**Consultation on:-**

**Proposal to sell/lease Invergordon Town Hall**

**What is proposed?**

A sale or long term lease of Invergordon Town Hall. The Town Hall was built in 1871 and is located at 63-65 High Street, Invergordon, IV18 0ET as shown outlined in red on the plan below and in the photograph.



The Town Hall has required significant refurbishment for some time. Efforts over a number of years to increase usage and source funding for improvements has proved unsuccessful. Income received is not enough to meet the repairs required and as there is not enough capital funding to upgrade and improve the building.

As a result of the current condition of the property, it is very difficult to provide an estimate of the value. Any interested purchaser or tenant would need to incur considerable expenditure to restore it to a satisfactory condition or convert it for appropriate use. Therefore, the proposal would be that the Town Hall would be placed on the open market for sale or long term lease on the basis of offers sought and in the hope that this would generate market interest.

**Background**

In 2018 it was considered that, such was the state of the building, the viability of its continued use was at risk. On 24 January 2019 the Council commenced a consultation under section 104 Community Empowerment (Scotland) Act 2015 in respect of a proposal to sell/long term lease the Town Hall. The public consultation closed on 22 March 2019. The proposal met with strong opposition and resulted in the formation of the Invergordon Development Trust (IDT) which expressed a hope to take over the Town Hall. As a result, the Ross & Cromarty Area Committee decided on 1 May 2019 that the proposal should not go ahead. Thereafter, the IDT has been allowed time to formulate business plans and explore funding and development proposals that would allow them to proceed with the expressed wish to take on responsibility for the Town Hall.

The IDT obtained funding to help them carry out additional community consultation and to develop a draft business plan for the Town Hall. However, further strengthening of the business plan was required and the IDT recognised that an anchor tenant would be needed. That additional work had not been completed prior to the onset of the Coronavirus pandemic. IDT has confirmed that, in the Covid context, it is not able to draw together a business model which would allow it to take on the Town hall.

**Current position**

In the intervening 2 years since the last proposal to sell or long term lease was considered, every business case put forward has been exhausted with little significant progress made. It is considered that it is not possible to sustain the building with community and minor business use only. The renovations and restoration costs are likely to exceed several hundred thousand pounds. The current situation was considered at Easter Ross Area Committee on 17 February 2021 with a decision made that the only way to seek to preserve the building would be to, again, seek to offer it on the open market for sale or long term lease. Therefore, the Committee confirmed the decision to commence a fresh consultation in respect of this proposal.

Any surplus proceeds from any sale or income earned from the lease of the Town Hall will be credited to Invergordon Common Good Fund.

**Consultation**

Section 104 of the Community Empowerment (Scotland) Act 2015 requires the Council to consult local communities when considering disposing or changing the use of Common Good assets. This includes where the proposal is to grant a lease of over 10 years. Therefore, the consultation is seeking the views of the community in respect of both proposals in order to inform the decision making process in each case.

Key questions:

* What are your views on the proposed disposal of this common good asset?
* Do you have any views on potential benefits of the proposal?
* Do you have any issues or concerns arising from the proposal?
* Do you have any additional comments?

The Council will take all representations received into account in reaching a decision.

Depending on the representations received the possible outcomes are:

1. The proposal goes ahead subject to consent by the Sheriff Court.
2. The proposal is amended significantly, and a fresh consultation takes place.
3. The proposal does not go ahead.

**Representations**

Consultation closing date – **17 September 2021**

Please submit written representations to:-

Email: [common.good@highland.gov.uk](mailto:common.good@highland.gov.uk)

Post: Sara Murdoch, Highland Council, Headquarters, Glenurquhart Road, Inverness, IV3 5NX.

**Additional information**

There are specific regulations governing the management of Common Good. This is to ensure protection for assets held. One such area is where property is considered ‘inalienable’. This means that there is a restriction regarding the property, or its purpose is clearly stated in the deed or gift to the Common Good Fund. Often this states it has been specifically dedicated for public use or it has to be used in a certain beneficial way for a lengthy period of time (time immemorial).

There is no clear evidence that the Town Hall is inalienable but its use as a Town Hall means that it could be considered to be so. It is therefore our intention to treat the property as inalienable and follow the proper processes. This means that if there is agreement to dispose of the property then the Council will also seek the consent of the Sheriff Court to proceed. Any application to the Court will include information about this consultation and the responses received.

**Anticipated timescales**

If a decision is made to proceed with the proposal then an application as detailed above will be made to the Court. How long this will take to be dealt with will be dependent on how busy the Court is but could take up to 6 months. The property cannot be marketed until this decision has been made by the Court.