



## 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	X
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****1. Details of community organisation**

<b>Name of organisation</b>	Elgin Sports Community Trust
<b>Registered address</b>	██████████ ██████
<b>Postcode</b>	██████

**2. Organisation contact information**

<b>Contact name</b>	██████████
<b>Position in organisation</b>	Chairman
<b>Postal address (inc postcode)</b> <i>If different from above</i>	
<b>Contact telephone no.</b>	██████████
<b>Contact email address</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)**

*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.*

**3. Please tick the corresponding box(es) below to confirm the type of organisation and its official number(s), where applicable:**

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	SC047984
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	x
Articles of Association	
Registered Rules	
If the organisation does not have a written constitution, please tick this box.	

*Please note that a formal asset transfer request will only be considered from those community controlled bodies with a written constitution.*

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

Yes		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	x	
Don't know		

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

--

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

Yes		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	x	
Don't know		

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

--

**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	Lesser Borough Briggs
Name Asset otherwise known by	
Asset Address	Borough Briggs Road Elgin
Grid Reference of Asset	57.652169N 3.3318892W
Asset UPRN (Unique Property Reference) as listed on Council Register	

**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"/>
-------------------------	-------------------------------------

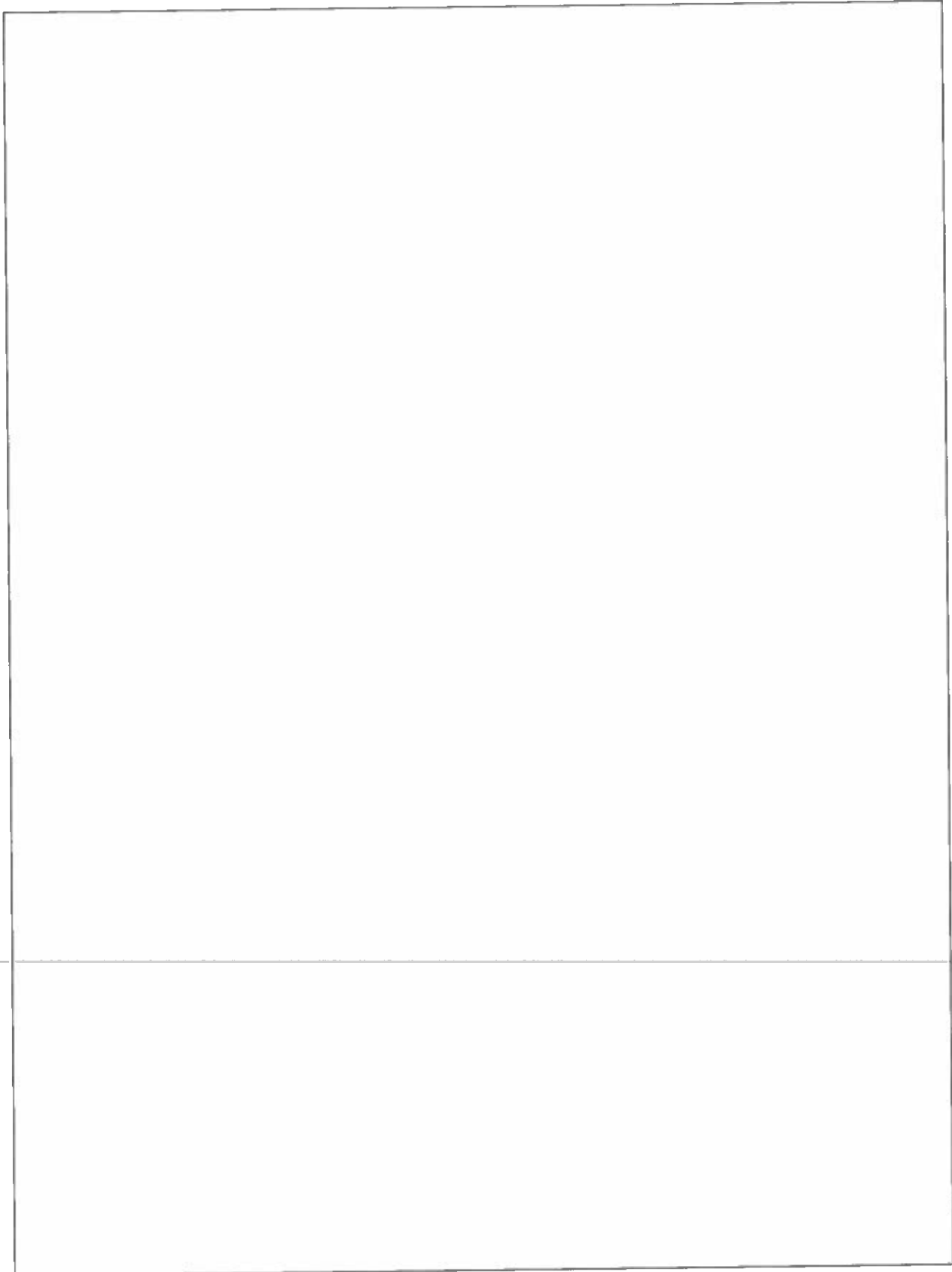
**3. Please provide a description of the asset you are interested in. Your description should give enough information to clearly identify your requirements.**

The land at Lesser Borough Briggs to the East of Elgin City Football Club.  
More details can be found in the Elgin Sports Community Trust Business Case.



**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.)*

A large, empty rectangular box with a thin black border, intended for the user to write their proposed terms and conditions. It occupies most of the page's vertical space.

## 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.)*

#### **More details can be found in the Elgin Sports Community Trust Business Case.**

Elgin Sports Community Trust is requesting permission to take ownership or control of the land at Lesser Borough Briggs in order to build an all-weather multi sports facility there.

The Trust has secured the offer from a significant construction company who have offered to build the pitch as a charitable contribution, which means that ESCT can move to being able to pay to lease the land as soon as the facility is open and taking bookings.

Once open, the facility will be available to book by any community groups or individuals.

The aim of providing a clean, safe, secure playing surface is to encourage all members of the community to lead an active lifestyle and interact with others.

Increased physical activity helps to address health issues such as:

Depression through social isolation, obesity, heart disease and stroke, colon cancer, breast cancer, osteoarthritis and dementia.

Providing a community sports facility will also help to provide a regeneration project that will improve an area of land at the centre of Elgin, demonstrate positive community action and provide a fund raising vehicle (from the hire of the pitch) that will reinvest all profits back in to the Community.

Whilst the Trust recognises that the Council would prefer to secure as much value for the land as possible, this will be impossible for the Trust until the pitch is built and taking bookings, however, after that, all profits outside of the maintenance and running of the facility (which may include wages of a caretaker) will be available to either reinvest in other community sports related projects or be used to pay for the lease of the land.

## 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.)*

**More details can be found in the Elgin Sports Community Trust Business Case.**

Providing a community sports facility will help to provide a regeneration project that will improve an area of land at the centre of Elgin, demonstrate positive community action and open a funding source that could be use for other local community projects.

Increased physical activity helps to address health issues such as: Depression through social isolation, obesity, heart disease and stroke, colon cancer, breast cancer, osteoarthritis and dementia which will help to reduce the burden on local and National NHS and promote a healthy lifestyle.

The delivery of an artificial pitch would contribute strongly towards the following Moray Council priority outcomes:

### **Ensure Caring and Healthy Communities**

- More of our activities, services and plans are influenced by the communities they serve
- Our communities' ability to address their own needs and aspirations is improved
- We are more successful in developing a shared understanding between the council and communities that helps us to design the future together

It would help meet the Scottish Government's priorities in the Active Scotland Delivery plan:

### **Active Scotland Outcomes**

- We encourage and enable the inactive to be more active
- We encourage and enable the active to stay active throughout life
- We develop physical confidence and competence from the earliest age
- We improve our active infrastructure people and place
- We support wellbeing and resilience in communities through physical activity and sport
- We improve opportunities to participate, progress and achieve in sport



### 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.)*

Other than the land being Common Good Land, there are no known other restrictions on the use of the land apart from not being suitable for domestic accommodation. The Trust would be conducting a full survey and provide full drainage requirements prior to any pitch construction.

### 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.)*

Some disruption during the building of the pitch which may affect dog walkers and anyone who may want to walk across the land.

## 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.)*

**More details can be found in the Elgin Sports Community Trust Business Case.**

Volkerfitzpatrick (Vf) is an internationally renown engineering company who are currently employed as the main contractor at RAF Lossiemouth, resurfacing the runways there.

As part of their mandate, Vf is committed to supporting a local charity in the community they are working in at any time and ESCT has been selected.

If the Trust is able to secure control either by sale or by long term lease before Vf complete their work at RAF Lossiemouth (end of 2020) the company will be able to complete the necessary work at Lesser Borough Briggs.

Once complete, volunteers from the Trust will manage and maintain the facility initially and an assessment will be made on whether a caretaker post is required. The facility will be self-funding and details of expected costs and profits are included in the business case.

## 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.)*

ESCT has liaised with local sports and social and welfare associations, clubs and groups to gauge support and raise awareness and has received unanimous backing from the Moray Sports Hub committee and Moray Health and Social Officers. RAF Lossiemouth, which has Station Married Quarters in the Community of Elgin is also a huge advocate of the initiative.

Local MPs, MSPs, and Elgin Community Councillors have been closely involved since inception and receive regular communication to appraise them of ESCT plans and to invite them to the public meetings. Every local primary school is aware of our plans and who have also been asked if they would be interested in using the facility if it was made available to them.

Social Media including Facebook, Twitter and a Web Page have been used to reach as many people as possible and interviews and articles have been published in local media including Inside Moray, The Northern Scot, The Press and Journal and Moray Firth Radio. The first Public Meeting was held on 9<sup>th</sup> Feb 18. Public Support (from the 60 people present) was unanimous at the meeting and positive interaction with some of the Elgin Community Councillors present provided some valuable advice and insight.

The second public meeting was held at Elgin Academy on 2<sup>nd</sup> Nov 18. This time 130 people were present including representatives from Men's Shed, Moray Rugby Club, Lossiemouth Football Club, Elgin Ladies Football, Elgin Hockey Club, Elgin Cricket Club, Community and Moray Councillors, Forres Football Club and Elgin Academy Pupils. Support was heard from our MSP and written support was received from our MP. ██████████ expressed his support for the project and emphasised the health benefits of exercise and how it compliments many of the NHS' preventative initiatives.

Final support from the Community came from Elgin Community Council on 11<sup>th</sup> December 18 when the Chairman of ESCT presented the proposition at the Council Offices after which a letter of support was received from the Elgin Community Councillors.

**More details can be found in the Elgin Sports Community Trust Business Case.**

## 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.)*

It is expected that the facility will be cash positive from day one. Once the all-weather sports facility is built, it is proposed that, when running costs, repair and maintenance (possibly including the employment of a caretaker) of the facility are covered, any surplus gained from the LBB venture could be used to fund other projects in the Community or discuss a negotiated increased lease payments to the Council.

Once built, the all-weather facility is not required to yield 100% revenue at all times as the Trust intends to enable free use of the facility, where reasonable, for some eligible community social and welfare groups if possible.

The Elgin Community Football Programme has already indicated that, if available, they would be requesting to book the facility on average 30 hrs / week. This request represents a minimum usage assured figure. Contact from other interested clubs, groups and teams, (including a 5 a side league) indicate that the facility is likely to be oversubscribed from day one.

<b>Projected Returns from Hiring Pitch @ £50/hour</b>			
<b>100% Usage</b>	<b>75%</b>	<b>50%</b>	<b>30 hrs/wk</b>
£4200	£3150	£2100	£1500
<b>Monthly</b>			
£16800	£12600	£8400	£6000
<b>Annual (based on 50 weeks)</b>			
£210,000	£157,500	£105,000	£75,000

For smaller groups, or for organisations that do not want to hire the entire pitch or if younger groups want to use the facility at the same time (Moray Rugby Club rugby minis and under 7s football for example) the facility will have pitch markings provided in such a way as to allow up to 3 concurrent activities to run in parallel. Hiring out the facility in this way will yield more per hour (yet to be decided upon / set by the

committee).

**More details can be found in the Elgin Sports Community Trust Business Case.**

## 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:	[REDACTED]		
Address:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Position:	Chairman		
Signature:	[REDACTED]	Date:	27 Nov 19

Name:	[REDACTED]		
Address:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Position:	Trustee		
Signature:	[REDACTED]	Date:	27 Nov 19

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	
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:

Letters of Support	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:	CAT 060
Date Received:	18/12/2019
Date Acknowledged:	19/12/2019
Validation Date:	19/12/2019



---