

# Community Asset Transfer

## Stage 2: Asset Transfer Form

Using this form will help you to make sure you include all the required information.

You should read the asset transfer guidance provided by the Scottish Government before making a request along with the local guidance provided on the Council's Asset transfer website.

The Council actively wishes to support community groups to meet the ambitions of their local communities and can provide practical advice and support through our local ward officers. You are strongly advised to contact the Council to discuss your proposals before making an asset transfer request.

Further guidance is available on the Council's asset transfer Website

When completed, this form must be sent to:

**CommunityAssetTransfer@dumgal.gov.uk**

Or by post to:

**Community Development and Empowerment Manager**

Communities Directorate

Dumfries and Galloway Council

Municipal Chambers

Buccleuch Street

Dumfries

DG1 2AD

Tel: 030 33 33 3000

This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.

**Section 1: Information about the Community Transfer Body (CTB) making the request**

**1.1 Name of the CTB making the asset transfer request**

Portpatrick Harbour Community Benefit Society

**1.2 CTB address. This should be the registered address, if you have one.**

Postal address: Montpelier Limited Chartered Accountants  
1 Dashwood Square  
Newtown Stewart

Postcode: DG8 6EQ

**1.3 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.**

Contact name:

Postal address:

Postcode:

Telephone:

Email:

We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. (Please tick to indicate agreement)

You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.

**1.4 Please tick the relevant box to confirm the type of CTB and its official number, if it has one.**

Company, and its company number is

Scottish Charitable Incorporated Organisation (SCIO), and its charity number is

Community Benefit Society (BenCom), and its registered number is

Unincorporated organisation (no number)

SC035754

**Please attach a copy of the CTB's constitution, articles of association or registered rules.**

**1.5 Has the organisation been individually designated as a community transfer body by the Scottish Ministers?**

Yes  No

Please give the title and date of the designation order:

**1.6 Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?**

Yes  No

If yes what class of bodies does it fall within?

Community Benefit Society

## Section 2: Information about the land and rights requested

### 2.1 Please identify the land to which this asset transfer request relates.

*You should provide a street address or grid reference and any name by which the land or building is known. If you have identified the land on the relevant authority's register of land, please enter the details listed there.*

*It may be helpful to provide one or more maps or drawings to show the boundaries of the land requested. If you are requesting part of a piece of land, you must attach a map and full description of the boundaries of the area to which your request relates. If you are requesting part of a building, please make clear what area you require. a drawing may be helpful.*

Portpatrick Public Hall,  
The Harbour, North Crescent, Portpatrick DG9 8LR

### 2.2 Please provide the UPRN (Unique Property Reference Number), if known.

*This should be given in the relevant authority's register of land*

UPRN:

**Section 3: Type of request, payment and conditions**

3.1 Please tick what type of request is being made:

- for ownership (under section 79(2)(a)) - go to section 3A
- for lease (under section 79(2)(b)(i)) - go to section 3B
- for other rights (section 79(2)(b)(ii)) - go to section 3C

**3A - Request for ownership**

What price are you prepared to pay for the land requested? :

Proposed price: £

**Please attach a note setting out any other terms and conditions you wish to apply to the request.**

**3B - request for lease**

What is the length of lease you are requesting?

How much rent are you prepared to pay? Please make clear whether this is per year or per month.

Proposed rent: £  per

**Please attach a note setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.**

**3C - request for other rights**

What are the rights you are requesting?

Do you propose to make any payment for these rights?

Yes  No

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment: £  per

**Please attach a note setting out any other terms and conditions you wish to apply to the request.**

## Section 4: Community Proposal

### 4.1 Please set out the reasons for making the request and how the land or building will 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 land or building, and any activities that will take place there.*

Portpatrick Harbour Community Benefit Society (Registered charity no SC035754) submitted a letter of intent in combination with duly elected and representative Portpatrick Community Council to Dumfries and Galloway Council on 18th August 2016.

That letter outlined our joint commitment to finding the best solution for securing the future of Portpatrick Village Hall on behalf of the environs of Portpatrick. The letter outlined our community's needs and intentions to seek and consult professional advice together. In addition to this we sought the time to build greater capacity within the community prior to pursuing the matter of an asset transfer.

Our community has since commissioned and received an independent professional report. The advice held within that report was delivered by the Community Council in combination with the Society to over 100 members of the community at a public meeting held on 25/03/2019 at Portpatrick Village Hall. Joint consultation of this report has allowed our community to better understand this process. By following this course of action we are now better equipped to identify any relevant risks, evaluate our strengths and weaknesses and maximize the subsequent benefits, thus allowing us to make fully informed decisions together.

Portpatrick Community Benefit Society has also built up greater capacity during this period. This has been both financially through growth of the existing charity's affairs and through gaining further substantial support within the community over the last two years to prepare for the task ahead. Having conducted two successful Community Asset transfers to date and having established a healthy charitable surplus from the successful operation of Portpatrick Harbour, the charity is now in a position to further support and secure the future of the wider infrastructure of the village which it serves.

The Society has carried out an extensive amount of consultation and engagement within the community through several avenues. The consultation of the Hall report carried out at public meeting on 25/03/2019 was subsequently followed up by further engagement through the Community Council meeting held 07/05/2019 which engaged a further 60 members of the community who unanimously supported our expression of interest in taking a full asset transfer of Portpatrick village Hall for the benefit of the community. A newsletter circulated to the 554 Society membership has attracted a substantial response which is 100% in favour of the proposed asset transfer.

Overall, the Society has received overwhelming support from within the community for the Society to now engage this Asset transfer. Having received not one single negative response to our consultation process, the charity is now confidently in a position to pursue a full asset transfer of the Hall with and for the benefit of the entire community.

The Society will promote the venue to all user groups from both within and out-with the area.

It will focus on delivering an accessible venue to all user groups at affordable prices.

The facility will serve to stimulate social use for the benefit of the community in line with the spirit in which the Hall was bestowed to the community.

It will serve to provide a venue for seeking to improve health and wellbeing activity.

This will be done through providing access to health care facilities and supporting opportunities around the Dumfries and Galloway Health and Social Care Partnership.

Greater use of the Hall for sports and dance clubs will be actively encouraged with funding streams for equipment easily pursued by the charity on behalf of user groups.

By marketing the Hall socially as a large wedding venue it will also attract greater foot traffic to the entire village. This will in turn stimulate the surrounding economic environment which will undoubtedly benefit from such initiative.

## Benefits of the proposal

### 4.2 Please set out the benefits that you consider will arise if the request is agreed to.

*This section should explain how the project will benefit your community, and others. Please refer to the guidance on how the relevant authority will consider the benefits of a request.*

The benefits to the local community will be very substantial.

In keeping with the spirit in which the original benefactor most kindly bestowed the land and Hall, LT EL Orr Ewing of (Dunskey Estate) the Society will seek to work within and oblige the Legal Burdens placed upon the title for the Hall. These Burdens demand that;

"Buildings on the ground can only be used for public meetings and social and recreative purposes as well conducted public Halls in Scotland are or may be used for".

To this end, the Society will Promote the venue to all user groups from both within and out-with the area.

It will focus on delivering an accessible venue to all user groups at affordable prices.

The facility will serve to stimulate social use for the benefit of the community in line with the spirit in which the Hall was bestowed to the community.

It will serve to provide a venue for Seeking to improve Health and Wellbeing activity.

This will be done through providing access to health care facilities and supporting opportunities around the Dumfries and Galloway Health and Social Care Partnership.

Greater use of the Hall for sports and dance clubs will be actively encouraged with funding streams for equipment easily pursued by the charity on behalf of user groups.

By marketing the Hall socially as a large wedding venue it will also attract greater foot traffic to the entire village. This will in turn stimulate the surrounding economic environment which will undoubtedly benefit from such initiative.

As an established registered charity the Society has built a very successful business reputation. Having accumulated a wealth of knowledge and the appropriate skill sets required, the charity will ensure the viability and sustainability of the facility going forward. This will allow the Hall to flourish as an entity with less overheads than those of any comparable non-registered body.

The Society's charitable objects allow it to engage in wider initiatives for the good of the entire community.

The Village Hall will fit very well with this and will join a strong alliance of other community assets which already benefit under the umbrella of the registered charity. With two paid members of staff, the charity has an additional level of support and thus the diversity required to lessen the workload on volunteers.

With a focus on providing a platform for community events such as fairs, markets, Cinema nights, sports clubs and much more, the Hall will all be promoted without any fear of increase in current tariffs being imposed. With an already established management system in place, the Hall will benefit from being under the umbrella of a legal entity which can attract several streams of grant funding to help enhance and further secure its future for generations to come.

By being part of the larger initiative already in motion in the village of Portpatrick, the Hall will play its part in complimenting this.

Plans for future events such as concerts, gala's and festivals will accumulatively stimulate the entire community, increasing use of all facets of the village and providing an economic spin off to the wider business community .

## Restrictions on use of the land

### 4.3 If there are any restrictions on the use or development of the land, please explain how your project will 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.*

The original benefactor of Portpatrick village Hall, LT EL Orr Ewing of (Dunskey Estate) most kindly bestowed the use of the land and Hall to the community of Portpatrick through a group of Trustees in 1926. The title for the Hall was disposed to Wigtownshire District Council in 1983 and subsequently carries a number of Real Burdens on the title.

The Society will seek to work within and oblige at all times the Legal Burdens placed upon the title for the Hall. These Burdens demand that;

"Buildings on the ground can only be used for public meetings and social and recreative purposes as well conducted public Halls in Scotland are or may be used for".

To this end, the Society will Promote the venue to all user groups from both within and out-with the area.

It will focus on delivering an accessible venue to all user groups at affordable prices.

The facility will serve to stimulate social use for the benefit of the community in line with the spirit in which the Hall was bestowed to the community.

## Negative consequences

### 4.4 What negative consequences (if any) may occur if your request is agreed to? 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.*

None

## Capacity to deliver

### 4.5 Please show how your organisation will be able to manage the project and achieve your objectives.

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

Portpatrick Harbour Community Benefit Society is a registered Scottish charity. As such it is regulated by OSCR the Scottish charity Regulator and is also registered with the FCA.

Approaching 4 years of age this September, the charity has achieved a great deal in this short period of time. It has successfully secured into community ownership Portpatrick Harbour. Taking a debt of £125,000.00, which was incurred by the failed and now dissolved "Portpatrick Trust", it has engaged and turned the fortunes of the community around in a substantially positive manner. This was done through becoming the first of a completely new and innovative type of Scottish charity model which is now being emulated around the country.

To date the charity has raised over £400,000.00 through a mixture of fund raising streams which include; £100,000.00 in Community Shares, £200,000.00 in grant funding received from several successful grant applications. Over £100,000.00 in revenue from creating a vibrant and sustainable business through Portpatrick Harbour. The charity owns Portpatrick Harbour outright and now provides two part time employments with scope to further grow this as the charity's assets and requirements to deliver grow.

As a registered charity the Society benefits from several financial dispensations and reliefs which amount to a savings of thousands of pounds per annum. Having already successfully conducted two asset transfers over the past three years for council land and the local toilets at Portpatrick Harbour, the Society already has in place a fully operational management team and system.

These incorporate, Health & Safety systems, public liability insurances, a strict financial and accountancy policy and an experienced team in employment and handling of staff.

The Society's fixed assets now extend to over £200,000.00. The Harbour buildings, currently under renovation courtesy of a grant of £135,000.00 received from Dumfries and Galloway Leader, will deliver a fantastic community facility including a community workshop, a heritage centre, exhibition centre, meeting rooms and much more. This building has the ability to work in tandem with the Hall. A Staffed office with full communications facility will provide the base from which to manage the charity's combined assets for the benefit of the entire community.

The Board of Trustees comprises of 10 members whose skillset vary professionally from Chartered Accountant, Architect, two engineers, an events manager, journalist and public relations consultant amongst others.

The Society has several professional advisers whom it utilises on a regular basis as required to effect due diligence.



## Section 5: Level and nature of support

### 5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

*This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation and what their response has been. You should also show how you have engaged with any other communities that may be affected by your proposals.*

The Society has carried out an extensive amount of consultation and engagement within the community through several avenues over the past three years.

This goes back to 2015/16 when at public meeting the Society engaged with the Community Council to conduct due diligence on behalf of the community in relation to the Hall. The later consultation of the professional Hall report on 25/03/2019 at public meeting was subsequently followed up by further engagement through the Community Council at their meeting held 07/05/2019. The meetings were respectively attended by some 70, 100 and 60 members of the community on each occasion.

The last meeting held by the Community Council on 07/05/2019, saw the Society declare its plans and full intention to pursue a full asset transfer for the Hall. This was met with the overwhelming support from the Community Council along with all those who attended the meeting.

An attached newsletter, circulated to the 554 Society membership and wider community has also attracted a substantial response which is 100% in favour of the proposed asset transfer.

With support from many individuals within and outwith the area, several strategic groups including Portpatrick Lifeboat station RNLi, HM Coastguard, Dumfries & Galloway Arts Festival, Portpatrick Community Council and several local Businesses provide an overwhelming support for the Society to now engage this Asset transfer.

Having received not one single negative response during our extensive consultation process, the charity is now confidently in a position to pursue a full asset transfer of the Hall with and for the benefit of the entire community.

## Section 6: Funding

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

*You should show your calculations of the costs associated with the 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.*

Portpatrick village Hall will require to be self-sustaining when transferred to the ownership of the Society.

The attached business plan shows how the annual running costs for the village hall will be met through sustained continuation of the Hall as a vital community facility. The figures used were obtained from Dumfries and Galloway Council in 2017. An average annual income figure has been assumed over a period of three years and all costs are as produced by D&G Council.

This business plan is complimented by the fact that the Society as a registered charity can access several financial reliefs which are not available to other types of group. Water and sewerage rates, Business rates and refuge charges relief amongst others give an extensive advantage to a registered charity to make substantial savings on running costs.

These reliefs amount to several thousands of pounds as detailed in the attached business plan and make the facility viable for the charity.

The Society has already succeeded in obtaining over £200,000.00 in the past 12 months for various projects. This is due to an attractive profile, a stable fiscal footing and the ability to deliver on commitment. With over £100,000.00 currently in the bank, the Society's annual income is currently in excess of £30,000.00.

This buoyant fiscal position is born from sound financial planning and good governance and is clearly evidenced through our success in delivering on our existing business plans. This gives the charity greater scope through cashflow to deliver on grant applications for future projects.

**Signature**

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

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

**We, the undersigned on behalf of the community transfer body as noted at section 1, 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

Date

Position

Signature

Name

Address

Date

Position

Signature

Please see checklist of accompanying documents over the page


**SUBMIT**

**Checklist of accompanying documents**

To check that nothing is missed, please list any documents which you are submitting to accompany this form.


**Section 1 - you must attach your organisation's constitution, articles of association or registered rules**

**Title of document attached:**




**Section 2 - any maps, drawings or description of the land requested**

**Documents attached:**




**Section 3 - note of any terms and conditions that are to apply to the request**

**Documents attached:**



**Section 4 - about your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation's capacity to deliver.**

**Documents attached:**



**Section 5 - evidence of community support**

**Documents attached:**



**Section 6 - funding**

**Documents attached:**

