

The background of the slide features a large, faint, light blue watermark of the City of Vancouver coat of arms. The crest includes a crown with four maple leaves, a shield divided into four quadrants (top-left: a ship, top-right: a stag, bottom-left: a ship, bottom-right: a grizzly bear), and a banner at the bottom with the motto "A NE FOR A".

Agenda Item 9

Asset Transfer – Community Halls

Falkirk Council

Title: Asset Transfer – Community Halls
Meeting: Education, Children and Young People Executive
Date: 4 June 2019
Submitted By: Director of Children's Services

1. Purpose of Report

1.1 This report seeks the approval of the Education, Children and Young People Executive to lease five community halls at below market rent to the Community Hall Management Committees to support their organisation's activities within their local communities.

1.2 The five community halls are:

- Banknock Community Hall;
- California Community Hall;
- Limerigg Community Hall;
- Tamfourhill Community Hall; and
- Westfield Community Hall.

1.3. In addition the report also seeks the Education, Children and Young People's Executive's approval to declare Bothkennar Community Hall "surplus to operational requirements" and to instruct the disposal/sale of this property.

2 Recommendations

2.1 The Education, Children and Young People Executive is asked to :-

- (i) agree that the Council leases the community halls detailed to their respective Community Hall Management Committees for a period of 15 years on full repairing and insuring terms at a nominal rent of £1 per annum;**
- (ii) note that the proposals are assessed to be in compliance with the Council's statutory obligations in respect of disposal of land and buildings at less than best consideration;**
- (iii) agree that the Director of Development Services, in consultation with the Director of Children's Services, be authorised to conduct and finalise negotiations and generally take all decisions required to take forward the lease transactions to conclusion; and**

- (iv) agree that Bothkennar Community Hall be declared surplus to operational requirements and that the Director of Development Services, in consultation with the Director of Children's Services, be authorised to agree terms for its disposal.**

3 Background

- 3.1 The Council as part of the budget for 2015/16 agreed that Officers should progress the transfer or closure (where no local interest was expressed) of all our 22 community halls.

4 Considerations

Leases

- 4.1 Each Community Hall Management Committee requires a formal lease at a nominal rent to allow them to progress with any fit-out or improvements they may wish to make to the property. This helps to ensure their activities are sustainable and can maximise benefits for their local communities.
- 4.2 Each Community Hall Management Committee have requested a fifteen year lease. It is normal for leases of this type to be on a full repairing and insuring basis, where the tenant will be responsible for all aspects of the property maintenance and the associated costs of occupation.
- 4.3 Each Community Hall Management Committee has prepared a business plan with support from Falkirk Community Voluntary Sector (CVS) and the Council's Community Learning and Development Service (CLD).

Disposal for Less than Best Consideration

- 4.4 As the rent proposed is nominal relative to a market rent per annum, this transaction falls within the scope of s74 of the Local Government (Scotland) Act 1973, local authorities to dispose of land for less than best consideration but only in certain circumstances.
- 4.5 The Disposal of Land by Local Authorities (Scotland) Regulations 2010 sets out the procedure and the circumstances in which a local authority may dispose of land for a consideration less than the best that can reasonably be obtained. Local Authorities must be satisfied that disposal of the subjects at less than best value is considered as being reasonable and is likely to contribute in whole or in part to any of the following criteria:
- (a) economic development or regeneration;
 - (b) health;
 - (c) social well-being; or
 - (d) environmental well-being.

Assessments of Applications

4.6 All applications have been assessed and it is considered that:

- the proposals meets the Council's priorities to empower and enable people to be self-reliant and promote stronger, more self-reliant communities;
- it accords with Strategic Outcomes and Local Delivery Plan (SOLD) outcomes to make our area a fairer and more equal place to live, with a healthier population where people will leave full, independent and positive lives within supportive communities;
- there are significant benefits identified for public health, social wellbeing and the reduction of inequalities as well as strong economic development and regeneration benefits;
- the ability of the organisations to deliver has been assessed as good;
- each Community Hall Management Committee has good local and wider public support through strong community networks; and
- each community hall does not compete with services being provided by Falkirk Council.

4.7 Based on the above assessment, each community hall has a strong potential for contributions to the promotion and improvement of economic development, regeneration, health and social wellbeing. It is accordingly considered that the requirements of the 2010 Regulations are met.

Bothkennar Community Hall

4.8 For the last 18 months or so Officers have invited informal discussions with parties interested in taking over the management of this Hall. In addition the Council has advertised this Hall as being available for a possible community asset transfer.

4.9 As no formal expressions of interest have been received in respect of this Hall, Officers are proposing that it declared "surplus to operational requirements" and is passed to the Council's Asset Management Team for disposal. Appendix 6 shows the location of this property.

5 Consultation

5.1 Consultations with Services have been incorporated in the assessment process.

6 Implications

Financial / Resources

- 6.1 Once the leases are finalised and concluded it will enable Children's Services to realise part of the previously agreed budget savings target for this workstream.

Legal

- 6.2 The proposal if approved will be subject to the successful conclusion of all necessary lease and disposal arrangements.

Risk

- 6.3 Should any of these transfers be unsuccessful, the consequences may involve the community halls being returned to Falkirk Council.

Equalities

- 6.4 The community halls offer opportunities for individuals from disadvantaged backgrounds to participate in activities that promote healthy wellbeing and lifestyles.

Sustainability/Environmental Impact

- 6.5 None

7 Conclusions

- 7.1 These proposals accord with many of the Council's priorities and those of the Scottish Government. The Community Hall Management Committees detailed are properly constituted and have been assessed as having the appropriate capacity to deliver its planned activities and benefits.
- 7.2 These proposals if approved support the wider derived benefits in economic development, regeneration, health and social well-being and therefore approving the application on a nominal rent basis, meets the relevant legislative requirements for disposal by way of lease at less than best consideration.

Director of Children's Services

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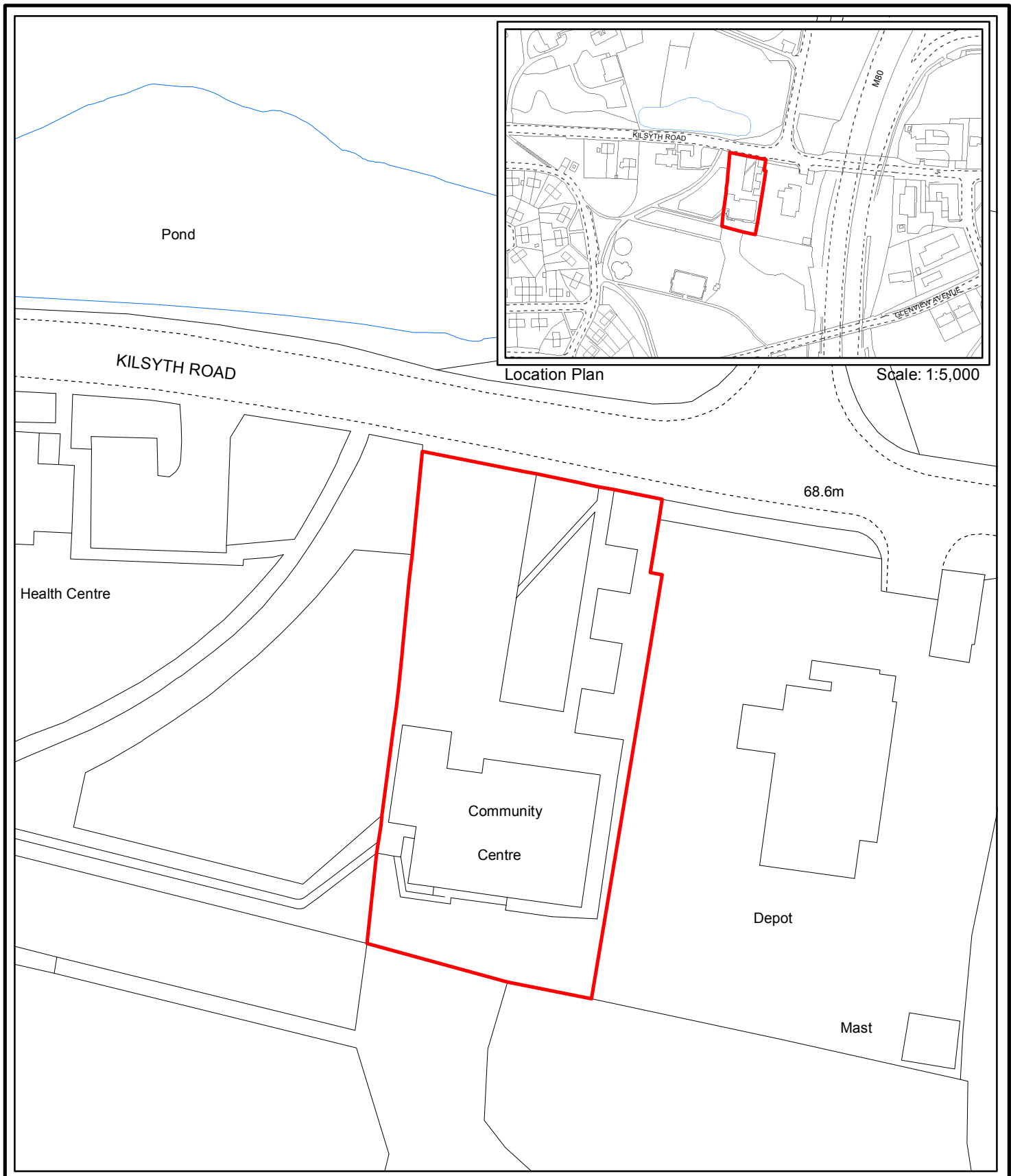
Appendices:

- Appendix 1 Plan showing location of Banknock Community Hall
- Appendix 2 Plan showing location of California Community Hall
- Appendix 3 Plan showing location of Limerigg Community Hall
- Appendix 4 Plan showing location of Tamfourhill Community Hall
- Appendix 5 Plan showing location of Westfield Community Hall
- Appendix 6 Plan showing location of Bothkennar Community Hall

List of Background Papers:

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

None



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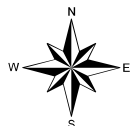


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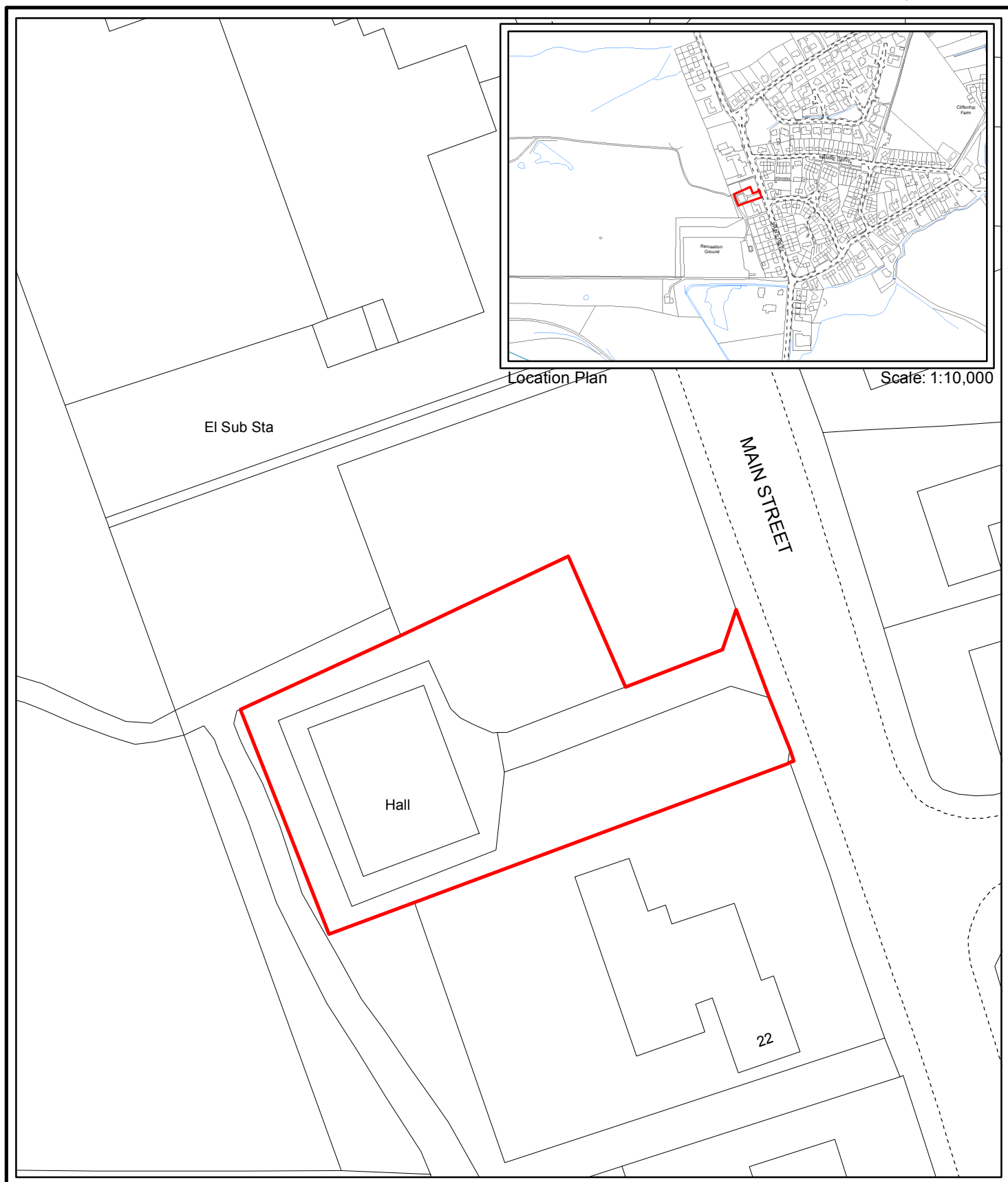
Date: 14.5.2019



Subject

Banknock Community Centre, Kilsyth Road

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Location Plan

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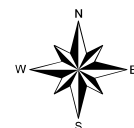


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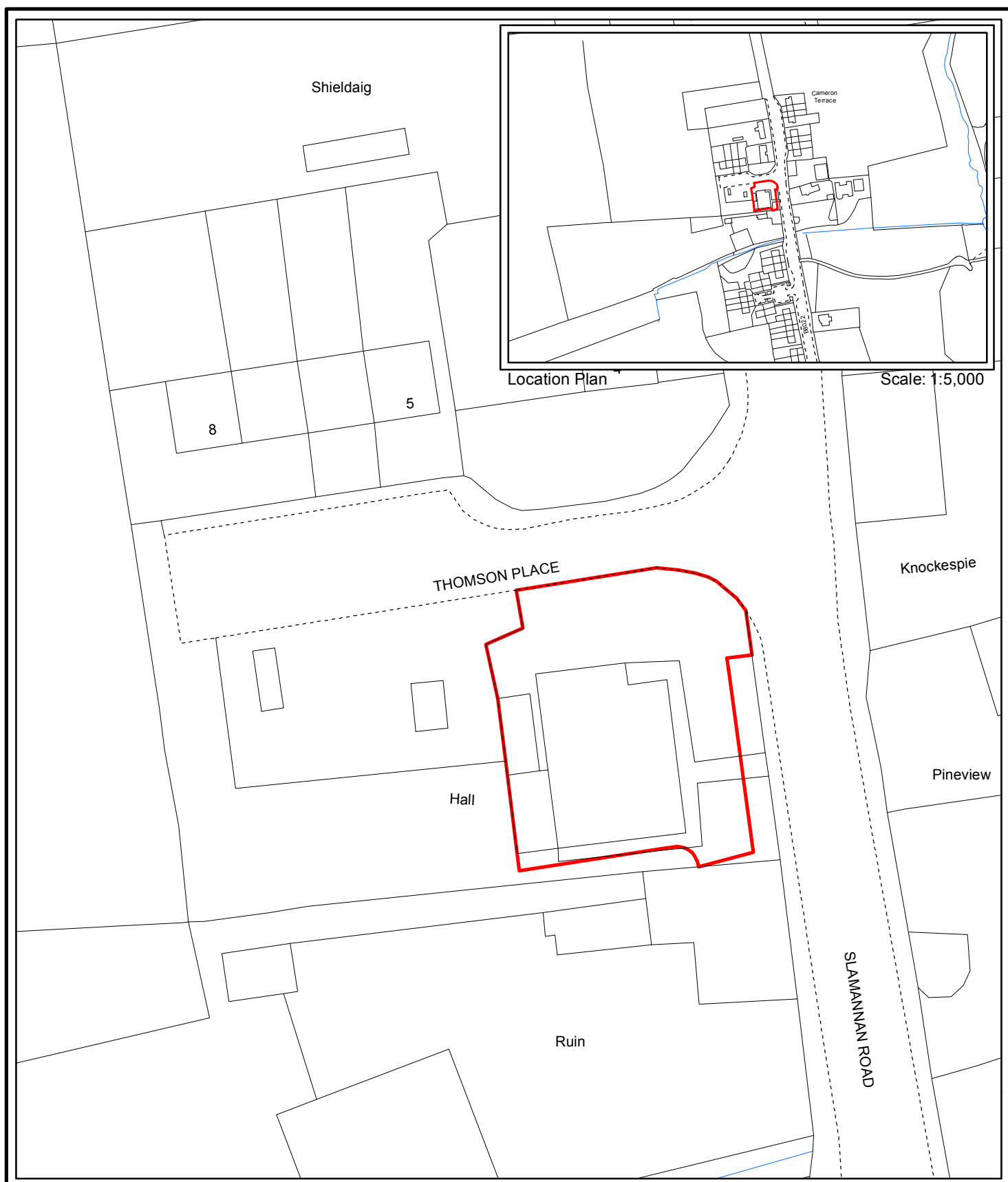
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Subject

California Community Hall, Main Street

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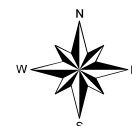


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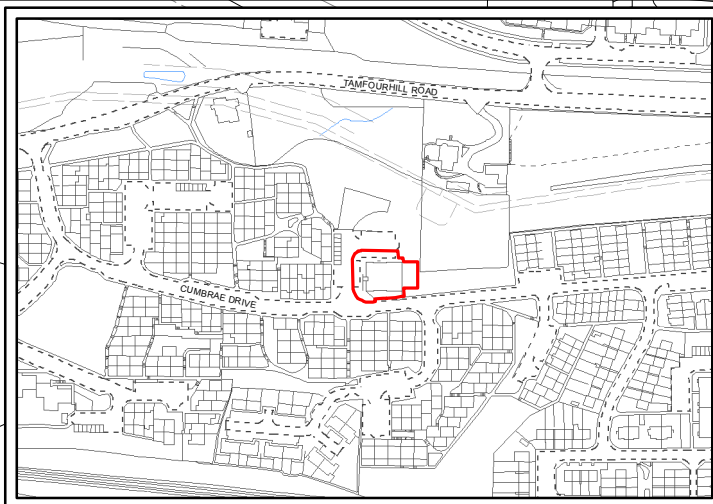
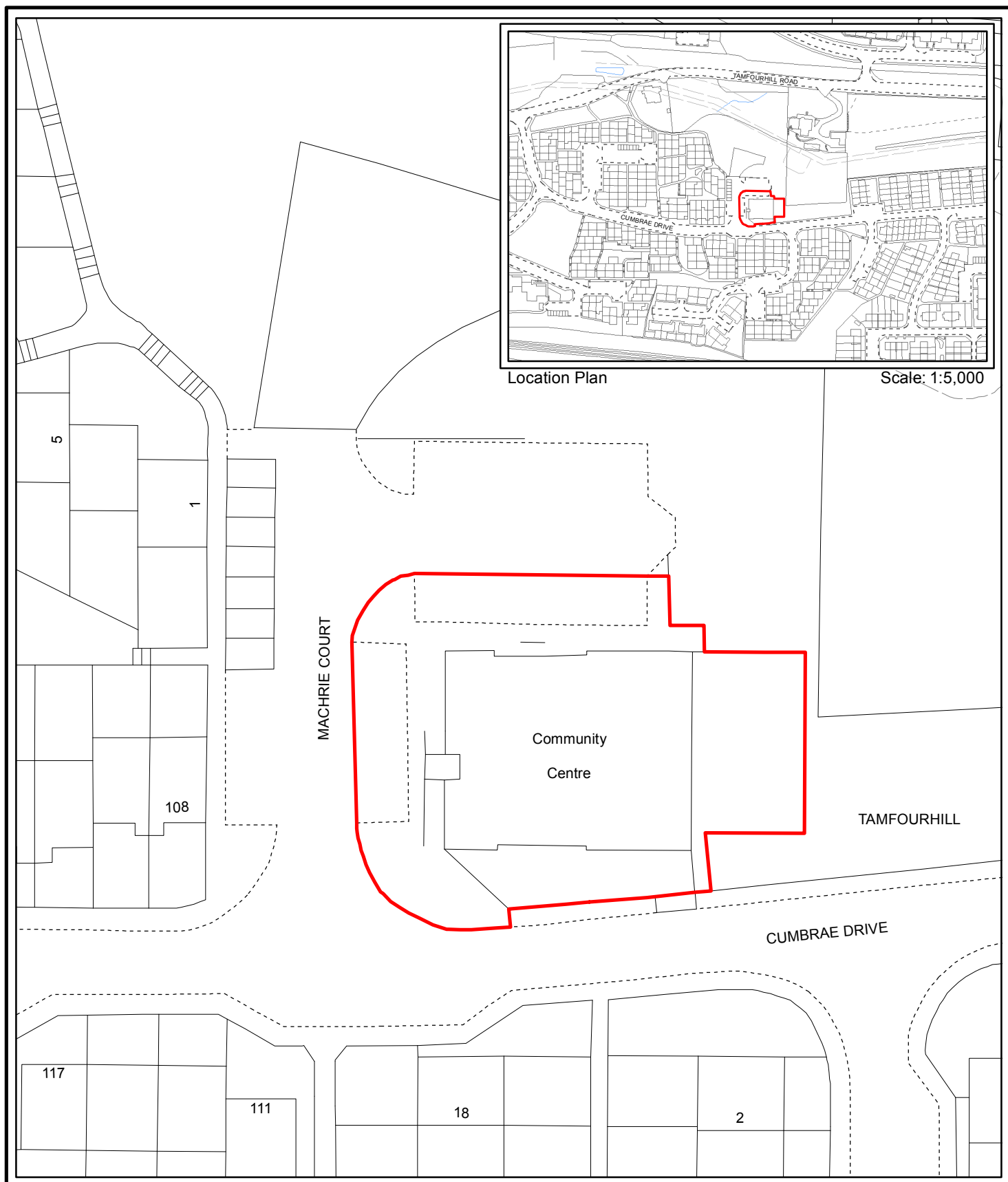
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Subject

Limerigg Community Hall, Slamannan Road

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Location Plan

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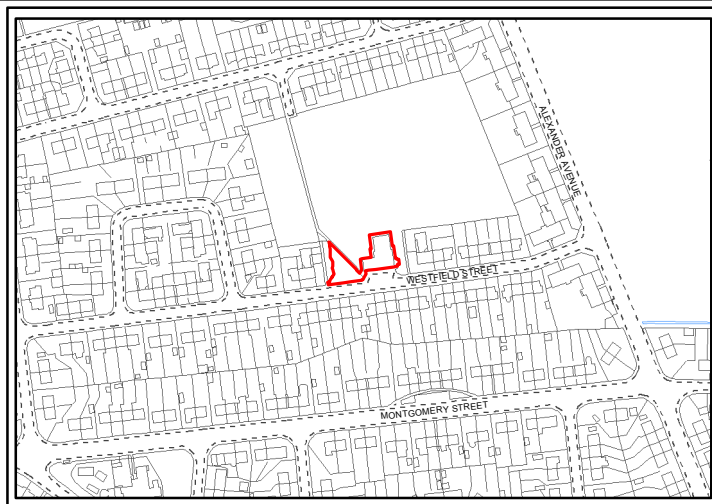
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Subject

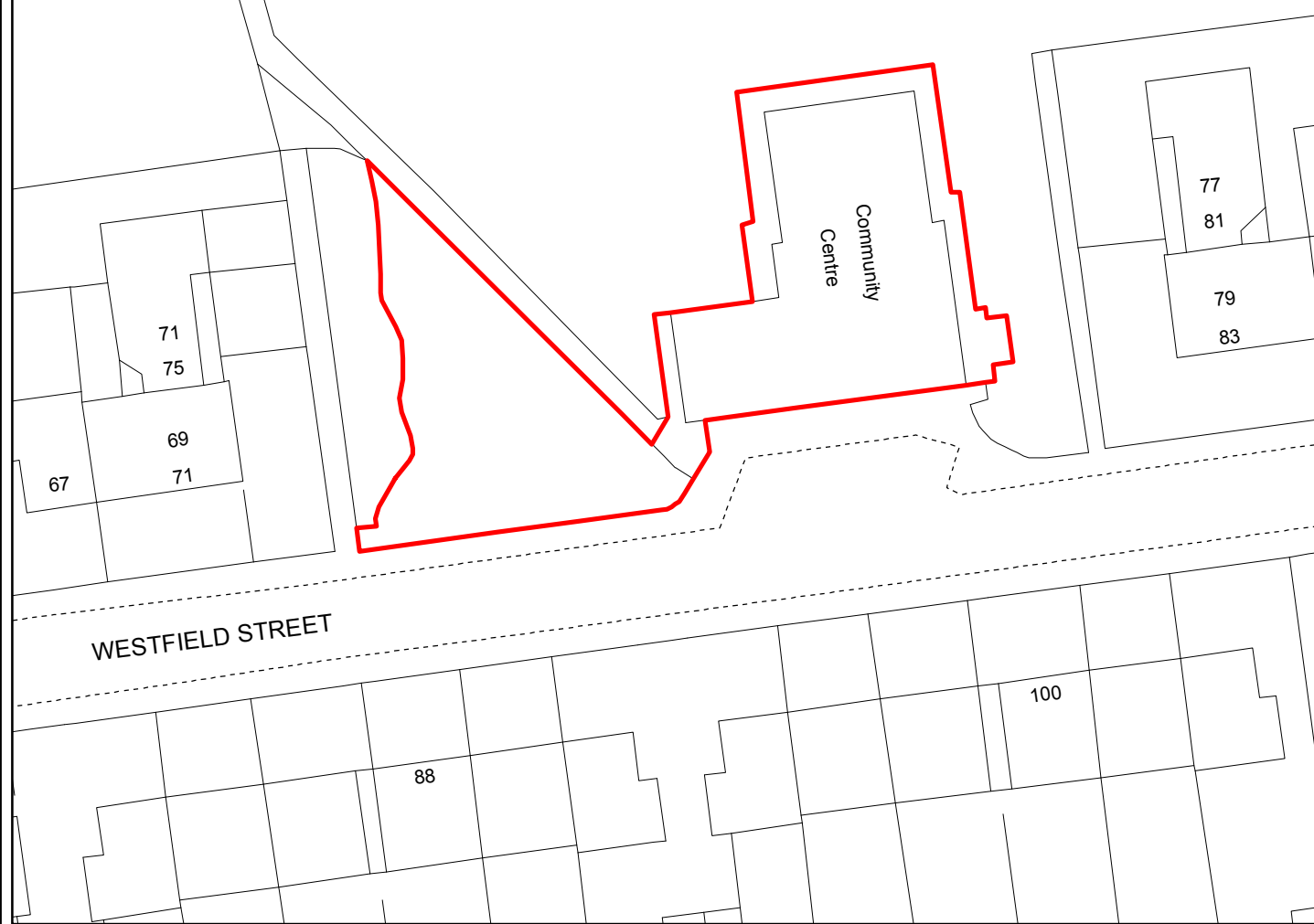
Tamfourhill Community Centre, Cumbrae Drive

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Location Plan

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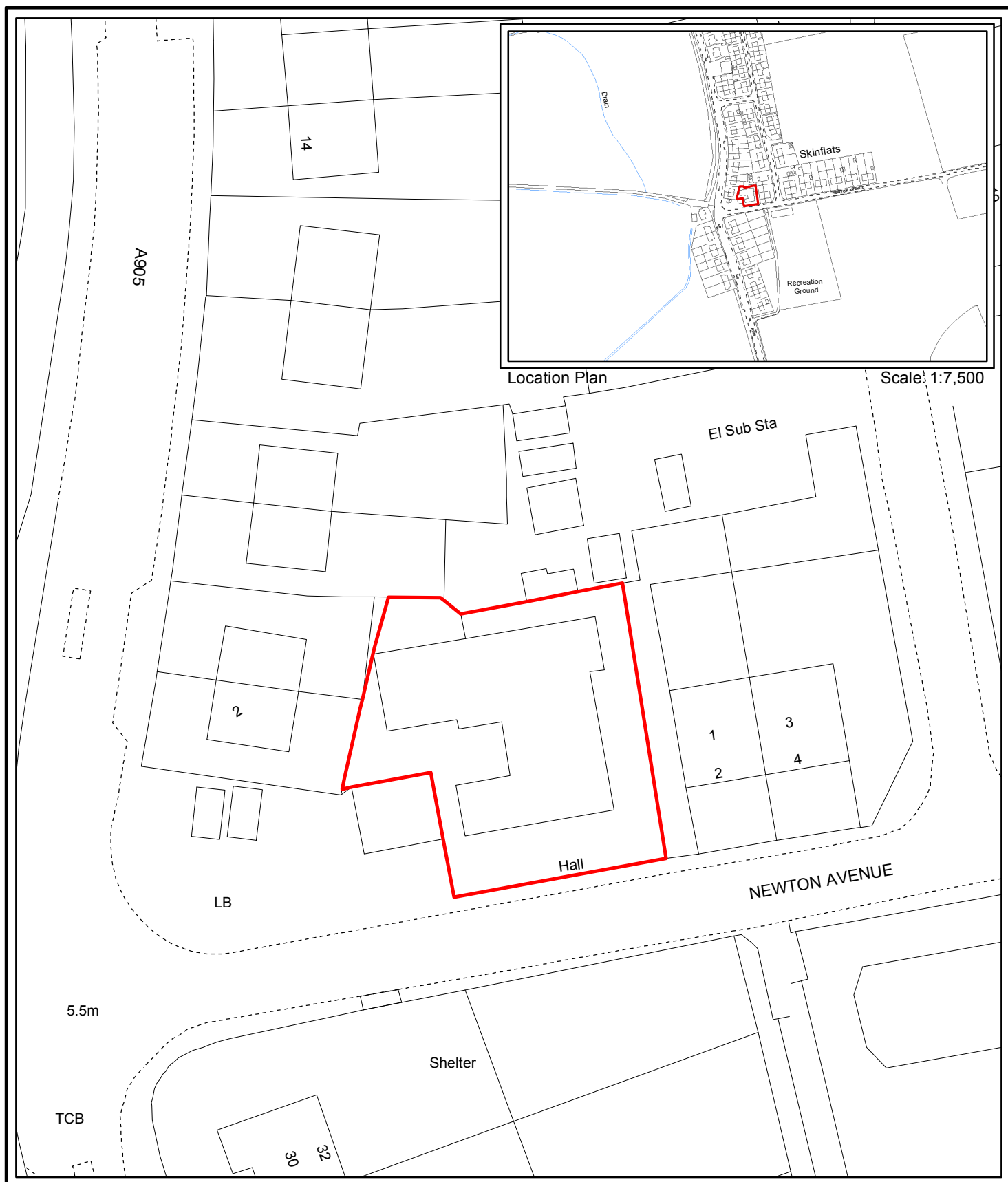
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Westfield Community Centre, Westfield Street

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Location Plan

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Falkirk Council

Development Services
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Scale: 1:500

Date: 14.5.2019



Subject

Bothkennar Community Hall, Newton Avenue

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