

Report

Report to:	Housing and Technical Resources Committee (Special)
Date of Meeting:	21 November 2018
Report by:	Executive Director (Housing and Technical Resources)

Subject:	Former Rowans Hall, Blantyre – Asset Transfer to Blantyre Soccer Academy SCIO
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval for the community asset transfer of the former Rowans Hall and surrounding land at Birch Place, Blantyre

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the former Rowans Hall and surrounding land at Birch Place, Blantyre be sold to Blantyre Soccer Academy SCIO at a price of £1 and subject to the revised terms and principal conditions outlined in Section 5 of the report; and
- (2) that the Executive Director (Housing and Technical Resources), in conjunction with the Head of Administration and Legal Services, be authorised to conclude all matters in respect of the sale and enter into the necessary legal agreements on terms which are in the best interests of the Council.

3. Background

3.1. The property known as Rowans Hall, Birch Place, Blantyre closed in 2016. Details of the property were circulated in the Property Bulletin and no operational requirements were identified.

3.2. Blantyre Soccer Academy has been seeking new premises in the Blantyre area for some time and in August 2017 approached the Council with a proposal for Rowan Hall. A formal application for asset transfer under the Community Empowerment (Scotland) Act 2015 was submitted on 4 June 2018.

3.3. A notice was placed on the property advising that the Council was considering an asset transfer and details were delivered to the surrounding properties. The closing date for responses was 31 July 2018 and no representations were received.

3.4. The request was placed before the Community Asset Transfer Assessment Panel on 23 August and also on 4 September 2018. The panel's assessment concluded that:-

- ◆ this is an established organisation which has capacity and experience in terms of managing a property, securing funding and delivering community based projects

- ◆ the organisation has undertaken community consultation and developed a business model based upon their existing budgets and is seeking additional funding to support the refurbishment of the property to deliver a broader range of activities
- ◆ the property is suitable for the proposed use, however, planning consent may be required for some proposed uses and for any future extension to the property
- ◆ the community benefits derived from the proposal relate mainly to the relocation and sustainability of the existing community services with aspiration to develop new services over the course of the next few years
- ◆ the asset transfer will see an unused building brought back into use, significant investment in the building, secure the future base of an established community organisation and deliver a broad range of community benefits

- 3.5. Given the above a report recommending the request for Community Asset Transfer was placed before the Housing and Technical Resources Committee on 31 October 2018 for consideration.
- 3.6. At this meeting the Housing and Technical Resources Committee requested further clarification regarding the implications of asset transfer with regards to retaining Rowans Hall for community purposes in the longer term and it was agreed:-
- a) that a briefing be prepared for Elected Members on Section 5 of the Community Empowerment (Scotland) Act 2015 and the associated Regulations and Guidance
 - b) that the options available to the Council to protect against a change of use and ensure that Rowans Hall remained in community use be explored
 - c) that a further report be brought to the next Housing and Technical Resources Committee
- 3.7. On 14 November 2018 a presentation will be given to Elected Members on Section 5 of the Community Empowerment (Scotland) Act 2015 and the associated Regulations and Guidance.
- 3.8. On consideration of the further report for Housing and Technical Resources Committee it became apparent that as the next scheduled Committee date is January 2019, there would be implications in terms of the funding options for Blantyre Soccer Academy and the Rowans Hall project.
- 3.9. Blantyre Soccer Academy has submitted a funding application to the Climate Challenge Fund to financially support the organisation in taking forward the refurbishment of the hall, associated proposals and providing continuity of funding for employees. As part of their assessment of the funding application the Climate Challenge Fund requires assurance that the property will be in under the control of Blantyre Soccer Academy when the funds are released.
- 3.10. The Climate Challenge Fund meets on 28 November 2018 to consider funding applications. The fund is now closed to new applications and there is no indication when it might reopen to applications in the future.
- 3.11. In light of the above it was considered appropriate that a special meeting of the Housing and Technical Resources Committee be arranged prior to the funding date.

4. Options

- 4.1. Consideration has been given to the options available to the Council to ensure that Rowans Hall remains a community facility after asset transfer, taking into account that the Asset Transfer Regulations and Guidance require a proportionate approach to any mitigation of risks.
- 4.2. Balancing the preference for the asset to remain in community use with the requirements of Blantyre Soccer Academy as a community based charity and potential funding organisations such as the Climate Challenge Fund it is recommended that a title condition be included within the sale.
- 4.3. A condition can be included in the sale which will restrict the property to community use and this will be recorded in the title. In the medium to longer term this condition could be challenged through the Lands Tribunal, however, it will mitigate against the risk that the property is used for purposes other than the delivery of the community benefits set out in the asset transfer request.

5. Recommendation

- 5.1. The Council is obliged to obtain Best Value in respect of all of its property transactions. Each Asset Transfer Request is considered on its own merits taking into account the proposed project and community benefits along with any potential constraints and risks.
- 5.2. In the case of Rowans Hall the Asset Transfer Assessment Panel has taken into account the stability and capacity of the organisation, condition of the building, the community benefits derived through the asset transfer, the ongoing revenue costs and long term liability to the Council, and recommends the sale at a nominal value.
- 5.3. Given the location of the property immediately adjacent to socially rented housing, it is proposed to add a title condition to restrict the use of the property to community use.
- 5.4. It is proposed that the former Rowans Hall and surrounding land at Birch Place, Blantyre, as shown on the attached plan, be sold to Blantyre Soccer Academy SCIO on the following principal terms and conditions:-
 1. The purchase price will be £1
 2. Both parties will be responsible for their own legal fees
 3. The date of entry will be on conclusion of missives or a mutually agreed date thereafter
 4. The purchasers will be responsible for obtaining all consents required for their proposals, including planning
 5. There will be a title condition that the property must remain in community use

6. Employee Implications

- 6.1. There are no employee implications.

7. Financial Implications

- 7.1. The market value of the property is between £15,000 and £20,000, however, there is no vehicular access to the premises and no market interest. It is likely, in the absence of the current asset transfer request, that the property will remain vacant for some time, at a cost of £4000 per annum, or alternatively the Council will incur a demolition charge of between £10,000- £15,000. Sale at a nominal price of £1 therefore reflects Best Value to the Council as, over and above the community benefits, it removes future capital and revenue liabilities.

8. Other Implications

- 8.1. The risk of not proceeding will result in the Council continuing to have responsibility for buildings in deteriorating condition.
- 8.2. If the asset transfer were not to proceed then the opportunity for regeneration of a derelict property and delivery of community benefits in terms of health, skills and learning will be at risk.
- 8.3. If the request for asset transfer is refused, or no decision is made, Blantyre Soccer Academy will have a right to appeal to the Scottish Ministers.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. Consultation has taken place with Community and Enterprise Resources, Planning, Legal, Finance and Economic Development Services.
- 9.2. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

Daniel Lowe

Executive Director (Housing and Technical Resources)

13 November 2018

Link(s) to Council Values/Ambitions/Objectives

- ◆ Accountable, effective, efficient and transparent
- ◆ Work with communities and partners to promote high quality, thriving and sustainable communities
- ◆ Encourage participation in physical and cultural activities

Previous References

- ◆ Housing and Technical Resources Committee, 31 October 2018

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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