

## FORMER WORKSHOP, KIRK LANE, LOCKERBIE - PROPOSED COMMUNITY ASSET TRANSFER

### 1. Purpose of Report

This report presents Members with a proposed Community Asset Transfer of the former Community Payback Workshop, Kirk Lane, Lockerbie to the Lochmaben Men's Shed Group.

### 2. Recommendations

Members are asked to:-

2.1 consider the Business Plan at Appendix 2 and proposal for a Community Asset Transfer of the former Community Payback Workshop to the Lochmaben Men's Shed as set out in paragraph 3.5;

2.2 note the recommendations of the Lockerbie and Lochmaben Common Good Sub Committee in relation to the proposal as set out in paragraph 3.12; and

2.3 in recognition of the social and economic benefits of the project to the area, agree the transfer of the property for a nominal value on 1 April 2018, subject to a Condition as set out in paragraph 3.16, and in line with our Council's Community Asset Transfer Procedure and Disposal Policy.

### 3. Considerations

#### Background

3.1 The Workshop at Kirk Lane, Lockerbie is thought to be from the mid 1960's although no definitive date has been conveyed. Property Services have indicated that the building is of Common Good given the fact that it was disposed to the Provost, Councillors and Magistrates of the Burgh of Lockerbie in 1924. **Appendix 1** shows the location and land area of the building.

3.2 The Workshop was most recently used as a store by the Community Payback Service until 2015. It has been empty since that time. Following the Council's current Disposal Policy, Directorates have confirmed that they have no further use for this store.

#### Community Transfer Request

3.3 Lochmaben Men's Shed expressed interest in a Community Asset Transfer in March 2017. In line with our Community Asset Transfer Strategy, officers have been working with the Group to ensure that it meets the requirements of the Procedure.

3.4 Lochmaben Men's Shed secured SCIO status (Scottish Charitable Incorporated Organisation - Scottish Charity Number SC047507) on 16 June 2017. This means that the group complies as a Community Transfer Body as defined within the Community Asset Transfer legislation and the Council's Procedure.

3.5 The Business Plan for the organisation has also been subject to scrutiny as part of the Procedure and is attached as **Appendix 2** with the Financial Plan attached as **Appendix 3** and community benefits detailed in **Appendix 4**. Particular attention has been given to following aspects of the proposal:

3.5.1 Purpose: The premises will be used for operating a Men's Shed comprising a workshop area, materials store and a meeting room. It will be used by members of the Men's Shed as a workshop and social meeting space. There are several potential benefits and positive influencing factors presented in the Business Plan, including:

- At their core Men's Sheds are a positive health measure. As people continue to live longer lives they hope to remain fit and active. They need something that will keep them engaged in order to remain motivated and so to remain active and involved in their local community
- Many men find that with age, change of employment or relationship status, they lose their sense of purpose, their sense of place in the community. Men's Sheds offer a solution to this problem by providing a safe, inclusive environment where, directly and indirectly, issues affecting the mental and physical health of the individuals using the Shed can be addressed, often by their peers but with assistance from professionals when required
- Men's Sheds are community-based organisations that typically provide a space for older men to participate in meaningful occupation such as woodwork. Men's Sheds are considered an exemplar for the promotion of men's health and well-being by health and social policy-makers

There are various other positive and recognised benefits provided by Men's Sheds including –

- Increased physical fitness
- Becoming actively engaged in whatever is going on
- Combating loneliness
- Changing from a passive to active lifestyle
- Learning new skills
- Sharing knowledge and skills
- Building confidence
- Banter and reducing social isolation

3.5.2 Partnership working - The group is working with other local organisations (Women's Group, Old School Project, Scottish Natural Heritage) to create community projects such as 'edible gardens', bird and squirrel feeder stations etc.

Furthermore they are working with the Mental Health Team to provide opportunities for their service users who have been identified as likely to benefit from participating in a peer led group

The Group is also working with the local GP surgery and DGRI Cardiac and Diabetes Units to provide opportunities for men learning to live with life changing illness by allowing them to discover what they can still do (i.e., crafts, woodwork, electronics etc)

3.5.3 Community access - Within the small yard area to the front of the building an accessible edible garden with raised beds and a seating area will be created alongside an

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outdoor work area. It would be hoped that this would be made available to non-members, i.e. elderly local residents to help engender a sense of community integration.

3.5.4 Contribution to our Council's Equality Outcomes - Gender is one of the Protected Characteristics in the Equality Act 2010. Part of the Act requires the local authority to advance equality of opportunity by having due regard to meeting the needs of particular groups that are different from the needs of others. This project aims to address some of the specific issues that have been identified as affecting men in this location.

3.5.5 Contribution to our Council's Priorities and Commitments - The proposal will contribute to the Progressive Partnership Agreement Priority 4 to "be an inclusive council", and the specific Commitment 'to empower our communities to make the most of their assets'.

3.5.6 Community Support – Appendix 4 details a number of testimonials that demonstrate the wide support for the project.

3.5.7 Financial sustainability – the Financial Plan (Appendix 3) sets out the proposals for the future. The current maintenance costs incurred by Dumfries and Galloway Council are very low - over the past 15 years only £64.00 has been identified by Financial Services as being spent. However the Group has advised that if successful, they plan to carry out internal works to the workshop including basic construction works, minor plumbing works and basic ground levelling works. This will all conform to health and safety standards and where appropriate, be signed off by a qualified tradesperson. The building at Kirk Lane has no water supply or sewage connection and from discussion with other groups who have had similar work done, they estimate that the cost of running a sewage main will be between £3,500 and £5,000 and that the cost of connecting to the water supply is likely to be between £1,000 and £2,000. Allowing for professional fees (engineers report, architects drawings) they estimate that the ground works and associated fees are likely to total £10,000. External funding support is therefore likely to be required.

3.6 The request is that the property is transferred to Lochmaben Men's Shed for a nominal amount of £1.

#### Assessment of the proposal.

3.7 The Service Leader Estate Management, who is an RICS-registered valuer, has indicated that the estimated value of the property, were it to be placed on the open market for sale, would be £15,000.

3.8 There are requirements in The Disposal of Land by Local Authorities (Scotland) Regulations 2010, which need to be met when the capital value of the land is greater than £10,000, but the proposal is to dispose of the land for less than 75% of the capital value. In these cases the Council is required to: –

- appraise and compare the costs and other disbenefits and the benefits of the proposal;
- be satisfied that the disposal for that consideration is reasonable; and
- agree that the disposal is likely to contribute to any of the purposes of economic development or regeneration; health; social well-being; or environmental well-being; in respect of the whole or any part of the area of the local authority or any persons

resident or present in that area (references to “well-being” are to be construed as for the purposes of section 20 of the Local Government in Scotland Act 2003(2)). If the proposed terms of disposal do not meet the criteria of these Regulations, then disposal at less than best consideration is not permitted.

3.9 Members must therefore consider whether the details contained within the Business Case at Appendix 2 and as set out in paragraph 3.5 above provide adequate evidence that these criteria can be met before agreeing to a proposal at less than best consideration.

3.10 Members should be aware that disposing of the Store for the nominal sum would mean that no capital receipt will be generated. The Group have been fully informed that the store would transfer “as seen” and advised that improvements and repairs would be undertaken by them.

### Consultations

3.11 Common Good land is owned by the Local Authority. Ownership is absolute in the strict sense that the Authority holds legal title to it. However, what the Authority can do with the land is subject to a system of statutory control. In particular, Common Good property is administered under rules that relate to the interests of the people who live in the former Burgh. The Council has a legal obligation under the Local Government (Scotland) Act 1994 “to have regard to the interests of the inhabitants of the area to which the Common Good formerly relates” when making any decision about Common Good land.

3.12 A report was therefore submitted to the Lockerbie and Lochmaben Common Good Sub Committee on 29 August 2017 where it was AGREED to recommend Option 2.

Option 2	Agree that a Community Asset Transfer be made to the Trust for a nominal sum, with the condition that the required capital funding for the project is secured by 1 <sup>st</sup> of April 2018.
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Lockerbie & Lochmaben Common Good Sub-Committee requested that further consideration be given to the following:-

- clarification that Buildings Insurance would transfer to the applicant on transfer of the asset;
- that consideration be given to changing the name to Lockerbie and Lochmaben Men’s shed to encourage members from both Lockerbie and Lochmaben communities;
- that in the event of the organisation folding, ownership of the property would revert to the Common Good;
- Overall the Sub-Committee was supportive towards the Group’s aspirations.

3.13 There have been no representations or expressions of interest from other community groups in the area.

Assessment of the proposal

3.14 Consideration by the officers in the Community Asset Transfer Group indicates that the social and economic benefits described in the Business Plan will provide value beyond the amount at which the property has been valued.

3.15 However there are some areas where the Business Case requires further development – in particular securing sufficient funding for the capital works detailed in paragraph 3.5.6. In line with our Community Asset Transfer Procedure, the relevant Ward Officer will work with the Group to identify potential sources and applications.

3.16 Members may therefore wish to consider agreeing to the Transfer at a future date – 1 April 2018 appears to be a reasonable time period - and that securing the required funding is a condition of the transfer.

3.17 Summary of Options

There are three general options open to Policy and Resources Committee:

Option 1	Agree a Community Asset Transfer to the Lochmaben Men's Shed Group be made for a nominal sum with no specific conditions attached; the asset and all future costs associated with it to sit with the Group from the date of transfer onwards;
Option 2	Agree that a Community Asset Transfer be made to the Trust for a nominal sum, with the condition that the required capital funding for the project is secured by 1 <sup>st</sup> of April 2018.
Option 3	Agree not to recommend the Community Asset Transfer, stating reasons.

**4 Governance Assurance**

The Communities Management Team has been consulted and is in agreement with the information contained in this report.

**5 Impact Assessment**

This report does not impose a change in policy, the formal adoption of a plan, policy or strategy it is not necessary to complete an Impact Assessment.

**Author(s)**

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**Approved by**

NAME	DESIGNATION
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**Appendices - 4**

Appendix 1 – Location map

Appendix 2 – Business Plan

Appendix 3 – Financial Plan

Appendix 4 – Community support evidence

**Background Papers**

[Disposal Policy – Policy and Resources Committee - 19 March 2013 \(Item 14\)](#)

[Community Asset Transfer Strategy and Policy – Communities Committee – 7 March 2017 \(Item 6\)](#)

[Council Priorities and Commitments – Dumfries and Galloway Council – 27 June 2017 \(Item 6\)](#)

[Lockerbie and Lochmaben Common Good Sub Committee – 29 August 2017 \(Item 5\)](#)