

Common Good Land Governance Update Report

As you know we agreed to propose to the Council that the Local Area Committee (LAC) should be the responsible body for consulting the community about any changes or developments and for taking decisions on Common Good Land in Bathgate rather than the Council Executive Committee.

The Joint Forum of Community Councils took up the issue agreeing with our suggestion and wrote to all Councillors requesting that they take up the suggestion and raise it in their groups before the meeting of the Council Executive on the 25th October 2022. Their argument supporting ours that this was the best way to keep decisions on common good land at the local level of the community affected.

At the Executive committee the question was asked of the councils Governance Manager if it was possible to delegate powers to a committee. He confirmed that it was legally acceptable to delegate to any matter to a committee. The SNP councillors moved and seconded an amendment that these matters be delegated to the appropriate Local Area Committee. The Council Leader and Deputy Leader moved the report which proposed the Executive Committee take that responsibility.

The amendment was beaten with both Labour and Tory councillors voting against the amendment. This means that the Executive Committee which has no Bathgate Councillors on it will decide the fate of any of our Common Good Lands. They do have to consult us and the local councillors but are not bound to accept our views.

It's recommended that the Community Council put on record our displeasure of this decision. The Joint Forum is planning to write to all councillors asking their reasons for supporting this centralisation of decision making. We should maintain or position on this.

In the meantime, we now know that some sites are Common Good Land and are on the Register which is attached. We also know which sites are still to be reported on and which sites are not common good in the council's opinion.

14 sites Bathgate sites have been added to the Register of Common Good

15 sites Bathgate are still to be reported on but investigations largely complete

12 sites have been confirmed as not Common Good

One of the sites classified as not common good is the former Community Centre site on Marjoribanks Street so we can expect the planning application for six new council houses to be brought back into play.

The other site where the Council was planning to build 5 council houses ie the Former Public Baths site in Mid Street will now become interesting as it has been designated as Common Good. No planning application has been lodged as yet but the site was identified for public housing pre pandemic. Local householders erected a banner on the front of the site calling for a community garden and expressing their opposition to housing.

Discuss