

ABERDEEN CITY COUNCIL

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COMMITTEE	Finance, Policy and Resources
DATE	1 February 2018
REPORT TITLE	Disposal of the Former Victoria Road School
REPORT NUMBER	CHI/17/226
DIRECTOR	Bernadette Marjoram
REPORT AUTHOR	Neil Strachan

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**1. PURPOSE OF REPORT:-**

- 1.1 This report gives Committee an update on the discussions with Torry Development Trust following the Committee on 1 December 2017 and seeks approval for the recommendations in order to see the property and the site brought back into economic use.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that the Committee approves the following recommendations:-
- a) Instruct the Head of Land and Property Assets to openly market the site with the aspiration that proposals from interested parties must seek to retain as much of the buildings on the site as possible.
  - b) The outcome of the marketing exercise will be brought back to the most appropriate committee before the summer recess.

**3. BACKGROUND/MAIN ISSUES**

- 3.1 At the Finance and Resources Committee of 1 December 2017 the committee resolved to :
- (i) to note the submissions made by the Torry Development Trust and the contents of this report; and
  - (ii) to instruct the Head of Land and Property to enter in to dialogue with Torry Development Trust to jointly consider the options presented and report these options to the meeting of Finance, Policy and Resources Committee on 1 February 2018.

3.3 At the Committee on 1 December a deputation was received by members of the Torry Development Trust in relation to the former Victoria Road School. They verbally indicated to committee that the Report should be rejected indicating that there was strong community support to save the building, outlining a number of ideas on how this could be achieved and indicating that they had had conversations with a number of parties willing to help them do this. Officers were asked to investigate the background to their deputation and report back. Immediately following the Committee decision officers spoke to representatives of Torry Development Trust to arrange a meeting to discuss the Committee decision and agree the course of action require to report back to this Committee. A timeline of events since the Committee of 1 December is outlined below:

3.4

Date	Event
1 December 2017	Chat with members of TDT to agree meeting to discuss Committee decision required as soon as possible.
4 December 2017	Emails by officers to TDT seeking dates and times for a meeting and outlining a proposed agenda for the meeting.
6 December 2017	Email from officers to TDT seeking to get proposed meeting set up.
6 December 2017	Email from TDT advising that it was a very busy time of year but trying to get a date for the following week.
8 December 2017	Invite received from TDT to meeting at 2.30pm on 13 December 2017.
13 December 2017	Meeting with TDT
20 December 2017	Email from officers advising of a potential interested party in the school site and advising that they would be looking to get in touch with TDT.
20 December 2017	Response from TDT advising that David Fryer's telephone number could be provided to any further interested parties. Email

	also confirmed they would be providing progress report by 12 January 2018.
4 January 2018	Email from TDT requesting to use a retail unit on Victoria Road to allow their options to be displayed and collect views and opinions
5 January 2018	Officer response to advise that there are some potential units in Torry that maybe available but seeking further clarity on timescale and use.
5 January 2018	Further email from TDT advising the use would be for less than 28 days and seeking clarity on potential costs.
10 January 2018	Email from officers advising that we would see what options for temporary use of a retail unit could be provided. Also looked to set up a date and time for a meeting following the submission of information due by TDT on 12 January.
11 January 2018	Email from TDT advising they would be available on 18 January.
12 January 2018	Submission provided by TDT. (see appendix 1).
17 January 2018	Email from officers outlining what information that was requested but not provided in their submission of 12 January and looking for clarity on the request for a 6 month period for the Trust to complete their assessment stages.
18 January 2018	Meeting with TDT
18 January 2018	Email from TDT

	providing copy of support letter and email from Grampian Housing Association.
24 January 2018	Email from officers to TDT advising that we had not received any further information and seeking any information they have as a matter of urgency.
24 January 2018	Email from TDT advising they were working on completing the information.
25 January 2018	Submission provided by TDT.

- 3.5 At the meeting with TDT on 13 December 2017 officers requested information from TDT, a copy of which is contained within appendix 2. At that meeting TDT were unable to provide significant detail under these headings which is why when the “progress report” was provided by TDT on 12 January 2018 officers issued the email contained in appendix 3 which requested the information again.
- 3.6 The final submission received by TDT on 25 January 2018 is included in appendix 4 of this report. This submission was in response to the requests for information on key questions in relation to the trust.

### **Torry Development Trust**

The submission confirms that the trust has 5 trustees and 6 members with an indication that there are 10 pending members. There is a membership fee of £5 and you must be a resident of Torry and over 18 years old to be a member. The submission provides a short note on who the 5 trustees are. Guidance from Scottish Government recommends that any Community Group looking to take on an asset should have a membership of at least 20. The submission advises that the trust is a charity registered in Scotland. A link to the charities regulator is shown below. No accounts are available on line as they have less than £25,000.

<https://www.oscr.org.uk/about-charities/search-the-register/charity-details?number=SC047191>

### **Experience**

No significant detail has been provided on projects that the TDT have been involved with. The 12 January submission states that the trust had introduced Christmas lights into Torry, environmental projects and secured funding for the Torry Heritage Book. The submission provided on 25 January indicates a number of agencies, individuals and organisations who have indicated support. At each meeting with TDT, David Murray (architect) has been present and his knowledge and experience in construction and development

trusts will be very beneficial to TDT. None of the other parties have been present at meetings with Council officers and from the information provided there is a lack of clarity as to how each named party will be involved. It is understood that TDT have joined the Scottish Towns Partnership and DTAS membership of these organisations will allow the trust to access support.

### **Financial Information**

No account information has been provided although the submission does state that they have submitted accounts to Companies House. Investigations with <https://beta.companieshouse.gov.uk/company/SC480641> shows accounts to June 2016 and reserves less than £10,000. There is no indication of any funding having been secured for any of the Feasibility work that they intend to undertake over the next 6 months. Their project programme indicates time required for investigating sources of funding and for preparing and submitting applications. There would appear to be a risk that without funding being in place there is no guarantee that the work outlined within the project plan could be completed within the timescale.

### **Communication with Wider Community**

The submission has not provided any significant details on the support for the work of the trust within the wider Torry Community. From the documents submitted the best officers could say is that 21 members of Torry community are keen on the development trusts ideas. The submission does state that they have a website (<http://www.torrydevelopmenttrust.org.uk>) and Facebook profiles. There are proposals to undertake public engagement through exhibitions and forums although none of these are planned. The trust has already asked if the Council would make a retail unit in Torry available for their temporary use.

### **Support from other organisations**

The submission provided on 25 January provides a list of organisations and individuals who have indicated they would be interested in being part of the project. However there is no real clarity over what roll each group would take. As stated above officers have only met members of TDT and David Murray in relation to this project.

### **Proposals**

The submission has provided an idea of what proposals they are currently considering for the site. The document states clearly that they wish to development the site with the community's interests and aspirations at its heart and meet established local needs. However from the submissions there is no clear indication of what community need the trust are attempting to meet. In fact at the recent meeting with officers the individuals present at the meeting were asked to clarify what the need was with no clear single aspiration. One individual stated that they had no interest in what happened in the building as long as it was saved. It is of concern that the trust has been set up to save the building rather than with a specific community need or aspiration in mind.

- 3.7 TDT has been provided with time, as agreed, to provide the Council with basic information and to confirm that they are representative of the Torry

Community and that they have deliverable plans to develop the site for the good of the Torry community. The information provided by the Trust lacks some basic and fundamental information which suggests that while there is significant passion and desire by the group to see a positive redevelopment of the site there is concern over resource, capacity and vision to achieve this. .

- 3.8 Taking into account the due diligence undertaken in a very short timeframe officers are of the opinion that the trust is currently not in a position to progress with the project and by providing the trust with a further 6 months this would just delay the process of seeing the site brought back into economic use. It is noted that there is a strong desire from the group to see some of the granite buildings retained on the site. The Planning Authorities decision to reject the recent planning application to demolish all the buildings on the site and redevelop with new build residential units supports this ambition. In consideration of this it is recommended that the Council openly advertise the sale of the site with the desire to see existing buildings retained on site where this is possible. In order to prevent this process from being prolonged it is recommended that the marketing period is kept to a minimum with a closing date for submissions set to allow officers to report back to the appropriate Council Committee in May or June.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The property has been vacant since it was declared surplus to requirements by the Education Service at the Education, Culture and Sport Committee of 8 October 2009. Since the instruction to market the property it has been marketed by two separate agents. During the time the property has been vacant it has been the subject of repeated vandalism and theft. This has resulted in significant damage being done to the property which has included water ingress and fire damage. The property was subject to a small fire in April 2015 which has resulted in the first floor structure being damaged.
- 4.2 Since October 2011, which is as far back as our current system allows us to interrogate, there has been approximately £23,000 spent on re-securing the property by Building Services, it should be noted that around £7,500 of this has been spent in the last 12 months. This is the cost of the call out and the materials used. It does not however provide the cost of Land and Property Assets staff instructing the work, inspecting the property and responding to concerns from the local community regarding the building.
- 4.3 Further the property has been a burden on the emergency services with Police Scotland confirming that they have been called a total of 19 times in the previous 12 months regarding the property and in most cases this resulting in an officer being sent to follow up the incident.
- 4.4 If the Council were to transfer the building to the TDT now, they would require to meet a range of costs including vacant rates, building owners insurance, public liability insurance along with securing the building and whatever repairs they see fit. They do not currently have the resource to do this.

- 4.5 In marketing the site on the assumption that as much of the existing building are retained a question will be raised around the best value criteria. It is possible that without the existing buildings being on site a larger or better scheme could be replaced on the site and in turn a higher capital value. As previously noted there will be planning consideration around the retention of buildings on the site. Any best value considerations will be explored in detail in a future report following the outcome of the marketing exercise.

## **5. LEGAL IMPLICATIONS**

- 5.1 There would be no immediate legal implications of this report however the Property Team in Legal may be required to assist with the assessment of the submissions following the closing date if the report's recommendations are approved. Further the Property Team in legal will also be involved in any discussions regarding best value following the marketing of the site.

## **6. MANAGEMENT OF RISK**

- 6.1 In relation to this project there are two main areas of risk, these being the risk to public safety due to the deteriorating condition of the asset and a reputational risk due to public desire to keep the building, however below is a note under the appropriate headings.
- 6.2 **Financial**  
By retaining the building on the site there will be a continuing financial burden on the Council to undertake repairs and to respond to incidents at the site. The report outlines the quickest way the property could be removed from the Council's ownership and responsibility.
- 6.3 **Employee**  
The continued holding of the asset places a risk on officers who are required to inspect the property. The recommendation looks to commence a process which will see the site disposed to a party who will be able to redevelop the site.
- 6.4 **Customer / citizen**  
As stated above the property has been the subject of repeated acts of vandalism. The site is secured by gates, walls and also heras fencing however still access is being gained to the site. Further all window openings are already boarded at ground floor level and have to be checked regularly to ensure none are removed. While the building remains on the site and not being redeveloped it will remain a target for vandalism. The recommendation looks to ensure a process is put in place to secure the redevelopment of the site as soon as possible.
- 6.5 **Environmental**  
The existence of the derelict building on the site does not benefit the environment of the surrounding properties. The recommendation looks to commence a process which will see the site redeveloped and brought back into economic use.

6.6 Technological  
There is not expected to be any risk under this heading.

6.7 Legal  
There is not expected to be any further legal issues.

6.8 Reputational Risk  
By ensuring that the future marketing of the site clearly states that it is the Council's desire to see as much of the existing buildings retained on the site this shows that Council are looking to address concerns of the local community. However by not having the redevelopment of the site lead by Torry Development Trust there could be a perception that the Council is only playing lip service to the Communities desires. However it should be noted that the submissions provided by the Trust do not provide evidence of the support from the Community for their proposals.

## **7. IMPACT SECTION**

### **7.1 Economy**

The recommendations will hopefully ensure the site could be disposed of thus allowing the site to be brought back into economic use.

### **7.2 People**

The presence of a derelict building in a community is not desirable. Further a number of local residents have contacted the Council concerned with the vandalism and the fact that people are attracted to the site. The redevelopment of the site should reduce the opportunity for vandalism and hopefully reduce the impact on the local residents.

### **7.3 Place**

The redevelopment of the site will see the reuse of a derelict site and therefore reduce the potential for further vandalism on the site.

### **7.4 Technology**

It is not anticipated that this proposal will have any impact on technology.

## **8. BACKGROUND PAPERS**

None

## **9. APPENDICES (if applicable)**

Appendix 1 – Initial Submission

Appendix 2 – Officers agenda for meeting on 13 December 2017

Appendix 3 – Request for more information email



**10. REPORT AUTHOR DETAILS**

Neil Strachan  
Property Estates Manager  
nstrachan@aberdeencity.gov.uk  
3062

**HEAD OF SERVICE DETAILS**

John Quinn  
Head of Land and Property Assets  
jquinn@aberdeencity.gov.uk  
3363