
Report To:	Environment & Regeneration Committee	Date:	31 August 2023
Report By:	Director, Environment & Regeneration	Report No:	ENV042/23/SJ/AG
Contact Officer:	Audrey Galloway	Contact No:	01475 712102
Subject:	Property Asset Management – Public		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to request that Committee:

- 1) notes the results of a public common good consultation recently carried out at Wellington Park Bowling Club, Wellington Park, Greenock in relation to a proposed lease of the bowling green and clubhouse to the Bowling Club; and
- 2) authorises the commencement of an action to seek Court consent to the proposal.

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee (1) notes the outcome of the common good consultation in relation to a proposed lease of the bowling green and clubhouse to the Wellington Park Bowling Club, Wellington Park, Greenock and further notes that no representations, either for or against the proposal were received and (2) grants delegated authority to the Director, Environment & Regeneration to seek the consent of the court to the proposed 25year FRI lease, following which full details of the terms and conditions of the lease will be brought back to this Committee for final approval.

Stuart Jamieson
Director, Environment and Regeneration

3.0 BACKGROUND AND CONTEXT

Public Consultation – Wellington Park Bowling Club Greenock

- 3.1 The Wellington Park Bowling Club, Wellington Park, Greenock has used the site of the bowling greens at Wellington Park since 1853. In 2004 the club took over the management of the greens and club officials have now intimated to council officers that they would like to enter into a 25 year lease of the premises, in order to obtain external funding. A plan showing the location of the site is attached at Appendix 1.
- 3.2 As the Wellington Park, which contains the bowling green, is common good property, consultation under Section 104 of the Community Empowerment (Scotland) Act 2015 is required. Officers have now completed the necessary consultation. This was advertised on the Council website, sent to all active community councils and various other community groups, and Notices of the proposal were posted at various locations around the site. No representations, either for or against the proposal, were obtained by the end of the consultation period, which was the 5th June 2023.
- 3.3 Discussions with Wellington Park Bowling Club have moved on and provisional agreement has now been reached to enter into a new 25 year FRI lease of the subjects. However, as the property is, both in terms of historical use and title conditions, inalienable common good, although the lease terms have been provisionally agreed, it should be noted that the consent of the Court to the granting of the proposed lease, in terms of Section 75 of the Local Government (Scotland) Act 1973 will be required before the lease can be finalised. This report seeks committee authority to commence that process. If that consent is forthcoming, a further report on the final proposed lease terms and any court considerations will be brought back to this committee seeking authority for the proposed lease.

4.0 IMPLICATIONS

- 4.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

4.2 Finance

One off Costs

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

Annually Recurring Costs/ (Savings)

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

4.3 Legal/Risk

The legal issues are dealt with in the body of the report.

4.4 Human Resources

None.

4.5 Strategic

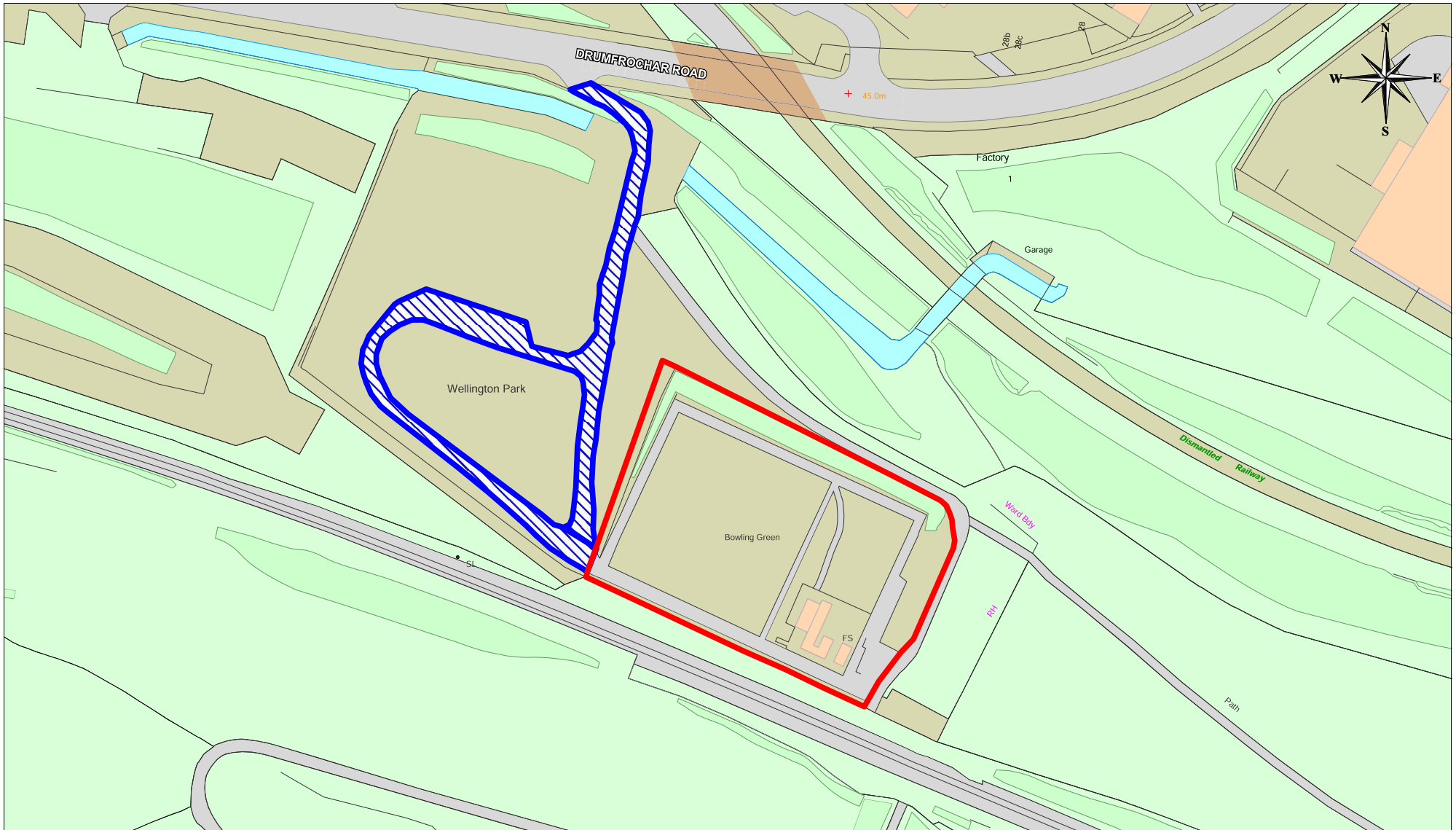
None.

5.0 CONSULTATION

5.1 The report has been prepared following consultation with Legal, Democratic, Digital and Customer Services.

6.0 BACKGROUND PAPERS

6.1 None.



Appendix 1

Plan Creator: THIS PLAN IS INDICATIVE ONLY

Date: 14/03/2023

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