

## **BONNYRIGG & LASSWADE COMMUNITY COUNCIL**

### **Response to the Application for an Asset Transfer of Poltonhall Pavilion, Astro Pitches, and Grass Pitches to Bonnyrigg Rose Community Football Club (BRCFC)**

Bonnyrigg & Lasswade Community Council (BLCC) would like to comment on the application by BRCFC for an ownership asset transfer of the Poltonhall Pavilion, Astro Pitches and Grass Pitches from Midlothian Council. BLCC are happy that BRCFC wishes to take responsibility for these assets and have confidence in their commitment to and ability to run them for the good of the people of Bonnyrigg & Lasswade.

There has been local comment about the use of the pitches by local children when not being used for matches or formal activities. BLCC hopes this will continue and would like to see this as a condition of the sale or some form of binding commitment that the pitches are not fenced off and remain available for local children.

However, there are concerns regarding the long-term situation should circumstances change. Once ownership has been given there is no going back. Circumstances could arise when the assets are no longer being used for charitable purposes and with a straightforward gift of the asset the Council would find it had to seek complicated and possibly expensive means of bringing the assets back under their control. As the ground is covered by Fields in Trust it is unlikely they could just be sold for housing but who knows what will have happened to Fields in Trust in 50- or 100-years' time.

BLCC would ask Midlothian Council to explore means of limiting the BRCFC title to sell or pass on the assets except to another Registered Charity or Community Trust with similar objectives in perpetuity. Or a form of 'leasehold ownership' that could be time limited. It is understood ownership of the assets by a Trust is beneficial for fund applications to third parties and no-one wishes that ability to be restricted.

In summary BLCC are happy to see BRCFC take full control of these Assets and wish them well in doing so as their work has been a great benefit for many people in this town. But there have been many occasions when Councils have taken verbal assurances as adequate only to discover that circumstances change. It is for this reason means need to be put in place at this juncture to ensure local children can still have informal use of the pitches when not being used (assuming not destructive play). In addition Midlothian Council, as the representative body of the local people, must have means to recover the assets should they no longer be being used for the purposes for which they are being gifted.

20 September 2018