

**ANGUS COUNCIL**

**POLICY & RESOURCES – 30 JANUARY 2024**

**SURPLUS PROPERTIES**

**REPORT BY GRAEME DAILLY, DIRECTOR OF INFRASTRUCTURE AND ENVIRONMENT**

**ABSTRACT**

The report seeks approval to declare several properties surplus to the requirements of Angus Council.

**1. RECOMMENDATION**

1.1. It is recommended that the Committee:

- (i) Agrees that Monifieth Library, High Street, Monifieth shown outlined on the plan at Appendix 1 is declared surplus to Angus Council's requirements and is marketed for sale by the Council's retained agents Graham & Sibbald and sold on terms to be agreed by the Director of Infrastructure and Environment.
- (ii) Agrees that the vacant property known as the Tractor Shed, Commerce Street, Brechin shown outlined on the plan at Appendix 2 is declared surplus to Angus Council's requirements and tasks the Director of Infrastructure and Environment to bring a report back to Committee on the proposed future use of the property and the associated consultation to be undertaken.
- (iii) Agrees that the former Access Office, Municipal Buildings and Flat at 32-38 Bank Street, Brechin shown outlined on the plan at Appendix 3 be declared surplus to Angus Council's requirements and tasks the Director of Infrastructure and Environment to bring a report back to Committee on the proposed future use of the property and the associated consultation to be undertaken.

**2. ALIGNMENT TO THE ANGUS COUNCIL PLAN/COMMUNITY PLAN**

2.1 This report contributes as a whole to the Council Plan and the Community Plan

- make Angus a low-carbon, sustainable area.
- continue to reduce the council's carbon footprint with the aim of reducing our net carbon emissions to zero by 2045.
- identify any further opportunities for efficiencies in revenue budget.
- continue the rationalisation of our property.

**3. BACKGROUND**

**3.1 Monifieth Library, High Street, Monifieth**

Members are referred to Report 313/22 (appendix 2 – results of consultation) submitted to the meeting of Angus Council of 8 September 2022 which provided a detailed background to the project to provide a Community Hub and Library in Monifieth. The report presented the results of a public consultation undertaken in relation to the possible relocation of Monifieth Library and ACCESS services. Members agreed to approve the relocation of Monifieth Library and ACCESS services to the new community hub facility at the Blue Seaway. A survey was also shared with Angus Council Housing tenants who had until now had use of the Library as a tenants' lounge space for which Housing paid Angus Alive £5,250 annually. However due to low usage tenants were consulted on whether they wished to keep such a facility and also whether they would be willing to pay for such a service in line with other sheltered housing complexes across Angus. The response showed tenants neither wished the service or to pay

for such a service. Following the move to the new community hub the current Library building in the High Street will no longer be required.

### **3.2 The Tractor Shed, Commerce Street, Brechin**

The Tractor Shed was formerly used as a vehicle store for Parks but is no longer required. The property is held on the Brechin Common Good Fund Account.

### **3.3 Access Office, Municipal Buildings and Flat, 32 – 38 Bank Street, Brechin**

As part of the Transforming Angus: Agile Working and Estates Review (Report 46/17) the Access Office and Municipal Buildings (including top floor flat) were previously earmarked for the relocation of Angus Health and Social Care Partnership's Community Care and Homecare staff. However, following COVID and the move to even more agile working this property, which is held by Brechin Common Good Fund, is no longer required.

3.4 Members are referred to Report 138/21 (Appendix A) submitted to the meeting of Angus Council of 13 May 2021 which approved revised Common Good Fund Policy Guidelines and Administrative Procedures whereby where a building is no longer required by the General Fund for operational use, a one year transfer period applies during which the General Fund continues to hold tenant financial responsibility. During this period the future use will be determined through consultation/reporting to council and a decision made on what the Common Good wishes to happen with the asset. After this one year period all financial responsibility reverts to the applicable Common Good.

## **4. CURRENT POSITION**

### **4.1 Monifieth Library, High Street, Monifieth**

The new Monifieth Community Hub and Library is currently under construction and it is expected that the Library and ACCESS office will be fully moved and operational in the new premises by the end of 2024/early 2025.

### **4.2 The Tractor Shed, Commerce Street, Brechin**

The Tractor Shed is no longer used or required by the Council.

### **4.3 Access Office, Municipal Buildings and Flat, 32 – 38 Bank Street, Brechin**

The property is no longer used or required by the Council.

## **5. PROPOSALS**

### **5.1 Monifieth Library, High Street, Monifieth**

To market the property for sale through the Council's retained agents Graham & Sibbald and to sell the property on terms to be agreed by the Director of Infrastructure and Environment.

### **5.2 The Tractor Shed, Commerce Street, Brechin**

On declaring the property Surplus to requirements one year's notice is given at the end of which time the property will revert to the Common Good. During this time the Assets service will consider options for the future use of the property including whether to let or sell, bearing in mind the need for consultation under S104 of the Community Empowerment (Scotland) Act 2015. A report on the proposed future use of the property and consultation exercise to be undertaken would be submitted to a future meeting of the Policy and Resources Committee.

### **5.3 Access Office, Municipal Buildings and Flat, 32 – 38 Bank Street, Brechin**

On declaring the property Surplus to requirements one year's notice is given at the end of which time the property will revert to the Common Good. During this time the Assets service will consider the future use of the property including whether to let or sell, bearing in mind the need for consultation under S104 of the Community Empowerment (Scotland) Act 2015. A report on

the proposed future use of the property and consultation exercise to be undertaken would be submitted to a future meeting of the Policy and Resources Committee.

- 5.4 As experienced with other Common Good assets the question of alienability of the common good property needs to be considered. Advice will be sought from the Council's legal officers. This means that alongside the duty to consult, the Council may also need to apply to the court for authority to dispose of the common good asset. This would fall within the delegated powers of the Director of Legal, Governance and Change. If required the timescale for obtaining court consent could take between 6-12 months following consultation.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The disposal of the Monifieth Library will generate a capital receipt to the General Fund and in addition, when sold, there will be a reduction in future years maintenance and operating costs to the building and surrounding land.
- 6.2 Depending on what is decided regarding the futures of the Tractor Shed and the Municipal Buildings there is potential to realise revenue streams or capital receipts to Brechin Common Good.
- 6.3 In accordance with Report No 138/21 - Revised Common Good Fund Policy Guidelines and Administrative Procedures, if required, the expense of going to court to seek approval to dispose of the common good assets will be fully met by the Brechin Common Good Fund and offset against any capital receipt.

## **7. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment is attached as Appendix 4.

**NOTE:** The background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report are:

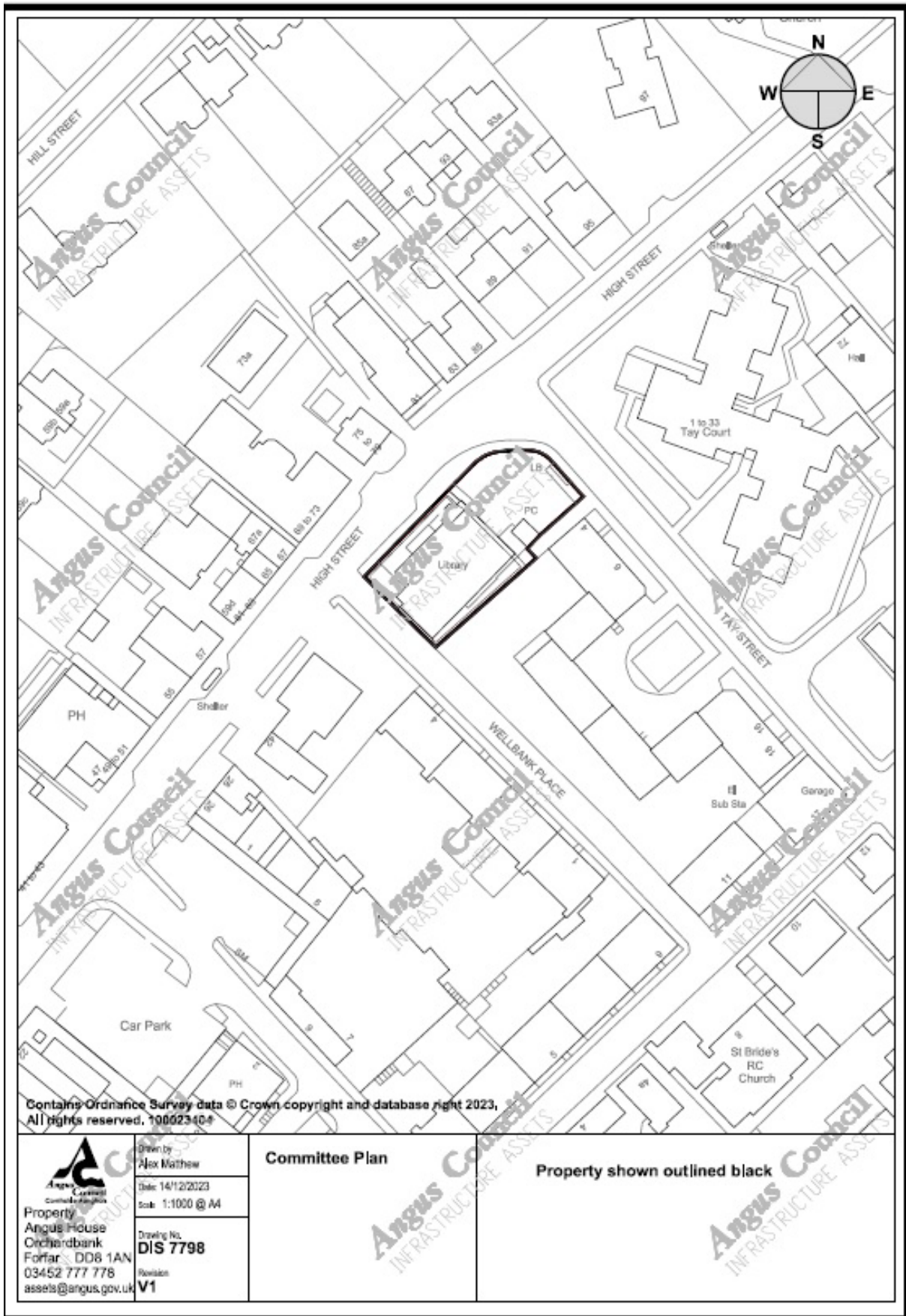
- Report 313/22 Angus Council of 8 September 2022
- Report 138/21 (Angus Council of 13 May 2021)

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List of Appendices:

Appendix 1 – Plan – Monifieth Library, High Street, Monifieth  
Appendix 2 – Plan – The Tractor Shed, Commerce Street, Brechin  
Appendix 3 – Plan – Access Office, Municipal Buildings, and Flat, 32-32 Bank Street, Brechin  
Appendix 4 – Equality Impact Assessment



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 Angus Council  
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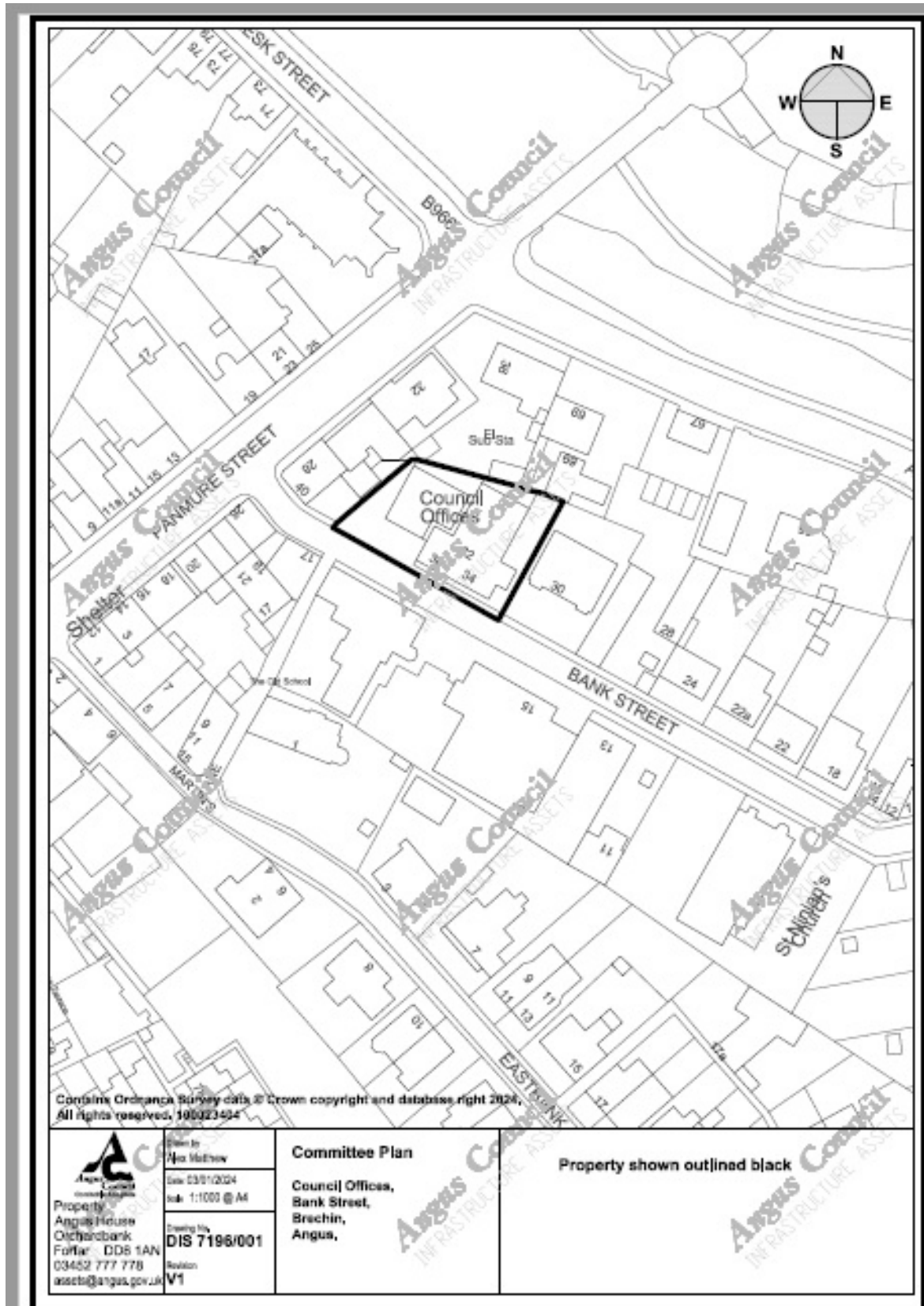
Drawn by  
 Alex Mathew  
 Date: 14/12/2023  
 Scale: 1:1000 @ A4  
 Drawing No.  
**DIS 7798**  
 Revision  
**V1**

**Committee Plan**

**Property shown outlined black**

NB:Final boundary subject to Title.





NB; Final Boundary subject to Titles