

## Community Asset Transfer Request

Lochhead Gardens, Lochhead Avenue, Lochwinnoch PA12 4HW (Lochwinnoch Community Development Trust)

### LCDT Response to Representations 25<sup>th</sup> - 31<sup>st</sup> of March 2023

#### Supporting Representations

*Thank you to everyone who has taken the time to write in support of our CAT application. It is heartening to see that the work within Lochhead Social Gardens is making a market difference to the community. We will continue to seek residents' advice for future development within the gardens, and welcome suggestions on how the space can be used to benefit those who live here. Thanks once again!*

#### Opposing Representations

#85	<p>Having attended a recent open day I am impressed by the plans for this area of scrub land adjacent to our home in Lochhead Avenue. My concerns were treated with respect and a level of openness and integrity by the group administrator I had not expected. We are fully behind the current planned intended use for the ground assuming the following concerns continue to be considered:</p> <ol style="list-style-type: none"><li>1. Excessive noise from kids' clubs etc using the facility should be actively managed by the management team and, where appropriate, large groups should be accommodated away from current housing during business hours. Working from home means that a lot happens on Teams, Zoom and conference calls and residents cannot afford to have this work disrupted with noisy activity just 8m from our home/workplace. Representative Pam assured me that the deck area will not be positioned immediately beside the boundary fence and that the largest group size using that area will be 6-10 heads.</li><li>2. Lochhead Avenue is positioned half way between the shops that sell alcohol and the parts of the village where some young people like to stop off and consume it. The potential for anti-social behaviour and vandalism on weekend evenings is very real and actual reported historical anti-social activity in the area supports this concern. Any secluded and sheltered elements of Lochhead Gardens will inevitably become targets. Pam has confirmed that the management group is aware of this and members are liaising with the police to put together an out of hours security policy that will diminish the possibility of the facility becoming a point of nuisance at night. Incidents will occur - I'm not naive - not all bad things can be prevented; I do expect the team at the site to manage these incidents and not leave it to those who live near the site to do their work for them. Volunteer numbers will dwindle. It's hard enough to recruit paid employees at the moment and volunteers are notoriously prone to losing interest and energy for just about any project. The management of difficult things will become challenging when support drops off but it will still be incumbent on those running the site to take responsibility for dealing with security related issues on their ground.</li></ol>
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	<p>3. The proposed spring water bore hole remains a concern. The diesel equipment required to drill will be noisy and produce vibration. I need to hear a very convincing case for me to support this going ahead. There is no business case for it at the moment and no potential buyer for the output. It remains a pipe dream (pun intended) and one I can't currently support. Clearly I have some concerns but it would be churlish of me not to support the development of something so well-meaning and planned with such decent intentions. Lochhead Gardens could be a very good thing for us all and I support the application on the proviso that the management group accept full accountability for managing the potential issues I've raised.</p>
<p><i>LCDT Response to #85</i></p>	<p><i>Thank you for your comments and for taking the time to attend our Open Day. It was an incredibly helpful conversation and we have taken your points on board. In answer to your concerns:</i></p> <p><i>1. Noise from activities on site: We understand how important that our neighbours have a quiet working environment where they will not be disturbed or distracted. Following our conversation, we have spoken to our garden designer about introducing shrubbery along the fence that will dull any noises in the garden. We have also moved the deck area so that it is located to another part of the garden.</i></p> <p><i>2. Anti-social behaviour on site- We have been in contact with Renfrewshire Police and have requested a site visit from an officer to advise us how to safeguard the site. We have also spoken to other community projects about how they have avoided these types of situations occurring. We will take full responsibility for any security and maintenance related issues. It is also a good point about being reliant on volunteers. This is why we will be employing a project officer to manage events and activities on site.</i></p> <p><i>3. The bore hole is not part of our short-term plan, but it is something that we are keeping on our radar. Should this be considered in future, we would act on the results of previous consultations and of course seek the views of the community and neighbours which would inform if/how the project would proceed.</i></p> <p><i>We appreciate your support and will continue to seek residents' opinions and views on the activities taking place on site.</i></p>
<p>#87</p>	<p>I object to the above proposal on the following grounds:</p> <ol style="list-style-type: none"> <li>1. This is a valuable site and such sites are scarce in the village. It is vital that Renfrewshire Council retain this site until something significant is needed in the village – then we would have a place for it.</li> <li>2. This is an ideal site for any new building that is needed. For example, we do need to care for the elderly with perhaps a Care Home or houses.</li> <li>3. It would be inappropriate to lend this site to any organisation for 10 years which would mean the site would be unavailable for any immediate offer which would be more supportive of village life.</li> <li>4. At this moment in time we see authorities taking over green field site for building which goes against the need to support climate change. We need to set aside such sites at Lochhead Avenue for the future rather than use good greenfield sites.</li> <li>5. Organisations such as the Development Trust could so easily use up some of the vacant spaces in the village and this would mean that the village economy would be</li> </ol>

	<p>stronger. For example, the food bank/Larder is not open 6 days a week so they could rent a shop in the village and combine it with one of their other activities – this would generate more footfall for the other village shops.</p> <p>6. I note that they are proposing markets and children’s activities on the site which would be right up against residential property. There is no space for parking the many cars that normally arrive when such events are set up. This kind of activity and resultant parking problem will directly affect the price of all the nearby houses.</p> <p>7. The Plan takes up over 30 pages and is a very comprehensive document and yet there have not ever been published audited accounts by this organisation. This to me is a very worrying factor. To give such a valuable piece of land to a very secretive organisation does not bode well for the future considering the current economic climate.</p> <p>8. We are living in difficult economic times where a well-established and stable organisation will struggle to survive. This organisation has not delivered the hydro scheme nor the promised water bore hole to bottled water scheme.</p>
<p><i>LCDT response to #87</i></p>	<p><i>Thank you for taking the time to express your concern about Lochhead Social Gardens. Lochwinnoch CDT cannot comment on land use decisions beyond our own proposal. This site had been unused for over a decade prior to this project beginning in 2020. We were advised to request a lease of up to 10 years to assure funders that our project is sustainable. The Gardens aim to be a haven for wildlife and wildflowers, indeed the southwest boundary will be left with the existing undisturbed vegetation. Furthermore, our community consultations told us that people don’t want the site to be over developed, and we are working with local environmental organisations, including Lochwinnoch Force for Nature, to assist us in making sure that we are protecting biodiversity and creating habitats where we can.</i></p> <p><i>LEAP is a user of the garden and runs the Larder from Lochhead Gardens. Whilst LCDT cannot comment on their behalf, we feel their mission and values suit the ethos of the Social Gardens and we believe they are a good fit for the site. For further information about the LEAP’s Larder Project, I refer you to Mike Callaghan, Manager at Leap in his Representation #78. It is also important to point out that LEAP offers a shared working space on High Street, where Lochwinnoch CDT hold their offices.</i></p> <p><i>As to point 6, we acknowledge this concern and parking is something we’re looking at. We would encourage active travel and signpost to suitable public car parking spaces. We would also ensure we had staff to steward parking on Event days.</i></p> <p><i>Our accounts from the last three years are available on our website <a href="https://lochwinnochtrust.org.uk/accounts/">https://lochwinnochtrust.org.uk/accounts/</a></i></p> <p><i>Lochwinnoch CDT’s mission is to support and develop community projects to enhance life in Lochwinnoch and is managed by voluntary community members. We aim to achieve sustainable regeneration and enterprise for the village. Part of this development is to investigate the feasibility of various projects, including Lochhead Gardens. Lochwinnoch CDT is a member of Development Trust Association Scotland, which is a member-led organisation promoting, supporting and representing Trusts across Scotland.</i></p>
<p>#97</p>	<p>I would like to register my objection to the application made by Lochwinnoch Community Development Trust for a 10 year lease of the site at Lochhead Avenue. I</p>



	<p>use online. LCDT have shown percentage figures for different supports. 69.1% of 65 people. 90.4% of 85 people. Not exactly good coverage of nearly 3000 villagers.</p> <p>As far as providing meeting places, we are lucky in Lochwinnoch that we have so many activities for all ages that a meeting area here is superfluous. The need is for social housing or sheltered housing. I am told that the owners of houses in Lochhead Avenue do not want social housing. How selfish! And where will all the users of the bouncy castles etc park?</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>One food shop has already closed and others are hurting. Why is money given by charity associations being used to buy food to give away to residents of Beith and Kilbirnie? Their carbon footprint to drive to Lochwinnoch is unacceptable as is the carbon footprint of the larder collecting food which should be going to proper food banks.</p> <p>I do not feel a CAT is the right and best use of this land. When their project falls by the wayside as has everything else they have attempted, the borehole. The turbine in the river, putting toxic soil in their raised beds which has had to be removed and the wooden framing burned, it is scary giving this group a valuable and needed piece of land to a group who are only providing a job for someone and will prevent proper use of this land</p>
<p><i>LCDT Response to #99</i></p>	<p><i>The Larder is run by user group LEAP. Please see our Business Plan for a detailed description of all of our Garden User Groups. You may also wish to refer to Representation #78 in which LEAP Manager, Mike Callaghan further explains the impact of their project.</i></p> <p><i>Throughout the project, we have depended on research and surveys to guide us. We have carried out numerous community consultations. Section 4 of our Business Plan further explains our consultation process.</i></p> <p><i>We agree that there are a number of excellent venues in Lochwinnoch but none which are suitable for the specific activities we have outlined in our business plan. However, Lochwinnoch CDT actively supports local venues in various ways. Most recently, LCDT created the Warm Spaces Network, which invested more than £20k of funding into local groups, businesses, and venues. where we supported several groups and activities, including the ROAR lunch club and re-establishing the tea bar within the McKillop as well as activities in the Library, Castle Semple Visitor Centre, Lochbarr and the Community Annexe.</i></p> <p><i>Sometimes, through consultation and proper investigation, we learn that projects are unviable, or that it just isn't the right time. Therefore, rather than failing, we have had to reprioritise our activity - the pandemic created some problems for keeping momentum going for instance. However, we feel the Trust has delivered tangible successes recently, not only with development on this site so far, but also through the refurbished Park Project which was completed in 2022. The Warm Spaces Network has</i></p>

	<p><i>also brought great benefit to many organisations and individuals. We have other projects in our pipeline, which the community has asked us to facilitate, and if the lease is granted, we would be committed to seeing it through and creating a Project Officer role to ensure it is delivered.</i></p>
#101	<p>I have a number of concerns regarding this application, its content, the consultation procedure and the lack of information contained within the Request.</p> <ol style="list-style-type: none"> <li>1. The Lochhead Gardens Governing Document states under Heading 4 and within the Asset Transfer Request Form that they (LCDT) have carried out several community consultations including: on-line survey; in-person consultations; door-to-door leaflet drops; meetings with community organisations &amp; local businesses and, a public meeting. I have lived in Lochwinnoch for 7 years and have never received a leaflet drop, been advised of an on-line survey nor, been made aware of in-person consultations. As someone who frequently uses local businesses, walks frequently the length and breadth of the Community I find it hard to believe that the “several” LCDT consultations were carried out across the Community. I note from the governing legislation and CAT advice contained within the Scottish Government website such consultations require to be “extensive” – I would strongly argue that they have not been extensive and thus not, in any way, representative of the Community views.</li> <li>2. The same Governing Document and Asset Transfer Form refer to the figures from the LCDT on-line survey and paint a very misleading picture by referring to high percentages in favour of the Proposal. These high percentages are taken from a response total of 94 people (translating into approx. 3.5% of the Community population) with no indication as to whether these are independent, impartial or objective views taken from members of the Community beyond the membership of LCDT (including volunteers).</li> <li>3. They have failed to identify in their Asset Transfer Request Form how much they plan to pay in rent and how much they are offering to buy the Asset for – another statutory obligation. It is not up to RC to offer a price or suggest a figure, in terms of The Community Empowerment (Scotland) Act 2015 it is for the requesting Community Body (LCDT) to make the offer.</li> <li>4. In the aforementioned Asset Transfer Request Form, under Heading 4.1.2, LCDT advised, “We met in-person with Lochwinnoch Community Council (LCC) to discuss this project in October 2022; at the meeting we discussed how the plans for the site fit into our local Place Plan and ensured their support for the Project”. I have enquired with LCC and it has been confirmed that this is simply not true. Our Community Council have a statutory duty to represent the interests of the Community and advise the Community on any issues which may have a positive or negative effect on it – consultation and communication with the LCC is imperative.</li> </ol> <p>In consequence of the above concerns I am against the CAT request until I can be given the opportunity to develop an informed view following on from honest, open and Community focussed consultations – most importantly from a public meeting where everyone is given the opportunity to raise their points of view, not an “in-person” session when the majority population of a commuter village are at work.</p>

<p><i>LCDT Response to #101</i></p>	<p><i>Thank you for your comments, and for taking the time to review our documents supporting our application. Communicating with residents has been a high priority for us and we are sorry that you have not seen our publications or received leaflets. We regularly post notifications and updates at the McKillop, the Chatterbox, the Library and in the window of our office at 39 High Street. Our leaflets have gone through over 1000 doors in the last 12 months and have been available on the counters of shops and pubs locally. We have also attended public meetings with the Community Council to present information and have used community platforms and social media to share information. We also attended a private meeting with Lochwinnoch Community Council in October 2022 to discuss this project.</i></p> <p><i>In answer to comment 3, we have submitted a figure for monthly rent. This figure has been redacted by Renfrewshire Council.</i></p> <p><i>We have been in regular contact with LCC and will continue to collaborate with their new executive board.</i></p>
<p>104</p>	<p>I would like to feedback my concerns about the asset transfer for the Lochhead Garden development.</p> <ul style="list-style-type: none"> <li>- ten years is a massive undertaking and suggest a shorter term. How will this be monitored ?</li> <li>- last year events spilled out onto our street outside of the gates. Onto the grass area. Any events would need to be within site</li> <li>- food was being cooked what regulation do they follow? If any?</li> <li>- how will the residents (and council tax payers) be consulted ?</li> <li>- Lochhead av residents pay for grass cutting and maintenance alongside the side. Will this be addressed?</li> <li>- traffic in our street and public safety is an issue. There have been a few near misses and parking problems. Volume increased and cars parking directly in front of gates with no visibility of other road users</li> <li>- general abandoning of cars at gates and in general along road</li> <li>- site gates left open a lot</li> <li>- bins overflowing when left out for collection some with no lids</li> <li>- fence is damaged and not repaired</li> <li>- natural screening from street has been cut down. Not sure why ?</li> <li>- messy site - empty crates are an eyesore</li> <li>- noise levels. What sort of licence do they need and what will be allowed?</li> </ul>
<p><i>LCDT Response to #104</i></p>	<p><i>It was recommended to us to take a longer-term lease as this offers us security. After three years we will be reviewing our business plan and will re-evaluate the lease period.</i></p> <p><i>Health and safety are of the utmost importance on the site. We are not aware of any food being prepared or cooked on these premises, other than a private BBQ which took place last year and was fully contained within the site. We are seeking advice from Renfrewshire Police about maintaining security and we are risk-assessing</i></p>



	<p><i>thoroughly on an ongoing basis. The site is a well-used path by walkers and it has been expressed that it should remain accessible. For larger events we have stewards on site. Neighbours will be consulted and updated on any activity or works, which will impact on neighbours or parking, as they are now via the distribution group set up for the residents of Lochhead Avenue via LEAP.</i></p> <p><i>With reference to noise from activities on site, we understand how important that our neighbours have a quiet working environment where they will not be disturbed or distracted. We have spoken to our garden designer about introducing shrubbery along the fence that will dull any noises in the garden. We have also moved the deck area so that it is located to another part of the garden. As far as maintenance is concerned, we have funding in place for a storage unit, and we will ensure that any users of the Garden keep the site tidy.</i></p>
#105	<p>I have read the full CAT proposal and I do not support LCDT taking over the site on Lochhead Avenue on a 10-year lease with an option to buy. I would like to lodge an objection against the application as follows.</p> <p>1. The premise of this application is disingenuous in the extreme. Everything that LCDT envisages for the Lochhead Avenue space is already available in abundance elsewhere in the village. The whole of the village and the surrounding area is a safe, nature filled place for kids to play, roam, and discover nature in, away from being constantly under the watch, supervision and instruction of adults. There is plenty of therapeutic nature all around - grass, trees, rivers, lochs, hills, woods, walks, cycle paths, a bird reserve - for those who want it. The LCDT proposal - and the comments in support of it - all read like that small space is the ONLY place of real community, volunteer opportunity, mental wellness, nature, wildness, play, therapy, peace, gathering space, creativity, etc etc etc in the village. This is blinkered and disingenuous nonsense. The whole of the village already has - and has always had – all of this, and all of LCDT's facilities, in abundance. It consistently ranks as among the best places to live in Scotland. This project's supporters are determinedly ignoring this fact.</p> <p>2. If LCDT take over that site there will be no chance of it being used for what the village actually needs. It is a valuable space in the village that would be ideally suited for VERY much needed either affordable/social or sheltered housing, sympathetic to the needs of the village.</p> <p>There are many pensioners in the village in houses too big for them who are desperate to downsize but who have lived in the village all their lives and they don't want to move. There are many young people, born here and who want to stay here who can't afford a place here. It is the needs and wishes of *those* people that the council should be prioritising. The larder as an obscure, divisive, and apparently rapidly expanding vanity project of primarily a (very) few recent incomers to the village has already resulted in the loss of a valued local independent food shop, with the loss of the shopkeeper's livelihood, local jobs and loss of income to local suppliers. No food shop can compete with free food, and a rapidly expanded offering of more (chilled and frozen) free food. It has caused a lot of division in the village.</p> <p>3. The LCDT wishes to take over the site for 10 years. I don't believe this is remotely viable. In all probability most of the people currently involved will not still be in the village in 10 years time or their interest in being involved in this organisation will wane. I see nothing in this proposal that inspires confidence in the viability of a 10-</p>



	<p>year plan. How viable is LCDT itself? The organisation has obscure roots, obscure funding, obscure outcomes for its funding, and much of its environmental claims – especially those of the Lochwinnoch larder - are demonstrably bogus greenwash. The larder claims the food it gives away is being saved from landfill. The managers of local supermarkets have been approached by LCC, and have said that their leftover food does NOT go to landfill. It goes mainly to food banks. They have been under the impression that the larder is a foodbank. It is NOT a foodbank - and because of the amount the Lochwinnoch larder gets, other local genuine foodbanks for people in genuine need are getting less from the supermarkets. The community larder exists under a dishonest premise and is a central cog in the makeup of LCDT. How viable is that?</p>
<p><i>LCDT response to #105</i></p>	<p><i>Thank you for your comments. You will see in reply to earlier representations that we have addressed your concerns about Lochwinnoch CDT's commitment to the community. We are committed to working in collaboration with other organisations to make Lochwinnoch a great place to live and work, as well as the usage of the site. Additionally, our Board is made up of residents who have lived in the village for generations, as well as those new to the community. We believe our business plan demonstrates our commitment to the Gardens, along with other projects in the community. We support all of our users of the Gardens, including LEAP and their Larder project. We believe the benefits these collective projects will bring to the community will help to reduce social isolation, food poverty and carbon emissions, while creating opportunities for intergenerational activities, connecting people to the outdoors, nurturing biodiversity, and building resilience locally.</i></p>
<p>#108</p>	<p>LCDT should not be allowed to purchase this site.</p>
<p><i>LCDT Response to #108</i></p>	<p><i>Thank you for your comments. We are looking for a long term lease initially, as stated in our CAT application. Any decision to purchase thereafter would be subject to long term success in project delivery across the term of the lease, as well as ongoing community consultation</i></p>
<p>#111</p>	<p>The above asset transfer application has been made by LCDT to lease, with a view to purchase, land at Lochhead Avenue, Lochwinnoch. The LCDT are obligated to undertake certain community consultations in regard to this and have stated in their document that they have leafleted the village, conducted an on line survey, have met with the Community Council and all local businesses and have held public meetings. This has in fact not happened, with the exception of the online survey which was conducted amongst their members/the members of the Community Larder. The majority of the village residents were unaware of the CAT application and the waters have been muddied somewhat by the fact that the CAT application has been presented as a case for the 'survival' of the Lochwinnoch Community Larder. People have been encouraged to support the CAT by being told that if it fails, the larder will have to move. Even if this was the case, the larder could successfully operate from a vacant shop or any other number of locations in the village. The CAT application is not about the larder, rather it is about ownership of the land.</p> <p>In short, Renfrewshire Council would potentially be making a decision which could be perceived as being based on biased, inaccurate and wanting information. Proper consultation based on accurate information should be undertaken before a decision is reached.</p>

<p><i>LCDT Response to #111</i></p>	<p><i>Thank you for your comments.</i></p> <p><i>Consultation is a high priority for us and we genuinely seek and value all voices within our community. Our consultation plan has sought to reach as many locally as we possibly can and has taken many forms. We have offered several on-site community consultations on the project during the week and at weekends. We regularly post notifications and updates at the McKillop, the Library and in the window of our office at 39 High Street, along with information in our own LCDT newsletter. Our Project Plan has been available since April 2022 via digital platforms and has been shared with the Community Council. We have attended several public, and one private Community Council meeting to discuss the project and answer questions. We have hosted drop-ins and public meetings relating to the site on various occasions since 2019 and details of these are outlined in our Project Plan here:</i></p> <p><i><a href="https://docs.google.com/document/d/1qPBbAleCkJoYuQHORcVjMtnxJ36ai6nuPy-LamrLeLw/edit?usp=sharing">https://docs.google.com/document/d/1qPBbAleCkJoYuQHORcVjMtnxJ36ai6nuPy-LamrLeLw/edit?usp=sharing</a></i></p> <p><i>Lochwinnoch CDT supports the Larder within the site and we feel their ethos and mission matches with our own. We agree with you that the CAT application is about management of the land, and Lochwinnoch CDT have made the application to take on a lease of this site.</i></p>
<p>#116</p>	<p>I would like to record that I am opposed to the above [Asset Transfer – LCDT, Lochhead Avenue, Lochwinnoch]. Ri think the land should remain in the ownership of Renfrewshire Council for the whole community. I have read the CAT document and some of the statements I know to be untrue. Also, the future plans for the land make it seem as though it could end up looking like a shanty town. Certainly not much space left for nature.</p>
<p><i>LCDT Response to #116</i></p>	<p><i>Thank you for your comments. You will see from previous replies that Lochwinnoch CDT are seeking a lease for the site which will be used as a community social space. We believe that we have made great improvements to the derelict land. The Gardens aim to be a haven for wildlife and wildflowers, indeed the southwest boundary will left with the existing undisturbed vegetation. Furthermore, our community consultations told us that people don't want the site to be over developed, and we are working with local environmental organisations, including Lochwinnoch Force for Nature, to assist us in making sure that we a protecting biodiversity and creating habitats where we can.</i></p>
<p>#117</p>	<p>I am writing to oppose the community asset transfer application for the Council site at Lochhead Avenue, Lochwinnoch. I want the site to remain in the ownership of Renfrewshire Council and be developed for social housing for young adults with low incomes, as there is a great need for such accommodation in Lochwinnoch. In addition, I have read the Lochwinnoch Community Development Trust application and have found many inaccuracies and false claims, e.g. that LCDT carried out widespread community consultation – it didn't! That LCDT was involved in close collaboration with Lochwinnoch Community Council – it was not! That LCDT consulted all of the businesses in the village – it did not! Finally, the LCDT plan has no carbon footprint analysis that will contribute to achieving Renfrewshire Council's net zero policy for 2030. In fact, I would argue the greenhouse gas emission for the LCDT plan would be in excess of the balance for the net-zero carbon.</p>

<p><i>LCDT Response to #117</i></p>	<p><i>Thank you for your comments. We have gone to great lengths to reach out to the entire community through several consultations. We also have been in regular contact with LCC and will continue to liaise with them on this and other projects and have attended several of their meetings.</i></p> <p><i>We are also very aware of our carbon footprint and will continue to reduce this through recycling on site, and being sustainable in all our activities. Environmentalism is central to all our decision making and we have a robust policy to carry out activities as sustainably as possible. We did not attempt to survey the views of every business based in Lochwinnoch, but we did invite businesses to take part in our consultation and market research and recorded their views as businesses.</i></p>
<p>#118</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED] I have significant professional experience of dealing successfully with old and polluted derelict land such as the site at Lochhead Avenue.</p> <p>I believe, therefore, I have a significant amount of professional and community based experience relevant to this site and application. I can state, however, that I have never experience or viewed a plan to develop an acre of valuable land in the centre of a village undertaken in such an unprofessional manner including continual use of untruths in the campaign for this development.</p> <p>[REDACTED]</p> <p>[REDACTED] This led to many Board members resigning (21 I believe) [REDACTED], they had no confidence in the leadership or management capabilities of this charity. This person has a senior role still and little has changed as, as of today they compromise an organisation which has a wide variety of objectives but no sound business plan or practical strategy for implementation. There is little confidence in the wider village that they can implement their varied objectives or that in the long term they will be in the overall interests of the village.</p> <p>Sadly, LCDT and it associated organisations of LEAP and the Food Larder have purported to have consulted the village about their plans. They have not consulted the village as a whole on anything. They have talked to users of the Larder and some online but they are not “the village”. Despite what they said they did not inform the LCC that they had applied for a 10 year lease and Asset Transfer. This non action resulted in the LCC having 20 days less to consult the whole of the village. Again, the notice of the Asset Transfer request was only displayed on the site at Lochhead Ave. and in their offices in the high street. According to legislation this is insufficient so I would and could maintain that the application is not legal. Renfrewshire Council must consider this in their deliberations plus, LCDT are legally bound to undertake extensive and varied community consultations. They have not done this so the application could again be considered legally null and void.</p> <p>Despite what LCDT sat they did not inform the LCC that they had applied for a 10 year lease and a CAT. They have done many things to ignore the LCC and its statutory obligations for reasons that neither I nor the LCC understand. They do not seem to</p>

understand or want to understand that LCC is a statutory body and it is the duty of LCC to properly consult the residents of the village on significant, potential changes to the layout, commercial prosperity/health of the village and management of community assets and

organisations. I have no confidence, given its past and current membership, that LCDT could or would continue to manage the Lochhead Garden site in the best interests of the village. What guarantees could be sure of given the lack of honesty and truth in their history and campaign to date. Given their performance to date there is no guarantee that they will cooperate positively with the LCC (as they should be doing now in the best interests of the village) or that they will work towards developing and using this site in the best interests of the village rather than individual whims of Board members as is the situation currently.

This site has been neglected for a number of years despite its central location where its obvious use (once the light industrial zoning had been abandoned) would be social housing or an actual Care Home to replace the one lost some time ago. These uses are the obvious best longer term uses of this central site (for example, there is a need for a number of older residents to downsize but remain within the centre of the village close to community facilities) therefore any leases/permissions/uses etc should be short term, which a foodbank is likely to be. I do not think any local authority would or should wish to commit a centrally located site such as this one, and owned by them, to food distribution for the needy for 10 years especially as there are a number of vacant shops/premises in the main street which could act as food banks/distribution points. This could also increase footfall in this area thus benefiting existing shops.

Given the site's high value and location and the numerous alternative sites within the village for play, education, wildlife, etc, and the pollution of the ground any uses proposed should be temporary and implemented in an economic and low cost manner. The village does not desperately or urgently require more open space or playground facilities (we are fortunate in this respect. Activities using volunteers can be relocated to the Park, allocated a few hundred yards away, or to Castle Semple and Muirshiel Country Parks, or the RSPB reserve, etc.

Given the actual reality of the situation the LCDT Business Plan is unrealistic and impractical. The site and proposed uses is not expected or planned to generate any significant income and continued donations from charitable trusts and "gifts" from Renfrewshire Council will be required to maintain the site's condition and proposed activities. Given the site's long term value this could be considered a waste of money which could probably be better spent on other locations within the village.

My conclusion, therefore is that the long term lease of the site should be refused as should a CAT.

Any lease should be limited to 5 years after which the performance of LCDT can be properly assessed and the longer term use of the site properly assessed.

<p><i>LCDT Response to #118</i></p>	<p><i>Thank you for your comments. We have gone to great lengths to reach out to the entire community through several consultations. We also have been in regular contact with LCC and will continue to liaise with them on this and other projects and have attended several of their meetings.</i></p> <p><i>We are also very aware of our carbon footprint and will continue to reduce this through recycling on site, and being sustainable in all our activities.</i></p> <p><i>Environmentalism is central to all our decision making and we have a robust policy to carry out activities as sustainably as possible. We did not attempt to survey the views of every business based in Lochwinnoch, but we did invite businesses to take part in our consultation and market research and recorded their views as businesses.</i></p>
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### **LCDT Concluding Comments**

Thank you to everyone who took the time to make a representation.

We appreciate the comments we have received from supporters. We also welcome hearing from those who have concerns about our project. We note that there have been several representations which have referred to similar topics, so we would like to take the opportunity to reply more fully to these points.

#### **1. Supporting Information about Markets**

Several representations questioned the impact of a monthly market on the site, if this would be supported by residents and how it will impact on local businesses. At our Community Consultations in November 2022, we spoke with residents asking what activities they would like to see take place at Lochhead Gardens. Results from the survey confirmed that the top response for using the garden was hosting a local market/market stalls, closely followed by workshops, and children's parties and other family gatherings.

In November 2022, we invited potential vendors to help us better understand the viability of markets in Lochwinnoch. This research was targeted specifically at businesses which might be seeking opportunities to take pitches at markets. We received 14 responses. The survey was shared via social media and can be seen [here](#). The feedback helped us to identify prices and margins and gauge interest in whether this was a viable proposition.

Additionally, we have carried out research into similar community projects, including markets at Balerno and Linlithgow. Both villages have seen an increase in footfall into their village on market days. A monthly market at Lochhead Garden will allow for additional business opportunities for established local businesses as well as those just starting out. Further development of markets would be subject to ongoing consultation with local businesses to make sure that times and days are in harmony with the current local economy.

We understand that a monthly market will bring additional need for parking and for management of traffic. We acknowledge that we need a robust plan that will cause the least amount of disruption to our neighbours. This plan will include encouraging active travel, provide stewards at events to manage parking, and signposting to public parking.

## 2. LCDT Board/Organisation Credentials

Our Board is made up of 7 residents who have a mix of knowledge and experience. Whilst some are new to the area, several have been living in Lochwinnoch for a good number of years. All are volunteers and have a desire to make the village a thriving area for generations to come.

Lochwinnoch CDT is a member of the Development Trusts Association Scotland (DTAS), which offers advice, information and expertise in many different areas, including CATs and taking on projects such as Lochhead Gardens. Funding has been awarded by DTAS to enable the Trust to take on a part-time Community Development Officer, who offers stability and guidance to projects. We are actively working on engaging a Project Officer for the Garden to help with capacity for the project.

The Board have also undertaken training and support from Community Enterprise Scotland in sustainability and strategy through their Accelerate programme. Accelerate Programme is funded by the Scottish Government for Development Trusts and that the support is about governance and Board development.

## 3. Funding and Financial Sustainability

In 2021 Lochwinnoch CDT secured £29999 funding from Renfrewshire Council's Green Spaces Fund, followed by a further £9200 from Renfrewshire Council's Community Empowerment Fund in 2022. We have used this funding to develop and improve the site, including soil testing.

We have also created comprehensive three year budget which includes a mixture of grants from various trusts, foundations and local council which will be used for capital costs, particularly in year one. It is our intention by the end of year three that the project can sustain itself through income from workshops, events and markets. A full cost budget can be found in our CAT application.

## 4. Need for Outdoor Space

Lochwinnoch is fortunate to have venues which can offer internal space for community projects. However, outdoor space is less available, and it is restricted as to how the space can be used. Lochhead Gardens offers flexibility in what it can provide. As an example, this winter, we had an incredible response by local families and older residents to take part in maintenance of the site, bringing together generations and eliminating cross-status divides.

Lochhead Gardens will also offer services which are not available in the Park or other outdoor spaces such as a toilet, water, electricity, lighting, and BBQ area. (Please note: the Garden toilet will not be freely accessed like a public toilet but will be closely managed by staff and site users and only accessible when the site is manned.)

We refer to one representation which highlighted this importance. "Lochhead Gardens has the potential to become the beating heart of the village- it has really transformed the way we as a community interact". We also know that being outdoors can improve mental wellbeing, and the activities we are proposing will allow for all residents to experience this natural space, increase biodiversity, and improve knowledge and skills in gardening and environmental issues.

## 5. Consultation Process

Throughout the Project, we have depended upon research and surveys to guide us. There have been several community consultations throughout the development of the site, and these are ongoing. These have been conducted online through surveys as well as in-person on-site at consultation days; leaflet drops door-to-door; and via meetings with community members, community organisations and local businesses.

Consultation remains a high priority for us and we genuinely seek and value all voices within our community. Our consultation plan has sought to reach as many locally as we possibly can and has



taken many forms. We have offered several on-site community consultations on the project during the week and at weekends. We regularly post notifications and updates at the McKillop, the Library and in the window of our office at 39 High Street, along with information in our own LCDT newsletter. Our Project Plan has been available since April 2022 via digital platforms and has been shared with the Community Council. We have attended several public, and one private Community Council meeting to discuss the project and answer questions. We have hosted drop-ins and public meetings relating to the site on various occasions since 2019 and details of these are outlined in our Project Plan here: <https://docs.google.com/document/d/1qPBbA1eCkJoYuQHORcVjMtNxJ36ai6nuPy-LamrLeLw/edit?usp=sharing>

## 6. Site Suitability and Land Use

Many opposing representations have highlighted that the site should be used for other use, such as sheltered housing or a care facility. Lochwinnoch CDT cannot comment on land use decisions which are the responsibility of Renfrewshire Council. To our knowledge the Lochhead Gardens proposal is the only proposal for the site, which has been disused for over 10 years.

The aims of the project are outlined in our business plan and include:

- Creation of an inclusive space where all villagers can meet and socialise.
- Improvement of local facilities and services, helping our community to become more self-reliant.
- Provision of space for local charities, social enterprises, business and community groups to base projects, workshops and events.
- Creation of routes to market for local businesses and community groups, improving the local economy.
- Creation of a space where nature can thrive and be enjoyed by all, benefiting the environment, and community wellbeing.

## Community Asset Transfer Procedures - Response from Renfrewshire Council

A number of representations have questioned the procedures followed in the notification of this Community Asset Transfer request. Below are links to the relevant legislation, procedures and guidance followed by the Council.

Community Asset Transfer is governed by Part 5 of the Community Empowerment (Scotland) Act 2015 [.....CEAAct](#). Section 81 of the Act deals with **Asset transfer requests: regulations** and states

(1) The Scottish Ministers may by regulations make further provision about asset transfer requests.

(2) Regulations under subsection (1) may in particular make provision for or in connection with—

(b) specifying the procedure to be followed by a relevant authority in relation to requests,

(d) requiring publication, by such method as may be prescribed in the regulations, of the fact that a request is being made,

(e)requiring notification of the making of a request to be given to such persons or descriptions of persons, and in such circumstances, as may be prescribed in the regulations.

These Regulations are set out in The Asset Transfer (Procedure) (Scotland) Regulations 2016 [...Regulations](#). Sections 6, 7, 8 and 9 deal with the procedures for notification and publication of asset transfer requests.

[6.Notification of asset transfer request](#)

[7.Publication of asset transfer request](#)

[8.Opportunity for the community transfer body to comment on representations](#)

[9.Publication of request documents](#)

The Scottish Government has published Guidance to Relevant Authorities in relation to the Act and Regulations [...guidance-relevant-authorities/](#). Sections 9.11 to 9.19 deal with notification and publication of asset transfer requests. The Council is required to notify owners, tenants and regular users directly, publish documents online and display notices at or near the site and to invite representations for a minimum of 20 working days.

In the case of Lochhead Avenue, documents were published on the Council website on 2<sup>nd</sup> of March 2023 and displayed on site on the same day. 3 other notices were displayed at 39 High Street, Lochwinnoch, the library and at Castle Semple Café. The closing date for representations was set as the 31<sup>st</sup> of March 2023, 21 days from the date of publication.

Renfrewshire Council CAT Policy and Procedures were approved by the Council ILE Board on 15 June 2022 and updated on the 31<sup>st</sup> of August 2022. You can view and download the Board papers can be from the Council website [https://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards/tabid/62/ctl/ViewCMIS\\_CommitteeDetails/mid/381/id/161/Default.aspx](https://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/161/Default.aspx)

Copies of our CAT Policy and Procedures can also be viewed and downloaded from our Community Asset Transfer webpage <https://www.renfrewshire.gov.uk/article/4534/Community-asset-transfers>

*Response by Renfrewshire Council*