



REPORT TO MARR AREA COMMITTEE – 19 JULY 2016

PROPOSED TEMPORARY LEASE/LICENCE OF THE BOXROOM, BELLFIELD PARK, BANCHORY

1 Recommendations

It is recommended that the Marr Area Committee:

- 1.1 Agree to the granting of a temporary lease/licence of the “Boxroom”, Bellfield Park, Banchory, to Banchory & District Initiative (BDI); and**
- 1.2 Agree to delegate to officers to agree the terms for such temporary lease/licence.**

2. Discussion

- 2.1 The building known as “The Boxroom” is located within Bellfield Park, Banchory, as shown on the plan attached to the report. It has had a number of uses previously, originally being a public convenience and, following the building of the new PC within the Park, it was used as a Tourist Information Kiosk. More recently it had been used by Community Learning and Development (CLD) for outreach work and as a store. The gross internal area is only 20 square metres (216 Square feet) or thereby and comprises a single room with power and lighting but with no toilet facilities.
- 2.2 CLD colleagues have recently ceased using the building, and BDI have indicated interest in it, for temporary use in connection with their activities. Their proposal is to use it over the summer/autumn period and this has been the subject of discussion by officers. Pending decisions on the longer term future of the property and given the activities of BDI, officers are supportive of such temporary use.
- 2.3 The BDI request relates to using the property for storage purposes for their various activities including the farmers market, which is now held in Bellfield. They have requested that use of the premises be rent free.
- 2.4 This request has been made in advance of formal intimation of the premises being declared surplus by CLD and any circulation of its availability to other Council Services or public sector partners. This proposal is therefore somewhat at variance with the agreed surplus property procedures but, at this time, officers are not aware of a present Service requirement that could be met by this property.

- 2.5 As will be clear from the plan attached to the report, Councillors will appreciate that The Boxroom is located adjacent to the Bellfield car/coach park facilities within the overall park area and occupies a prominent and visible position. This is not a premises which would be considered for sale, in isolation from the other parts of park. Disposal by way of leasing would also only be considered either on a relatively short lease term or any longer lease would require early termination provisions, in favour of the Council, to allow possession to be recovered. Any user would also have to be an appropriate “fit” within the park.
- 2.6 There are also the “less than best consideration” rules on disposals of land/property by Councils to be considered. In this regard, this is a property with limited potential uses, given the current lack of toilet provision. The rental value, for storage only type uses, could be estimated as being of the order of £500 - £1,000 per annum or thereby, depending on the type of user/storage concerned. The granting of temporary use to BDI for storage purposes on a short lease/licence, free of rent, pending consideration of its longer term future, would therefore represent a deviation from the normal rules, albeit the rental receipt concerned is modest.
- 2.7 However, pending decisions being taken on circulation and what other uses may or may not be considered suitable, it is felt that an opportunity presents to assist a local charitably body and reduce occupation costs to the Council in the short term, in terms of reducing rates payable and other overheads. If a temporary licence were to be given to BDI, this would be proposed on the basis that BDI would accept responsibility for any maintenance and or repair required to make the premises suitable for their purposes and that they would assume responsibility for the payment of any rates and other outgoings, such as utility costs. Given their status as a registered charity, and the relatively small rateable value, BDI would be likely to pay little, if anything, in the way of rates.
- 2.8 The Area Manager, Landscape Services, CLD, Leisure and Roads colleagues were consulted and any comments made have been reflected within the text of the report.
- 2.9 Ward 16 Members were sent a copy of the draft report.
- 2.10 The Head of Finance has no comment to make on the report from a Finance perspective. The Monitoring Officer had asked for a number of changes to the draft report, which have been reflected in the final text.

3. Financial and Staffing Implications

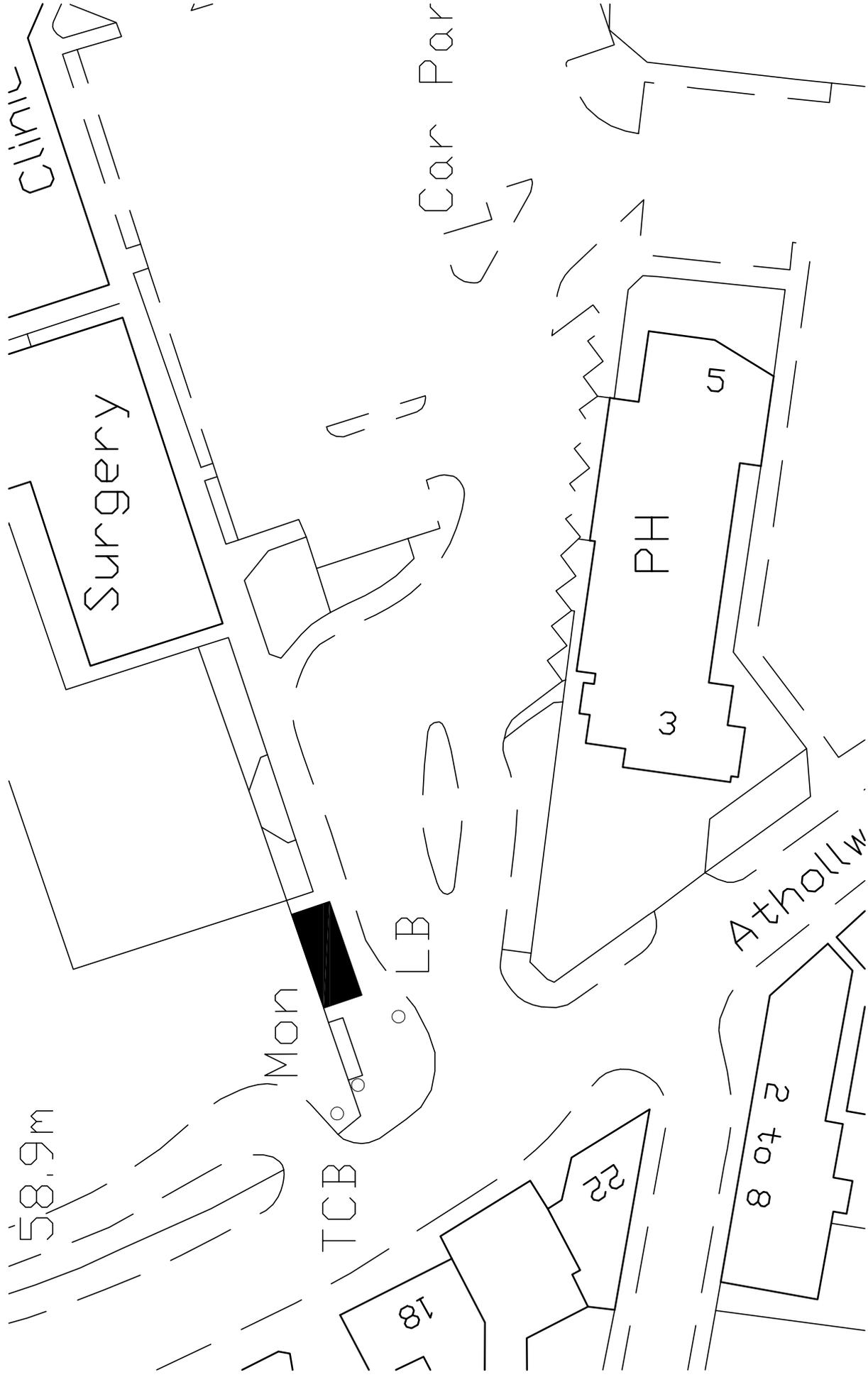
- 3.1 An equalities impact assessment is not required as the recommended action of granting a lease/licence of the premises will not, in itself, have a differential impact on people with protected characteristics.
- 3.2 In the event that a temporary lease/licence is granted, as recommended, although there will be no rental income, the Council will be relieved of paying rates and other outgoings for the period of the temporary lease/licence.

3.3 There are no staffing implications arising from this report.

Ritchie Johnson
Director of Business Services

Report prepared by: Ronald Davidson, Estates Team Leader, P&FM
30 June 2015

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Site Plan - Scale 1:500 - sheet 2 of 2

REFERENCE DRAWING No.

PSR0000222rs2

Date Surveyed Mar 07

Dee Street Store

Dee Street, Banchory, AB31 5XS

Date Drawn Mar 07

Aberdeenshire
COUNCIL



Property

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