

To: Infrastructure Land & Environment Policy Board

On: 24 May 2023

Report by: Chief Executive

Heading: Community Asset Transfer Annual Return (1st April 2022 – 31st March 2023)

1. **Summary**

- 1.1 In accordance with Section 95 of the Community Empowerment (Scotland) Act 2015, the Council is required to complete an Annual Return to the Scottish Government of Community Asset Transfer requests in the foregoing year and to publish said return on the Council website.
 - 1.2 In the year 1st April 2022 until 31st March 2023 the Council received 31 new applications, enquiries and expressions of interest. A total of 4 applications were validated in the period and 3 applications approved. Also within the period one application was refused and the decision upheld following an application for review. No requests were concluded within the period.
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2. **Recommendations**

- 2.1 It is recommended that the Board: -
 - i. Note and approve the contents of this report; and
 - ii. Authorise the Head of Economy and Development to submit the return to the Scottish Government and publish same on the Council's webpage.
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3. Background

- 3.1. Part 5 of the Community Empowerment (Scotland) Act 2015 (“the Act”), which became effective from the 23rd of January 2017, allows for eligible community controlled organisations, known as Community Transfer Bodies, to apply to own, lease or manage any property or land owned or leased by Renfrewshire Council.
- 3.2. On the 15th of June 2022, the Infrastructure, Land and Environment Board approved a review of the Council’s Community Asset Transfer (CAT) policy and procedures.
- 3.3. On the 29th of September 2022, the Council approved a change to the Council’s Scheme of Delegation requiring all CAT applications after this date to be decided by a subcommittee of the ILE Board.
- 3.4. All CAT requests received by the Council are scrutinised by officers for completeness and eligibility before being formally acknowledged, a process referred to as ‘validation. Only fully validated applications are assessed by the CAT Panel and recommended to the CAT Subcommittee for determination.
- 3.5. Prior to consideration by the CAT Panel and recommendation to the CAT Subcommittee for determination, all validated applications are published on the Council’s website and notices displayed or issued to interested parties for a minimum of 20 working days.

4. Community Asset Transfer requests 2022/23

- 4.1. Within the period 1st April 2022 – 31st March 2023, the Council received 31 new applications, enquiries and expressions of interest.
- 4.2. Four applications were validated in the period and a total of 3 validated applications approved by the Subcommittee or under delegated approval (prior to 29/09/2022).
- 4.3. One validated application was refused under delegated approval and went to Review under the Act.
- 4.4. The list of full CAT Requests received, validated and determined in the period, are as follows:
 - Inchinnan Development Trust – 25 year lease of India Tyres Playing Fields, Inchinnan. Request validated on 13/01/2022; approved on 15/06/2022
 - Woodlands Community Bowling Club – full ownership of Woodlands Bowling Club, Linwood. Request validated on 20/05/2022; approved by delegated authority on 02/08/2022.
 - Kelburne Hockey and Community Sports Club (KHCSC) – 50 year lease of Ralston Community Sports Centre, Paisley. Request validated on 16/05/2022; refused by delegated authority on 29/08/2022.

- Western Desert Recce Group (WDRG) – full ownership of Whitehaugh Barracks, Paisley. Request validated on 12/12/2022; approved by the CAT Subcommittee on 15/03/2023.
- Lochwinnoch Community Development Trust – 10 year lease of vacant site on Lochhead Avenue, Lochwinnoch. Request validated on 01/03/2023. This application has still to be determined by Renfrewshire Council and will come before the CAT Sub-Committee on 24 May 2023.

4.5. No asset transfer requests concluded in 2022/23.

4.6. In addition to the applications received, validated and determined above, a further 11 applications have been progressed and are expected to conclude, be validated or be determined in 2023/24. These are:

- Renfrew Victoria Youth Football Club – 25 year lease of Kirklandneuk Playing Fields & Pavilion, Renfrew. Application approved on 20/03/2019 subject to separate of services from adjoining community centre; lease expected to be concluded in 2023.
- Friends of Howwood Park – 10 year lease of Howwood Park Pavilion, Howwood approved on 27/01/2021; offer not received within the 6-month timeframe; lease expected to be concluded in 2023.
- Spateston Community Development Trust – full ownership of site of former Spateston Nursery, Johnstone. Awaiting final business plan and expect to validate and present for determination in 2023.
- Renfrew Cricket Club – 30 year lease of cricket ground in KGV Playing Fields, Renfrew. Group seeking SCIO status; awaiting final business plan and expect to validate in 2023.
- Bee Happy Houston – Management rights and extension of the community orchard on Mansfield, Houston; awaiting final business plan and agreement of procedures for management rights.
- Linwood Community Council – Management rights or long-term lease of Linwood Community Garden; group to become incorporated.
- Linwood War Memorial Association – full ownership of site on Bridge Street, Linwood for erection of a war memorial; awaiting full application and expect to validate and present for determination in 2023.
- Erskine Community Allotments – full ownership of existing allotments site and extension and extension to adjacent vacant plot on Barhill Road, Erskine; group seeking status as a SCIO.
- 18th Paisley (Coats) Scouts Group – purchase of land adjacent to Brediland Road, Foxbar; expect to validate and present for determination in 2023.
- Ferguslie Community Development Trust and Ferguslie Community Council – long-term lease of St Ninian's Church Hall; awaiting final business plans and expect to validate in 2023.
- The Redeemed Christian Church of God, Zoe Parish – full ownership of Glenburn Community Centre, Paisley; group seeking SCIO status; awaiting full business plan.

5. Reviews and Appeals

- 5.1. During the reporting period, there has been one Local Authority Review under Section 86(1)(b)(i) of the Act.
- 5.2. The review, called for by Kelburne Hockey and Community Sports Club, was heard by the CAT Review Panel, a subcommittee of Members from the ILE Policy Board, on 20/01/2023 and 22/03/2023 in accordance with Section 86(2) and the decision confirmed in accordance with Section 86(5)(a) of the Act.
- 5.3. There have been no appeals of reviews under Section 86 of the Act.

6. Annual Return to Scottish Government

- 6.1 Based on the account of activity above, the figures to be reported to the Scottish Government for 2022/23 are:

Total number of applications received (validated) in 2022/23	4
Number of successful applications determined in 2022/23	3
Number of unsuccessful applications determined in 2022/23	1
Number received in 2022/23 and yet to be determined	1
Number received prior to 2022/23 and yet to be determined	None
Number of applications received which resulted in transfer of ownership, lease, or rights to a community transfer body in 2022/23	None

Implications of the Report

1. **Financial** – not applicable.
2. **HR & Organisational Development** – Not applicable.
3. **Community/Council Planning** –
 - *Our Renfrewshire is well* – community transfer applications will be considered for the benefit of our communities.
 - Working together to improve outcomes – we work across Council departments and with external agencies to enable our Community Transfer Bodies to be successful in their request for assets.
4. **Legal** – Legal Services are consulted in terms of advising on the title for the applications and reviewing Community Transfer Body's' constitutions, as well as the conveyancing for successful applications.
5. **Property/Assets** – Assets and Estates consulted in terms of asset availability and suitability for transfer.
6. **Information Technology** – not applicable.

7. Equality & Human Rights -

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights.

No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – Consideration given to individual applications where applicable.
9. **Procurement** – Not applicable.
10. **Risk** – Not applicable.
11. **Privacy Impact** – not applicable.
12. **Cosla Policy Position** – not applicable.
13. **Climate Risk** – None.

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