

To: Infrastructure, Land & Environment Policy Board

On: 20 March 2019

Report by: Director of Finance & Resources

Heading: Viewfield Park – Kildale Road Lochwinnoch

1. Summary

- 1.1 This purpose of this report is to seek approval from the Board for the grant of a new 5year lease to Viewfield Rovers, for the lease of Viewfield Park, Kildale Road, Lochwinnoch. In addition, to decline the Community Asset Transfer request received from Lochwinnoch Community Trust in respect of Viewfield Park.

2. Recommendations

It is recommended that the Board:-

- 2.1 Approve the granting of a 5year lease to Viewfield Rovers of Viewfield Park, Kildale Road, Lochwinnoch on the terms and conditions detailed within this report.
- 2.2 Decline the request received from the Lochwinnoch Community Trust to obtain an Asset Transfer of Viewfield Park.
- 2.3 Authorise the Head of Property and the Head of Corporate Governance to conclude the lease with Viewfield Rovers, on the Council's standard Full Repairing & Insuring lease and on such other terms as required to protect the Council's interest.

3. **Background**

- 3.1 Currently, Renfrewshire Council lease Viewfield Park and Pavilion, Kildale Road, Lochwinnoch, to Viewfield Rovers as indicated on plan E2868, on a year to year lease scheduled to terminate on the 31 May 2019. The annual rent is currently £1,252.84 payable yearly in advance.
- 3.2 Viewfield Rovers had occupied Viewfield Park & Pavilion in terms of a 21 year lease from 1 April 1996, which had ran on by tacit relocation (year to year), until it was terminated by the Council serving a notice to quit last year.
- 3.3 The notice to quit was undertaken as the existing lease was not seen by Property Services as being fit for purpose, and the existing tenants had rent arrears. It was anticipated by Council officers along with Renfrewshire Leisure, who offer advice re football pitches within the Council's ownership, that a new up to date lease, should be concluded either with the exiting tenants, who would be asked to address the rent arrears situation or a third party.
- 3.4 The fact that a notice to quit had been served came to the attention of community groups, in the Lochwinnoch area. They came together to advise, that if the Council was prepared to grant a Community Asset Transfer of the Park & Pavilion they would form themselves into a Trust, to be called the Lochwinnoch Community Trust. This group would have a management committee from members of the Lochwinnoch Community Council, members of the United Free Church Lochwinnoch, 1st Lochwinnoch Girls Brigade, 1ST Lochwinnoch Boys Brigade, Calder United Free Church and Calderglen FC.
- 3.5 The, as yet to be formed, Trust advised that it would look to utilise the Park & Pavilion to support the local community, via School sports days, out of school club, training sessions for the uniformed organisations within the village, fund raising for the same, football starter sessions, Lochwinnoch Gala, day Church Fund raising and the introduction of Calderglen charity 7's tournament as well as being the new football base for Calderglen FC.
- 3.6 The Trust advised that they did not believe the pitch could support two football teams, and as such Calderglen FC, who currently play its games out of the Lochwinnoch Annexe, would be the anchor occupier for their football and community related activities, should the Council support its' proposal.

- 3.7 Viewfield Rovers confirmed it desired to remain in occupation as the sitting tenants. Confirmed it is a constituted group who are approaching their 100year anniversary in 2021 and wanted to remain in occupation within the community from which the club was formed and they continue to support. They also accepted that they had rent arrears to address.
- 3.8 Viewfield Rovers advise that they provide football facilities to approximately 320 youths and adults, in terms of their amateur, 21's, 2007's team as Viewfield, and its 2003's and 2007's teams playing as Glentyan Thistle.
- 3.9 The pitch and pavilion is made available to other teams for hire at affordable prices, matches are free to watch, they run an annual charity match with proceeds donated to local and national charities, Help for Heroes, being the last beneficiary. The local primary school have a key to the gates and pavilion and use the park for its sport day, free of charge. The pavilion is available to the community for hire, they advise free of cost, for parents and local groups seeking to hold an event.
- 3.10 The club also advise that since the management committee of Viewfield Rovers was joined with Glentyan Thistle, as a club they have invested upwards of £12,000 improving the facility and sorting out issues with an outstanding water bill. This in part led to the rent arrears situation. Following discussions, with Council officers they have reduced the rent arrears to £815.00 and have agreed to make further payment/s to clear the rent arrears in terms of a payment plan.
- 3.11 As there was competing interests from two parties, officers had asked that both parties speak together to see if they could work together. Regrettably this was not possible for the reasons outlined in 3.6 above.

4. Analysis of offers

- 4.1 On evaluating both offers, it was clear that both parties offered a very similar community benefit, with football being the primary use.
- 4.2 The Trust is and remains an un-constituted group. It has brought together various groups within the village, but they currently do not exist in terms of a governance structure, Trust deed and are not a registered charity. As such they are not in a position, to make a Community Asset Transfer request in terms of the Community Empowerment (Scotland) Act 2015. Their submission is that they will form themselves, if the Council supports their proposal.
- 4.3 Viewfield Rovers is an established local football team, who are the sitting tenant and coming up for 100 year anniversary. They already offer similar services to that which the Trust advised it was proposing. They had since the merger/joining with Glentyan Thistle invested in the premises in the last 2 years, which indicated their commitment to the

area, and willingness to offer benefits to the community. There had been a rent arrears situation, but following discussions with Council officers this had been addressed, with a payment plan being agreed.

- 4.4 The officers Community Asset Transfer Panel, chaired by the Head of Property met on the 15 February to discuss both offers. The Panel determined that as the Trust did not exist, then the Council should decline the Trust's Community Asset Transfer request, and proceed to lease the premises to Viewfield Rovers, the sitting tenant in terms of the 5year lease they have requested.
- 4.5 In terms of leases to football teams it has been noted that while Viewfield Rovers are currently charged a rent of £1, 252.84 per annum, the Planning and Property Board in terms of a lease to Erskine YFC and a lease to Houston United, have agreed to lease with the rent specified as £1, if asked. This is to support the local teams who provide a service to their respective communities. Recognising this, and to be consistent, it is proposed that the new lease with Viewfield Rovers, should be at a similar concessionary rent of £1, if asked.

5 Proposed terms and conditions of lease;

- The lease shall be for a period of 5 years and shall be on the Council's standard Full Repairing and Insuring style of lease.
 - The initial annual rent shall be £1, if asked. However, Viewfield Rovers, are required to meet the outstanding rent arrears due of £815.00.
 - It is noted that Viewfield Rovers currently do not hold an SFA Quality mark, which is an accreditation from the SFA, which is offered to amateur and youth football clubs to indicate their hard work and dedication to football. The club are to be encouraged to seek and obtain this accreditation.
 - The ground shall be leased for use as a football park and pavilion for community use.
 - The tenant must be an appropriately constituted group open to all members of the Community to which it serves.
 - The tenant shall be responsible for meeting the Council's reasonable legal and professional expenses incurred in concluding the new lease.
 - Any other reasonable terms and conditions considered necessary to protect the Council's interest.
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Implications of the Report

1. **Financial** – Concessionary let for Viewfield Rovers will continue to support the community.
2. **HR & Organisational Development** – None.
3. **Community Planning**
Our Renfrewshire is thriving – Will support the community in offering an opportunity to improve individuals health & wellbeing through football..
4. **Legal** – May will require to conclude new 5 year lease with Viewfield Rovers.
5. **Property/Assets** – As per this report.
6. **Information Technology** – None.
7. **Equality & Human Rights**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because no groups or individuals have any involvement currently at the property. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None.
9. **Procurement** – Not applicable.
10. **Risk** – None.
11. **Privacy Impact** – Not applicable.
12. **Cosla Policy Position** – Not applicable.

List of Background Papers

- (a) Background Paper 1 – None.

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Renfrewshire
Council

Viewfield Park, Lochwinnoch

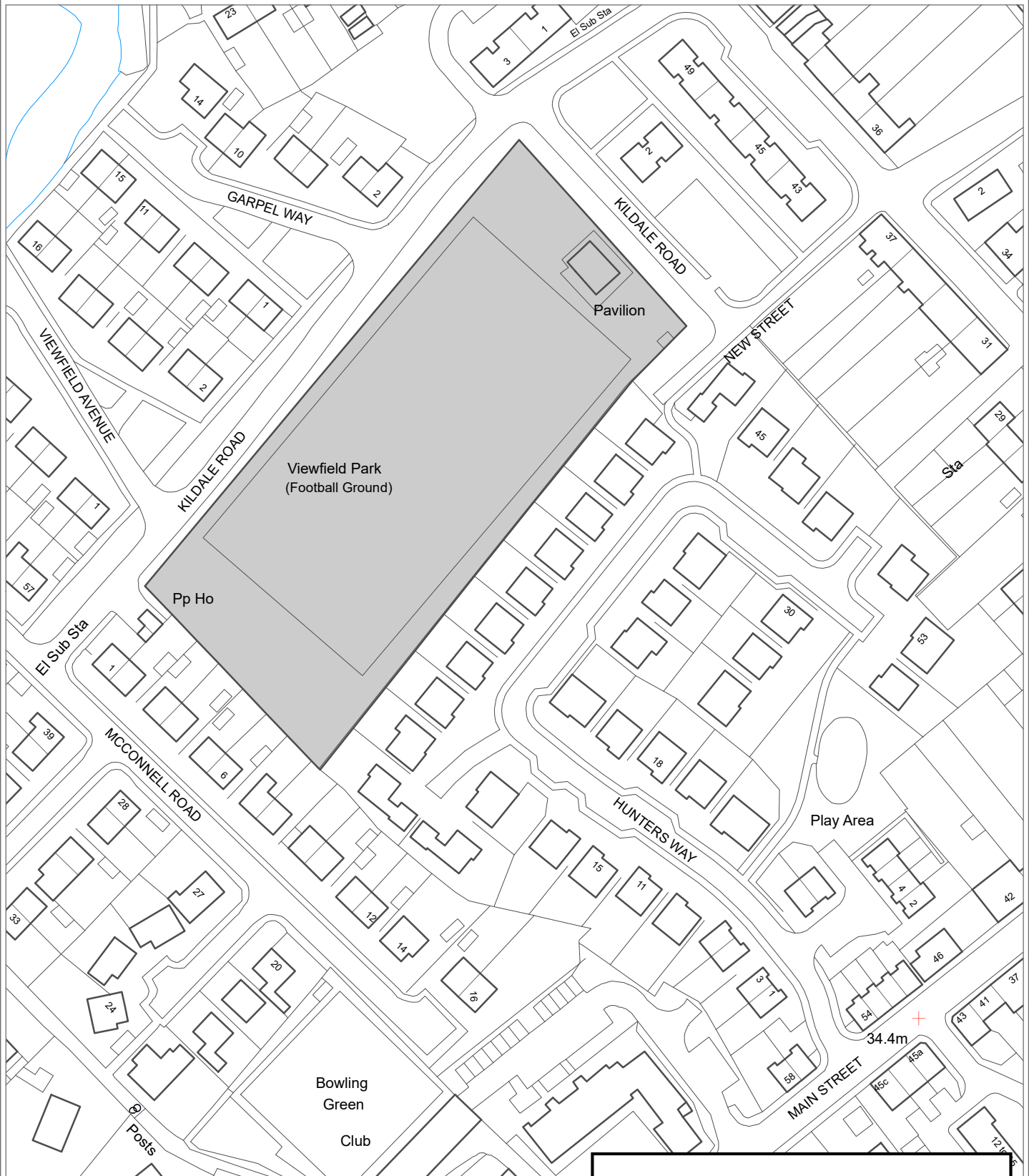
Report Plan Ref. E2868




1:1,500

User: howardhaughj2

Date: 26/02/2019



Legend

 Area to be transferred extends to 1.1 hectares or thereby

Notes:

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