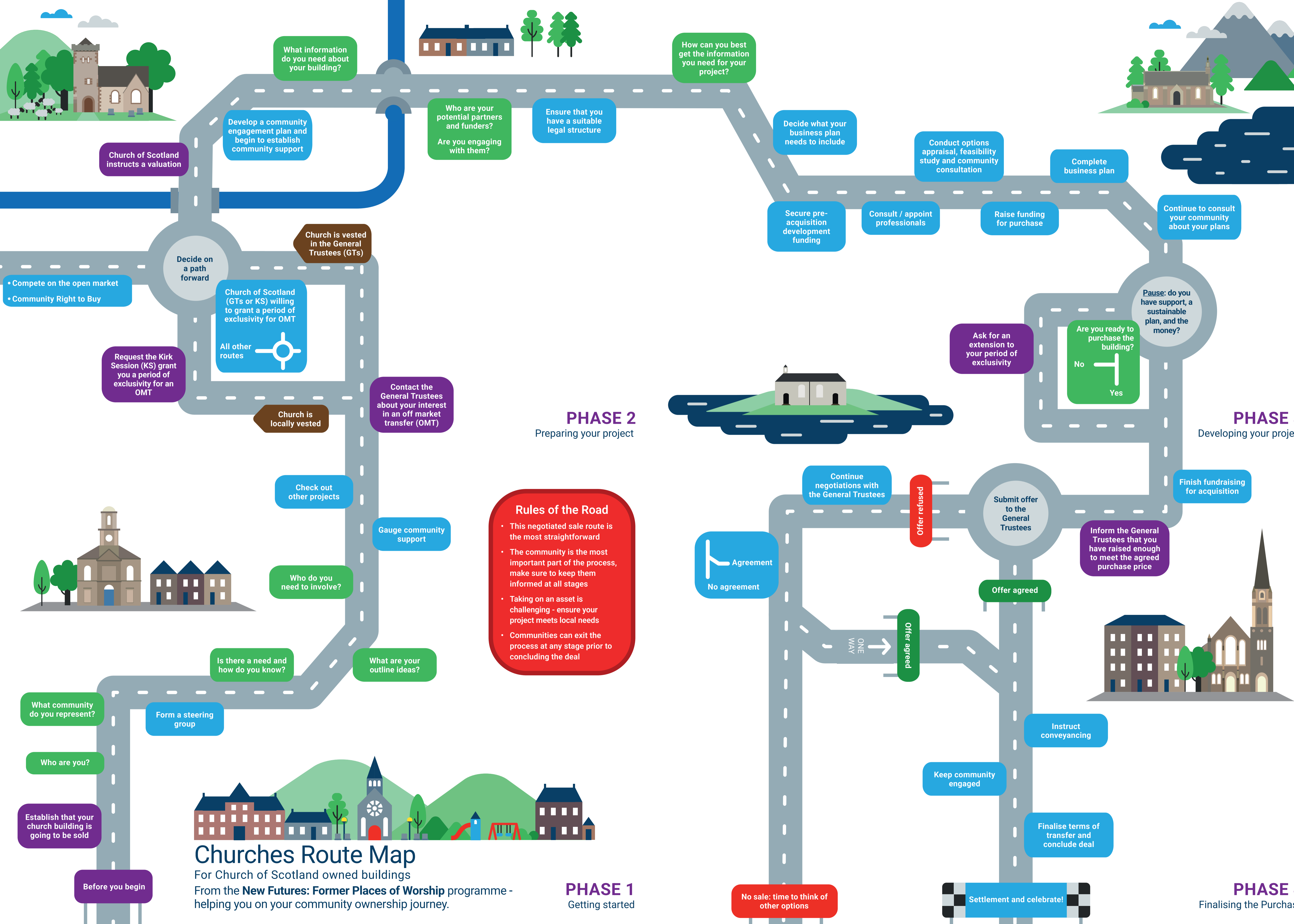


Churches Route Map

For Church of Scotland owned buildings
From the **New Futures: Former Places of Worship** programme - helping you on your community ownership journey.



PHASE 2 - Preparing your project

Contact the General Trustees about your interest in an off market transfer (OMT)

Once you have worked out your initial ideas and formed a steering group, contact the General Trustees, the property owning arm of the Church of Scotland, at the following address: gentrustees@churchofscotland.org.uk to express an interest in an off market transfer. This process is outlined in the Church of Scotland's Off Market Transfer Guidance, which is available on the Church of Scotland's website.

The General Trustees will inform you whether your church building is vested in the General Trustees, or locally in the Trustees of the Kirk Session.

Church is vested in the General Trustees

The majority of Church of Scotland buildings are vested in the General Trustees. This means that the building is owned centrally, by the property owning arm of the Church of Scotland. They will inform you whether they are willing to offer your group a period of exclusivity.

Church is locally vested

A minority of Church of Scotland buildings are vested locally. This means that the building is owned by the Trustees of the local Kirk Session.

In such circumstances, the Church of Scotland states in their Guidance that 'it is for the Local Trustees to decide how the building is sold and the General Trustees will not normally play a major role.'

Request the Kirk Session to grant a period of exclusivity for an OMT

When a building is owned by the Trustees of the Kirk Session, then you need persuade them, rather than the General Trustees of the Church of Scotland, to offer your group a period of exclusivity. This can either be an advantage or disadvantage, depending on the attitude of the Kirk Session to your project.

Try engaging with the Kirk Session as soon as possible, being transparent and collaborative in your approach to finding a new use for the building, to increase the likelihood that the Kirk Session is supportive of your buyout.

General Trustees willing to grant a period of exclusivity

All other routes

Get the details of your period of exclusivity in writing from either the General Trustees or the Kirk Session. Then proceed.

If you are unable to secure a period of exclusivity, consider other routes to ownership.

Compete on open market Community Right to Buy

If you are looking to have the first option to purchase the asset once it is made available for sale, then Community Right to Buy may be appropriate. See the Community Right to Buy Route Map, available on the COSS website, or speak to your Churches Advisor for more information. Otherwise, you will have to compete on the open market to purchase the building.

General Trustees instruct a valuation

The General Trustees instruct a valuation on the building. The extent to which they will be able to share the details of the valuation depends on who has been instructed as valuer. Sometimes they will be willing to share the entire valuation, the front page of the valuation, or the valuer may require a fee for the valuation to be shared.

Develop community engagement plan and begin to establish community support

Community support is essential throughout your project. You should begin your community engagement in earnest once you have your period of exclusivity secured. Be sure to make an engagement plan so you are disciplined about how you will do this throughout your project.

Read Development Trusts Association Scotland (DTAS)'s comprehensive community engagement resource, Involving your Community, or speak to your Churches Advisor for more information.

The New Futures programme also hosts a workshop on Involving Your Community as part of our rolling series of workshops.

Historic Environment Scotland (HES) have a useful 'Talking About Heritage' resource, available on their website.

What information do you need about your building?

Consider all the work that needs to be done to make a case to the community, the owner, and your funders that the project is worth supporting. To build a foundation for this, you will need to gather information about the building and its contents.

For church buildings specifically, the New Futures programme has guidance notes on this subject, available on our website.

Who are your potential funders? Are you engaging with them?

Now you know the information you need to gather, identify the funding you need to take the project to the next phase, and contact the relevant funders at an early stage.

Connect with appropriate organisations and funders to establish what support you will be able to access following acquisition.

It is also likely that you will need to raise funding yourselves locally through a range of different approaches, such as a crowdfunding campaign.

The New Futures programme has resources and workshops on grant funders, and crowdfunding, and business and financial planning, available on our website.

Ensure that you have a suitable legal structure

Now that you have an idea of what you are planning to do with the building(s) and what services/enterprise activities you wish to run, it is time to either check that your current legal structure is appropriate, or set up a new legal entity to allow you to deliver on your ideas.

Your legal structure and appropriate governing documents are important – they set out your obligations and liabilities to members, as well as outlining your purposes. Certain funding programmes may have strict eligibility criteria – make sure your governing document fits with these.

The New Futures programme has a guidance note on the various legal structures you can use.

PHASE 1 - Getting started

Before you begin

The process of bringing a church building into community ownership can be challenging and complex, but the New Futures programme has resources which will help you get started.

'Your Church, Your Community' will give you a good overview of what you will need to consider at the outset if you are thinking about taking a church into community ownership.

You can find this, and other resources, online on our website.

Establish that your church building is going to be sold

The Church of Scotland's Off Market Transfer Guidance explains how the Church approaches selling its assets to community organisations.

To find out whether the building you are interested in will be sold by the Church of Scotland, the New Futures programme keeps a record of which buildings have been earmarked for disposal.

For the most up-to-date information about whether a building has already been identified for disposal, please contact either your local Presbytery Office or the General Trustees (GTs) at: gentrustees@churchofscotland.org.uk

Who are you?

Are you an individual or group of people who want to help organise others in your community to bring a church building into community ownership? Are you a member of the congregation who wants to see the building be used into the future?

What community do you represent?

Define your community and be inclusive. Are you a geographic community or a community brought together by shared interest? Be clear from the beginning what area your community covers (this will later be defined formally in your organisation's constitution).

Take note of potential future requirements from funders, or the legislation such as Community Right to Buy at this stage.

Form a steering group

Whilst you are exploring options, you may want to set up a steering group. This will give structure to your group, and create a formal entity to engage with the Church of Scotland.

The New Futures programme has a template for a steering group looking at church buildings, available on our website.

Is there a need and how do you know?

Many groups form in response to a church being sold; but it is important to ensure that your project meets a need within the community. If not, the project is unlikely to be sustainable in the long term.

What opportunities will owning this asset bring to your community? What are the needs of your community more widely? Be careful not to create wish lists - this is about being able to demonstrate a clear need.

What are your outline ideas?

You may be looking to take on a church building for any one of a number of reasons. Get your ideas down on paper so that you can relay them to others, gather support and research new ideas.

The New Futures programme has helpful guidance notes on our website which includes information on some of the most popular uses for church buildings.

Who do you need to involve?

Look at the people currently involved in your project. Think about carrying out a skills audit; this helps to identify skills gaps, allowing you to encourage others with the additional skills you need to get involved and help.

You might consider involving:

- local community organisations
- local businesses
- people with a connection to the church building

Church buildings already have a distinct community associated with them. Consider contacting the congregation and Kirk Session for support.

According to the Church of Scotland's guidance, 'The GTs will usually only consider an off market transfer if both the Kirk Session and the Presbytery are supportive.' So it is important that they are consulted at an early stage.

Gauge community support

See if your community supports your ideas in principle, through a simple survey or community meeting. Early-stage engagement will help you decide whether to proceed, and will support your request for a period of exclusivity.

Check out other projects

Identify similar projects that have gone through this process and speak to them about their experiences. This is extremely important as they can give you a 'warts and all' approach, and their experiences with funders, consultants, and others. You may be able to access funding to help with this.

The New Futures programme website lists a variety of examples and case studies of previous projects. You can also speak to your Churches Advisor, who will be able to direct you to relevant examples.

PHASE 3 - Developing your project

How can you best get the information you need for your project?

To be confident that you can deliver your project, you will need a full business plan with a costed budget. This will set out all the details about the organisation, the asset, the local community context, what activities will take place in the building, who your partners are, and how it will all be paid for.

It is an essential document to give confidence (to you, your community and funders) that you have a viable and sustainable proposal to ensure the long-term success of an important community asset.

You might have the skills and experience within your organisation to do all of this yourselves, or you might need to commission external support.

Decide what your business plan needs to include

Decide what you can do yourselves, and what support you can get for free. Carry out a skills audit so that you know what skills and experience you have within your organisation and local community.

Find out what free support is available from other agencies such as your local Third Sector Interface, Highlands and Islands Enterprise, South of Scotland Enterprise, Business Gateway, Social Enterprise Scotland, and Accelerate.

Following this, you will know what external support you will need to buy in.

At all stages, the organisation needs to retain control over the evolution of the business plan, so that you are confident that you can deliver it.

Secure pre-acquisition development funding

Once you know what external professional support you need to buy in, you will need to source the funding for this. This may be from your own fundraising efforts. If you are applying for grant funding, most grant funders will require a minimum number of comparable quotes.

Consult/appoint professionals

Your project will need professional input, typically from architects, surveyors and other specialist services.

You might need to contract with a consultant to carry out some of the work, so a detailed brief and open tendering process will be required.

It is best practice to have a well-designed brief before you appoint professionals, and you will also require a contractual agreement with your chosen consultants.

Conduct options appraisal, feasibility study and community consultation

Some of this work may be carried out by a consultant that you have contracted with, or by yourselves if you have the appropriate skills, time and resources available. It is important to consider all the options available to you both in terms of addressing the needs you have identified, and the proposed use of the property you are looking to purchase. Don't forget that the option to "do nothing" should always be considered.

Raise funding for purchase

Capital funding is for any fixed costs such as purchase of the asset, construction or refurbishment. Development funding may be needed for additional costs. You may need further technical advice to make sure your project is sustainable. And you may wish to employ or contract with an individual to project manage the post-acquisition capital development phase.

Complete business plan

Once you have identified your preferred approach, indicative costs and how they will be funded, you need to compile a business plan to demonstrate the viability of your project. The plan should also include (among other things), financial projections, a market appraisal and an assessment of the risks. Your business plan will help you set out the case for funding and finance for the project.

Continue to consult your community about your plans

It is important to consult your community about your plans as they develop, giving them the chance to collaborate, feedback and improve.

You can do this by holding one or more public meetings, which are available to attend in-person or online. Ensure that any event is well publicised and open to everyone. It is important to make sure people feel comfortable to provide feedback and that you take people's comments and suggestions on board.

Pause: do you have support, a sustainable plan, and the money?

Pause and think about whether you have everything you need to purchase the asset, and run it effectively.

Have you raised enough money to meet the valuation, and any other fundraising goals you may have, such as legal fees and running costs? Do you have a comprehensive and sustainable plan about how you will run the asset, and does your community support the plan?

Are you ready to purchase the building?

Now that you have assessed how things stand at this point in time, are you prepared to take on the asset?

If you are ready, then proceed to making an offer.

If you are not ready, then ask for an extension to your period of exclusivity.

Ask for an extension to your period of exclusivity

In the Church of Scotland's Off Market Transfer Guidance is the provision that they may be willing to extend a period of exclusivity. The guidance states that this decision will be based on the following:

- The building is still being used,
- The Kirk Session continues to support the transfer,
- A constituted body has been set up to take ownership of the building (e.g. SCIO), and
- The group can show clear progress in fundraising.

PHASE 4 - Finalising purchase

Finish fundraising

Now that you have support for the project, a detailed and sustainable business plan, and you have raised the money you need, it is time to prepare to purchase the building. Call in any outstanding pledges, make sure you have received the grants/loans you have been given, and close your crowdfunding campaign.

Inform the General Trustees that you have raised enough to meet the valuation

Let the General Trustees know that the money has been raised and that you will shortly be submitting an offer to purchase the asset.

Submit offer to the General Trustees

Your offer will need to be submitted by your solicitor. You can find a list of solicitors on the Law Society of Scotland website. You will be instructing the solicitor as Trustees of the charity / Directors of the company.

The offer should be submitted to: The Church of Scotland Law Department, 121 George Street, Edinburgh, EN2 4YN; 0131 240 2263; properties@churchofscotland.org.uk.

Offer refused

Continue negotiations with the General Trustees

If you have been granted a period of exclusivity, and are able to meet the Church of Scotland's valuation, then the offer is likely to be accepted.

If the offer is not accepted for any reason, identify the problem and re-engage with the General Trustees immediately to try and find a solution that is suitable for both parties.

Agreement

If negotiations are successful and a solution is found, then proceed to the 'offer agreed' pathway.

If they are not, continue on the 'offer refused' pathway.

No sale: time to think of other options

If you have been unable to agree a deal to purchase the land or buildings, it is time to regroup and consider your options. This might include taking another route to ownership, identifying alternative sites, or other ways in which you can deliver your project.

Offer agreed

Instruct conveyancing

Conveyancing is the legal process of transferring title (ownership) of a property from a seller to a buyer. It is important to check the terms and conditions of the sale thoroughly to ensure you will be able to carry out your plans. In particular, make sure that access rights are agreed, and that a comprehensive inventory of contents is included so that you know what you are acquiring by way of fixtures and fittings. Your solicitor will be able to advise you.

See the Church of Scotland's Off-Market Transfer Guidance, and the disposal of redundant churches guidance document for more information.

Keep community engaged

As with every step in the process, ensure the community is kept informed of your plans. It is especially important to be transparent and communicative in the period before the asset comes into community ownership.

Finalise terms of transfer and conclude deal

Do a final check of the terms and conditions of the sale. If you have any concerns, take legal advice. Once you are satisfied, conclude the sale with the General Trustees.

Settlement and celebrate!

You may wish to hold a public event to celebrate the official community ownership of the church building. You may also wish to issue a press release or speak to a journalist in advance about the story. Give everyone the opportunity to get involved and make sure you take lots of photographs. It may seem like it has been a long haul but remember it's only the very start of your journey.



Follow the QR code to the New Futures: Former Places of Worship programme website



The Community Ownership Support Service (COSS) is a Scotland wide service which provides advice and support for communities interested in bringing assets into community ownership. It is part of Development Trusts Association Scotland (DTAS), a member-led network of Development Trusts in Scotland. Contact: T: 0131 225 2080 E: cosss@dtas.org.uk www.dtascommunityownership.org.uk/



The Community Land Team in the Scottish Government administers the various rights to buy under the Land Reform (Scotland) Act 2003. Contact: E: crtb@gov.scot T: 0300 244 9822

The New Futures: Former Places of Worship programme launched in January 2025 to provide advice and support to community organisations considering bringing former places of worship into community ownership. It is funded by the National Lottery Heritage Fund (NLHF), Historic Environment Scotland (HES) and Development Trust Association Scotland (DTAS).

