

To: Infrastructure, Land & Environment Policy Board
Community Asset Transfer Subcommittee

On: 24 January 2024

Report by: Chief Executive

Heading: Community Asset Transfer Request – Part of the Site known as
Mansfield, Manse Crescent, Houston PA7 6EJ

1. **Summary**

1.1 The purpose of this report is to ask the Community Asset Transfer (CAT) Subcommittee to approve management rights of the Mansfield site in Houston to Bee Happy under Part 5 of the Community Empowerment (Scotland) Act 2015 (the Act).

2. **Recommendations**

It is recommended that the CAT Subcommittee:-

2.1 Consider the Community Asset Transfer request, attached;

2.2 Agree to the request for management rights of part of the site as indicated in the attached location plan; and

2.2 Authorise the Head of Economy and Development and the Head of Corporate Governance to develop and agree an appropriate licence for the management of the asset in accordance with the Act and on such terms as required to protect the Council's interest.

3. Background

- 3.1 Part 5 of the Community Empowerment (Scotland) Act 2015 provides the right for community bodies to request outright ownership, short or long term lease or other rights over any land or property owned or leased by the Council.
- 3.2 The Act requires local authorities to assess requests transparently against a specified list of criteria, and to agree the request unless there are reasonable grounds for refusal.
- 3.3 The CAT Officer Panel met to consider this request on the 11th of December 2023. In accordance with the revised Scheme of Delegation (September 2022), the Panel agreed to recommend the request for approval to the CAT Subcommittee.
- 3.4 This is the first time that the Council has received a CAT request for management rights. If approved, it is proposed that the group be awarded an extended licence to occupy or short-term lease up to 5-years.

4. 'Mansefield', Manse Crescent, Houston PA7 6EJ

- 4.1 The asset known as 'Mansefield' is a triangular shaped site extending to 3.48 Ha or thereby. The site lies approximately 600m to the south east of Houston between Manse Crescent and Quarry Brae (aka Hallhill Road) and is elevated above the Houston Road/Bridge of Weir Road roundabout.
- 4.2 The land is currently used as informal open space, characterised by grassland and woodland planting on the north east area and extending south along the eastmost boundary.
- 4.3 Owned by Renfrewshire Council, the land was previously marketed as a residential development site, but subsequently withdrawn following representations from the local community and a decision by the LDP Reporter. The site was declared surplus by the Planning & Development Policy Board on 24 May 2005.
- 4.4 The asset transfer request is for a small section in the middle of the site extending to approximately 350 sqm, outlined in red on the attached location map.
- 4.5 The group, Bee Happy, already manage the lower section of the highlighted area in an informal arrangement with the Council's Housing, Environment & Infrastructure Service. [See the Google Map Capture and Location Map attached to this report].

5. Bee Happy

- 5.1 Bee Happy is an unincorporated but constituted community group set up to serve the people of Houston as defined by the Community Council boundary.

- 5.2 The group has existed for several years and co-ordinates groups of volunteers carrying out various gardening and litter picking activities throughout the village.
- 5.3 The group were given permission to plant a community orchard on the Mansefield site and have managed that for the last 5 years.
- 5.4 The association's objectives are to:
- a) Identify areas of land in the Houston area for development. This would include cultivated beds/ground, planters, woodland, orchards, or any other improvements deemed for the benefit of the community as a whole.
 - b) Maintain already developed areas and planters.
 - c) Reduce litter in the Houston area by means of litter picking and education.
 - d) identify and report instances of littering and fly tipping requiring action by other agencies.
 - e) Promote the feeling of civic pride and social cohesion within their community.
 - f) Carry out any other activities from time to time which would benefit the Houston community and its occupants.
- 5.5 With over 30 active members from the local community, the group is community controlled and qualifies as a Community Transfer Body under the Act.

6. **Community Asset Transfer Request**

- 6.1 Bee Happy are requesting management rights over part of the land known as 'Mansefield'. The group are not proposing to pay for these rights.
- 6.2 The land for which the request relates extends to some 350 sqm or thereabouts and comprises the existing community orchard (c. 193.75 sqm) and an extension area (c. 156.3m) Both areas are outlined in red on the attached location plan.
- 6.3 The group specifically request:
- a) to extend the fenced area encompassing the orchard;
 - b) to plant additional fruit/nut trees and shrubs; and
 - c) to manage and maintain the area and its perimeter.
- 6.4 The facility will provide fruit and nut trees and shrubs creating a peaceful area for local people to enjoy and to benefit from the fruit and nuts produced.
- 6.5 The group fully manage the existing fenced area.
- 6.6 The group have existing public liability for the site which will be extended to cover the additional area and will take responsibility for all repairs.

6.7 The full CAT request from the group is attached to this report.

Community Engagement and Benefits

6.8 Bee Happy are a very active group in the local community and are well respected locally for the work that they do.

6.9 There is significant support for the CAT request from the Community Council and local elected members.

6.10 Wider community benefits proposed in the application, include:

- a) extension and further development of a grassed area for fruit and nut trees;
- b) growing of fruit and nuts for the local community;
- c) a place for people to gather and meet with others;
- d) encourage wildlife and pollination.

Publication and Representations

6.11 The CAT request was validated on the on the 24th of November 2023 and was open for public representation until the 22nd of December 2023.

6.12 During the period of consultation, no representations were received.

Implications of the Report

1. **Financial** – None.

2. **HR & Organisational Development** – None.

3. **Community Planning**

Our Renfrewshire is well – the CAT supports the wellness and resilience of our citizens and communities.

Our Renfrewshire is thriving – the CAT supports economic growth that is inclusive and sustainable;

Our Renfrewshire is fair: addressing the inequalities that limit life chances.

4. **Legal**

(a) The CAT request and CTB comply with the requirements of Part 5 of The Community Empowerment (Scotland) Act 2015.

(b) A formal offer from the CTB must be received within 6 months of decision to approve.

- (c) Sale must be concluded within 6 months of a formal offer being submitted by the Club.
- 5. **Property/Assets** – As per this report.
- 6. **Information Technology** – None.
- 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 because no groups or individuals have any involvement currently at the property. 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** – None.
- 9. **Procurement** – Not applicable.
- 10. **Risk** – None.
- 11. **Privacy Impact** – Not applicable.
- 12. **Cosla Policy Position** – Not applicable.

List of Background Papers

- (a) None.

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**Renfrewshire
Council**

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

ASSET TRANSFER REQUEST FORM

IMPORTANT NOTES:

This is a standard asset transfer request form which can be used to make a request to Renfrewshire Council. For assets owned by other relevant authorities, please refer to that authority's own website.

You do not need to use this form to make an asset transfer request but using a form will help you to make sure you include all the required information.

You should read the asset transfer guidance provided by the Scottish Government before making a request. All forms and guidance documents are available to download from the Council's [Website](#)

You are strongly advised to discuss your proposals with the Council before making an asset transfer request. You can do this by contacting the CAT Single Point of Contact at communityassettransfer@renfrewshire.gov.uk.

When completed, this form must be sent to: -

**The CAT Single Point of Contact
Regeneration and Place
Renfrewshire Council
Renfrewshire House
Cotton Street
Paisley
PA1 1TT**

Or submitted by email to: communityassettransfer@renfrewshire.gov.uk

This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015 in relation to property owned, leased or managed by Renfrewshire Council.

Section 1: Information about the community transfer body (CTB) making the request

1.1 Name of the CTB making the asset transfer request

BEE HAPPY

1.2 CTB address. This should be the registered address (if you have one) or main correspondence address.

Postal address:
[REDACTED]

1.3 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.

Contact name: BARRY WALKER
Postal address: [REDACTED]
Postcode: [REDACTED]
Email: b [REDACTED]
Telephone: [REDACTED]

We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. *(Please tick to indicate agreement).*

You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.

*Renfrewshire Council takes the privacy of your personal data very seriously. For more information see our [Privacy Policy](#). *(Please tick to indicate agreement).**

We agree that information provided in this asset transfer request, including contact details, may ONLY be forwarded to relevant officers within Renfrewshire Council for the purposes of assessment and/or in order to provide specialist support to further the asset transfer request as appropriate. Contact details will only be forwarded with your consent for an explicit purpose. *(Please tick to indicate agreement).*

1.4 Please mark an "X" in the relevant box to confirm the type of CTB and its official number, if it has one.

	Company (with no fewer than 20 members) and its company number is	
	Scottish Charitable Incorporated Organisation (SCIO) (with no fewer than 20 members) and its charity number is	
	Community Benefit Society (BenCom), (with no fewer than 20 members) and its registered number is	
✓	Unincorporated organisation (no number)	

Please attach a copy of your constitution, Articles of Association or registered rules.

1.5 Has the organisation been individually designated as a community transfer body by the Scottish Ministers?

No
Yes

Please give the title and date of the designation order:

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1.6 Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers (i.e. those listed above at 1.4)?

No
Yes

If yes what class of bodies does it fall within?

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Section 2: Information about the land and rights requested

2.1 Please identify the land / property to which this asset transfer request relates.

You should provide a street address or grid reference and any name by which the land or building is known. If you have identified the land on the relevant authority's register of land, please enter the details listed there.

*It may be helpful to provide one or more maps or drawings to show the boundaries of the land requested. If you are requesting part of a piece of land, you **must** attach a map and give a full description of the boundaries of the area to which your request relates. If you are requesting part of a building, please make clear what area you require. A drawing may be helpful.*

Details of Property: - GRASS AREA BETWEEN MANSE CRES & ORCHARD
BRAE. - FENCED OFF AREA.

Address: - Site,
Manse Crescent
Houston

Postcode:- PA6 7EJ

Community Area:- Houston, Crosslee and Linwood

2.2 Please provide the UPRN (Unique Property Reference Number), if known.

If the property has a UPRN you will find it in the relevant authority's register of land.

UPRN:-

123097203

Section 3: Type of request, payment and conditions

3.1 Please tick what type of request is being made:

for ownership (under section 79(2)(a)) - go to section 3A

for lease (under section 79(2)(b)(i)) – go to section 3B

for other rights (section 79(2)(b)(ii)) - go to section 3C

3A – Request for ownership

What price are you prepared to pay for the land requested:

Proposed price: - £ N/A .

Please attach a note setting out any other terms and conditions you wish to apply to the request.

3B – request for lease

What is the length of lease you are requesting?

N/A

How much rent are you prepared to pay? Please make clear whether this is per year or per month.

Proposed rent: £	per month / year (delete as appropriate)
N/A	

Please attach a note setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.

3C – request for other rights

What are the rights you are requesting?

PERMISSION TO FENCE OFF A SPECIFIC AREA NEXT TO AN EXISTING ORCHARD TO PLANT FRUIT/NUT TREES + SHRUBS WITHIN THAT AREA.
TO MANAGE & MAINTAIN THE AREA AND ITS PERIMETER ALSO THE ABOVE RIGHTS + PERMISSIONS FOR THE EXISTING ENCLOSED AREA WHERE FRUIT TREES + SHRUBS HAVE ALREADY BEEN PLANTED AND ARE CURRENTLY MAINTAINED BY BEE HAPPY.

Do you propose to make any payment for these rights?

Yes

No

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment: £

N/A

Please attach a note setting out any other terms and conditions you wish to apply to the request.

Section 4: Community Proposal

4.1 Please set out the reasons for making the request and how the land or building will be used.

This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the land or building, and any activities that will take place there.

4.1.1 Objectives of the Project:

TO EXPAND THE EXISTING COMMUNITY ORCHARD AREA.

4.1.2 Why there is a need for your Project

ENHANCE THE GRASSED AREA, TO PROVIDE ACTIVITIES FOR THE MEMBERS OF THE BEE HAPPY GROUP. COMMUNITY INVOLVEMENT AND WELL BEING

4.1.3 Development / changes / modifications required

ERECT A GATED FENCE TO PROTECT THE TREES DURING DEVELOPMENT

4.1.4 Activities that will take place

TREE & SHRUB PLANTING BY BEE HAPPY WHICH WILL INCLUDE MEMBER OF THE GENERAL AND LOCAL RESIDENCE.

4.1.5 If the asset is to be used by the public it would be helpful if you could provide details of letting's policy and opening times

ACCESS TO THE TREES + SHRUBS IS AVAILABLE AT ALL TIMES TO THE GENERAL PUBLIC

4.1.6 What provision will be provided for people with disabilities?

ACCESS WILL BE VIA A WIDE GATE OVER THE GRASSED AREA.

4.1.7 Any other relevant information?

N/A.

Benefits of the proposal

4.2 Please set out the benefits that you consider will arise if the request is agreed to.

This section should explain how the project will benefit your community, and others. Please refer to the guidance on how the relevant authority will consider the benefits of a request.

Please explain how the project will benefit your community by detailing how your project will promote or improve: -

4.2.1 Economic development / income generation

DEVELOPMENT OF A GRASSED AREA TO PROVIDE FRUIT FOR THE LOCAL COMMUNITY

4.2.2 Regeneration

N/A

4.2.3 Public Health

FRUIT AVAILABLE TO GENERAL PUBLIC

4.2.4 Social / Wellbeing

A PLACE FOR PEOPLE TO GATHER OR MEET WITH OTHERS AND USE THE FRUIT GROWN -

4.2.5 Environmental / Wellbeing / Environmental Benefits

ENCOURAGE WILD LIFE AND POLLENATION
" PEOPLE INTO THE FRESH AIR

4.2.6 Does your project contribute to the reduction in inequalities? Please detail how.

N/A

4.2.7 Any other relevant information

N/A

Restrictions on use of the land

4.3 If there are any restrictions on the use or development of the land, please explain how your project will comply with these.

Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.

N/A

Negative consequences

4.4 Please identify any potential risks which may occur if your request is agreed to? How would you propose to minimise these?

You should consider any potential negative consequences for the local economy, environment, or any group of people and explain how you could reduce these.

N/A

Capacity to deliver

4.5 Please show how your organisation will be able to manage the project and achieve your objectives.

This could include the skills and experience of members of the organisation, any track record of previous projects, whether you intend to use professional advisers, etc.

Have you / your organisation managed projects or owned / leased land previously?

Please provide details of: -

4.5.1 Skills and experience of members of the organisation

WE ARE A GARDENING AND HANDY WORK GROUP WITH SEVERAL YEAR EXPERIENCE. WE HAVE CREATED AND MAINTAINED A THRIVING ORCHARD IN THIS AREA. IN EXISTENCE FOR 5 YEARS.

4.5.2 Do you intend to use professional advisors?

YES. ADVICE WILL BE TAKEN IN THE SELECTION AND PURCHASE OF APPROPRIATE TREES + SHRUBS

4.5.3 Do you currently lease / manage a property from Renfrewshire Council? If yes, please provide details

NO - WE HAVE PREVIOUSLY RECEIVED PERMISSION TO PLANT AND MAINTAIN AN ORCHARD ON THIS SITE.

4.5.4 Please detail how you plan to maintain the asset?

THE BEE HAPPY GARDENING GROUP WILL :-

- A) ERECT AND MAINTAIN A FENCE WITH GATE
- B) CUT THE GRASS WITHIN THE FENCED AREA
- C) PLANT, PRUNE & MAINTAIN THE DEVELOPING TREES + SHRUBS

4.5.5. Any other relevant information?

N/A

Section 5: Level and nature of support

5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation and what their response has been. You should also show how you have engaged with any other communities that may be affected by your proposals.

5.1.1 How many people are members of your organisation? Are they in agreement with this application?

APPROX 30 ACTIVE MEMBERS

ALL IN AGREEMENT

5.1.2 How many people are members of your community as defined in your constitution / governing rules? Are they in agreement with this application?

AS ABOVE.

5.1.3 Have you consulted with other local stakeholder groups and agencies? Please provide evidence.

DISCUSSIONS WITH R.D.C. (RENFREWSHIRE COUNCIL)

DISCUSSIONS WITH LOCAL RESIDENCE.

5.1.4 Have you contacted local staff? If yes, please provide details of who

N/A

5.1.5 Have you contacted any other communities that may be affected?

N/A

5.1.6 Any other relevant information

N/A

WEEKLY POSTS ON HOUSTON COMMUNITY COUNCIL
FACEBOOK PAGE + IMPROVE HOUSTON +
CROSSLEE FACEBOOK PAGES + FEEDBACK.

Section 6: Funding

6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the land, and your proposed use of the land.

You should show your calculations of the costs associated with the transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.

6.1.1 Please show your calculations of the costs associated with the transfer of the land or buildings and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations.

ALL WORK TO BE CARRIED OUT BY BEE HAPPY VOLUNTEERS
GRANTS WILL BE OBTAINED FOR THE PURCHASE OF THE TREES
SHRUBS + FENCING MATERIALS
TOTAL ESTIMATED COST £1500

6.1.2 Please also supply details of what funding you have received so far, and any conditions attached.

N/A

6.1.3 Details of funding you have applied for but are still waiting on a decision / response

N/A

6.1.4 Details of other funding i.e. voluntary donations, borrowing etc

N/A

6.1.5 Any other relevant information

THE GROUP CURRENTLY HAVE FUNDS AVAILABLE TO UNDERTAKE
VARIOUS PROJECTS. WE WILL HOWEVER SEEK SPECIFIC
FUNDING FOR THE FENCING ETC, ONCE PERMISSION HAS BEEN
GRANTED

Section 7: Other Supporting Documentation

To enable the Council to fully consider your application, the following supporting documentation must be submitted as part of your application:-

- A copy of your organisation's Constitution, Articles or Association or other governing rules as appropriate;
- A detailed business case (that is proportionate to the nature of the asset transfer request);
- A financial projection of income and expenditure for at least three full financial years following the date of this request;
- A copy of your organisation's most recent audited accounts, where available (or a financial projection covering the current financial year where the applicant has been operating for less than one year);
- Annual reports (where these are available).

Applicants are advised to refer to the Scottish Government Community Asset Transfer Guidance for Community Transfer Bodies for further details of what information should be included in these supporting documents. <https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-community-9781786527509/>

Declaration and Signature

Two office-bearers (board members, charity trustees or committee members) of the community transfer body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

This form and supporting documents will be made available online for any interested person to read and comment on. Personal information will be redacted before the form is made available.

We, the undersigned on behalf of the community transfer body as noted at section 1, make an asset transfer request as specified in this form.

We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.

"I understand that the details provided will be used by Renfrewshire Council for the purpose of assessing the asset transfer request and may be shared with Council Officers and Elected Members for the purposes of providing support in making the application or other purposes as appropriate. Further information on how the Council looks after personal information can be found here :

<https://www.renfrewshire.gov.uk/article/2201/Privacy-policy>

1. Name **BARRY WALKER**

Address



Date

5TH SEPT 2023

Position

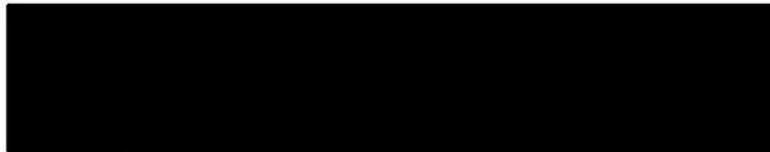
CHAIRMAN

Signature



2. Name **GRAEME RICHARDSON**

Address



Date

13 / 9 / 2023

Position

SECRETARY

Signature



Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this form.

Section 1 – you must attach your organisation's constitution, articles of association or registered rules

CONSTITUTION

Section 2 – any maps, drawings or description of the land requested

Section 3 – note of any terms and conditions that are to apply to the request

N/A .

Section 4 – about your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation's capacity to deliver.

N/A

Section 5 – evidence of community support

N/A

Section 6 – funding

N/A .

Section 7 – Supporting Documentation

BEE HAPPY BALANCE SHEET .
RECENT BANK STATEMENT



Mansfield

Quarry Brae

Quarry Brae

Houston Rd