

Wallace Tower Consultation - Representations submitted

To all concerned,

I am greatly in favour of the restoration of Wallace Tower as a building of real significance in Aberdeen's history.

Given that the building was purchased and managed with Aberdeen's Common Good Fund, I am of the opinion that such responsibility rightly lies with Aberdeen City Council.

Without being afforded access to architectural development plans it is difficult to make fair representation either for or against the proposals set out by (TCDT).

However, the guidance given on the consultation, in essence details a community cafe, community hall for hire and office space.

I am sceptical that such community facilities will serve or benefit many tourists or locals visiting Seaton Park and Old Aberdeen. Or that there is further need for such investment.

An Aberdeen City Council report published in October 2012, titled: Tillydrone Regeneration... no.H&E/12/086, article 5.2.3. states; It has a good provision of community facilities, with centers for young and old distributed around the neighbourhood.

The report pointed to a lack of use and need for regeneration. And as stated by (TCDT), Tillydrone now has a new purpose built Community Campus opened in 2019 at a cost of £6 million which incorporates a cafe and in addition, a Library and Learning Centre.

I consider office space an unsuitable and inappropriate use of the Wallace Tower building.

The Wallace Tower site sits on the fringe of the Seaton Park area. Somewhat apart from the main draws of interest and accessibility for visitors to Seaton Park and Old Aberdeen.

If it was developed as a historic visitor centre attraction in its own right with a cafe then it would attract visitor traffic. But no indication of such development has been given.

The sites location also requires significant amount of car parking provision which does not currently appear to be catered for.

Considering these points and the issue that Aberdeen City Council plans to sell an asset to a private organisation not accountable to the public, the people of Aberdeen.

I do not currently support the transfer of ownership of Wallace Tower. Rather, I would prefer to see Aberdeen City Council with its professional resources undertake this redevelopment as part of a wider plan to develop Aberdeen as a tourist centre destination.

Sincerely,

Karen McDonald

5th October 2022

Dear Cate,

Re-consultation with the Local Community regarding the Disposal of Common Good Land - Wallace Tower

On behalf of Donside Village Community SCIO we would like to express our support for the proposal to transfer the Wallace Tower to Tillydrone Community Development Trust. We agree with the aims of the project as outlined by the trust and consider that the transfer will bring considerable amenity to the communities of Tillydrone and Seaton.

In particular we believe that the transfer will

- Bring a previously neglected building back into use. Specifically, a building with historical significance.
- Bring external investment to the community of Tillydrone.
- Stimulate economic growth in the area.
- Provide a much-needed facility to users of the park and encourage greater usage.
- Provide opportunities for people to learn about the history of the city.
- Help to encourage people to see Tillydrone as a vibrant community.
- Compliment other organisations and activities within the community.
- Provide space for artists which along with the existing Gateway Art Project will assist in creating a reputation for Tillydrone as an area where art flourishes.

Yours sincerely,

Angela Morrison, Secretary/Vice Chair

Donside Village Community SCIO

Good afternoon, Cate

As a resident of Tillydrone for 50 years a Trustee member of TCDT and co-opted member of Tillydrone Community Council I fully support the transfer of Common Good Land and transfer of The Wallace Tower to Tillydrone Community Development Trust for their plans to add the extension to The Tower to facilitate Cafe Space. This project is vital to supporting the Benholms Gateway project and visitors to Seaton Park, a much-needed outdoor Sensory Trail in the Northeast of Scotland for all age groups and those who are physically challenged.

The land is required for the proposed extension of the Wallace Tower ensuring it meets with the necessary Planning Approval from the local authority and Heritage Scotland.

Regards

Linda Barclay

To Whom it May Concern.

We, Tillydrone Community Council, would like to offer our full support to Tillydrone Community Development Trust (TCDT) in regards to their Benholm Tower & Gateway projects.

We hope that TCDT are successful in all their plans to bring this beautiful historic building & surrounding area back to life.

We receive regular updates from TCDT & we are confident that their plans will enhance & improve our community.

We would also like to note our concerns – Benholm Tower has laid empty for a number of years and has, in the past, been a target for vandalism. The building has not been maintained over the years & is now an empty/derelict building. We believe that, with involvement from TCDT, this is a fantastic opportunity for the building to be put to good use.

Yours sincerely,

Lynn Cunningham

Secretary

Tillydrone Community Council

Dear Ms Armstrong,

I write on behalf of Old Aberdeen Heritage Society to make official representation concerning the Council's proposal to dispose of the Wallace Tower, a Common Good property situated in Seaton Park, Old Aberdeen.

The proposal; involves selling off this historic Listed Building to the Tillydrone Community Development Trust for the sum of £1.

The Society wishes to make representation as follows:-

1) Whilst we have no objection whatsoever to the building being leased, we must object to the proposal to sell.

2) **Background:** The Wallace Tower (or, more correctly, Benholm's Lodging) is one of the City's most significant historic buildings. Dating from around 1610, it is the only remaining example in the country of a Z-plan tower house built as a town lodging. It is a unique part of the City's history. Although it was subject to an enforced move from the Netherkirkgate in 1965, to make way for a Marks and Spencer store, it was carefully reconstructed in Seaton Park under the expert supervision of renowned historian Dr Douglas Simpson.

The original plan was for the ground floor to become a centre for local history, and the two upper floors to continue as a dwelling house. In the event, this was not possible, and the building was leased solely as a dwelling house for the next twenty-five years or so. For the first four years, it was home to Dr and Mrs Simpson, and then to other families, including local councillor, James Wyness and his family. In around 1990, it was leased as a centre for Scottish music on the ground floor, with residential accommodation above. This use was most successful, and lasted for around a decade, until about 2000. At this point, changes in the law, which had instituted "A Right to Buy" for Council tenants, presented a problem for the Council in Aberdeen. If they were to continue leasing the Wallace Tower as a dwelling-house, the sitting tenant would have the right to buy it, and this historic building of such architectural and historic significance in the life of Aberdeen, would pass out of the City's ownership. The decision was therefore taken, albeit reluctantly, to cease letting out the building for long-term lease, and a series of short term leases followed, for the next three years, mostly providing accommodation for new staff relocating to Aberdeen.

It is not at all clear why this arrangement was discontinued, but from around 2003, the Wallace Tower was no longer leased for residential use; nor, importantly, does it appear to have been

offered for lease or any other purpose.. Our Society has, over some months, attempted to gain an insight into this from Council reports, but unfortunately, we have been denied access to many of these, as they have been classified as "exempt" from publication, despite the fact that they concerned a property which is part of the Common Good.

What we do know is that changes in the law in 2016, meant that the Tenants' "Right to Buy" was repealed, and it was now open to the Council to lease the Wallace Tower as a dwelling house once again, if wished, either with this as the sole use, or, perhaps, in conjunction with some compatible use on the ground floor.

Sadly, no action was taken by the Council either to restore and refurbish the building, or to put it on the market for lease.

In this respect, we are concerned to note that in the TCDT "Project Business Plan", page 4, it is claimed that "in 2017, Aberdeen City Council put the building back on the market and invited interested parties to consider a purchase", and that there was no serious interest.

It is our understanding that in the autumn of 2017, the Committee agreed to advertise the Wallace Tower for sale or lease, and officers for some reason failed to carry out the instructions of the Committee. It was stated in an email from Cate Armstrong, that this was due to staff shortages. The Estates Dept of the Council will therefore be aware that the claim on page 4 of the applicant's "Project Business Plan" is misinformed.

It is the Society's understanding that the Council have not at any time proposed to restore and lease the building, and made arrangements to advertise it as such. If it had been restored, with money from the extremely healthy Common Good Fund, (as it still could be), it could easily be leased to TCDT, rather than sold.

3) **Neglect of building by Council:**

The Society has made several queries to the Council concerning the history of surveys, maintenance, etc, and what has emerged from responses is that very little maintenance of any kind has been undertaken on the Wallace Tower since it was last occupied in 2003. The last survey by the Council was in 1999, and other than that the only survey has been for asbestos . (No asbestos was found).

It appears, from all that we have read and seen, that the Council have failed to maintain and repair the building adequately, and in addition to this, and most significantly, have failed to secure it against break-ins and the resultant vandalism to the interior. Although the structure of the building has been kept safe and sound, the Council have failed in their duty to maintain this building, a Common Good property. It is only in its current state because of culpable neglect by the Council, who should have been maintaining it in good condition, as it is held in trust for the citizens of Aberdeen.

Much is made, in support of the proposal to sell off the Wallace Tower, rather than lease it, of the fact that the building requires a lot of expenditure to bring it back into use, because of its current state. This is put forward as a justification for disposing of the Wallace Tower altogether, as the Council does not wish to spend the money to restore it.

It is our understanding, however, that this is not, legally, a valid justification for disposing of the building, because it is only in this state as a result of longstanding neglect by the Council.

It is, however, open to the Council to offer to lease the Wallace Tower to TCDT, or another party who might be interested once it was restored, after carrying out the necessary repairs to the interior. Aberdeen's Common Good Fund is extremely healthy; in fact, we believe, the richest in Scotland, and its value is growing steadily, year by year. The funds are there; it is just a matter of the will to keep this historic building - a unique part of Aberdeen's heritage - in the ownership of the Council, as part of the Common Good, held in trust for the citizens of Aberdeen.

4) **"Best Value"**

The Council is required by law to achieve "Best Value" in any disposal of land. This current proposal is to sell this historic building for only **£1**. It is clearly worth much more than this. In addition, if the Council were to retain ownership, and lease it instead, having restored the interior, there would be a reliable income for the future. This, surely, would be "Best Value" for the Council, and for the citizens of Aberdeen, who have a legal interest in the building as part of the Common Good.

5) **Project Viability**

While we appreciate the objectives advanced by TCDT in their application, there do seem to a number of risks associated with the venture, eg. competition from the cafe in the Tillydrone Community Hub and the takeaway facility in Seaton Park. If the building were only to be leased to TCDT, then if by any chance, the project didn't work out, it would be a simple matter for the Council to market for lease again. If, however, it was sold outright, then even if there was a "buy-back clause", (which must be a sine qua non), there would be quite possibly a complicated process for it to be returned to the ownership of the Council; especially after any adjustments were made for changes in condition or layout of the building. The simplest, and safer, course of action is for the Council to offer the building to TCDT as a lease.

Still on the topic of viability, it is a matter of concern that on their application documents, TCDT make reference twice to having the "ability to use the facility as a takeaway/kiosk". There has, however, been no mention of such a facility in any of the planning applications, and it is our understanding that this extension of use would not only require planning permission, but that this would unlikely to be approved, for such an important historic building. This can not be assumed as something which might contribute to project viability.

Lastly, on the question of project viability, there appears to be confusion about the projected income from renting the hall on the first floor. TCDT's Financial Appraisal includes a projected income of £25 per hour, but in another document it is stated that this room would be let free of charge.

6) **Community Engagement**

The Society is concerned that the application by TCDT makes several references to having engaged widely in the community and having had united support for their planning proposals. It is also

claimed that they have consulted with local community organisations, and it is said that our Society is in support of the plans.

To be clear, our Society has at no time been consulted by TCDT on their plans. Nor, were we informed of the 'public consultations' which were held in the autumn, about the latest architects' plans. The Trust is aware that our Society, along with other bodies and individuals, in fact, wrote to object to the particular plans put forward in applications for planning permission and Listed Building Consent last winter.

As a Society with members and supporters living in the Old Aberdeen area numbering well over a hundred, on whose behalf we made representation, it is important that our stance over the actual physical plans is made clear.

It remains a fact that the Society has at no time been consulted by TCDT on the proposals. Given that the Wallace Tower is situated both in the Old Aberdeen Community Council Area, and, importantly, in the Old Aberdeen Conservation Area, this is a matter of some significance. Our Society exists to preserve and protect the heritage of the Old Aberdeen Conservation Area and has especial concern for its listed buildings and open spaces. While of course we wish to see the Wallace Tower fully restored and back in use, it is important that this end is achieved by the best means

It is the Society's view that the best means is not to sell off one of the City's most precious assets for £1, without any certainty of the outcome. The best means of protecting the building while keeping it as Common Good Land is, we believe, to restore and refurbish the interior, and then to lease it to TCDT, rather than sell it.

*

*

*

In conclusion, we wish to stress that we very much appreciate the worthy objectives of the Trust, in terms of the projected benefits for Tillydrone. We do not, however, believe that selling off the Wallace Tower is necessary for these ends to be achieved. We therefore object to the sale of the Wallace Tower, an important part of our heritage, particularly for the token sum of £1.

We would, however, very much support a lease of this historic building, and are quite certain that it could still be of much benefit to both Tillydrone and Old Aberdeen.

Yours sincerely,

Ronald Leith

Chairman

Old Aberdeen Heritage Society