

To: Infrastructure, Land & Environment Policy Board

On: 27 January 2021

Report by: Director of Finance & Resources

**Heading: Howwood Public Park- Community Asset Transfer Request
Community Empowerment (Scotland) Act 2015**

1. Summary

- 1.1 The purpose of this report is to seek Board approval for the grant of a lease to Friends of Howwood Park for 10 years, in terms of a Community Asset Transfer request under the Community Empowerment (Scotland) Act 2015.
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2. Recommendations

It is recommended that the Board :-

- 2.1 Approve the grant of a lease to the Friends of Howwood Park group in terms of the Community Empowerment (Scotland) Act 2015.
- 2.2 Authorise the Head of Property and the Head of Corporate Governance to conclude the lease on the terms and conditions detailed and to protect the Council's interest.
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3 Background

- 3.1 The Community Empowerment (Scotland) Act 2015 (Part 5) seeks to encourage Community groups to take control of publicly owned assets by lease or ownership, where the Community group are a community controlled body, and propose to utilise the asset for the wider benefit of the community.

- 3.2 The Council hold the Howwood Public park in terms of a Trust Deed granted to it by William and Margaret Houstoun in 1929, to retain the park for the benefit of the residents of Howwood for recreational purposes. The Head of Corporate Governance has confirmed that this burden, would not prevent the Council from granting of a lease to a group, as long as the aims of the Group was to continue with the requirements of the Trust deed.
- 3.3 The Pavilion, as indicated hatched on plan E2890, has not been used for a considerable period and has fallen into disrepair, such that it is no longer in a fit condition. Neither the Park or the Pavilion was transferred to Renfrewshire Leisure when the Cultural Trust was formed by the Council to manage its' sporting and cultural facilities in 2015, the reason being the property was in disrepair and not part of the Council's football hiring or letting stock. While the Council has been maintaining the football pitch and the play equipment, the pavilion has, as stated, fallen into disrepair.
- 3.4 Friends of Howwood Park is a recently constituted group of 22 individuals from the village of Howwood who have been looking to improve the park for the benefit of the community. This has seen them upgrade the play equipment within the park working closely with the Council's Environment & Infrastructure Parks team.
- 3.5 The group has submitted a Community Asset Transfer request seeking a 10 year lease for the Pavilion(not the park) at an annual rent of £1, if asked, with a view to refurbishing the Pavilion such that it can become a Community Asset and used by a number of local groups.
- 3.6 The Group meets the requirements of the Community Empowerment Act as they are a constituted Community controlled body with 20 or more members. Their constitution enables the Group to hold property for the benefit of its' members and for it to achieve its' aims. However, this will require to be amended to name the Committee members who will hold the property on behalf of the Group in any lease.
- 3.7 In respect of the Groups current funding position, while their bank account is positive, they rely primarily on grant funding to achieve its' aims, which is to improve Howwood Park for the benefit and health & wellbeing of the Howwood Community and Park users.

4. Consultation

- 4.1 As a Group they have undertaken a consultation with the local community in respect of this Community Asset Transfer application. This was in 2 parts via social media, using facebook which has over 824 followers. This received 70 positive comments on the proposal. In addition, the group undertook a paper consultation with various Community groups, Howwood Community Council, Howwood Primary School Parents and Carers, Howwood Parish Church, Howwood Weight Watchers and Bowfield Country Club. A positive response was again received with those who completed the questionnaire. They all wanted the pavilion back in use as a hub for community activities at the park.

5. Officer Asset Transfer Panel

- 5.1 The panel was convened on the 4 December 2020, and was chaired by the Head of Property, and consisted of the relevant Heads of Service and Council Officers to consider the application.
 - 5.2 While concern was raised about the Groups reliance on grant funding to undertake its' proposal, in particular an assumption of a substantial grant from the Council's Community Empowerment Fund, which is not guaranteed, it was acknowledged by all that the Groups proposal had considerable merit. It was well costed and presented. In terms of the Scoring Matrix used to determine such applications a positive outcome was obtained.
 - 5.3 Furthermore, it was recognised by all that this was a well constituted group who had brought forward a proposal which, if successful, would bring into use a facility which was in disrepair, and assist the community in working together to improve its' community facilities, for the benefit of the community. A Group who had already proven itself in terms of working with Council officers to upgrade the play equipment within the park.
 - 5.4 To obtain the grant funding, the Group required to secure the property by lease, and while currently they have not secured sufficient funding for their proposal, the Asset Transfer Panel agreed it would recommend the application to Board, with the proviso that it is subject to the Group securing sufficient funding to achieve its' refurbishment proposals.
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Implications of the Report

1. **Financial** - The Council has established funds that can provide financial support for community proposals, it is anticipated the group will make an application for assistance via the Council's Community Empowerment Fund.
2. **HR & Organisational Development** – None.
3. **Community Planning**
 - Our Renfrewshire is thriving – will help to support the Howwood Community;
 - Our Renfrewshire is well – Improvement of the facility via this CAT will help to promote health and well-being;
 - Our Renfrewshire is fair – Positive outcome for the Howwood Community;
 - Reshaping our place, our economy and our future – ensures there is community involvement in the upgrade of this pavilion.
4. **Legal** – Conclude a lease with the group.

5. **Property/Assets** – As per 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.
 13. **Climate Risk** – None.
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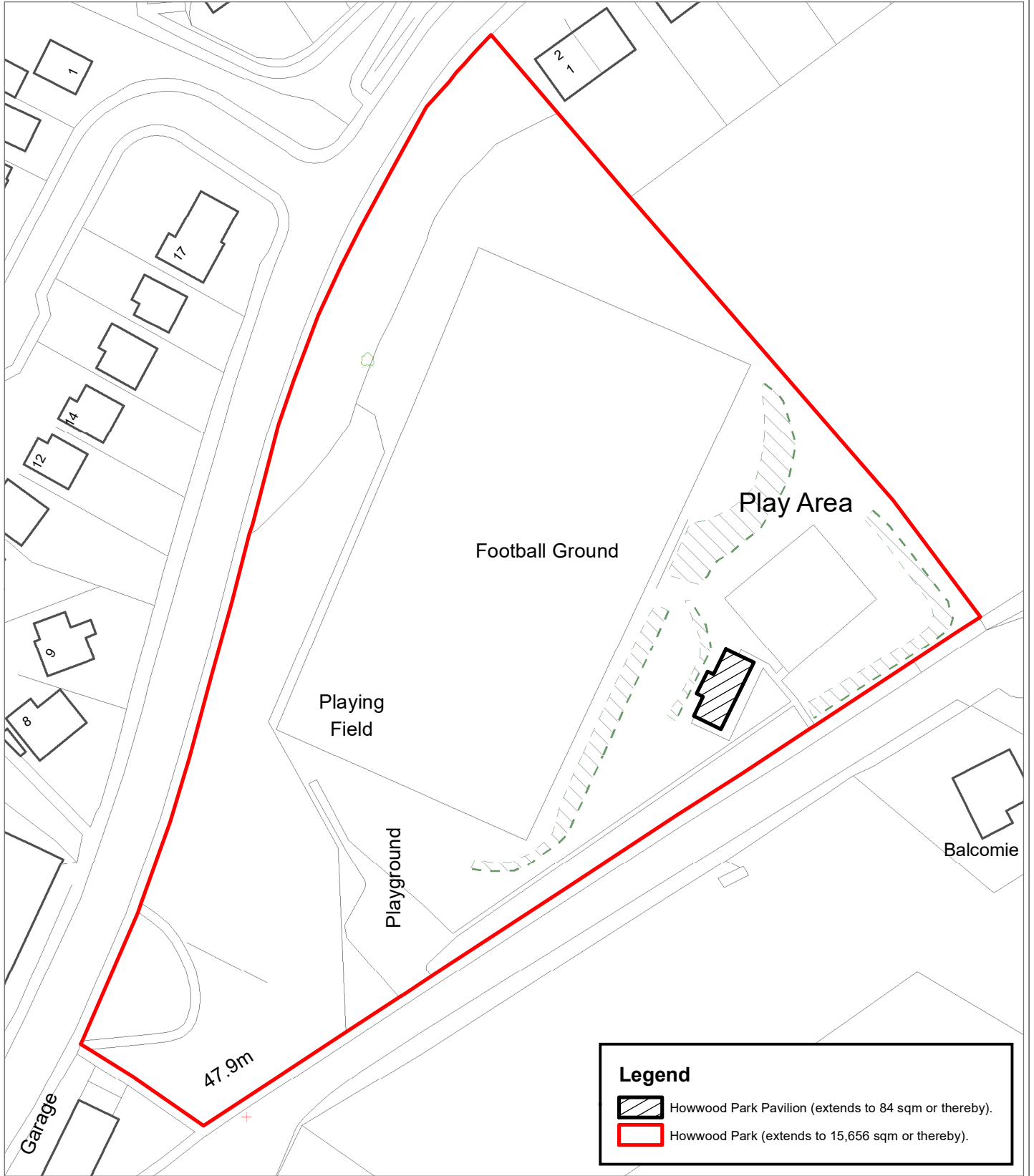
List of Background Papers

- (a) Background Papers- Community Asset Transfer Application from Friends of Howwood Park.
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Howwood Park & Pavilion Plan Ref: E2980



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