

**ANGUS COUNCIL**

**13 MAY 2021**

**LOCHSIDE LEISURE CENTRE – INITIAL CONSULTATION OUTCOME AND NEXT STEPS**

**REPORT BY DIRECTOR OF INFRASTRUCTURE**

**ABSTRACT**

Report 98/21 presented at Council on 18 March 2021 was to update members on the outcome of the initial consultation regarding the future of the former Lochside Leisure Centre, Forfar and the land on which it sits; to determine the Council's proposals for the building and land; and to agree to progress to formal consultation under Section 104 of the Community Empowerment (Scotland) Act 2015. Report 98/21 was deferred by members until today so as to allow members to consider the new Common Good accountancy procedures for Angus Council and in turn assess the full financial impact on Angus Council and the Forfar Common Good fund in terms of Lochside Leisure Centre. Following receipt of a very detailed proposal recently submitted for the former leisure centre by Station Park Community Trust, officers are now advising that the relevant detail in Report 98/21 be deferred to next Council for consideration by members to allow due diligence to be carried out by officers in respect of the proposals. This will allow members to have all relevant information necessary to make a fully informed decision in terms of the former Lochside Leisure Centre.

**1. RECOMMENDATION**

It is recommended that the Council in light of the detailed proposals submitted for the former leisure centre by Station Park Community Trust,

- (i) note the detail in the Common Good Report 138/21 on today's agenda and its potential implications for the former Lochside Leisure Centre;
- (ii) note that a detailed proposal has been recently submitted to the Council for the former Lochside Leisure Centre by Station Park Community Trust;
- (iii) defer any decision on the future of the former Lochside Leisure Centre to the next Council meeting on 24 June 2021 so that members can have all relevant information necessary to make a fully informed decision;
- (iv) request officers to bring a report to June Council including the relevant details in terms of Report 98/21 together with an updated timeline required for consultation with the public;
- (v) request officers provide a summary of the Station Park Community Trust's proposal in that report and advise Council on the viability, sustainability practicability and community benefit of the proposal and all detail in terms of any such report be made available publicly; and
- (vi) note that that the Station Park proposal is one of a number of options which will require to be considered.

**2. ALIGNMENT TO THE COUNCIL PLAN**

This report contributes to the following strategic priorities in the Angus Council Plan, we want:

- Angus to be a go-to place for businesses
- Our communities to be strong, resilient and led by citizens
- Angus Council to be efficient and effective

**3. BACKGROUND**

- 3.1 At the Council meeting on 18 March 2021, it was agreed that Report 98/21 be deferred until the 13 May 2021 Council meeting. This was to allow a report to be brought to Council and considered by members regarding the new Common Good accountancy procedures for Angus Council following the Court of Session's ruling in the Judicial Review relating to the former

Lochside Leisure Centre. In turn members could then assess the full financial impact on Angus Council and the Forfar Common Good fund in terms of the former Lochside Leisure Centre which, in light of the Judicial Review, forms part of the Common Good.

- 3.2 It was also agreed at the Council meeting on 18 March 2021 that the opportunity be given to any interested parties to obtain access to the building.
- 3.3 The building was opened for inspection by representatives of Guild Homes (Tayside) Ltd and Station Park Community Trust and associates on 25 March 2021. A virtual meeting was held on 19 April 2021 with representatives of Station Park Community Trust in terms of their proposals for the former leisure centre.

#### **4. DETAIL**

- 4.1 Station Park Community Trust with input from Guild Homes (Tayside) Ltd submitted a proposal to lease the property on 30 April 2021. Due to the limited time between receipt of the submission and finalisation of the Council reports it has not yet been possible for officers to fully consider the legal, financial and operational implications of what is a very detailed submission. It is important that these implications are fully and appropriately provided to elected members so that they can be fully informed of all relevant and necessary detail before taking any future decision in terms of the former leisure centre.
- 4.2 Similarly it has not been possible to consult with the local elected members on this proposal as per the decision at the Special Council meeting on 19 October 2020, where members determined that for all decisions relating to Common Good Buildings, or buildings on Common Good land, members for the local area should be consulted beforehand and their views taken into consideration.
- 4.3.1 It is therefore recommended that any decision relating to the former Lochside Leisure centre is further deferred to the next Council meeting on 24 June 2021.
- 4.4 Members should note the following points:-
- i. As the Council chose at its meeting on 5 November 2020 to go out to public consultation on the future of the former Lochside Leisure Centre, members must 'have regard to' the responses. This means they must ensure that they have taken account fully of the views detailed in the consultation.
  - ii. The breakdown of responses to that consultation is summarised below and consisted of 334 responses:
    1. 4 (1.2%) in favour of the Status Quo (Option 1)
    2. 77 (23.1%) in favour of selling the former leisure centre and land (Option 2)
    3. 38 (11.4%) in favour of leasing the former leisure centre (Option 3)
    4. 95 (28.4%) in favour of a Community Asset Transfer of the building (Option 4)
    5. 120 (35.9%) in favour of retaining the parkland and demolishing the building (Option 5)
  - iii. Members are free not to follow the majority view in the consultation provided clear reasons and justifications are given for this.
  - iv. The purpose of the initial consultation was not for the Council then to make a decision on the future of the former Lochside Leisure Centre but rather to determine which of the options to consult on in terms of section 104 of the Community Empowerment Act 2015 and that an updated timeline for the proposed public consultation will be provided in the report to Council on 24 June 2021.
  - v. that the Station Park proposal is therefore one of a number of options which will require to be considered.

## **5 FINANCIAL IMPLICATIONS**

- 5.1 There are no further financial implications as a result of this report and Members are aware of the ongoing running costs of the building from previous reports.
- 5.2 In accordance with paragraph 5.19 and 7.4 of Report 138/21 members are asked to note that, assuming officer recommendations in that report are approved, the transfer period would commence as of this Council meeting and financial responsibility for the building would be due to transfer to Forfar Common Good as of 13 May 2022, rather than from September as intimated in Report 98/21.

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**NOTE:** The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report No 409/13 The lease of Council Land and Buildings to Community/Voluntary Groups – Strategic Policy Committee – 25 July 2013
- Report No 151/18 - Surplus Property – Lochside Leisure Centre Policy & Resources Committee – 1 May 2018
- Report 105/18 – Community Asset Transfer Policy Development & Applications Update
- Report 98/21 Lochside Leisure Centre – Initial Consultation Outcome and Next Steps – 18 March 2021
- Report 138/21 - Revised Common Good Fund Policy Guidelines and Administrative Procedures - 13 May 2021