

## PROPERTY SUB COMMITTEE

ABERDEEN, 24 September 2013 - minute of meeting of the PROPERTY SUB COMMITTEE. Present: Councillor Allan, Convener; and Councillors Dickson, Forsyth, Malik (as a substitute for Councillor Milne), McCaig, Noble, Reynolds, Young and Yuill.

The agenda and reports associated with this minute can be located at the following link:-

**[HTTP://COMMITTEES.ABERDEENCITY.GOV.UK/IELISTDOCUMENTS.ASPX?CID=483&MID=3157&VER=4](http://committees.aberdeencity.gov.uk/ielistdocuments.aspx?CID=483&MID=3157&VER=4)**

### AGENDA ORDER

1. The Convener advised that item 4.10 (Property Sales) of the agenda had been withdrawn.

### DETERMINATION OF EXEMPT ITEMS OF BUSINESS

2. The Convener proposed that the Sub Committee consider reports 4.1 and 4.3 to 4.11, with the press and public excluded.

#### **The Sub Committee resolved:-**

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting for items 4.1 and 4.3 to 4.11 of the agenda (article 8 of this minute onwards) so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act: article 8 (paragraph 9), article 9 (paragraphs 6 and 9), article 10 (paragraphs 6 and 9), article 11 (paragraphs 6 and 9), article 12 (paragraphs 6 and 9), article 13 (paragraphs 6 and 9), article 14 (paragraphs 6 and 9), article 15 (paragraph 6), and article 16 (paragraphs 6 and 9).

### SUB COMMITTEE BUSINESS STATEMENT

3. The Sub Committee had before it a statement of pending and outstanding sub committee business, as prepared by the Head of Legal and Democratic Services.

#### **The Sub Committee resolved:-**

- (i) in relation to item 1 (Access from the North Proposals – Third River Don Crossing), to note that a report was being considered by the Finance, Policy and Resources Committee on 26 September 2013;
- (ii) to note that reports on items 2 (Property Asset Management Plan), 7 (Ferryhill Engine Shed – Current Status) and 10 (Victoria Road School), were to be considered on today's agenda and to remove them subject to the decision taken;

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- (iii) to note that updates on items 4 (Newhills Expansion – Initial Consultations Appointment), 8 (Greenferns Development Update) and 9 (Westburn House), were contained within item 4.11 on today's agenda;
- (iv) in relation to item 6 (Bobby Calder Park), to note that a report had been considered by the Education, Culture and Sport Committee on 12 September 2013, and that a progress report would be submitted to the next meeting of the Sub Committee; and
- (v) otherwise to note the updates contained therein.

### ORDERS OF REFERENCE

4. With reference to article 11 of the minute of meeting of Council of 21 August 2013, members had before them the Orders of Reference of the Sub Committee for information.

**The Sub Committee resolved:**

to note the Orders of Reference of the Sub Committee.

### PROPERTY ASSET MANAGEMENT PLAN UPDATE (EPI/13/162)

5. With reference to article 8 of the minute of the meeting of the Finance and Resources Committee of 4 October 2012, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of progress made since the approval of the Property Asset Management Plan in 2012.

**The report recommended -**

that the Sub Committee approve the Property Asset Management Plan Update 2013.

**The Sub Committee resolved:-**

to approve the recommendation.

### DATES AND TIMES OF FUTURE MEETINGS

6. The Sub Committee had before it a list of proposed dates and times of future meetings.

**The Sub Committee resolved:**

to agree that the Sub Committee would meet in the Town House at 2pm on the following dates –

- 26 November 2013
- 4 February 2014
- 22 April 2014
- 10 June 2014

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- 9 September 2014
- 18 November 2014

### **WALLACE TOWER, TILLYDRONE ROAD – FUTURE USE (EPI/13/183)**

7. With reference to article 47 of the minute of the meeting of the Finance and Resources Committee of 21 April 2011, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on progress on the marketing of the of the building for lease and redevelopment for a non-housing site.

#### **The report recommended -**

that the Sub Committee -

- (a) agree pending confirmation that Tillydrone Community Development Trust (TCDT) could achieve grant funding to implement their scheme, to instruct the Head of Asset Management and Operations to cease the ongoing marketing effort, for a period of 12 months from today;
- (b) agree that if grant funding was confirmed, to instruct the Head of Asset Management and Operations to negotiate lease terms with TCDT subject to any necessary consent from the Courts under section 75(2) of the Local Government (Scotland) Act 1973;
- (c) agree that any such lease agreement between the parties should be of sufficient duration to enable TCDT to comply with their grant funders requirements;
- (d) agree that if such grant funding could not be confirmed, the Head of Asset Management and Operations be instructed to resume the marketing effort and consider any options for the building's future; and
- (e) instruct the Head of Asset Management and Operations to report any outcomes relating to this matter to the Sub Committee at a later date.

The Convener moved, seconded by Councillor Young:-

that the Sub Committee –

- (1) approve the recommendations contained in the report;
- (2) note with disappointment the decision of the Scottish Government's Regeneration Investment Team not to recommend the £300,000 bid by the TCDT;
- (3) note that many projects in the central belt of Scotland were approved by the Scottish Government's Regeneration Investment Team with Aberdeen losing out on four projects; the Museum Collection Project in Granitehill; the all weather pitch in Tillydrone; the Seaton 'Backies' Project; and the health facility at Hilton Sports Barn;
- (4) agree that Aberdeen was the SNP's forgotten city; and
- (5) recommend that the Finance, Policy and Resources Convener write to the Scottish Parliament's Local Government and Regeneration Convener asking him to confirm his support for the project by means of ensuring the

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Scottish Government financially supports this project in a regeneration area of Aberdeen.

### **DECLARATION OF INTERESTS**

**At this point, Councillors Dickson and McCaig declared interests by virtue of their employment by Kevin Stewart MSP but considered that the nature of their interests did not require them to leave the meeting.**

Councillor McCaig moved as an amendment, seconded by Councillor Noble:-  
that the Sub Committee approve the recommendations contained in the report.

Councillor Yuill moved as a further amendment:-  
that the Sub Committee –

- (a) approve the recommendations contained in the report;
- (b) express concern at the failure of successive administrations in the Scottish Parliament to award monies to projects in Aberdeen; and
- (c) recommend that the Finance, Policy and Resources Convener write to the Scottish Parliament's Local Government and Regeneration Convener asking him to confirm his support for the project.

The amendment by Councillor Yuill did not attract a seconder, however, and therefore fell.

On a division, there voted:- for the motion (5) – the Convener; and Councillors Forsyth, Malik, Reynolds and Young; for the amendment by Councillor McCaig (3) – Councillors Dickson, McCaig and Noble; and declined to vote (1) – Councillor Yuill.

### **The Sub Committee resolved:-**

- (i) to adopt the motion; and
- (ii) to request that the letter from Scottish Government's Regeneration Investment Team be circulated to all members of the Sub Committee.

**In accordance with the decision recorded under article 2 of this minute, the following items were considered with the press and public excluded.**

### **COMMON GOOD PROPERTY REPAIRS (EPI/13/171)**

**8.** The Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which presented information pertaining to the current pressures on the Common Good Revenue Budget allocation for repairs to all Common Good properties.

**The report recommended –**

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that the Sub Committee –

- (a) note the increasing demand for additional spending on our Common Good assets and that officers were actively working to prioritise spending through a programme of condition surveys;
- (b) instruct officers to consider demand and available likely funding as part of the budget process; and
- (c) refer the report to the Finance, Policy and Resources Committee for consideration of additional £20,000 to allow the urgent works to be progressed this financial year.

### **The Sub Committee resolved:-**

- (i) to approve the recommendations; and
- (ii) to request officers to provide members of the Sub Committee with a detailed breakdown of the total cost of the electrical works to be undertaken at Fernhill Farm.

### **DEVELOPMENT AGREEMENT, DEVIL'S DEN, WOODSIDE (EPI/13/166)**

9. The Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of progress of negotiations over the potential marketing of the development site in Woodside known as Devil's Den.

### **The report recommended –**

that the Sub Committee –

- (a) to approve the Heads of Terms contained within the report for the joint marketing of the site;
- (b) to instruct the Head of Legal and Democratic Services to conclude the appropriate legal agreement (incorporating such conditions as were necessary to protect the Council's interests) in order that the site could be brought to the market; and
- (c) to instruct the Head of Asset Management and Operations to report the outcome of the marketing of the site to a future meeting of the Sub Committee.

### **The Sub Committee resolved:-**

to approve the recommendations.

### **LEMON STREET, WEST NORTH STREET (EPI/13/168)**

10. With reference to article 31 of the minute of the meeting of the former Resources Management Committee of 21 April 2008, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised members of progress of negotiations regarding the formalising of the agreement for the lease of the Lemon Tree.

### **The report recommended –**

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that the Sub Committee –

- (a) approve the proposed 25 year lease of the Lemon Tree to Aberdeen Performing Arts;
- (b) approve the proposed 25 year lease of the office property at Shoe Lane to Aberdeen performing Arts; and
- (c) instruct the Head of Legal and Democratic Services to conclude the appropriate legal agreements incorporating various qualifications as were necessary to protect the Council's interests .

### **The Sub Committee resolved:-**

to refer the report simpliciter to the Finance, Policy and Resources Committee.

### **FORMER VICTORIA ROAD SCHOOL (EPI/13/169)**

11. With reference to article 20 of the minute of the meeting of the Finance and Resources Committee of 13 June 2013, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided members with an update on negotiations with Torry Community Council regarding proposals for the former Victoria Road School.

### **The report recommended –**

that the Sub Committee –

- (a) note that only limited information has been forthcoming from Torry Community Council in relation to their plans for the building; and
- (b) instruct officers to write to the Torry Community Council requesting that their initial proposal, programme and action plan for the building must be submitted to officers in time to permit a report to the Finance, Policy and Resources Committee on 5 December 2013 to be prepared.

The Sub Committee heard from Mr Stephen Booth, Property Estates Manager, who advised that Torry Community Council had received funding to carry out a feasibility study and he intimated that this piece of work might not be completed by December 2013, however officers would continue to report progress to the Sub Committee at that time.

### **The Sub Committee resolved:-**

- (i) to approve the recommendations; and
- (ii) to note the oral update provided by the Property Estates Manager.

### **FERRYHILL ENGINE SHED – EXTENSION TO LICENSE (EPI/13/172)**

12. With reference to article 32 of the minute of the meeting of the Finance and Resources Committee of 21 February 2013, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided members with

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an update on the occupation of the Ferryhill Engine Shed by the Ferryhill Railway Heritage Trust (FRHT).

**The report recommended –**

that the Sub Committee –

- (a) note the temporary extension given to FRHT; and
- (b) agree that the license to occupy be allowed to continue on a month to month basis with a report being brought back to the Sub Committee in early 2014 setting out the preferred arrangements for the long term.

**The Sub Committee resolved:-**

to approve the recommendations.

### **CLAN, WESTBURN ROAD (EPI/13/173)**

**13.** With reference to article 50 of the minute of the meeting of the Finance and Resources Committee of 17 June 2011, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised members of a request received from Cancer Link Aberdeen and North (CLAN).

**The report recommended –**

that the Sub Committee refuse CLAN's request.

The Convener moved, seconded by Councillor Malik:-

that the Sub Committee approve the recommendations contained in the report.

Councillor Noble moved as an amendment, seconded by Councillor McCaig:-

that the Sub Committee defer consideration of the report to the next meeting to enable officers to ask CLAN to provide information on why it has submitted this request, prior to a decision being taken.

On a division, there voted:- for the motion (6) – the Convener; and Councillors Forsyth, Malik, Reynolds, Young and Yuill; and for the amendment (3) – Councillors Dickson, McCaig and Noble.

**The Sub Committee resolved:-**

to approve the motion.

### **STATION HOUSE COMMUNITY CENTRE (EPI/13/180)**

**14.** With reference to article 42 of the minute of the meeting of the Finance and Resources Committee of 11 May 2010, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided members with an update on the occupation of Station House Community Centre, Station Road, by Station House Media Unit (SHMU).

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**The report recommended –**

that the Sub Committee authorise officers to negotiate a temporary License to Occupy in favour of the Station House Media Unit, in the meantime to run on a month to month basis, with a report being brought back before the Sub Committee as soon as arrangements for the future of the occupation and control of the building had been agreed.

**The Sub Committee resolved:-**

to approve the recommendation.

### **REVIEW OF COMMERCIAL AERIAL AND TELECOMMUNICATIONS SITES (EPI/13/181)**

15. With reference to article 25 of the minute of the meeting of the Finance and Resources Committee of 28 September 2010, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which sought consideration of the Council's aerial and telecommunications sites with a view to establishing a strategy for the management and maximising potential from this asset group in the future.

**The report recommended –**

that the Sub Committee –

- (a) approve the continued effective management of the leased aerial and telecommunications investment portfolio with a view to maximising rental income;
- (b) instruct the Head of Asset Management and Operations, in the medium term, to assess the options again with a view to establishing whether any changes in economic or technological factors were affecting the Council's aerial and telecommunications investment portfolio interests; and
- (c) agree that where possible, the Head of Asset Management and Operations continue to explore all avenues of income generation for this asset group.

**The Sub Committee resolved:-**

to approve the recommendations.

### **PROPERTY - VACANT AND SURPLUS ASSETS APRIL 2013 (EPI/13/198)**

16. With reference to article 20 of the minute of the Finance and Resources Committee of 13 June 2013, the Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided members with an update on activities in relation to properties which had been declared surplus to the Council's requirements or were currently vacant awaiting a decision on future use.

**The report recommended –**

that the Sub Committee –



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- (a) note the position in relation to all the vacant and surplus assets, as identified in Appendices A, B and C of the report;
- (b) note the sales of the following properties, concluded since the Finance and Resources Committee on 13 June 2013:-
  - Mile End School (General Services Account), £3,372,000
  - 60 Rosemount Viaduct (Housing Revenue Account), £187,777
  - Former Woodlands Special School (General Services Account), £373,000 (lease surrender payment);
- (c) note the lease of the following properties held on the tenanted non residential portfolio, concluded since the Finance and Resources Committee meeting on 13 June 2013:-
  - Office 20 Aberdeen Business Centre, £11,400
  - Office 17, Aberdeen Business Centre, £7,440
  - 50 Howe Moss Ave, Dyce, £24,000;
- (d) note the comments in relation to the committee instruction on Westburn House;
- (e) note the comments in relation to the longer term development projects at Greenferns and Newhills and that a detailed report on the future development of these sites would be brought to a future meeting of the Sub Committee; and
- (f) note the current status with the sale of Hilton Nursery.

**The Sub Committee resolved:-**

to approve the recommendations.

**- COUNCILLOR YVONNE ALLAN, Convener.**