

ECYE9. Asset Transfer – Community Halls

The Education, Children & Young People Executive considered a report by the Director of Children's Services seeking to declare Bothkennar Community Hall surplus to operational requirements for disposal/sale along with approval to lease the following five community halls at below market rent to the Community Hall Management Committees:-

- Banknock Community Hall
- California Community Hall
- Limerigg Community Hall
- Tamfourhill Community Hall
- Westfield Community Hall

Community Hall Management Committees required a formal lease at a nominal rent in order to allow them to progress any fit-out or improvements to the property. This helped to ensure their activities were sustainable and maximised benefits to local communities. Each Community Hall Management Committee had requested a fifteen year lease. It was normal for leases of this type to be on a full repairing and insuring basis, where the tenant was responsible for all aspects of property maintenance and the associated costs of occupation.

As a nominal rent of £1 per annum was proposed the transaction fell within the scope of s74 of the Local Government (Scotland) Act 1973, which provided that Councils could only dispose of land for less than best consideration in certain circumstances. The Disposal of Land by Local Authorities (Scotland) Regulations 2010 set out the procedure and the circumstances in which land may be disposed of for a consideration less than the best that could reasonably be obtained. Local Authorities required to be satisfied that disposal of the assets at less than best value was considered as being reasonable and was 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.

The Service considered that:-

- the proposals met the Council's priorities to empower and enable people to be self-reliant and promote stronger, more self-reliant communities;
- it accorded with the Strategic Outcomes and Local Delivery Plan outcomes to make our area a fairer and more equal place to live, with a healthier population where people will lead full, independent and positive lives within supportive communities;
- there were 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 was assessed as good;

- each Community Hall Management Committee had good local and wider public support through strong community networks; and
- none of the community halls competed with services being provided by Falkirk Council.

Over the preceding 18 months the Service had invited informal discussions with parties interested in taking over the management of Bothkennar Community Hall. In addition the Hall had been advertised as being available for a possible community asset transfer. As no formal expressions of interest had been received it was proposed that it be declared surplus to operational requirements and disposed of.

During the discussion the Head of Planning and Resources confirmed that: the £100k included in the Capital Programme for 2018/19 to ensure the halls were fit for purpose would be utilised; parachute revenue monies would be available but dependent upon individual circumstances and local discussions, and support from Community Learning & Development would be on-going in particular to support access to external funding.

Decision

The Education, Children & Young People Executive:-

- (1) agreed that the Council leased 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;**
- (2) noted that the proposals were assessed to be in compliance with the Council's statutory obligations in respect of disposal of land and buildings at less than best consideration;**
- (3) agreed that the Director of Development Services, in consultation with the Director of Development Services, be authorised to conduct and finalise negotiations and generally take all decisions required to take forward the lease transactions to conclusions, and**
- (4) agreed 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.**