

## REPORT TO BUCHAN AREA COMMITTEE – 2 JUNE 2015

### COMMUNITY ASSET TRANSFER: BUCHANHAVEN HERITAGE SOCIETY

#### 1 Recommendations

The committee is recommended to:

- 1.1 **Endorse the stage 2 Community Asset Transfer application and additional information provided by Buchanhaven Heritage Society as providing a sound basis for the future management of the Buchanhaven Community Centre**
- 1.2 **Agree that Buchanhaven Heritage Society is an appropriate body with which to enter into a Community Transfer agreement.**
- 1.3 **Agree to enter into a Community Asset Transfer with Buchanhaven Heritage Society subject to the requirements of the “Disposal of Land by Local Authorities (Scotland) Regulations 2010” and EU State Aid Rules.**
- 1.4 **Agree the site, as per site plan in Appendix 1, be transferred by way of a sale at the nominal sum of £1 and instruct officers to agree a timetable for transfer with the group.**

#### 2 Background / Discussion

- 2.1 The community centre, located in Ugie Road, Peterhead, has not been fully utilised by Aberdeenshire Council for a number of years and is in need of refurbishment.
  - 2.2 Buchanhaven Heritage Society is developing a community hub in relation to the heritage of the original fishing village of Buchanhaven. The Group intend to fully refurbish the building. Once the refurbishment is completed the Centre will be fully accessible and available to groups and organisations to undertake a wide range of activities. The Group intend to organise classes on a range of subjects identified by the community, as well as acting as a signposting service to other organisations in relation to social inclusion issues, welfare needs and general health and wellbeing. It will also be a social venue for events and activities.
  - 2.3 The legislation concerning the circumstances whereby a Council can lawfully dispose of land or property for less than "the best consideration" (ie full market rent or price) was radically altered in 2010 with one of the key changes being that authority to deal with such cases without reference to the Scottish Government is now devolved to Council. This could result in transferring the asset at a reduced price. In setting the price regard will be given to the social, economic and environmental benefits generated by the transfer. The procedures for such transfers are clearly defined in the “Disposal of Land by Local Authorities (Scotland) Regulations 2010”.
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- 2.4 Ministerial guidance on this issue sets out the situation as follows: If the Council wishes to dispose of an asset at a consideration less than the best that can reasonably be obtained and the best that can reasonably be obtained is less than £10,000 the Council can proceed with the disposal if it so wishes without having to meet any further criteria. The open market unrestricted value of the centre has been estimated at £60,000 however it is intended to restrict future use of the building to non-profit making community uses which will reduce the value below the £10,000 threshold. Any profit generated from commercial activities will be returned to the projects.
- 2.5 Buchanhaven Heritage Society has managed the Centre for two years and have built the reputation of the Centre and its team making it a venue of choice across a wide spectrum of age and wealth. This includes letting the Centre, general maintenance of the building, ensuring use is compliant with aims and objectives of the Society, and delivering their Community Action Plan created following a Planning for Real event in May 2012. The organisation is a Scottish Charitable Incorporated Organisation (SCO 45166) and is also a member of the Development Trust Association for Scotland (membership number SE196) The Society has 12 Board members with a variety of skills and experience and 8 volunteers working in the Centre. A copy of the Community Action Plan and the Business Case are available for Members to view in the Area Manager's office.
- 2.6 The development and management of the Centre will be undertaken by the existing Board members. They will oversee the refurbishment project and will employ local contractors to undertake the work. Officers have had discussions with the Society and believe that the group should have or could develop the necessary skills to develop and manage the Centre.
- 2.7 Working with the local community, the Society will develop a community hub that will provide a wide range of activities, training and volunteering opportunities as well as focal point for all current and future community needs and events.
- 2.8 In line with the Community Asset Transfer Policy a Buchan Community Asset Transfer Steering Group has been established. This group is chaired by the Area Manager and includes officer representation from all appropriate services including, Legal, Property, Finance and Economic Development. The steering group have reviewed the information provided by the Buchanhaven Heritage Society and confirm that this represents a sound basis for the future management of the Buchanhaven Community Centre.
- 2.9 It is important to note that the Buchanhaven Heritage Society wish to purchase the site at a nominal value. As per section 2.4 of this report Aberdeenshire Council can proceed with the disposal if it so wishes without having to meet any further criteria.
- 2.10 This transfer would support a number of local policy objectives. However it is important to note that a key objective of the Buchan Local Community Plan is to build successful, inclusive and resilient communities with the confidence, capability and capacity to tackle things that matter to them.

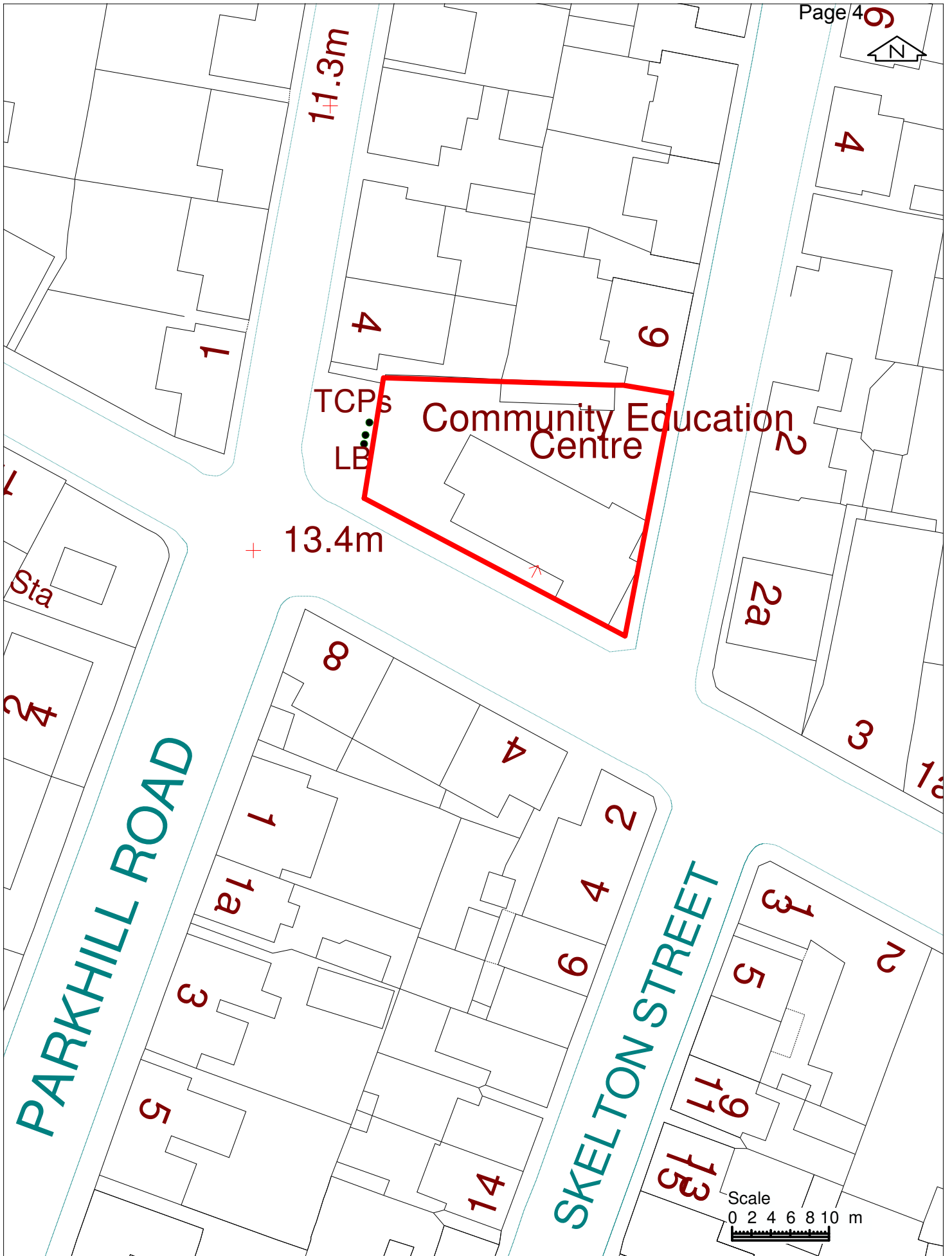
- 2.11 To safeguard against the possibility of Buchanhaven Heritage Society becoming unable to proceed with their proposal or continue to run the facility, it is suggested that a clause is negotiated with the heritage Society to clarify how future use can be upheld.
- 2.12 Taking all these matters into consideration the Community Asset Transfer Steering Group is confident that it is appropriate to transfer the site on the basis outlined above.
- 2.13 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and made no comment.

### **3 Equalities, Staffing and Financial Implications**

- 3.1 An equality impact assessment has been carried out as part of the development of the proposals set out above, this is included as Appendix 2. It is considered that this project will have a positive impact on the community as a whole including those with protected characteristics.

Ritchie Johnson  
Director of Communities Service

Report by Chris White  
23 April 2015



Buchanhaven

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Scale - 1:500

Community Centre

Aberdeenshire Council

30 January 2015



EQUALITY IMPACT ASSESSMENT

Stage 1: Title and aims of the activity (“activity” is an umbrella term covering policies, procedures, guidance and decisions).	
Service	Communities
Section	Area Manager
Title of the activity etc.	Buchan Heritage Society
Aims of the activity	To support the Community Asset Transfer of an underutilised Community Centre and develop a community hub
Author(s) & Title(s)	Ritchie Johnson, Director of Communities

Stage 2: List the evidence that has been used in this assessment.	
Internal data (customer satisfaction surveys; equality monitoring data; customer complaints).	Buchanhaven Heritage Society have produced a Community Action Plan following a Making it Real exercise to gauge community support and a Business Plan
Internal consultation with staff and other services affected.	Consultation with Education Learning and Leisure colleagues from Aberdeenshire Council
External consultation (partner organisations, community groups, and councils).	Local Community Groups and Buchan Development Partnership
External data (census, available statistics).	N/A

Other (general information as appropriate).	<p>Under Priority 6 “Community Safety”, this project has evidenced a reduction in anti-social behaviour, dog fouling and litter since the group has been established in the Centre.</p> <p>Priority 7, “Our Communities” supports the promotion of “Community Asset Transfer” opportunities and states that the Council will work with local Communities to identify &amp; promote Community Asset Transfer opportunities, which meet both the Communities and Partner’s needs. The Buchanhaven Community Centre is such a building and its development will provide opportunities for people of all ages to develop their personal and social skills by engaging in activities and training within the Centre. The project also fits with “Village and Town Regeneration” and will help deliver the regeneration of a historic fishing village in an area of Peterhead that has lacked a community meeting place and has been troubled by anti-social behaviour. The project also fits with “Increasing Community Involvement” as well as encouraging “Social and Economic Regeneration” by increasing participation opportunities which will help local residents to develop and share skills, improve health and wellbeing and increase their involvement in community affairs as well as encouraging lifelong learning.</p>
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Stage 3: Evidence Gaps.	
Are there any gaps in the information you currently hold?	No

Stage 4: Measures to fill the evidence gaps.		
What measures will be taken to fill the information gaps before the activity is implemented? These should be included in the action plan at the back of this form.	Measures:	Timescale:

Stage 5: Are there potential impacts on protected groups? Please complete for each protected group by inserting "yes" in the applicable box/boxes below.				
	Positive	Negative	Neutral	Unknown
Age – Younger	X			
Age – Older	X			
Disability	X			
Race – (includes Gypsy Travellers)			X	
Religion or Belief			X	
Gender – male/female	X			
Pregnancy and maternity	X			
Sexual orientation – (includes Lesbian/ Gay/Bisexual)			X	
Gender reassignment – (includes Transgender)			X	
Marriage and Civil Partnership			X	

Stage 6: What are the positive and negative impacts?		
Impacts.	Positive (describe the impact for each of the protected characteristics affected)	Negative (describe the impact for each of the protected characteristics affected)
Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above. Detail the impacts and describe those affected.	Health benefits for a range of people in the community across the age ranges from the very young to the elderly	
	Social inclusion in a town community with benefits to age (fostering good relations between the generations) and promoting equality of opportunity	

Stage 7: Have any of the affected groups been consulted?	
If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?	Through the various consultation exercises carried out by the project group which were open to all.

Stage 8: What mitigating steps will be taken to remove or reduce negative impacts?		
These should be included in any action plan at the back of this form.	Mitigating Steps	Timescale
	N/A	

Stage 9: What steps can be taken to promote good relations between various groups?
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<p>These should be included in the action plan.</p>	
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Stage 10: How does the policy/activity create opportunities for advancing equality of opportunity?

Through providing a community hub it will encourage different community groups and users to take advantage of local facilities, close to home. This will be of particular help to the young and elderly who may have transport and/or mobility problems.

Stage 11: What equality monitoring arrangements will be put in place?

These should be included in any action plan (for example customer satisfaction questionnaires).

It is the intention of the Society to carry out customer satisfaction and user surveys as well as monitoring user numbers.

Stage 12: What is the outcome of the Assessment?

Please complete the appropriate box/boxes	1	No negative impacts have been identified –please explain.
	There are no negative impacts arising from this project. It will bring a underutilised community centre back into community use by providing a hall, fully fitted kitchen and general purpose room which will be fully accessible to all and does not involve the removal of funding or facilities from other groups.	
	2	Negative Impacts have been identified, these can be mitigated - please explain. * Please fill in Stage 13 if this option is chosen.
	3	The activity will have negative impacts which cannot be mitigated fully – please explain. * Please fill in Stage 13 if this option is chosen

\* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

Stage 14: Sign off and authorisation.				
Sign off and authorisation.	1) Service and Team	Communities		
	2) Title of Policy/Activity	Community Asset Transfer (if appropriate)		
	3) <b>Authors:</b> I/We have completed the equality impact assessment for this policy/activity.	Name: Maureen Stephen Position: Area Committee Officer Date: 20 May 2015 Signature:	Name: Position: Date: Signature:	
		Name: Position: Date: Signature:	Name: Position: Date: Signature:	
	4) Consultation with Service Manager	Name: Date:		
	5) Authorisation by Director or Head of Service	Name: Chris White Position: Area Manager Date: 20 May 2015	Name: Position: Date:	
	6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee. e.g. Social Work and Housing Committee.			Date:
	7) EIA author sends a copy of the finalised form to: eia@abdshire			Date:
(Equalities team to complete) Has the completed form been published on the website? YES/NO			Date:	

