COMMUNITY ASSET MANAGEMENT POLICY

JOINT REPORT BY THE DIRECTOR OF NEIGHBOURHOOD SERVICES AND THE DIRECTOR OF CORPORATE SERVICES

ABSTRACT: This report provides the Committee with information on Community Asset Management.

1. RECOMMENDATION(S)

1.1 It is recommended that the Committee:-

(i) note principles set out on Community Asset Management;

(ii) note that the Directors of Corporate Services and Neighbourhood Services will prepare a policy document providing guidelines for the transfer of property from Angus Council to Community Groups.

(iii) the Directors of Corporate Services and Neighbourhood Services will bring each individual project back for committee approval at the appropriate time.

2. INTRODUCTION

2.1 The term Community Asset Management relates to the transfer of responsibility for an asset from the Council to a voluntary or community organisation or community based partnerships by:-

- Transfer of management responsibility through short or long-term lease;
- Transfer of outright ownership;
- Disposal at less than best consideration where community benefit can clearly be demonstrated, subject to the Disposal of Land by Local Authorities (Scotland) Regulations 2010.

3. BACKGROUND

3.1 This report sets out the concept of Community Asset Management and how the Council might make use of it.

3.2 The transfer of assets from local authorities is recognised as an important means to support communities to own their own assets, increasing community empowerment. This is highlighted in the joint Scottish Government/COSLA community empowerment action plan (CEAP) “Communities Celebrating Success: Inspiring Change” which was published in March 2009.

“Community empowerment is a process where people work together to make change happen in their communities by having more power and influence over what matters to them”.

3.3 Quirk Report 2007 explains in “Making Assets Work” the benefits and sets out a case for the transfer of property currently owned by local authorities to the community.

3.4 The Development Trust Association Scotland (DTAS) exists as a support network for community groups taking on assets and has an aim of increasing the flow of assets into community ownership. Their paper entitled “Public Asset Transfer Empowering Communities” demonstrates how Community Groups and Councils can work together.
4. LOCAL POLICY CONTEXT

4.1 The operation of a Community Asset Management strategy needs to have regard to the desired outcomes in other Council strategies. In addition, all proposals must make a clear contribution to the Council’s priorities as set out in the following:-

- Single Outcome Agreement;
- Council Plan;
- Corporate Asset Management Plan;
- Property Disposal Policy;
- Community Planning Partnership;
- Any plans or policies which succeed these documents.

5. AIMS OF COMMUNITY ASSET MANAGEMENT

5.1 The Council’s physical assets comprises buildings, including commercial estate, land, playing fields and other facilities and structures which support the direct service provided by Angus Council and services delivered by other partners. This stimulates economic activity and supports our budgets and income.

5.2 For some of these assets, community management or ownership could deliver a range of benefits to the local community, to voluntary and community organisations taking on the asset as well as to the Council and other public sector providers.

5.3 Angus Council should Community Asset Management as positive and view it as a way of bringing about long-term social, economic and environmental benefits to a community:-

- It devolves power to community organisations encouraging active community involvement and community action, building individual and community capacity and confidence;
- It can contribute to regeneration of an area including the development of Community Trusts and businesses;
- It offers opportunities to expand the use of the asset increasing the number of people benefiting from its use;
- It offers opportunities for attracting funding not readily available to the Council.

5.4 Benefits to Angus Council are identified as follows:-

- Working in partnership with voluntary organisations can help Angus Council achieve outcomes set out in the Single Outcome Agreement, Corporate Plan and Community Plan;
- It can contribute towards efficiency savings by releasing surplus property and assets;
- Solve building management problems and achieve lower ongoing costs;
- It can contribute to Angus Council’s Corporate Asset Management Plan objectives to rationalise its estate and make more effective and efficient use of its asset base where the focus is on better services and community outcomes as a result of strategic asset management;
- It can act as a catalyst for partnership working between voluntary organisations, the Council and other partners so improving the provision and accountability of services within a community.

5.5 Benefits to the community and voluntary organisations are identified as follows:-

- It has the potential to create stronger, more sustainable voluntary organisations, which can create a wide range of benefits for the communities they serve, providing financial security, recognition and management capacity;
- It creates the ability to attract additional resources which would not be available to the community;
- Provides new opportunities for learning, volunteering and capacity building for individuals, supporting the creation of community leaders and inspiring others to improve their community;
- Create a sense of Civic Pride.
5.6 Angus Council should recognise the multiple benefits of Community Asset Management and should be proactive in using asset transfer as one of the tools at its disposal in terms of supporting voluntary organisations and empowering communities to help meet the strategic objectives of the Council; particularly in terms of service transformation and realising efficiencies. Angus Council should aim to create a transparent, positive and proactive framework to enable asset transfer from the Council to voluntary and community organisations to happen and be successful in the long-term.

6. RISKS

6.1 A number of risks have been identified and require further clarification. These include:-

- Definition of an organisation eligible to apply for community ownership and consideration of public accountability – co-ordinated approach;
- Community organisations may not have the skills or capacity to take over and manage an asset;
- Community organisations may not have the funds to meet the purchase and repair of the asset and the cost of ongoing maintenance and future upgrading;
- The assets under consideration require to be owned by the Council and have no title or trust restriction on who owns them or how they are used and do not form part of the inalienable common good property;
- Loss of a capital receipt from the disposal of the asset as it would be transferred to the community group for £1;
- Smaller organisations may have to rely on volunteers if they do not have funds to pay professional/support staff;
- Fragmented ownership of assets might impair Angus Council’s strategic objectives;
- Possible confusion and lack of awareness over roles, responsibilities and liabilities between Angus Council and the community organisation;
- The users of the asset might change over time and a user’s committee may not be sustainable in the longer term.

6.2 Officers from the Estates Section of the Property Division, Corporate Services Department, are actively involved with ACES (Association of Chief Estates Surveyors) to establish a national policy for dealing with applications from community groups. The Directors of Corporate Services and Neighbourhood Services will produce a report for the Council in due course recommending the adoption by Angus Council policy position on Community Asset Management and how Angus Council might deal with the matter, taking cognisance of the national policy document.

6.3 Some of the issues which have been raised through practical experience of other authorities and still to be resolved in terms of assets and not just property of a physical nature are as follows:-

- Definition of a Community Group;
- Types of building which are considered appropriate i.e. listed buildings?
- Does the community actually need the property?
- Is there a requirement to advertise once an application has been received from one group?
- Timescales for the process. If the property in question is surplus, the process may take some time to complete and the maintenance responsibility will remain with the Council;
- How to deal with competing community bids for the same property? What if we also receive an offer from a commercial developer;
- Implications of Equalities Act;
- Information required from groups. Need for group to carry out condition survey;
- Possible inclusion of Economic Development burdens in title;
- Clawback agreement in the event that the group cease to exist;
- Clawback agreement in the event that the group want to sell on the property at a profit, (although the council may at the end of the day be content for an asset to be sold on).
7. **FINANCIAL IMPLICATIONS**

7.1 There are no financial implications associated with the terms of this report

8. **HUMAN RIGHTS IMPLICATIONS**

8.1 There are no human rights implications associated with this report

9. **EQUALITIES IMPLICATIONS**

9.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.

10. **ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT**

10.1 This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2011-2014:-

- Individuals are involved in their communities;
- Our communities are safe, secure and vibrant.

11. **CONSULTATION**

11.1 The Chief Executive, Director of Corporate Services, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

LCP/NS/RA/BDS/HW