

DATA LABEL: PUBLIC



COUNCIL EXECUTIVE

SURPLUS PROPERTIES

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval to formally declare surplus a number of properties outlined in the report which are no longer required for service delivery.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves that the properties in the report and listed in Appendix 1 are declared surplus to council requirements, and,
2. Instructs officers to deal with the assets concerned in accordance with previously approved Surplus Property Procedures, and as outlined in Appendix 1 of this report.

C. SUMMARY OF IMPLICATIONS

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| I | Council Values | Focusing on our customers' needs; being honest, open and accountable; making best use of our resources. |
| II | Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | <p>Forms part of the council's approved Asset Management Strategy and Property Asset Management Plan.</p> <p>Complies with legal requirement to obtain "Best Value" under the 1973 and 2003 Local Government (Scotland) Acts and also the Disposal of Land by Local Authorities (Scotland) regulations 2010 and the Community Empowerment (Scotland) Act, 2015.</p> <p>Complies with Community Empowerment (Scotland) Act 2015 (Part 5) relating to community asset transfer.</p> |
| III | Implications for Scheme of Delegations to Officers | None |
| IV | Impact on performance and performance Indicators | The disposal of surplus properties may contribute to performance in different areas e.g. capital receipts; revenue income from the |

Tenanted Non-Residential Portfolio (TNRP) / Commercial Property Portfolio (CPP) or be available for community asset transfer.

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| V | Relevance to Single Outcome Agreement | Effective management of property resources influences many key outcomes contained in the single outcome agreement. |
| VI | Resources - (Financial, Staffing and Property) | <p>The lease, sale, asset transfer or demolition of assets identified as surplus will allow resources used for these to be re-directed to other retained property assets. Some will produce revenue income stream and/or a capital receipt which will contribute to relevant targets.</p> <p>Revenue savings from disposing of the property in this report have already been included in the approved revenue budget for the year 2023/24 and are due to be delivered in the current financial year.</p> |
| VII | Consideration at PDSP | None. |
| VIII | Other consultations | <p>Relevant services have been consulted including Education; Operational Services; Legal Services; Highways and Transportation.</p> <p>The elected members for relevant wards have been provided with a copy of this report for their information.</p> |

D. TERMS OF REPORT

D.1 Introduction

The report advises of a number of property assets that are no longer required for the delivery of services and are proposed to be declared surplus. It is proposed that the properties are dealt with in accordance with the Surplus Property Procedures which were approved by the Council Executive on 28 November 2017.

D.2 Background

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 those no longer required for the delivery of services should not be retained as these represent both financial and management resource burdens. Properties that are vacant or not effectively used also represent a risk of dereliction and are an ongoing statutory compliance burden on the council.

In accordance with the updated Surplus Property Procedures, property assets that are no longer required for service delivery need to be formally declared surplus and then be subject to a standard process to ensure transparent and consistent decision making on their future.

This report advises on a number of properties that have been identified as no longer required for service delivery and are therefore surplus to council requirements. If the report is approved, then disposal of the properties will be progressed in accordance with the updated procedures.

Plans showing the extent of each property listed in Appendix 1 are attached as Appendix 2.

D.3 Surplus Property

The properties listed below have been identified as being surplus to service requirements and are no longer required by the council:

- Part of former Addiewell Bing, Addiewell
- St David House, 24 South Bridge Street, Bathgate
- Retail Unit, 22 South Bridge Street, Bathgate
- Former Hopefield Nursery School, Blackburn
- Arrochar and Torridon House, Almondvale Boulevard, Livingston
- Former Bus Turning Area, B9080, Winchburgh

These consist primarily of two main types of property:

1. Properties that are no longer required for the delivery of services; and/or
2. Properties that have been replaced by new property assets where the lease, sale or demolition of the previous asset formed part of the business case for the new asset.

All of the properties meet either or both of the criteria outlined above and therefore it is appropriate that these are declared surplus to requirements. Further information on each property is included in Appendix 1 to the report together with a recommendation on how to process each property once it has been declared surplus.

D.4 Common Good

None of the properties contained in this report qualify as Common Good.

D.5 Community Asset Transfer (CAT)

Any property is subject to the possibility of a formal application for Community Asset Transfer being received through the statutory provisions contained in the Community Empowerment (Scotland) Act, 2015. Where such an application is received, it will be dealt with in accordance with the Community Asset Transfer policy and practices already set up and approved by the council.

Where there is known community interest in CAT in respect of any of the properties in this report (although no formal CAT application has been received) then this is noted in Appendix 1 attached.

E. CONCLUSION

The properties outlined in this report are or will no longer be required for service delivery and are therefore surplus to the council's operational requirements going forward. It is in the council's best interest to proceed with the marketing of each property in accordance with the updated Surplus Property Procedures and as outlined in the report.

F. BACKGROUND REFERENCES

1. Council Executive – 28 November 2017 – Surplus Property Procedures
2. Council Executive – 28 November 2017 – Community Empowerment (Scotland) Act 2015: Community Asset Transfer Policy and Governance Review

Appendices/Attachments:

Appendix 1 - List of properties to be declared surplus

Appendix 2 – Plans of properties referred to in Appendix 1.

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Donald Forrest

Head of Finance and Property Services

Date of meeting: 21 March 2023

DATA LABEL: PUBLIC

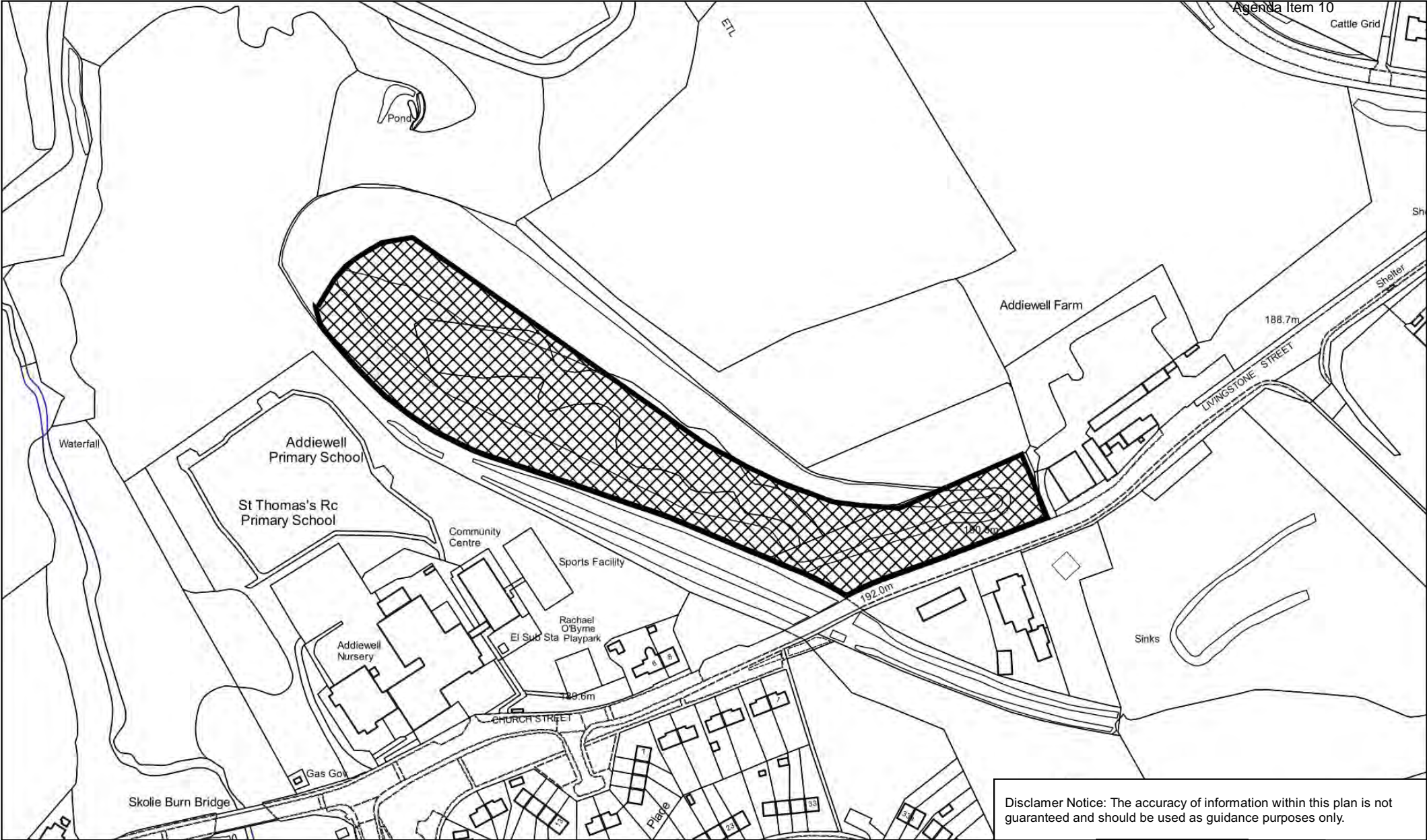
APPENDIX 1 – LIST OF SURPLUS PROPERTIES AND RECOMMENDATIONS

| Property | Reason for declaring surplus | Current Position | Recommendation on action by officers |
|---|--|---|---|
| Land forming part of Addiewell Bing, Addiewell | No longer required for service delivery. | Land was planted with trees as part of an SDA funded rehabilitation scheme in the 1980s and is surrounded on three sides by land belonging to Mr A. MacFarlane, Addiewell Farm. | Offer land to previous owner Mr MacFarlane, Addiewell Farm, under provisions of Crichel Down rules. These rules are a non-statutory government policy which requires certain bodies to offer to sell back surplus land to the former owner (or their successors) once the land has become surplus to requirements - if the land was originally acquired by, or under threat of, compulsion. |
| St David House, 24 South Bridge Street, Bathgate | No longer required for service delivery. | Staff relocation to new locations pending, following which building will be closed. | Market property for lease or sale for commercial or residential uses (to include social housing) compliant with Local development Plan policies. Any community interest will be considered as part of this process. |
| Retail unit, 22 South Bridge Street, Bathgate | No longer required for service delivery. | Forms part of the St David House building. Currently being used for emergency storage. | Market property for lease or sale for commercial or residential uses (to include social housing) compliant with Local development Plan policies. Any community interest will be considered as part of this process. |
| Former Hopefield Nursery School, Blackburn | No longer required for service delivery. | All staff and pupils being relocated to a new purpose-built wing within Blackburn Primary School. | Market property for lease or sale for commercial or other uses compliant with Local development Plan policies. Any community interest will be considered as part of this process. Consideration of any future use will take into account compatibility with the adjoining primary school including the establishment of an acceptable physical boundary between both properties. Failing a satisfactory outcome within a reasonable period of time, then the building would be demolished. Officers have received a note of interest in this property from The Larder. That note of interest is not a Community Asset Transfer (CAT) request and as at the date of preparing this report no CAT requests have been received for this property. |
| Arrochar and Torridon House, Almondvale Boulevard, Livingston | No longer required for service delivery. | Staff relocation to new locations pending, following which building will be closed. | Market property for lease or sale for commercial and other uses compliant with Local development Plan policies. Any community interest will be considered as part of this process. |



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| Land forming former bus turning circle, B9080, near Winchburgh | No longer required for service delivery. | This facility which was created in 1980 is no longer required due to the substantial planned changes to the road layout in the area resulting from the wider development of Winchburgh. | As the land is entirely surrounded by land under the control of Winchburgh Developments, it is proposed that it should be sold to them on terms which are appropriate, and provide suitable protection for the public interest. |
|--|--|---|---|

Ref: objective/council executive/surplus properties/appendix 1
Date: 21 march 2023

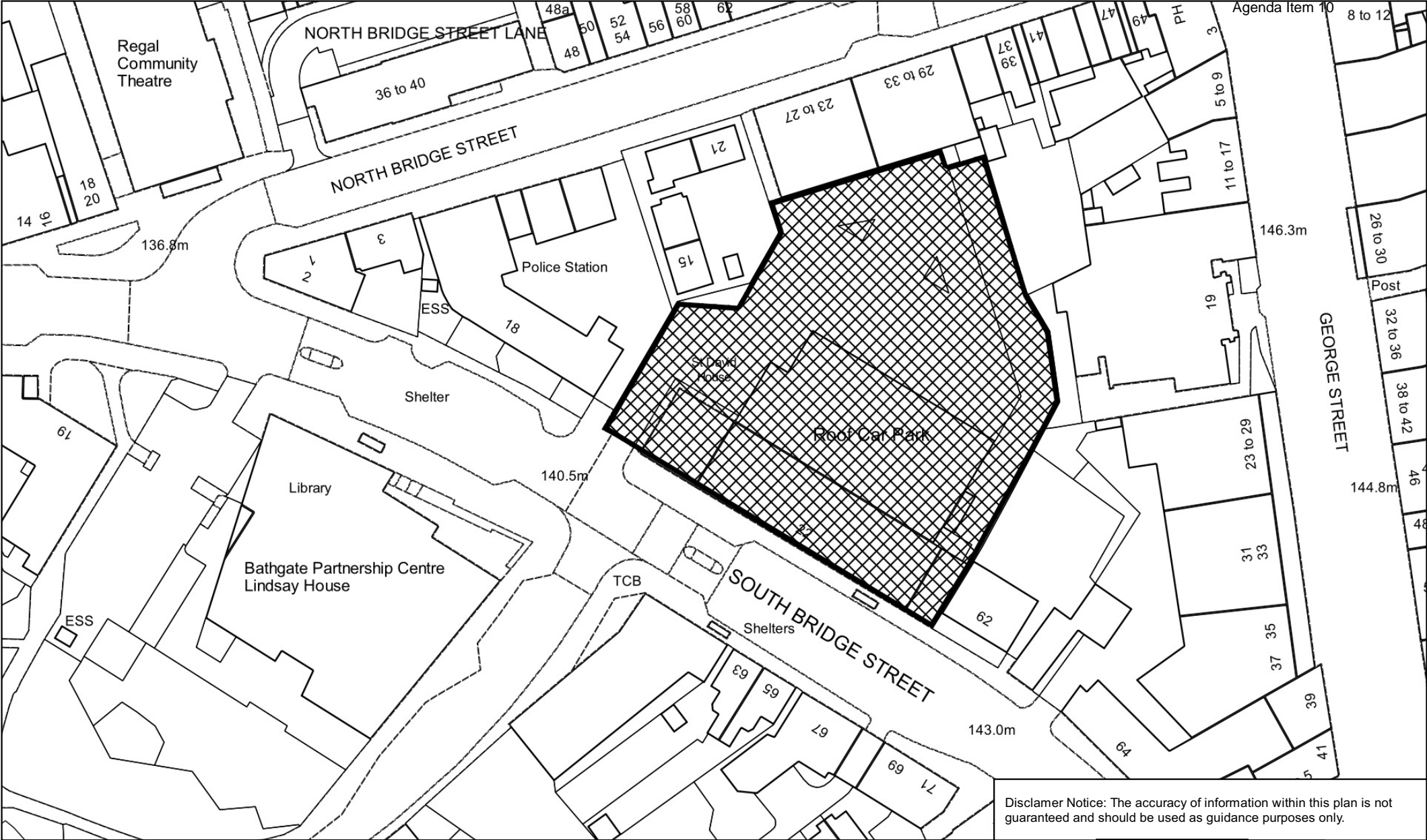
Appendix 2

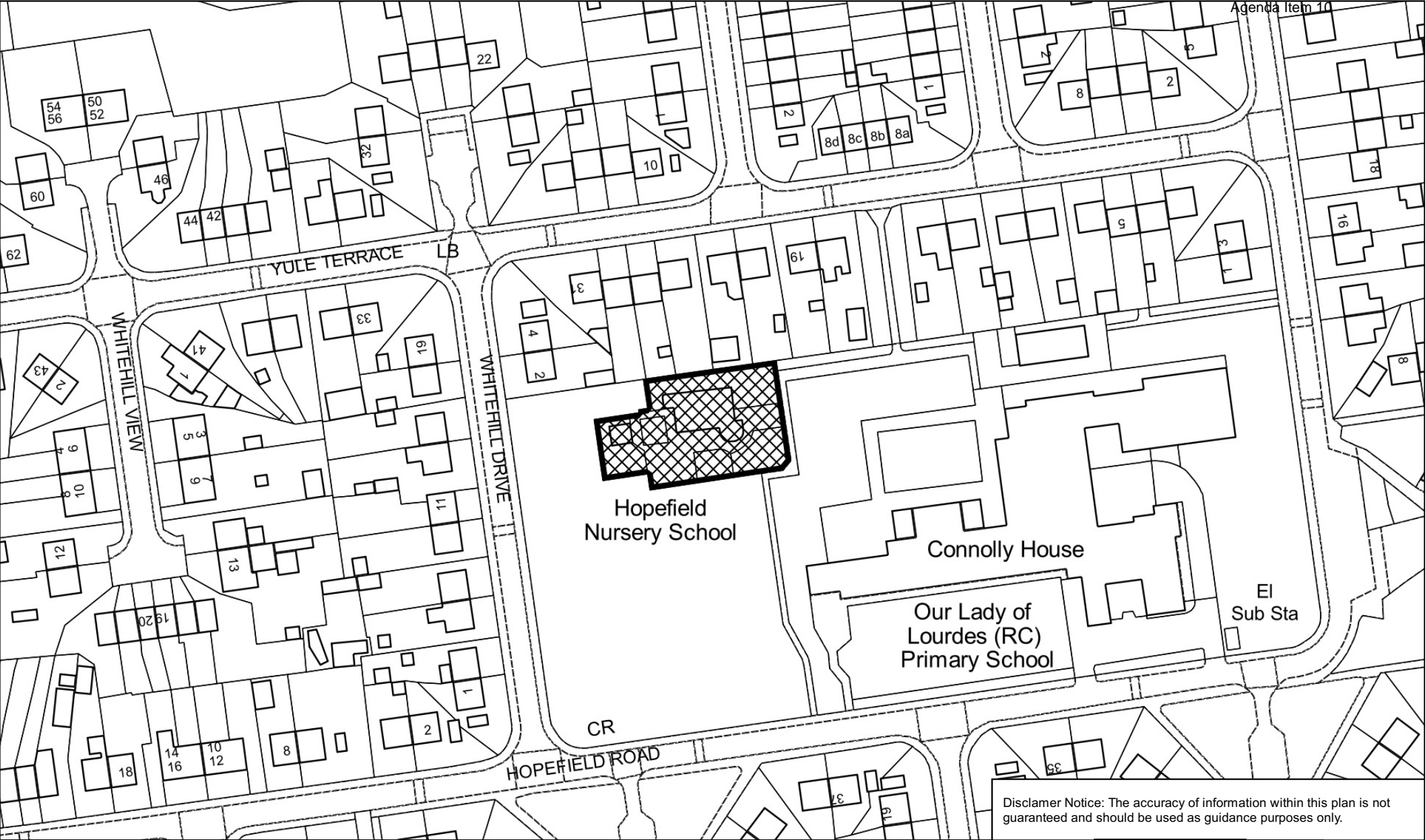


Disclaimer Notice: The accuracy of information within this plan is not guaranteed and should be used as guidance purposes only.



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|--|----------------------------------|---|----|---|
|  | Addiewell Bing, Addiewell | Not to Scale | A4 |  |
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Appendix 2

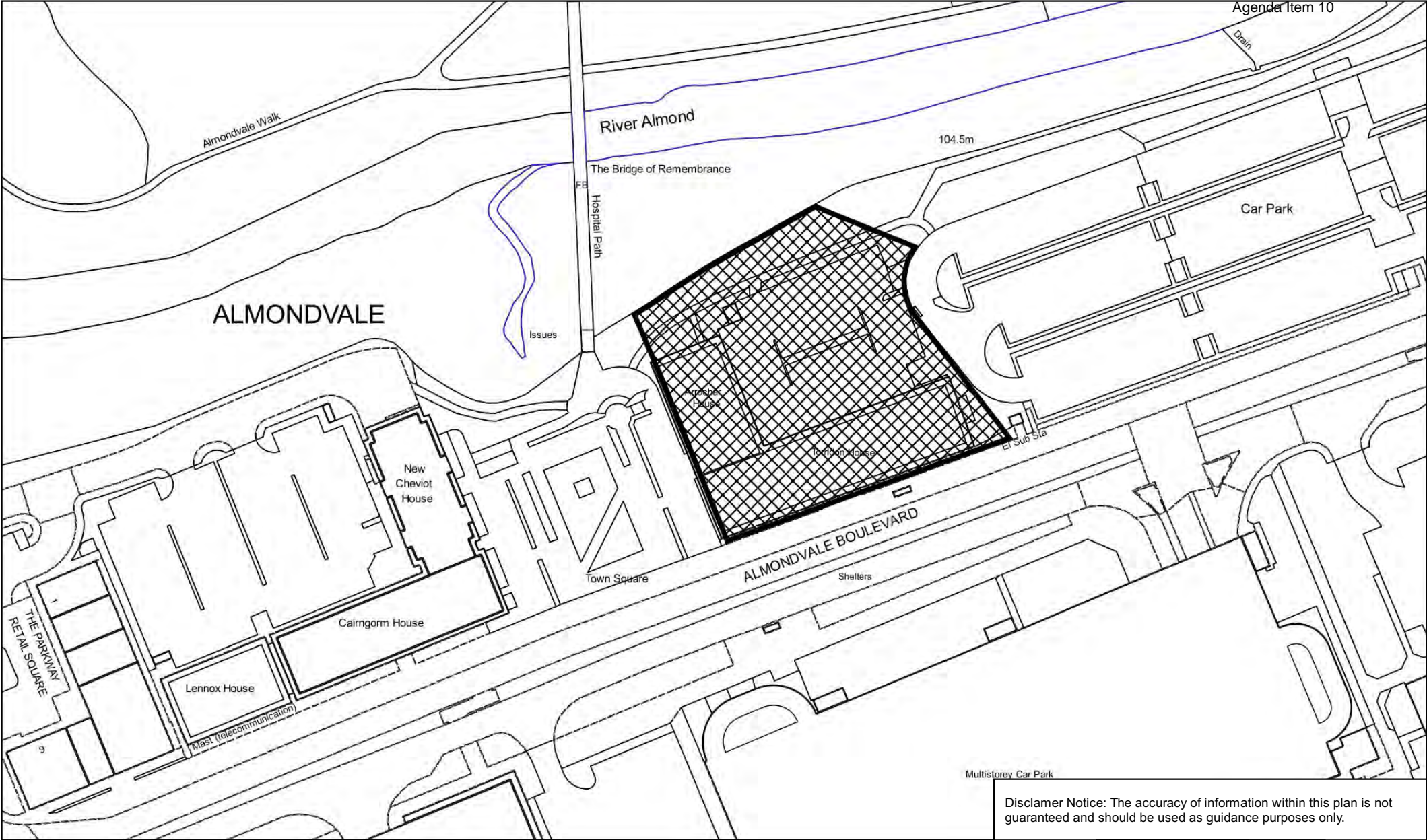






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|  | Hopefield Nursery School, Blackburn | Not to Scale | A4 |  |
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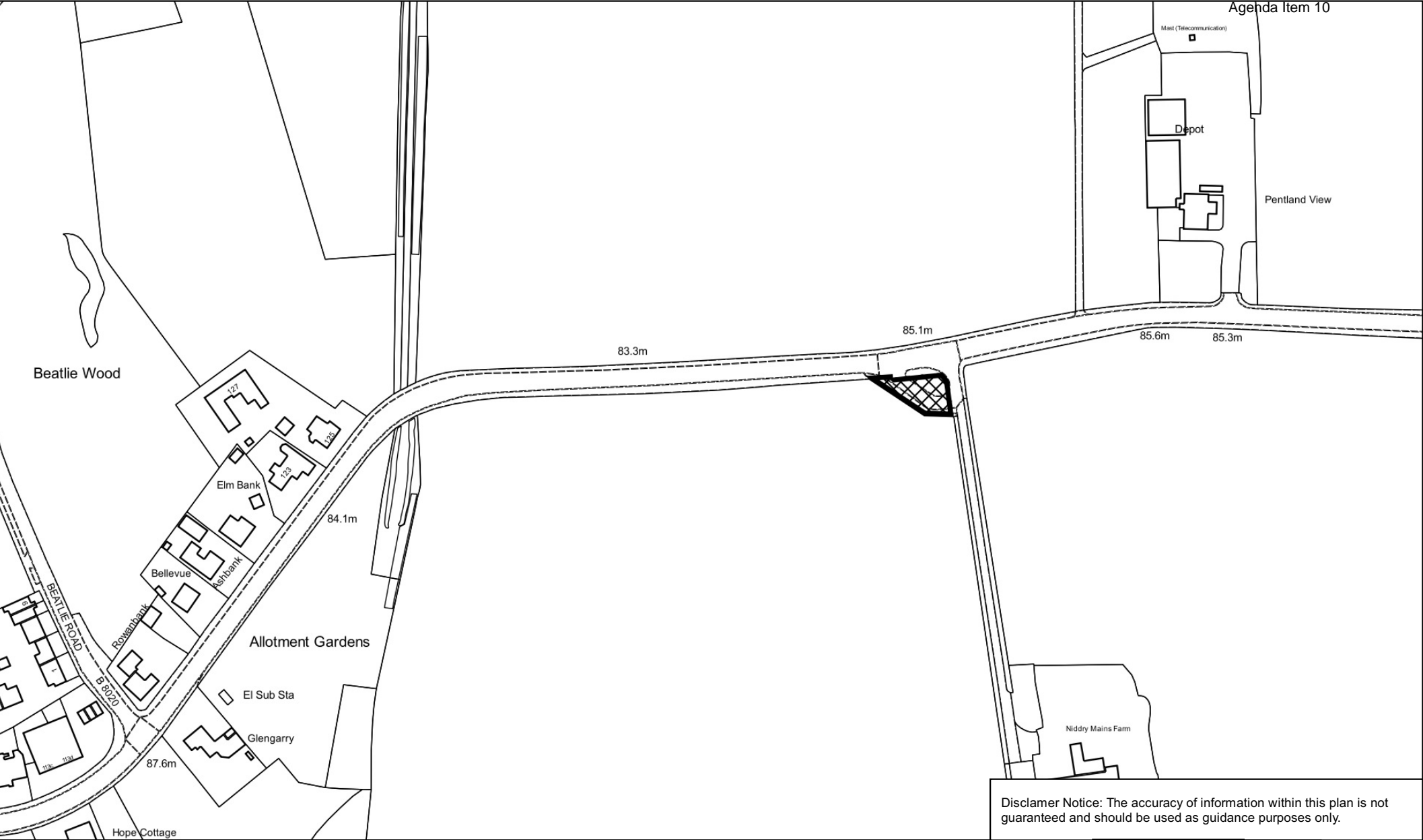
Appendix 2





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|--|--|---|----|---|
|  | Arrochar House & Torridon House, Livingston | Not to Scale | A4 |  |
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Appendix 2



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|--|--|---|----|---|
|  | Former Bus Turning Circle, Winchburgh | Not to Scale | A4 |  |
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