# Guideline on the transfer of redundant lighthouses

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Some points to consider or to be clarified in the guideline!

* Permit the new owners to run the Lighthouse!
  + Consider if it is useful or appropriate to continue the Aid to Navigation
  + Details of permissions/conditions in relation to maintaining the light as an aid to navigation
  + Continue to provide the quality and availability of service
  + Ensure accurate information charted on AtoN availability
* Keep lighthouses in the authorities’ ownership as far as possible!
  + Unlikely to be considered an option by most authorities
  + Retain property for other AtoN purposes e.g. AIS antennae
  + Retain for strategic reasons e.g. access, ownership claims, costs of remediation
  + Possible transfer to other government agency e.g. weather service
* If Aid to Navigation is to continue in operation it may be possible to reduce the maintenance costs to the authority without selling the lighthouse. Instead of selling, the lighthouse can be leased out to other bodies.
  + Lessee to be responsible for the building maintenance
  + Possibly retain ownership of the AtoN with right to access for maintenance, and agreement to allow changes for improvements in technology.
  + Transfer responsibility for maintenance of daymark to lessee
* The disposal of redundant lighthouse property shall be undertaken where appropriate by the most beneficial means available, without any due delay after the property has become redundant and wherever possible having due regard to:

a. the need to transfer or reduce maintenance outgoings.

b. the operational, historical and cultural significance of lighthouse buildings (and their equipment) as part of the national industrial heritage and as a feature of the beauty and amenity of the coast environment.

- The authority should take note of the Heritage designation of the property and the impact that this may have on any disposal.

~~c. the 1994 property strategy document “Joint Study on a Framework for the Future of Lighthouse Property” of 14 October 1994 as amended. and~~

d. achieving the best possible disposal price by using open market sales unless there is demonstrable reason to negotiate the sale e.g. if costs of preparing for disposal are greater than expected income from the sale.

(From Framework document for the General Lighthouse Authorities -08 – amended for inclusion in this guideline)

* Finding organisations that are capable of taking care of the Lighthouse.
  + Organisation which has an interest in the protection of the heritage of the lighthouse and its long term future.
  + Organisation which is interested in running the lighthouse for the benefit of the public.
* Reducing the area required within a lighthouse site.
  + Ensure appropriate access agreements are in place to prevent compensation claims from other users during maintenance operations
  + Ensure appropriate agreements regarding maintenance of daymark as required for navigation.
* Take care of redundant equipment
  + Retained on site for exhibition
  + Transferred to museum for display
  + Appropriate disposal through sale or scrapping.
* Appropriate property transfer documents
* Educate the new owners
* Very important that any disposal should maintain safeguards on the heritage value of the lighthouse site as a whole.
* Removal of hazardous materials, for example mercury or diesel spillages.

# CHECKLIST

# DISPOSAL OF REDUNDANT LIGHTHOUSES

# (The Swedish way!!)

**Control measures to be used before planning to sell off real estates and properties, (buildings only or land and buildings).**

**Distinction is made when sale is made to municipality or to private individual or transfer to another State authority.**

## Sale

When sale of real estates and/or buildings is made, directives from State agencies have to be followed. This may differ with the regulations within each country.

### To check before selling of permanent property:

* Is the property needed for the State? (e.g. Important example of cultural heritage, military defence, environment protection, the “free outdoor life”)
* Do other State authorities have any need of the property?
* Can the property be of any interest to the local municipality? For example for the municipality's long-term planning relating to the development of the community?
* If the property is a residential block: Does it have a culture-historical value such that it should be protected? In that case, consultation has to be made with The National Heritage Board and relevant county board!
* The sale will be made in a businesslike manner!
* The property's market value will be established through an estimate of the value!
* Specific rules apply to the sale of a residential block – e.g. rights of tenants
* As a rule all sales shall be made through auction or through a tender procedure!

Regulations relating to the above points apply to the sale of the State's permanent property. The regulations will also, in applicable sections, serve as a guide when selling a building on non-freehold property.

Difference between **real property estate(permanent property)** and **non-freehold property:**

A **real estate (Site)** is a exactly define and specified registered piece of land. It can be settled or not settled.  
  
A **real property estate (Fixed assets)** is “accessories” to a real estate (houses, dwellings, lighthouses, navigation marks, etc.) to the real estate - if it is same owner to the real estate and the ”accessories”.

**Non-freehold property (?)** is the “accessories” on a real estate (houses, dwellings, lighthouses, navigation marks, etc.) - when the owner is not the same to the real estate and the real property estate.  
  
Non-freehold property can become real property estate - if the real-estate owner acquires the loose property that is located on the real estate.   
  
A real property estate can as a rule not become non-freehold property - if not the real property estate to be moved from the real estate.

### When selling it is important to check:

### Is the current selling “object” (t.ex. a lighthouse) a real property estate or a non-freehold property? Is the item a real property estate, then there are the following alternatives:

1. The real estate with the “object” is to be sold.
2. Piece of land to the “object” is divided.
3. If the “object” is an AtoN it can be sold despite the real estate being retained.

Is the item a non-freehold property. Check with the landowner (real estate owner):

1. Is the plan to demolish the “object”: Observe that according to the lease-law the leaseholder is obliged to offer to the “site” owner the opportunity to buy the object if the leaseholder does not have any use for the “object”.