

# Finance and Resources Committee

10.00am, Thursday, 21 November 2023

## Barnton Quarry Nuclear Bunker – Variation of Servitude

Executive/routine  
Wards

Routine  
3 – Drum Brae/ Gyle

### 1. Recommendations

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- 1.1 That the Finance and Resources Committee approves the grant of a Deed of Variation of Servitude Rights in favour of Westmint Limited at Barnton Quarry Nuclear Bunker on the terms outlined in this report.

**Paul Lawrence**

Executive Director of Place

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# Report

## Barnton Quarry Nuclear Bunker – Variation of Servitude

### 2. Executive Summary

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- 2.1 This report seeks approval for the grant of a Deed of Variation of Servitude Rights in relating to access to Barnton Quarry Nuclear Bunker at Corstorphine Hill Local Nature Reserve, Clermiston Road, Edinburgh.

### 3. Background

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- 3.1 Westmint Limited, the owners of Barnton Quarry Nuclear Bunker, have an existing Deed of Servitude for a right of access over Council-owned land at Corstorphine Hill Local Nature Reserve, granted to their predecessors in 1988. Westmint Limited's intention is to open the bunker to the public as a visitor attraction, which would see an increase in traffic over the right of access, including coaches and large vehicles. Therefore, as part of their redevelopment of the bunker under planning application 21/04267/FUL, approved 14 February 2022, the access road is to be resurfaced and widened.
- 3.2 To reflect these changes, the existing Deed of Servitude will require to be varied. The areas shaded in red on the attached plan will be discharged, and the servitude area widened. The area shaded yellow shows the proposed new servitude area.

### 4. Main report

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- 4.1 The following terms have been provisionally agreed:
- 4.1.1 Grantor: The City of Edinburgh Council;
  - 4.1.2 Grantee: Westmint Limited;
  - 4.1.3 Rights: the Deed of Servitude will allow Westmint Limited pedestrian and vehicular access to reach the land within their ownership at Barnton Quarry, over the new Servitude area shaded yellow;
  - 4.1.4 Conditions: Westmint Limited will retain full maintenance obligations over the Servitude area. The Council will repair any damage (other than wear and tear) caused to the new access road within the new Servitude area caused by the Council, where proof can be provided; and

4.1.5 Costs: the Council's reasonable legal costs and Surveyor's fee will be paid by Westmint Limited.

## **5. Next Steps**

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5.1 Following Committee approval, the Council will enter into a Deed of Variation of Servitude Rights with Westmint Limited in accordance with the terms and conditions stated within this report.

## **6. Financial impact**

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6.1 The Council's reasonable legal costs and Surveyor's fee will be met by Westmint Limited.

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

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7.1 The impact on equalities has been considered. The Integrated Impact Assessment (IIA) checklist has been completed and the outcome is that a full IIA is not required for this change. There is little relevance to equality and no negative impact on the given the services provided by the Servitude.

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

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8.1 The increase in vehicles from the public, including coaches, will result in increased fuel consumption and carbon emissions.

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

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9.1 Ward members have been aware of the recommendations of this report.  
9.2 Council Parks officers have been consulted and are in support of the Servitude.

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

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10.1 None.

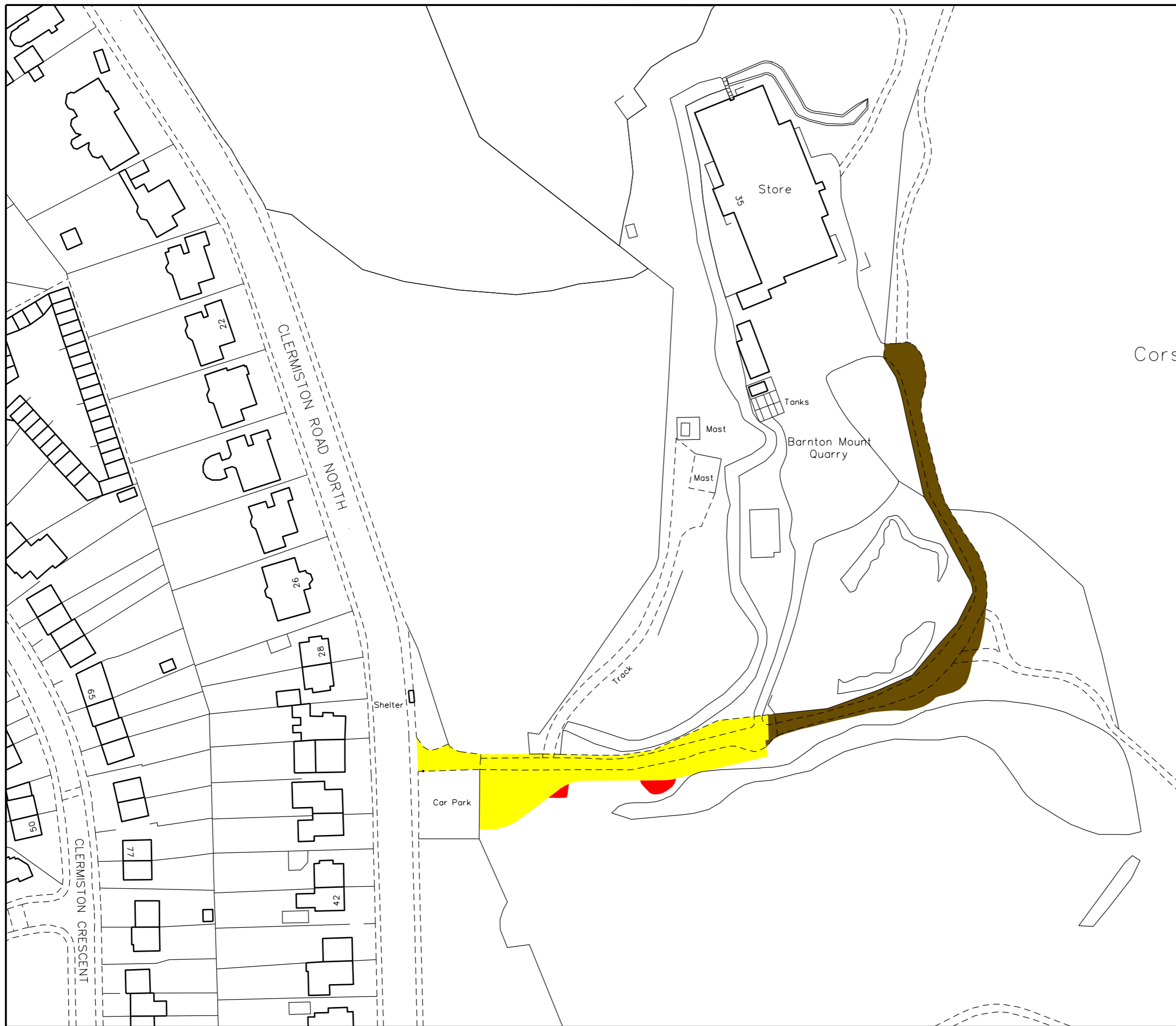
## **11. Appendices**

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11.1 Appendix 1 – Servitude plan.



Corstorphine Hill



**• EDINBURGH •**  
THE CITY OF EDINBURGH COUNCIL

PROPERTY AND FACILITIES MANAGEMENT  
PLACE DIRECTORATE

Deed of Servitude  
Barnton Quarry Nuclear Bunker  
Clermiston Road North  
Edinburgh

DATE	05/04/2023
SURVEYED BY	Outside Company
DRAWN BY	F McDonald
SCALE	1:1000 @ A3
PLAN. NO.	NT2074/A3/2497

RIGHT OF SERVITUDE SHOWN COLOURED YELLOW AND BROWN

DISCHARGED SERVITUDE SHOWN COLOURED RED