

**ANGUS COUNCIL**

**POLICY & RESOURCES COMMITTEE – 19 JUNE 2018**

**COMMUNITY ASSET TRANSFER – 2017/18 ANNUAL REPORT**

**REPORT BY IAN LORIMER, HEAD OF FINANCE & LEGAL**

**ABSTRACT**

This report presents the first Angus Council Annual Report on Community Asset Transfer activities in Angus covering the 2017/18 financial year.

**1. RECOMMENDATIONS**

1.1 It is recommended that the Committee:-

- a. note the requirements of the legislation as outlined in this report;
- b. note the summary of activity described in Section 4 and Appendix 1; and
- c. approve publication of this report on the Community Asset Transfer pages of the Council's website.

**2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN (LOIP) AND COUNCIL PLAN**

2.1 This report contributes to the outcomes described in the Local Outcomes Improvement Plan, Locality Plans and Council Plan, which focus on the economy, people and place. Community Asset Transfer is a key part of Community Empowerment and it is important that the Council support community groups in a manner which delivers best value.

**3. BACKGROUND**

3.1 The Community Empowerment (Scotland) Act 2015 introduces a right for community bodies to make requests to all local authorities, Scottish Ministers and a wide-ranging list of public bodies, for any land or buildings they feel they could make better use of. Community bodies can request ownership, lease or other rights, as they wish through a process known as Community Asset Transfer (CAT). The Act requires those public authorities to assess requests transparently against specific criteria, and to agree the request unless there are reasonable grounds for refusal.

3.2 Section 95 of the Act requires the Council to publish an Annual Report setting out the number of asset transfer requests received and their outcomes and anything the relevant authority has done to promote the use of asset transfer and support community transfer bodies to make requests.

**4. ACTIVITY DURING 2017/18**

4.1 Appendix 1 provides information on CAT activity in Angus for 2017/18 in line with the requirements of the Act. This is mostly statistical information on the number of applications and what has happened to them as well as details of the assets and community bodies involved for those applications approved.

Promotion & Support Activity

4.2 The 2017/18 year has been the first full year of CAT under the new legislation, replacing the existing local arrangements which Angus Council previously used. Despite the additional administrative requirements arising from the legislation and being unable to fill a temporary staff post to support this work excellent progress has been made in the last year thanks to the efforts of the officers on the Community Asset Transfer Group (CATG). This is evidenced by the significant level of interest in pursuing CAT shown by community bodies across Angus.

4.3 The following activities to promote and support CAT by community bodies across Angus are worthy of note:-

- The Council's website has been developed to incorporate CAT pages which include guidance, forms and other information.
- The website provides links to the Scottish Government guidance as well as links to other support resources for community bodies.
- A list of Council assets eligible for CAT applications is available on the Council website in a number of downloadable formats and this is updated at least quarterly
- Meetings with senior officers, site visits, etc. have also been arranged to support community groups with CAT enquiries and applications
- The Council published 'A guide to the new community Asset Transfer Process' on its website in 2017 to assist all interested community groups in making a CAT application. In this guidance the Council introduced a pre-enquiry form which groups are encouraged but not required to follow. The pre-enquiry form can be found on the website or can be provided in paper form.
- The Pre-enquiry form gives the officers on the CATG an early opportunity to get information on potential CAT proposals and have conversations with groups about whether CAT is the right option for them. The CATG can flag up any potential issues at an early stage. At the pre enquiry stage every enquiry is allocated a Planning for Place officer whose role is to support the group through capacity building and processing. This support role provided by Council staff will:-
  - Help groups consider whether CAT is the right option for them
  - Help groups to understand the guidance and the process
  - Help groups assess whether they have the capacity to take on an asset in the long term
  - Help groups to work through their financial/sustainability plans
  - Connect the group with other groups who may have similar interests/objectives
  - Help groups consider wider support and wider community benefit
  - Process the application in line with legislative guidance
- A training/briefing session for all elected members and senior officers on the CAT legislation, guidance and process was delivered in April 2018, to support members in their decision making on future applications.
- The Council has also updated its policies and guidance (March 2018) to make it clear how CAT applications will be assessed on a best value basis; to clarify what costs may be chargeable and what terms and conditions may apply to asset transfers which are approved.

4.4 As can be seen in Appendix 1 community bodies in the Angus Council area have taken a strong interest in CAT as a potential option to be explored.

## 5. FINANCIAL IMPLICATIONS

5.1 There are no additional financial implications for the Council arising from the recommendations in this report. All CAT applications are processed in accordance with the Council's policies and assessment model and any financial implications are considered as part of that process.

**NOTE:** The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report 105/18 – Community Asset Transfer Policy Development & Applications Update Report

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