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Report to: Place Committee

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Date of Meeting: 6 June 2019

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Subject: Proposed Transfer and Lease of Walled Garden, Pine Grove, Alloa

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Report by: Strategic Director (Place)

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## 1.0 Purpose

- 1.1. This report seeks to provide committee members with a proposal to transfer a property at Pine Grove, Alloa from the HRA to the General Fund to facilitate a lease to the Wimpy Park Community Group (WPCG). The WPCG propose to enhance the property including the creation of a community garden and play park.

## 2.0 Recommendations

- 2.1. It is recommended that the Council approves :
- (a) the transfer of the Walled Garden at Pine Grove (shown outlined in red on the plan at Appendix A) ("property") from the HRA to General Fund at market value. This aspect of the recommendation is required to be remitted to Council for approval as the Committee does not have the delegated authority in relation to budget allocation.
  - (b) a lease of the property to the WPCG at a nominal cost for up to 25 years and based on the Councils standard lease terms and conditions.
  - (c) that a further report is brought to the Place Committee on the possible lease of additional lock-ups and/or toilet facilities once a proper option appraisal is completed in consultation with the WPCG.

## 3.0 Considerations

### *Community Benefits*

- 3.1. A previous report in October 2018 described to members the history of the property and the expressions of interest from WPCG to enhance the property. A copy of WPCG's business plan can be found as an appendix to that report. WPCG are a registered charity and have a Management Board and open membership.

- 3.2. WPCG would like to develop a community facility to include a “growing garden”, a play park and mixed sports pitches within the property. In order to access funding opportunities, and thus enable the desired development, WPCG require to demonstrate a long term interest in the property either by way of a lease or ownership.

#### ***HRA Properties/Valuation***

- 3.3. HRA properties may be disposed of, either through lease or by sale provided such disposal is for value failing which the consent of the Scottish Ministers is required.
- 3.4. As confirmed the property belongs to the HRA. The last valuation (£20,000 sale/£2,000 pa lease) was carried out in May 2018. If the recommendation is approved a further valuation will be carried out and appropriate compensation would be given to the HRA by the General Fund.

#### ***Discounted Options***

- 3.5. Officers reviewed the options available to them in order to facilitate the disposal of the property to WPCG. The undernoted were discounted due to their complexities either for WPCG or the Council:
- (a) Sale by HRA to the WPCG at value - it is not considered necessary or desirable to sell the property.
  - (b) Sale by HRA at below value to the WPCG - as confirmed above this would require Scottish Ministerial approval and may delay the disposal of the property.
  - (c) Lease by HRA to the WPCG at the current rental value (£2,000 per annum) - it is understood that WPCG could not sustain such a rent.
  - (d) Lease by HRA to the General Fund at the current rental value and subsequently sublet to WPCG, at a peppercorn rent for the term of the lease - this will have a negative impact on revenue for the Council.

#### ***Toilet Facilities Options at the Property***

- 3.6. WPCG have also made representations regarding the provision of toilets at the property. A recent regeneration Capital Investment Bid for improvement works in the Bowmar area, which included costings of providing WPCG with toilet facilities, was unsuccessful. Given this, three other options have been investigated:
- (a) Access to a Land Services storage facility in Pine Grove used by Street Cleansing which is known to have a toilet. This facility has been deemed not to meet health and safety standards for public use and would require significant work and investment to bring it up to the required standard.
  - (b) Conversion of “lock-ups” in the Pine Grove area to include toilet facilities. Initial estimates put a cost on this work of at least £25,000 owing to a lack of nearby utility services.

- (c) The Council may have unused portable toilets which could be made available to WPCG which would (subject to negotiation) be subject again to the Council's usual lease terms and conditions.

3.7. Given the anticipated costs associated with the above options for both the Council and WPCG a proper option appraisal requires to be carried out with WPCG in order to identify a suitable option. It is intended that this will be reported to Committee at a later date.

### ***Lock-up Garages at Pine Grove***

3.8. WPCG are looking to lease lock-ups for storage purposes at Pine Grove which form part of the HRA. WPCG are currently occupying three lock ups at no cost. WPCG are looking for further lock-ups to lease for additional storage. Officers were only recently made aware of WPCG's requirement for this additional storage and further investigations are needed. These properties are in poor condition and were due to be demolished. Again, it is intended that a further report will be prepared to Members regarding the possible lease of these properties once Officers have carried out a proper option appraisal.

## **4.0 Sustainability Implications**

4.1. In terms of the WPCG business plan they will work with the local community and residents to maintain the asset for the local area.

## **5.0 Resource Implications**

5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ✓

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. *Staffing*

5.5. There are no staffing implications arising from this report.

## **6.0 Exempt Reports**

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No ✓

## **7.0 Declarations**

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

**8.0 Equalities Impact**

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

**9.0 Legality**

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

**10.0 Appendices**

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix A – Site Plan of Walled Garden at Pine Grove, Alloa

**11.0 Background Papers**

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

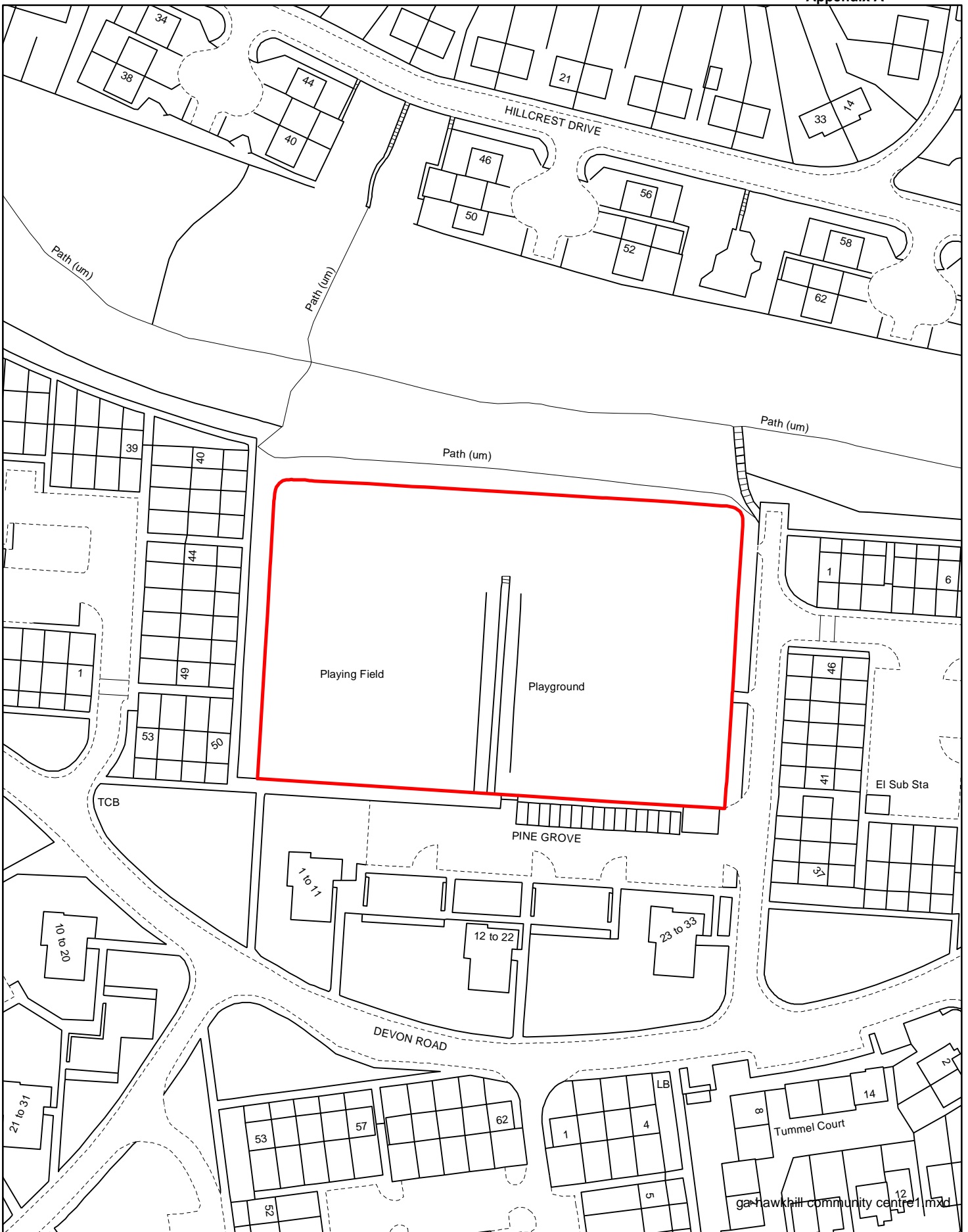
Yes  (please list the documents below) No

**Author(s)**

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**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Garry Dallas	Strategic Director (Place)	
Nikki Bridle	Chief Executive	NTBridle



0 10 20 30  
Metres

Scale : 1:1,250  
Paper Size : A4

Date: 18 April 2019

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**Walled Garden  
Pine Grove  
Alloa  
FK10 1PZ**

Area = 2.2 Acres



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