

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Finance and Resources
<b>DATE</b>	7 May 2025
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Asset Transfer Request – Lease of Ground in Westfield Park
<b>REPORT NUMBER</b>	F&C/25/098
<b>EXECUTIVE DIRECTOR</b>	Eleanor Shepherd
<b>CHIEF OFFICER</b>	Stephen Booth
<b>REPORT AUTHOR</b>	Cate Armstrong
<b>TERMS OF REFERENCE</b>	4.1, 4.3 & 4.4

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### 1. PURPOSE OF REPORT

- 1.1 The Purpose of this report is to advise Committee of an asset transfer request received from the Bridge of Don Skatepark Group for an area of ground that encompasses the site of the existing skatepark within Westfield Park.

### 2. RECOMMENDATIONS

That the Committee: -

- 2.1. Accept the asset transfer request received from the Bridge of Don Skatepark Development Group as outlined in section 3 of the report;
- 2.2 Instruct the Chief Officer - Corporate Landlord to issue a decision letter accepting the request received for the Westfield Park Skate Park and adjacent ground, with any necessary terms and conditions included; and
- 2.3 Instruct the Chief Officer – Governance to conclude missives for the lease of the ground within the Westfield Park incorporating various qualifications as are necessary to protect the Councils interests.

### 3. CURRENT SITUATION

- 3.1 The Bridge of Don Skatepark Group approached Aberdeen City Council with a proposal to provide an extension to the existing Skate Park within Westfield Park.
- 3.2 At the time they were a voluntary group, who had joined forces with the aim of upgrading and extending the existing skatepark within Westfield Park, Bridge of Don.

3.3 In 2023 the Group successfully applied to Aberdeen Common Good Fund and the Health Improvement Fund for grants to allow them to instruct a Feasibility Study for their project.

3.4 The Feasibility Study (Appendix 1) came back with a number of recommendations: -

- That Bridge of Don Skate Park Group apply to Aberdeen City Council for a 20-year lease of the site at Westfield Park for a peppercorn rent for the upgrading and extension to the existing Council owned concrete skate park (as outlined on the site map in section 2.1).
- That if the outcome of the feasibility study is supported by the community, the Group should prepare a tender specification and advertise for a design and build contract on Public Contracts Scotland.
- That improved and additional floodlighting be included in the design and build specification.
- That on receipt of tenders Bridge of Don Skate Park Group carry out a tender evaluation exercise to select a preferred contractor.
- That once a preferred design has been chosen that this is submitted as part of a full Planning Application to Aberdeen City Council.
- That Bridge of Don Skate Park Group continue to fundraise towards Third Party Contributions required for any applications to the Scottish Landfill Communities Fund.
- That the Group considers appointing a Project Manager on a fixed term arrangement to assist with capital funding applications, procurement, and contractor management until the completion of the project.
- That Bridge of Don Skate Park Group continues to keep the community informed of the progress of the project through social media channels.

3.5 The group subsequently registered as the Bridge of Don Skate Park Development SCIO and submitted a community asset transfer application to request the lease of the ground, which includes the existing skate park, extending to circa 525 sq.m., and a total leased area of circa 1000sq.m. under a lease for a rent of £1 per annum. The Plan below shows the area the group have requested outline in yellow.



3.6 The group's vision is to create a space for all ages and abilities to use, to refurbish the current area making it a safer usable space and to provide an entertaining and fun recreational space for years to come. The full proposal information is provided in the Feasibility Study as noted above and the Application document available on the website, via the link provided [CAT website](#)

3.7 The Terms and Conditions attached to the lease requested that the Council:

- empty the litter bins close by the facility
- maintain the grass area around the skate park
- pay for the electricity for the lights around the skate park

It does not seem unreasonable that the Council be asked to continue to empty litter bins and maintain the wider, surrounding area. With regards to the lighting, it was thought that this would need to be discussed further once the details of the design and construction, i.e. will there be a new connection for the lighting or will it be connected to an existing supply. However, the feasibility study does reference how they could manage / fund this aspect of the project if the Council were not in a position to agree to these terms. (Appendix 1, section 8.4 & 12.3)

3.8 The full application documents submitted for the asset transfer are available on the Council's Community Asset Transfer webpage under new requests; [ATR - Westfield Park](#).

3.9 As part of the Community Asset Transfer process all transfer requests must be made available for the local and wider community to view to enable the community to submit their representations regarding the proposed Community Asset Transfer. The Asset Transfer request was publicised at the existing Westfield Park Skate Park and on the Aberdeen City Council website; no

representations were received. However there are 34 letters of support included in the feasibility study from school pupils and other across the Bridge of Don area.

- 3.10 When reviewing the application, the panel are required to assess whether the benefits of the asset transfer request are; greater or less than the benefits of an alternative proposal. An alternative proposal may be another asset transfer, or another proposal made by the Council. The price offered for the transfer should also be considered alongside the non-financial benefits. Consideration of what outcomes could be achieved with any profits or savings that might be made, or what impact any financial loss might have, compared with the benefits offered by each of the different community proposals or any alternative proposals.
- 3.11 In assessing the benefits of the transfer request the panel had to consider whether agreeing to it would be likely to promote or improve:
  - Economic development
  - Regeneration
  - Public health
  - Social wellbeing
  - Environmental wellbeing or
  - Reduce inequalities of outcome which result from socio-economic disadvantage
- 3.12 Consideration is also given to the impact that the request and the proposed services will have on the Council and the services it provides to determine if there will be an overlap with existing services or any positive or negative effect on the Council's Services.
- 3.13 The panel discussed the community transfer body responses to the information asked in the application form during the evaluation assessment and the panel came to a consensus as to the appropriate score to award for each response.
- 3.14 The panel felt the group's application provided a full and comprehensive picture of their proposal, which was likely to provide significant benefits to the community. The information provided about the proposed development was detailed and extensive.
- 3.15 This asset transfer request asks that the group be allowed to lease the site so that the group can look to secure funding for an extension and upgrade of the existing skatepark, which was built in 2005. Given the request is the lease of an area of open space within the Westfield Park it is deemed to be of low risk to the Council, as the provision of new outdoor facility within the park with no capital outlay from would be a positive outcome for the Council.
- 3.16 The proposal was considered to be clearly thought out and explained, and the feasibility study showed there was significant support, within both wheeled sport community and the wider geographic area for the proposed upgrade and expansion of the existing skate park.

- 3.17 It was considered that the benefits provided by the provision of the new and extended skate park would be positive for the economic development of the area as the new attraction would encourage wheeled sport enthusiasts into the park and wider area which could be expected to increase footfall within the local shops and businesses. It would also encourage a healthier lifestyle and social wellbeing by promoting outdoor physical activity.
- 3.18 There may be some detrimental impact to the environmental wellbeing due to the nature of the project; i.e. the formation of a concrete skatepark within the Westfield Park. The water run-off from the skatepark could cause soil erosion issues, however the extension is a relatively small area of concrete within a large green space, and consideration of any foreseeable issues can be discussed during the design process.
- 3.19 The floodlighting, may also cause detrimental issues, this aspect of the project would be subject to controls, as are all outdoor activities that are played under floodlights.
- 3.20 The group have requested that the Council continue maintenance works that they currently undertake, however they have given consideration to how they would cover the tasks and associated costs if this were not agreed too.
- 3.21 The evaluation panel felt this was a well thought out project which scored 17.7 out of 24, and should be recommended for acceptance as per the Heads of Terms attached (Appendix 2).

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The applicant has requested a 20-year lease of the existing Skate Park and adjacent ground for £1.00p.a. The ground requested is not commercial ground can only be developed for leisure activities. If the group do not manage to raise sufficient funding the project could not progress, and the lease would be irritated, with no significant financial implication for the Council.
- 4.2 The skatepark extension project has an indicative cost of circa £300,000. The Council have not been asked to contribute to cost of the project directly as part of the Community Asset Transfer request. The project may prove eligible to apply through the Place Based Investment Programmes should new programme funding be confirmed for 2025/26.

#### **5. LEGAL IMPLICATIONS**

- 5.1 In the terms of Section 82 of the Community Empowerment (Scotland) Act 2015, the Council must agree to the request unless there are reasonable ground for refusing it.

#### **6. ENVIRONMENTAL IMPLICATIONS**

- 6.1 The extension of a concrete skatepark, will have a significant environmental impact due to the carbon-intensive production of cement and the non-biodegradable nature of the materials used. However, this can be mitigated

sustainable practices like using recycled materials and incorporating green spaces.

## 7. RISK.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	No significant risks identified			
<b>Compliance</b>	If the recommendation is not approved the Council could be subject to a request for review and / or an appeal to the Scottish Ministers.	Approve the recommendation for the asset transfer request	L	Yes
<b>Operational</b>	ACC have been asked to continue existing maintenance responsibilities.	The Council could refuse to accept the T&C's proposed by the group but would then be open to the review / appeal process.	L	Yes
<b>Financial</b>	The Council have been asked to cover the power charges for the floodlighting	The Council could refuse to accept this condition; or could discuss the alternative options mentioned in the application i.e. pay-as-you-go lighting	L	Yes
<b>Reputational</b>	If the recommendation is refused this well supported community project would not go ahead. Potentially impacting the Council's reputation.	Approve the recommendation	L	Yes

<b>Environment / Climate</b>	The use of concrete will have a negative environmental impact.	This is mitigated by the extension being a comparatively small area of concrete within a larger green open space close to an area of trees, therefore water runoff is unlikely to cause a significant problem.	L	<b>Yes</b>
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## 8. OUTCOMES

<b><u>Council Delivery Plan 2024</u></b>	
<b>Aberdeen City Council Policy Statement</b>	<b>Impact of Report</b>
<b><u>Working in Partnership for Aberdeen</u></b>	<p>The proposals within this report support the delivery of the following aspect of the policy statement:-</p> <ul style="list-style-type: none"> <li>Continue to maintain existing playparks and invest in new equipment and other measures that meet and develop personal and social need of the young person.</li> </ul>
<b><u>Local Outcome Improvement Plan 2016-2026</u></b>	
Prosperous People Stretch Outcomes	The proposals within this report support the delivery of all Children & Young People Stretch Outcomes 4 & 5 in the LOIP. The paper seeks approval for expansion and upgrade of the existing skatepark within Westfield Park. This will be available to all families providing an open-air facility for wheeled sports, which will be accessible for people with disabilities.
Prosperous Place Stretch Outcomes	The proposals within this report support the delivery of LOIP Stretch Outcome 14: Supporting different ways for active travel in everyday journeys, using partners and volunteers to address safety, infrastructure, fitness, wellbeing and confidence. As the new facility will encourage more users into using personal wheeled transport/
Community Empowerment Stretch Outcomes	<p>The proposals within this report support the delivery of LOIP Stretch Outcome 16 – 50% of people report they feel able to participate in decisions that help change things for the better by 2026.</p> <p>The paper seeks approval of a community asset transfer request made under the Community Empowerment Legislation. This will help contribute to LOIP Improvement Project Aim 16.1 ‘100% of</p>

	decisions which impact on children and young people are informed by them by 2026.
<b>Regional and City</b> <u>Aberdeen Local Development Plan</u>	<p>Taking forward enhancements to Green Space Network including</p> <ul style="list-style-type: none"> <li>• Through new development</li> <li>• Community-led projects:</li> <li>• Projects led by ACC in consultation with Communities</li> <li>• Forestry Design Plans.</li> </ul> <p>Other examples discussed in more detail in Appendix 1.</p>

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	<i>New Integrated Impact Assessment has been completed</i>
<b>Data Protection Impact Assessment</b>	Not required
<b>Other</b>	N/A

## 10. BACKGROUND PAPERS

None

## 11. APPENDICES

- 11.1 Appendix 1 – Bridge of Don Skatepark Development Group Feasibility Study  
Appendix 2 – Proposed Head of Terms

## 12. REPORT AUTHOR CONTACT DETAILS

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