

North Lanarkshire Council Report

Youth, Equalities and Empowerment Committee

approval noting

Ref LMcM/LP

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Community Asset Transfer and Participation Requests – Emerging Opportunities Linked to The Plan for North Lanarkshire

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Executive Summary

This report provides the Youth, Equalities and Empowerment Committee with an overview of delivery priorities for the implementation of the North Lanarkshire Council Community Asset Transfer (CAT) and Participation Requests (PR) process. The report specifically focuses on aligning CAT delivery approaches to supporting the delivery of The Plan for North Lanarkshire (TPFNL) and development of a workplan designed to support awareness raising, communication, capacity building, targeted work with community and voluntary sector, and training and development programme for employees (Council and Community Planning Partnership) and elected members.

Recommendations

The Youth, Equalities and Empowerment Committee is recommended to:-

- (1) approve the approach to building capacity, raising awareness and training and development, as set out in section 2 and Appendix 1 of the report in support of Community Asset Transfer (CAT); and
- (2) approve the active marketing of suitable surplus properties with the added commitment to make these wind and watertight,

The Plan for North Lanarkshire

Priority All priorities

Ambition statement (19) Improve engagement with communities and develop their capacity to help themselves

1. Background

1.1 The Community Empowerment (Scotland) Act 2015

The Community Empowerment (Scotland) Act 2015 introduced a statutory duty on Local Authorities and other Public Sector agencies to develop a clear process for supporting community participation and ownership. The Act introduced guidance for delivery of Community Asset Transfer (CAT). Responsibilities for the Council are:-

- establish, maintain and make available register of land owned or leased by the Council “to the best of its knowledge and belief”;
- develop clear decision making criteria, review and appeals procedures for Community Asset Transfer;
- actively provide information and promote the process for Community Asset Transfer and Participation Requests aligned to other participation opportunities;
- assess the capacity of the organisation making a CAT request and provide support to assist them to fulfil their aspirations around community empowerment and participation outcomes;
- publish information relating to requests; and
- produce and publish annual reports.

1.2 Implementation Progress

Since the introduction of statutory requirements and associated guidance for CAT, progress has been made in the following areas:-

- approval of the Community Asset Transfer Policy;
- development of draft decision making criteria and process for Community Asset Transfer;
- creation of an appeals process for Community Asset Transfer and a corporate participation panel to assess and make recommendations on CAT;
- publication of Register of land owned or leased by the Council; and
- publication of Common Good Register.

At present support is being provided to 35 community organisations following expression of interest in Community Asset Transfer with a range of positive outcomes including 3 community organisations supported to complete full Community Asset Transfer, 4 long-term lease agreements in place. 9 groups are in the final stages of completing a lease agreement and 2 Participation Requests are live. An overview of progress on specific requests can be made available on request.

2. Report

2.1 Implementation Plan - Priorities

This report focusses on two particular responsibilities placed on the council by the Community Empowerment (Scotland) Act 2015, namely:-

- actively provide information and promote the process for Community Asset Transfer and Participation requests aligned to other participation opportunities; and

- assess the capacity of the organisation making a CAT request and provide support to assist them to fulfil their aspirations around community empowerment and participation outcomes.

It is important to ensure that the implementation of the CAT process moves at an appropriate pace to compliment other work plan priorities underpinning achievement of the ambition articulated within the Plan for North Lanarkshire (TPFNL), for example:-

- asset management and rationalisation;
- development of the Hub Model;
- Town Centre Vision Plans;
- Framework for Working with Communities – Community Capacity building and Community Matters; and
- Parks Masterplans and Open Space strategies;

Key Community Asset Transfer workplan priorities have been identified around strengthening supported by:-

- a more targeted and proactive approach to CAT directly linked to the creation of community hubs, asset rationalisation and the potential opportunities for community empowerment that such investment and associated disinvestment by the Council offers;
- a programme of Community Asset Transfer awareness raising and communication across Council services, elected members and communities;
- a programme of training and capacity building for key staff with a role in supporting delivery of Community Asset Transfer;
- promoting a focus on the best outcome and approach to fit the needs of a particular community group and the wider community it represents;
- ensuring that the CAT and Participation Request requirements are embedded in the Working with Communities Framework and associated workplan;
- promotion and further development of the online portal to ensure that where possible digital approaches are used in line with the aims of Digital NL; and
- small scale targeted investment in properties to ensure wind and watertight prior to CAT or long term lease established.

2.3 Targeted and proactive approach

The Council is subject to CAT Requests for any properties within its ownership and has a statutory obligation to respond supportively to such requests. In addition to publicising a list of Council assets, there is merit in pursuing a more proactive and targeted approach to CAT and Participation Requests in line with strategic priorities linked to Inclusive Growth.

2.3.1 Promoting CAT Lite

A 'lighter touch' approach to ensure that lease agreements with community groups recorded under the CAT process can, organisational capacity permitting, be progressed as a quick and efficient option for community empowerment.

Properties with potential to become surplus through the Economic Regeneration Delivery Plan, Community Hubs programme or asset rationalisation processes, presents a clear opportunity to engage proactively with community groups and organisations to agree use or disposal in line with community aspiration. There may be some instances where a group can progress through the CAT process quickly (FastTrack) where:-

- a local community group or organisation is already considering CAT as an option in or around the location of the identified potential surplus property; and/or
- a key community anchor organisations exists with a proven track record in managing assets and delivering services to ensure that a property that has the potential to become surplus can continue to be used for community benefit as part of the wider economic regeneration of an area; and/or
- where the transfer of the asset is beneficial in supporting the achievement of The Plan for North Lanarkshire ambitions; and/or
- a local voluntary or community group is currently occupying a Council asset.

This would apply where only 1 community group has expressed an interest and meets criteria. Where there is more than one interested party the full CAT process would need to be followed. It is worth noting that failure to follow procedures that meet the guidance and timescales for CAT requests set out through the Community Empowerment (Scotland) Act 2015 could result in referral to Scottish Ministers who can enforce or overturn decisions locally.

2.3.2 Awareness Raising and Communication Plan

An online Community Asset Transfer/Participation Requests portal has been established to ensure that clear and consistent information is accessible to communities to support their participation. In line with Digital NL, the aim is to develop a comprehensive portal that will in most cases sufficiently support community groups to self - assess their suitability for CAT and indeed Participation Requests online and direct them to appropriate support accordingly.

However there is a corresponding need to develop an awareness raising and communication plan for CAT approaches targeted at:-

- elected members;
- communities;
- Council services;
- Community Planning Partners; and
- anchor community and voluntary sector organisations.

A draft awareness raising and communication plan is attached as Appendix 1 to this report. The plan focusses on:-

- ensuring a clear understanding and promotion of support available to communities;
- better alignment of mapping systems and asset and property registers to assist communities to understand types of property, ownership and any associated barriers or criteria; and

- awareness of CAT processes linked to wider engagement and participation opportunities and reflecting the marketing of available assets.

Whilst it is recognised that, in most cases, digital approaches are effective, the diversity and complexity of community organisations means that the overall approach needs to be flexible enough to support communities to access information and support in a range of ways.

2.3.3 Focus on Positive Outcomes

In line with Scottish Government Guidance, the Council requires to publish information on the number of organisations supported through the official CAT and participation request processes, the outcome of any requests and support any support provided to organisations to realise their aspirations. To date the focus for reporting and measurement has been around number of groups achieving or working towards CAT or Participation Requests. Given the complex nature of taking community groups through the CAT process which can be lengthy and the numbers of full transfers therefore low. What often starts as a CAT enquiry may result in a number of positive and empowering alternative solutions can emerge including:-

- partnership agreements with council services, ALEO's or CPP agencies;
- agreed outcomes through a participation request;
- long or short term leases;
- business development support;
- capacity building support to an organisation; and
- increased involvement in a decision making or service planning process.

2.3.4 Training and Capacity Building

While the Communities Team are the first point of contact for CAT enquiries and for coordinating the process, successful delivery of an approach that supports the delivery of the TPFNL impacts on and is impacted by the operation of other services, for example:-

- Asset and Property;
- Legal and Democratic Services; and
- North Lanarkshire Properties.

Furthermore, a number of locality focused employees and volunteers (Council, Community Planning Partnership, and third sector) require not only to understand the process but also their role in providing guidance, sign posting and capacity building support for community groups and organisations. This would apply to elected members and those with a remit linked to:-

- community capacity building;
- youth work;
- employability;
- advising or supporting community and voluntary organisations;
- funding opportunities; and
- business support.

In partnership with Development Trust Association for Scotland (DTAS) a programme of training and capacity building activity is being prepared to support the CAT workplan.

2.3.5 Investing in Disinvesting – Council Properties Available for Community Asset Transfer

In addition to the statutory requirement to establish, maintain and make available a register of land owned or leased by the Council, it is proposed to produce a specific list of surplus properties currently available for Community Asset Transfer with a commitment, that should there be interest in either full community asset transfer or long term lease (eg 25 years), that the Council would commit to ensuring that the property would be offered in a basic wind and watertight condition. This list would only contain properties where expenditure to bring the property up to a wind and watertight position would not exceed 10K.

3. Equality and Diversity

3.1 Fairer Scotland Duty

Individual Community Asset Transfer and Participation Requests will be subject to Fairer Scotland Assessment as required.

3.2 Equality Impact Assessment

The Community Asset Transfer and Participation process assists the council to deliver on key equalities duties. In particular, the policy will further the public sector equality duties to advance equality of opportunity and foster good relations. An Equality Impact Assessment has been undertaken in respect of the CAT policy. No concerns have been highlighted as a result of the assessment.

4. Implications

4.1 Financial Impact

The costs of investing in the surplus properties to be actively promoted as suitable Community Asset Transfers (as referred to in paragraph 2.3.5) would require to be met through the Council's Strategic Capital Programme.

4.2 HR/Policy/Legislative Impact

The Community Asset Transfer and Participation requests process implemented in accordance with the Council's statutory duties as outlined in the Community Empowerment (Scotland) Act 2015 and the Asset Transfer under the Community Empowerment (Scotland) Act 2015 Guidance for Relevant Authorities.

4.3 Environmental Impact

The Participation Request and CAT process supports the Council's ability to meet the requirements of the Climate Change (Scotland) Act 2009 public sector duties.

4.4 Risk Impact

Ongoing consideration as part of the corporate risk management approach linked to the implementation of the Community Empowerment (Scotland) Act 2015.

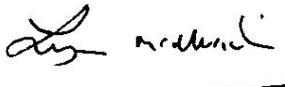
5. Measures of success

5.1 Performance measures in respect of Community Asset Transfer and Participation Requests have now been included in the Plan for North Lanarkshire – Strategic Performance Framework. The measures cover the following:-

- numbers of successful Participation and CAT requests;
- number of community groups engaged in Participation and CAT requests;
- support provided to community groups and organisations as a result of initial CAT or PR enquiries; and
- positive outcomes or referrals as a result of initial CAT or PR enquiries.

6. Supporting documents

8.1 Appendix 1 – Draft CAT Communication and Awareness Raising Plan



Lizanne McMurrich
Head of Communities

**Community Asset Transfer (CAT)
Draft Communication and Awareness Raising Plan**

Appendix 1

| CAT Priority | Communication and awareness raising actions | Timescale |
|--|---|--|
| Ensurs a clear understanding and promotion of support available to communities; | Key staff training sessions delivered in conjunction with DTAS for key Council staff involved in supporting delivery of CAT | December 2019 |
| | Initial Information sharing and training sessions with key community anchor organisations and other interested community groups | December 2019 |
| | Elected Members briefing sessions | January 2020 |
| | Staff briefings for all frontline staff or those who may come into contact with community groups to ensure a basic understanding of the process | June 2020 |
| | Produce CAT promotional materials reflecting the wider engagement framework and TPFNL engagement | Feb 2020 |
| | Leadership briefing and targeted discussions through CMT | January 2020 |
| Better alignment of mapping systems and asset and property registers to assist communities to understand types of property, ownership and any associated barriers or criteria; | Identify key mapping systems and registers used across the council and identify opportunities to merge/better align to support community use | March 2020 |
| | Move to visual map based interactive online asset register to support community use for CAT process | March 2020 |
| | Linked to Digital NL, continue to update and refine online portal linked to other engagement tools (ie Consul) to ensure that information is relevant and useful | Ongoing complete December 2019 |
| | Continue to support core group of staff with responsibility around CAT to meet to work through and ensure an understanding of shared challenges and barriers | Ongoing – group established by December 2019 |
| | Ongoing reports and discussions at CMT and committee to ensure leadership and decision making that supports community empowerment and TPFNL | Ongoing – early sessions Oct/Nov 2019 |
| Awareness of CAT processes linked to wider engagement and participation opportunities and reflecting the marketing of available assets. | In line with the Councils Community Asset Mapping process, undertake detailed asset mapping time lined to support the Community Hub and Town Centre Programmes | Draft timeline produced by December 2019 |
| | Identify and engage with key community anchor groups, mechanisms organisations to ensure understanding and capacity around CAT to enable dialogue around potential opportunities through regeneration | January 2020 |
| | Through existing requests map gauge interest in CAT in an area against investment and development | December 2019 |
| | Support wider engagement around investment and disinvestment ensuring that CAT is viewed as a positive option in supporting community empowerment | March 2020 – ongoing |