DUMFRIES AND GALLOWAY COUNCIL

COMMUNITY ASSET TRANSFER (CAT)

DRAFT ANNUAL REPORT 2018/19

As at 31 March 2019

CONTENT

Page

1. Introduction

This is the second Community Asset Transfer (CAT) Annual Report for Dumfries and Galloway Council.

Our CAT Strategy is about empowering local people to make use of their assets to provide services to help our communities thrive. Community groups across Dumfries and Galloway have embraced the opportunity to manage and acquire land and buildings and CATs are expanding at an increasingly fast rate.

The Strategy Objectives were about the Council putting the customer first, minimising bureaucracy and supporting communities to develop their creative local aspirations. They were about responding to customer feedback and developing supports and systems that respond to customers' needs. Councillors enthusiastically endorsed the Strategy back in March 2017 and the challenge for the first two years has been to put these very sound and progressive Objectives into practice.

Our Council continues to work on changing its culture to become more engaging and empowering with its local communities. It has reshaped to be in a better position to work alongside communities to enable them to thrive at a time of fiscal restraint. CAT is part of that empowerment. We are having conversations with our communities about their priorities and inviting them to a more participative, community led relationship. CAT is part of that process.

During the year 2018/19 the development of CAT has been about learning from our community groups, helping them to consult and engage with their communities and develop their Business Plans based on bringing real social value to their local area. Community Transfer Bodies that have been through the Council's CAT Procedure are now helping other groups embarking on the journey. Peer learning is becoming a more common feature of the CAT landscape.

The CAT Procedure continues to involve learning for our Council and its partners. We have worked closely with Third Sector partners to develop ways of working that are complementary and we have all embraced this different way of doing things. Our Council continues to learn much from the communities themselves. We bring skills and expertise and they bring experience of what is needed and what works at a local level

The Council's capacity and speed of response can be challenging as the number of CATs grow – particularly for Legal Services and Property and Architectural Services. Our Satisfaction Survey this year reflects this pressure, with some groups commenting that the information they are seeking has not been communicated to them in a timely manner. So we know we need to improve.

Elected Members have again supported a wide range of Business Plans for community use of assets - everything from a facility in Kirkcudbright which will house a Gin Distillery and a community Planetarium to a community run caravan site and a skatepark. Communities are becoming increasingly more confident and creative in their aspirations, visions and use of local assets.

2. Legislative Requirements

Section 95 of the Community Empowerment (Scotland) Act 2015 requires the Council to set out, in a published annual report, how it has promoted and supported Community Asset Transfer, numbers of community asset transfer requests received and the outcomes of these requests. Specifically:

- Promotion of Community Asset Transfer (CAT) - anything the relevant authority has done to promote the use of asset transfer requests and support community transfer bodies to make requests.

- Number of CATs received and those agreed/ refused/ appealed with reasons, specifically:

  - how many asset transfer requests were received
  - how many requests were agreed to or refused
  - for requests agreed to, whether they resulted in transfer of ownership, lease or conferral of other rights
  - for appeals relating to requests made to the relevant authority, how many have been allowed, dismissed, or have resulted in any part of the authority's decision being reversed or changed
  - where decisions made by the authority are reviewed, how many have been confirmed, modified or substituted by a different decision.

3. Council CAT Strategy

The Council continues to support community groups to take on the ownership of land and buildings to benefit their local communities. Support has been built into the process from its inception two years ago. The following details the support currently provided by Dumfries and Galloway Council:

3.1 Proactive Support for CAT
The Council agreed its Community Asset Transfer Strategy and Procedure on 7 March 2017. Promotion of Community Asset Transfer and support to community bodies to make asset transfers was considered to be very important by the Council throughout the development of the CAT Strategy and Procedure.

The Strategy states:

Community Asset Transfer (CAT) is not just about the transfer of land, buildings and structures; rather it is part of a wider picture in helping communities meet their shared aspirations and visions. It is about helping and empowering communities make best use of their local assets to become resilient, entrepreneurial; and thriving in a fiscal climate where the capacity for councils to continue to deliver services in the traditional manner becomes challenging.
Our Council values local empowerment, respects our communities, works in partnership and with communities to sustain services. We do not want to do things "to" communities but rather want to "work with" them so they can 'do it for themselves'.
Community groups which had undergone asset transfer were consulted and their views formed the basis of Strategy Development and the resultant action plan.

3.2 Listening to Community Groups and Stakeholders
The Council continues to reflect on its CAT process by working with Third Sector expert advisers such as Community Ownership Support Service (COSS), Development Trusts Association Scotland (DTAS) and other councils. Council officers have spoken to community groups on CAT through the Third Sector D&G roadshows and were invited to contribute to the regional COSS awareness raising exercise at Creebridge Hotel in March 2019. Ward Officers and the Community Development and Empowerment Manager work intensively with every community group expressing an interest in an asset.

Through the CAT officers and managers meet with Community Transfer Bodies to evaluate the effectiveness of CAT and the CAT Procedure. Learning from these meetings is analysed and improvement actions planned and implemented.

In formulating our CAT strategy and Procedure we listened to stakeholders who told us that good practice would address the following issues:
1. Making it easier and clearer how to go about having a pre-application discussion and making a request for an asset - the Council's decision-making process (including the role of Committees) in relation to transfers; more visible web information about available assets and the process; funding routes; easy read style guidance and application forms including a Business Plan template (Plain English Crystal Mark would be the ideal);

2. A single point of contact for communities, Elected Members, partner organisations and staff to go to about potential asset transfers;

3. Procedures to deal with disputes/mediation and an appeal process;

4. Training for relevant staff about supporting organisations to apply for an asset transfer;

5. Clear timescales for each stage of an application (the Guidance and Regulations to be issued by the Scottish Government was expected to define the maximum number of days for each stage);

6. Clear criteria about how the Council will assess an application (including for example the engagement with the wider community that an applicant is expected to undertake/evidence; sustainability of the applicant organisation; the viability of the Business Plan; environmental and financial sustainability of the asset);

7. Clarity about considering and allocating capital investment to assets of interest to organisations;

8. Improved advertising of assets, which may be available for transfer;

9. Clearer criteria for any conditions to be included in the transfer agreement - for example in the event an asset ceases operation once transferred to community ownership / management; or prohibiting resale within a certain period; unsustainability of the community organisation.

We have adopted these approaches over the past two years and continue to refine and improve. We are beginning to see the fruits of some of the CATs, however some of the more complex plans will take several more years to become fully manifest and begin delivering results for their communities.

3.3 Peer Learning

The CAT Procedure has been live now for two years and during that time officers, Members and community groups have been on a learning curve. We now have many groups that have been through the process and as a result have built new capacities and increased their confidence in designing their Business Plans, consulting their communities and navigating the process. They have begun informally to share learning with each other and officers are keen to help facilitate that process.

Currently the Council officers are working with CAT groups to produce a film where groups share their experience of the CAT process so that others can learn from their "tips and wrinkles". The film will be light on officer voices and focus on the voices of community group members; it will cover everything from groups starting out with little previous experience of managing assets and unconfident with lack of skills and knowledge through to those who have been through the process from start to end and built confidence and skills. The film will be put onto the Council's and Third Sector D&G Webpages and made available on social media.

3.4 CAT Objectives to support and empower communities

The Council agreed 4 Objectives for CAT which are both about promotion of CAT and supporting community groups through the process:
Objective 1
To promote CAT as a key aspect of community empowerment.
Objective 2
To support community groups throughout the CAT process
Objective 3
To ensure transparency and fairness in our decision-making
Objective 4
To put the customer first and respond to what our service users (CAT) groups and people supporting them are telling us about future improvements

3.5 Actions to Support Community Groups
The resultant action plan to develop the Strategy included:
- the development of clear procedures
- training and development of key officers from other departments and ward officers to support communities.
- a website and easy- read guidance to assist applicants, training for ward officers to support communities through the community asset transfer process,
- signposting groups to other sources of support including Third Sector Interface and national organisations such as COSS and DTAS
- the setting up of an appeals panel comprising elected members not involved in the original decision making committee.

All of these Actions have now been completed.

4. Support in 2018/2019 for community groups

4.1 The development of clear procedures

In developing our Procedure, we engaged with groups that had previously undergone CAT to seek their views on how we could improve the historic process. In summary applicants wanted: a conversation and a local point of contact they could talk to. They wanted a simplified, less bureaucratic process for applying for asset transfer. These views were included in the design of the procedure and accompanying materials in the website. They were also reflected in the approach the Council takes to CAT which is based around dialogue and face to face support, building confidence and community capacity to take on challenges. There is a willingness to keep bureaucracy to a minimum. These approaches build community confidence in the process and help promote CAT.

4.2 The creation of the Community Asset Transfer website.

Feedback from service users tells us that community groups value the website as it is engaging, invites applicants to a discussion, minimises use of jargon and bureaucracy and offers a single point of contact. The site lists all property in Council ownership so that community groups can see what might be available for CAT. It contains all required advice and proforma for making an application. It also invites community groups to have a conversation and offers a single point of contact via their local Ward Officers.

4.3 A single point of contact

Support from Ward Officers

Community Transfer Bodies tell us that they value the support provided by Ward Officers. In particular, they appreciate having a source of support to help them navigate the Council so that they do not have to contact several individual Services for information. All Ward Officers have received sound training in the process and ways to support communities. In addition, link officers from other Directorates have received training in CAT and provide support to community groups to assist with their Business Plan development.

4.4 Promotion

4.4.1 The Council's CAT Procedure continues to be promoted **on social media**- links to the CAT website are promoted through the Council's Facebook and Twitter pages. Word of mouth is perhaps the greatest PR tool in our region and the success of a number of CAT groups is well known and inspires other groups to take the CAT journey. The CAT film the Council is currently producing contains the voices of these groups and will appear on the CAT website as examples of good practice and to allow others to learn from these groups' experiences.

4.4.2 Ward Officers are in each Council Ward. The Ward Officer actively promotes CAT and builds the confidence of local groups in accessing and going through the CAT Procedure.

4.4.3 Information to **Community Councils.** All Community Councils received information on CAT and the website link. Community Councils are consulted as part

of the CAT Procedure

4.4.4 Support from Third Sector Partners.
Third Sector Dumfries and Galloway was very actively involved in developing the Council's Strategy and Procedure, works closely with the Ward Officers, trains in the Council's CAT Procedure and promotes CAT to community groups.

4.4.5 Support from Elected Members
Elected Members are increasingly familiar with CAT, take a very active interest and are informed of every application in their Ward.

4.4.6 Engagement and Listening.
Our Council has active discussion with all applicants and improved the information available on our website based on customer feedback. Word of mouth is particularly important in rural communities and potential applicants gain confidence from hearing of other groups' experiences.

4.4.7 Liaison across Council Services – There is ongoing training and active coaching for Ward Officers and Community Asset Managers. All Ward Officers and Community Asset Managers were trained extensively in the CAT Strategy and Procedure in order to maximise local support to groups with aspirations to take on land or buildings. All these officers involved in CAT meet regularly to ensure that their support to community groups and the CAT process is joined up. There is also liaison with Property and Architectural Services and Legal Services including attendance at officer training sessions.

5. Community groups views on the support offered

31 community groups which have undergone asset transfer or are currently in the process were consulted on three specific questions: 33 responses were received.

Q1 Please comment on the support you have received to work through the Community Asset Transfer process; and tell us how could the support be improved?

Excellent:25
Very Good:4
Good:1
Satisfactory:1
Weak:0

Comments:

- The Ward Officer goes the extra mile to make sure we get all the help we need.
- Great support from the Ward Officer and her team
- When we ask for information on running costs, it could be quicker.
- It was good to link with another group that had done asset transfer
- After the CAT was agreed, it took a long time for us to get the thing transacted by the Council's Legal team.
- Took time to get the information on running costs for the building which did not allow us to do due diligence as quickly as we wanted.
- The land had historic pollution and we needed clear information to help establish who was responsible for investigation and remedial action. The response to this was slow.
- Good support with the business plan but we were waiting for over a year for the property to be transferred after it was agreed by both committees.

Q2 If you used the website, was it useful and easy? How could the website could be improved?

Excellent: 21
Very Good:7
Good:2
Satisfactory:1
Weak:0

Comments:

- It was helpful to look at the property list. A wee bit hard sometimes to find your way around it though.
- The Submit button did not work- needed to download the form but that was ok.
- The site is pretty helpful. We had to download the forms as we could not get the submit button to work. We then posted a copy too.

- The webpage should list contacts for other groups that have been through CAT and say they want to share their ideas with others.

Q3 Did you get a timely response to your request for Community Asset Transfer?

Excellent: 14
Very Good: 10
Good: 6
Satisfactory:1
Weak 0

Comments:

- We got a response right away and the Ward Officer and Jamie contacted us within a few days.
- A quick response to the Trust's application
- It took time to get the full information we needed on the running and repair costs for the building.
- The transfer went fine. It was the waiting time for the lease to be put in place that was too long.

6.Number of Community Asset Transfers

The Council's CAT Procedure works on a Stage 1 and Stage 2 process. Stage 1 is simply an indication of interest. It signals to the Council a community interest which allows us to check title and collate information which is of use to the community transfer body in developing its business plan. This information includes such items as condition surveys, running costs, planned repairs etc. It also triggers allocation of officer support to the group though the Ward Officers and Third Sector partners.

Not all Stage 1 applications progress to Community Asset Transfer. Applicants may decide to withdraw for a variety of reasons

A Stage 2 application is a formal application for Community Asset Transfer, accompanied by a business case, an indication of social return on investment and a financial plan demonstrating how the community transfer body will sustain the running of the property. The Policy and Resources Committee makes the final decision after comment by the Area Committee.

Short Summary of Community Asset Transfers in Progress and Completed

Applications in Progress

No. of Stage 1 applications in progress: 31

No. of Stage 2 applications in progress: 7

Application Decisions

Short term Leases (< 5 years) 19
No. of short term leases requested: 19
No. of short term leases agreed 19
No. of short term leases refused 0
No. of appeals to decision 0

Long term Leases (>20 years) 9
No. of long term leases requested: 9
No. of long term leases agreed 9
No. of long term leases refused 0
No. of appeals to decision 0

Full Community Asset Transfer 14
No. of applications for full Community Asset Transfer   14
No of Community Asset transfers agreed 14
No. of Community Asset Transfers refused 0
No. of appeals to decision 0

Community Asset Transfers by Ward as at 31 March 2019

No. of Stage 1 applications in progress: (31)

Ward 1 - Stranraer & the Rhins (1)
Enterprise Workshop Hillside Drive Stranraer.

Ward 2 - Mid Galloway & Wigtown West (8)
Old Station Lorry Park, Glenluce; Woodside Industrial Estate, Glenluce; Minnigaff
Playing Fields/Blairmount Park; Blairmount Park Pavilion; Unit 1 & Unit 2 Industrial
Block, Minnigaff; Stronord Outdoor Centre; Whithorn Trust Visitors Centre;
Pennighamme Centre.

Ward 3 - Dee & Glenkens (6)
New Galloway Town Hall; Public Toilets, Auchencairn; Borgue Hearse House;
Glenlochar Community Centre; Carsphairn Heritage Centre; Former Council Yard St
Johns Dalry (also recorded under short term lease).

Ward 4 - Castle Douglas & Crocketford (1)
Lochside Caravan Park & Carlingwark Outdoor Centre.

Ward 5 – Abbey (1)
Former Dalbeattie Primary School.

Ward 6 – North West Dumfries (1)
Lochside Library.

Ward 7 - Mid & Upper Nithsdale (4)
Land at Goosedubs; Former Sanquhar Library; Land (Old Prefab Site) at Nivison
Road Kelloholm; Derelict Land at Scott Street Kelloholm.

Ward 8 – Lochar (1)
The Greens & Layby opposite Auldgirth Hall & the Aulgirth Inn.

Ward 9 – Nith (5)
Cresswell Gardens Building; Land surrounding the old Radio Control Car Track area
at Kingholm Quay; Langlands School; Old Maths Block St Joseph's College;
British Linen Bank Building.

Ward 11- Annandale North (1)
Dryfe Road Old School; Land between D.S Smith & the 3G Pitch Lockerbie.

Ward 12 – Annadale East & Eskdale (2)
Changing Rooms attached to Springfield Primary School; Westerkirk School,
BentPath, Langholm.

No. of Stage 2 applications in progress: (7)

Ward 2 - Mid Galloway & Wigtown West (1)
Glentrool School (also recorded under short term lease).

Ward 3 - Dee & Glenkens (1)
Kirkcudbright Sea Angling Club Office.

Ward 5 – Abbey (1)
Former St Peters RC Primary School.

Ward 9 – Nith (3)
Catherine Street Play Park; Georgetown Community Centre (also recorded under short term lease); Pavilion, Kingholm Quay.

Ward 10 – Annandale South (1)
Former Library, Charles Street, Annan.

Short term Leases (< 5 years) (19)
No. of short term leases requested (19)
No. of short term leases agreed (19)
No. of short term leases refused (0)
No. of appeals to decision (0)

Ward 1 - Stranraer & the Rhins (1)
Portpatrick Hall.

Ward 2 - Mid Galloway & Wigtown West (5)
St Couans Hall, Kirkcowan; Glentrool School; Garlieston Hall;
Glenluce Hall; Newton Stewart Visitors/Tourist Centre.

Ward 3 – Dee & Glenkens (2)
Former Council Yard St Johns Town, Dalry; Kirkcudbright Caravan Park, Silvercraigs.

Ward 5 – Abbey (1)
Troqueer Community Centre.

Ward 6 - North West Dumfries (2)
Summerhill Community Centre; Lochside Community Centre.

Ward 7 - Mid & Upper Nithsdale (2)
Kirkconnel Miners Memorial Hall.
Thornhill Community Centre

Ward 8 – Lochar (1)
Heathhall Community Centre and Bowling Green.

Ward 9 – Nith (4)
Cresswell Community Centre; Georgetown Community Centre;

Kingholm Quay Community Centre; Noble Hill Community Centre (operating with lapsed short term lease).

Ward 10 – Annandale South (1)
Gillespie Memorial Hall; Annan Community Centre.

Long term Leases (>10 years) (9)
No. of long term leases requested (9)
No. of long term leases agreed (9)
No. of long term leases refused (0)
No. of appeals to decision (0)

Ward 1 - Stranraer & the Rhins (1)
Stoneykirk Village Hall.

Ward 3 – Dee & Glenkens (1)
Kirkcudbright Skatepark.

Ward 4 – Castle Douglas & Crocketford (2)
Castle Douglas Community Centre; Birkland Park Land (Football Pitch).

Ward 5 – Abbey (1)
Dalbeattie Multi-Use Games Area

Ward 6 – North West Dumfries (1)
Lincluden Community Centre.

Ward 9 – Nith (1)
The Stove.

Ward 10 – Annandale South (1)
Part of the Recreational Ground at Newington Sports Centre.

Ward 12 – Annandale East and Eskdale (1)
Richard Greenhow Centre, Gretna.

Full Community Asset Transfer (14)
No. of applications for full Community Asset Transfer (14)
No of Community Asset transfers agreed (14)
No. of Community Asset Transfers refused (0)
No. of appeals to decision (0)

Ward 1 - Stranraer & the Rhins (2)
Portpatrick Public Toilets; Ward Shore Land Portpatrick.

Ward 2 – Mid Galloway & Wigtown West (1)
New Town Hall Whithorn (agreed at Committee but not yet progressed to date).

Ward 3 – Dee & Glenkens (2)

Johnson School, Kirkcudbright; Glenkens Community Centre.

Ward 4 – Castle Douglas & Crocketford (1)
Hearse House, Carmichael.

Ward 6 - North West Dumfries (2)
Lochside Primary School; Stakeford Community Centre.

Ward 7 - Mid & Upper Nithsdale (1)
Land at Castle Crescent, Closeburn.

Ward 9 – Nith (1)
Bakers Oven, Dumfries.

Ward 11 – Annandale North (1)
Former Workshop/Garage Kirk Land, Lockerbie.

Ward 12 – Annandale East & Eskdale (3)
Langholm Old Library; Langholm Quay; The Former Police Station, Langholm.

Savings to Council- Running Costs

As stated in another report on this Committee's agenda, properties featured in the Community Facilities Review, transferred through Community Asset Transfer, have made a saving for the Council of £527,750.

Many of our properties, whether occupied or vacant, involve running and maintenance costs for the Council.

A very rough estimate, based on running costs, puts the ongoing savings through the assets additional to the Community Facilities Review at around £400.000 ongoing

This figure needs to be balanced against gains lost through lack of capital receipts.

The above figures are a rough estimate only and a more in depth analysis of these figures will be presented in a future report to this committee along with social value information.

Social Value

Value is not measured by financial figures alone and when deciding on CAT applications our Elected members consider the social value brought to local communities by the business plans presented by CAT applicants. This involves consideration of how the plans assist the delivery of Council priorities e.g. for Social Inclusion, improving the local economy, supporting anti- poverty outcomes, helping our children get the best start in life and supporting local skills, learning and employability. All of these things help our communities thrive and bring value. Our intention is to better translate that social value into a monetary equivalent using the Social Value Engine. This will feature in future reports on CAT applications.

7. Monitoring and Reporting

In addition to this Annual Report, the CAT's leases were reported to the four Area Committees in the six monthly and End of Year Communities Business Plan Performance Monitoring Report, so that Elected Members and residents know of these developments in their locality.

CATs featured in the annual Ward Visits undertaken by the Director and supported by Ward Members; and there has been good publicity in local print media for CATs.