**THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015**

**Change of Use of Common Good Property**

**Raith Lodge, Beveridge Park, Kirkcaldy**

Fife Council propose to change the use of a common good property, Raith Lodge at Beveridge Park, Kirkcaldytoeducation use. Before taking a decision, the Council requires to consult under Section 104 of the Community Empowerment (Scotland) Act 2015.

There is a requirement for additional capacity for 3- and 4-year old children within the Kirkcaldy area to access early learning and childcare (ELC). Fife Council propose to use the lodge and grounds as a base from which to operate an outside early learning provision for up to 24 children. The lodge will also be used to accommodate up to 24 children during school term-time between 9.00am to 3.00pm to facilitate early learning and childcare. Therefore, the lodge will provide a facility for up to 48 children based both in the building and using the park over 39 weeks per year to access ELC.

The following representations have been received in response to the consultations carried out under section 104 of the 2015 Act.

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| Representation | HK (received by e-mail 26th September 2021) |

In the first instance I must say that I am very pleased to see a possible future for the building which does indeed offer easy access to all the facilities the park has to offer.

The building is an iconic feature of the park since it opening in 1892.

* from a style point of view
* its surroundings
* as the key element to the main entrance to the park.

These features I feel are non-negotiable - in other words alterations to the exterior of the building and gardens to the front of the property. The image we see in the Public Notice photograph should remain. Any changes I feel would seriously diminish the current iconic status which I think is paramount.

In granting change of use/disposal.

* Is this site being considered for disposal or change of use - two different strategies with different implications.
* What built in safeguards exist or can be put in place to ensure the look of the site remains unchanged including use of signage?
* I realise that the proposal would be subject to Full Planning and Listed Building Consent however what controls will exist to maintain the spirit in which the  site and building was created in the  Common Good  asset which is Beveridge Park?

I have a safety concern over the dropping off and collection of children in the immediate vicinity of the Lodge.

As already mentioned, I am pleased to see the development of another role for the building. I would however request that the points and questions raised above be considered in the plans for the way ahead.

**Fife Council Response (Education)**

The site is being considered for change of use and will not be a disposal.

The external aesthetics will remain unchanged any additional signage needed for the nursery will be kept to a minimum and as discreet as possible. External fabric repairs will need to be carried out and will be in keeping with the character of the building.

Our intention is that by changing the use of the building it will benefit the young people of the area.

Parents and carers will be advised to utilise the main car parking facility at the park and walk through the park to the nursery. A comprehensive travel plan will also be created once the nursery is operational and will be an addendum to the travel plan for Kirkcaldy west Primary School.

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| Representation | Beveridge Park Development Group (received by e-mail 30th September 2021) |

**Raith Lodge Beveridge Park – notice of consultation on disposal or change of use of Common Good property.**

**The group’s response includes several questions and it would welcome responses**

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| 1. | The public notice states that representations can be sent to Zahida Ramzan or to [communityasset.transfer@fife.gov.uk](mailto:communityasset.transfer@fife.gov.uk).  This is not a community asset transfer surely as a community group is not requesting a transfer of property. The Local Authority Education service is requesting this.  What further role will Zahida Ramzan have? Will she simply collate the responses or will she write a summary/report?  **Fife Council Response**  Zahida deals with both Common Good consultations and community asset transfer, the same e-mail is used for both topics.  At the closing date of representations, she collates all responses and passes them to Education and other colleagues for a response and in due course all representations and responses will be published. |
| 2. | The change of use request describes there being a need for additional capacity for 3 and 4 year old children. Does this mean that 24 children will attend this lodge instead of the nearest nursey at West PS?  Which other 24 children are to attend for outdoor learning? Will they also be from West PS?  Children from West nursery already attend the park for outdoor learning as the park is close to the school building, so is it intended that the lodge would simply provide another base for staff when involved at the park? If so they simply need to be given a key to the existing building.  **Fife Council Response (Education)**  Nursery admissions operate within local areas not school catchment areas (cluster) in this local area we need to increase the amount of term time full day places available. Kirkcaldy West PS operates a full year model when children attend either morning or afternoon sessions. The development of this service will provide local parents with increased access to term time provision.  In the pilot year for the outdoor service the children attending will also attend Kirkcaldy West primary school as par to a blended approach to Early Learning and Childcare (ELC).  Children from Kirkcaldy West nursery attending outdoor learning on an adhoc or weekly basis will not access the new facility at Raith lodge. |
| 3. | The notice states that the lodge is also to be used by staff as a base for curricular planning and to liaise with parents about children’s progress and also to store equipment. Given the relatively small offices available how is it proposed to find sufficient space for all of these purposes?  **Fife Council Response (Education)**  The first floor will have sufficient floor space to support the facility requirement. |
| 4. | The building comprises small offices, one kitchen and one toilet. Does the proposal mean considerable refurbishment is required inside, for example to create children’s toilets and hand basins, storage of children’s resources etc ? Further, as 24 children are to be based there during term time how much space will be available for them to pursue all the necessary early learning activities for their age? Early learning provision should enable children to move from indoors to outside so what is planned to ensure safe outdoor space for these children?  **Fife Council Response (Education)**  Internal refurbishment will be required to deliver the nursery setting which will be subject to statutory approvals.  There will be a minimum of the regulated floor space available for each child which is 2.3m2.  A secure external learning space will be provided within the rear garden area. This area will be fully accessible to children and staff only. |
| 5. | The questions lead one to believe that considerable refurbishment must be required before the lodge could be used for early learning purposes. How much work is planned and what cost is envisaged?  **Fife Council Response (Education)**  A full refurbishment and adaptation scope will be necessary to provide the required setting. The works will be subject to a programme and this will include a full tender procurement process.  Indicative costings are commercially sensitive, and we are unable to share this information at this time. |
| 6. | The Beveridge Park Development Group would have welcomed some earlier discussion/consultation given that the group has been supporting the park for many years and has also identified its own preferred uses for the lodge, which would most likely involve a genuine community asset transfer. It was disappointing to receive this notice when no contact had been made with the group beforehand.  **Fife Council Response (Education)**  We can only apologise that we did not make contact earlier, but we hope that the approach we are taking to support the change of use of the building helps to alleviate any concerns you may have.  This consultation is being carried out in terms of Section 104 the Community Empowerment (Scotland) Act 2015 to allow Education to obtain and address any concerns of the local community. |
| 7. | Michael Beveridge left a bequest to the Burgh of Kirkcaldy of £50,000 to create a park, library and a hall. His Deed of Trust was drawn up in 1888, with a codicil added in 1890. The library and hall (in the Adam Smith Theatre) both still serve their planned purposes, yet this proposal appears to aim to completely change the lodge into a function that was never originally intended.  **Fife Council Response**  The Lodge was originally the home of the Senior Park Ranger when it was built, with a tearoom at the front of the building but this closed some time ago. More recently the Lodge has been used by Parks & Open Spaces as office space. Parks & Open Spaces have identified that the office space accessed at the Lodge is surplus to their requirements having now re-located elsewhere. Our intention is that by changing the use of the building it will benefit the young people of the area. |
| 8. | The lodge is framed by the main entrance where it displays its distinctive Victorian features. The Beveridge Park Development Group has always sought to find ways to improve the park’s facilities in a manner which would gain the approval of the park’s original founder and would strongly oppose any unsuitable redesign and change to the building’s exterior.  **Fife Council Response (Education)**  Other than necessary fabric repairs there are no proposals to change the external aesthetic. |

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| **Representation** | Kirkcaldy Civic Society (Received by e-mail 4th November 2021) |

As a “B” listed building and a Kirkcaldy Common Good Asset, the Beveridge Park Main Lodge and its proposed use fall within the stated objectives of Kirkcaldy Civic Society.

It has been with regret that over many years, this prominent and well-loved building has lain largely empty and indeed boarded up. Therefore, in broad principle, it is welcomed that the building may become occupied and utilised again.

Nevertheless, there are caveats to this.

* The building is a prominent and accessible part of Beveridge Park and therefore has sufficient evaluation taken place of options for use which would be directly associated with this well-used and admired public open space.
* With respect to the original external appearance of the building, it would be expected that any change of use would require no significant alterations which would be detrimental to the building.
* With respect to its immediate environs, it would be expected that any change of use would not result in changes not in keeping with its significance as a main gateway to the park itself.

The devil will no doubt be in the detail, if it were to proceed, with the submission of planning applications (included listed building consent) and application for building warrant.

**Fife Council Response (Education)**

Other than necessary fabric repairs there are no proposals to change the external aesthetic. The project will be subject to a full statutory approvals process.

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| **DECISION** | **To proceed with the change of use and follow the next steps in the decision making process.** |