

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer: Supply, Distribution and Property****Infrastructure Regeneration and Economic Development Committee:****24 May 2023**

Subject : Asset Transfer of Land at Kilmaronock Kirk G83 0SB**1. Purpose**

- 1.1** The purpose of this report is to seek the approval of the Committee to the transfer of an area of land to Kilmaronock Old Kirk Trust following a Community Asset Transfer request.

2. Recommendations

- 2.1** It is recommended that the Committee:

- (i) Approve the transfer of the land to Kilmaronock Old Kirk Trust (KOKT) for nil consideration.
- (ii) Authorise the Chief Officer, Supply, Property and Distribution to conclude negotiations.
- (iii) Authorise the Chief Officer, Regulatory and Regeneration to conclude the transfer on such conditions as considered appropriate.

3. Background

- 3.1** The land in question comprises an area to the north of Kilmaronock Kirk and cemetery extending to 0.77 acres or thereby which is currently overgrown with trees and vegetation and is unused by any Council Services.
- 3.2** The land was acquired several years ago by the Council with the intention of extending the cemetery, but ground testing showed the land to be unsuitable for this purpose due to the shallowness of the bedrock.
- 3.3** The land is inaccessible and is not considered to have any significant development value.
- 3.4** Kilmaronock Old Kirk Trust (KOKT) is a Scottish Charitable Incorporated Organisation SC047874. They have submitted a Community Asset Transfer Application to have the land transferred to them to support and enhance their overall development of the Old Kirk as a heritage destination and cultural activity centre.

4. Main Issues

4.1 The property is not required by the Council for any operational purposes.

4.2 The transfer of the land to KOKT will allow them further develop and implement their plans for the overall development of the Kilmarnock Old Kirk area.

4.3 The land transfer will support KOKT's case to National Lottery Heritage Fund who will potentially fund a two year activity programme plus capital works to the building and site.

4.4 The intention is that the land will be used for the following:-

- Location for installation of septic tank/mini treatment facility for the Old Kirk.
- Potential location for ground-mounted solar panels.
- Location for Beekeeping activities and raised beds for herb growing forming a well-being garden.
- An area will be landscaped for peaceful recreation and contemplation with seating and an all abilities access path in close proximity to the kirk and graveyard. Potential pedestrian access can be had by continuing past the church entrance, with maintenance access from the turning circle at the east end of the graveyard.
- Biodiversity will be promoted by managing the area as a wild flower meadow with possible hedge planting along the eastern and northern boundaries, maybe some heritage apple trees planted. Bat and barn owl boxes will be installed. Wider access to the site will be on strimmed paths.
- Planned outdoor daytime and evening activities.

4.5 We are satisfied that KOKT are a properly constituted and well run charity who have the skills and expertise to develop the land for the intended purpose, which, will be a significant improvement on the existing situation.

5. People Implications

5.1 There are no significant people implications other than the resources required by Legal Services to negotiate missives and conclude the transaction.

6. Financial and Procurement Implications

6.1 The Council will no longer have to incur any resources in managing and maintaining the site which currently is a cost to the Council of £3,000 per annum.

6.2 There are no procurement implications arising from this report.

7. Risk Analysis

- 7.1 The disposal will be subject to legal due diligence.
- 7.2 If the transfer does not proceed for whatever reason the Council will continue to own the land.

8. Environmental Sustainability

- 8.1 The proposals which KOKT have for the land support environmental sustainability including : solar panels, beekeeping and biodiversity. The Old Kirk Project has to be operationally Net Zero for greenhouse gas emissions by 2030.

9. Equalities Impact Assessment (EIA)

- 9.1 An Equality Impact Assessment is not applicable for the purpose of this report.

10. Consultation

- 10.1 Consultations have been undertaken with Finance, Regeneration and Regulatory and Greenspace.

11. Strategic Assessment

- 11.1 By agreeing to this transfer the Council will remove a potential maintenance liability from the Council's Asset Register.
- 11.2 Land which has lain vacant and disused for a number of years will be brought back into a use which will provide educational, cultural and employment generating opportunities.

Angela Wilson
Chief Officer: Supply, Distribution and Property
Date: 21 April 2023

| | |
|---------------------------|--|
| Person to Contact: | Michelle Lynn, Asset Coordinator. Email: michelle.lynn@west-dunbarton.gov.uk |
| | J David Johnston, Estates Surveyor. Email: david.johnston2@west-dunbarton.gov.uk |
| Appendices: | Appendix 1 – Site Plan. |
| Background Papers: | None |
| Wards Affected: | Ward 2 |