

# Finance and Resources Committee

10.00am, Thursday, 21 September 2023

## Land Adjacent to 3 Murrayburn Grove Edinburgh – Proposed Community Asset Transfer

Executive/routine  
Wards

Routine  
2- Pentland Hills

### 1. Recommendations

---

- 1.1 That the Finance and Resources Committee approve the disposal of land adjacent to 3 Murrayburn Grove, Edinburgh 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

Contact: Brian Paton, Senior Estates Surveyor

E-mail: [brian.paton@edinburgh.gov.uk](mailto:brian.paton@edinburgh.gov.uk) | Tel: 0131 469 5228

## Land Adjacent to 3 Murrayburn Grove Edinburgh – Proposed Community Asset Transfer

### 2. Executive Summary

---

- 2.1 This report seeks authority to dispose of land adjacent to 3 Murrayburn Grove, Edinburgh to Wester Hailes 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 Wester Hailes Community Gardeners (WHGC) was established in 2017 (originally named South West Edible Estates) as a Scottish Charitable Incorporated Organisation (SCIO) to provide sustainable urban regeneration and support services to disadvantaged households/communities in Wester Hailes and the Calders.
- 3.2 The core operation has been the establishment and management of three large community gardens in the Calders, Clovenstone, and in Murrayburn/Hailesland. These gardens provide growing plots and support services for 150 households in Wester Hailes.
- 3.3 In addition, WHGC has added other services to their portfolio including two School Farm projects at Canal View and Sighthill primary schools; and Growing Youth a training and work experience programme for high school pupils and young adults across the southwest of Edinburgh.
- 3.4 They have a development team of 11 staff members (7 FTE), and several contractual relationships with the Council and other organisations. The bulk of services are funded by grants received from Scottish Government and the third sector.
- 3.5 The land subject to the request is currently open space comprising a concrete flagged area used as pedestrian access from Murrayburn Court to Murrayburn Park.

## 4. Main report

---

- 4.1 The proposed CAT of the land will allow WHGC to embark on the development of the site to provide a community facility to be called the Greenway Hub.
- 4.2 WHGC will require capital funding in the region of £1m for the construction of the community hub. Funding sources have been approached, including an application for Regeneration Capital Grant Fund monies in 2023/2024.
- 4.3 The hub will support community food activities and other services which cannot be delivered from community gardens, or which will be improved by access to the hub.
- 4.4 In addition, the office of WHGC will move from the Healthy Living Centre to the Greenway Hub, the community food operation will be based in the building, alongside the creation of a new food pantry. Social enterprise income will be achieved by renting out spaces in the hub to the local community and other organisations.
- 4.5 The objectives for the Greenway Hub are to:
  - 4.5.1 provide a welcoming and accessible space for the community to come together and connect around shared activities and events, supporting our community to become more connected;
  - 4.5.2 join up with other support providers in the area to offer a holistic service to our community, which has a range of needs, with a focus on young people under the age of 12;
  - 4.5.3 take steps to reduce food insecurity and poverty in our community by helping to improve household finances and providing a venue for community food-based activity and learning;
  - 4.5.4 promote the health and wellbeing of our community by encouraging and supporting healthy, sustainable living by improving diet and supporting positive mental health; and
  - 4.5.5 encourage and provide opportunities for local people to develop skills and experience that will improve employment prospects.
- 4.6 WHGC submitted a valid CAT request under Part Five of the Community Empowerment (Scotland) Act 2015 to purchase the property. The application provided submitting a business case, valuation, development plans, and evidencing need through community consultation.
- 4.7 The stage 2 application was received, and the proposal was assessed by the Operational Estates Team using the CAT policy scoring matrix. The result was a strong submission.
- 4.8 The Stage 2 panel met on 22 August and the following outcome was agreed:

*OUTCOME: The panel thanks WHCG for the hard work that has gone into the high quality submission in respect of their community asset transfer request for the*

*purchase of land adjacent to 3 Murrayburn Grove for the development of the Greenway Hub.*

*The panel recommends that Finance and Resources committee approve the proposal.*

- 4.9 The following terms have been provisionally agreed:
- 4.9.1 Purchaser: Wester Hailes Community Gardeners;
  - 4.9.2 Price: £9,000;
  - 4.9.3 Costs: each party to meet their own costs; and
  - 4.9.4 Other conditions: the Council will retain a right of access over land for future active travel routes.

## **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 WHCG 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 £9,000 will be received. The receipt will be received in financial year 2023/2024.
- 6.2 The applicant obtained an opinion on market value on the heritable interest with vacant possession of the land adjacent to 3 Murrayburn Grove in the amount of £10,000. The market value figure has been verified by one of the Council's RICS registered valuers. Given WHCGs alignment to the Council business plan and the significant community benefit the scheme will offer on completion it is considered that a sale price of £9,000 for the heritable interest is justified in this instance.

## **7. Equality and Poverty Impact**

---

- 7.1 There is no direct impact arising from this report, on equality, human rights (including children's rights) or socio-economic disadvantage.

## **8. Climate and Nature Emergency Implications**

---

- 8.1 The impact on sustainability has been considered. There is no negative impact on the environment as the result of the proposed sale.

## **9. Risk, policy, compliance, governance and community impact**

---

- 9.1 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.
- 9.2 As part of the CAT Stage 2 Business Case Submission, WHCG have consulted widely in the community with regards to the future use of their building. Detail on the consultations undertaken can be found in the WHCG Business Case which is available for reading using the link at 10.1 below.
- 9.3 Ward members have been informed of the recommendations contained within this report.

## **10. Background reading/external references**

---

- 10.1 [CAT Stage 2 Submission Greenway Hub](#)
- 10.2 [Community Asset Transfer Policy](#)

## **11. Appendices**

---

- 11.1 Appendix 1 – Location plan.

