
Report To:	Inverclyde Council	Date:	23 September 2021
Report By:	Interim Head of Legal Services	Report No:	CM/LS/083/21
Contact Officer:	Anne Sinclair	Contact No:	01475 712710
Subject:	Community Group Lease and Transfer Arrangements – Request by Councillor Ahlfeld		

1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Council of a request received from Councillor Ahlfeld in the following terms:
- 1.2 “To request a full report from relevant Officers on the problems being encountered, and the time parameters involved, in finalising community leases and asset transfers.”
- 1.3 Further background information relating to the request is contained in Appendix 1.

2.0 RECOMMENDATION

- 2.1 That the Council considers the request by Councillor Ahlfeld.

Anne Sinclair
Interim Head of Legal Services

Request

To request a full report from relevant Officers on the problems being encountered, and the time parameters involved, in finalising community leases and asset transfer.

Background

Recent examples of community groups who are experiencing lengthy delays in concluding lease and transfer arrangements of council properties, are resulting in those groups becoming disillusioned and losing enthusiasm due to the protracted time scales and communication problems which appear to be a constant factor experienced by the community groups.

Examples include a two year plus wait for a bowling club to conclude a lease. A protracted time scale for an organisation who wish to take control and ownership of a council building.

Communication is a tortuous process for a community group. There is no apparent go to person in the council for community groups who are volunteers, enthusiasts and have no or little experience in dealing with quasi legal affairs and find the current system confusing and frustrating.

Often community groups are asked to contact four or five disparate officials in the council, who all appear to work in silos viz-a-viz legal, planning, CLD, asset transfers, finance etc. There is apparently no official who has the remit to pull together the internal requirements and liaise internally. In addition, the community groups invariably must engage their own solicitor at cost to them, which adds another cog to the confusion of well-meaning amateurs.

We request that a defined process is produced which includes a guide and step by step process map. This to include the contact name of the official who will co-ordinate internal affairs on behalf of the applicants and a proposed time frame for conclusion of affairs. We also wish confirmation that it is a pre requisite of such transactions that an independent solicitor is engaged by applicants, adding to costs. If agreements can be reached and signed off by both parties, council and applicants, without external involvement other than to note the agreement, then this should be an option for all applicants, and this should be clearly defined in the process which currently appears to be ad hoc, cumbersome, inconsistent, lengthy, confusing and demotivating for applicants.