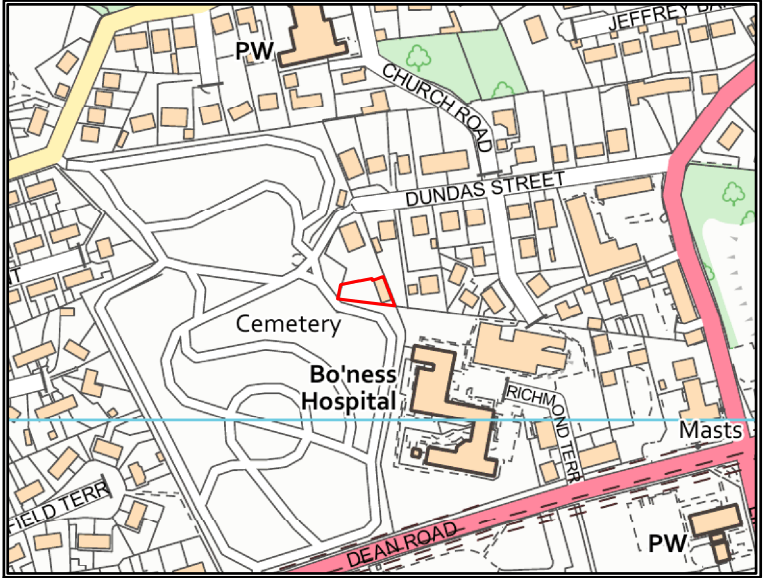


Falkirk Council



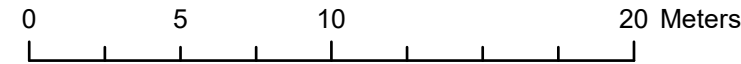
LOCATION PLAN scale: 1:5,000

Subject:
Bo'ness Cemetery Store, Dundas Street

Area:	474 sqm	or thereby.
Scale:	Plan No:	Date:
1:250	3176	17.12.2024



Place Services
Falkirk Stadium, 4 Stadium Way, Falkirk, FK2 9EE



© Crown copyright and database rights 2024 Ordnance Survey 100023384. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

O.S.Ref
NS9981

CONSTITUTION
of
BLOOMIN' BO'NESS

CONTENTS		
GENERAL	type of organisation, Scottish principal office, name, purposes, powers, liability, general structure	clauses 1 – 13
MEMBERS	qualifications for membership, application, subscription, register of members, withdrawal, transfer, re-registration, expulsion, termination	clauses 14 - 29
DECISION-MAKING BY THE MEMBERS	members' meetings, power to request members' meeting, notice, procedure at members' meetings, voting at members' meetings, written resolutions, minutes	clauses 30 - 66
BOARD (CHARITY TRUSTEES)	number, eligibility, election/ retiral/re-election, termination of office, register of charity trustees, office bearers, powers, general duties, code of conduct	clauses 67- 90
DECISION-MAKING BY THE CHARITY TRUSTEES	notice, procedure at board meetings, minutes	clauses 91- 113
ADMINISTRATION	sub-committees, operation of accounts, accounting records and annual accounts	clauses 114 - 117
MISCELLANEOUS	winding up, alterations to the constitution, interpretation	clauses 118 - 123

GENERAL

Type of organisation

- 1 The organisation will be a Scottish Charitable Incorporated Organisation (SCIO).

Scottish principal office

- 2 The principal office of the organisation will be in Scotland (and must remain in Scotland).

Name

- 3 The name of the organisation is **Bloomin Bo'ness**

Purposes

- 4 The organisation's purposes are: The advancement of environmental development and improvement within the town of Bo'ness

The advancement of community engagement and development.

The advancement of education

And in furtherance of these purposes, it will

4.1 Undertake community gardening and improvement projects

4.2 Actively engage members of the community in these projects

4.3 Fundraise to support these projects

Powers

- 5 The organisation has power to do anything which is calculated to further its purposes or is conducive or incidental to doing so.
- 6 No part of the income or property of the organisation may be paid or transferred (directly or indirectly) to the members - either in the course of the organisation's existence or on dissolution - except where this is done in direct furtherance of the organisation's charitable purposes.
- 7 Clause 6 does not prevent the organisation making a payment which is permitted under clause 41-44 (remuneration and expenses)

Liability of Charity Trustees

- 8 The trustees of the organisation have no liability to pay any sums to help to meet the debts (or other liabilities) of the organisation if it is wound up; accordingly, if the organisation is unable to meet its debts, the members will not be held responsible.
- 9 The trustees have certain legal duties under the Scottish Charities Act and clause 8 does not exclude or limit personal liabilities they might incur if they are in breach of those duties or other legal obligations or duties which apply to them

General structure

- 10 The structure of the organisation consists of the BOARD - who hold regular meetings, and generally control the activities of the organisation; for example, the board is responsible for monitoring and controlling the financial position of the organisation.
- 11 The board also appoints charity trustees to fill vacancies, and the people serving on the board (in their capacity as members of the organisation - see clauses 12 and 14) have power to make changes to the constitution itself.
- 12 The people serving on the board are referred to in this constitution as CHARITY TRUSTEES - and they are *also* the MEMBERS of the organisation for the purposes of the Scottish Charities Act.
- 13 Under the provisions of this constitution, no-one can be a member unless they are also a charity trustee of the organisation; and if anyone ceases for any reason to be a charity trustee of the organisation, they automatically cease to be a member.

The Scottish Charities Act requires certain decisions to be taken by the charity trustees in their capacity as members of the organisation

MEMBERS

Qualifications for membership

- 14 Membership is open to any individual who lives in the community of Bo'ness
- 15 The organisation must have a membership of a minimum of 20
- 16 Employees of the organisation can be members but not board members.

Application for membership

- 17 Any person who wishes to become a member must sign a written application for membership; the application will then be considered by the board at its next board meeting.
- 18 The board may, at its discretion, refuse to admit any person to membership.
- 19 The board must notify each applicant promptly (in writing or by e-mail) of its decision on whether or not to admit them to membership.

Membership subscription

- 20 No membership subscription will be payable.

Register of members

- 21 The board must keep a register of members, setting out
 - (a) for each current member:
 - (i) their full name and address; and
 - (ii) the date on which they were registered as a member of the organisation;
 - (b) for each former member - for at least six years from the date on which they ceased to be a member:
 - (i) their name; and
 - (ii) the date on which they ceased to be a member.
- 22 The board must ensure that the register of members is updated within 28 days of any change:
 - (a) which arises from a resolution of the board or a resolution passed by the members of the organisation; or
 - (b) which is notified to the organisation.

Withdrawal from membership

- 23 Any person who wants to withdraw from membership must give a written notice of withdrawal to the organisation, signed by them; they will cease to be a member as from the time when the notice is received by the organisation.

Transfer of membership

- 24 Membership of the organisation may not be transferred by a member.

Re-registration of members

- 25 The board may, at any time, issue notices to the members requiring them to confirm that they wish to remain as members of the organisation, and allowing them a period of 28 days (running from the date of issue of the notice) to provide that confirmation to the board.
- 26 If a member fails to provide confirmation to the board (in writing or by e-mail) that they wish to remain as a member of the organisation before the expiry of the 28-day period referred to in clause 20, the board may expel them from membership.
- 27 A notice under clause 20 will not be valid unless it refers specifically to the consequences (under clause 21) of failing to provide confirmation within the 28-day period.

Expulsion from membership

- 28 Any person may be expelled from membership by way of a resolution passed by not less than two thirds of those present and voting at a members' meeting, providing the following procedures have been observed:-
- (a) at least 21 days' notice of the intention to propose the resolution must be given to the member concerned, specifying the grounds for the proposed expulsion;
 - (b) the member concerned will be entitled to be heard on the resolution at the members' meeting at which the resolution is proposed.

Termination

- 29 Membership of the organisation will terminate on death.

DECISION-MAKING BY THE MEMBERS

Members' meetings

- 30 The board must arrange a meeting of members (an annual members' meeting or "AGM") in each calendar year.
- 31 The gap between one AGM and the next must not be longer than 15 months.
- 32 Notwithstanding clause 25, an AGM does not need to be held during the calendar year in which the organisation is formed; but the first AGM must still be held within 15 months of the date on which the organisation is formed.
- 33 The business of each AGM must include:-

- (a) a report by the chair on the activities of the organisation;
- (b) consideration of the annual accounts of the organisation;
- (c) the election/re-election of charity trustees, as referred to in clauses

34 The board may arrange a special members' meeting at any time.

Power to request the board to arrange a special members' meeting

35 The board must arrange a special members' meeting if they are requested to do so by a notice (which may take the form of two or more documents in the same terms, each signed by one or more members) by members who amount to 5% or more of the total membership of the organisation at the time, providing:

- (a) the notice states the purposes for which the meeting is to be held; and
- (b) those purposes are not inconsistent with the terms of this constitution, the Charities and Trustee (Investment) Scotland Act 2005 or any other statutory provision.

36 If the board receive a notice under clause 30, the date for the meeting which they arrange in accordance with the notice must not be later than 28 days from the date on which they received the notice.

Notice of members' meetings

37 At least 14 clear days' notice must be given of any AGM or any special members' meeting.

38 The notice calling a members' meeting must specify in general terms what business is to be dealt with at the meeting; and

- (a) in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); or
- (b) in the case of any other resolution falling within clause 53 (requirement for two-thirds majority) must set out the exact terms of the resolution.

39 The reference to "clear days" in clause 32 shall be taken to mean that, in calculating the period of notice,

- (a) the day after the notices are posted (or sent by e-mail) should be excluded; and
- (b) the day of the meeting itself should also be excluded.

- 40 Notice of every members' meeting must be given to all the members of the organisation; but the accidental omission to give notice to one or more members will not invalidate the proceedings at the meeting.
- 41 Any notice which requires to be given to a member under this constitution must be: -
- (a) sent by post to the member, at the address last notified by them to the organisation; *or*
 - (b) sent by e-mail to the member, at the e-mail address last notified by them to the organisation.
- 42 If members are to be permitted to participate in a members' meeting by way of audio and/or audio-visual link(s) (see clause 42), the notice (or notes accompanying the notice) must:
- (a) set out details of how to connect and participate via that link or links; and
 - (b) (particularly for the benefit of those members who may have difficulties in using a computer or laptop for this purpose) draw members' attention to the following options:
 - (i) participating in the meeting via an audio link accessed by phone, using dial-in details (if that forms part of the arrangements);
 - (ii) [appointing the chairperson of the meeting as proxy, and directing the chairperson on how they should use that proxy vote in relation to each resolution to be proposed at the meeting];
 - (iii) (where attendance in person is to be permitted, either on an open basis or with a restriction on the total number who will be permitted to attend) attending and voting in person at the meeting;
- 43 [Where clause 40 applies, the chairperson of a members' meeting will not require to read out or address any questions or comments submitted by members in advance of the meeting if and to the extent that the questions or comments are of an unreasonable length (individually or taken together), or contain material which is defamatory, racist or otherwise offensive.]

Procedure at members' meetings

- 44 The board may if they consider appropriate (and must, if this is required under clause 43) make arrangements for members to participate in members' meetings by way of audio and/or audio-visual link(s) which allow them to hear and contribute to discussions at the meeting, providing:
- (a) the means by which members can participate via that link or links are not subject to technical complexities, significant costs or other factors which are likely to represent - for all or a significant proportion of the membership - a barrier to participation;
 - (b) the notice calling the meeting (or notes accompanying the notice) contains the information required under clause 39; and
 - (c) the manner in which the meeting is conducted ensures, so far as reasonably possible, that those members and charity trustees who participate via an audio or audio-visual link are not disadvantaged with regard to their ability to contribute to discussions at the meeting, as compared with those members and charity trustees (if any) who are attending in person (and vice versa).
- 45 If restrictions arising from public health legislation or guidance are likely to mean that attendance in person at a proposed members' meeting would not be possible or advisable for all or a significant proportion of the membership, the board must make arrangements for members to participate in that members' meeting by way of audio and/or audio-visual link(s) which allow them to hear and contribute to discussions at the meeting; and on the basis that the requirements set out in paragraphs (a) to (c) of clause 42 will apply.
- 46 A members' meeting may involve two or more members participating via attendance in person while other members participate via audio and/or audio-visual links; or it may involve participation solely via audio and/or audio-visual links.
- 47 [References in clauses 39 to 44 to members should be taken to include proxies for members and authorised representatives of members which are corporate bodies.]
- 48 The quorum for a members' meeting is 5 members, present in person.
- 49 An individual participating in a members' meeting via an audio or audio-visual link which allows them to hear and contribute to discussions at the meeting will be deemed to be present in person (or, if they are not a member [or the authorised representative of a member which is a corporate body]), will be deemed to be in attendance) at the meeting.
- 50 If a quorum is not present within 15 minutes after the time at which a members' meeting was due to start - or if a quorum ceases to be present during a members' meeting - the meeting cannot proceed; and fresh notices

of meeting will require to be sent out, to deal with the business (or remaining business) which was intended to be conducted.

- 51 The chair of the organisation should act as chairperson of each members' meeting.
- 52 If the chair of the organisation is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.

Voting at members' meetings

- 53 Every member has one vote, which must be given personally
- 54 All decisions at members' meetings will be made by majority vote - with the exception of the types of resolution listed in clause 50.
- 55 The following resolutions will be valid only if passed by not less than two thirds of those voting on the resolution at a members' meeting (or if passed by way of a written resolution under clause 58):
- (a) a resolution amending the constitution;
 - (b) a resolution expelling a person from membership under clause 23;
 - (c) a resolution directing the board to take any particular step (or directing the board not to take any particular step);
 - (d) a resolution approving the amalgamation of the organisation with another SCIO (or approving the constitution of the new SCIO to be constituted as the successor pursuant to that amalgamation);
 - (e) a resolution to the effect that all of the organisation's property, rights and liabilities should be transferred to another SCIO (or agreeing to the transfer from another SCIO of all of its property, rights and liabilities);
 - (f) a resolution for the winding up or dissolution of the organisation.
- 56 If there is an equal number of votes for and against any resolution, the chairperson of the meeting will be entitled to a second (casting) vote.
- 57 A resolution put to the vote at a members' meeting will be decided on a show of hands - unless the chairperson (or at least two other members present at the meeting) ask for a secret ballot.
- 58 Where members are participating in a meeting via an audio or audio-visual link, they may cast their votes on any resolution orally, or by way of some form of visual indication, or by use of a voting button or similar, or by way of

a message sent electronically - and providing the board have no reasonable grounds for suspicion as regards authenticity, any such action shall be deemed to be a vote cast personally via a show of hands.

- 59 The chairperson will decide how any secret ballot is to be conducted, and they will declare the result of the ballot at the meeting.
- 60 Where members are participating in a meeting via audio and/or audio-visual links, the chairperson's directions regarding how a secret ballot is to be conducted may allow those members to cast their votes on the secret ballot via any or all of the methods referred to in clause 56, providing reasonable steps are taken to preserve anonymity (while at the same time, addressing any risk of irregularities in the process).
- 61 [The principles set out in clauses 56 and 58 shall also apply in relation to the casting of votes by an individual in their capacity as proxy for a member or as the authorised representative of a member which is a corporate body.]

Technical objections to remote participation in members' meetings

- 62 This constitution imposes certain requirements regarding the use of audio and/or audio-visual links as a means of participation and voting at members' meetings; providing the arrangements made by the board in relation to a given members' meeting (and the manner in which the meeting is conducted) are consistent with those requirements:
- (a) a member cannot insist on participating in the members' meeting, or voting at the members' meeting, by any particular means;
 - (b) the members' meeting need not be held in any particular place;
 - (c) the members' meeting may be held without any particular number of those participating in the meeting being present in person at the same place (but, notwithstanding that, the quorum requirements - taking account of those participating via audio and/or audio-visual links - must still be met);
 - (d) the members' meeting may be held by any means which permits those participating in the meeting to hear and contribute to discussions at the meeting;
 - (e) a member will be able to exercise the right to vote at the members' meeting (including where a secret ballot is to be held) by such means as is determined by the chairperson of the meeting (consistent with the arrangements made by the board) and which permits that member's vote to be taken into account in determining whether or not a resolution is passed.

Written resolutions by members

- 63 A resolution agreed to in writing (or by e-mail) by all the members will be as valid as if it had been passed at a members' meeting; the date of the resolution will be taken to be the date on which the last member agreed to it.

Minutes

- 64 The board must ensure that proper minutes are kept in relation to all members' meetings.
- 65 Minutes of members' meetings must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.
- 66 [The board shall make available copies of the minutes referred to in clause 59 to any member of the public requesting them; but on the basis that the board may exclude confidential material to the extent permitted under clause 108.]

BOARD

Number of Office Bearers

- 67 The minimum number of office bearers will be 3

Eligibility

- 68 A person shall not be eligible for election/appointment to the board under clauses 70 to 73 unless they are a member of the organisation; member shall belong to the local community of Bo'ness
- 69 A person will not be eligible for election or appointment to the board if they are: -
- (a) disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005; or
 - (b) an employee of the organisation.

Election, retiral, re-election

- 70 At each AGM, the members may elect any member (unless they are debarred from membership under clause 64) to be a charity trustee.
- 71 The board may at any time appoint any member (unless they are debarred from membership under clause 64) to be a charity trustee

Termination of office

- 72 A charity trustee/office bearer will automatically cease to hold office if: -
- (a) they become disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005;
 - (b) they become incapable for medical reasons of carrying out their duties - but only if that has continued (or is expected to continue) for a period of more than six months;
 - (c) (in the case of a charity trustee elected/appointed under clauses 70 to 73) they cease to be a member of the organisation;
 - (d) they become an employee of the organisation;
 - (e) they give the organisation a notice of resignation, signed by them;
 - (f) they are absent (without good reason, in the opinion of the board) from more than three consecutive meetings of the board - but only if the board resolves to remove them from office;
 - (g) they are removed from office by resolution of the board on the grounds that they are considered to have committed a material breach of the code of conduct for charity trustees (as referred to in clause 84);
 - (h) they are removed from office by resolution of the board on the grounds that they are considered to have been in serious or persistent breach of their duties under section 66(1) or (2) of the Charities and Trustee Investment (Scotland) Act 2005; or
 - (i) they are removed from office by a resolution of the members passed at a members' meeting.
- 73 A resolution under paragraph (g), (h) or (i) shall be valid only if: -
- (a) the charity trustee/ office bearer who is the subject of the resolution is given reasonable prior written notice of the grounds upon which the resolution for their removal is to be proposed;
 - (b) the charity trustee concerned is given the opportunity to address the meeting at which the resolution is proposed, prior to the resolution being put to the vote; and
 - (c) (in the case of a resolution under paragraph (g) or (h)) at least two thirds (to the nearest round number) of the charity trustees then in office vote in favour of the resolution.

Register of office bearers/charity trustees

- 74 The board must keep a register of office bearers/charity trustees, setting out:-
- (a) for each current office bearer/charity trustee:
 - (i) their full name and address;
 - (ii) the date on which they were appointed as office bearer/charity trustee; and
 - (iii) any office held by them in the organisation;
 - (b) for each former charity trustee - for at least 6 years from the date on which they ceased to be a charity trustee:
 - (i) the name of the charity trustee;
 - (ii) any office held by them in the organisation; and
 - (iii) the date on which they ceased to be a charity trustee.
- 75 The board must ensure that the register of charity trustees is updated within 28 days of any change:-
- (a) which arises from a resolution of the board or a resolution passed by the members of the organisation; or
 - (b) which is notified to the organisation.
- 76 If any person requests a copy of the register of charity trustees, the board must ensure that a copy is supplied to them within 28 days, providing the request is reasonable; if the request is made by a person who is not a charity trustee of the organisation, the board may provide a copy which has the addresses blanked out - if the SCIO is satisfied that including that information is likely to jeopardise the safety or security of any person or premises.

Office-bearers

- 77 The board members/charity trustees must elect (from among themselves) a chair, a treasurer and a secretary.
- 78 In addition to the office-bearers required under clause 72, the office bearers/charity trustees may elect (from among themselves) further office-bearers if they consider that appropriate.
- 79 All of the office-bearers will cease to hold office at the conclusion of each AGM, but may then be re-elected under clause 72 or 73.
- 80 A person elected to any office will automatically cease to hold that office: -

- (a) if they cease to be a charity trustee; *or*
- (b) if they give to the organisation a notice of resignation from that office, signed by them.

Powers of board

- 81 Except where this constitution states otherwise, the organisation (and its assets and operations) will be managed by the board; and the board may exercise all the powers of the organisation.
- 82 A meeting of the board at which a quorum is present may exercise all powers exercisable by the board.
- 83 The members may, by way of a resolution passed in compliance with clause 50 (requirement for two-thirds majority), direct the board to take any particular step or direct the board not to take any particular step; and the board shall give effect to any such direction accordingly.

Office Bearers/Charity trustees - general duties

- 84 Each of the charity trustees has a duty, in exercising functions as a charity trustee, to act in the interests of the organisation; and, in particular, must:-
 - (a) seek, in good faith, to ensure that the organisation acts in a manner which is in accordance with its purposes;
 - (b) act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person;
 - (c) in circumstances giving rise to the possibility of a conflict of interest between the organisation and any other party:
 - (i) put the interests of the organisation before that of the other party; or
 - (ii) where any other duty prevents them from doing so, disclose the conflicting interest to the organisation and refrain from participating in any deliberation or decision of the other charity trustees with regard to the matter in question;
 - (d) ensure that the organisation complies with any direction, requirement, notice or duty imposed under or by virtue of the Charities and Trustee Investment (Scotland) Act 2005.
- 85 In addition to the duties outlined in clause 79, all of the charity trustees must take such steps as are reasonably practicable for the purpose of ensuring: -

- (a) that any breach of any of those duties by a office bearer/charity trustee is corrected by the office bearer/charity trustee concerned and not repeated; and
 - (b) that any office bearer/trustee who has been in serious or persistent breach of those duties is removed.
- 86 Provided they have declared their interest - and have not voted on the question of whether or not the organisation should enter into the arrangement - a charity trustee will not be debarred from entering into an arrangement with the organisation in which they have a personal interest; and (subject to clause 82 and to the provisions relating to remuneration for services contained in the Charities and Trustee Investment (Scotland) Act 2005), they may retain any personal benefit which arises from that arrangement.
- 87 No office bearer/charity trustee may serve as an employee (full time or part time) of the organisation; and no charity trustee may be given any remuneration by the organisation for carrying out their duties as a charity trustee.
- 88 The office bearers/ charity trustees may be paid all travelling and other expenses reasonably incurred by them in connection with carrying out their duties.

Code of conduct for charity trustees(if and when relevant)

- 89 Each of the charity trustees shall comply with the code of conduct (incorporating detailed rules on conflict of interest) prescribed by the board from time to time.
- 90 The code of conduct referred to in clause 84 shall be supplemental to the provisions relating to the conduct of charity trustees contained in this constitution and the duties imposed on charity trustees under the Charities and Trustee Investment (Scotland) Act 2005; and all relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct in force from time to time

DECISION-MAKING BY THE OFFICE BEARERS/ CHARITY TRUSTEES

Notice of board meetings

- 91 Any office bearer/charity trustee may call a meeting of the board *or* ask the secretary to call a meeting of the board.
- 92 At least 7 days' notice must be given of each board meeting, unless (in the opinion of the person calling the meeting) there is a degree of urgency which makes that inappropriate.

- 93 If charity trustees are to be permitted to participate in a board meeting by way of audio and/or audio-visual link(s), the charity trustees must, in advance of the meeting, be provided with details of how to connect and participate via that link or links; and (particularly for the benefit of those charity trustees who may have difficulties in using a computer or laptop for this purpose) the charity trustees' attention should be drawn to the following options:
- (a) participating in the meeting via an audio link accessed by phone, using dial-in details (if that forms part of the arrangements);
 - (b) (where attendance in person is to be permitted, either on an open basis or subject to a restriction on the total number who will be permitted to attend) the ability to attend the meeting in person.

Procedure at board meetings

- 94 No valid decisions can be taken at a board meeting unless a quorum is present; the quorum for board meetings is 4 office bearers/charity trustees, present in person.
- 95 An individual participating in a board meeting via an audio or audio-visual link which allows them to hear and contribute to discussions at the meeting will be deemed to be present in person (or, if they are not a charity trustee, will be deemed to be in attendance) at the meeting.
- 96 If at any time the number of office bearers/charity trustees in office falls below the number stated as the quorum in clause 89, the remaining charity trustee(s) will have power to fill the vacancies or call a members' meeting - but will not be able to take any other valid decisions.
- 97 The chair of the organisation should act as chairperson of each board meeting.
- 98 If the chair is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.
- 99 Every office bearer/charity trustee has one vote, which must be given personally (subject to clause 109).
- 100 All decisions at board meetings will be made by majority vote.
- 101 If there is an equal number of votes for and against any resolution, the chairperson of the meeting will be entitled to a second (casting) vote.
- 102 The board may if they consider appropriate (and must, if this is required under article 107), allow office bearer/ charity trustees to participate in

board meetings by way of an audio and/or audio-visual link or links which allow them to hear and contribute to discussions at the meeting, providing:

- 103 The board may, at its discretion, allow any person to attend (whether in person or by way of an audio or audio-visual link) and speak at a board meeting notwithstanding that they are not a charity trustee - but on the basis that they must not participate in decision-making.
- 104 A charity trustee must not vote at a board meeting (or at a meeting of a sub-committee) on any resolution which relates to a matter in which they have a personal interest or duty which conflicts (or may conflict) with the interests of the organisation; they must withdraw from the meeting while an item of that nature is being dealt with.
- 105 For the purposes of clause 99: -
- (a) an interest held by an individual who is “connected” with the charity trustee under section 68(2) of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister etc) shall be deemed to be held by that charity trustee;
 - (b) a charity trustee will be deemed to have a personal interest in relation to a particular matter if a body in relation to which they are an employee, director, member of the management committee, officer or elected representative has an interest in that matter.
- 106 The principles set out in clause 60 (technical objections to remote participation) shall apply in relation to remote participation and voting at board meetings, as if each reference in that clause to a member were a reference to a charity trustee and each reference in that clause to a members’ meeting were a reference to a board meeting.
- 107 A resolution agreed to in writing (or by e-mail) by a majority of the charity trustees then in office shall (subject to clauses 115 and 116) be as valid as if duly passed at a board meeting.
- 108 A resolution under clause 114 shall not be valid unless a copy of the resolution was circulated to all of the charity trustees, along with a cut-off time (which must be reasonable in the circumstances) for notifications under clause 116.
- 109 If a resolution is circulated to the charity trustees under clause 115, any one or more charity trustees may, following receipt of a copy of the resolution, notify the secretary that they consider that a board meeting should be held to discuss the matter which is the subject of the resolution; and if any such notification is received by the secretary prior to the cut-off time:
- (a) the secretary must convene a board meeting accordingly, and on the basis that it will take place as soon as reasonably possible;

- (b) the resolution cannot be treated as valid under clause 114 unless and until that board meeting has taken place;
- (c) the board may (if they consider appropriate, on the basis of the discussions at the meeting) resolve at that board meeting that the resolution should be treated as invalid, notwithstanding that it had previously been agreed to in writing (or by e-mail) by a majority of the charity trustees then in office.

Minutes

- 110 The board must ensure that proper minutes are kept in relation to all board meetings and meetings of sub-committees.
- 111 The minutes to be kept under clause 105 must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.
- 112 [The board shall (subject to clause 108) make available copies of the minutes referred to in clause 105 to any member of the public requesting them.]
- 113 [The board may exclude from any copy minutes made available to a member of the public under clause 107 any material which the board considers ought properly to be kept confidential - on the grounds that allowing access to such material could cause significant prejudice to the interests of the organisation or on the basis that the material contains reference to employee or other matters which it would be inappropriate to divulge.]

ADMINISTRATION

Operation of accounts

- 114 Subject to clause 110, the signatures of two out of three signatories appointed by the board will be required in relation to all operations (other than the lodging of funds) on the bank and building society accounts held by the organisation; at least one out of the two signatures must be the signature of a office bearer/charity trustee.
- 115 Where the organisation uses electronic facilities for the operation of any bank or building society account, the authorisations required for operations on that account must be consistent with the approach reflected in clause 109.

Accounting records and annual accounts

- 116 The board must ensure that proper accounting records are kept, in accordance with all applicable statutory requirements.
- 117 The board must prepare annual accounts, complying with all relevant statutory requirements; if an audit is required under any statutory provisions (or if the board consider that an audit would be appropriate for some other reason), the board should ensure that an audit of the accounts is carried out by a qualified auditor.

MISCELLANEOUS

Winding-up

- 118 If the organisation is to be wound up or dissolved, the winding-up or dissolution process will be carried out in accordance with the procedures set out under the Charities and Trustee Investment (Scotland) Act 2005.
- 119 Any surplus assets available to the organisation immediately preceding its winding up or dissolution must be used for purposes which are the same as - or which closely resemble - the purposes of the organisation as set out in this constitution.

Alterations to the constitution

- 120 This constitution may (subject to clause 116) be altered by resolution of the members passed at a members' meeting (subject to achieving the two thirds majority referred to in clause 50) or by way of a written resolution of the members.
- 121 The Charities and Trustee Investment (Scotland) Act 2005 prohibits taking certain steps (eg change of name, an alteration to the purposes, amalgamation, winding-up) without the consent of the Office of the Scottish Charity Regulator (OSCR). (when/if applicable)

Interpretation

- 122 References in this constitution to the Charities and Trustee Investment (Scotland) Act 2005 should be taken to include: -
 - (a) any statutory provision which adds to, modifies or replaces that Act; and
 - (b) any statutory instrument issued in pursuance of that Act or in pursuance of any statutory provision falling under paragraph (a) above.

123 In this constitution: -

- (a) “charity” means a body which is either a “Scottish charity” within the meaning of section 13 of the Charities and Trustee Investment (Scotland) Act 2005 or a “charity” within the meaning of section 1 of the Charities Act 2011, providing (in either case) that its objects are limited to charitable purposes;

“charitable purpose” means a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 which is also regarded as a charitable purpose in relation to the application of the Taxes Acts.

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

FALKIRK COUNCIL ASSET TRANSFER REQUEST FORM

IMPORTANT NOTES:

This is an application form which can be used to make an Asset Transfer request to Falkirk Council.

Any Community Body interested in making an Asset Transfer Request is advised to contact the Asset Team on strategicpropertyreview@falkirk.gov.uk before making the request so that we can discuss your proposal.

Please complete the asset transfer request form if the property/land is owned/leased/managed by Falkirk Council.

It is essential that you read the [Asset Transfer guidance](#) provided by the Scottish Government before making a request.

When completed, this form should be emailed to strategicpropertyreview@falkirk.gov.uk or sent to

The Asset Team

Falkirk Council

4 Stadium Way

Falkirk

FK2 9EE

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

1.1 Name of the CTB making the asset transfer request

Bloomin' Bo'ness

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

Postal address: [REDACTED]

Postcode: [REDACTED]

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: [REDACTED]

Postal address: [REDACTED]

Postcode: [REDACTED]

Email: bloominboness@outlook.com

Telephone: [REDACTED]



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 Falkirk Council 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 mark an "X" in the relevant box to confirm the type of CTB and its official number, if it has one.

	Company and its company number is	
X	Scottish Charitable Incorporated Organisation (SCIO) and its charity number is	SCO43246
	Community Benefit Society (BenCom) and its registered number is	

	Unincorporated organisation (no number)	
--	---	--

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

Please note that under The Community Empowerment (Scotland) Act 2015, where a CTB is seeking ownership rather than a lease, the organisation must have at least 20 members. See the Scottish Government's [Guidance for Community Transfer Bodies](#).

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

No ☐

Yes ☐

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?

No ☐

Yes ☐

If yes what class of bodies does it fall within?

2 Teired SCIO, Community Led

Section 2. Information about the land and rights requested

2.1 Please identify the property/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 give a 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.

Details of Property:

Description GIA (Sq m) GIA (Sq ft)

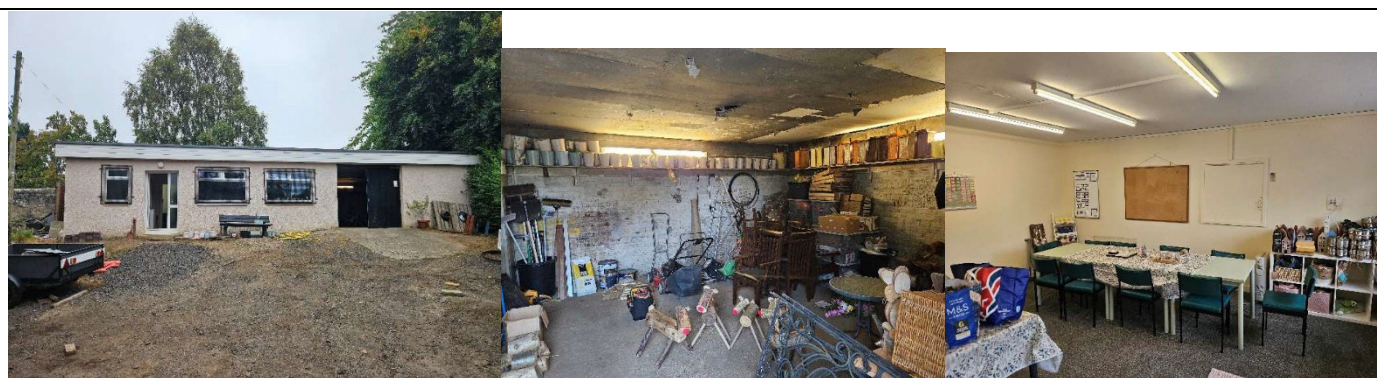
Ground Floor 80.40 865

Total GIA: 80.40 865

Situated in the Town of Bo'ness at the North East side of the Dundas cemetery the Bothy is approx. 70 Metres from the main Dundas Street entrance. The path that connects it to Dundas Street is capable of taking vehicles which means the asset benefits from vehicular access. The bothy is split into two parts which are not internally connected. The North part has a toilet, store room and a large general-purpose room. The South part is a store/workshop accessed by double timber doors.

The bothy has a yard which is suitable for storage and is accessed by a double set of metal gates, this is the only access into the yard leading up to the bothy.

At present there is no individual title, once the asset has transferred a title will need to be created with a specified boundary depending on the decision regarding the yard.



Yard Facing West

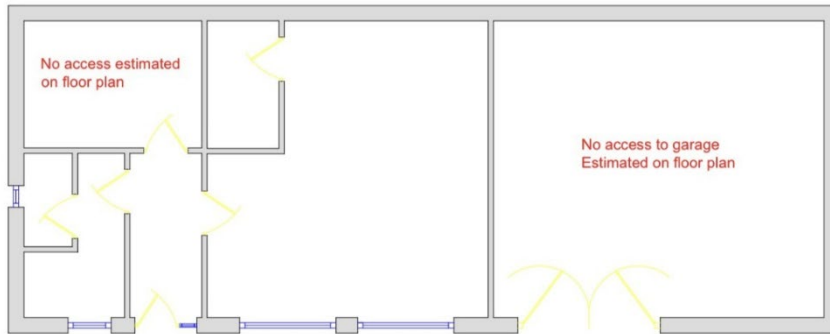
Workshop

General Purpose Area

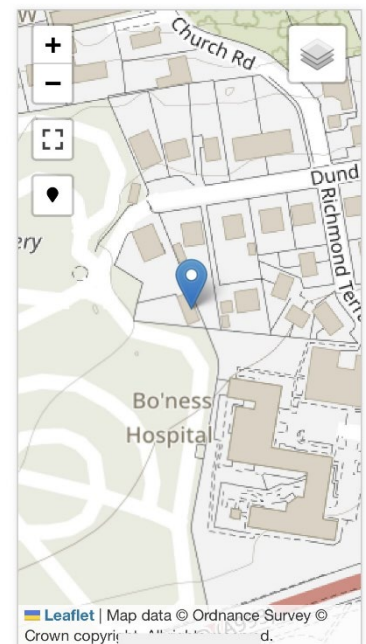
Address: Bo'ness Cemetery Bothy, Dundas Cemetery, Bo'ness EH51 0DG

361001 - Boness Cemetery Bothy PDF

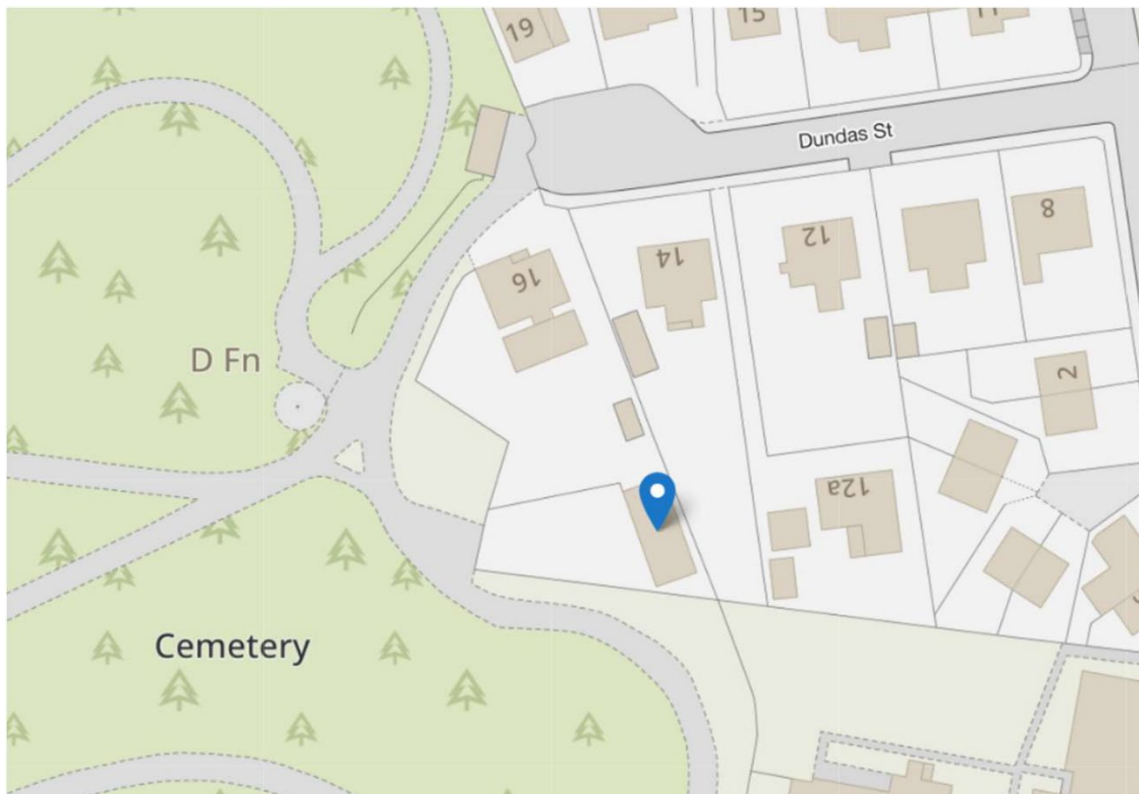
PDF - 134 KB



Map



Footprint of Bothy



The property is situated at the North East side of the cemetery approx 70M from the Dundas street entrance.

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

2.3

UPRN:136079043

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 – this box has been ticked

☐

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: £1

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

We would like to take ownership of the Yard

3B – Request for Lease

What is the length of lease you are requesting?

We wish to own the building and yard

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?

We request the permanent right of access to the bothy from the Yard via the Dundas Street gate

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 set out any other terms and conditions you wish to apply to the request.

In order to make the asset perform to its greatest potential we need full use of the gated entrance and the yard. Our plan is to have the 2 metal containers removed and to flatten and resurface the whole area giving us parking spaces and ensuring a safe access/egress for visitors. If we are to move forward with having the various activities, classes and workshops we have planned within the bothy it's important for the yard to be cleared and to allow cars to park safely and out with the paths in the cemetery. Because of the location of the Bothy we have to be extremely sensitive to people visiting the asset and it is imperative that our neighbours are not impacted. As can be seen by the image below there are 2 large metal shipping containers in the yard and it has been allowed to become extremely overgrown and unsightly. Once this is cleared and the uneven ground is levelled it will enhance the whole asset.



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.

4.1.1 Objectives of Project

In its current format Bloomin Bo'ness was formed in 2021 after the global pandemic when the town of Bo'ness along with the rest of the world was coming out of lockdown with the objective of tidying up the flowerbeds that had been left to become thickets of weeds. Prior to this the local authority had withdrawn gardening services to all the various towns in the Falkirk District and some volunteers had planted the flowerbeds with plants provided by the council. 2022 saw a complete withdrawal of all help. Bloomin' Bo'ness started off with absolutely no money but a strong desire to regenerate and beautify the flowerbeds and other areas that were sadly neglected and a complete eyesore. We asked for help from the community and found very quickly that people coming outdoors to garden was a safe activity which allowed social distancing and with the help of donations of equipment and decoration through advertising on social media and hard work we created our first community garden which we called The Bugness Community Garden. This is our third full year and our objectives have remained the same. We wish the town of Bo'ness to be considered among the best in the district, a place where locals and visitors can enjoy our eclectic and interesting displays and provide an open door for volunteers from all age groups and abilities. We are now in a situation, where we require a safe, clean and serviced premises in order that our members and wider community can have somewhere to store our tools, equipment and decorations and further more a place where we can hold workshops, invite speakers and have meetings. Having the bothy will open so many doors to new resources for us and we see it as the icing on the cake.

Our main purpose is below

The organisation's purposes are: The advancement of environmental development and improvement within the town of Bo'ness

The advancement of community engagement and development.

The advancement of education

And in furtherance of these purposes, it will

Undertake community gardening and improvement projects

Actively engage members of the community in these projects

Fundraise to support these projects



BEFORE

The Bug Hotel and the Bird Feeding Station in the Bugness Community woodland garden – our very first project. Made from donated pallets, an old gate and other things from the community.

We were recognised by CVS for the above project and they did an article promoting our work which can be found in the addendum

This is the objectives of our project.

4.1.2 Why there is a need for your Project?

As previously mentioned, the Local authority namely Falkirk council no longer do any gardening across the full district and it is therefore the responsibility of each town – if they choose - to keep their towns flowerbeds and public areas looking cared for and beautiful. As our group undertook more and more projects and further volunteers came on board it became quickly apparent that we needed a premises to store our equipment and somewhere we could group for meetings and to make decorations for our displays. We have through fundraising and donations accrued a fantastic array of tools and display items all of which are now safely and carefully organised in the bothy. Members can access the equipment as they need it and we have a safe and functional space to have meetings, host events, run community classes and much more. We are in a very different situation from most applicants as instead of what we do happening inside the asset, we rely on the asset to make what we do in the community successful, and we ask that the committee approach our application with this in mind.

This is why there is a need for our project.



Cadzow Corner before, during and after. This spot is on the main road driving down the hill into the town centre and was a weed choked eyesore.

This one was completed in 2023 – planned by us with a country cottage theme complete with a beautiful vintage thresher. We did this working alongside the council community growing officer – once completed it was filled with pollinators and is buzzing thriving joy every year.



Happy Bees

4.1.3 Will any Development/changes/modifications to the asset be required?

There are a few modifications which would be advantageous to the asset, namely the yard would benefit from being landscaped with Monoblock or something similar – our main reason for asking that the yard be included with the asset is so that we can have ample room for parking and keep any traffic visiting or using the bothy away from the paths in the cemetery. The vegetation has been allowed to become Completely overgrown and would benefit from a really good cut back.

We definitely need to improve the exterior lighting with motion sensor floodlights. On the whole the Bothy is in good condition and save for a few cosmetic touches is pretty much ready to use.

These are the changes, modifications that are needed.

4.1.4 What activities will take place?

Our vision for the bothy underpins everything that we plan to do in the town. Without the asset Bloomin' Bo'ness quite simply could not achieve the projects and the work we do. We have more credibility in the fact that we have been awarded the lease and it proves to us that the council take us seriously and recognise our efforts and achievements. Inclusion is at the heart of everything we do and with this in mind we would like to offer workshops and classes for the community to learn various skills such as making hanging baskets, holly wreaths, decorative paving slabs to name a few ideas. We already have a book club which meets here monthly for a nominal fee and this is something we would love to expand upon. Our volunteers are already using the space to create and store finished decorations including reindeer and various other seasonal decorations. We had a stall at a local craft fair recently and the bothy was used for our members to create crafts to sell. Bloomin' Bo'ness are a relatively new group and we have achieved so much in the three years we have been together. We deserve a decent premises that allows us to function to the best of our ability and this in turn will allow us to the best for our town whether it be maintaining what we already have or having decent facilities for planning and executing new projects to keep Bo'ness Bloomin'



Newly built reindeer ready for our Festive displays.



Rock Poppies for the Cenotaph all made In the bothy by our volunteers and Children in the community.



Trellis made from Old garden Tools

These are the activities that will take place.

4.1.5. If the asset is to be used by the public, please provide details of lettings policy and opening times.

A local Book Club currently hold monthly meetings here and this is something we wish to expand upon and we certainly want to actively encourage other groups to Use the Bothy for similar activities. Our key holders have agreed to open and Close as required. Once we undertake our various craft classes workshops and Events these will be advertised and of course the person running the event will be On hand to open and close. Going forward if we begin to have longer term lets With groups we trust then it may be worth considering allowing groups to have Keys. We conducted a facebook poll to gauge interest and we were pleased with The people who responded saying that they would attend our classes.

[IMAGES REDACTED]

One of the questions in our poll was whether or not people would attend classes, in the bothy and use the meeting rooms and we received an overwhelming yes.

4.1.6 What provision will be provided for people with disabilities?

The yard is on a gentle slope but it is uneven in places and therefore trying to Push a wheelchair up to the door would be difficult. We do wish to take the yard As part of the asset and would look to completely Monoblock or another flat Surface – looking forward if we were successful in securing the yard a ramp Would certainly make sense as there is a step up to the door.



The yard is on a slight slope and is uneven

These are the provisions that we would make for disabled users

Benefits of the proposal

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

Local Authorities are permitted to dispose of property at less than market value where there are wider public benefits to be gained. This is set out in the Disposal of Land by Local Authorities (Scotland) Regulations 2010. These public benefits are listed below.

In this section, please explain how the project will benefit your community, and others. Please refer to the Scottish Government [guidance](#) on how the Council will consider the benefits of a request.

Please explain how the project will benefit your community by detailing how your project will promote or improve:-

4.2.1. Economic development/income generation

ie. Please include details of any job creation or **volunteering and training** opportunities that will be available as a result of the Asset Transfer. Also details of how your organisation will involve the **local community** and of any incentives that may be available to encourage the local community to use the proposed services.

The bothy is the ideal premises to host training workshops, indeed without it we could not even begin to consider these as a remote possibility. We have recently added a community liaison officer to our group of volunteers and her role is to reach out to schools, nursing homes, guides, brownies, scouts etc and find out the ways we can be inclusive. Some of our volunteers have specialist skills that can be passed on and we fully intend to utilise these by way of workshops and open days.

We use social media as an advertising tool and have found that this is an excellent way to advertise our events – we incentivise local engagement with various seasonal events such as asking children to post a picture next to our easter displays and delivering easter eggs to them and asking the children of the town to make handmade decorations for the Christmas trees we have on display every year.

The bothy is for groups to hold meetings and this is something we wish to encourage from the get go. The book Club already hold meetings there and we are in talks with another group for a similar function. We already call the big room Multi-Purpose because already it is used for so many different things.

It is difficult to forecast or speak of economic development\income with regard to the benefit our asset will bring however we truly believe that Bo'ness is a far more beautiful town than it was only a few short years ago and with the added benefit of at least 60 local businesses sponsoring our displays and features it stands to reason that when folk see these they may be inclined or encouraged to support locally.

People visiting the town will explore our various sites and hopefully they will spread the word and in turn that will bring footfall into the town for local businesses.

We are also in the process of having an APP developed with one of the features being a map of the locations of our various displays to visitors can see at a glance where to go to look at everything. We intend to have a link for events, classes and other information accessible to all and free for everyone to take part.

<https://bit.ly/bloominapp>

Or use the QR code for direct access



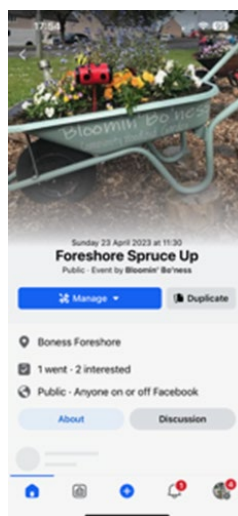


Trees and Birdhouses made by our talented volunteers and a donated vintage Mower

That is how we see our project adding to the economic and development of our community.



Donated tables being freshened up to be used in our all-purpose room.



We advertise all events and ensure everyone is made welcome

4.2.2. Regeneration

i.e. Please include details of whether your organisation will contribute to the **physical regeneration** of the area, and how your proposal will impact the regeneration of the area, in terms of volunteering or employment, giving examples.

It is difficult to convey the response we have had in the town from locals and visitors alike. We have fundamentally changed the landscape of our town with our innovative work and this is endlessly commented on and admired. We pride ourselves in the fact that we are forever finding new areas to develop and this of course means that we can offer more volunteers to get on board. Many of our projects have brought back to life previously neglected and or barren areas that are now firm favourites with local and visitors. The local nurseries love the woodland garden and the bug hotel and the children can often be seen walking back from the woods after gathering pine cones to put in the bug hotel.

Many people have told us that friends and relations from outside Bo'ness have commented on the difference in the town and how wonderful it is to see previously abandoned unkempt areas buzzing with life which is not only beneficial to the environment but for those who like to walk around and enjoy it. Regeneration also makes the town more attractive and a nicer place to live/visit.

The chairman of the Bo'ness Fair asked our group to provide floral decoration for their staging on the Fair Day and this was seen and enjoyed by thousands on the day not only in the town itself but beamed all over the world. This is something we absolutely could not do without the bothy. With respect to the above having the bothy elevates us from being able to do some things but being limited, to being able to undertake projects no problem as we now have the space and the support to do it.

[IMAGE REDACTED]

An interactive map of all our locations and The Local Nursery Visiting the Bug House with pictures they had made.

This is our idea of positive regeneration.

4.2.3. Public Health

i.e. How likely is the proposal to improve the Public Health of the Community, in terms of **physical and mental health**, for example through volunteering, training, or taking part in activities, giving examples.

One of the best things anyone has said to me is "No matter how bad a day I'm having, driving or walking past the displays makes me smile and feel happy"

We have tried to make it so that most areas in the town have something good and interesting to look at and try to keep our work near public roads and footpaths so that they can be enjoyed by everyone. A common misconception about our group is that you have to good at gardening, but we are always keen to dispel this and stress to everyone that what we do isn't about gardening at all. It's about coming together as a group of people with a common goal, trying our best to make our town look better, involving people who perhaps suffer from social isolation and making friends and having fun along the way. Being outside and immersing yourself in gardening

or indeed any pursuit all is extremely good for your mental and physical health. Indeed since 2019 the NHS have been “social prescribing” as part of their long-term plan and I know firsthand that our local practice has certainly referred patients to us to become involved in whatever capacity they feel comfortable with. We are quick to point out to everyone that no matter what time you can give or what skillset you have you will be needed and wanted in our group.

There is nothing more rewarding than seeing a previously shy, anxious volunteer grow into being a main player in the team, leading projects, taking charge and having the confidence to move projects forward without interference or input from us.

[IMAGES REDACTED]

Walking around visiting our beautiful areas improves the mental and physical health,

We have thousands and thousands of examples of these lovely comments

We encourage everyone to join in and this is how we envision improving public health

4.2.4. Social Wellbeing

i.e. How will the proposal improve the Community's Social Well-Being and mental health, or how might it improve the **learning offer and activities** available in the area? Please give brief examples of these activities.

There are a few local businesses in the area that offer craft classes and meeting rooms but these can be expensive. We at Bloomin' Bo'ness hope to offer our classes and workshops at a very reasonable rate which will benefit those who wish to take part but find the expense of commercial classes off putting. By offering reasonable rates for group interaction, we would hope to improve the potential for learning. We haven't completely decided but we will certainly be offering classes to make seasonal decorations such as hanging baskets, wreaths, garlands etc. We are keen to emphasise that Bloomin' Bo'ness is so much more than gardening. It is about nurturing a sense of pride in the place where we live and many many people who have joined us say that they would not have ventured out to do things on their own but doing things as part of a group is much easier and there is no pressure to do anything other than what they are comfortable with. In terms of social well-being, we intend to ensure that our classes and opportunities to volunteer are open to everyone and we will always explore the possibility that those who attend our classes may wish to become volunteers or friends of Bloomin' Bo'ness



Examples of Crafts we wish to teach.



We also use our funds to commission local businesses to maintain areas in the town that attract tourists such as the miners' memorial – previously this was chock full of weeds and absolutely filthy – a disgrace to the men who worked the mines.

It is now spotless with lovely filled tubs.

This is how we intend to maintain social inclusion and wellbeing.



The war memorial is our pride and joy and we ensure that it is befitting of the sacrifice the men on the monument made. We encouraged the local children at the

primary schools to paint stone poppies in tribute to the men, and were delighted to see them not only participate but to bring their family members down to the memorial to see the poppies they had painted.



The local children loved painting the poppies for Remembrance Day and were interested to learn from our volunteer [REDACTED] – a local retired librarian and historian, of the story of why the British Legion has adopted the poppy as their emblem.

4.2.5. Environmental Wellbeing / Environmental Benefits

i.e. Will the proposal bring green / environmental benefits and / or have an impact on the **local environment**? Will it help mitigate the effects of climate change? If so, please give details.

Aside from all of our sites being Zero waste we encourage and promote where possible the use of organic materials and our ethos of reduce reuse recycle is evident across all our displays with upcycled artefacts and items forming the back drop of most areas.

As previously mentioned, our work has brought previously abandoned areas back to life with flowers, growing food, plants and wildlife: due to our commitment of planting bee friendly pollinators, and this is no more evident than at the old tennis court abandoned for 30 years at the back of Bridgeness Bowling Club. The site was under 2 meters of thick weeds and waste. We cleared 16 tonnes of rubbish from the whole area and it is now home to our 8M Carbon fibre polytunnel where we have tentatively started growing our own plants to use in our various areas across the town. We approached the Local Steam Railway and they allowed us to take 140 Victorian railway sleepers from their yard that had been lying unused for 25 years. These are now 11 Stunning raised beds that members of the community can lease on a yearly basis and grow Vegetables and Flowers. We have a thriving composting

area complete with a wormery and each year after Halloween we have a “Don’t dumpkin your Pumpkin” scheme where the community are invited to bring their used Halloween pumpkins to the site where they are used for composting. All of our composting bays were built using recycled fencing and we plan to use more of this wood to erect a lean to in order that we can assemble guttering to collect water in 5 water butts.

During the summer one of our volunteers who is a scout leader brought her troop along to the community garden where they loved seeing the vegetables growing, the wormery, the composting and looking at the newly erected polytunnel. We put them to task by asking them to go away and collect organic materials to come back and erect a bug hotel from our stash of old pallets.

None of this would have been possible without the bothy as the asset was used as a hub for storage, meetings, planning, deliveries, charging batteries for tools and much more.

We intend changing the lights in the Bothy to LED and will look toward installing a couple of water butts here also. In terms of sustainability the Bothy will be run as environmentally friendly as possible. It is a zero-waste facility and everything we have brought in so far in terms of furniture is donated. We are conscious that resources are precious and we pledge that will always look at ways to leave a smaller footprint where we can. In our opinion the Bothy was not being utilised to its full potential by the council. When we applied for the Bothy under the SPR scheme we were met with resistance from the current users and it was arranged that we split the building until the CAT was complete. The service users who currently share with us have been found to have the heating on round the clock for days at a time and we have had to report this at least 6 times. We see this as a very wasteful misuse of the councils’ resources. Furthermore, we will apply our own ethics to the bothy therefore the heating will only be used frugally if at all.



[IMAGE REDACTED]

Preparing Old Sleepers for their new home We use the pumpkins for compost



A post to gauge interest

Our fabulous community garden and polytunne



These sleepers lay in the Railway yard for 25 years, now they are raised beds. Our composting areas built with old fencing. Our pumpkins from the annual 'Don't Dumpkin your Pumpkin Scheme'

This is how we shall address environmental wellbeing for our group.

4.2.6. Does your project contribute to the reduction of inequalities?

i.e. Will the proposal enable the community to access activities not otherwise available; will these activities be available at an affordable rate; how will your organisation work with other local providers to **reduce inequalities**?

Most of our volunteers do have their own garden but also like to be involved in being out and about helping across the community. Some of our volunteers suffer from social isolation and being among the rest of the team can often be the only other contact they have. It is essential for us to have the asset to support everything we do and we cannot highlight enough how important it is to provide our members and friends with a base where they can access supplies, join in classes, come to meetings and work away themselves or be teaching in the workshop. We have over two thousand followers on social media and frequently advertise for volunteers in any capacity and have never turned anyone away who offers their services. We are

looking forward to welcoming to our bothy to people from all walks of life to take part in our workshops and classes and if they wish to become volunteers even better. We are a socially inclusive organisation and everyone is made welcome regardless of disability, race, sexuality and gender.

We are a wholly inclusive organisation and strive to reduce any inequalities.

4.2.7 Will local people be engaged in the use and management of the Asset?

A “community of interest” may not represent the people living near to the asset. Please provide evidence of how **local people and communities** will be engaged in the use and management of the asset, and how they have been consulted.

Everyone who uses the asset will be local and we have already introduced ourselves to our two closest neighbours who are absolutely delighted we are using the Bothy for the purpose of supporting Bloomin’ Bo’ness. Before we began our journey with the application for the Bothy we spoke to our members and asked if they thought the bothy would be beneficial to the group and found that this was an overwhelming yes. We have so much talent in our group of members and we are looking forward to seeing them flourish in this exciting environment. As per our constitution any local person can become a member and therefore offer suggestions, that can be considered and potentially taken forward.

This is how locals will be engaged and can help the asset.

4.2.8 How will you monitor whether the Asset Transfer is benefiting the community?

There is evidence already that the asset is benefitting the community, the very fact that we have been able to undertake tasks that we would have previously have had to say no to is very real. We plan to have an open day and introduce anyone who wants to pop down and see the bothy and take some information away regarding what we do and what the bothy will be used for. Information that will also be on the app so everyone can be

This is how we monitor whether or not the asset is benefitting the community.

4.2.9 Any other relevant information?

Although most of our work is achieved and displayed out with the Bothy it is important not to underestimate its importance in terms of enabling us to carry out the work, we are able to produce for the flower beds and other areas in the town. Quite simply we would not be able to effectively carry out the work we do if we did not have the confidence of having the asset which to us is so important that it’s impossible to see how we could manage without it. I really feel that we deserve to have this asset as we struggled for 3 years having our tools and other equipment scattered around, not knowing where anything was, losing equipment etc everything seemed much more difficult and we relied on people's generosity to store things and when you consider how quickly we have expanded and the amount of tools and equipment we have this was simply not fair on our volunteers who give their time and effort and should not be expected to be used for storage too. Most of the craft

items were made in homes as were all the sponsorship signs and it quickly became apparent that this could not continue. We see the Bothy as the prop that holds us up and allows us to do what we do in the community, gladly giving up our time and effort as volunteers without it having to infringe on our own homes and life.



All of this was made in a trustees own home last year which was inconvenient and stressful.



We no longer have to collect
Plants in volunteer's cars as
The Bothy allows us to
Keep a trailer.

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.

We are asking for access through the western gate of the cemetery and we wish to have full and exclusive use of the yard as we need the bothy to be fully accessible for our volunteers and all users especially those with disabilities in particular

wheelchair users who require a safe, flat terrain with the vision of resurfacing the yard and installing a ramp.

Negative consequences

- 4.4 What negative consequences (if any) may occur if your request is agreed to? How you propose to minimise / reduce 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.

We are in a situation where the FC bereavement services still use the back room in the North section of the bothy and still use the yard where 2 metal containers are used for storing their equipment. We have had significant issues with the service leaving the heating on constantly in their part of the bothy and have had to tell the council in no uncertain terms we are not responsible for a share of the cost of this. The service has asked to retain the yard however Bloomin' Bo'ness strongly feel that we should be granted sole use of it as we would like to landscape it to use as a carpark for members and visitors. On numerous occasions we have had to contact Bereavement services about the disgraceful state the yard is kept in by the service. Before our complaint there was bags of their litter including food waste that was scattered all over. The trees and foliage of the yard are massively overgrown and it is apparent that the service does not have a vested interest in keeping the yard looking tidy and well kept. My understanding is that the plan is for bereavement services to be centralised which suggests to me that they will still have somewhere to store equipment and the bothy and yard will be far better utilised when Bloomin' Bo'ness have ownership as sharing is already proving very difficult owing to the reasons stated above.

The bothy is open at the back to 2 of the houses on Dundas Street and we have already spoken to the neighbours in both the properties explaining who we are and what we are doing. One of the neighbours is actually a friend of Bloomin' Bo'ness and makes yearly donations to us as she is so pleased with the difference we have made to the town.

We are already massively aware that parking has to be very sensitive especially since the asset is in a cemetery therefore, we currently park in Dundas Street which is a very short walk to the bothy and has plenty of parking options.



We have had to complain several times about the yard – bags of rubbish and overgrown foliage.

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.

- 4.5.1 Has your organisation or any of its members managed projects or owned / leased property/land prior to this.

Our current secretary has previously secured a community benefit lease for the public toilets which have been instrumental in benefitting the community for 18 months now – this was received with enormous support from the town and [REDACTED] organises and ensures the smooth running of the asset. We currently hold a community benefit lease for the cemetery bothy and are proud of what has been achieved here already.

Yes ☒ ☐yes

No ☐

Please provide details of:

4.5.2 Skills and experience of the members of the organisation

Our members are from all walks of life and bring an array of skills that have transformed the landscape of the town of Bo'ness. Some of our members are retired and their skills include an engineer, quantity surveyor, civil servant, builder, painter and a joiner. Most of our volunteers commit to our group with a genuine passion for becoming part of the difference that is taking place within Bo'ness. As well as volunteering in the community some of our volunteers have taken on roles such as Community Liaison Contact, Sponsorship Co-ordinator, Community Payback Liaison Contact, Grants & Funding Caretaker, SCIO Compliance Officer and we have just given one of our volunteers the title of Keep Scotland Beautiful Application Officer as we are geared up to enter the competition in 2025.

The truth is none of us are qualified gardeners, we do however have a genuine desire and unswerving energy in the upkeep and expansion of the works we have achieved so far. When the two founding members discussed perhaps having the polytunnel at the old tennis court in Bridgeness it was a complete pipe dream but we made it happen by sheer determination, tenacity and an unrelenting resolve to achieve it. This is the way with everything we do, we have a complete 'yes we can' attitude to everything we undertake and sheer drive, will and determination gets it done.

We are a very tight unit and those who want to, are part of a Messenger group chat which buzzes with conversation and ideas most days. Now that we are a registered charity our constitution dictates that we must hold regular meetings and the Bothy is absolutely ideal for this, being safe with a working toilet and tea and coffee facilities.

This is the skills and experience of our volunteers.

4.5.3 Do you intend to use professional advisors? Please provide details.

We intend to use a Lawyer from Liddle & Anderson Bo'ness and an Accountant [REDACTED] from Alan Steele Linlithgow.

4.5.4 Do you currently lease/manage a property from Falkirk Council? If yes, please provide details.

We currently hold the lease for the Bothy

4.5.4 Please detail how you plan to manage the building.

We have 4 Keyholders at the moment and have already developed a system where others can access the building as and when they need to. It is not foreseen that we will need to issue keys to groups having meetings or classes as we feel the members who have keys will be happy to accommodate these. Once we have established users, we can decide then whether or not trusted users can have keys.

4.5.5 Please provide any other information you think may be relevant.

We have deliberately not spoken much about the 12 areas we have developed and continue to maintain as it is important to understand and for us to emphasise that having the Bothy is now more than ever at the core of everything we do. We are in a unique position within our application in that it is not a community centre we are trying to secure so having to explain why the bothy is so relevant to 12 sites out with its boundary has been a challenge. We are excited that we hold the lease for the Bothy and this has already had an invigorating effect on our members and the way we do our business – to say that it has transformed the groups capacity to deliver even more beautiful projects would be an understatement.



Before and After on Dean Road Bo'ness - then all ready for Halloween.

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.

5.1.1. What community engagement has taken place to help develop your business plan? Please provide evidence, for example any completed surveys, questionnaires, letters of support, minutes of public meetings etc

We engage with the community mostly using Social Media and have a thriving Facebook page that we use to promote and brag about our group. We undertook a poll over the community pages and were delighted to find that the community are supportive of us applying for the Bothy as a CAT and we look forward to sharing the building with everyone once we secure the asset. After 1 day we had well over 2000 votes across the 4 questions we asked. This together with the testimonials and the comments from the poll we will share with you from the people in the town hopefully let you see what an asset we are to the town.

RESULTS OF OUR POLL

Please click the link to engage with the Poll

<https://www.facebook.com/share/p/15DECsJh2m/?mibextid=WC7FNe>

[IMAGES REDACTED]

We had over TWO THOUSAND votes in 2 days

Please also find some examples of comments made on our poll.

[IMAGES REDACTED]

5.1.2 Have you consulted with other local stakeholder groups or agencies? Please provide evidence

5.1.4 Have you been in contact with any other communities or community groups that may be affected? Please give details

We already work very closely with the community clean up group, indeed some of the volunteers cross over to both groups therefore it makes sense for us to pool resources and ideas. The community payback team have been fabulous in clearing and reducing heavy growth on areas that are a bit beyond our skills

5.1.5 Please provide any other information you think may be relevant.

Section 6. Financial Viability of Project

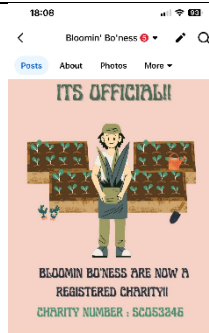
Your Business Plan should contain full information about the financial viability of the project, evidencing that the organisation will be able to sustain the project in the long term.

Please submit

- at least 1 year's audited accounts to evidence your organisations financial stability (if available)
- where audited accounts are not available (for instance for new groups) please provide a bank statement.
- a projected 5 year income and expenditure account
- a cash flow forecast for the proposed asset transfer.

6.1 Please outline the Policies and Procedures your organisation has in place to govern the group's finances

Bloomin' Bo'ness were delighted to be awarded charitable status in March 2024, part of this determines we must submit audited yearly accounts. We have an accountant on standby for this. Our treasurer is vigilant in his book keeping and we are meticulous and scrupulous in ensuring everything is in order. Please find a copy of our bank statements attached. Now that we are a charity there are many more schemes and sources of funding we can apply for and we work with CVS and the council to keep up to date with anything that may be coming up.



We were awarded charitable status in March

These are the policies and procedures we have in place.

Section 7. Funding

7.1 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.

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.

7.1.1 Please show your calculations of the costs associated with the transfer of the land or buildings 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.

Please refer to the financial appendix sent separately.

7.1.2 Please supply details of what funding you have received so far, and of any conditions attached to it.

We have not need funding for the bothy as the building is in good sound condition.

When Bloomin' Bo'ness (in its current format) started in 2021 we had absolutely nothing except a determination and desire to make the town of Bo'ness look cared for and vitally a place where the folks that live here could be proud of. What I find it difficult to convey is exactly how far we have come with very little money. We made the provost road garden with absolutely no money, just donations from the community and we raised funds for the roundabout by selling tickets to "Name the Boat" which gave us enough funds to completely transform the roundabout and the 6 beds at the foreshore. Since then we have gone from strength to strength with our sponsorship scheme and donations from the public but genuinely at heart we are still very frugal and always ask for second hand before we buy anything.

[IMAGE REDACTED]

Our very first attempt at testing whether the community trusted us enough to take part – it was an overwhelming yes with almost £800 worth of tickets so

Most of our funding so far has been geared toward the work that we have undertaken in the community and the development of the community garden – we are in the very fortunate position that many of the local businesses in Bo'ness have been extremely generous to us with donations. We refer to these people as 'Friends of Bloomin' Bo'ness' and they contact us to say that they have had a fundraiser or event for us or that they wish to make a donation. These are people like Branches, BRAAS, Bo'ness Belles, and several other kind donors.

We have also been successful in securing funding from Tesco and Miller Homes so far. Our main source of income is our sponsorship scheme which is broken down into 12 areas plus the community garden. We renew this scheme annually and charge a modest fee for the sponsor to have a customised plaque beside the feature they are sponsoring – we have just finished our third year and the response to it has been phenomenal. We have over 140 separate sponsors distributed over the 12 areas and there is a waiting list of names for next year in the hope that we have new areas ready. There is a mix of business, private, charity and memorial plaques. Such was the success of this scheme we advertised and were successful in finding a volunteer to completely manage it which has enabled us to streamline the process far more effectively which is beneficial for everyone. The volunteers in our group make the plaques and again this is something that can now be done in the Bothy instead of asking our member to do it in their own home.

[IMAGES REDACTED]

Our sponsorship signs are made in volunteers' homes which is inconvenient and can be messy.



One of our sponsors who joined in year 1 and is still with us year 3

Some of this income will of course have to be considered for the upkeep and running costs of the bothy as we see it, that the bothy plays an integral part of what has so far, and will in the future, make us so effective, however as previously explained we do intend to hold classes and events and charge a nominal fee for these to ensure that the bothy can be self-sufficient in terms of anything we wish to purchase for it.



[IMAGES REDACTED]

We have been humbled and thankful that we have so much support in the community. It has been suggested to us that we can perhaps begin to sell vouchers for an area to sponsor – these could be given as Christmas or Birthday gifts.

7.1.3 Please supply details of any funding you have applied for but have not yet received a response or decision. Please include timescales if known.

Tescos Groundwork (for the second time)

Miller Homes (second time)

Falkirk Council Community Choices

7.1.4 Details of any other funding you will have access to? i.e. voluntary contributions, borrowing etc.

Sponsorship Scheme

7.1.5 Please outline your funding strategy if you have one, as well as any other relevant information.

We have roughly calculated that the Bothy will cost per annum to run – we have broken down the predicted cost of this and intend to use from funds generated by Bloomin' Bo'ness and the rest will be gained through our hall hire and craft classes.

Section 8. Enablement Fund

Falkirk Council will hand the building over wind and watertight and compliant. However, this is quite light-touch and would involve (for example) patching of a leaky roof. For more significant building works, groups can apply to the Enablement Fund, to pay for capital improvements such as energy

efficiency improvements or larger capital renewals which support the viability of the project going forward. **Only capital items are eligible.** Running repairs are revenue costs and are not eligible. You are strongly advised to email strategicpropertyreview@falkirk.gov.uk to confirm eligibility criteria before you submit this application.

Requests to the Fund must be supported by estimates / quotations from professionals which should be provided as supporting documents.

Please provide details of your request to the Enablement Fund, if applicable.

Enablement Fund request for larger capital renewals which support the viability of the CAT		
Item	Estimate Provided By	Amount not more than (including VAT)
Baton Lighting	Danny Snedden	£700
PVC Door and Fittings	Smith & Clelland Construction	£1595
Landscaping and Slabbing Works in Yard	Good Foundations Hard Landscaping	£8447.40
Total including VAT		£10,742.40

Checklist of accompanying documents

To check that nothing is missed, please tick which additional documents are accompanying this form.

- ☐ Section 1 – You must attach your organisation's constitution, articles of association or registered rules
- ☐ Section 2 – Any maps, drawings or description of the land requested
- ☐ Section 3 – Note of any terms and conditions that are to apply to the request
- ☐ Section 4 – Any additional evidence regarding your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation's capacity to deliver.
- ☐ Section 5 – Evidence of community support
- ☐ Section 6 – Financial – Copies of accounts, forecasts, etc
- ☐ Section 7 – Funding – Copy of Business Case etc
- ☐ Section 8 – Enablement Fund – copies of estimates

Declaration

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 [REDACTED]

Address [REDACTED]

Date 27.11.24

Position Chair

Signature

Name [REDACTED]

Address [REDACTED]

Date 27.11.24

Position Secretary

Signature

Bloomin' Bo'ness Business Plan

Dec 2024



Contents

Business Plan

1	Introduction	2
1.1	Objectives	3
2	The Group Status	4
2.1	Exemptions	4
2.2	Initial Development Plan	5
3	Marketing Information	5
3.1	Products and Services	5
3.2	Marketing	5
3.3	SWOT analysis	5
3.4	Community Engagement	6
3.5	Marketing Activities	7
3.6	Community Asset Transfer Plan	7
4	Location	9
4.1	The Building	9
5	People	10
6	Finance	10
6.1	Cash Flow	10
6.2	Funding	10
7	Summary	11

Financial Appendices

Cashflow Forecast

General Appendices

Conditional Survey

Constitution

Additional Information

Fire Audit

Floor Plan

Roles and Responsibilities

Bloomin' Bo'ness

Business Plan

1. Introduction

Bloomin' Bo'ness was founded in 2021 to address the need for community gardening in the town. With the local authority no longer maintaining flower beds and garden areas, these spaces became overgrown and neglected. Founders [REDACTED] and [REDACTED] started the initiative with no funds, creating a woodland garden through repurposing materials and receiving local donations. The group has since grown significantly, now managing gardens and projects throughout the town. We now have between 20 – 25 volunteers and have recently developed the Bridgeness Community Garden which houses an 8M Polytunnel with a view to growing our own plants for 2025.

There is a proposal for a Community Asset Transfer lease agreement with Falkirk Council. Looking ahead, the group aims to continue maintaining their existing projects and to develop new ones, further involving the community in their efforts.

THE NEED FOR THE BUILDING

The group have been working together to form a plan of action, which has covered a variety of improvements to support the community:

1. Ensure a sustainable income.
2. Diversify income sources to cover building and maintenance costs through grants, donations, renting out space, delivering contracts, and seeking sponsorship.
3. Utilise innovative ideas and resources within the community, adapting to changing circumstances.
4. Foster a collaborative effort involving many community members.
5. Provide alternative approaches to service delivery, grounded in community involvement and partnership principles.
6. Create a space where local partners in the neighbourhood can come together to address the most important issues.

We are confident that we possess the necessary skills to manage our building and achieve the best outcomes for our community. We aim to provide a welcoming space where people can gather and share skills and ideas all geared toward improving the landscape of our town.

Our group's charitable purpose is to advance environmental improvement, protection, and development. We aim to engage the community, provide education, and actively involve community members in delivering these projects.

We want to Community Asset Transfer the following Falkirk Council Property:
Store Bo'ness Cemetery, Bo'ness Cemetery, Dundas Street, Bo'ness, EH51 0DG.
UPRN: 136079043

We are unaware of any other interested parties in a community asset transfer of the above property.

We are unaware of any restriction on the use of the asset, designation, or listing, that would prohibit Falkirk Council from disposing of the asset

The proposed plan will keep the proposed asset in community usage, and we will strive to make it an ongoing success.

1.1. Objectives

Our key objectives are to offer the people of Boness a quality service and to continue to build a successful charity. Our ethos is sustainability and we reuse, recycle and repurpose whenever we can. We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are.

The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.'

Gardening and being outside is extremely beneficial to physical and mental health and very strong relationships can be built with a shared interest in keeping the community we live in looking beautiful with well-maintained gardens and other visually attractive areas. We have regular group activities where we all work together as a team and we welcome people from all walks of life no matter what their level of ability is.

2. The Group status

The charity is Bloomin Bo'ness SCIO53246 and holds the legal status of a Scottish Incorporated Charity, with the registration number SC053246.

The group will be managed by a board of trustees and a membership, consisting of local individuals and organisations interested in the building.

SCIO 2 tier

SCIO number SC053246

Initially, the building will be managed by volunteers from our membership group. However, in the future, we may consider employing an individual to manage the building.

We have Public Liability insurance for £1 million.

We are seeking to purchase the building. The bothy will enable the charity to have safe and secure premises to continue to carry out their present work and to develop future projects. Initially it will be managed by volunteers from our membership group, however, we may in the future look at employing an individual to manage the building.

General membership is available to all individuals and groups living or working in Bo'ness. Members have the right to vote on matters at all Annual General Meetings. Those with an interest in Bloomin'

Bo'ness and its activities, but who do not reside or operate within the area, may apply to become Associate members.

We seek a purchase the building.

2.1. Exemptions

We will seek VAT exemption as a registered SCIO.

We will seek full rates relief.

We will seek exemption from water charges as a registered SCIO.

2.2. Initial Development Plan

The group currently have a Community Benefit Lease and have usage of the Bothy since March 2024, the initial plan to undertake some minor upgrading and have the building continue to be operational. We ask for permanent use of the gate that leads to the yard and exclusive use of the bothy and the yard as at the moment it is shared.

3. Market Information

3.1. Products and Services

The group will offer the following range of services:

- Maintenance of community garden projects
- Community engagement projects
- Volunteer opportunities
- Creation of future garden plots
- Upkeep and Development of Community Garden

3.2. Market

Our target market will be the local community and surrounding areas. We plan to specifically work in the town of Bo'ness. The size of the market is estimated at a population of 16,000.

We plan to specifically target anyone with an interest in the beautification of the town, as well as those who are interested in gardening, and other community projects. Not everything we do is about gardening. We are very keen to upcycle donated items such as benches and other vintage items to display in the town and many of our volunteers have been active in this with sanding, painting, small joinery projects and much more.

3.3. SWOT Analysis

<u>Strengths</u>	<u>Weaknesses</u>
Local – no travel costs. Dedicated volunteers with experience in managing the building. Support from CVS Falkirk & District. Utilising local tradespeople (community members) for repairs and maintenance. Inclusive.	Succession planning
<u>Opportunities</u>	<u>Threats</u>
Develop the skills of local people in volunteering. Attract grants to expand a range of services aimed at improving health and leisure opportunities. Seek funding for specific premises.	Eliminate profit and loss ties. Extensive repairs. Expensive repairs.

3.4. Community Engagement

This section is to highlight how you have engaged with the local community to establish the need for the building to stay open. Also to highlight what the community use the space for currently and if they would like any different services to be offered in the future.

We have engaged with the community on multiple occasions through our ongoing work, we have changed the landscape of the town of Boness and will continue to do so with our sponsorship scheme. Our need for these premises is due to our ever-expanding portfolio of projects. These premises allow us storage for our equipment, space to create pieces for our projects. It also allows us a workspace where we can create crafts which can be used for fundraising.

A future plan is to hold workshops for the local community where they can learn how to garden, craft etc, also to make the space available for use by the community for meeting space, events.

We have worked with several local community groups including Scouts, Rugby Club, Buzzness, Sheltered housing complex, Nurseries and Schools. We hope to continue and expand our work with community groups and individuals.

Included are several testimonials from residents of Bo'ness

There is a need, genuine desire, and support, for the community asset transfer.

We conducted a poll on Social Meia and in 2 days we had well over 2500 responses to our questions. The breakdown of this can be found in the CAT application.

We have recently teamed up with a local IT expert who has worked with us to develop a fabulous APP for the community to keep up to date with everything that pertains to Boomin Bo'ness

The Link is below

<https://bit.ly/bloominapp>

3.5. Marketing Activities

We have an extremely active presence on Facebook and are developing other social media such as Instagram and Tiktok.

3.6. Community Asset Transfer Plan

The current valuation of the building is £22.500 the current rental value of the building is £2.500pa. Essential repairs (as demonstrated in the Conditional Survey Report – Appendices) to the building are £30,029.36, which Falkirk Council will be required to undertake to ensure that the building is wind and watertight, and statutorily compliant.

We expect to have to carry out additional repairs in the value of [£10.000], according to the conditional survey, over the next 5 years, to bring the building up to an acceptable standard and fit for purpose. We propose that the community benefit that we can provide is £55.000pa over the next 5 years. We propose to pay the value of £1.W

We will endeavour to put in place relevant permissions, funding, and partnerships during the asset transfer process.

(Calculation for Years 2-5 are using an inflationary increase of 3.5% per annum).

Volunteering Hours	Rate	Hours	Year 1 Benefit	Year 2-3 Benefit	Year 4-5 Benefit
Board of Trustees	£40	224	£8,960	£9274	£9598
Volunteers	£12	3,572	£42,864	£44,364	£45,917
	Total	3,796	£51,824	£53,638	£55,515

Our plan for Community Asset Transfer will benefit the following areas.

Community Benefit	
Economic development/ income generation	Sponsorships, fundraising, grants, craft workshops, donations, craft fairs.
Regeneration	Our budding community garden is on the site of tennis courts that were abandoned for 30+ years underneath 2 metres of weeds and waste, this area is now bustling with life, currently has 11 raised beds with local residents growing their own produce, also on site is our polytunnel where we have started to grow our own plants
Public Health	All our areas of gardening consistently bring joy to local residents and uplifts them in many ways
Environmental Wellbeing / Environmental Benefits	Many of our projects have brought to life previously neglected and/or abandoned areas. They have been brought back into use through being cleared and made into gardens/ garden areas. This is hugely beneficial to the environment, to have overgrown, often dumping grounds cleared and now buzzing with plants and wildlife.
Social Wellbeing	Our volunteers benefit from an uplift in their mental health and physical wellbeing. As do the users of our community garden which also alleviates isolation and loneliness.

The below table highlights how our plans for community asset transfer will ensure savings of Falkirk Council.

Direct Savings	Cost	Year 1 Benefit	Year 2-3 Benefit	Year 4-5 Benefit
Utilities	£3,378	£3496	£7114	£7612
Insurance	£395	£408	£858	£918
Maintenance Costs	£500	£517	£1088	£1164
Rates	£2350	£2432	£5112	£5470
	Total	£6853	£14,172	£15,164

Proposed start-up costs, access to Falkirk Council's Enablement Grant, projected capital costs, and ongoing annual costs.

Start Up Costs			
Item	Date	Cost	Funder

To be negotiated with Falkirk Council using their Enablement Fund and Match Funded by External Funders

Item	Date	Cost	Funder
LED Lighting			
Alarm System			

Ongoing Costs	
Item	
PAT Testing	60.00
Fire Extinguishers	250
Security	300
Performance Rights	n/a
Trade Waste	Zero Waste
Hall Cleaning	
Accountant/Auditor	100.00
Cleaning Materials/Cleaner	Under sundries
Insurances	300
Sundries	120
Phone/Internet	n/a
Utilities	960
Rates	2350.00 - rebate awarded

4. Location

The charity will operate from Bo'ness Cemetery Bothy, Dundas St, Bo'ness EH510DG
Include aerial map – found in CAT application

4.1. The Building

Include footprint and photos you have – found in cat application

The building has a size of 159 square metres; it consists of an adjoined workshop/garage, a toilet, small room, large room with kitchen area.

Information on the age, history of the building etc – Found in Building Survey

5. People

Our board is currently made up of 5 persons who have been hands on and instrumental in the creation and growth of the charity.

[REDACTED] Chair and founding member, [REDACTED] has created many of the projects and has impressive organisational skills, always keen to stay on target and under budget. A lifelong Boness resident, she has many contacts with local tradespersons who are always keen to support BB and give their time.

[REDACTED] Secretary and founding member [REDACTED] has worked alongside [REDACTED] from the onset to create and maintain projects, also with great organisational skills, communication and SM abilities.

[REDACTED]; retired librarian and exceptionally skilled gardener, wholly dedicated to the continued success of Bloomin Bo'ness

[REDACTED]; retired engineer; very knowledgeable gardener and lends his skills to most anything.

[REDACTED]; local councillor; multi skilled and knowledgeable in LA workings.

Our volunteer membership sees people from many walks of life and backgrounds, each with their own skills and knowledge that always prove invaluable to the continued success of Bloomin Bo'ness

We will carry out the necessary record keeping from home and employ an Accountant to complete our annual Return to OSCR.

6. Finance

6.1. Cash Flow

A Monthly Cash Flow Forecast has been prepared for the first year of trading and is detailed in Financial Appendix, *C. Cashflow Forecast*.

Reserve Levels

We estimate the need for reserves at which we will maintain throughout the year. We will review this figure quarterly.

6.2. Funding

The proposed funding is summarised in Financial Appendix, *B. Funding and Capital Expenditure*.

Bank account

Lloyds Bank

Grants

We will apply to various funders for a number of different grants.

7. Summary

This document is the written request of Bloomin' Bo'ness who are making a formal asset transfer request, made under Part 5 of the Community Empowerment (Scotland) Act 2015 section 79(2)(b)(i).

We possess full knowledge and understand that under the Community Empowerment Act (Scotland) 2015, the relevant authority, which in this case is Falkirk Council, is expected to approve the asset transfer request unless there is a valid reason not to do so. The decision made by Falkirk Council will be communicated to us, the Community Transfer Body, through a decision note, which will outline the details of the decision and provide an explanation of the reasons behind it. Falkirk Council has a maximum period of 6 months to reach a decision and inform the us, the Community Transfer Body, of the outcome.

Our intention is that Falkirk Council will acknowledge and validate our Community Asset Transfer Request within 2-weeks of receiving our application, business plan, and other relevant documentation.

This document presents the commencement of the timescales as listed under the act.

Name of Community Group:

Bloomin' Bo'ness

Contact:

[REDACTED]

Address:

[REDACTED]

Email:

bloominboness@outlook.com

COMMUNITY ASSET TRANSFER

Bo'ness Cemetery Bothy

Bloomin Bo'ness

ASSESSMENT PRO-FORMA

Name of property		Name of group	SCIO number or equivalent	Sale or lease?	Length of lease	Rental per annum (or outright cost)
		APPLICATION DETAILS			ADDITIONAL COMMENTS	ASSESSMENT RATING Very Strong / Strong / Moderate / Weak / Poor
BENEFITS (OUTCOMES)						
1. Objectives	Do project outcomes contribute to achieving the Council's priorities?	The project aligns with all of the Council's Strategic Plan priorities of supporting stronger and healthier communities; promoting opportunities and educational attainment and reducing inequalities; and supporting a thriving economy and a green transition.			Supporting stronger and healthier communities is at the heart of community ownership	VERY STRONG
2. Financial	Is there a financial saving on public sector costs?	The group estimates a revenue saving to the Council of £ 6853 per annum			Saving taken from application form Asset has been an operational property over most of the last financial year.	VERY STRONG
	Is there an enhanced provision of public benefit through volunteering hours?	They estimate they generate 3796 volunteer hours per annum Generating a financial equivalent of over £51,824 public benefit per annum				VERY STRONG
	Current market valuation of the property whether by sale or rent	Asset valued at £22,500 (vacant possession). Its market rent value is £2500 per annum			Taken From Ryden Valuation	VERY STRONG
	Backlog maintenance figure from C&B report	£30,029.36 noted as refurbishment costs			Taken from Internal estimation of refurbishment costs	VERY STRONG
3. Non-financial benefits	What is the impact on:					
	(i) economy	As the headquarters of the Bloomin Bo'ness organisation, the operations led from this site will bring more people to the town and cause them to stay longer for their visit. Bloomin Bo'ness have created an application of their various gardening sites that people can download to find the locations. This will contribute to increased footfall at businesses and amenities in the area and encourage future seasonal visits.			See CAT Form Section 4.2.1	VERY STRONG
	(ii) regeneration	Proposed upgrades to the building will have good regeneration outcomes. As above the activities that this asset will support regenerative gardening throughout the area, A Community Garden and any future innovations that may be initiated. This is a very strong application with respect to Regeneration both in terms of the physical improvements the group achieves in Bo'ness and making the Town Centre attractive for visitors, but also in the activities the group offers through volunteering, skills development and the health and well-being of participants.			See CAT Form Section 4.2.2	VERY STRONG
	(iii) public health	Core activity of community Gardening will bring about Physical and Mental health improvements to the participating persons.			See CAT Form Section 4.2.3	VERY STRONG
	(iv) social wellbeing	People's involvement in the group's activities ie. Community Gardening will combat social isolation and provide better physical and mental health outcomes in the area. There is also an effect on the non-participants feeling better about the place that they live or are visiting, again contributing to social wellbeing. A user statement has been provided that testifies to this benefit:			See the application form specifically for evidence of this statement. Section 4.1.3 and 4.2.4 specifically	VERY STRONG
	(v) environment / climate change (including figures on carbon dioxide equivalent)	The Activities of the group will be enhanced using this asset as a place to store, build and meet. Those activities are entirely environmental in nature and will improve several biodiversity indicators.			See CAT Form Section 4.2.5 & Throughout	VERY STRONG
	(vi) other					
4. Equality	What evidence is there that the project:					

COMMUNITY ASSET TRANSFER

Bo'ness Cemetery Bothy

Bloomin Bo'ness

ASSESSMENT PRO-FORMA

	(i) contributes to reducing inequalities (protected characteristics)	The Group operates an open membership policy which states it is available to all, including anyone with protected status.	See CAT Form Section 4.2.6	VERY STRONG
	(ii) Promotes equality	The group is at great pains to include equality as one of their core objectives	See Above	VERY STRONG
ABILITY TO DELIVER / SUSTAINABILITY				
5. Governance / Accountability	Are appropriate governance structures in place?	Yes. The group is a 2-tiered SCIO - Scottish Charitable Incorporated Organisation number	See SCIO Constitution as supplied	VERY STRONG
6. Availability of Resources / Business Plan	Has the group identified all the resources required, such as funding, staff and volunteer resources with the appropriate skills, and are they sufficient to deliver the project?	The applicant group have shown good planning and appear to have the resources needed, both voluntary and financial to support this asset in perpetuity. The have extensive support throughout the community that they serve and gain volunteer hours, material donation and finances from this community	See 5-year financial Projections as supplied, Application form and Business plan	VERY STRONG
7. Sustainability	Has it been demonstrated that the resources are sustainable over the lifetime of the project?	The Application shows the prospect of solid sustainability throughout the proposal	CAT Form and Business plan throughout	VERY STRONG
8. Performance Management	How does the group propose to monitor and report on the achievement of the desired outcomes?	The Trustees meet regularly and keep in close contact with all groups and projects operating from the Bothy and throughout the organisation. The group intend to monitor the number of volunteers serviced using the bothy as a headquarters, the number of plots improved and maintained, new projects etc .	CAT Form Throughout	VERY STRONG
COMMUNITY SUPPORT				
9. Community Involvement	Has it been demonstrated that the community were involved in developing the proposal?	Yes. The proposal is entirely community-led.	See Constitution as supplied	VERY STRONG
10. Local Community Support	What evidence has been provided of local community support?	Local community support is extremely extensive. The organisation have a substantial number of supportative statements and have conducted online polls.	See CAT Form Section 5 in entirety	VERY STRONG
OTHER				
Is the building currently staffed?		<p>1. For buildings which were staffed (including with cleaners) No employees remain at the building being considered by this report. Having considered the options available to them, all employees chose to accept either voluntary severance or redeployment and therefore no TUPE considerations apply.</p> <p>2. For buildings which were unstaffed HR have been consulted and as the centre was not staffed, there are no staffing issues. No employees worked within the building being considered for Community Asset Transfer in this report and therefore no TUPE considerations apply.</p>	Building is not staffed and as such there are no TUPE considerations to be considered	VERY STRONG

CONCLUSION

COMMENTS Issues have arisen with sharing the building with bereavement services who have now been moved out.

OVERALL ASSESSMENT (See Table below)

Bloomin Bo’ness are requesting the CAT of the Gated Yard along with the bothy, and access rights in perpetuity from the Eastern Cemetery GAtē	
This is an exceptionally strong application	Very Strong

Evidence	Overview
Very strong	Governance and financial arrangements are strong and sustainable. Best Value characteristics are evidenced and contained throughout the overall approach. Related projected benefits are very robust and demonstrate value for money: suitability, effectiveness, prudence, quality, value and the avoidance of error and other waste.
Strong	Governance and financial arrangements are sound and sustainable. Best Value characteristics are in evidence in the proposal. Related projected benefits are demonstrated well and represent value for money.
Moderate	Governance and financial arrangements are in place and acceptable. Best Value characteristics have been considered as part of the proposal. Related projected benefits are acceptable and could lead to value for money.
Weak	Governance and financial arrangements are weak. Best Value characteristics are not well demonstrated in the proposal. Related projected benefits are not based on robust information and demonstrates questionable value for money.
Poor	Governance and financial arrangements are poor. There is little evidence of Best Value characteristics in the proposal. Related projected benefits are ill defined and/or unrealistic and do not demonstrate value for money.

SECTION ONE: ESSENTIAL INFORMATION

Service & Division:	Place Services Invest Falkirk	Lead Officer Name:	Arthur Berg
		Team:	Asset Management
		Tel:	01324504816
		Email:	arthur.berg@falkirk.gov.uk
Proposal:	Community Asset Transfer of Bo'ness Cemetery Bothy	Reference No:	00960

What is the Proposal?	Budget & Other Financial Decision	Policy (New or Change)	HR Policy & Practice	Change to Service Delivery / Service Design
	No	No	No	Yes
Who does the Proposal affect?	Service Users	Members of the Public	Employees	Job Applicants
	Yes	Yes	No	No
Other, please specify:				

Identify the main aims and projected outcome of this proposal (please add date of each update):

13/03/2025	Community Asset Transfer of Bo'ness Cemetery Bothy

SECTION TWO: FINANCIAL INFORMATION

For budget changes ONLY please include information below:			Benchmark, e.g. Scottish Average
Current spend on this service (£'0000s)	Total:	3,378	N/A
Reduction to this service budget (£'0000s)	Per Annum:	3,378	N/A
Increase to this service budget (£'000s)	Per Annum:		
If this is a change to a charge or concession please complete.	Current Annual Income Total:		
	Expected Annual Income Total:		
If this is a budget decision, when will the saving be achieved?	Start Date:	12/03/2024	
	End Date (if any):		

SECTION THREE: EVIDENCE	Please include any evidence or relevant information that has influenced the decisions contained in this EPIA. (This could include demographic profiles; audits; research; health needs assessments; national guidance or legislative requirements and how this relates to the protected characteristic groups.)
--------------------------------	--

A - Quantitative Evidence	This is evidence which is numerical and should include the number people who use the service and the number of people from the protected characteristic groups who might be affected by changes to the service.
<ul style="list-style-type: none"> Population of Bo'ness = Approx. 14840 as at Jan 2025 Visitors to area of Bo'ness per Annum Estimated at 370,000 per annum Bloomin Bo'ness Facebook Followers = 1,800 approx. Sites developed and Maintained = 17 to date. Active gardening Volunteers = 25 Local Business Sponsors = 60 Active Community Gardens = 1 Waste removed to develop the Community Garden site = 16 Tonnes Active Gardening volunteer hours per Annum = 3572 Scio Board Volunteering hours per Annum = 224 Online Survey Responses = 2391 	
B - Qualitative Evidence	This is data which describes the effect or impact of a change on a group of people, e.g. some information provided as part of performance reporting.
Social - case studies; personal / group feedback / other	

A number of positive comments & testimonials have been received relating to the activities of the group:

- The positive impact Bloomin' Bo'ness has done for our community should be applauded. They are contributing to the health and wellbeing of residents with their creativity, stunning displays and hard work. A meeting hall for their use and availability to hire would be a fantastic addition to the town that I would use either for classes or small group meetings. Good luck X
- Thought it's worth mentioning the reaction today as I had elderly friends returning home for a visit for the 1st time in years. They were blown away by the displays as we went around the town. From being greeted with the Coal bogey as they came in Grangemouth rd, Herby at the foreshore, enjoyed a seat at Town clock with in their words the " brow bikes" . They were gobsmacked to find out that it's a small team of volunteers who rejuvenate and maintain these areas. We ended up visiting the 12 sites (hope we never missed anywhere) that Bloomin' Bo'ness take care of as they revisited their childhood. The excitement and joy on their faces was priceless and they're so proud of the work done by fellow Bonessians. keep up the amazing work your making lots of folk happy.
- Bonnie Bo'ness makes a huge impact to our much loved town, I wish them success is gaining premises to help them in their good work
- Blooming boness has made a huge impact around boness and have brought the community together with the volunteers and the community gardens I recently had visitors from out of town and they could not believe that all corners of Bo'ness was maintained by volunteers !
- Made such a difference to the town x
- Since the library is way too expensive I think it's a great idea to have an affordable space to hold classes
- I am providing this testimonial for Bloomin' Bo'ness because the work they have done and continue to do has had a huge effect on the town's residents. Making areas that were once dull and covered in weeds into beautiful welcoming areas which make you smile when passing which has a positive effect on the community. They have also transferred a forgotten area (tennis courts) into something some members of the community can be part of with vegetable beds plus they are making themselves more self sufficient with growing their own plants and making their own compost. The areas transformed by the volunteers are good for the environment, the town and the towns community.

Best Judgement:	
Has best judgement been used in place of data/research/evidence?	Yes
Who provided the best judgement and what was this based on?	Community engagement and Council officers.
What gaps in data / information were identified?	There is no data on the protected characteristics of service users.
Is further research necessary?	No
If NO, please state why.	We used data from the Asset Transfer request application and business planning documents, as well as some materials made available as Appendices, and some material available from available online such as population statistics. There is sufficient information to continue with the proposed transfer.

SECTION FOUR: ENGAGEMENT

Engagement with individuals or organisations affected by the policy or proposal must take place

Has the proposal / policy / project been subject to engagement or consultation with service users taking into account their protected characteristics and socio-economic status?	Yes	
If YES, please state who was engagement with.	The Group launched a Facebook Survey, which was shared by the members, resulting in 2391 returns from the people of Bo'ness	
If NO engagement has been conducted, please state why.		
How was the engagement carried out?		What were the results from the engagement? Please list...
Focus Group	No	
Survey	Yes	Consulted residents of Bo'ness via Facebook Survey, 2391 returns
Display / Exhibitions	No	
User Panels	No	
Public Event	No	
Other: please specify		
Has the proposal / policy/ project been reviewed / changed as a result of the engagement?	No	
Have the results of the engagement been fed back to the consultees?	Yes	
Is further engagement recommended?	No	

SECTION FIVE: ASSESSING THE IMPACT

Equality Protected Characteristics: What will the impact of implementing this proposal be on people who share characteristics protected by the Equality Act 2010 or are likely to be affected by the proposal / policy / project? This section allows you to consider other impacts, e.g. poverty, health inequalities, community justice, carers etc.

Protected Characteristic	Neutral Impact	Positive Impact	Negative Impact	Please provide evidence of the impact on this protected characteristic.
Age	✓			No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' " Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."
Disability	✓			No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' " Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."
Sex	✓			No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' " Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."

Public Sector Equality Duty: Scottish Public Authorities must have 'due regard' to the need to eliminate unlawful discrimination, advance quality of opportunity and foster good relations. Scottish specific duties include:

				<p>inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>
Religion / Belief / non-Belief	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>
Sexual Orientation	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>

Transgender	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>
Pregnancy / Maternity	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>
Marriage / Civil Partnership	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>

Poverty	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>
Care Experienced	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>
Other, health, community justice, carers etc.	✓			<p>No evidence to support positive or negative impacts. However, the Business plan states in Section 1.1 "We welcome volunteers from all backgrounds and are very inclusive and welcoming to all volunteers no matter what their abilities are" and "The Group will carry out all its activities with the Falkirk Plan 2021 – 2030, at the forefront of our minds when our strategic priorities are agreed upon, wherever practicable, with reference to page 21, 'outcome 12: fewer people struggle with feeling socially isolated or lonely.' "</p> <p>Business Plan Section 2.0 states "General membership is available to all individuals and groups living or working in Bo'ness."</p>
Risk (Identify other risks associated with this change)				

	Evidence of Due Regard
Eliminate Unlawful Discrimination (harassment, victimisation and other prohibited conduct):	The proposed transfer will not result in any unlawful discrimination.

Advance Equality of Opportunity:	The activities of the Bloomin Bo'ness group, including training and workshop sessions will be available to any one who want to participate.
Foster Good Relations (promoting understanding and reducing prejudice):	It is not clear how universal and non discriminatory access to the activities described will foster better relations between groups.

SECTION SIX: PARTNERS / OTHER STAKEHOLDERS

Which sectors are likely to have an interest in or be affected by the proposal / policy / project?		Describe the interest / affect.
Business	No	
Councils	No	
Education Sector	No	
Fire	No	
NHS	No	
Integration Joint Board	No	
Police	No	
Third Sector	Yes	The proposal reflects a transfer of ownership to the third sector.
Other(s): please list and describe the nature of the relationship / impact.		

SECTION SEVEN: ACTION PLANNING

Mitigating Actions: If you have identified impacts on protected characteristic groups in Section 5 please summarise these in the table below detailing the actions you are taking to mitigate or support this impact. If you are not taking any action to support or mitigate the impact you should complete the No Mitigating Actions section below instead.

Identified Impact	To Who	Action(s)	Lead Officer	Evaluation and Review Date	Strategic Reference to Corporate Plan / Service Plan / Quality Outcomes

No Mitigating Actions

Please explain why you do not need to take any action to mitigate or support the impact of your proposals.

This property was identified for closure as part of the Strategic Property review, From 1st October 2024 as agreed by Council in January 2024. The opportunity for a Community asset Transfer (CAT) was identified as a mitigating factor to closure and this was noted in the EPIA's undertaken. Officers have been working closely with community groups to progress Community Asset Transfer for this facility and are now in receipt of a full CAT application for the Bo'ness Cemetery Bothy.

This EPIA is undertaken with the information available to Falkirk Council at this time and based on current operations. However, Under A CAT model it's up to the community group in question to manage the operations of the building going forward as Falkirk Council have now withdrawn from these buildings in line with the councils decision.

This building will continue to be available to the local community as a key community asset, and its anticipated that existing groups can continue to utilise the building. Therefore there is no perceived negative impact at this time.

Are actions being reported to Members?	Yes
If yes when and how ?	Executive Committee Agenda Item is to be presented at the meeting of 13th March 2025

SECTION EIGHT: ASSESSMENT OUTCOME

Only one of following statements best matches your assessment of this proposal / policy / project. Please select one and provide your reasons.

No major change required	Yes	Keeping the Asset open will result in no negative impacts on people.
The proposal has to be adjusted to reduce impact on protected characteristic groups	No	
Continue with the proposal but it is not possible to remove all the risk to protected characteristic groups	No	
Stop the proposal as it is potentially in breach of equality legislation	No	

SECTION NINE: LEAD OFFICER SIGN OFF

Lead Officer:

Signature:	Arthur Berg	Date:	02/02/2025
------------	-------------	-------	------------

SECTION TEN: EPIA TASK GROUP ONLY

OVERALL ASSESSMENT OF EPIA:		Has the EPIA demonstrated the use of data, appropriate engagement, identified mitigating actions as well as ownership and appropriate review of actions to confidently demonstrate compliance with the general and public sector equality duties?	No
ASSESSMENT FINDINGS			
If YES, use this box to highlight evidence in support of the assessment of the EPIA			
If NO, use this box to highlight actions needed to improve the EPIA			
Where adverse impact on diverse communities has been identified and it is intended to continue with the proposal / policy / project, has justification for continuing <u>without making changes been made</u>?		No	If YES, please describe: No negative impacts identified.

LEVEL OF IMPACT: The EPIA Task Group has agreed the following level of impact on the protected characteristic groups highlighted within the EPIA		
LEVEL		COMMENTS
HIGH	Yes / No	
MEDIUM	Yes / No	
LOW	Yes	No negative impacts identified.

SECTION ELEVEN: CHIEF OFFICER SIGN OFF

Director / Head of Service:			
Signature:	Malcolm Bennie	Date:	06/02/2025

[illegible]

INCOME	Start up	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	TOTAL
Opening Balance	2000													2000
Room Rental		240	240	240	240	240	240	240	240	240	240	240	240	2880
														0
														0
TOTAL CASH IN	2000	240	240	240	240	240	240	240	240	240	240	240	240	4880
EXPENDITURE														
														0
UTILITIES		80	80	80	80	80	80	80	80	80	80	80	80	960
INSURANCE;BUILDINGS		150												150
INSURANCE;PUBLIC LIABILITY		150												
FIRE SAFETY ASSESSMENT							250							250
SUNDRIES;HOUSEKEEPING		10	10	10	10	10	10	10	10	10	10	10	10	120
PAT TESTING							60							60
MAINTENANCE		100			100			100			100			400
														0
														0
														0
														0
														0
														0
														0
														0
														0
TOTAL CASH OUT	0	490	90	90	190	90	400	190	90	90	190	90	90	1940
NET CASH FLOW	2000	-250	150	150	50	150	-160	50	150	150	50	150	150	2940
OPENING BALANCE	0	2000	1750	1900	2050	2100	2250	2090	2140	2290	2440	2490	2640	
CLOSING BALANCE	2000	1750	1900	2050	2100	2250	2090	2140	2290	2440	2490	2640	2790	

Note: Rows 21 and 22 refer to capital expenditure items.

P & L YR 1

0% 100%

Room Rentals 2880

Add Other Income

Charity Funds 2000

Gross Income 4880

EXPENDITURE

UTILITIES 960

INSURANCE;BUILDING 150

INSURANCE;PUBLIC LIABILITY 150

FIRE SAFETY ASSESSMENT 250

SUNDRIES 120

PAT TESTING 60

Depreciation 500

Total 2190

Net Profit 2690

Break Even YR 1

Overheads		
INSURANCE;PUBLIC LIABILITY		150
INSURANCE;BUILDING		150
UTILITIES		960
SUNDRIES		120
PAT TESTING		60
FIRESAFETY ASSESSMENT		250

	Total	1540
Contribution to costs		100%

Annual Break Even Point	1540
Monthly Break Even Point	128
Weekly Break Even	30

Bal. Sheet YR 1

Balance Sheet

Fixed Assets	Value	Depn	N.B.V	Total
BUILDING	22500	500	22000	22000

Current Assets

BANK	2190
------	------

Total Assets 24190

Less Liabilities

Financed By

Capital Introduced	2000
RENTAL	2880

Cash Flow YR 2

INCOME	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	TOTAL
Sponsorship				8280									8280
Craft Sale				500									500
CHARITY FUNDS	1500												1500
Room Rental	300	300	300	300	300	300	300	300	300	300	300	300	3600
CRAFT SALES			250				250						500
TOTAL CASH IN	1800	300	550	300	300	300	550	300	300	300	300	300	5100
EXPENDITURE													
UTILITIES	90	90	90	90	90	90	90	90	90	90	90	90	1080
PAT Testing							60						60
INSURANCE;BUILDING	160												
INSURANCE;PL	160												160
SUNDRIES	15	15	15	15	15	15	15	15	15	15	15	15	180
FIRE SAFETY ASSESSMENT							260						260
MAINTENANCE	100			100			100			100			
TOTAL CASH OUT	525	105	105	205	105	105	525	105	105	205	105	105	1740
NET CASH FLOW	1275	195	445	95	195	195	25	195	195	95	195	195	3360
OPENING BALANCE	2790	4065	4260	4705	4800	4995	5190	5215	5410	5605	5700	5895	
CLOSING BALANCE	4065	4260	4705	4800	4995	5190	5215	5410	5605	5700	5895	6090	
Note: Rows 21 and 22 refer to capital expenditure items.													

P & L YR 2

								0%	100%
CHARITY FUNDS		1500							
Add Other Income									
Room Rental		3600							
Craft Sales		500							
Gross Income				5600					
EXPENDITURE									
INSURANCE;BUILDING		160							
INSURANCE;PL		160							
SUNDRIES		180							
FIRE SAFETY ASSESSMENT		260							
PAT		60							
UTILITIES		1080							
Total				1900					
Net Profit				3700					

Break Even YR 2

Overheads		
INSURANCE;BUILDING		160
INSURANCE;PL		160
SUNDRIES		180
FIRE SAFETY ASSESSMENT		260
PAT TESTING		60
UTILITIES		1080
	Total	1740
Contribution to costs		100%
Annual Break Even Point		1740
Monthly Break Even Point		145
Weekly Break Even		33

Balance Sheet						
Fixed Assets		Value	Depn	N.B.V		Total
Equipment		22000	5500	16500		
Vehicle		0	0	0		16500
Current Assets						
BUILDING		22500				
Bank						6090
Total Assets						22590
Less Liabilities						
						22590
Financed By						
CAPITAL INTRODUCED		1500				
Bal. B/F plus Cap. Inv		2190				
Net Profit		3700				

Cash Flow YR 3

[illegible]

Cash Flow YR 4

INCOME	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	TOTAL
CHARITY FUNDS	1000												1000
ROOM RENTAL	320	320	320	320	320	320	320	320	320	320	320	320	3840
CRAFT SALES				300			300					350	950
													0
													0
TOTAL CASH IN	1320	320	320	620	320	320	620	320	320	320	320	670	5790
EXPENDITURE													
UTILITIES	100	100	100	100	100	100	100	100	100	100	100	100	1200
INSURANCE;BUILDING	170												
INSURANCE;PL	170												170
PAT TESTING	60												60
FIRE ASSESSMENT	270												270
SUNDRIES	20	20	20	20	20	20	20	20	20	20	20	20	240
MAINTENANCE	100			100			100			100			400
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
TOTAL CASH OUT	890	120	120	220	120	120	220	120	120	220	120	120	2340
NET CASH FLOW	430	200	200	400	200	200	400	200	200	100	200	550	3450
OPENING BALANCE	6090	6520	6720	6920	7320	7520	7720	8120	8320	8520	8620	8820	
CLOSING BALANCE	6520	6720	6920	7320	7520	7720	8120	8320	8520	8620	8820	9370	
Note: Rows 21 and 22 refer to capital expenditure items.													