

**ANGUS COUNCIL  
INFORMATION REPORT  
FOR THE PERIOD 1 April 2020 TO 31 March 2021  
REPORT BY ALISON SMITH, INTERIM DIRECTOR OF VIBRANT COMMUNITIES AND  
SUSTAINABLE GROWTH**

**ABSTRACT**

This report provides information to members with regard to services in the Vibrant Communities and Sustainable Growth Directorate, albeit that a decision is not required in terms of the current Scheme of Delegation to Officers and the Order of Reference of Committees.

**1. BACKGROUND**

Angus Council, at a special meeting on 19 November 2013 took a number of decisions which changed the way the Council conducted its committee business. Fundamental to this was the streamlining of processes with a focus on key strategy and policy matters.

One element of this was the production of "Information Reports". These information reports summarise information that would in the past have gone to a council committee for "noting".

The information schedules are in accordance with that principle.

**2. SIGNIFICANT INFORMATION – SCHEDULES**

There is one schedule which contains key background information related to services delivered in the Vibrant Communities and Sustainable Growth directorate for the period 1 April 2020 to 31 March 2021, attached as an appendix to the Report.

Where there are references to other documents (eg: consultation documents/audit reports) that are associated with the relevant schedule a link to that document has also been included.

**3. REPORT AUTHOR**

This report and associated schedules has been compiled by ALISON SMITH, INTERIM DIRECTOR VIBRANT COMMUNITIES AND SUSTAINABLE GROWTH who can be contacted by emailing [SmithAJ@angus.gov.uk](mailto:SmithAJ@angus.gov.uk)

List of Appendices:

Schedule 1 – Community Asset Transfer: Summary of Activity

## ANGUS COUNCIL

### POLICY & RESOURCES COMMITTEE

26 OCTOBER 2021

#### COMMUNITY ASSET TRANSFER – 2020/21 ANNUAL REPORT

##### ABSTRACT

This report presents the Angus Council Annual Report on Community Asset Transfer activities in Angus covering the 2020/21 financial year.

##### 1. BACKGROUND

- 1.1. 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.
- 1.2. Section 95 of the Act requires every relevant authority to publish an Annual Report setting out the numbers 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.

##### 2. ACTIVITY DURING 2020/21

- 2.1 Appendix 1 provides information on CAT activity in Angus for 2021 in accordance with the requirements of the Act. This is mostly statistical information on the number of applications received and what has happened to them.

Whilst Angus Council only received 2 CAT applications during the financial year 2020/21 there is still a substantial amount of resource and time required to process those applications received under part 5 of the Community Empowerment (Scotland) Act 2015 and out with this timeframe.

##### 3. SUPPORT & PROMOTION

- 3.1 The Council has a range of proactive measures in place to promote and assist groups through the process. The following activities to promote and support community bodies across Angus are worthy of note: -
  - Officers attended learning sessions with East Ayrshire Council to share experiences of CAT.
  - Detailed Guidance available on [www.angus.gov.uk](http://www.angus.gov.uk)
  - Working procedures are regularly updated considering learning from previous applications and experiences
  - Throughout COVID19 restrictions groups have continued to be actively involved in online meetings and discussions regarding potential CATs
  - A list of Council assets eligible for CAT applications is available on the Council [website](#) in several downloadable formats and this is updated at least quarterly
- 3.2 Angus Council has a single point of contact for CAT queries and applications are assessed by the CAT Group made up of representatives from council services. There is no dedicated department or budget at their disposal to assist groups however all groups undertaking a CAT have a dedicated community officer to build capacity and skills needed to manage the asset and access to a funding officer to explore options and make a full CAT application.
- 3.3 All enquiries and applications continue to be dealt with in accordance with timescales set out by legislation and community bodies have been, and continue to be, supported through local communities officers.
- 3.4 As can be seen in Appendix 1 community bodies in the Angus Council area continue to take an interest in CAT as a potential option to be explored.

## SUMMARY OF ACTIVITY : 1 APRIL 2020 TO 31 MARCH 2021

No	Statistic	Number	Comments
1	Number of Pre-application enquiries received	2	Acknowledged and discussed at CAT Group
2	Number of asset transfer applications requests received	2	Panmure Centre, Carnoustie & Seaton Park, Arbroath
3	Number of such requests which the Council agreed to by 31 March 2021	1	Seaton Park, Arbroath
4	Number of such requests which the Council refused by 31 March 2021	0	
5	Number of such requests still being processed / awaiting a decision as at 31 March 2021	1	Panmure Centre (reported to committee; deferred to allow group more time to consider options then approved in June 2021)
6	Number of CAT applications received in the year which have not been validated	0	
7	Number of such CAT requests made to the Council which resulted in:-		
	• a transfer of ownership of land to a community transfer body	0	
	• a lease of land to such a body	1	
	• rights in respect of land being conferred to such a body	0	
8	Number of appeals under section 85 relating to such requests made to the Council that have :-	0	
	• been allowed	0	
	• been dismissed	0	
	• resulted in any part of the decision of the authority being varied or reversed	0	
9	In relation to a decision of the relevant authority reviewed under Section 86 or 87 the number of decisions that have :-	0	
	• been confirmed	0	
	• been modified	0	
	• Substituted by a different decision	0	

## 2020 / 21 Details of CAT Applications Received in Summary Above

Asset	Community Body	Type of Transfer	Price Offered	Comments
Panmure Centre, Monifieth	Carnoustie & Monifieth Men's Shed	10-year lease	£500 / year	Validated on 06/04/20 – reported to committee with a recommendation for approval. Committee deferred following questions from Councillors re terms of lease and possible break clause. Extension agreed with group until 30/06/21. Application was approved by committee on 8 June 2021 and decision issued before deadline.
Seaton Park, Seaton Road, Arbroath	Showcase the Street	99-year lease	£500 / year	Validated on 04/08/20 – reported to committee on 28/01/21 with recommendation for approval. Committee approved transfer and Decision issued on 03/02/21 (within timescale).

Whilst Angus council only received 2 CAT applications during the financial year there has been substantial amount of work involved in processing the CAT's applied for in the previous year, most notably the following:

- **Skilz Academy**

The council initially approved the CAT application for sale of the property, in the process of agreeing the conditions it was discovered that the conditions agreed could not be enforced for perpetuity and therefore the committee refused the application instead granting the group a 99 year lease with CAT conditions. Following a further committee report we arrived at a satisfactory conclusion for all involved. The group are now in discussion with the legal team to finalise their lease agreement outwith the CAT process. The Covid pandemic had a major impact on the ability to determine the application within the required timescales however the group were satisfied with the outcome and noted it was refreshing to see an agreement reached that would benefit the local community.

It is worth noting where a CAT application is not approved within the six month timeframe or relevant financial year there is still a significant amount of work required to work through the process with a group ensuring the guidelines are followed under part 5 of the Act. From validation to issue of the final decision; groups often have many requests for information and assistance ranging from implications of break clauses on funding to site visits and maintenance issues.

Learning from previous CAT's has enabled us to fine tune our procedures and be more open and transparent with groups. Sharing information at all steps of the process ensuring questions are answered timeously helps ensure transparency and build up trust between the local authority and the group. Where the CATG is recommending approval of an application the proposed conditions are shared with the group so any issues can be discussed prior to committee determining the application where possible. While Angus Council has a CATG made up of representatives of council services they do not have a dedicated department or budget at their disposal to assist groups. They do however have a single point of contact for CAT queries.