

COMMITTEE	Finance & Resources
DATE	12 November 2009
CORPORATE DIRECTOR	Gordon McIntosh
TITLE OF REPORT	St. Machar Outdoor Centre – Sunnyside Road
REPORT NUMBER	Report No. EPI/09/102

1. PURPOSE OF REPORT

The report responds to the remit given by the previous meeting of this Committee on 17 September, 2009 and updates Members on the current status of the case.

2 RECOMMENDATION(S)

It is recommended that the Committee :-

- (a) declare our intention of retaining the St. Machar Outdoor Centre under City Council control for the next six months and meet only revenue costs for essential Health & Safety works to the property;
- (b) indicate to the local community that in the next six months, we would look to all those parties who had indicated an interest in having the Centre retained for public use to come together in a single body, to agree a clear development scheme for the use of the various parts of the site;
- (c) indicate that the City Council would look to that body to fully investigate the availability of external funding to implement some or all of their development ideas;
- (d) offer the body appropriate assistance of Council officers, if requested;
- (e) remit it to the Head of Resources Development & Delivery to open “without prejudice” negotiations with the body, if appropriate, to fix the terms and conditions of a management agreement, lease or other means of tenure of the Centre, for the period after May, 2010, on the basis that no capital or revenue costs will be met by the City Council;
- (f) authorise the Head of Resources Development & Delivery to demolish the pavilion;

- (g) note the advice of the Head of Resources Development & Delivery on the Listed Category B status of the Firhill Well on site;
- (h) remit it to the Head of Resources Development & Delivery to report back to the meeting of this Committee on 6 May, 2010, on the outcome of these remits, with an invitation to that Committee to decide upon the future use of the property

2. FINANCIAL IMPLICATIONS

If the Committee approve the report's recommendations, there will be no ongoing revenue costs for the property, other than any essential Health & Safety costs that occur in the period up to May, 2010 including the demolition of the pavilion. Also our legal liability to maintain and protect the Category B Firhill Well on site might require the spending of capital, at least during the next six months.

4. SERVICE & COMMUNITY IMPACT

The Single Outcome Agreement identifies a requirement to efficiently manage the City Council's resources.

There are no Equalities & Human Rights Impact Assessment factors.

5. OTHER IMPLICATIONS

Not known at the date of submitting this draft report for consultation.

6. REPORT

6.1 The previous meeting of this Committee, on 17 September, 2009 considered a report on the future use of the St. Machar Outdoor Centre (as indicated on the attached plan).

6.2 **The report recommended:-**

that the Head of Resources Development and Delivery be authorised:-

- (a) to commence discussions with the Neighbourhood Community Planning Service to ascertain if there is any future uses for the properties in connection with the local community; and
- (b) to acknowledge the interest expressed by the third party but not to progress that at the present time.

6.3 **The Committee resolved:-**

- i) that the condition report by the Head of Service relative to the St Machar pavilion building be noted;
- ii) that officers be instructed to commence discussions with the Neighbourhood Community Planning Service to ascertain if there is any future uses for the properties in connection with the local community;
- iii) that appropriate officers be instructed to acknowledge the interest expressed by the third party and seek to obtain more information on the nature of that interest; and
- iv) that the Head of Resources, Development and Delivery be requested to carry out a detailed assessment of the options available to the Council as regards the damage to the pavilion, and to report back at the next meeting with all costs and implications associated with the different aspects of the St Machar Outdoor Centre including (1) the possibility of retaining the play park; and (2) any problems associated with the fact that the surrounding areas have been categorised as green space.

6.4 **Current position** – The future of this Centre has been the subject of various representations by individuals, local Members, the local Community Council and the Community Planning Partnership Key Contacts Group over the past few weeks. Although various ideas have been proposed (e.g. conversion of part of the site into allotments, the establishment of a Community Garden etc.) since the last Committee meeting it hasn't proved to be possible to fully investigate and cost all these ideas, let alone to find sources of external funding to implement them.

6.4 If the City Council's intention is to stop revenue funding for the Centre, but yet be sympathetic to any approach by the local Community to form a partnership or some other legal agreement with us to allow the site to be retained in public use and developed for suitable "green" uses, then, at present, there is no single Committee or organisation set up specifically to take on the running of the Centre.

6.5 For example, Members may recall a voluntary group (the Spring Group) set up specifically to try and source external funds for the provision of children's play equipment for Eric Hendrie Park on Springhill Road. Our officers were remitted by the Resources Management Committee to provisionally negotiate terms and conditions of lease of the Park, with the Spring Group, however those provisional negotiations haven't yet come to a conclusion. To give the various ideas expressed for the St. Machar Outdoor Centre any hope of turning into reality, we need the local community to set up their own "Spring Group" equivalent organisation.

- 6.6 If the local community accept the need to set up such an organisation, it's the advice of our officers that the complexities of investigating the options, agreeing a development scheme, checking the feasibility and applying for the necessary funding to implement the development scheme, would justify the City Council giving the local community a six month "window of opportunity" to see if a viable alternative use for the property can be made to work, at no revenue cost to the City Council.
- 6.7 Although we would want the local community to come up with ideas, our officers can suggest a few of our own. For example, the Head of Environmental and Economic Sustainability would identify the relevance of the City Council's Nature Conservation Strategy 2010-2015, which is currently out for full public consultation, Her staff been working on the draft Action Plan and seeking ideas for potential projects in the City. Among others, the draft Nature Conservation Strategy promotes community gardens, wildlife gardens, allotments etc.
- 6.8 The St. Machar Outdoor Centre (Zoned as Urban Green Space and Green Space Network (as per The Aberdeen Local Plan 2008), the site (or part of it) could be suitable for a Community Garden, wildlife garden and/or allotments. Access to areas of green space including community gardens etc are important to local communities especially for those that do not have gardens of their own. Community gardens, wildlife gardens and allotments provide many benefits to local communities including improving health through the encouragement of physical activity and providing a place to relax. They provide educational benefits for the young and old plus an opportunity for communities to get involved and take responsibility of their natural environment. Green spaces improve health and well being plus overall quality of life. As well as the benefits that a Community Garden (etc) brings, sites that have been developed with the involvement of the community are usually well used and well looked after.
- 6.9 Aberdeen Greenspace Trust Ltd, who has a wealth of experience working with communities in delivering community projects, has shown interest in this area and would be keen to help realise this community's vision. This project would help the Council meet its legal obligations in a nature conservation context, in particular the Nature Conservation (Scotland) Act 2004, which states that 'it is the duty of every public body and office-holder, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions'. This project would meet a number of priorities in the Council's newly updated Nature Conservation Strategy 2010-2015.
- 6.10 A point to note is that this is the only public green space for many residents for some distance. I.e. as the crow flies, some residents are over 500 metres away from this site. Greenspace Scotland Greenspace Quality guidance states that greenspace should be well located and close to a community. A catchment area of approx 400m from a green space is being used as an acceptable distance to green space in the Council's current Green Space Audit. A change of use of this site (i.e. from Urban

Green Space and Green Space Network to another use) would leave many local residents without suitable access to a public green space.


- 6.11 The Head of Resources Development & Delivery advises that the cost of demolishing the pavilion building and levelling the cleared site is estimated to be circa £20,000. The cost of repairing the fire-damaged pavilion and reinstating it to its pre-vandalised condition is estimated to be around £85,000. The caution about the latter figure is that, even before the fire, the building had been broken into and extensively vandalised.
- 6.12 The current status of the pavilion, damaged and boarded up, presents a potential risk to the Council. This risk would result from any unauthorized entry. As the structure of the building and the “temporary boarding up” would not prevent any determined third party from achieving reasonably easy access, the risk should be acknowledged as real. The only meaningful way of addressing this identified risk is to demolish the pavilion and remove all resultant material.
- 6.13 It’s also noteworthy that part of the site, namely the Firhill Well, is Category B listed, which would impose legal obligations on the City Council as owner of the property, to maintain and preserve that structure.


7. OBSERVATIONS

- 7.1 This property is just within the Ward Boundary of Tillydrone/ Seaton/ Old Aberdeen and thus Councillors Norman Collie, Jim Noble and Richard Robertson will be consulted. Since present and potential future users of the property are likely to live in the neighbouring George Street/ Harbour Ward, Councillors Andrew May, Jim Hunter and John Stewart will also be consultees. Finally, Councillors Kevin Stewart and Neil Fletcher are consultees as Convenor and Vice Convenor of this Committee.
- 7.2 The Head of Planning & Infrastructure advises that “...the types of uses suggested in paragraphs 6.7 to 6.9 would be suitable alternative uses which would pose no planning difficulties. This is an important area of open space for the local community and the most accessible for people living in the Powis, Sunnybank and Froghall areas. Open space in these areas is relatively sparse and there are no real alternative green areas between Nelson Street and the playing fields at St. Machar Academy and Tillydrone. This makes their retention particularly important from an access point of view and if a use can be found that also improves local biodiversity and the advances the objectives of the draft Nature Conservation Strategy then so much the better....”

8 AUTHORISED SIGNATURE


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10. BACKGROUND PAPERS

None.