

Finance and Resources Committee

10.00am, Thursday, 16 January 2025

84 Orchard Brae, Edinburgh – Proposed New Lease

Executive/routine
Wards

Routine
5 – Inverleith

1. Recommendations

- 1.1 That the Finance and Resources Committee approve a 30-year lease to Lothian Buses of 84 Orchard Brae, Edinburgh, on the terms outlined in this report and on other terms and conditions to be agreed by the Interim Executive Director of Place.

Gareth Barwell

Interim Executive Director of Place

Contact: Mark Bulloch, Portfolio Manager - Investments

E-mail: mark.bulloch@edinburgh.gov.uk | Tel: 07846 838724

84 Orchard Brae, Edinburgh – Proposed New Lease

2. Executive Summary

- 2.1 The premises at 84 Orchard Brae, Edinburgh is leased, on an annual basis, to Lothian Buses for use as driver toilets. Major refurbishment and repair works are required and Lothian Buses have agreed to fund and carry out the works in return for a longer lease. This report seeks approval to grant a 30-year lease on the terms and conditions outlined in the report.

3. Background

- 3.1 84 Orchard Brae extends to 19.61sq m (212sq ft) or thereby and is shown shaded pink on the attached plan.
- 3.2 Lothian Buses has occupied the premises since May 2010 for the provision of driver toilets. The current rent is £400 per annum.
- 3.3 The rear of the building is immediately adjacent to the playground of Flora Stevenson Primary School and part of the building is used by a Council service as a store.
- 3.4 The roof and parts of the external fabric of the building has been damaged by a tree roots . The tree has been removed and the building made safe however, as a precaution, heras fencing is in place to rear of the property making a section of the playground unusable.
- 3.5 Discussions have taken place with Lothian Buses and due to the operational importance of the provision of driver toilets, Lothian Buses have agreed to fund and carry out the necessary repair works in exchange for a long lease.

4. Main report

- 4.1 The following terms have been provisionally agreed:
- 4.1.1 Subjects: 84 Orchard Brae, Edinburgh;
- 4.1.2 Tenant: Lothian Buses;

- 4.1.3 Term: 30 years from the date of entry;
 - 4.1.5 Rent: £500 annum;
 - 4.1.6 Rent free period: 12 months from the date of entry;
 - 4.1.7 Rent review: not applicable;
 - 4.1.7 Use: toilets;
 - 4.1.8 Repair: full repairing and maintaining obligation; and
 - 4.1.9 Costs: both parties to meet their own costs.
- 4.2 The neighbouring school will be engaged with and notified of the programme before any works commence. The repair work will remove the need for heras fencing thereby returning that area of the playground to the school.

5. Next Steps

- 5.1 On the basis of Committee approval, the legal documentation will be progressed.

6. Financial impact

- 6.1 Under the new lease the rent will increase from £400 to £500 per annum. The income goes to the General Property Account.

7. Equality and Poverty Impact

- 7.1 This is a 30-year lease to Lothian Buses who have occupied the premises since May 2010. It is considered this proposal does not have any equality or poverty implications.

8. Climate and Nature Emergency Implications

- 8.1 It is considered there are no direct Climate and Nature Emergency Implications from offering a lease extension to the established tenant.

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

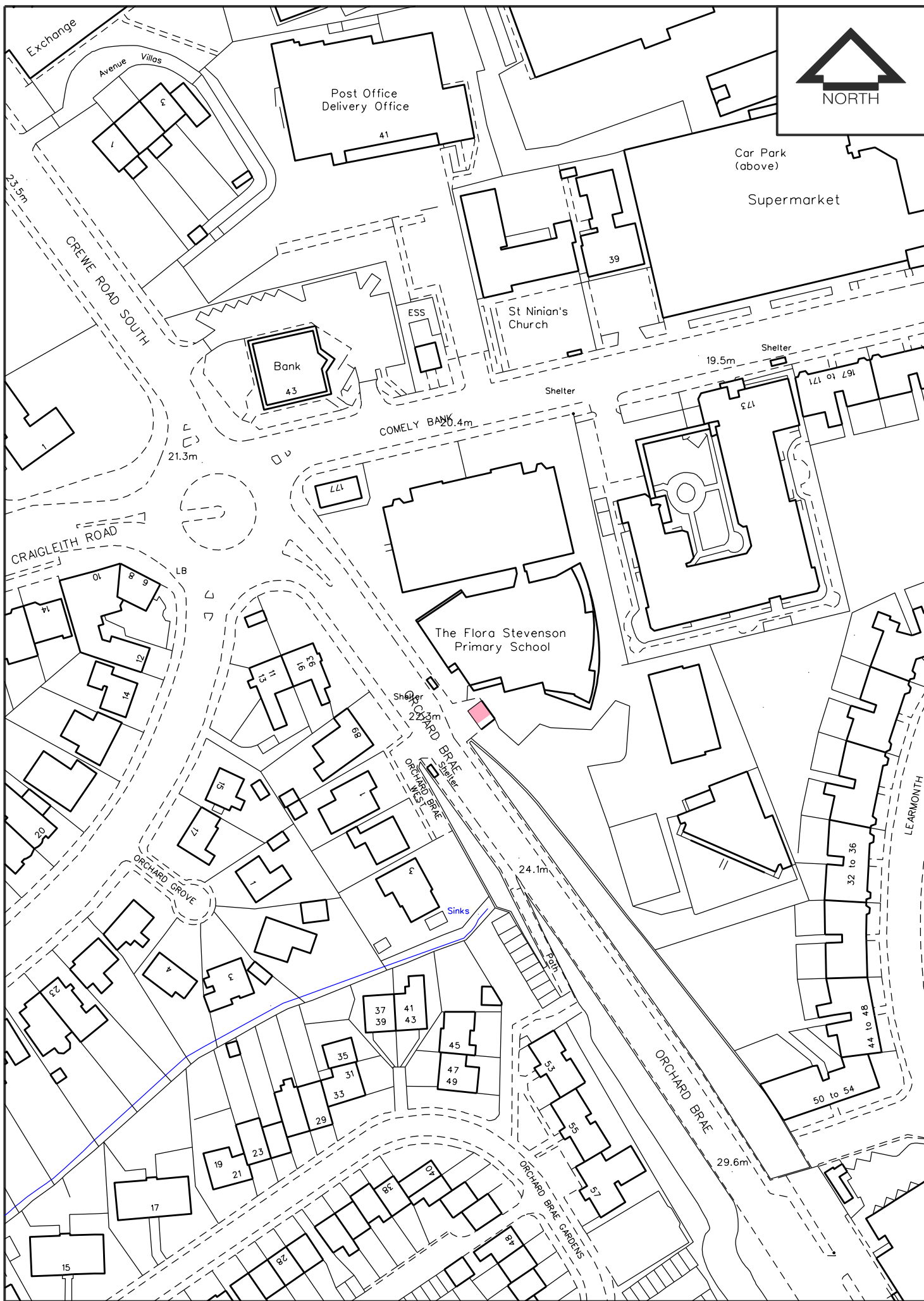
- 9.1 Ward members have been aware of the recommendations of this report.
- 9.2 The proposed lease extension and variation is in keeping with the Commercial Property Portfolio Strategy that was approved by the Committee on 20 June 2023.

10. Background reading/external references

10.1 [Commercial Property Portfolio Strategy](#)

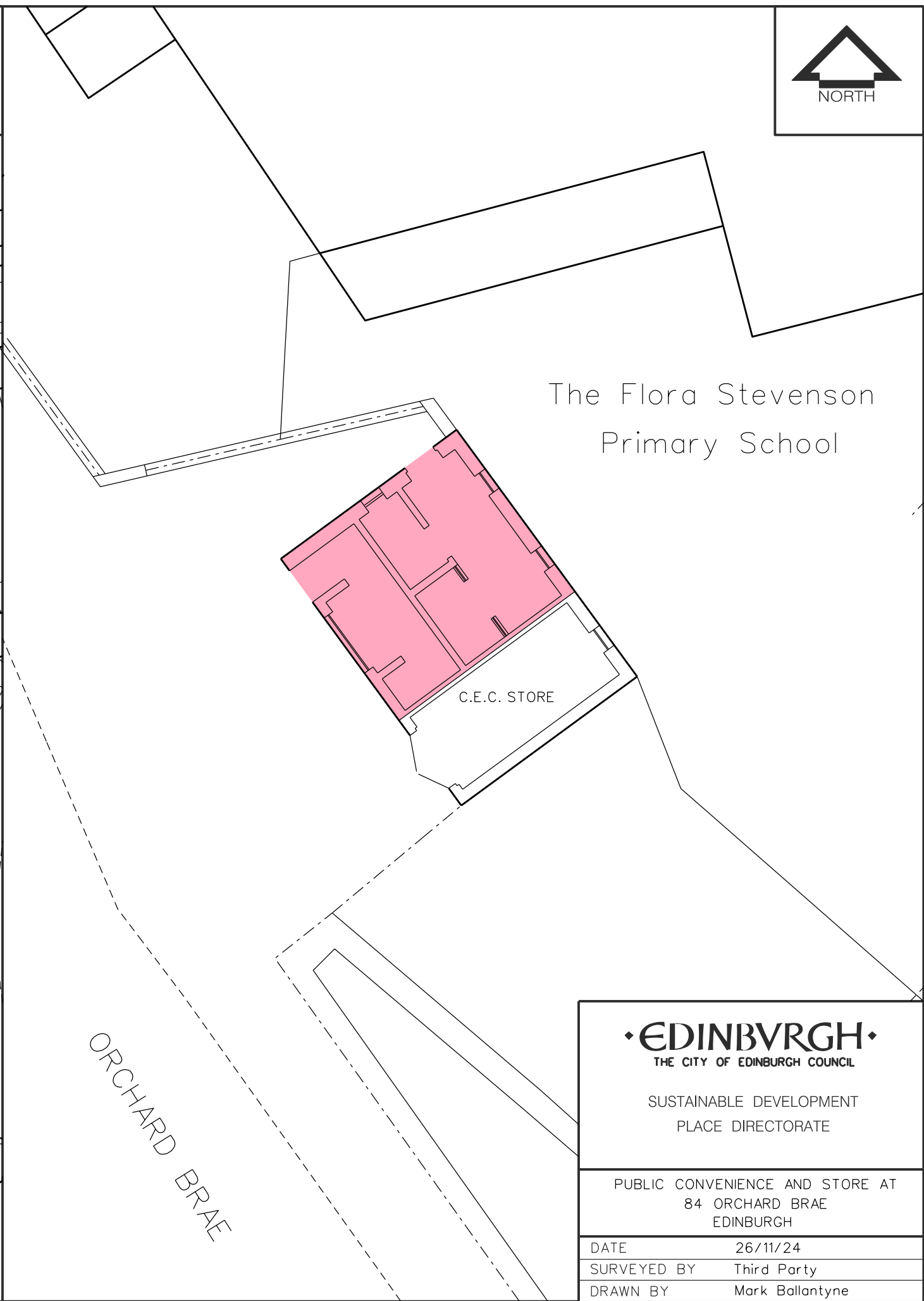
11. Appendices

Appendix 1 – Location plan.



PLAN A

SCALE 1:1250



PLAN B

SCALE 1:100

• EDINBURGH • THE CITY OF EDINBURGH COUNCIL	
SUSTAINABLE DEVELOPMENT PLACE DIRECTORATE	
PUBLIC CONVENIENCE AND STORE AT 84 ORCHARD BRAE EDINBURGH	
DATE	26/11/24
SURVEYED BY	Third Party
DRAWN BY	Mark Ballantyne
SCALE	1:100 @ A3 SIZE
NEG. NO.	A3/2735