

Minute of Meeting Community Asset Transfer Review Sub-Committee

Date	Time	Venue
Wednesday, 22 March 2023	14:00	Microsoft Teams Meeting,

Present: Councillor Michelle Campbell, Councillor Audrey Doig, Councillor Chris Gilmour, Councillor James MacLaren, Councillor John McNaughtan

Chair

Councillor Campbell, Convener presided.

In Attendance

A Morrison, Head of Economy & Development Services, S Inrig, Assistant Manager (Employability), T Morlan, Social Enterprise Officer, and E Shearer, Economic Regeneration Officer, (all Chief Executive's); G McNeil, Director (Environment & Infrastructure); and N Young, Assistant Managing Solicitor (Litigation & Advice), E Gray, Senior Committee Services Officer, and D Cunningham, Assistant Committee Services Officer.

Webcasting of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting of the Sub-committee would be filmed for live or subsequent broadcast via the Council's internet site.

Declarations of Interest

There were no declarations of interest intimated prior to the commencement of the meeting.

1 Review Request by Kelburne Hockey & Community Sports Club Re: Ralston Community Sports Centre

Under reference to item 1 of the Minute of the meeting of this Sub-committee held on 20 January 2023, there was submitted a report by the Director of Finance & Corporate Services relative to a Community Asset Transfer (CAT) review request which had been submitted by Kelburne Hockey and Community Sports Club (KHCSC) in relation to their transfer request for Ralston Community Sports Centre (RCSC).

The report provided a background to the review request, detailing that a CAT request had been submitted by KHCSC for the transfer of RCSC and had subsequently been rejected by the Council's Community Asset Transfer Panel as set out in a decision notice dated 30 August 2022. The Community Empowerment (Scotland) Act 2015 prescribed that an applicant whose transfer request was rejected was entitled to request a review of the decision. KHCSC submitted a review request on 29 September 2022 which had to be determined by 28 March 2023. Members were provided with a copy of the procedure to be followed when considering a CAT review request, a note of general legal advice and a pack containing the original application and review documentation.

The review request was initially considered at the meeting of this Sub-committee held on 20 January 2022 and members decided that they did not have enough information to determine the request. Further information was requested from KHCSC, OneRen, Ralston Community Centre and Paisley East and Whitehaugh Community Council. Following receipt of the further information, each party was given the opportunity to provide comments on the submissions. Comments were received from KHCSC and Ralston Community Council. Copies of the letters sent to each party were appended to the report together with the responses and further comments.

The Sub-committee members considered whether there was sufficient information available to determine the review without a requirement for further proceedings. It was unanimously agreed that there was sufficient information to determine the review.

Councillor Campbell, seconded by Cllr Audrey Doig, moved that the asset transfer request be refused because the reasons for refusal determined by the Council's CAT Panel on 30 of August 2022, as set out below, remained valid and had not been adequately addressed throughout the review process and that the lack of availability at the facility for members of the public at evenings and weekends was of detriment to the local community and that this was not outweighed by the benefits of the proposal.

- "(i) Uncertainty of funding available to carry out works detailed in the CAT Request; and
- (ii) Impact of the significant degree of community opposition to the CAT Request on community cohesion.

The final paragraph of section 82(3) of Part 5 of the Community Empowerment (Scotland) Act 2015, requires the Council to consider "such other matters (whether or not included in or arising out of the request) as the authority considers relevant". One aspect recommended that relevant authorities consider under this heading is community support for proposals and any potential impact on other community groups.

One of the intended benefits of Community Asset Transfer is to increase community cohesion and resilience. In the case of KHCSC's request for Ralston Community Sports Centre, the Panel considers the impact of opposition to the transfer on community cohesion, to be detrimental to the net benefit(s) of the transfer."

This was agreed unanimously.

DECISION: That the asset transfer request be refused because the reasons for refusal determined by the Council's CAT Panel on 30 of August 2022, as set out below, remained valid and had not been adequately addressed throughout the review process and that the lack of availability at the facility for members of the public at evenings and weekends was of detriment to the local community and that this was not outweighed by the benefits of the proposal.

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- (ii) Impact of the significant degree of community opposition to the CAT Request on community cohesion.

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