

Wellington School, Penicuik – Sale of land at Springfield Road

Finance and Resources Committee

31 July 2012

1 Purpose of report

- 1.1 This report sets out the background to the Council's ownership of Wellington School near Penicuik, Midlothian, which includes land at Springfield Road and three former staff houses. As part of the rationalisation of surplus land holdings in the vicinity of Wellington School, this report recommends that a strip of land which includes part of a drainage ditch is sold to the owners of an adjoining farm.

2 Summary

- 2.1 Wellington School is located approximately 3 miles south of Penicuik in Midlothian. The school serves children with emotional and behavioural difficulties and currently provides 16 residential places and 34 day spaces. Wellington School was originally established by the Scottish Office to teach practical agricultural skills to young people. In addition to the main school buildings, the school used to own and manage an adjoining farm with extensive agricultural land holdings.

3 Main report

- 3.1 In 1989 Wellington School transferred from the Scottish Office to Lothian Regional Council under an arrangement covering what were commonly known as List D schools.
- 3.2 At local government reorganisation in 1996, Wellington School transferred to the City of Edinburgh Council despite its location in Midlothian. The majority of places at the school are taken by children from Edinburgh, although places are occasionally offered to children outwith the City of Edinburgh Council's boundaries.
- 3.3 Lothian Regional Council's Sub Committee on Services for Children and Young People on the 6 July 1989 approved the disposal of non-service residential accommodation at Wellington School. Subsequently, most of the school's

original agricultural holdings were sold following a decision by Lothian Regional Council's Social Work Committee on 8 March 1994. The report by the Director of Social Work advised Committee that "the non-service tenanted properties were considered surplus to requirements, being outwith the curtilage of the school and not being required either for operational management or for other function purposes".

- 3.4 The majority of the original staff houses have now been sold. There are still some residual land holdings, however, which are not connected with the school and three remaining houses currently occupied by retired members of staff. The attached plan shows the extent of the Council's ownership shaded grey.
- 3.5 The Council's ownership at Springfield Road comprises 2.74 hectares (6.77 acres) of grazing land, one former staff house at 4 Springfield Road (which has a garage in a separate block), an area of ground used as parking by 3-6 Springfield Road and a strip of land running alongside Springfield Road itself, the boundary of which is the centre line of a drainage ditch.
- 3.6 As well as providing access to the Council's land and the houses at 1-10 Springfield Road, the road also serves Springfield Farm and land to the north. Springfield Road is not adopted. The solum of the road is still owned by the previous owner of Springfield Farm, who has retained land to the north of Springfield Road, part of which he is looking to develop as a housing plot. The owners of Springfield Farm, Gavin John Brown and Anna Helen Borthwick, have an option to purchase the solum of the road, which is exercisable once the current owner has completed the development of their adjoining land or has decided that no such development will be possible.
- 3.7 Part of the Council's grazing land where it fronts on to Springfield Road may have some development potential (possibly two or three house plots). This is currently being explored with Midlothian Council as local planning authority. The rest of the grazing land has limited agricultural value, whilst the strip of Council owned land running alongside Springfield Road currently represents a maintenance liability, as the Council is responsible for a 50% share of maintenance of the ditch and the cost of street lighting (which is not adopted).
- 3.8 Agreement has been reached with Mr Brown and Ms Borthwick, to share the cost of enclosing the drainage ditch which will provide a permanent solution to flooding problems which affect the road and some of the adjoining houses. The cost of the Council's share of these works is approx. £9,000 and is being funded from capital receipts generated by the sale of former staff houses at Wellington School.
- 3.9 It has also been provisionally agreed that the Council should transfer ownership of the drainage ditch to Mr Brown and Ms Borthwick who will accept all future liability for maintenance of the ditch. The Council will retain rights of access to adjoining land, including any future house plots. In addition, Mr Brown and Ms Borthwick have agreed to accept responsibility for the maintenance and repair of the street lights.
- 3.10 It is recommended that the drainage ditch should be sold to Mr Brown and Ms Borthwick, owners of Springfield Farm, at a nominal sum of £1 on the basis that

it will relieve the Council of future maintenance liabilities. Mr Brown and Ms Borthwick have agreed to pay all of the Council's legal costs associated with the sale.

4 Financial Implications

- 4.1 The Council's 50% share of the cost of enclosing the drainage ditch, estimated at £9,000, is being funded from capital receipts generated by the sale of former staff houses at Wellington School.
- 4.2 Sale of the Council's share of the drainage ditch will relieve the Council of future maintenance liabilities for the ditch and street lighting.

5 Equalities Impact

- 5.1 There is no equalities impact arising from the recommendations contained in this report.

6 Environmental Impact

- 6.1 There are no significant adverse environmental impacts arising from the recommendations contained in this report.

7 Conclusions

- 7.1 The proposed sale of this drainage ditch and adjacent strip of land for a nominal sum of £1 is a very cost effective way of relieving the Council of its ongoing maintenance liabilities for not only this ditch but also the cost of repairs and maintenance of the street lights which are not adopted by Midlothian Council.

8 Recommendations

- 8.1 It is recommended that Committee approves the sale of a drainage ditch and adjoining strip of land to Mr Brown and Ms Borthwick, owners of Springfield Farm, at a nominal sum of £1, subject to the Council reserving appropriate rights of access to adjoining land still in the Council's ownership.

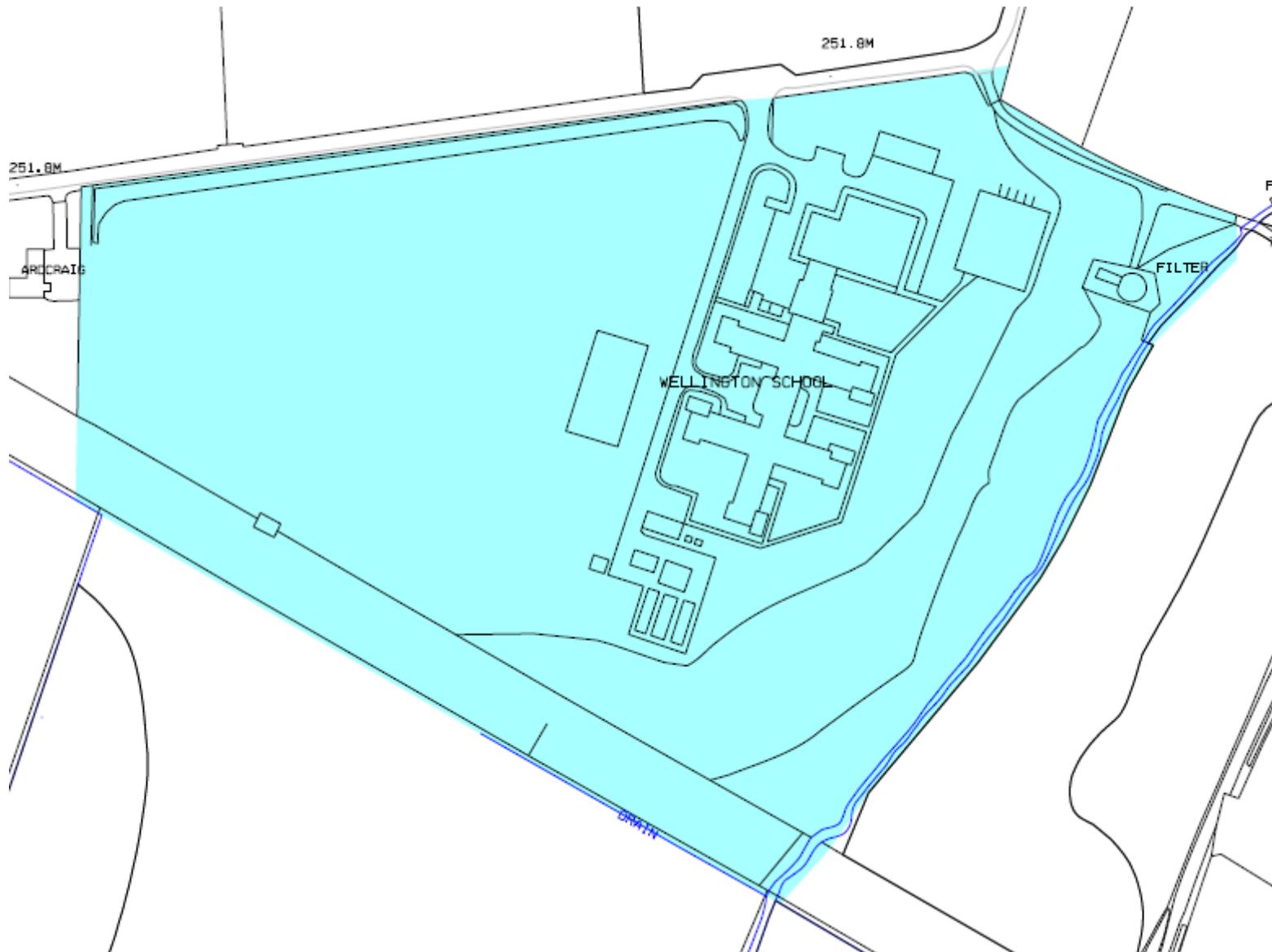
Mark Turley
Director of Services for Communities

Appendices 1. Plan showing Wellington School Campus
 2. Plans showing residual land and houses

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Wards affected	None
Single Outcome Agreement	Supports National Outcome 12 – We value and enjoy our built and natural environment and protect it and enhance it for future generations
Background Papers	*

**Wellington School, near Penicuik
(School campus shaded grey)**



**Wellington School, near Penicuik
(residual land and houses shaded grey)**

