

Date: 20/07/2026
Our Ref: 11615
Enquiries to loth.freedomofinformation@nhs.scot

Dear

FREEDOM OF INFORMATION – BELHAVEN COMMUNITY HOSPITAL

I write in response to your request for information in relation to Belhaven Community Hospital, NHS Lothian.

Question:

In 1905 the grounds at Belhaven Community Hospital were given by George Warrender, 7th Bart of Lochend to the *"County Council of the County of Haddington and the Provost, Magistrates and Councillors of the burgh of Dunbar"*. There were several conditions in this bequest. It is now to be disposed of by NHS Lothian. In between these times the land has obviously been transferred in ownership and there are presumably the current deeds and similar documents showing ownership by NHSL.

I wish to make a request under the Freedom of Information Act Scotland to see the record of the land ownership documentation showing the changes between then and now, especially any where the original conditions were changed.

Answer:

The relevant title deeds held by NHS Lothian are enclosed.

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/appeal>. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the reviewer at the address at the top of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI>

Yours sincerely

ALISON MACDONALD
Executive Director of Nursing Midwifery and AHPs
Cc: Chief Executive
Enc.



17 SEP 2002
YLAH/ RUNNING No.
1585

NOTICE OF TITLE

on behalf of

**THE Lothian Primary Care National Health
Service Trust**

Subjects: Belhaven Hospital, Dunbar

CLO File Ref: ST8/405/2 SEH

FAS 7290

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**Scottish Health Service CLO
Trinity Park House
South Trinity Road
Edinburgh EH5 3SE**

DX ED154

BE IT KNOWN that **THE LOTHIAN PRIMARY CARE NATIONAL HEALTH SERVICE TRUST**, established under the Lothian Primary Care National Health Service Trust (Establishment) Order 1998 (S.I. No. 2711 (S.138)) as amended by the Lothian Primary Care National Health Service Trust (Establishment) Amendment Order 1999 (S.I.1999 No. 95), having our principal office at St. Roque, Astley Ainslie Hospital, Grange Loan, Edinburgh EH9 2HL, has right as proprietor to the following subjects, videlicet:- ALL AND WHOLE that area or piece of ground extending to Four acres and Eight hundred and Seventy decimal or one thousandth parts of an acre or thereby, Imperial Standard Measure, part of the Farm of Eweford on the Estate of Lochend, lying in the County of Haddington, now East Lothian, described in the Feu Charter by William Hugh Murray as Commissioner for Sir George John Scott Warrander of Lochend, Baronet, in favour of the County Council of the County of Haddington and the Provost, Magistrates and Councillors of the Burgh of Dunbar as the Local Authorities under the Public Health (Scotland) Act 1897, dated Twenty eighth July Nineteen hundred and Four and recorded in the New Register of Sasines for the Burgh of Dunbar on the Twentieth of April and in the Division of the General Register of Sasines applicable to the County of Haddington for publication and also in the Books of Council and Session for Preservation on the Twelfth of May all in the year Nineteen hundred and Five; together with the whole buildings and erections thereon known as, Belhaven Hospital, Dunbar together with the parts, privileges and pertinents thereof; which subjects were last vested in the East and Midlothian National Health Service Trust, established by the East and Midlothian National Health Service Trust Establishment Order (Statutory Instrument 1993 No. 2931 (S.265) and whose title thereto is recorded in the said Division of the General Register of Sasines on Twenty seventh January Nineteen hundred and Ninety seven and from whom the said the Lothian Primary Care National Health Service Trust acquired right by Property Transfer Order by the Secretary of State for Scotland in favour of the said the

REGISTERS OF SCOTLAND
GENERAL REGISTER OF SASINES
COUNTY OF EAST LOTHIAN
FICHE 103 FRAME 8
PRESENTED AND RECORDED ON

17 SEP 2002

ELN 0 2 . . . 1 0 3

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Lothian Primary Care National Health Service Trust dated Third June Nineteen hundred and Ninety nine, made in pursuance of paragraph 26 of schedule 7a to the National Health Service (Scotland) act 1978 which Disposition and subsequent writ have been presented to me, Shona Nicole Swan Hewitt, Notary Public, Edinburgh, Law Agent: IN

WITNESS WHEREOF these presents typewritten on this and the preceding page are subscribed by the said Shona Nicole Swan Hewitt at Edinburgh on the Second day of September Two thousand and two before this witness Stanley Edgerton Hampson of Scottish Health Service, CLO, Trinity Park House, South Trinity Road, Edinburgh. EH5 3SE

Shona N.S. Hewitt

S G Sampson witness

REGISTER on behalf of the said THE LOTHIAN PRIMARY CARE NATIONAL HEALTH SERVICE TRUST in the REGISTER of the COUNTY of EAST LOTHIAN.

S G Sampson
Solicitor, Edinburgh
Agent

TRANSCRIPTION OF THE BURDENS WITHIN THE 1905 Quick Copy Feu Charter granted by William Hugh Murray as Commissioner for Sir George John Scott Warrender of Lochend, Baronet in favour of the County Council for the County of Haddington and The Provost, Magistrates and Councillors of the Burgh of Dunbar dated twenty eighth July Nineteen hundred and four and recorded in the New Register of Sasines twentieth April and in the General Register of Sasines applicable to the County of Haddington and also in the Books of Council and Session for preservation on twelfth May all Nineteen hundred and five: -

Reserving always to the said Sir George John Scott Warrender and his foresaids the whole mines, metals, minerals, fossils, coal, ironstone, limestone and others within the said piece of ground and full power and liberty to him and them and to any person or persons authorised by him or them to search for, work, whin and convey away the same and to carry through the said subjects all minerals and materials whatever from the Superiors other lands or from lands belonging to other parties in the neighbourhood: But declaring always that he and his foresaids shall have no right to work or whin the said mines, metals, minerals and others from the surface of the said piece of ground; and also that they shall be bound to satisfy and pay all damages that may be occasioned to the surface of the ground or the buildings thereon by the working thereof as such damages shall be appointed by: Declaring further that in addition to said restrictions, these presents are granted with and under the following conditions, provisions and declarations *videlicet*:

(FIRST) that the ground disposed is feued at the risk of the said disponees for the purposes of a Hospital for the treatment of infectious and contagious diseases together with relative out-houses to be erected on the ground feued and a building for the treatment of convalescent patients may also be erected thereon and the ground not used for these purposes shall be only used for agricultural purposes or as pleasure grounds in connection with the said Hospital and the said buildings and grounds shall be put to no other purposes without the consent of the Superior.

And the site and the plans insofar as not already approved of shall before building operations are commenced be submitted to and approved of by the Superior.

Declaring that the said disponees shall be bound and obliged within the space of five years from the date of these presents to complete and in all time thereafter to maintain in good tenantable and sufficient repair upon the subjects feud buildings which shall be of the annual value of at least double the feu duty stipulated and payable under these presents.

(SECOND) that my said disponees shall be bound and obliged to keep the buildings to be erected on said areas or piece of ground constantly insured against loss by fire with an established insurance company for at least the sum of One thousand pounds (£1,000) sterling; and in the event of the said buildings or any part thereof being destroyed or damaged by fire, the said disponees shall be bound to restore it to the requisite value within two years of such destruction or damage and the whole sum to be received from the said insurance company shall be expended at the site of the said Sir George John Scott Warrender of his foresaids in rebuilding the said Hospital and the pertinences or repairing the damage done by such fire and such Hospital and the pertinences shall not be re-erected in the style or in aligned different from that already agreed on without the consent of the said Sir George John Scott Warrender first had and obtained.

(THIRD) that the disponees shall be bound and obliged to maintain the existing fences except the hedge belonging to the North British Railway Company on the said piece of ground feud or where mutual to Sir George John Scott Warrender and the adjoining proprietor mutually with the said proprietor to maintain the existing fences or other suitable fences to be approved of by the said Sir George John Scott Warrender or his foresaids shall be substituted therefor.

(FOURTH) that the said disponees shall drain the said Hospital and the pertinences in a proper manner and also satisfactory to the public authorities by means of a pipe sewer running northwards along the public road and shall maintain and uphold the same in good repair in all time coming the said Sir

George John Scott Warrender and his foresaids having no responsibility or liability in connection therewith in any way.

(FIFTH) that no buildings of any kind other than a porter's lodge if considered advisable shall be erected within sixty feet of the public roadway and that the portions intervening between the said buildings and the said roadway shall be laid out and kept as a shrubbery.

(SIXTH) that the said disponees shall be bound to maintain and uphold in good and sufficient repair in all time coming any existing field or other drain on the piece of ground disposed so that the said Sir George John Scott Warrender and his foresaids may pass drainage from their upper lands of Eweford and Lochend through the same and further that no sewage shall be allowed by the said disponees to enter any of the existing drains in the ground feud.

(SEVENTH) the said disponees shall insofar as not already done settle all claims by the tenant of said farm of Eweford of whatever kind except a deduction from her rent from the term of Whitsunday eighteen hundred and ninety nine.

And if the said disponees shall act contrary to any of the conditions, provisions and declarations herein expressed then not only shall this Charter become void and null but the parties so contravening shall omit and forfeit all right and interest in the said subjects which in that event shall revert to the said Sir George John Scott Warrender or his foresaid in like manner as if these presents had never been granted.