

**South Ayrshire Council**

**Report by Depute Chief Executive and Director  
of Housing, Operations and Development  
to Cabinet  
of 26 September 2023**

---

**Subject: Vacant Educational Premises in Maybole**

---

**1. Purpose**

- 1.1 The purpose of this report is to recommend to Cabinet future uses or disposals of Council properties in Maybole.

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

- 2.1.1 grants authority to the Depute Chief Executive and Director of Housing, Operations and Development to market St Cuthberts Primary site for sale, [Appendix 1](#);**
- 2.1.2 approves a strategic review of Facilities Management to meet the future needs of the service; and**
- 2.1.3 approves that Professional Design Services undertake a design, technical and financial analysis for Cairn Primary School.**

**3. Background**

- 3.1 Cabinet of 29 August 2023 requested a report be submitted to the next Cabinet on 26 September 2023, with a business case for Facilities Management's potential use of the site at St Cuthbert's Primary School and a feasibility study for social housing on the site of Cairn Primary School, Maybole.
- 3.2 Facilities Management are responsible for the production and delivery of approximately 1.39 million meals annually through Catering Services.
- 3.3 There has been a significant increase in the number of meals produced by Catering Services over the last four years given the Scottish Government commitment to universal free school meal (UFSM) expansion, resulting in an additional 300,000 meals per year.
- 3.4 Legislatively, there have been a number of changes following the introduction of the Nutritional Requirements for Food and Drink in Schools (Scotland) Regulations 2020 and Natasha's Law 2021. Further legislative changes are on the horizon in

the form of the Good Food Nation Act and the review and update of Setting the Table guidance for early years centres.

- 3.5 Kitchens are increasingly under pressure due to the significant increase in modified diet applications to cater for children with allergies, or medically adapted diet requests. There are currently 800 known modifications across the estate, with further applications being received each week.
- 3.6 Scottish Government are committed to UFSM, with a planned further expansion to P6 & P7 in 2026 and future plans to expand universal provision to include breakfasts for all children. Given the current school estate building and fabric constraints, a number of schools are not conducive to further expansion in order to support the continued roll out of UFSM.
- 3.7 Facilities Management are undertaking a service review where strategic requirements will be identified This will shape the service to meet all current and future legislative requirements, increasing demand for additional meals, and cater for allergies, or medically adapted diet requests.
- 3.8 Professional Design Services has undertaken a feasibility for the site at Cairn Primary for social housing to identify the number and types of dwellings that would be achievable, as shown in [Appendix 2](#).
- 3.9 This initial study will now follow due process and undergo a proper design, technical and financial analysis to establish if the site is viable and affordable.

#### **4. Proposals**

- 4.1 It is proposed that the Cabinet declares the former St Cuthbert's Primary School surplus and is marketed on the open market for sale. Further work has reinforced the complexity of consideration for food preparation and demand and St Cuthbert's Primary School is no longer viable in terms of the longer term strategy of food provision within Educational establishments.
- 4.2 It is proposed that Facilities Management complete a strategic review of requirements to meet the current and future needs of the Council bringing a future paper to Cabinet with outcomes and proposals. The kitchen at Cairn Primary will be required until a long term solution has been established for food provision within Education establishments. It is requested that the Cairn kitchen transfers from Education to Facilities Management effective from 1 November 2023.
- 4.3 It is proposed that Professional Design Services undertake a design, technical and financial analysis for Cairn Primary School site to establish if it is viable and affordable for social housing.

#### **5. Legal and Procurement Implications**

- 5.1 The recommendations in this report are consistent with legal requirements. Legal advice and support will be provided as required. Title reports will be required for all disposals including any potential Community Asset Transfer. In addition, there are a number of reports which would require to be obtained in connection with the disposal of any of these properties. All potential disposals will require to be in accordance with all legislation, statutory guidance and Council policy requirements. In the event of any transfer of a property between the General Services Account and HRA, legal advice will also be provided on the required consultation process.

## **6. Financial Implications**

6.1 It is anticipated that the sale of St Cuthberts Primary School will provide a capital receipt for the Council.

6.2 Financial implications will be considered should the former Cairn Primary School be recommended for transfer to the HRA for development of the site for Council Housing.

## **7. Human Resources Implications**

7.1 Not Applicable.

## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

8.1.1 Title checks have not been carried out by the Legal and Licensing Service at this time, as required by the Council's Policy for the Acquisition and Disposal of Land and Buildings. There is therefore a risk in adopting the recommendations that there could be unusual title conditions or weaknesses/flaws in titles or boundary issues, which become apparent at a later stage and could prevent or delay a disposal.

### **8.2 *Risk Implications of Rejecting the Recommendations***

8.2.1 There is a risk that rejecting these recommendations are that the Council would potentially miss out on, a capital receipt at St Cuthberts Primary School.

## **9. Equalities**

9.1 The proposals in this report have been assessed through an Equalities Impact Assessment. A copy of the Equalities Scoping Assessment is attached as [Appendix 3](#).

## **10. Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to Priority One, Spaces and Places.

**13/**

### 13. Results of Consultation

- 13.1 There has been no public consultation on the contents of this report.
- 13.2 Consultation has taken place with Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and the Environment, and the contents of this report reflect any feedback provided.

### 14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Depute Chief Executive and Director of Housing, Operations and Development will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Market the St Cuthberts Primary School site	30 November 2023	Service Lead – Asset Management and Community Asset Transfer
Complete design, technical and financial analysis for a feasibility study on the Cairn Primary Site	28 February 2024	Service Lead – Housing Services
Complete Strategic Review of Facilities Management	30 April 2024	Service Lead Facilities Management

**Background Papers**     **Report to Cabinet on 29 August 2023 - [Vacant Educational Premises in Maybole and Maybole Swimming Pool](#)**

**Person to Contact**     **Kenneth Dalrymple, Assistant Director - Housing and Operations  
County Buildings  
Phone 01292 612041  
E-mail [Kenneth.Dalrymple@south-ayrshire.gov.uk](mailto:Kenneth.Dalrymple@south-ayrshire.gov.uk)**

**Date:** 14 September 2023



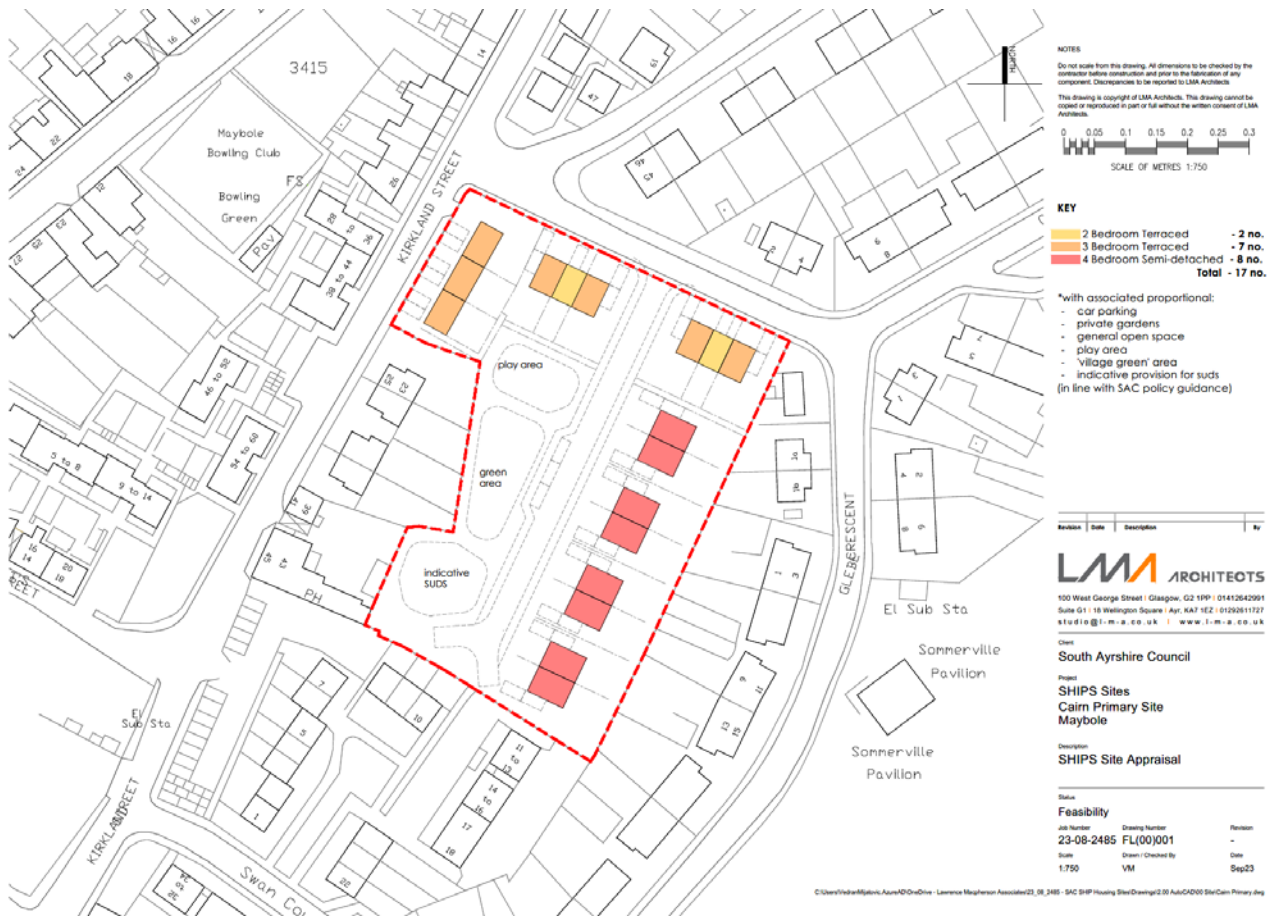
St Cuthbert's Primary School, Maybole.

Scale 1:1000



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and/or database right 2023. All rights reserved. Licence number 100020765.

# Appendix 2





**South Ayrshire Council  
Equality Impact Assessment  
Scoping Template**

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

## 1. Policy details

Policy Title	
Lead Officer (Name/Position/Email)	

**2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts**

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	No	No
Disability	No	No
Gender Reassignment (Trans/Transgender Identity)	No	No
Marriage or Civil Partnership	No	No
Pregnancy and Maternity	No	No
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	No	No
Religion or Belief (including lack of belief)	No	No
Sex – (issues specific to women & men or girls & boys)	No	No
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	No	No
Thematic Groups: Health, Human Rights & Children's Rights	No	No

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.**

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e. parent’s education, employment and income	-	-

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

General Duty and other Equality Themes Consider the ‘Three Key Needs’ of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
<b>Eliminate unlawful discrimination, harassment and victimisation</b>	N/A
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	N/A
<b>Foster good relations</b> between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	N/A
Increase participation of particular communities or groups in public life	N/A
Improve the health and wellbeing of particular communities or groups	N/A
Promote the human rights of particular communities or groups	N/A
Tackle deprivation faced by particular communities or groups	N/A

**5. Summary Assessment**

Is a full Equality Impact Assessment required?	YES <input type="checkbox"/>
------------------------------------------------	------------------------------



(A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<b>NO</b> <input checked="" type="checkbox"/>
<b>Rationale for decision:</b>  The proposal does not have a significant negative or positive impact on any particular group	
<b>Signed :</b> Kenneth Dalrymple - Assistant Director Housing & Operations  <b>Date:</b> 08 September 2023	