

**South Ayrshire Council**

**Report by Depute Chief Executive and Director  
of Housing, Operations and Development  
to Cabinet  
of 29 August 2023**

---

**Subject: Vacant Educational Premises in Maybole and Maybole  
Swimming Pool**

---

**1. Purpose**

- 1.1 The purpose of this report is to recommend to Cabinet future uses or disposals of Council properties in Maybole (as shown in [Appendix 1](#)).

**2. Recommendation**

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

- 2.1.1 declares former Gardenrose Primary surplus to the Council's requirements;
- 2.1.2 agrees that demolition works are progressed on the former Gardenrose Primary prior to the site being marketed;
- 2.1.3 grants authority to the Depute Chief Executive and Director of Housing, Operations and Development Directorate to market the Gardenrose Primary site for sale;
- 2.1.4 agrees that the Assistant Director – Planning and Development is to enter into discussions regarding a potential Community Asset Transfer for Maybole Swimming Pool with North Carrick Community Benefit Company and agrees that a report will be brought back to Cabinet on the potential Community Asset Transfer or declaration of surplus of the building and site;
- 2.1.5 agrees that the former Cairn Primary School dining hall building that is currently utilised as a school catering facility will continue to operate as a catering facility by the Facilities Management Service until such time as a long term facility has been identified;
- 2.1.6 agrees that the Assistant Director – Housing and Operations carries out a feasibility study into the potential development of local authority Housing on the former Cairn Primary and also carries out a business case appraisal on options for accommodating increasing and changed school catering requirements across the Council

**school area site and agrees that a report will be brought back to Cabinet; and**

**2.1.7 agrees that the former St. Cuthbert's Primary School building and site will be retained in the Educational Service account until the Cabinet takes a decision on the accommodation of future school catering requirements across the school area.**

### **3. Background**

3.1 Following the Council's development of the Maybole Community Campus incorporating Carrick Academy, Gardenrose Primary, Cairn Primary and St Cuthberts Primary all three primary schools will be vacated and from September 2023 are no longer required for the Council's Educational requirements. The former Carrick Academy will be demolished as part of the development of the Maybole Community Campus.

3.2 The Maybole Community Campus will also include a swimming pool which will be used by both pupils/educational staff and the general public. The swimming pool within the Maybole Community Campus will be operational from January 2024.

3.3 As a result of the developments outlined in para 3.1 and 3.2 above Education and Leisure Services have determined that they no longer have a requirement for these properties. As such the Council's policy for the Acquisition and Disposal of Land and Buildings provides at paragraph 4.1.5 the basis for recommending future uses/disposals of these properties. This policy provides at paragraph 4.1.5 that where land and property is potentially surplus to requirements it will be first offered for use to i) Housing Services then ii) Council Directorates; and then iii) Public Sector Organisations.

3.4 The former Gardenrose Primary School occupies a site extending to 4.58 acres adjacent to a private housing estate. The Council's Housing Services have advised the site would be too large for them to develop for Council housing and no other Council service has expressed an interest in transferring the property to that service. Discussions with a local organisation has not identified an interest in taking on the site. Regular liaison meetings with community planning partners has not brought forward any interest from another public sector organisation. t. As a result, none of the potential options in paragraph 4.1.5 of the Council's Policy for the Acquisition and Disposal of Land and Buildings is viable. Discussions with an independent agent has identified this site as the most attractive to a private developer for residential use. A valuation is being obtained for the site and for the estimated cost of demolition. It is estimated that after the cost of demolition (estimated £500,000) is taken into account the site will have net value.

3.5 There can be environmental and community benefits from undertaking demolition as soon as possible after a building of this type, age and format is surplus. This includes reducing community concern over potential intentional fire raising, break-ins, theft and vandalism. There could also be financial benefits in terms of rates to be paid, but this is a matter for the Ayrshire Joint Valuation Board and it cannot be concluded that there would be a financial benefit.

3.6 The former Cairn Primary School occupies a smaller site within an area of local authority housing. Housing Services have identified this site as potentially one that they wish to redevelop for local authority housing. They have requested time

(estimated approximately 3 months) in order to carry out a feasibility study into the development of 20 – 25 residential properties.

- 3.7 In addition, in relation to consideration on the future of the former Cairn Primary School, it is relevant to consider current and future school catering requirements in Maybole and the wider area. The Maybole Community Campus has capacity to provide catering requirements for the four schools that it will replace, but it does not have sufficient capacity to accommodate catering requirements currently undertaken at Cairn Primary for the surrounding schools of Colmonell, Straiton, Minishant, Maidens and Fisherton encompassing 169 pupils.
- 3.8 Housing Services have identified the site at St Cuthbert's Primary as being too small and not suitable for the development of residential properties.
- 3.9 In line with the Council's Acquisition and Disposal Policy, where a site has been offered to Housing Services and they have declined an interest in developing the site then the site is offered to other Council services for potential use. Facilities Management have expressed an interest in locating a Central Production Unit in the former St Cuthbert's Primary School to meet a range of increased needs and to continue to serve the rural schools mentioned in paragraph 3.6 above. This potential requires to be assessed before the site is offered to another public sector organisation and then the site declared surplus if no suitable interest is expressed.
- 3.10 Discussions have taken place between the Council and the North Carrick Community Benefit Company with regards to taking over ownership of the Maybole swimming pool through a Community Asset Transfer and it is proposed that these continue.

#### **4. Proposals**

- 4.1 It is proposed that the Cabinet declares the former Gardenrose Primary School surplus.
- 4.2 It is proposed that Gardenrose Primary is marketed on the open market for residential use. It is proposed that a tender is prepared and issued for demolition of the buildings and clearance of the site following Cabinet approval of this report.
- 4.3 It is proposed that the Cairn Primary School be subject to a feasibility study to be carried out by the Council's Housing Services. and a report will be brought back to Cabinet on the potential transfer or disposal of the building and site. If it is recommended that the building/site transfer to the Housing Revenue Account (HRA) then this will require to be the subject of consultation. It is proposed that the building within the ground of the primary school that is currently utilised for school catering purposes continue to be utilised for the purpose of providing school meals for the schools in the surrounding Maybole area until such time as a long term facility has been found for this purpose. Paragraph 4.4 below proposes that a business case is developed to establish long term requirements. It is expected that the business case will be complete within 4 months. Immediately following decant of the school in August 2023 the building will be made secure to protect against any likelihood of vandalism or fire.
- 4.4 It is proposed that a business case be prepared to establish the floor space requirements for the projected enhanced/changed level and format of school meal production and that options be investigated as to how these new requirements could be accommodated. The business case will look at projected school rolls and

opportunities for surplus accommodation within the existing school estate and will estimate the revenue and capital costs of different options, including the use of Scottish Government capital grant funding of £1.6m. It is further proposed that following the Capital Asset Management Group consideration of this business case that a report will be brought forward to Cabinet in due on how the Council will meet the changed catering requirements and will also recommend a future use or the declaring surplus of the former St. Cuthbert's Primary School. Immediately following decant of the school in August 2023 the building will be made secure to protect against any likelihood of vandalism or fire.

- 4.5 It is proposed that discussions continue between the Council and North Carrick Community Benefit Company regarding the possibility of transferring ownership through a Community Asset Transfer. A report and recommendation will be brought back to Cabinet on 28 February 2024 with a recommendation on the conclusion of this work.

## **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.
- 5.2 The tender for demolition works will be undertaken through Council's procurement framework.

## **6. Financial Implications**

- 6.1 It is anticipated that the sale of Gardenrose Primary School will provide a capital receipt for the Council. The cost of demolition will be met via capital where it is expected that the cost will be covered by the sale price of the site leaving a net capital receipt for the Council. Should the sale price be insufficient to cover the demolition costs then the cost will be written off by revenue and met from within remediation budgets held in revenue. Proceeding with demolition means that the cleared site will have a ground entry rateable value which will likely be a different rateable value, including rates relief, arising from a vacant property. The buildings and site of the former Cairns Primary School, former St Cuthbert's School and Maybole swimming pool will achieved 100% rates relief for 6 months after such time an application for further rates relief (either 90% or 50% being likely) will be made.
- 6.2 The estimated cost of protecting Cairn Primary, St Cuthbert's Primary and Maybole Swimming Pool (when it closes) against vandalism and fire is estimated at £25,000.
- 6.3 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.
- 6.4 The Council's General Services will save approx £272,728 on the running costs of Gardenrose Primary, Cairn Primary and Maybole Swimming Pool. This figure is based on the three buildings being completely disposed of Council ownership per the table below.

6.5 Property related running costs for 2022/23 are as follows:

Cairn Primary School	£66,356*
Gardenrose Primary School	£87,729*
St Cuthberts Primary School	£34,256
Maybole Swimming Pool	£118,643*
<b>Total</b>	<b>£306,984</b>

\* Total £272,728 per para 6.4 above

6.6 The above are current running costs. At this point it is difficult to estimate the exact running cost saving for each financial year from the recommendations in this report due to the multiplicity of costs involved (for example Energy, utilities, rates payment, rates relief levels, fire alarm costs). Some of these costs will substantially discontinued immediately (for example, energy) others will continue until such time as the building/sites are sold or transferred (for example, fire alarm costs) and others are not established as they depend on judgement yet to be made by the Ayrshire Joint Valuation Board. In other words the costs in the above table will diminish and discontinue over a period of time and will be fully discontinued only at the point that the property is disposed of from Council ownership.

## 7. Human Resources Implications

7.1 Not applicable.

## 8. Risk

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

8.1.1 There is a risk that there is a delay or no capital receipt is obtained for the former Gardenrose Primary and the Council has expended revenue on demolition. There is a risk that the Council could delay a capital receipt for the sale former Cairn Primary School and the former St. Cuthbert's Primary School.

8.1.2 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 The risks associated with rejecting these recommendations are that the Council would potentially miss out on, a capital receipt at Gardenrose Primary, the option for St. Cuthbert's Primary School to provide a catering facility is lost and without an identified facility for catering export provided at Cairn Primary then the schools being served by that facility will have no alternative catering facility.

## 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 2](#).

## 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 will be carried out on the future school catering floorspace requirements, including an option of a Central Production Unit at the former St Cuthbert's Primary School and which will provide a long term position on the ongoing use of the building in the former Cairn's Primary School being used for school meal exports.
- 11.2 A feasibility study will be carried out on the development of the Cairn Primary site.

## 12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services.

## 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 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:

Implementation	Due date	Managed by
Prepare and issue tender for demolition of Gardenrose Primary buildings/site	30 September 2023	Service Lead – Professional Design Services

<b>Implementation</b>	<b>Due date</b>	<b>Managed by</b>
Market the Gardenrose Primary site for use as residential development	31 October 2023	Service Lead – Asset Management and Community Asset Transfer
Complete a feasibility study on the Cairn Primary Site and report potential and recommendation to Cabinet	28 February 2024	Service Lead – Housing Services
Complete a business case to establish floorspace requirements from enhanced/changed levels of school meal production	28 February 2024	Service Lead – Facilities Management
Report back to Cabinet on progress regarding Community Asset Transfer with North Carrick Community Benefit Company	28 February 2024	Service Lead – Asset Management and Community Asset Transfer

**Background Papers**    **Report to South Ayrshire Council of 28 June 2018 – [Outcome of the Statutory Consultation relating to the Proposed Maybole Community Campus](#)**

**Report to Leadership Panel of 12 March 2019 – [Maybole Community Campus](#)**

**Report to Leadership Panel of 29 October 2019 – [Maybole Community Campus](#)**

**Report to Leadership Panel of 19 January 2021 - [Maybole Community Campus Enabling Works](#)**

**[Report to Leadership Panel of 15 June 2021 – Proposed Lease Agreement for New Police Office at Carrick Campus, Maybole \(Members only\)](#)**

**Report to Leadership Panel of 24 August 2021 - [Maybole Community Campus - Financial Close](#)**

**Report to Leadership Panel of 24 August 2021 – [Proposed Lease Agreement, Carrick Academy, Maybole](#)**

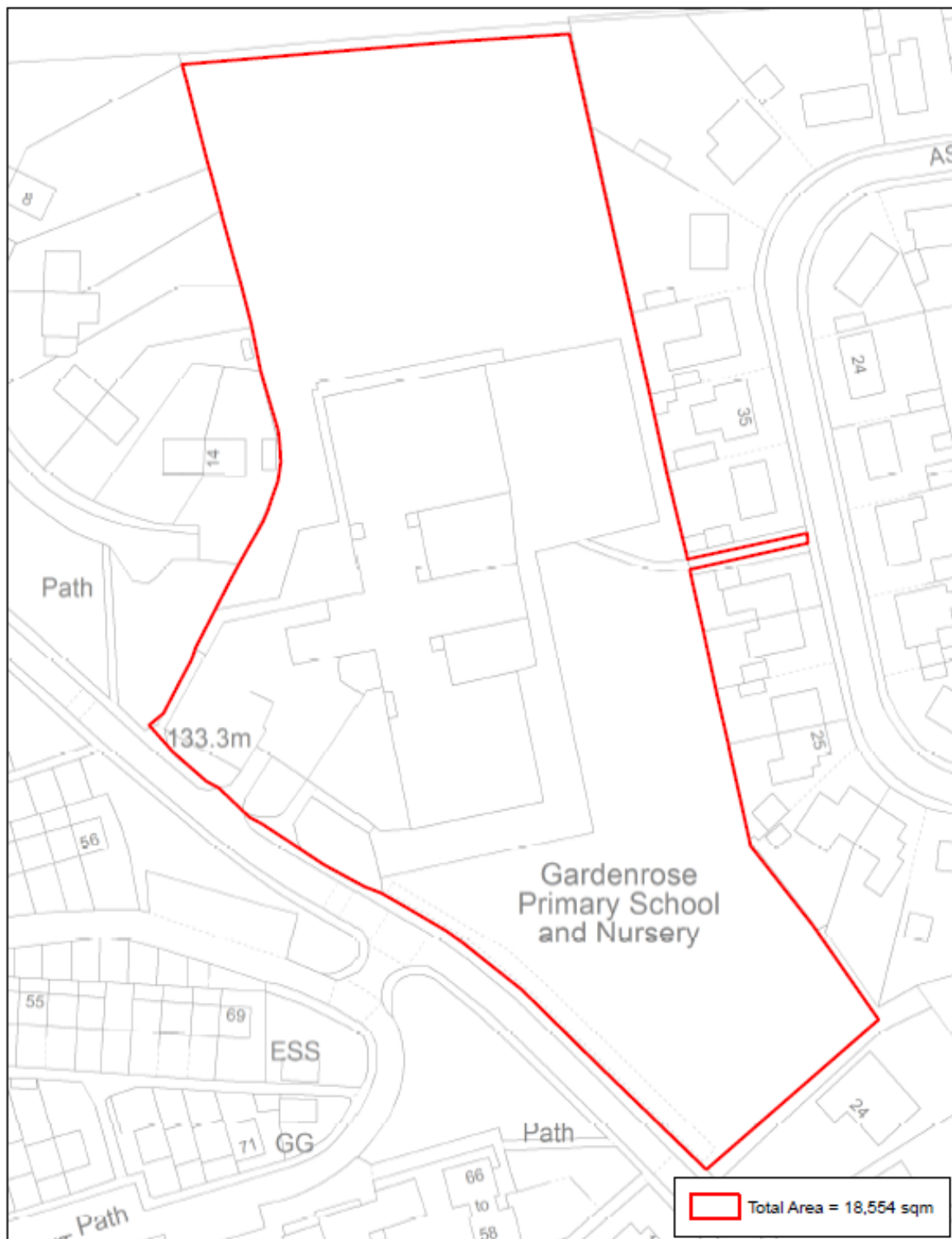
**Report to Cabinet of 15 February 2023 - [Maybole Community Campus Update](#)**

**Person to Contact**      **Chris Cox, Assistant Director – Planning and Development**  
**County Buildings, Wellington Square, Ayr, KA7 1DR**  
**Phone 01292 61**  
**E-mail [chris.cox@south-ayrshire.gov.uk](mailto:chris.cox@south-ayrshire.gov.uk)**

**Tom Burns, Service Lead – Asset Management and**  
**Community Asset Transfer**  
**County Buildings, Wellington Square, Ayr, KA7 1DR**  
**Phone 01292 612845**  
**E-mail [tom.burns@south-ayrshire.gov.uk](mailto:tom.burns@south-ayrshire.gov.uk)**

**Date: 23 August 2023**



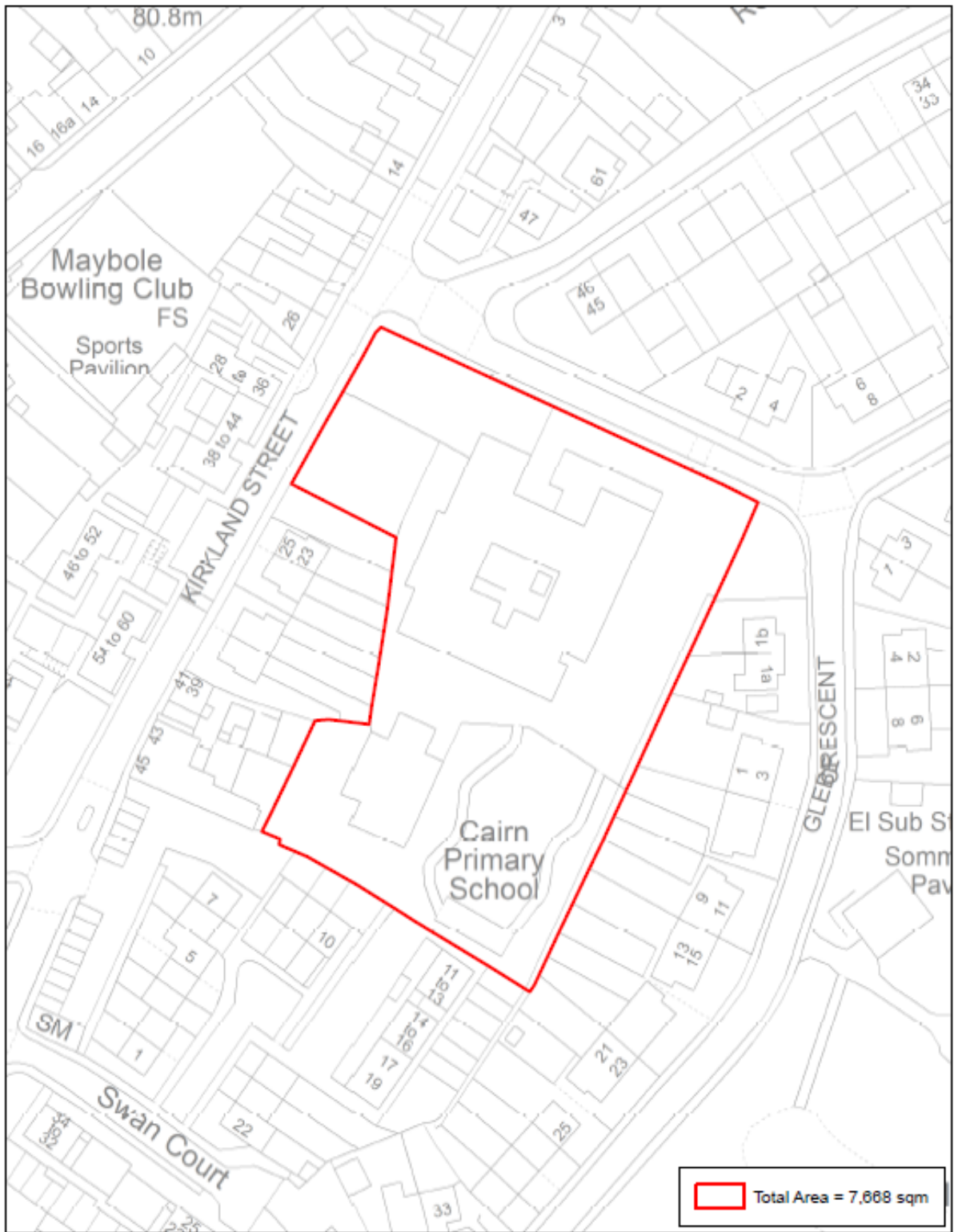


Gardenrose Primary School, Maybole.

Scale 1:1000



This product includes mapping data licenced 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.

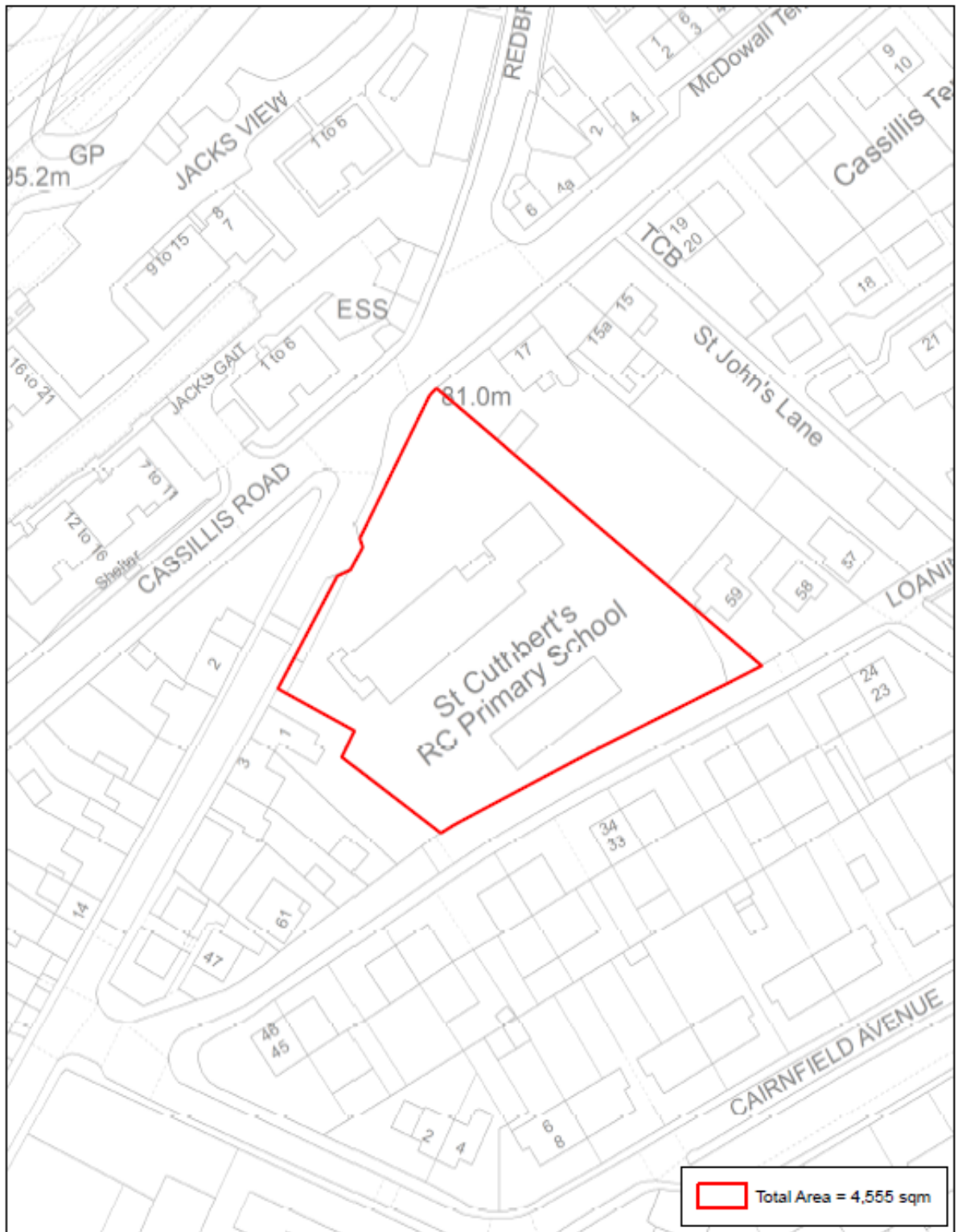


**Cairn Primary School, Maybole.**

Scale 1:1000



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

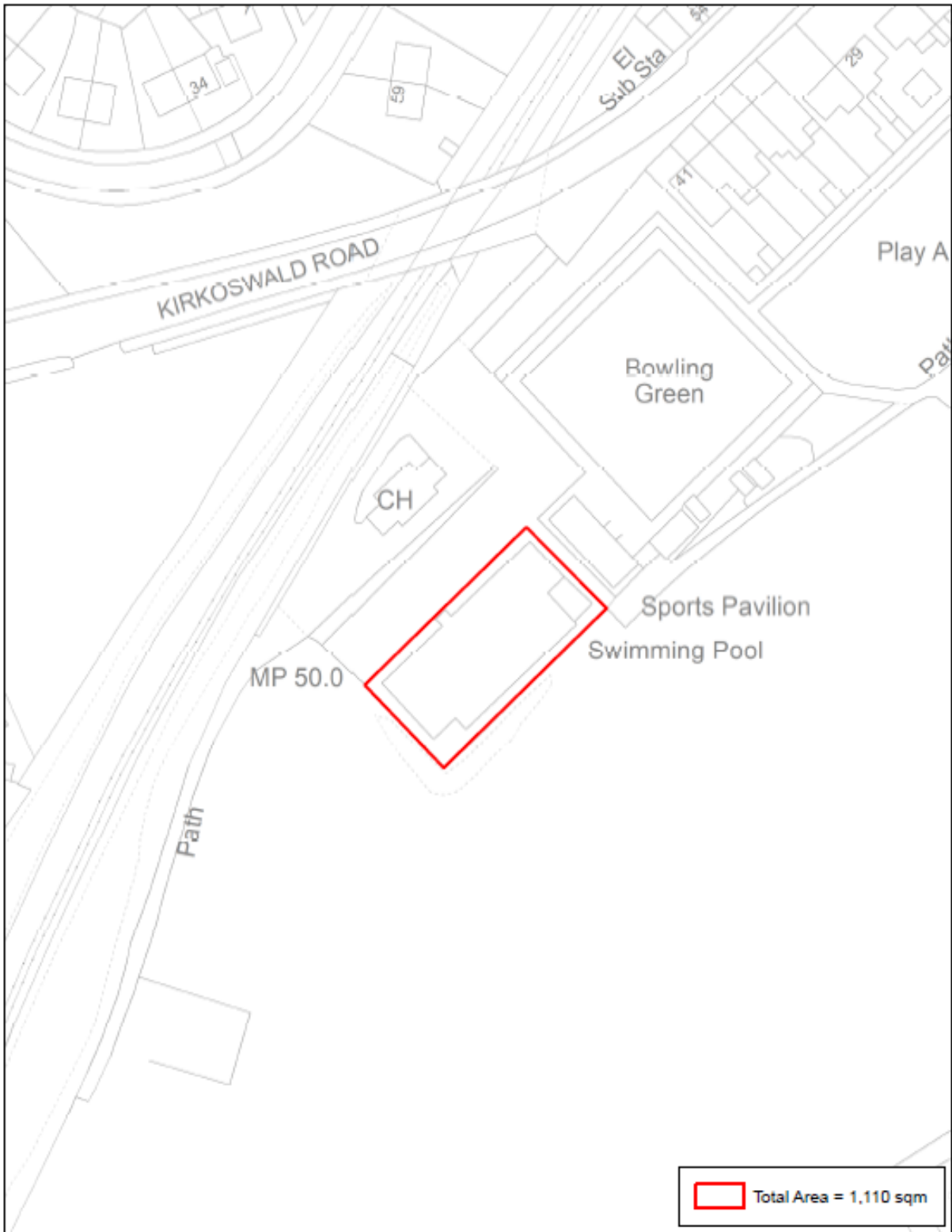


## St Cuthbert's Primary School, Maybole.

Scale 1:1000



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



**Swimming Pool, Memorial Park, Kirkoswald Road, Maybole.**

Scale 1:1000



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

## 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	Surplus Property
Lead Officer (Name/Position/Email)	Tom Burns, Service Lead – Asset Management and Community Asset Transfer – tom.burns@south-ayrshire.gov.uk

**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

Community or Groups of People	Negative Impacts	Positive impacts
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	No	No
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	No	No
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	No	No
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	No	No
Socio-economic Background – social class i.e. parent’s education, employment and income	No	No

**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>	-
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	-
<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?)	-
Increase participation of particular communities or groups in public life	-
Improve the health and wellbeing of particular communities or groups	-
Promote the human rights of particular communities or groups	-
Tackle deprivation faced by particular communities or groups	-

## 5. Summary Assessment

<b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<del>YES</del> <b>NO</b>
<b>Rationale for decision:</b>  <b>The proposal does not have a significant negative or positive impact on any particular group</b>	
<b>Signed :</b> Tom Burns  <b>Date:</b> 1 August 2023	<b>Service Lead</b>