

To: Infrastructure, Land & Environment Policy Board

On: 26 August 2020

Report by: Director of Finance & Resources

Heading: Community Asset Transfer Return (1st April 2019 – 31st March 2020)

1. Summary

- 1.1 In accordance with the Community Empowerment (Scotland) Act 2015 section 95 we are required to publish our Community Asset Transfer report for the period from 1st April 2019 until 31st March 2020.
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2. Recommendations

- 2.1 It is recommended that the Board: -
- 2.2. Approve the Community Asset Transfer Return which will then be published on the Council's webpage for the period 1st April 2019 – 31st March 2020.
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3. Background

- 3.1 The relevant part of the Community Empowerment (Scotland) Act 2015 ("the Act") became effective from on 23rd January 2017. Renfrewshire Council have been actively promoting requests to transfer assets to its communities under medium / long term leases and full ownership where appropriate and have been supporting Community Transfer bodies in making such requests via its' Community Empowerment Fund.
- 3.2 During the period 1st April 2019 – 31st March 2020, 9 Community Asset Transfer requests were received.

Whilst these requests were received not all proceeded to consideration by the Community Asset Transfer Panel, as 8 of the applications are at an initial enquiry stage or did not comply with the requirements of the Act.

- 3.3 The officer Asset Transfer Panel, which is chaired by the Head of Property Services met on two occasions during this period on the 16 September 2019, and the 12 December 2019 to consider 4 CAT applications. None of the applications were deemed suitable at this time, and 2 refused.
- 3.4 The 2 proposals which were refused were from 2 separate organisations for different property interests. Neither Linwood Community Development Trust, or the Western Dessert Recce Group chose to appeal against the Asset Transfer Panel's decision.
- 3.5 The Linwood Community Development Trust, application was for a site at Stirling Drive Linwood, which they desired to retain as an area of open space and to maintain this for the Community. This site had been identified within the Council's Strategic Housing Investment Plan, and as such officers felt this should take higher priority.
- 3.6 The 2nd proposal, which was refused, was from the Western Desert Recce Group, who sought part of the Whitehaugh Barracks for their proposed use. Officers were surprised at this sole application as they believed that the WDRG had been working with the Paisley Operatic Chorus, with a view to progressing an application for the Whitehaugh Barracks (which consists of 2 separate buildings) to be a shared Community Facility. In addition, the Council's Community Empowerment Fund had allocated funding for the investigation and Development of a possible Business Plan for this purpose. It would be more appropriate to continue with the agreed strategy to develop a suitable business plan for both buildings.
- 3.7 The other 2 applications considered by the Asset Transfer Panel were not refused, but additional information was sought.
- 3.8 The Lochwinnoch Community Development Trust, water abstraction proposal, for a site on Lochhead Avenue, Lochwinnoch was recognised as having merit. However, its' success was based upon the water being abstracted meeting the quality standards required. It was agreed that the group be granted a 6 month licence to enable it to investigate further that the water being abstracted would be of the quality required to meet their view that they could then dispose of this to a water company.
- 3.9 The 2nd application was from Linwood Community Development Trust and related to 1 of the 6 sites they had submitted a stage 1 Community Asset Transfer request for on 28 January 2019. This CAT application was to create a green network around Linwood. However, LCDT had not followed this up with a Stage 2 Business Plan application, such that the Council's Asset Transfer Panel could consider the merits of the proposal.

The Council had in September 2019 authorised Renfrewshire Leisure and Council Officers to investigate the possible creation of a cycle facility, on the same site, the former golf course at Linwood On-X. Recognising, that there was a potential conflict, it was determined that rather than refusing the LCDT proposal, they be invited to submit a Stage 2 application for this site, in order that the Council can determine the most appropriate use. LCDT had in earlier correspondence suggested they maybe in a position, to submit this by March 2020. Regrettably, due to COVID 19 no stage 2 application has been received.

- 3.10 Renfrewshire Council have approved 1 request within this period, this Board approving the request for a 30year lease to Kustom Kruizers a Community Interest Company who sought to lease the former toilets at the Inchinnan Road, entrance to Robertson Park Renfrew at its' meeting on 29 May 2019. The Head of Corporate Governance is in the process of concluding this lease.
- 3.11 In addition, Kilbarchan Amateur Athletics Club (Kilbarchan Harriers) requested land beside the On-X on a long-term ground lease of 30 years for £1 per annum. The application was approved by Board on 23rd January 2019 and lease concluded on 15 August 2020.
- 3.12 During the reporting period, there were no appeals in terms of section 85, nor reviews in terms of section 86, of the Act, received in respect of refusals or conditional acceptances of asset transfer requests, nor of delays in providing decision notices etc. Further, there were no reviews of decisions by the Scottish Ministers in terms of section 87 of the Act.

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;
 - Our Renfrewshire is safe – consideration will be given to the safety within our communities in relation to applications;
 - Working together to improve outcomes -Multi agencies will be working together to enable our community transfer bodies to be successful in their applications for assets.
4. **Legal** – Legal Services are consulted in terms of advising on the title for the applications and reviewing the groups constitutions, as well as the conveyancing for successful applications.

5. **Property/Assets** – Consulting with the community transfer bodies and Council departments to progress applications.
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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