

Statutory Consultation with the Local Community under Part 8 of the Community Empowerment (Scotland) Act 2015 for Disposal of Common Good Land – For (Disposal for) sale on the open market of Falkirk Old Burgh Buildings, Newmarket Street, Falkirk FK1 1JE by Falkirk Council (the “Council”)

Consultation dates: Commences Monday 17th February 2025 Closing Monday 14th April 2025.

Introduction and Background

Falkirk Old Burgh Buildings is a substantial, mainly two-storey office building built in a Scottish baronial style. The property is located at the junction of Newmarket Street and Glebe Street. The property is C Listed and within the Falkirk Town Centre Conservation Area. The property was constructed in 1877. The building is sandstone built with a pitch slated roof; it extends to approximately 459 sq.m (4,940 sq. ft). There are period features within the property, including decorative cornicing and frosted glass windows.

The land was acquired by the Council’s predecessors in 1876 and the current building was constructed soon after this and was occupied by the Town Council of the Burgh of Falkirk. The building was initially used as municipal offices.

The property has been continually used by Falkirk Council, and its predecessors, and most recently being used as the Falkirk Registration Office. It is now surplus to Falkirk Council’s requirements. The accommodation is dated, and its cellular layout is no longer suitable for Falkirk Councils use and does not fit into the Council’s plan for rationalisation of its operational buildings.

Retaining it would substantially deplete the Common Good Fund to use monies from it to upgrade the property and thereafter maintain it and, ultimately, it would not be cost effective to do so.

It is considered that the best option for the property’s future would be to sell it on the open market, providing an opportunity for a new owner to adapt the building. Due to the cellular and dated office space, it is considered unlikely that there would be occupational demand for the building to be used as offices. Subject to Planning and other consents, a sensitive conversion of the building into flats would seem the most likely future use. Consideration was given to a conversion for social housing however this was found to not be financially viable.

What land is being consulted on?

Falkirk Old Burgh Buildings shown shaded on the plan (“the consultation site”).

What is being proposed?

It is proposed that Falkirk Old Burgh Buildings would be advertised and sold on the open market. The sale would reduce the ongoing liabilities and costs associated with this property and secure a capital receipt for the Falkirk Common Good Fund which would be used for the benefit of the former Burgh of Falkirk area.

The results of this consultation exercise will be considered by Falkirk Council's Executive committee before a final decision is taken over the future of the property.

Why are we consulting?

The building and site form part of the common good of the former Burgh of Falkirk

When considering disposal of common good land (including demolition or sale), certain legal requirements must be followed. These are:

- Carry out a statutory consultation with the local community under Part 8 of the Community Empowerment (Scotland) Act 2015; and
- If required, seek approval from the Court under s.75 of the Local Government (Scotland) Act 1973.

This consultation is being carried out to satisfy the first legal requirement and further guidance on the process can be found here:

[Common good property: statutory guidance for local authorities - gov.scot \(www.gov.scot\)](http://www.gov.scot/Common%20good%20property%20statutory%20guidance%20for%20local%20authorities)

The Council is following the above Guidance.

The Council, in terms of the Community Empowerment (Scotland) Act 2015, must have regard to the consultation responses when making a decision on whether or not to proceed with the intended disposal.

What are the benefits of the proposal?

There would be a financial benefit to the Council which would no longer require to meet ongoing costs such as maintenance costs and business rates. A sale would result in a capital receipt for the Common Good Fund thereby making available funds to benefit the local community. The local community would benefit from the restoration of a prominent and prestigious local building within its area.

Are there any drawbacks to this proposal?

None are apparent.

Please answer the following question:

1. Do you agree that Falkirk Council should dispose of Falkirk Old Burgh Buildings on the open market?

Responses to and comments on the proposal are positively invited.

They must be made in writing and state that they relate to the Falkirk Old Burgh Buildings Consultation proposals. Responses and comments must be received by the closing date of **14th April 2025**.

Methods of Response:

1. On-line: This should be done through “Participate+”. Please open FC consultation link <https://participateplus.falkirk.gov.uk/en-GB/> and submit your completed response for this current engagement opportunity. This is within Falkirk Councils web site www.falkirk.gov.uk

Alternatively:

2. E-mail: A PDF consultation response form is available, to request a consultation response form, please e-mail property@falkirk.gov.uk and ask for a “Falkirk Burgh Buildings Consultation Response Form”, returning completed forms to the same e-mail address property@falkirk.gov.uk or,

3. Post: Please complete a consultation response form. If emailing and the above is not convenient copies are also available from Falkirk Library, Hope Street, Falkirk FK1 5AU. Responses do not, however, require to be on the consultation response form and can be by letter. Please post completed response with contact details to:

“Falkirk Old Burgh Buildings, Falkirk Public Consultation Response”,
The Manager (Asset Management),
Falkirk Council - Place Services,
Suite 1B, Falkirk Stadium
4 Stadium Way
Falkirk
FK2 9EE

What happens next?

The Council’s decision will be published on the Falkirk Council website www.falkirk.gov.uk through Participate+ along with details of all representations to this consultation (excluding address, postcode and email of respondent). The Council’s decision will have regard to the responses to this Consultation as to whether to proceed with the proposed disposal.

Please return forms by 14th April 2025.