



## COMMUNITY ASSET TRANSFER: ASSET TRANSFER REQUEST

### IMPORTANT NOTES

Eligible Community Transfer Bodies have a right to submit an Asset Transfer Request under Part 5 of the Community Empowerment (Scotland) Act 2015 (the Act). However, there is no legal requirement that all requests must go through the process set out in the legislation where both parties are able to reach an agreement.

**If you wish to make a request under the Act then you must state this clearly in the box at the bottom of this page.** If you are in any doubt then please discuss this with the council's Asset Transfer Team before making your request.

You are strongly advised to contact the council's Asset Transfer Team by telephone on 01343 563915 or by email to [CAT@moray.gov.uk](mailto:CAT@moray.gov.uk) to discuss your proposal prior to making a request.

All community bodies intending to make an Asset Transfer Request to Moray Council are encouraged to take advantage of our pre-application advice service beforehand. This can help improve outcomes and ensure that your request can be processed as quickly as possible through the most appropriate route.

Please complete all sections of this form as fully as possible (if a question is not applicable please mark with N/A) and, where possible, submit the form electronically to [CAT@moray.gov.uk](mailto:CAT@moray.gov.uk).

This form and ALL supporting documents will be made available online for any interested person to read and comment on. Personal information will be blacked out before the form is made available.

**Do you wish your Asset Transfer Request to be considered under Part 5 of the Community Empowerment (Scotland) Act 2015?**

*(Please tick the relevant box)*

Yes   

No   

*An Asset Transfer Request can only be considered under the Act if it is made by an eligible Community Transfer Body as defined by the Act. Ticking 'No' will mean that your request will be considered outside of the Act.*

**Section A:  
Information about the community organisation making the request**

<b>1. Details of community organisation</b>	
<b>Name of organisation</b>	Fishermen's Hall Trust
<b>Registered address</b>	
<b>Postcode</b>	

<b>2. Organisation contact Information</b>	
<b>Contact name</b>	
<b>Position in organisation</b>	Secretary
<b>Postal address (inc postcode)</b> <i>If different from above</i>	
<b>Contact telephone no.</b>	
<b>Contact email address</b>	

<b>We agree that correspondence in relation to this advice request may be sent by email to the address given above. (tick to indicate agreement)</b>	<b>x</b>
<i>You can ask us to stop sending correspondence by email, or change the email address, by telling us at any time; please give 5 working days' notice.</i>	

<b>3. Please tick the corresponding box(es) below to confirm the type of organisation and its official number(s), where applicable:</b>		
Company and its company number...		
If the company is a registered charity, please also tick this box and provide its charity number...		
Scottish Charitable Incorporated Organisation (SCIO) and its charity number...	x	<b>SC048459</b>
Community Benefit Society (BenCom) and its registered number...		
Unincorporated organisation (no number)		<b>LEAVE BLANK</b>

**4. Please tick the corresponding box below to confirm which documents accompany this advice request:**

Constitution	<input checked="" type="checkbox"/>
Articles of Association	<input type="checkbox"/>
Registered Rules	<input type="checkbox"/>
If the organisation does not have a written constitution, please tick this box.	<input type="checkbox"/>
<i>Please note that a formal asset transfer request will only be considered from those community controlled bodies with a written constitution.</i>	

**5. Has the organisation been individually designated as a Community Transfer Body by Scottish Ministers?**

Yes	<input type="checkbox"/>	Please note that this question relates only to those bodies referred to in section 77(2)(a) of the Community Empowerment (Scotland) Act 2015.
No	<input checked="" type="checkbox"/>	
Don't know	<input type="checkbox"/>	

**If yes, please give the title and date of the designation order:**

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**6. Does the organisation fall within a class of bodies which has been designated as Community Transfer Bodies by Scottish Ministers?**

Yes	<input type="checkbox"/>	Please note that this question relates only to those bodies referred to in section 77(2)(b) of the Community Empowerment (Scotland) Act 2015.
No	<input checked="" type="checkbox"/>	
Don't know	<input type="checkbox"/>	

**If yes, please give the class of bodies it falls within together with the title and date of the designation order:**

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**Section B:  
Information about the land and rights in which you are interested**

**1. You should provide a street address and/or grid reference and any name by which the land or building is known as. If you have identified the land via the Council's register of land, please enter the details we have listed.**

Name of Asset	The Fishermen's Hall
Name Asset otherwise known by	
Asset Address	16 North Pringle Street Buckie AB56 1HT
Grid Reference of Asset	NJ42175 65570
Asset UPRN (Unique Property Reference) as listed on Council Register	02/00352/ASS

**2. Please provide a sketch or drawing showing the boundaries of the land or building in which you are interested. If you are interested in part of a piece of land or building, please explain clearly your requirements in your answer to question 3 below.**

Sketch/drawing attached	<input checked="" type="checkbox"/>
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**3. Please provide a description of the asset you are interested in. Your description should give enough information to clearly identify your requirements.**

The asset is called **Fishermen's Hall**, representing the **entire building** and in including the site on which it sits.

The property itself represents a gross footprint of **770m<sup>2</sup>** and the site equals **843m<sup>2</sup>**

The Trust seeks to secure an asset transfer of the **entire building and the site**, including all servitude rights.

## Section C: Type of Request

1. Please indicate below what type of request you intend making:

Ownership (section 79(2)(a) of the Act) – go to question 2	x
Lease (section 79(2)(b)(i) of the Act) – go to question 3	
Other rights (section 79(2)(b)(ii) of the Act) – go to question 4	

2. Request for Ownership

What price are you prepared to pay for the asset?	£0.00
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Go to question 5.

3. Request for a Lease

What length of lease are you proposing?	n/a		
How much rent are you prepared to pay?	£n/a	per	n/a

Go to question 5.

4. Request for Other Rights

What rights do you intend requesting? n/a			
Do you propose paying for these rights? (tick box)	Yes		No
If yes, how much are you prepared to pay?	£	per	

**5. Please set out any other terms and conditions that you wish to apply to your proposals.**

*(This should include details of any responsibilities that you would wish the Council to retain, e.g. responsibilities under a proposed lease arrangement.)*

## Section D: Reasons for Request

### 1. Community Proposal

Please set out the reasons for seeking an asset transfer and describe how the land or building is intended to be used.

*(This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the asset, and any activities that will take place there.)*

The **Asset Transfer** is sought in order to ensure that the facility is made available to the community for generations to come and to also address the current and significant needs of the local community and user groups.

A transfer to the community will ensure that the origins and heritage of The Fishermen's Hall and the role it has played in the social fabric of the community for over 130 years, will be remembered, perpetuated and celebrated for generations to come.

In keeping with its initial purpose and in the midst of current development plans for the building, it will remain as a **community hub** for the people of Buckie and District.

The Trust seeks to provide a **leisure and recreational facility** that supports the needs of a community which has significant levels of multiple deprivation and poverty.

At the moment the hall is used by a variety of groups including fitness, cricketers, bowlers and be- active fit group and the intention is to make the venue available to the wider community.

The Business Plan sets out the Trusts aims to address services that are under threat or that have been lost to the community.

Greater access will be made available to local support groups including senior citizens, disability groups, socially isolated and vulnerable individuals, as well as children and young people.

The venue and its services will cater for the needs of a growing and diverse community and address social, economic and environmental demands as well as fostering an ethos of equality and inclusion.

These facilities will be provided at a fair and reasonable cost to ensure sustainable demand.

The building will be upgraded and modernised to provide a high level of comfortable and contemporary facilities as funds allow and as community needs are prioritised.

Upgrading of the building will ensure low maintenance and upkeep costs, a reduced carbon footprint, and the use of micro-renewable measures to augment demands on power.

A summary of the **aims and objectives** of the Trust in this regard can be described as follows.

- To develop service provision that until now has not been available
- To engage with the wider community and identify user groups not currently served
- To honour user groups who have invested in the Hall for many years
- To raise revenue and capital funds to secure the longevity of the project
- To foster a greater sense of community within the area by bringing folks together for all manner of event, gathering or social opportunity
- To refurbish the entire building over time, in line with current and future uses
- To explore the potential for developing social enterprise
- To attract efficiencies in terms of heat loss, energy use and low carbon/zero carbon renewable technologies to reduce the Hall's carbon footprint
- To realise revenues that enable the employment of paid staff
- To support a range of volunteering opportunities
- To operate in a way that is mindful of the community's needs and which complements rather than competes with other community facilities.

There is a sound basis for seeking an asset transfer of the building in this case with a robust plan for continuing and developmental use.



## 2. Benefits of the Proposal

Please set out the benefits that you consider would arise if the proposed request were to be agreed.

*(This should explain how the project would benefit your community and others. Please refer to the Scottish Government Guidance document on how the Council will consider the benefits of the request.)*

The building is central to community life in Buckie and securing its **regeneration** and future as a community facility will foster good moral, community spirit and confidence.

The detailed benefits are described more fully in the **Trust's Business Plan**.

The transfer of the asset to the community will also foster a spirit of combined and social ownership which will motivate social action, increased voluntary work and social entrepreneurship.

The increased level of service provision and social activity will contribute to the **economic development** of the town by increased wages, use of local services and increased demand upon local produce and suppliers.

All these benefits are known to lead naturally to increased **social wellbeing** and **environmental wellbeing** and the range of services to be offered will reduce **inequalities of outcome** and **socio-economic disadvantage**.

Notwithstanding the natural benefits to public health that are to be derived from increased social inclusion, the development plan will include for activities and services that directly impact upon improvement in **public health** for the community.

The development plan will generate employment and revenue that will achieve a level of sustainability that will secure the longevity of the venue for generations to come.

### 3. Restrictions on use of the land

If there are any restrictions on the use or development of the land, please explain how your project would comply with these.

*(Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.)*

There are no known restrictions upon the land nor any activities within it and notwithstanding standard licensing requirements by Moray Council.

The venue currently carries a Public Entertainment license on a 3 year renewal basis.

### 4. Negative consequences

What negative consequences (if any) may occur if your request were to be agreed? How would you propose to minimise these?

*(You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.)*

Any likely **negative impacts** upon the community have been considered closely in the **Business Plan** that accompanies this application

Three principle areas of potential concern arose from these consultations and the solutions agreed as follows.

**Economic impact on neighbouring business, service providers and venues** – this concern has been addressed by 1) pledging close attention by the committee to avoiding, in so far as possible, conflict with other major events in the town, 2) avoiding duplication of services with others in the town and 3) supporting local business as much as possible

**Increased burden on neighbouring households** - It is clear that increased use of the building might, on occasion, impact upon parking and noise in the immediate vicinity of the venue. Neighbours have been fully engaged throughout the project and are represented well within the organisation. The committee are committed to a “good neighbour” policy in which the needs of those around the building are made a priority when considering what events to welcome at the venue.

**Loss of existing user groups** – a concern was expressed by existing users that their continuing use would be threatened by cost or competition. The committee have resolved to ensure that existing user groups are given every accommodation, in every way possible, to ensure their continuing use of the building.

## 5. Capacity to deliver

Please show how your organisation would be able to manage the project and achieve your objectives.

*(This could include the skills and experience of organisation members, any track record of previous projects, whether you intend to use professional advisers, etc.)*

The Trust has a **wealth of experience** and skill within its ranks and has already proven a considerable ability to meet its aims and objectives, since the lease of the building was granted to the community.

The team involved in this particular project also have a proven record of success in other community projects, transfers and initiatives.

A full bio from each team member is included in the Business Plan and is summarised as follows:

**Chairman**

**Treasurer**

**Secretary**

**Committee Member:**

**Committee Member:**

**Committee Member:**

### **Committee Member:**

The Trust has engaged the services of local Architectural & Town Planning Agent **CM Design Ltd** who have considerable experience in assisting with Asset Transfers with other local organisations, including Elgin Youth Café, Fochabers Institute and Lossiemouth Town Hall (community lease). is also an active community volunteer with chairmanships of various local organisations that serve the community.

### **Trustee Structure**

- Chairman:
- Treasurer:
- Secretary:
- Committee Members:

## Section E: Level and nature of support

Please provide details of the level and nature of any existing support from your community and describe any consultations carried out.

*(This could include information on the proportion of your community who are involved with the project, how you have engaged with your community beyond the members of your organisation. You should also show how you have engaged with any other communities that may be affected by your proposals.)*

The Trust has carried out numerous **community consultations**, user consultations and events to identify the needs of the community and to invite support.

Extensive data is available (**see business plan**) to chart the age, gender and demographic of all those consulted and the views of each consultee on various issues and ideas

Approximately **600 people** contributed to early consultations and numerous letters of support are available from neighbouring households, businesses, community groups and individuals.

**Consultation continues** throughout this phase of the development by various means including

- The website
- Social media
- Newsletters
- Marketing leaflets
- Posters
- Information notice outside the venue
- Community meetings
- Collaboration with other groups and charities
- Feedback forms at all events
- etc

The available data also demonstrates proactive engagement with **other community groups** to ensure harmony of service provision, avoidance of duplication and a cohesive approach to community service.

## Section F: Funding

Please outline how you propose to fund the price or rent you are prepared to pay for the asset, and your proposed use of the asset.

*(You should show your calculations of the costs associated with the proposed transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.)*

*Where a transfer at less than full market value is being sought, your business case should include a cash flow forecast covering the first full year of operation, together with an indicative budget for at least the following 2 years.)*

Please refer to the **Business Plan** for all financial data and information

## Section G: Declarations

Two office bearers (board members, charity trustees or committee members) of the community organisation must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

**We, the undersigned on behalf of the community organisation as noted at Section A, make an asset transfer request as specified in this form.**

**We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.**

Name:			
Address:			
Position:	Chairman		
Signature:		Date:	

Name:			
Address:			
Position:	Treasurer		
Signature:		Date:	

Please send the completed form, together with all accompanying plans and documentation, to:

**By Post:** **Asset Transfer Team**, Moray Council, High Street, Elgin IV30 1BX

**By Email:** [CAT@moray.gov.uk](mailto:CAT@moray.gov.uk)

**If you have any queries regarding the filling in of this form, please contact the Asset Transfer Team on telephone 01343 563915**



## Section G: Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this pre-application advice request: (please tick)

Constitution	x
Articles of Association	
Registered Rules	
Financial Statements	x
Business Case	x
Sketch / drawing of asset	x
Note of terms and conditions you wish to apply	

Please note any additional supporting documents not listed above:

Property Valuation by DVS dated 30/9/19	x

## Useful Links

The following links provide sources of further information, advice or support for community bodies:

- [Moray Council Community Asset Transfer](#)
- [Moray Council Community Support Unit](#)
- [Scottish Government Guidance for Community Transfer Bodies](#)
- [Community Ownership Support Service \(COSS\)](#)
- [Development Trust Association Scotland](#)
- [Business Gateway Moray](#)
- [Highlands and Islands Enterprise](#)
- [tsiMoray](#)

## Office Use only:

Reference:	
Date Received:	
Date Acknowledged:	
Validation Date:	