
ARGYLL AND BUTE COUNCIL

COUNCIL

CUSTOMER SERVICES

28 SEPTEMBER 2017

**COMMUNITY EMPOWERMENT AND COMMON GOOD PROPERTY-
CONSULTATION ON DRAFT GUIDANCE**

1.0 EXECUTIVE SUMMARY

The purpose of this report is to ask Council to agree the response to the consultation on draft guidance on the Community Empowerment (Scotland) Act 2015 and Common Good Property currently being undertaken by Scottish Government.

**COMMUNITY EMPOWERMENT AND COMMON GOOD PROPERTY-
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2.0 INTRODUCTION

- 2.1 Scottish Government is currently carrying out consultation on the provisions within the Community Empowerment (Scotland) Act 2015 as they relate to Common Good Property. The consultation closes on 29th September 2017, Council is asked to consider and agree the consultation response attached as an appendix to this report.

3.0 RECOMMENDATIONS

- 3.1 That Council agree the consultation response relating to the provisions within the Community Empowerment (Scotland) Act 2015 as they relate to Common Good Property attached as Appendix 1 to this report.

4.0 DETAIL

- 4.1 Part 8 of the Community Empowerment (Scotland) Act 2015 places new duties on local authorities in relation to Common Good Property. Currently, Scottish Government is consulting on the statutory guidance for local authorities on how to fulfil the requirements of part 8 in relation to processes and asks for views on issues such as timescales, information about assets, local consultation and publicising proposals.
- 4.2 The draft response to this consultation is attached at Appendix 1 to this report. Members should note that many of the proposed timescales seem reasonable in regards to the capability of the authority to meet them, but that in respect of timescales to enable investigations of representations made by community bodies, where these are complex it is suggested that a period of only 8 weeks to conclude would be very difficult to meet and therefore proposed that this be extended to 20 weeks (questions 5 and 11).

- 4.3 In regards the proposal that 20 days be allowed for community bodies to make representation to the local authority on a proposed change or disposal of a common good asset (question 10), particularly given Argyll and Bute's geography and the likelihood that community groups meet at best on a monthly basis, it is suggested that this be extended to 40 working days.

5.0 CONCLUSION

- 5.1 This report provides members with a draft response to the consultation being carried out by Scottish Government in respect of the provisions within the Community Empowerment (Scotland) Act 2015 as they relate to Common Good Property, Members are asked to consider the detail and agree the response.

6.0 IMPLICATIONS

- 6.1 Policy – None
6.2 Financial – None in regards the consultation, resource will be required to carry out the work required by this part of the Act.
6.3 Legal – None
6.4 HR – None
6.5 Equalities – None
6.6 Risk – None
6.7 Customer Service – None

Executive Director of Customer Services
Policy Lead – Councillor Rory Colville
28th August 2017

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