, Blackness Road, Linlithgow is an outdoor-activities centre. It is owned by the council and forms part of a portfolio of properties that is currently leased to and run by West Lothian Leisure (WLL).

The property was constructed in 1987 and comprises offices, stores, canteen/dining facilities together with a gym hall (including a rock-climbing wall) and three storeys of residential accommodation. It sits within a site of 0.28 hectares (0.69 acres), the extent of which is shown hatched in black on the plan at Appendix 1 of this report.

As part of plans to re-provision their outdoor-learning and activity programme, WLL has notified the council of its intention to end its lease of the Low Port Centre with effect from 31 March 2022, at which time responsibility for the property and its associated costs will revert to the council. A separate report on WLL's proposed withdrawal from the Low Port Centre will be presented to Council Executive on 20 April 2021 by the Head of Education (Learning, Policy and Resources).

WLL has confirmed its intention to close and mothball the Low Port Centre in the coming months, but agreed that its existing lease shall continue until 31 March 2022 to allow an opportunity for Council Executive approval to be sought to have the property formally declared surplus to requirements and marketed in accordance with the council's approved Surplus Property Procedure.

As a registered charity, WLL will continue to qualify for full exemption of non-domestic rates whilst it remains the registered tenant of the property. The council has no such exemption and will become responsible for the payment of non-domestic rates when WLL's lease of the Low Port Centre ends.

Officers have consulted across the council with each Head of Service and no operational need for the facilities at the Low Port Centre has been identified. Accordingly, officers are now seeking Council Executive approval to have the property formally declared surplus to requirements and for agreement to be given for it to be marketed in accordance the council's approved Surplus Property Procedure.

D2. Approved Surplus Property Procedure

The council is committed to the efficient and effective management of assets to support the delivery of services. Property assets are managed as a corporate resource and if an asset is no longer required for the delivery of services and is retained without being fully utilised, then it represents a drain on financial and management resources.

Property assets no longer needed for service delivery are required to be formally declared surplus to the council's requirements and be subject to a standard process that assists transparent and consistent decision making. To that end, the council's updated Surplus Property Procedure was approved by Council Executive on 28 November 2017. The provisions of the Surplus Property Procedure can be summarised as follows.

1. Identification as Surplus - The property is identified as no longer being required for the direct delivery of services.
2. Appraisal – Officers appraise the property and determine if it is suitable to attract either a commercial rental or capital receipt. If the property is suitable for community asset transfer then this will also be considered. Where the condition of a property is beyond being economically viable, then it will be demolished, following which the cleared site can be sold or reinstated as public open space.
3. Declaring Surplus – The property is presented to Council Executive as being surplus together with the outcome of appraisal. Local elected members are advised that a property within their ward has been declared surplus.

4. Marketing - Depending upon the outcome of the appraisal and, subject to the approval of Council Executive, the property is then subject to an open marketing process that would seek to identify both commercial and community interests. This will include notification to Community Planning Partners of the property's availability. A closing date is set with all interested parties afforded the opportunity to submit their offers or expressions of interest as appropriate. This part of the process seeks to ensure that all parties and interests are given an equal opportunity to bring forward proposals, whilst at the same time ensuring the council can demonstrably satisfy its legal obligation to secure best value.
5. Consideration of Offers / Expressions of Interest - Following the submission of offers and/or expressions of interest, officers undertake an appraisal of these and provide a recommendation to the appropriate committee for consideration.
6. Implementation of Decision - Following determination by the appropriate committee, officers will implement the committee decision. Where this is to dispose, lease or demolish, officers will progress this with the appropriate services.

Any asset transfer requests will be dealt with under the council's approved Community Asset Transfer Policy. The property cannot be disposed of whilst a validated asset transfer request is being considered.

D3. Appraisal of potential disposal options

Given the prominent location and nature of the Low Port Centre, officers consider that there would likely be significant commercial interest in the property were it to be openly marketed for sale or lease. That interest may relate to a refurbishment or conversion of the existing buildings, or a potential redevelopment of the cleared site.

Officers are also aware of strong interest in the facility from the local community, with at least one group actively developing proposals for a formal community asset transfer request for the property.

Accordingly, in order to identify all potential interests and to enable each of those interests to be fully and comprehensively appraised in a transparent manner, officers recommend that the Low Port Centre should be openly marketed in accordance with the provisions of the council's approved Surplus Property Procedure.

E. CONCLUSION

It is considered to be in the council's best interests for the Low Port Centre, Blackness Road, Linlithgow to be formally declared surplus to requirements as it is no longer required for the delivery of services. The property is, therefore proposed to be marketed in accordance with the council's approved Surplus Property Procedure.

If the recommendations set out in this report were approved, it would be the intention of officers, following the marketing period, to provide Council Executive with a further update report that would consider options for the property.

In the event of a validated community asset transfer request being received for the Low Port Centre, that request would be determined by the council's Asset Transfer Committee in accordance with approved governance arrangements.

F. BACKGROUND REFERENCES

Council Executive – 28 November 2017 – Surplus Property Procedures

Appendices/Attachments:

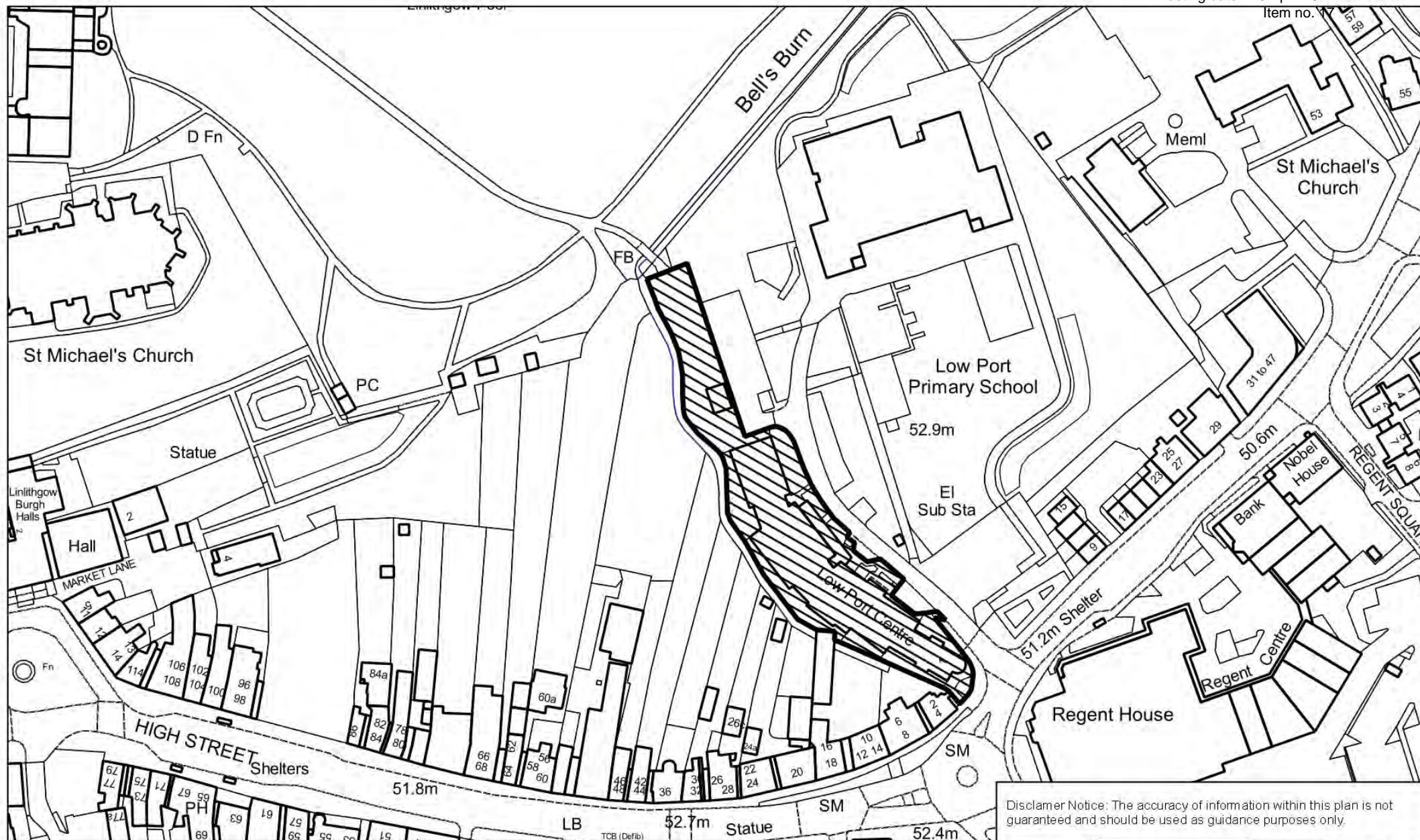
Appendix 1: Location Plan – The Low Port Centre, Blackness Road, Linlithgow

Contact Person: Scott Hughes, Asset Manager

Tel: 01506 281825, e-mail: scott.hughes@westlothian.gov.uk

Donald Forrest, Head of Finance and Property Services

Date of meeting: 20 April 2021



Low Port Centre, Blackness Road, Linlithgow

Property Management, West Lothian Civic Centre, Livingston, EH54 6FF

6/4/2021

Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. ©Crown copyright. All rights reserved. Licence 100037194 2021

Not to Scale

A4

