

Finance and Resources Committee

10.00am, Thursday, 26 January 2023

10 Wardieburn Road, Edinburgh – Community Asset Transfer

Executive/routine Wards Council Commitments	Routine 4 – Forth
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1. Recommendations

- 1.1 It is recommended that Finance and Resources Committee approves the disposal of 10 Wardieburn Road, Edinburgh, to Granton Community Gardeners, on the terms set out in this report and on such other terms and conditions to be agreed by Executive Director of Place.

Paul Lawrence

Executive Director of Place

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Report

10 Wardieburn Road, Edinburgh – Community Asset Transfer

2. Executive Summary

- 2.1 This report seeks authority to dispose of 10 Wardieburn Road, Edinburgh to Granton Community Gardeners on terms as specified in the Community Asset Transfer (CAT) request which are outlined in this report. The proposed sale is a CAT under Part Five of the Community Empowerment (Scotland) Act 2015.

3. Background

- 3.1 The Council owns land at 10 Wardieburn Road, which formerly was part of the curtilage of Granton Early Years Centre. It extends to 1,022 sq m, as shown in red on the attached indicative plan, and has been informally occupied by Granton Community Gardeners (GCG) since 2018.
- 3.2 The land is used as a garden for growing food, community events, workshops, hosting nursery, school and youth groups, and for providing resources, training, encouragement and gardening advice. It has therefore become a much-valued local community space.
- 3.3 GCG are a Scottish Charitable Incorporated Organisation (SCIO) and have submitted a CAT request under Community Empowerment legislation.
- 3.4 The anticipated main outcome of the CAT is that there will be long term security for the Granton community and GCG at the Wardieburn site. This will result in increased community ownership and decision making about the site use and how to maximise the benefits for the local community, along with providing the ability to fundraise for capital costs to improve the site facilities.
- 3.5 The main driver for the CAT is for GCG to be able to:
- 3.5.1 Continue the work they are doing with a greater confidence that their role in the community is secured for the long term; and
 - 3.5.2 Be able to grow food, harvest food, learn about and share food with everyone in their community in a way that is safe, accessible, healthy and hygienic.

4. Main report

- 4.1 GCG submitted a valid CAT request under Part Five of the Community Empowerment (Scotland) Act 2015 to purchase the property. The application required the submission of a business case, valuation, development plans, and evidencing need through community consultation.
- 4.2 The stage 2 application was received, and the proposal was assessed by the Operational Estates Service using the CAT policy scoring matrix. The outcome was a strong submission.
- 4.3 The provisionally agreed terms for the disposal are as follows: -
 - 4.3.1 Purchaser: Granton Community Gardeners;
 - 4.3.2 Price: £40,000; and
 - 4.3.3 Costs: each party to meet their own costs.
- 4.4 The applicant obtained an opinion of market value on the heritable interest, with vacant possession, in the amount of £55,000. The market value figure has been verified by one of the Council's registered RICS valuers. Given GCGs alignment to Council commitments, and the significant community benefit the scheme will offer on completion, it is considered that a sale price of £40,000 for the heritable interest is justified in this instance.
- 4.5 The proposed sale price has also been considered in relation to The Disposal of Land by Local Authorities (Scotland) Regulations 2010, which provides that where the disposal (or lease) is for a consideration less than the best that can reasonably be obtained, a Local Authority can dispose of the asset, provided it follows certain steps:
 - 4.5.1 It appraises and compares the costs and dis-benefits of the proposal with the benefits;
 - 4.5.2 It satisfies itself the proposed consideration for the disposal in question is reasonable; and
 - 4.5.3 It determines that the disposal is likely to contribute to the promotion or improvement of any one of: economic development or regeneration, health, social well-being, or environmental well-being, of the whole or any part of the area of the local authority or any person in the local authority area.
- 4.6 The proposals align with Council commitments and contributes to these criteria therefore the proposed sale price of £40,000 is recommended in this instance.

5. Next Steps

- 5.1 Should Committee approve the transfer request, a decision notice will be issued in accordance with the terms of the Community Empowerment (Scotland) Act 2015, setting out the terms noted above and inviting GCG to offer to purchase the

property on the agreed terms. The applicant is then afforded a minimum statutory period of at least six months in which to make their offer.

- 5.2 Should Committee determine to reject the asset transfer request or significantly alter the terms of the request, the applicant has a statutory right to have the decision reviewed by the Council and, should the review be unsuccessful, a subsequent right of appeal to Scottish Ministers.

6. Financial impact

- 6.1 A capital receipt of £40,000 will be received. The receipt will be received in financial year 2023/24.

7. Stakeholder/Community Impact

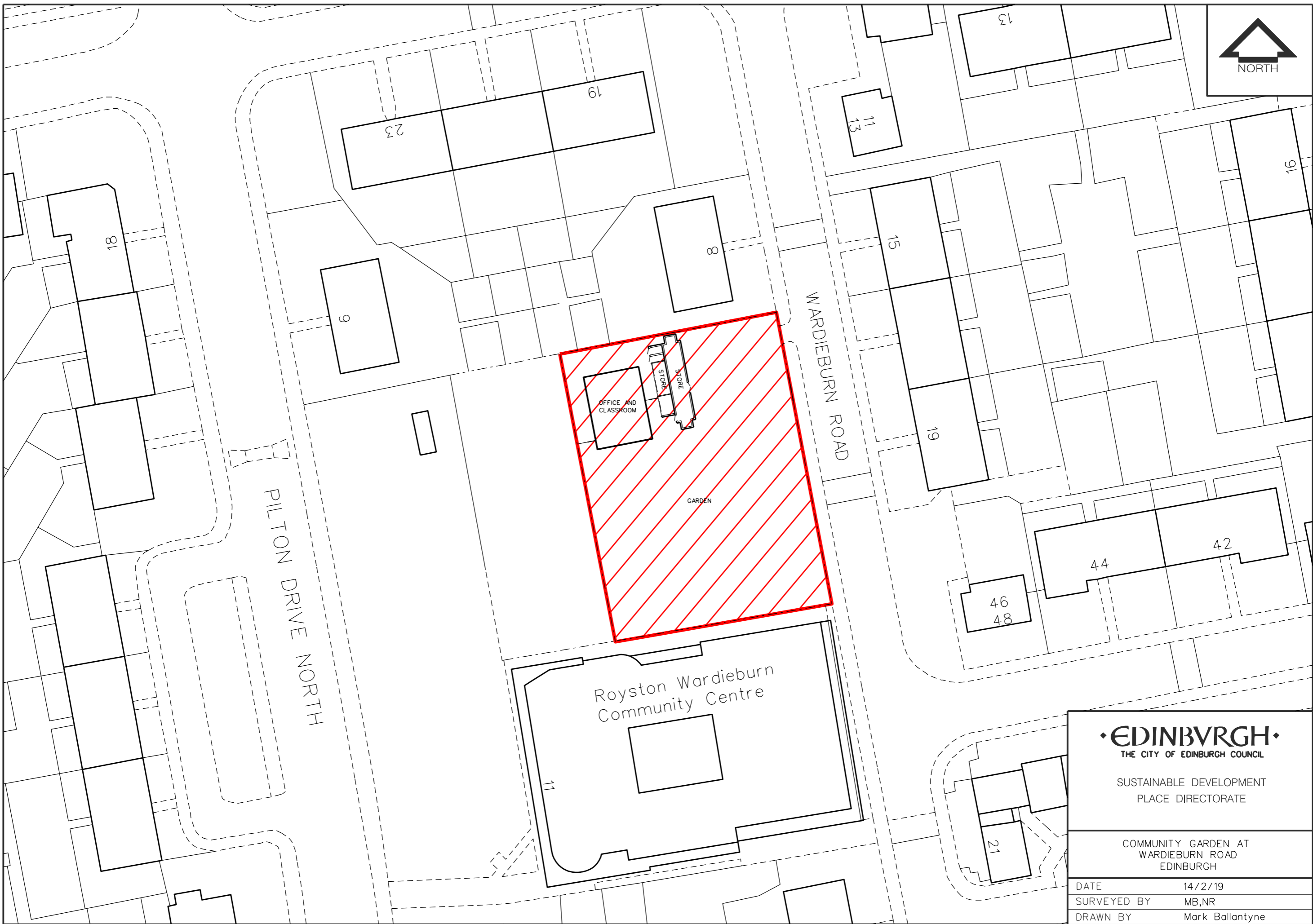
- 7.1 Consultation was undertaken through the CAT advisory panel. The panel consisted of various stakeholders, councillors and community groups which ensured broad analysis and guidance and eventual approval of the application.
- 7.2 As part of the CAT Stage 2 Business Case Submission, GCG have consulted widely in the community with regards to the future use of their site. Detail on the consultations undertaken can be found in the GCG Business Case which is available for reading using the link at 8.1 below.
- 7.3 Ward members have been made aware of the recommendations of the report.

8. Background reading/external references

- 8.1 [10 Wardieburn Road Edinburgh, Granton Community Gardeners](#) - CAT Stage 2 Submission.
- 8.2 [Community Asset Policy](#) - Community Asset Transfer Policy.

9. Appendices

- 9.1 Appendix 1 – Location plan.



SITE PLAN

SCALE 1:500

• EDINBURGH • THE CITY OF EDINBURGH COUNCIL	
SUSTAINABLE DEVELOPMENT PLACE DIRECTORATE	
COMMUNITY GARDEN AT WARDIEBURN ROAD EDINBURGH	
DATE	14/2/19
SURVEYED BY	MB,NR
DRAWN BY	Mark Ballantyne
SCALE	1:500 @ A3 SIZE
NEG. NO.	A3/2077

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