THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

Disposal of Common Good Property
Town House, Cowdenbeath

Representation Received – 30th Sept 2026

I wish to submit an objection to the proposed lease of Cowdenbeath Town House to BRAG Enterprises Limited at a subsidised rent of £1 per annum for a period of twenty years. While I recognise the potential community benefits that may arise from the redevelopment and occupation of the building, I believe several important issues require further consideration before a decision is made.

My concern is not with the principle of bringing the building back into active use. Cowdenbeath Town House has stood vacant since 2016, and it is clearly desirable that this important historic building be restored and occupied.

However, the building is a Common Good asset, and I am concerned that many members of the public may not fully appreciate what this means. Common Good assets are not simply ordinary council properties. They are assets historically held for the benefit of the inhabitants of the former burgh and therefore require careful stewardship and transparency when disposal or long-term occupation arrangements are proposed. The consultation material places significant emphasis on the benefits of the project but provides limited information on the implications for the Common Good interest itself.

I am also concerned by the level of public investment being committed to a building that will ultimately be operated by an independent organisation. The consultation notices state that the building is being restored through a project supported by approximately £2.3 millions of public funding. Once complete, the premises will be managed and occupied by BRAG Enterprises Limited under a twenty-year lease.
While charity and social enterprise activity can undoubtedly provide public benefit, it remains important to ask whether the financial arrangements properly reflect the value of the public asset and investment involved. The consultation documentation does not provide the market value of the building, its estimated rental value, or the value of the subsidy represented by a £1 per annum lease. As a result, the public is unable to assess whether the proposed arrangement represents good value for the Common Good.

The notice states that the subsidised rent is being granted in accordance with the Council's Subsidised Lease Policy and that the subsidy reflects significant community benefits. However, no quantified assessment of those benefits has been published alongside the consultation. Without sight of the valuation information and the assessment used to justify the discount, it is difficult for members of the public to determine whether the proposed level of subsidy is proportionate.
I am further concerned that the proposed uses include affordable office accommodation, business incubation space and other enterprise activities. The proposal therefore includes activities capable of generating income from occupation of a publicly funded Common Good asset. The consultation documents do not explain how the Common Good interest will be protected if income is generated from these activities, nor do they explain whether any financial return will flow back to the Common Good Fund.

The public notice also does not appear to provide information on matters such as:

- The independent market rental valuation of the property.
- The full financial value of the subsidy being provided.
- Any restrictions on subletting or assignment.
- Any clawback provisions.
- What happens if the organisation ceases operating from the building.

- What arrangements apply at the conclusion of the twenty-year lease.

Given the significance of this Common Good asset and the amount of public funding invested in its restoration, I believe these matters should be disclosed and understood before any final decision is taken.

I would therefore request that Fife Council provide further information regarding the valuation of the property, the assessment used to justify the subsidised lease, the safeguards protecting the Common Good interest, and the long-term implications of granting a twenty-year lease at a nominal rent. Until such information is made available, I do not believe the Council has demonstrated that the proposed disposal arrangements represent best value for a Common Good asset.

Fife Council response to Representation

Fife Council recognises the importance of Cowdenbeath Town House as a Common Good asset and agrees that any lease must protect the interests of the local community. The proposal is a lease, not a sale: ownership will remain with Fife Council on the Cowdenbeath Common Good account. The statutory consultation is being undertaken under section 104 of the Community Empowerment (Scotland) Act 2015, with the representations and Council responses to be considered before a final decision is made.

1. Public investment and community use
The public investment is preserving and improving a Council-owned historic asset that had been vacant since 2016. Leasing it to BRAG will allow it to reopen as a community and enterprise hub. The building remains in public ownership and the proposed operator assumes responsibility for making it active and sustainable.

2. Valuation and financial value of the subsidy
The independent assessment of the property was made in June 2024 indicating:

- **Market value:** £150,000 with vacant possession.
- **Market rent:** £12,500 per annum.

Consultation with the community favoured retention and re-opening of the building for the benefit of the community, rather than any disposal, On this basis, marketing the building was limited to uses which would deliver community benefit, rather than for commercial or repurposing of the building.

There were no organisations prepared to operate the building for community benefit at market rates, due to the significant costs involved in preserving and maintaining the building.

3. Justification for the subsidised rent
Under the Subsidised Lease Policy, the rent starts from market value and a discount may be applied to reflect assessed community benefit. The policy also requires the Community Benefit Statement and subsidy to be reassessed at five-year review points.

BRAG's received a score of **4 – "Very Strong"** and recommended **100% support**. The assessment identifies:

- A long record of operating community facilities and enterprise space.
- Employability, training and family-support services.
- Business-incubation units supporting local start-ups and employment.
- Community café, radio, heritage, meeting and civic uses.
- Volunteering and community participation.
- Alignment with local priorities for thriving places, inclusive growth and community-led services.

4. Income generated from the building

Charging for workspace, room hire, events or café activity does not in itself conflict with the Common Good interest. It is part of the operating model needed to meet the costs of running and maintaining the building. BRAG's business plan proposes using income to meet operating costs, support employability and community services, and build reserves for the property; it also recognises the financial risks associated with occupancy and running costs.
Income generated will be utilised to maintain the common good building and the services being delivered from it, thereby reinvesting income into the common good asset to support community benefit.

5. Lease controls and protection of the asset

The proposed lease is Full Repairing and Insuring, placing repairs, maintenance, insurance, utilities, rates and future capital improvements with the tenant. Fife Council will retain ownership and control significant changes of use. Subletting of community space or other material changes will require Council approval and must continue to demonstrate community benefit. If the tenant cannot continue, or the lease ends, management responsibility returns to Fife Council.

A separate capital "clawback" is less central here because ownership is not being transferred. The principal protections are continued Council ownership, controlled permitted use, subsidy reviews and enforceable termination provisions.

6. Overall community interest

The relevant comparison is not simply £1 rent against theoretical market rent. It is between:

- A closed building generating no community use and continuing to carry ownership risks; and
- A retained Common Good asset reopened for public, civic, social and economic purposes, with its operating and maintenance responsibilities transferred to an experienced charitable social enterprise.

The proposed lease provides a credible and proportionate means of protecting the Town House, bringing it back into productive use and securing sustained benefit for the Cowdenbeath community.