

ABERDEEN CITY COUNCIL

COMMITTEE - Housing & Environment

DATE – 13 April 2010

CORPORATE DIRECTOR – Pete Leonard

TITLE OF REPORT – St Machar Primary School – transfer from General Services Account to Housing Revenue Account

1. PURPOSE OF REPORT

The purpose of this report is to provide members Committee Members with a full explanation on why the St Machar Primary School has not been transferred to the HRA for redevelopment as part of the Housing Capital Programme for 2009/10 in accordance with Committee instruction.

2. RECOMMENDATIONS

It is recommended that the Committee note the explanation on why the Director of Housing & Environment has not been in a position to comply with the previous Council decision to transfer St Machar Primary School from the General Services Account to the Housing Revenue Account during 2009/10 as the property has continued to be used operationally for Education purposes.

3. FINANCIAL IMPLICATIONS

On the 11 February 2010, the Council made an allowance of £1 million in the Housing Capital programme for the 3 year period, 2009/10, 2010/11 and 2012/13, for the purchase of land for the Council Housing new build programme. St Machar Primary School site was included in the expenditure programme for 2009/10.

4. SERVICE & COMMUNITY IMPACT

Aberdeen's City Vision, to be "a city which is vibrant, dynamic, forward looking - an even better place to live and work, where people can expect high-quality services that meet their needs", and the City Council's Vision that "we will be recognised within the city and more widely, as being a leading Council in Northern Europe by 2010". The content of this report links with the following priorities identified within Vibrant, Dynamic and Forward Looking 2007 to 2011.

Housing:

1. Increase the provision of sheltered housing for communities across the City
2. Speed up letting and repairs in Council homes
3. Enhance the total environment in social housing area

The contents of the report contribute to the achievement of National Outcome 10 as outlined in the Single Outcome Agreement 2008 to 2011;

“We live in well designed, sustainable places where we are able to access the amenities and services we need.”

5. OTHER IMPLICATIONS

Legal Implications

There are no legal issues arising from this report as the original decision to transfer the asset still stands. However, Committee members will have to reconsider their decision when the property is re-valued.

Personnel Implications

There are no direct Personnel issues arising from this report.

There are no direct equipment implications arising from the report.

There are no direct Health and Safety implications arising from the report.

Resource Implications

The School site property shall have to be revalued at the time of transfer.

Property Implications

There are no direct property implications arising from the report.

6. REPORT

Resources Management Committee approved on the 30 September 2008 that the surplus property at St. Machar Primary, transfer from the General Services Account to the Housing Revenue Account for the sum of £820,000; and instructed the Head of Resources Development and Delivery to proceed with the demolition of the existing building at the earliest opportunity.

The Capital funding for this purchase was allowed for in the Housing Capital Programme for 2009/10, which was approved by Council on the 12 February 2009.

The Housing (Scotland) Act 1987 (Part 1, section 9) gives local authority landlords the power to acquire land for the provision of housing accommodation.

For the Housing & Environment Service to acquire assets onto the Housing Revenue Account (HRA), the authority must seek prior approval from Scottish Ministers, on the basis of compliance with Part X (section 203) of said Act, and compliance with Schedule 15 of said Act – namely that the land, houses and buildings are used for the purposes of providing accommodation – and not for any other purpose (other than those stated in the Act).

Therefore, the HRA cannot purchase a property then lease it to another non-housing service such as Education.

It has not been possible for the Council to transfer the St Machar School to the HRA during 2009/10 as the English as an Additional Language (EAL) Service is still based at St Machar School.

In addition, there is ongoing discussion between the Education Culture and Sport Service and the Management Committee and user groups on the relocation of the Portal Community Education Centre as part of the development of the Community learning hubs.

The Portal Community Education centre is on the St Machar School site and is integrally linked to the school's utilities (water, power, heat etc). Negotiations with community groups on relocation are likely to continue during 2010.


Notwithstanding that the EAL is due to transfer to Sunnybank School after the Easter School break, it is unlikely that the HRA can obtain vacant possession of the whole St Machar Primary School site until the Portal issues are resolved. It is anticipated that these issues will be resolved during 2010 and therefore the site transfer will have to be programmed into the Housing Capital Programme for transfer to the HRA in the later part of 2010/11.

7. AUTHORISED SIGNATURE



Craig Stirrat
Head of Service Housing & Community Safety
cstirrat@Aberdeencity.gov.uk
Tel (52) 2119

8. REPORT AUTHOR DETAILS



Craig Stirrat
Head of Service Housing & Community Safety
cstirrat@Aberdeencity.gov.uk
Tel (52) 2119

9. BACKGROUND PAPERS
None