

DATA LABEL: PUBLIC

**COUNCIL EXECUTIVE****WEST Lothian Council COMMUNITY ASSET TRANSFER ANNUAL REPORT 2023/24****REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES****A. PURPOSE OF REPORT**

The purpose of this report is to present Council Executive with a copy of the West Lothian Council Community Asset Transfer Annual Report for 2023/24.

B. RECOMMENDATION

It is recommended that Council Executive approves the West Lothian Council Community Asset Transfer Annual Report 2023/24 for publication.

C. SUMMARY OF IMPLICATIONS

I Council Values	Caring and compassionate; open, honest and accountable; and collaborate, inclusive and adaptive.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Part 5 (Section 95) of the Community Empowerment (Scotland) Act 2015.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	None.
V Relevance to Single Outcome Agreement	Community Asset Transfer has the potential to assist in supporting the delivery of all eight strategic outcomes contained in the Single Outcome Agreement.
VI Resources - (Financial, Staffing and Property)	Community Asset Transfer is being actively promoted as a voluntary means of driving efficiencies in support of the Transforming Your Council agenda, via the Empowering Communities work stream.
VII Consideration at PDSP	None.
VIII Other consultations	None.

D. TERMS OF REPORT

D1. Background

Part 5 of the Community Empowerment (Scotland) Act 2015 (the Act) came into effect on 23 January 2017. It provided community bodies with a right to make requests to all local authorities, Scottish Ministers and a wide-ranging list of public bodies, for the transfer of any land or buildings they feel they could make better use of.

The background to this legislation was a belief that empowering communities is key to creating a more prosperous and fairer Scotland and that it is the role of central and local government to work in partnership with communities and support them to lead change for themselves. The legislation was designed to support the view that community ownership or control of land and buildings can make a major contribution towards strengthening communities.

In response to that legislation and to ensure the council was compliant with the resulting mandatory procedural requirements, officers developed a Community Asset Transfer Policy, taking cognisance of best practice. The policy was approved by Council Executive on 28 November 2017.

In accordance with the council's internal governance requirements relating to the mandatory, periodic review of approved policies, the Community Asset Transfer Policy was reviewed by officers and an updated version of the policy considered by the Economy Community Empowerment and Wealth Building Policy Development and Scrutiny Panel on 26 March 2024 and approved thereafter by Council Executive on 16 April 2024.

D2. West Lothian Council Community Asset Transfer Annual Report 2023/24

Part 5 (Section 95) of the Act requires the council to publish an annual Community Asset Transfer Report for the period 1 April to 31 March. That report must contain specific information, including details of the number of community asset transfer requests received during the reporting period, how many of those requests were approved or refused and information relating to any appeals received. The report must also provide details of how the council has sought to actively promote community asset transfer and support those communities seeking to make an asset transfer request.

A copy of the West Lothian Council Community Asset Transfer Report for 2023/24 is included at Appendix 1 of this report.

D3. Asset Transfer applications received since the legislation came into effect

Table 1 below provides a summary of the community asset transfer applications received by the council since Part 5 of the Community Empowerment (Scotland) Act 2015 came into effect on 23 January 2017.

Table 1: Community asset transfer applications received since 23 January 2017

	Year							Total
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	
No. of asset transfer applications received by the council	1	0	1	2	1	1	1	7
No. of asset transfer applications approved by the council	0	0	0	1	0	1	0	2
No. of asset transfer applications refused by the council	0	0	2	1	0	1	0	4

The council received one community transfer application during 2023/24. That application came from Sarajia Islamic Studies and Community Centre Limited and it was for premises at 20-24 South Bridge Street, Bathgate. That application was approved by the Asset Transfer Committee on 22 April 2024 and as such, that approved application will be reported as part of the council's next Community Asset Transfer Annual Report for 2024/25.

E. CONCLUSION

Council Executive is asked to approve the West Lothian Council Community Asset Transfer Annual Report 2023/24 for publication.

F. BACKGROUND REFERENCES

Council Executive – 28 November 2017 – Community Empowerment (Scotland) Act 2015: Community Asset Transfer Policy and Governance Review

Part 5 (Section 95) of the Community Empowerment (Scotland) Act 2015.

Appendices: Appendix 1: West Lothian Council Community Asset Transfer Annual Report 2023/24

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APPENDIX 1**WEST LOTHIAN COUNCIL COMMUNITY ASSET TRANSFER ANNUAL REPORT 2023/24****1. Introduction**

This Community Asset Transfer Annual Report has been prepared in compliance with the mandatory requirements of Part 5 (Section 95) of the Community Empowerment (Scotland) Act 2015. The report has been prepared by the council's Strategic Property Asset Manager as the Lead Officer for Community Asset Transfer and it covers the period 1 April 2023 to 31 March 2024.

2. Community Asset Transfer Requests Received

The council received one community asset transfer request during the period 1 April 2023 to 31 March 2024. That request is summarised in Table 1 below.

Table 1: Community Asset Transfer Requests received (1 April 2023 to 31 March 2024)

No.	Applicant	Subject Property	Proposed Use	Application Status
1.	Sarajia Islamic Studies and Community Centre Limited	St David's House, retail unit and former café premises at 20-23 South Bridge Street, Bathgate	User-led multicultural space open to all, the overarching purpose being to promote wellbeing and connection. The space will be multifaceted (reflecting the different needs of service users) and offer social, educational, religious, cultural and wellbeing activities to bring people together regardless of age, background or faith for the betterment of themselves and those around them.	The application was approved by the Asset Transfer Committee on 22 April 2024 (to be included in the 2024/25 Community Asset Transfer Annual Report).

3. Community Asset Transfer Requests Refused or Accepted

The council did not refuse or accept any community asset transfer requests during 2023/24.

The council completed one community asset transfer in 2023/24 that transferred ownership or the lease of land, or resulted in other rights in respect of that land being conferred on a community transfer body. This was the asset transfer of the Low Port Centre in Linlithgow to St. John's Church Linlithgow.

4. Applications for Internal Reviews

The council did not receive an application for internal review in respect of a decision taken by the Asset Transfer Committee in relation to an asset transfer request during the period 1 April 2023 to 31 March 2024.

5. Appeals of Decisions Taken

There were no appeals to Scottish Ministers in respect of a decision taken by the Asset Transfer Committee or the Asset Transfer Review Body in relation to an asset transfer request during the period 1 April 2023 to 31 March 2024.

6. Promotion of the use of Community Asset Transfer Requests

The council's approved Community Asset Transfer Policy and its supporting governance arrangements are intended to be progressive and proactive. They aim to encourage a corporate approach to the use of community asset transfer as a driver for positive change that has the potential to deliver benefits not only for our communities, but also for the council itself.

Asset transfer is considered to be a key enabler in the council's drive to promote community empowerment and community wealth-building and in supporting the corporate aim of modernising and rationalising the council's operational property portfolio. Officers have and continue to engage with a wide range of community groups on work streams specifically aimed at encouraging the transfer of community centres, village halls and sports pavilions into community control.

In accordance with the council's internal governance requirements relating to the mandatory, periodic review of approved policies, the Community Asset Transfer Policy was reviewed by officers and an updated version of the policy considered by the Economy Community Empowerment and Wealth Building Policy Development and Scrutiny Panel on 26 March 2024 and approved thereafter by Council Executive on 16 April 2024.

Officers have met with representatives from the Community Ownership Support Service (COSS) to explore partnership working aimed at further promoting asset transfer and providing tailored practical support and capacity building to help community groups take projects forward towards a successful outcome.

The council's community asset transfer webpages are currently under review and are being redesigned and refreshed to provide an improved resource for our communities.

The council as members of the Association of Chief Estate Surveyors (ACES) has discussed community asset transfer with a view to sharing information and learning from good practice across the 32 local authorities. Officers have also networked with Falkirk and East Lothian councils to help improve and innovate working practices.

7. Support for Community Transfer Bodies making an Asset Transfer Request

The council's Community Empowerment and Property Modernisation Officer promotes community asset transfer and engages with and supports community organisations with asset transfer aspirations.

Officers from a range of services, including Property Services, Customer Services, Economic Development and Community Regeneration, have met with a range of community groups to explain the principles of asset transfer and to discuss the provisions of the council's Community Asset Transfer Policy.

Officers have worked with these groups to understand their individual aspirations and to provide tailored advice as to how the groups might best take their respective projects forward, be it through asset transfer, participation requests or another model.

In some instances, this partnership working has led to arrangements being made without the need for a formal asset transfer request. Examples include the granting of "community benefit leases" to community groups for the use of sports pavilions, allotments and land for the creation of community gardens. The council currently has more than forty community benefit leases in place to community groups across West Lothian.

In other instances, officers have provided property-specific information (e.g. ownership plans, condition surveys or asbestos reports), given expert advice on the preparation of business plans and signposted groups to other sources of external support and funding. As a result of that practical support, there are a number of community groups currently preparing the ground and actively undertaking due diligence in advance of submitting an asset transfer request.

Table 2 below provides details of the community groups that officers have engaged with during the reporting period.

Table 2: Record of Community Engagement (1 April 2023 to 31 March 2024)

Community Group	Subject Property
1. Empowering Communities: Community Centres	
West Calder Community Centre Management Association	West Calder Community Centre
Polbeth Community Hub	Polbeth Village Hall
Crofthead Community Centre Management Association	Crofthead Community Centre, Livingston
2. Empowering Communities: Sports Facilities	
Armadale Community Football Club & Armadale Thistle Football Club	Sports facilities at Volunteer Park, Armadale
Whitburn Community Football Club	Sports facilities at KGV Park, Whitburn
Livingston and District Amateur Radio Society	Sports pavilions at Station Road, Broxburn and Maree Walk, Craigshill
Bathgate Thistle Community Football Club	Sports pavilion at Meadowpark, Bathgate
East Calder Community Football Club	Sports facilities at East Calder Partnership Centre
Glenmavis Bowling Club	Glenmavis Bowling Club, Bathgate
Craigsfarm Community Hub	Pavilion at Maree Walk, Craigshill
Linlithgow Community Development Trust	West Lothian Cycle Circuit, Linlithgow
Mid Calder Bowling Club	Mid Calder Bowling Club
Murieston Tennis and Sports Club	Land at Murieston Valley, Livingston
Murieston Football Club	Bankton Mains, Murieston
Polbeth Bowling Club	Limefield/Polbeth
3. Community Asset Transfer: General Interests	
Spark	Former Almondbank Library, Livingston
Livingston Community Shed	Facilities at Carmondean Community Centre, Livingston

Whitburn Community Development Trust	Former Whitburn Library, Whitburn
Community Action Blackburn	Former Hopefield Nursery, Blackburn
The Larder	The Trindlyknowe Centre, Blackburn
St. John's Church Linlithgow	The Low Port Centre, Linlithgow
Broxburn & Uphall Development Group	Strathbrock Community Garden, Broxburn
Polbeth Community Council	Site of the former West Calder High School
Deansmeadow Allotment Association	Deansmeadow Allotments, Livingston
Open Door	Opportunities across West Lothian
No Boundaries Polish School	Arrochar House
SMILE	Arrochar House
Rose Garden	Linlithgow
Knightsridge Adventure Project SCIO	The Vennie

8. Community Asset Transfer going forward

Going forward into the 2024/25 financial year and beyond, the council will continue to promote community asset transfer as an important means of delivering positive change across our communities. Officers will support communities, building capacity and developing confidence amongst those groups with an interest in asset transfer.

Work on promoting asset transfer and engagement with community bodies will support and link into the council's wider approach to Community Wealth Building and Local Place Plans.

Officers continue to be heavily involved in a significant amount of "pre-application" enabling work across a range of community-led projects and it is anticipated this work will result in further asset transfer requests being received by the council during 2024/25.

In accordance with approved policy, all asset transfer requests received by the council will be evaluated by the Community Asset Transfer Officer Board and reported to the Asset Transfer Committee for determination within statutory timescales.