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<b>Report To:</b>	<b>Policy &amp; Resources Committee</b>	<b>Date:</b>	<b>22 March 2022</b>
<b>Report By:</b>	<b>Interim Director, Finance &amp; Corporate Governance</b>	<b>Report No:</b>	<b>FIN/18/22/AP/LA</b>
<b>Contact Officer:</b>	<b>Alan Puckrin</b>	<b>Contact No:</b>	<b>01475 712223</b>
<b>Subject:</b>	<b>Community Asset Transfers – Remit from Inverclyde Council</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to seek Committee approval for a number of proposed actions following a remit from the September meeting of Inverclyde Council for officers to review ways to address a number of issues being experienced in relation to community leases and asset transfers

## 2.0 SUMMARY

- 2.1 On the 23 September, 2021 the Council agreed to a request from Councillors Ahlfeld and Quinn for officers to bring back a report addressing the concerns raised by the Councillors regarding delays and communication issues being experienced by community groups in relation to entering leases and concluding transfer arrangements with the Council.
- 2.2 A group of senior officers with representation from Community Services, Legal, Property, Finance and Policy have met to identify areas where improvements can be made and the proposals are captured in an Action Plan in appendix 1.
- 2.3 It is intended that the Action Plan will be fully delivered by the summer. The recently approved Scheme of Delegation has confirmed that the statutory annual reporting in relation to Asset Transfers in term of the Community Empowerment Act will now be under taken by the Head of Culture, Communities and Educational Resources and as such, progress against the Action Plan will be reported to the Education & Communities Committee.

## 3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Committee approve the Action Plan in appendix 1 and note that future reports on this matter will be presented to the Education & Communities Committee.

**Alan Puckrin**  
**Interim Director, Finance & Corporate Governance**

## **4.0 BACKGROUND**

- 4.1 On the 23 September, 2021 the Council agreed to a request from Councillors Ahlfeld and Quinn for officers to bring back a report addressing the concerns raised by the Councillors regarding delays and communication issues being experienced by community groups in relation to entering leases and concluding transfer arrangements with the Council.
- 4.2 The concerns raised included the following:
- Lengthy delays in the process
  - Poor communications
  - Confusing processes
  - Burdensome costs
- 4.3 A group of senior officers with representation from Community Services, Legal, Property, Finance and Policy have met to identify areas where improvements can be made and the Interim Director Finance & Corporate Governance met with two of the community groups to hear their concerns first hand.

## **5.0 PROPOSALS**

- 5.1 Officers recognise the concerns raised by both the Councillors and community groups and whilst there will always need to be adherence to regulation, governance and Best Value, improvements for the process have been identified.
- 5.2 Officers have developed an Action Plan shown in appendix 1 and believe these proposals have the potential to make improvements in the experience of groups in the community when dealing with the Council on these matters.
- 5.3 In addition, the recently approved Scheme of Delegation has confirmed that the statutory annual reporting in relation to Asset Transfers in term of the Community Empowerment Act will now be undertaken by the Head of Culture, Communities and Educational Resources rather than property services and as such progress against the Action Plan will now be reported to the Education & Communities Committee rather than the Environment and Regeneration Committee.

## **6.0 IMPLICATIONS**

### **6.1 Finance**

Officers acknowledge that achieving Best Value for the Council in the transfer/leasing of assets to community groups needs to take into account overall community benefits as well as financial considerations and it is believed that the revised processes will allow Committees to be able to assess the benefits in totality to the Council when considering such requests.

- 6.2 Any proposals will clearly set out the financial costs/income and associated risks.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

**6.3 Legal**

Legal Services have been consulted in respect of the Action Plan and will form part of the new Asset Transfer/Lease officer group.

**6.4 Human Resources**

There are no HR issues arising from this report.

**6.5 Equalities**

Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

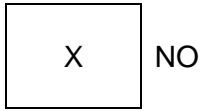
Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
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## 6.6 **Repopulation**

A vibrant community sector will help in the Council's efforts to reverse population decline.

## 7.0 **CONSULTATIONS**

7.1 The contents of the report and Action Plan are supported by the CMT

## 8.0 **BACKGROUND PAPERS**

8.1 Councillor Request- 23.9.21 Inverclyde Council

Asset Leases/Transfers – Action Plan

## Improving Community Access/Advice

Item	Issue	Action	Who By?	When?
1.	<b>Identify single point of contact for enquiries.</b>	CMT to confirm lead officer and ensure capacity exists to support community requests.	Ruth Binks	April 2022
		Create dedicated email address for enquiries and place on web site.	Tony McEwan	April 2022
2.	<b>Multi-disciplinary officer group required to regularly track progress on requests.</b>	Identify leads in Community, Legal, Property, Finance and Policy. Commence regular meetings to track progress and drive forward requests.	Tony McEwan	April 2022
3.	<b>Update Council Web pages to make them user friendly and easier to understand.</b>	Review and consolidate information on Council website.	Tony McEwan	April 2022
		Create check list for use by Community Groups identifying information required and examples of good practice.	Tony McEwan	April 2022
4.	<b>Provide training to Community Groups.</b>	Develop materials, identify facilitators and potential attendees.	Tony McEwan	From May 2022

## Governance

Item	Issue	Action	Who By?	When?
1.	<b>Review current format of leases.</b>	Develop options for consideration by CMT then Committee taking account of the differences between commercial and community organisations whilst adhering to Best Value requirements when the Council is granting leases in a Community Empowerment Asset Transfer situation.	Iain Strachan/Eddie Montgomery.	July 2022
2.	<b>Clarify if/when legal advice is mandatory for Community Groups</b>	Include examples and advice within the relevant website pages.	Iain Strachan	May 2022
3.	<b>Transparent assessment and scoring mechanism required to assist Member and officer consideration of requests.</b>	Develop proposals and report thereon to Education & Communities Committee.	Tony McEwan	June 2022
4.	<b>Develop approach to reporting to Scottish Government/ Council and CMT.</b>	Develop a reporting schedule for consideration by CMT/Committee.	Tony McEwan	June 2022