ARGYLL AND BUTE COUNCIL **POLICY AND RESOURCES COMMITTEE**

COMMERCIAL SERVICES **20th AUGUST 2026**

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 – UPDATE – EXPRESSIONS OF INTEREST / ASSET TRANSFER REQUESTS / PARTICIPATION REQUESTS / REPORTING REQUIREMENTS

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to advise the Policy and Resources Committee on:

- The operation of the processes in regard to formal Asset Transfer Requests (ATR) and Participation Requests in terms of the Community Empowerment (Scotland) Act 2015;
- Current live informal Expressions of Interest (EOI's) which may become subject to a formal asset transfer request or be dealt with outwith the formal asset transfer request process;
- Current live ongoing or agreed Participation Requests received by the Council; and
- The annual reporting requirements in respect of Asset Transfer Requests and Participation Requests set out in Section 95 and 32 of the Community Empowerment (Scotland) Act 2015 respectively.

1.2 At the Elected Members seminar on 21st March 2023 it was agreed that updates on ATRs and EOIs would be provided on a regular basis. Accordingly, this report will be circulated to all Members following the committee and a quarterly update is provided directly to all Members between the annual reporting.

RECOMMENDATIONS

1.3 It is recommended that:

1.3.1 The Policy and Resources Committee note and consider the report.

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1. INTRODUCTION

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1.2 At the Elected Members seminar on 21st March 2023 it was agreed that updates on ATRs and EOIs would be provided on a regular basis. Accordingly, this report will be circulated to all Members following the committee and a quarterly update is provided directly to all Members between the annual reporting.

2. RECOMMENDATIONS

2.1 It is recommended that:

2.1.1 The Policy and Resources Committee note and consider the report.

3. DETAIL

3.1 The Council operates processes in compliance with parts 3 and 5 of the Community Empowerment (Scotland) Act 2015 in regard to:

- Asset Transfer Requests (ATR's) (part 5 of the Act) which came into force on 23 January 2017. ATR's enable community bodies to make requests to all local authorities, Scottish Ministers and a range of public bodies for any land or buildings they feel they could make better use of. They can request ownership, lease or other rights as they wish.
- Participation Requests (Part 3 of the Act) which came in to force on 1 April 2017. These are requests to public bodies which, if granted, enable communities to participate in decisions and processes which are aimed at improving outcomes.

EXPRESSIONS OF INTEREST (EOIs)

3.2 There were 19 active Expressions of Interest (EOIs) (as at 19th May 2026) and these EOI's are listed in Appendix 1. Since the update report in August 2025, 5 EOI's have been received. It should be noted that the Council has continued to engage with community groups who have had EOI's active for a significant period of time and while they remain active the requesters have not yet moved them on. There are currently no significant actions outstanding for the Council in relation to these.

3.3 Further, most EOIs would not progress or develop into a formal asset transfer request. EOIs are dealt with in a way that seeks to deliver the outcome required by the community group allowing the request to progress outwith the formal asset transfer process. Some EOIs are also withdrawn for a variety of reasons such as the group changing focus of what was needed, a better option becoming available or a lack of time and resources to progress their plans.

ASSET TRANSFER REQUESTS

3.4 The Council has put in place information, advice and guidance to community bodies who are interested in making a formal ATR and further information on this can be found on the Council's website at https://www.argyll-bute.gov.uk/my-community/communities-and-partnerships/community-asset-transfer/asset-transfer-expressions.
There have been 3 ATRs submitted following the implementation of the Act and as at 19th May 2026 there were no active ATRs.

PARTICIPATION REQUESTS

3.5 Part 3 of the Community Empowerment (Scotland) Act 2015 provides a framework for the use of participation requests by community bodies, with the intention of enabling communities to have more influence over services and decisions which affect them. Part 3 of the Act came into force on the 1st April 2017.

3.6 In line with the requirements of the Act, the Council has put in place a procedure which allows consideration of any requests made by community bodies. The procedure and further information can be found on the Council's website at https://www.argyll-bute.gov.uk/my-community/communities-and-partnerships/find-out-more-about-participation-requests

3.7 During the period 1 April 2025 to 31 March 2026, the Council received 1 participation requests.

ASSET TRANSFER AND PARTICIPATION REQUESTS - ANNUAL REPORTING REQUIREMENTS

3.8 Section 95 of the Community Empowerment (Scotland) Act 2015 requires the Council to publish an annual report setting out the numbers of asset transfer requests received and their outcomes.

3.9 The report also requires to set out what the Council has done to 1: promote the use of asset transfer requests and 2: support community bodies to make requests and can be found on the Council's asset transfer webpages here:

https://www.argyll-bute.gov.uk/my-community/communities-and-partnerships/community-asset-transfer

https://www.argyll-bute.gov.uk/asset-transfer-support

3.10 Annual reports cover each year from 1 April to 31 March and must be published by 30 June.

3.11 Section 32 of the Act also requires the Council to publish an annual report in respect of Participation Requests setting out:

- The number of requests received;
- The number of requests agreed and refused;
- The number of requests which resulted in changes to a public service provided by, or on behalf of, the public service authority; and
- Any action taken by the public service authority to promote and support the use of participation requests.

3.12 Annual reports Participation Requests cover each year from 1 April to 31 March and must be published by 30 June. The relevant report has been published on the website https://www.argyll-bute.gov.uk/my-community/communities-and-partnerships/participation-requests-annual-reports

4. CONCLUSION

4.1 This report advises the Policy and Resources Committee on the operation, of the processes in regard to Asset Transfer Requests and Participation Requests in terms of the Community Empowerment Act 2015 and updates on ATR's, EOI's and Participation Requests to date.

4.2 It is recommended that the Policy and Resources Committee note the contents of the report.

5. IMPLICATIONS

5.1 Policy – In line with council policy relating to Asset Transfer and Participation Request processes.

5.2 Financial – None from annual reporting.

5.3 Legal – In line with statutory requirements of the Community Empowerment (Scotland) Act 2015 and related Regulations.

5.4 HR – None.

5.5 Customer Service – None.

5.6 Risk – Failure to meet statutory requirements could have reputational implications for the council.

5.7 Climate Change - None from annual reporting.

5.8 Fairer Scotland Duty – None from annual reporting.

5.9 Equalities – None from annual reporting.

5.10 Consumer duty – None from annual reporting.

5.11 Island Communities – None from annual reporting.

5.12 Children's Rights and Wellbeing – None from annual reporting.

Douglas Hendry - Executive Director with responsibility for Commercial Services
Councillor Ross Moreland – Policy Lead, Finance and Commercial Services
Date: 7th July 2026

For further information contact:

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Appendix 1
Current Active Expressions of Interest (as at 19th May 2026)
NB) New EOIs have been subsequently received but will be included in future reports

No	Organisation	Asset	Summary of Expression of Interest	Current Status
1	Mid Argyll Rugby Club (MARC) 23/8/19	Kilmory Pony Park show ground, Lochgilphead	Request to lease the ground for development of rugby facilities.	Terms agreed with MARC and approved. Vacant possession required from MASSC (show field committee) prior to conclusion of lease.
2	Ardrishaig King George V Community Park Association 08/11/22	King George V Park, Ardrishaig	Request to develop the facilities and maintenance arrangements of the park	Group have submitted a strong proposal to demonstrate long term commitment to develop and manage the facilities. Amenity Services are being consulted on the proposals.
3	Dunoon Youth Football League 26/04/22	Black Park, Dunoon	Request to bring back into use the green football pitch on the Black Park site working in partnership with the Council and Live Argyll	Initial licence to reopen changing rooms concluded. Group are considering proposals for next phase of project.
4	Dunoon Pipe Band 18/07/22	Dunoon Pipe Band Hall, Dunoon	Request for a new lease of the hall.	Group are being supported to develop their request and are developing a maintenance / cost plan along with financial projections.
5	Princess Louise Hall Committee 06/08/25	Princess Louise Hall & Howie Pavilion, Rosneath	Request for new lease of hall and pavilion	Property Services are completing refurbishment works at the property and the lease has been prepared.
6-8	Oban Rugby Club, Oban Community Skatepark, Mossfield Development Group (football and shinty clubs) 18/11/22 - ORC	Recreational areas, Glencruitten, Oban	Requests from various sports groups to develop rugby, football, shinty and skatepark / pump track facilities	Rugby club lease concluded and other groups are being supported to develop their request alongside SportScotland.
9	Balemartine Community Garden Association 14/05/23	Balemartine Schoolhouse Playing field	Request to develop vacant site into Community Garden for local residents and children's play area	Site being considered for housing use as part of the Housing Emergency but may be possible to deliver a play area adjacent to the site.

10	West Kintyre Community Council 04/09/23	Tayinloan Ferry public convenience	Request to acquire public convenience to allow demolition and development of new facilities	Terms agreed and approved. Legal Services requested to conclude sale. Planning consent for change of use now also approved
11	Helensburgh Pier Company 15/05/24	Helensburgh Pier	Request for a 50 year lease of pier to allow a phased redevelopment	Terms agreed and Legal Services have drafted lease. RIS completing survey of the pier structure to ensure the group are aware of responsibilities after lease is concluded.
12	Avich & Kilchrenan Community Heritables 22/05/24	Kilchrenan Primary School	Request to acquire school to develop as a community hub	Schools consultation process has ended and background research ongoing while school is cleared.
13	Sandbank Community Development Trust 17/09/24	Sandbank Nature Conservation Area and Broxwood Roads Yard	Request to extend lease of nature reserve and extend to include Broxwood Roads Yard	RIS have advised Broxwood Roads Yard is still required operationally but group are being supported to extend existing nature reserve lease.
14	Ardrishaig Community Council 05/08/24	Ardrishaig shed	Request to lease shed for storage	Potential sharing of facility with Men's Shed was explored but condition of property may be an issue.
15	PAL group 04/04/25	Hermitage Primary annex site, Helensburgh	Request to use ground for outdoor play facilities for school	Consideration of future use of the site has been suspended while the Education and Housing strategic reviews are being completed.
16	Port Riddell Watersports Centre 30/06/25	Port Riddell slipway, Dunoon	Request to use slipway area for watersports activity	Group being supported to develop suitable representation and checks on council ownership being undertaken.
17	Brandane Bulls FC 06/08/25	Meadows Park, Rothesay	Request to lease football pitch to improve facilities	Title research has commenced and the group are being supported to develop their request
18	Dunoon Foodbank 28/04/26	Dunoon Foodbank, Dunoon	Request to acquire property which is currently leased.	Title research has commenced and the group are being supported to develop their request. The Council's previous investment in the property will require to be considered.

19	Kirkmichael Community Development Group and Men's Shed 10/12/25 (renewed interest)	Kirkmichael Pavilion	Request to jointly lease property for community use	Groups are being supported to develop proposal.