

REPORT TO KINCARDINE & MEARN'S AREA COMMITTEE – 8 JUNE 2021

ASSET TRANSFER – FORMER COMMUNITY CENTRE, 148/152 HIGH STREET, LAURENCEKIRK, AB30 1XL

1 Reason for Report / Summary

- 1.1 This report seeks the approval of the Kincardine & Mearns Area Committee to transfer the former Community Centre in Laurencekirk to Catalyst Community Regeneration Company.

2 Recommendations

The Committee is recommended to:

- 2.1 Consider and agree the application from Catalyst Community Regeneration Company for the Asset Transfer of the former Community Centre in Laurencekirk and instruct the Area Manager to issue a Decision Notice;**
- 2.2 Agree to invite submission of an offer to purchase from the Catalyst Community Regeneration Company to be received within 6 months of the date of the Decision Notice;**
- 2.3 Delegate authority to the Area Manager to instruct Legal and People to conclude the transfer of the former Community Centre, Laurencekirk to Catalyst Community Regeneration Company; and**
- 2.4 Agree that the purchase price should be set at a nominal sum of £1, which takes into account the community benefit and refurbishment costs.**

3 Purpose and Decision-Making Route

- 3.1 Requests for Asset Transfers from community bodies are governed by the provisions of the Community Empowerment (Scotland) Act. Community bodies can request ownership, lease or other rights, as they wish. The Act requires local authorities to assess requests transparently against a specified list of criteria and to agree the request unless there are reasonable grounds for refusal. This shifts the balance of power clearly towards the community body.
- 3.2 The Committee must therefore determine the application presented based on the statutory criteria as set out below:
- The reasons for the request
 - Any other information provided in support of the request
 - Whether agreeing to the request would be likely to promote or improve

- Economic development
- Regeneration
- Public health
- Social wellbeing
- Environmental wellbeing
- Whether agreeing to the request would be likely to reduce socio-economic inequalities
- Any other benefits that might arise if the request were agreed to,
- How the request relates to the relevant authority's duties under Equalities legislation
- Any obligations that may prevent, restrict or otherwise affect the authority's ability to agree to the request.

4 Discussion

- 4.1 On 20 November 2020 a valid Asset Transfer request was received from Catalyst Community Regeneration Company for the former Community Centre in Laurencekirk (see **Appendix 1**). The proposed use of the building is to create a community hub to support the activities of the Catalyst Church but also provide a facility that community groups are able to let. The Catalyst Community Regeneration Company (CCRC) is a Scottish Charitable Incorporated Organisation (SC049708).
- 4.2 The property was previously run as a community centre and library service by Aberdeenshire Council's Community Learning & Development Service. Activities were transferred to the newly built Mearns Academy Campus which was opened in 2014. The building has since lain empty and unoccupied.
- 4.3 CCRC have been active in the Mearns area for a number of years and currently run activities from a number of venues in Laurencekirk including coffee mornings, Sunday church services as well as operating a foodbank, delivering a vital service to those in crisis. Bringing all these activities into one building will allow them to expand their activities and remove the need to constantly plan ahead to make room bookings, worry about transportation and setting up of equipment etc. The facilities will also be open to other groups in the community to hire. When the former Community Centre was closed and activities moved to the Mearns campus many of the elderly in the community objected to the closure as they felt the new building was too far for them to walk to. Therefore, establishing a community hub in this location will provide an alternative venue for members of the community living in the southern half of the town.
- 4.4 In line with the Community Empowerment (Scotland) Act 2015 public consultation must be undertaken with notice of the asset transfer request being published online and notices put up on site. This process was undertaken with one letter of objection being received (see **Appendix 2**). However, it was felt that the majority of the issues raised would be addressed by the improvements to be undertaken by CCRC during the renovations and there would also be an additional opportunity for comment from the public through any future Planning or Building Warrant applications. The purpose of running the facility as a community hub means that the classification of use for the building has not

changed and therefore should not create any additional disturbance to neighbouring properties.

4.5 The property was independently valued and has a market value of £175,000. Following an analysis of the community benefits using the “Best Value Consideration” template, Officers have determined that a nominal value of £1 should be applied. This also takes into consideration the anticipated refurbishment costs of circa £100,000 which includes the removal of the portacabin at the rear and creation of a car park.

5 Council Priorities, Implications and Risk

5.1 This report helps deliver:

Council Priority 1 Our People (Education and Health & Wellbeing)

Council Priority 2 Our Environment (Infrastructure and Resilient Communities)

5.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial		X	
Staffing		X	
Equalities	EIA attached as Appendix 3		
Fairer Scotland Duty		X	
Town Centre First		X	
Sustainability		X	
Children and Young People’s Rights and Wellbeing		X	

5.3 An equality impact assessment has been carried out as part of the development of the proposals set out above. It is included as **Appendix 3** and there is a positive impact as follows:

- The activities on offer by the Catalyst Church are inclusive to anyone in the community of Laurencekirk and beyond and help to bridge a current gap in provision. The venue will also provide an additional community facility for people living in the southern half of the town.

5.4 There are no ongoing staffing implications.

5.5 There will be a reduction in the ongoing financial costs of circa £8300 per annum for rates and utility charges. There is a potential loss of a capital receipt of £175,000 that could have been achieved if the property was put on the open

market, but the Community Empowerment (Scotland) Act puts an onus on local authorities to agree to any request unless there are reasonable grounds for refusal. In this particular case there are strong community benefits to be achieved from the transfer.

5.6 The following Risks have been identified as relevant to this matter on a Corporate Level:

ACORP001 - Budget pressures in terms of the ongoing holding costs of the vacant property [Corporate Risk Register](#).

The following Risks have been identified as relevant to this matter on a Strategic Level [Directorate Risk Registers](#):

BSSR004 -	Community Empowerment
ECSSR004 –	Support Inclusive, vibrant and health communities
ISSR002 –	Regeneration
ISSR008 –	Economic Development

6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the [Scheme of Governance](#) and relevant legislation.
- 6.2 The Committee is able to consider and take a decision on this item in terms of Section B.9.2.6 of the [List of Committee Powers in Part 2A](#) of the Scheme of Governance as it relates to the determination of the granting of a transfer of an asset to a community or voluntary group and the terms and conditions of that transfer.
- 6.3 Where the Committee does not agree with Officers' recommendations or existing Council policy, the Scheme of Governance provides that the decision must be referred to the appropriate Policy Committee for determination.

Alan Wood
Interim Director of Infrastructure Services

Report prepared by Bruce Stewart, Area Manager Kincardine & Mearns
Date: 26 April 2021

List of Appendices:

Appendix 1 – Asset Transfer application
Appendix 2 – Letter of Objection

Appendix 3 – Equality Impact Assessment