



SCOTTISH POLICE
AUTHORITY
ÙGH DARRAS POILIS NA H-ALBA

2 Clyde Gateway
French Street
Glasgow
G40 4EH

LETTER SENT BY EMAIL ONLY

9 September 2025

FOI Ref 2025/26-060

Request

Your request for information dated 14 August is copied below.

On August 13, 2025 an item appeared on the agenda for the SPA Resources Committee, and can be seen here on the agenda at item 12.1 - <https://www.spa.police.uk/what-we-do/governance-meetings/resources-committee/13-august-2025/>

It is described as "Report for recommendation to the Scottish Government" in relation to the community asset transfer of Portobello Police Station.

Response

The Scottish Police Authority has considered your request under the Freedom of Information (Scotland) Act (FOISA).

The Authority can confirm that information is held. A report on the Community Asset Transfer (CAT) request for the sale of Portobello Police Station was considered by the Resources Committee on 13 August.

The report is provided with minor redaction of information considered to be exempt for the following reasons.

The information relates to a matter currently under consideration by the Scottish Government¹ and includes financial information which is considered to be commercially confidential at this time.² These exemptions require application of the public interest test which is set out later in this response.

¹ This represents a notice in terms of Section 30(c) of FOISA - where disclosure would, or would be likely to, prejudice substantially the effective conduct of public affairs.

² This is a notice in terms of Section 33(1)(b) of FOISA - disclosure would, or would be likely to, prejudice substantially the commercial interests of any person or organisation.

One redaction is considered to be personal information³ which is exempt in terms of FOISA. This exemption is absolute and does not require application of the public interest test. While you may have a legitimate interest in disclosure of this information, it is our view that those interests are overridden by the interests or fundamental rights and freedoms of the data subjects.

Public Interest Test

The public interest factors in favour of disclosure is that:

- This would adhere to the basic principle of being open and transparent.

The public interest factors in favour of maintaining the exemptions are:

- To disclose commercial or financial information while the matter remains subject to ongoing consideration and approval by Scottish Government may undermine the process or the outcome. The Authority is obliged to achieve 'Best Value' in the disposal of assets. This consideration must look at the financial impact as well as the impact on local and national priorities that contribute to the delivery of Best Value across the public sector as a whole. It is in the public interest that the balancing of these considerations can be done without undue external pressure that would result from unconfirmed figures being disclosed.
- Community Asset Transfer regulations require certain information to be published. Police Scotland manage the Community Asset Transfer process on behalf of the Authority and publish related information. As such pertinent information related to the transfer will be placed in the public domain once negotiations are concluded.

On balance, our conclusion is that maintaining the exemptions outweigh the public interest in disclosure.

An appendix to the report is considered out of scope of your request. To explain, FOISA gives a right to information rather than to copies of documents. The role of the Resources Committee was to consider Police Scotland's recommendation to approve the sale of Portobello Police Station to Action Porty at the agreed price subject to final approval from the Scottish Government. The report provided with this response details Police Scotland's recommendation to members of the Resources

³ This is a notice in terms of Section 38(1)(b) of FOISA - Third party data. Disclosure would contravene the data protection principle in Article 5(1)(a) of the General Data Protection Regulation: personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

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Committee, and along with discussion at the meeting, forms the basis on which a decision was made.

To assist, we can advise that Police Scotland provide certain services to the Authority, in line with legislation. This includes management of Community Asset Transfer requests and related processes. Where services like this are provided to the Authority, information may be held by Police Scotland.

Right to Review

If you are dissatisfied with the outcome of your request you can ask for a review within 40 working days. You must specify the reason for your dissatisfaction and submit your request by email to foi@spa.police.uk or by letter to Scottish Police Authority, 2 Clyde Gateway, French Street, Glasgow, G40 4EH.

If you remain dissatisfied after review, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to enquiries@foi.scot or by letter to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Commissioner's decision, you can appeal to the Court of Session, only if you think the law has not been applied correctly.

This response will be posted to our [Disclosure Log](#) in seven days' time.

Yours faithfully

Scottish Police Authority

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Agenda Item 12.1

Meeting	SPA Resources Committee
Date	13 August 2025
Location	Video Conference
Title of Paper	Community Asset Transfer request for the sale of Portobello Police Station
Presented By	James Gray, Chief Financial Officer
Recommendation to Members	For Approval
Appendix Attached	Appendix 1 - CAT Application and associated appendices

PURPOSE

The purpose of this report is to seek approval from the SPA Resources Committee to request that:

- The Community Asset Transfer request for the sale of Portobello Police Station is approved.
- Approve the sale of Portobello Police Station to Action Porty at the agreed price subject to final approval from the Scottish Government.
- The Estates Lead and the Chief Legal Officer acting on behalf of the SPA are instructed, in accordance with the Section 83 Services Agreement, to act in the negotiation and completion of the sale and any ancillary matters pertinent thereto.

1. Strategic Alignment

- 1.1 The disposal of Portobello police station will reflect the identified tranche of disposals to proceed under the National Estates Programme (NEP). Portobello police station is also noted as 'Dispose' under Masterplan 2.
- 1.2 The reduction in the size of the estate supports financial sustainability and capital investment in future enhanced service delivery with a particular focus on providing more modern working environments for many officers and staff, as well as creating a smaller, more sustainable, affordable estate for the future, thereby meeting a number of key strategic objectives.
- 1.3 The proposal supports our Estate, People, 2030 Vision and Environmental Strategies.
- 1.4 Approving the Community Asset Transfer request and disposing of the asset by way of Community Asset Transfer is in line with Police Scotland's obligations under the Community Empowerment (Scotland) Act 2015.

2. Background, Proposal, Best Value and Rationale

- 2.1 Portobello Police Station comprises a Georgian sandstone building on the main town high street dating from 1877. It is a two-storey, three-bay Franco-Baronial municipal building with a central clock tower and later additions. It is category B listed and was originally constructed as Portobello town hall prior to becoming the police station. It has a gross internal floor area of approximately 794 sq m and is situated on a site which benefits from a small parking area for two vehicles to the rear.
- 2.2 The Insights & Engagement Team, in partnership with E Division, entered public consultation with stakeholders and communities in relation to the closure and disposal of Portobello Police Station and in August 2024 the property was declared surplus by the SPA and approved for disposal.
- 2.3 At that time, Police Scotland Estates were aware of community interest in the premises from the well-established local group Action Porty. Action Porty whilst engaging in the consultation process had also been working towards presenting a Community Asset Transfer application. Police Scotland actively engaged and supported this

work in line with the Scottish Government's Community Asset Transfer guidance.

- 2.4 Whilst the asset was placed in the TRAWL, it was not placed on the open market due to the likelihood of a CAT application being made. The CAT application was received at the beginning of January 2025.
- 2.5 Action Party propose to turn the former police station into a multi-function community hub. The building has 27 rooms of various sizes from small offices to larger function rooms, and it lends itself to various uses. The proposal is for the larger rooms to host a community café/restaurant/bakery and/or event and exhibition space whilst the smaller rooms can provide much needed workshop and studio space for the many artists and creatives in the local area alongside business incubation space. Areas to the rear of the building of a more industrial nature have been identified as suitable for the local 'Bike Library' alongside youth-focussed workshop and practical learning areas. Finally, the former residential section of the property located on the first floor at the rear would form short term lets for visiting artists and creatives. A provision that would help minimise the reduction in affordable homes available in the area due to current homes converting to short term lets.
- 2.6 Opportunity for Police Scotland to utilise some of the facilities as a means of enhancing community engagement in the area and allowing officers some respite and welfare space have been highlighted, and the prospect has been initially welcomed by the local Division. If the CAT application is approved, this opportunity will be explored further.
- 2.7 The proposal is supported by significant community consultation exercises undertaken by Action Party which identify the uses proposed and articulates the demand for such uses.
- 2.8 A detailed business plan was provided highlighting anticipated running costs alongside demand information covering the need for creative workspaces.
- 2.9 The proposal aligns with Scottish Government and Police Scotland's commitment to prevention, intervention and diversion. This project and the undoubted employment opportunities it will bring, can improve the local community.
- 2.10 E Division Commanders are supportive of the proposal with Partnership Superintendent [REDACTED] commenting:

Action Party's proposal demonstrates coordinated thinking and identifies the prospect of working with partners. Portobello is home to a number of community initiatives and the Police Station could present a positive addition to this with collaborative working between the sites. Opportunities for cross-pollination and cooperation have been identified. Action Party are proposing a community model for the building, where members of the public from across a number of demographics can work, train and socialise. This will go some way towards improving relations across communities. Portobello has experienced high volumes of ASB with young people and this proposal should contribute to providing opportunities for young people, and also to encourage engagement across demographics in the community.

- 2.11 The SPA are obliged to achieve 'Best Value' in the disposal of their assets. 'Best Value' is not simply the highest financial sum, rather the requirement to make arrangements to secure continuous improvement in performance whilst maintaining an appropriate balance between effectiveness and economy. It also requires due regard to equal opportunities requirements, and to contribute to the achievement of sustainable development.
- 2.12 Therefore, each CAT application is scored against the seven Best Value themes:
- Economic development
 - Regeneration
 - Public Health
 - Social Wellbeing
 - Environmental wellbeing
 - Reducing inequalities of outcome from socio economic disadvantage
 - Any other benefits that may arise through the alternative use of the asset.
- 2.13 This, combined with consideration of Police Scotland's Policing Priorities and organisational outcomes, is used to determine whether the CAT application can be approved and whether any discount to market value justified.
- 2.14 Asset transfer at less than market value is justified when these additional benefits empower communities and align with local and national priorities to enable the delivery of Best Value across the public sector as a whole.

- 2.15 The Community Empowerment (Scotland) Act 2015 provides for valid Community Asset Transfer requests to be approved unless there is a reasonable reason to reject them.
- 2.16 In the case of this application, there is no such reason we are aware of. The application and business case Action Party have presented is sound and the benefits to the community are positive, reasonable and importantly, realisable. The financial implications are supported by Police Scotland's Finance team and are in line with 'Best Value' criteria. The proposal is supported by the Community Asset Transfer Working Group including Estates, Finance and the local Division whilst also being supported by the local community and elected members many of whom have articulated this directly.
- 2.17 The sale would reduce the revenue cost for the SPA and see a capital receipt. It would present positively to the local community who hold the building dear and would be pleased by its retention as a public building rather than it be sold on the open market.
- 2.18 Rejecting this application would have reputational impact and would likely lead to an appeal to the Scottish Ministers. Such an appeal would require a robust and reasoned defence from the SPA.

3. FINANCIAL IMPLICATIONS

- 3.1 The property has a market value of £[REDACTED] and an annual running cost of £41,000. Disposing of the property would see a capital receipt and a reduction in revenue costs.
- 3.2 In line with Community Empowerment (Scotland) Act 2015 guidance and having consideration of the Best Value principles, it is proposed to sell the property to Action Party at a discount of [REDACTED]% to market value. This discount takes account of the significant community benefit that approving this sale could deliver.
- 3.3 To protect the discount, any sale would be subject to a clawback agreement. The terms of the clawback agreement, still to be negotiated, will be in line with commercial market norms and the details will be subject to formal approval by the CFO via their delegated powers.

4. PERSONNEL IMPLICATIONS

- 4.1 There are no personnel implications in this report.

5. LEGAL IMPLICATIONS

- 5.1 The Chief Legal Officer and Legal Services personnel will be required to assist where necessary in the provision of advice relative to the marketing and to act in the disposal of the property.

6. REPUTATIONAL IMPLICATIONS

- 6.1 Disposal of the asset by way of community asset transfer allows obligations under the Community Empowerment (Scotland) Act 2015 to be fulfilled.

7. SOCIAL IMPLICATIONS

- 7.1 There are no social implications in this report.

8. COMMUNITY IMPACT

- 8.1 There are no community implications in this report.

9. EQUALITIES IMPLICATIONS

- 9.1 There are no equality implications in this report.

10. ENVIRONMENT IMPLICATIONS

- 10.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to approve the Community Asset Transfer request for the sale of Portobello Police Station and recommend to Scottish Government.