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# NORTH AYRSHIRE COUNCIL

26 September 2023

## Cabinet

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<b>Title:</b>	<b>Lease Disposal – Additional area at Nethermiln Playing Fields, West Kilbride</b>
<b>Purpose:</b>	To seek Cabinet approval to provide a lease of the Football Pitch at Kirkton Glen & Nethermiln Playing Fields, West Kilbride to West Kilbride Community Sports Club.
<b>Recommendation:</b>	That Cabinet approve the lease disposal of the Football Pitch at Kirkton Glen & Nethermiln Playing Fields to West Kilbride Community Sports Club for a period of 25 years with an option to extend for a further 25 years at a nominal rent of £1 per annum, exclusive of VAT.

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### 1. Executive Summary

- 1.1 West Kilbride Community Sports Club has the long-term ambition of fully redeveloping the sports facilities within Kirkton Glen, with the proposal being to undertake this on a phased basis. Prior to the previous 2014 Cabinet approval of this proposal, a full feasibility study and business plan was prepared, and planning consent was granted in respect of the complete redevelopment proposal in 2013.
- 1.2 Following completion of the lease of the Tennis Courts in 2015 and the Playing Fields in 2018, this report is seeking Cabinet approval to grant a lease to West Kilbride Community Sports Club of the Football Pitch (Area 2) as identified within Appendix 1.
- 1.3 Having undertaken initial negotiations with West Kilbride Community Sports Club, it is recommended that Cabinet grants a lease, the terms of which have been agreed in principle, for a period of 25 years with an option to extend for a further 25 years at a discounted rent of £1 per annum, exclusive of VAT.

### 2. Background

- 2.1 West Kilbride Community Sports Club has the long-term ambition of fully redeveloping the sports facilities within Kirkton Glen. Cabinet approved a proposal in 2014 to grant a lease of the Tennis Courts (Area 1) and a call up option for the additional areas sought as shown in Appendix 1. The lease of the tennis courts concluded following the 2014 Cabinet approval. In 2018 further leases of the Playing Fields (Area 3) and the Pavilion were granted at a nominal rent.
- 2.2 In February 2023 West Kilbride Community Sports Club requested a further lease of the football pitch as they are seeking to progress funding bid(s) to develop a synthetic pitch on the existing pitch. Earlier this year, Cabinet approved a Community Investment Fund application for West Kilbride Community Sports Club and Friends of Kirktonhall Glen to employ a specialist consultant to help pursue the additional funding required for the project. The lease proposed is a 25 year long term with an option of a further 25 years at a rent of £1 per annum.

- 2.3 The ground lease will grant the tenant a right to use the ground for the purpose of sporting activities and any further development of the land would require consent from the Council as landlord.
- 2.4 While there is no need for this lease to follow the asset transfer process due to the previously approved call up option, this lease remains in the spirit of providing opportunities for people to be involved in developing and providing opportunities or services for their local communities, using public assets more frequently and effectively, and allowing groups to secure extra funding or resources which are the underpinning principles of asset transfer within the Community Empowerment (Scotland) Act 2015.

### **3. Proposals**

- 3.1 It is recommended that Cabinet approve the lease disposal of the Football Pitch at Kirkton Glen & Nethermiln Playing Fields to West Kilbride Community Sports Club for a period of 25 years with an option to extend for a further 25 years at a nominal rent of £1 per annum, exclusive of VAT. This would be in line with the spirit of the Cabinet approval in 2014.
- 3.2 The previously approved call up option (see paragraph 2.1) would also be concluded in conjunction with this lease agreement. This would enable the group to add Area 4, Area 5 and Area 6 as noted in Appendix 1, to the proposed lease at no additional charge. The inclusion of the call up option would protect these areas from alternative uses/interest to enable West Kilbride Community Sports Club to further expand their operation when it is financially viable for them to do so.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 There are no financial implications as a result of this report as the lease is offered on a de-minimis terms.

#### **Human Resources**

- 4.2 None.

#### **Legal**

- 4.3 If the report is approved, the legal documentation will be progressed via Legal Services and the Council will lease the land to the West Kilbride Community Sports Club.

#### **Equality/Socio-economic**

- 4.4 If the report is approved, West Kilbride Community Sports Club will be able to further develop the social benefits delivered on the site.

#### **Climate Change and Carbon**

- 4.5 None.

## **Key Priorities**

4.6 If the report is approved, the further development of the area by the West Kilbride Community Sports Club will support the Council plan priorities of:

- Providing support for community organisations and supporting community operated assets.
- Using our assets to support wellbeing in local communities.

## **Community Wealth Building**

4.7 If the report is approved, West Kilbride Community Sports Club aims to contribute to Community Wealth Building by the development of underutilised assets for community use.

## **5. Consultation**

5.1 Legals Services and Connected Communities have been consulted on the content of the report.

RUSSELL McCUTCHEON  
Executive Director (Place)

For further information please contact **David W. Hammond, Head of Sustainability, Corporate Property & Transport** on 01294 324514.

## **Background Papers**

Cabinet Report – Kirkton Glen Pavilion and Nethermiln Playing Fields and Tennis Courts, West Kilbride, 16 December 2014

1 – Appendix 1

