

## **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](mailto: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](mailto: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

Buzzness

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

Postal address:

Postcode

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

Contact name:

Postal address:

Postcode:

Email:

Telephone

☐ 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 .....	
	Scottish Charitable Incorporated Organisation (SCIO) and its charity number is .....	
	Community Benefit Society (BenCom) and its registered number is .....	
X	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:

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- 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?

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## 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:



Figure 1: Aerial map view of Bo'ness Public Toilets



Figure 2: Exterior view of Bo'ness Public Toilets



Figure 3: Aerial map view of New Carriden Bothy

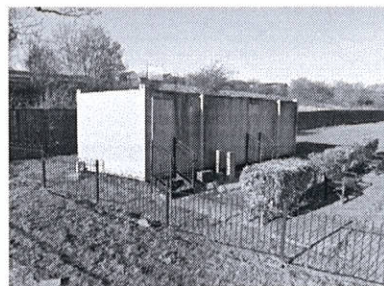


Figure 4: Exterior view of New Carriden Bothy



**Address:**

Bo'ness Public Toilet  
Public Convenience  
Register Street  
Bo'ness  
EH51 9AE  
UPRN: 136079010

New Carriden Bothy  
New Carriden Cemetery  
Carriden Brae  
Bo'ness  
EH51 9SL  
UPRN: 136091395

Postcode:EH51 9AE and EH51 9SL

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

UPRN: 136079010 and 136091395

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

3.1 Please tick what type of request is being made:

☐

for ownership (under section 79(2)(a)) - go to section 3A

☐

for lease (under section 79(2)(b)(i)) – go to section 3B

☐

for other rights (section 79(2)(b)(ii)) - go to section 3C

### 3A – Request for Ownership

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

Proposed price: £

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

### 3B – Request for Lease

What is the length of lease you are requesting?

20 years

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

Proposed rent: £            1            per year

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

### 3C – Request for other Rights

What are the rights you are requesting?

Do you propose to make any payment for these rights?

**Yes** ☐

**No** ☐

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

Proposed payment: £                      per

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

N/A

## 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.

<p>4.1.1 Objectives of Project</p> <p>To bring the toilets up to an efficient and modern standard To continue to organise, promote, and run events within the Bo'ness area for the benefit of the people of Bo'ness and visitors.</p>
<p>4.1.2 Why there is a need for your Project?</p> <p>Toilets There is no other public toilets in Bo'ness. For events such as the Bo'ness Fair, shoppers in the town centre and those walking/cycling on the John Muir Way.</p> <p>New Carriden Bothy We require a space for storage of equipment for Buzzness' events and excess cleaning materials for the public toilets.</p>
<p>4.1.3 Will any Development/changes/modifications to the asset be required?</p> <p>There is no immediate development/changes/modifications required to either asset.</p>
<p>4.1.4 What activities will take place?</p> <p>Public toilet Storage</p>
<p>4.1.5. If the asset is to be used by the public, please provide details of lettings policy and opening times.</p> <p>The toilets will be operating Monday to Sunday 7am and 8pm during the summer, and Monday to Sunday 7am and 5pm in the winter.</p>



<p>The toilets will be opened and closed by one of our volunteers/board members. The toilets will be cleaned every night once the toilets are closed.</p>
<p>4.1.6 What provision will be provided for people with disabilities?</p> <p>The unit is available and accessible to all. 24 hours in the accessible unit, accessed by a radar key. Entry to all areas and within the unit are flat, without steps and good for restricted mobility people.</p>
<p>4.1.7 Any other relevant information?</p> <p>There will be baby changing facilities in the public facilities.</p>

## 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 service will be maintained and updated/modernised as a priority. This will help drive footfall into Bo'ness Town Centre. Help to promote tourism in the local area. We are a volunteer-led organisation and encourage volunteers to join and we provide training opportunities.

### 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.

The public toilets remaining open in community ownership will help towards the regeneration of Bo'ness. Encouraging shoppers as well as tourists into town. This will secure employment in the town due to the increased footfall in the local area. Our opportunities to volunteer will give local people the opportunity to build valuable skills and experience to take in to future employment. We strive to work as part of a team, always doing what's best for the local community.

#### 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.

Many people have ailments which require a toilet service. A clean well-maintained unit will help this. More people will feel more comfortable spending time in the town centre with an easily accessible public toilet in the area. It will encourage people to get out and enjoy local events.

#### 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.

People with ailments which require a public convenience availability will be more liable to venture out their home and into town. Helping Bo'ness become more socially inclusive.

#### 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.

The availability of a public convenience will prevent public urination and soiling in our open park areas and thus all materials will be treated and disposed of accordingly.

#### 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**?

<p>The public toilets are free at the point of use, open to everybody and easily accessible for all.</p>
<p>4.2.7 Will local people be engaged in the use and management of the Asset?</p> <p>A "community of interest" may not represent the people living near to the asset. Please provide evidence of how <b>local people and communities</b> will be engaged in the use and management of the asset, and how they have been consulted.</p> <p>We are a voluntary organisation with 30 members from the local community. We are open to anybody in the local area becoming a member and operate the public toilets with a volunteer rota.</p>
<p>4.2.8 How will you monitor whether the Asset Transfer is benefiting the community?</p> <p>ie. Will you survey the users / invite feedback / compare user numbers with a baseline etc</p> <p>We will monitor user feedback through social media, online forms, speaking with people at events and QR codes. We will keep track of the usage of the public toilets to monitor the ongoing need.</p>
<p>4.2.9 Any other relevant information?</p> <p>We have already been running the public toilets for over a year and have gathered feedback to show the importance of keeping the facility open.</p>

## 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.

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## Negative consequences

- 4.4 Are there any negative consequences that will affect *other groups or individuals* if your request is agreed to? How you propose to minimise / reduce these?

For example, increased traffic etc. Please consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.

We do not consider there to be any potential negative consequences for our proposal.

## 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?

Yes ☒

No ☐

Please provide details of:

4.5.2 Skills and experience of the members of the organisation

Buzzness has been operating for 7 years, gaining a vast wealth of experience in planning, managing, and running various events and fundraisers in the Bo'ness area. The group has developed many skills during that time, and we believe that we have the necessary skills and knowledge to successfully operate a public convenience for the benefit of the local community, and the addition of a storage bothy will enhance the delivery of our events and fundraisers. We have experience of owning and leasing commercial property as individuals within the area. Our board has experience of running our own businesses, managing staff and complying with different legislations.

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

We will carry out the necessary record keeping from home and employ an agent/Accountant/Bookkeeper to complete our annual report if required. We recognise we will require legal advice from a solicitor for this process.

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

We already lease the public toilets from Falkirk Council.

4.5.4 Please detail how you plan to manage the building?

For example opening and closing the building / managing lets / will you have staff etc?

The toilets will be operating Monday to Sunday 7am and 8pm during the summer, and Monday to Sunday 7am and 5pm in the winter.

The toilets will be opened and closed by one of our volunteers/board members.

The toilets will be cleaned every night once the toilets are closed.

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



The facility has been managed by us for over a year and are confident we can continue to manage the facility effectively for the local community.

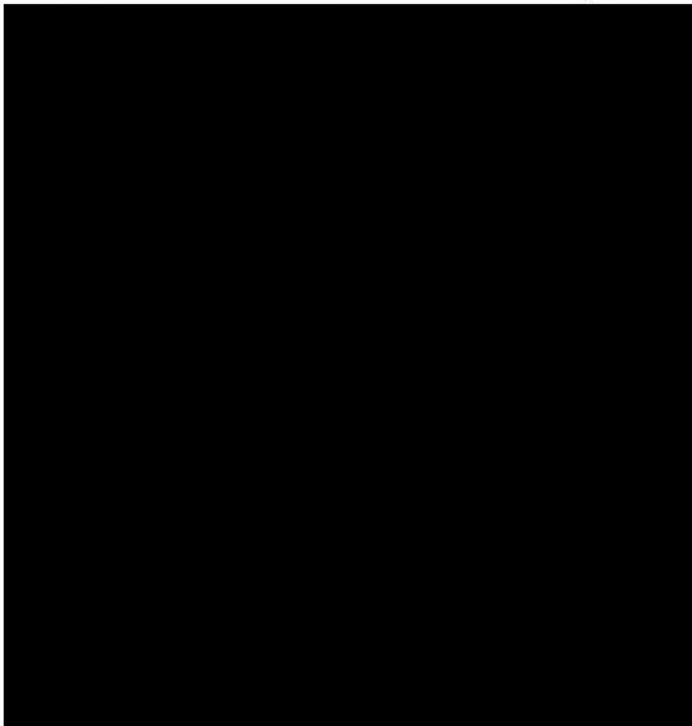
## **Section 5. Level and nature of support**

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 have engaged with the community on multiple occasions through our community events, social media and directly contacting. The response from the Community Council poll received 503 votes and quotes can be seen below which highlight how valuable the public toilets are to the local community and the importance of keeping them open. We also received donations regularly from local people which helps us to keep the facility free to access.



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

We have consulted with Bo'ness Community Council who are fully supportive of our proposal. We have worked with CVS Falkirk & District on our business plan and application. We will continue to work with them in the future for help and support with volunteering, funding etc.

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

We have been in contact with the Scouts and Bo'ness Rugby Club who have used the shoreline for activities, knowing they are able to do so because of the nearby public toilets.

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

We have spoke with the local community who require the facility to stay open and received quotes which can be found in our business plan.

## 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

We have submitted our accounts for the previous year. We plan to become a registered SCIO and after we do we will submit audited accounts yearly to OSCR. Our finances are presented and scrutinised on a quarterly basis at our board meetings. We will follow OSCR's Guidance and Good Practice for Charity Trustees ([oscr.org.uk](https://oscr.org.uk)) to ensure we manage our finances correctly.

## 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.

Proposal price

Please see our Cash Flow for all our planned start up, ongoing, maintenance and planned redevelopment costs. Our Cash Flow also shows all proposed income and investment.

We have fundraisers on a regular basis to help generate income for the group.

We recognise we will require a solicitor to review and negotiate the terms of our agreement.

We have calculated our volunteer hour contribution to the project in the table below.

Volunteering Hours	Rate	Hours	Year 1 Benefit	Year 2 Benefit	Year 3 Benefit
Board of Trustees	£40	180	£7,200	£7,452	£7,713
Event Volunteers	£12	474	£5,688	£5,887	£6,093
WC Volunteers	£15	750	£11,250	£11,644	£12,051
<b>Total</b>		1,404	£24,138	£24,983	£25,857

Community Benefit		Year 1	Year 2	Year 3
Economic Development	The service will be maintained and updated/modernised as a priority. This will help drive footfall into Bo'ness Town Centre. Help to promote tourism in the local area. We are a volunteer-led organisation and encourage volunteers to join and we provide training opportunities.	£7,250	£7,503	£7,766
Regeneration	The public toilets remaining open in community ownership will help towards the regeneration of Bo'ness. Encouraging shoppers as well as tourists into town. This will secure employment in the town due to the increased footfall in the local area. Our opportunities to volunteer will give local people the opportunity to build valuable skills and experience to take into future employment. We strive to work as part of a team, always doing what's best for the local community.	£8,200	£8,487	£8,784
Public Health	Many people have ailments which require a toilet service. A clean well-maintained unit will help this. More people will feel more comfortable spending time in the town centre with an easily accessible public toilet in the area. It will encourage people to get out and enjoy local events.	£2,500	£2,587	£2,678
Social Wellbeing	People with ailments which require a public convenience availability will be more liable to venture out their home and into town. Helping Bo'ness become more socially inclusive.	£5,400	£5,589	£5,784
Environmental Wellbeing	The availability of a public convenience will prevent public urination and soiling in our open park areas and thus all materials will be treated and disposed of accordingly.	£3,200	£3,312	£3,427
Inequalities	The unit is available and accessible to all. 24 hours in the accessible unit, accessed by a radar key. Entry to all areas and within the unit are	£1,150	£1,190	£1,231

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



We have received funding from Walkers Timber, Tesco and Coalfield Regeneration.

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.

We aim to reapply for Walkers Timber funding when it reopens and Tesco in the new year. We plan to apply for The National Lottery – Awards for All.

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

From our previous years running our group, we have successfully managed to build our reserves to a level we feel comfortable with to take on the assets through community ownership.

We have regular fundraisers and have received donations from the community, local businesses and groups.

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

We recognise that there is a need to continually update and upgrade our facilities, and we keep up to date with the various funding opportunities available to us, thanks to our local third sector interface, CVS Falkirk & District.

We will continue to organise regular fundraisers and install a donation system for the public toilets.

## 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](mailto: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.**

<b>Enablement Fund request for larger capital renewals which support the viability of the CAT</b>		
<b>Item</b>	<b>Estimate Provided By</b>	<b>Amount not more than (including VAT)</b>
New electric heating system	Awaiting estimate	
LED Lighting	Awaiting estimate	
PIR Sensor System	Awaiting estimate	
Solar Panels	Awaiting estimate	
Total including VAT		

#### **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

Address

Date 20-9-24

Position CHAIRMAN

Signature

Name

Address

Date 20.9.24

Position VICE CHAIRPERSON

Signature