

**ITEM No ...11.....**

**REPORT TO:** POLICY AND RESOURCES COMMITTEE – 4 JUNE 2018

**REPORT ON:** COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 ANNUAL REPORT ON ASSET TRANSFER

**REPORT BY:** EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES

**REPORT NO:** 161-2018

**1 PURPOSE OF REPORT**

- 1.1 To advise Committee of the first annual report on Part 5 of the Community Empowerment (Scotland) Act 2015 (The Act) in relation to Asset Transfer.
- 1.2 To inform Committee on the progress of the implementation of the Community Asset Transfer Strategy approved by Committee on 13 March 2017. (Article II of the minute of Meeting of this Committee of 13<sup>th</sup> March, 2017, Report No. 85-2017 refers).

**2 RECOMMENDATION**

- 2.1 It is recommended that the Committee:-
- a) Note the contents of the first annual report as detailed in the attached appendix which covers the period from 23 January 2017 to 31 March 2018
- b) Note the progress made in relation to the implementation of the Community Asset Transfer Strategy.

**3 FINANCIAL IMPLICATIONS**

- 3.1 None.

**4 BACKGROUND**

- 4.1 Section 95 of the Act requires every relevant authority to publish an annual report commencing with the period 23 January 2017 (being the date Part 5 of the Act came into force) to 31 March 2018. The report has to state:-
- The number of asset transfer requests received.
  - How many requests were agreed to or refused.
  - For requests agreed to, whether they resulted in transfer of ownership, lease or other rights.
  - The number of appeals allowed or dismissed or have resulted in any part of the authority's decision being reversed or changed.
  - Where decisions made by the authority have been reviewed, how many have been confirmed, modified or substituted by a different decision.
  - The report must also describe anything a relevant authority has done to promote the use of asset transfer requests and support Community Transfer Bodies to make requests.

4.2 Progress since approval of the Community Asset Transfer Strategy in March 2017 (85-2017) is as follows:-

- The transfer of Victoria Bowling Green which was approved under the Council's voluntary scheme took place in March 2018.
- A pre-application and application process has been developed and placed online. 31 community organisations have been supported in their enquiries about the asset transfer process. Support is provided by the Community Empowerment Officer and regeneration team staff who explain the process and work with the group to develop their proposal. Voluntary and community groups across Dundee have differing levels of capacity to be able to manage assets and the Council is promoting the different options available (for example a short lease may be appropriate for a community body that wants to develop its capacity before taking on the responsibilities of ownership) through awareness raising, outreach and support. Officers from a wide range of services are actively working with voluntary and community organisations to build capacity and to provide them with the confidence and skills.
- There have been 4 pre-applications with considerable support provided to community bodies to assist them to get the information and governance required to submit a full application as detailed in the Act.
- A review has been undertaken of the agreements which are in place in community centres across the City. Presently there are 157 agreements which exist with a range of community and voluntary organisations whereby the Council, in partnership with local management groups, provide access to the community centres for services to be run by community and voluntary groups which directly benefit the local community.
- A guidance document has been produced which explains how to apply for the transfer of an asset and how the Council will support an organisation through the process. The guidance is for all voluntary and community groups interested in acquiring assets owned or leased by the Council in order to develop and deliver services and generate benefits for local communities.
- A Community Empowerment section of the Council website has been established in accordance with the requirements of the Act which allows community groups to find out more about Community Asset Transfer, Participation Requests and Participatory Budgeting. It also provides information about what is required and how to apply for the transfer of an asset and includes the online register of assets.  
<https://www.dundee.gov.uk/service-area/neighbourhood-services/housing-and-communities/community-empowerment/community-asset-transfer>
- As well as supporting community organisations it is recognised that the Act places requirements on a wide range of service providers and community planning partners. An e-learning resource has been designed for community groups and organisations, staff and partners to raise awareness about the Act and highlight what support has been made available for community organisations across Dundee and Tayside.

## 5 POLICY IMPLICATIONS

5.1 This report has been subject to an assessment of any impacts on Equality & Diversity, Fairness & Poverty, Environment and Corporate Risk. A copy of the Impact Assessment is available on the Council's website at [www.dundee.gov.uk/ia/reports](http://www.dundee.gov.uk/ia/reports).

## 6 CONSULTATIONS

6.1 The Council Management Team were consulted in the preparation of this report.

**7 BACKGROUND PAPERS**

7.1 None.

Elaine Zvirlein  
Executive Director of Neighbourhood Services

David Simpson  
Head of Housing & Communities

DS/MD/EH

8 May 2018



## Appendix 1

## Summary Information for Annual Report

Reporting period - start	23/01/2017
Reporting period - end	31/03/2018
Total number of asset transfer requests received	0
Number agreed	0
Number refused	0
Number resulting in:	
a transfer of ownership of land to a community transfer body	0
a lease of land to such a body	0
rights in respect of land being conferred on such a body	0
Number of appeals under section 85 relating to such requests made to the relevant authority:	
Allowed	0
Dismissed	0
Resulted in any part of the decision of the authority being varied or reversed	0
In relation to a decision of the relevant authority reviewed under section 86 or 87, the number of such decisions that have been:	
Confirmed	0
Modified	0
Substituted by a different decision	0
Total Area Transferred (ha)	0

Instructions: enter a Start & End date for the Reporting Period to be covered. Other cells will be populated automatically based on the information entered on the other worksheet

## Asset Transfer Requests - Collection of Summary Information

<b>Relevant Authority</b>	Dundee City Council
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Asset transfer request - summary information								
Property address	Community Transfer Body	Initial request date	Validation date	Rights requested	Area of land (Ha)	Proposed use	Outcome	Date of request outcome
<b>Voluntary Scheme</b>								
Victoria Bowling Green	Yusef Youth Initiative	13/01/2017		Lease	0.29	Community growing, education and play activities	Agreed	11/09/2017
<b>Pre Applications:-</b>								
59 Pitkerro Dr DD48AT & land	Mid Lin Day Care Ltd	22/08/2017		Purchase		Redevelopment of Centre		
88 Fintry Road, DD4 9EG	Dundee Assoc for Mental health	14/08/2017		Purchase		Establish Centre of Excellence		
22 Mains Loan, DD4 7AA & land	Dundee Int Womens Centre	20/11/2017		Purchase		New centre to support women		
Drumgeith pitches	Fairfield Community Sports Hub	9/02/2018		Lease		Community sport activities		
<b>Community benefit agreements)</b>								
Ardler Community Centre	Local Mang group & DCC			Other		25 Community Benefit agreements		
Charleston Community centre	Local Mang group & DCC			Other		26 Community Benefit agreements		
Douglas Community centre	Local Mang group & DCC			Other		23 Community Benefit agreements		
Finmill Centre	Local Mang Group & DCC			Other		10 Community Benefit agreements		
Kirkton Community Centre	Local Mang group & DCC			Other		23 Community Benefit agreements		
Menzieshill Community Centre	Local Mang group & DCC			Other		25 Community Benefit agreements		
The Crescent (Whitfield)	Local Mang group & DCC			Other		25 Community Benefit agreements		

Application for Review			Appeal to Scottish Ministers			Contract concluded		
Date of Application	Outcome	Date of review outcome	Date of Appeal	Outcome	Date of appeal outcome	Date of conclusion	Date of completed transfer	Rights transferred

**Action taken by the Council to promote asset transfer and support community transfer bodies to make application**

- The transfer of Victoria Bowling Green took place in March 2018 under the Council’s voluntary asset transfer policy.
- A pre-application and application process has been developed and placed online. 31 community organisations have made enquiries about the asset transfer process. 1:1 support is provided by the Community Empowerment Officer and regeneration team staff who explain the process and work with the group to develop their proposal. Voluntary and community groups across Dundee have differing levels of capacity to be able to manage assets and the Council is promoting the different options available (for example a short lease may be appropriate for a community body that wants to develop its capacity before taking on the responsibilities of ownership) through awareness raising, outreach and support. Officers from a wide range of services are actively working with voluntary and community organisations to build capacity and to provide them with the confidence and skills to take on the management of an asset.
- There have been 4 pre-applications with considerable support provided to community bodies to assist them to get the information and governance required to submit a full application as detailed in the Act.
- A review has been undertaken of the agreements which are in place in community centres across the City. Presently there are 157 agreements which exist with a range of community and voluntary organisations whereby the Council in partnership with local management groups provide access to the community centres for services to be run by community and voluntary groups which directly benefit the local community.
- A guidance document has been produced which explains how to apply for the transfer of an asset and how the Council will support an organisation through the process. The guidance is for all voluntary and community groups interested in acquiring assets owned

by the Council in order to develop and deliver services and generate benefits for local communities.

- As well as supporting community organisations it is recognised that the Community Empowerment legislation places requirements on a wide range of service providers and community planning partners. An e-learning resource has been designed for community groups and organisations, staff and partners to raise awareness about the Act and highlight what support has been made available for community organisations across Dundee and Tayside.

**Key:**

Optional information
Mandatory information

**Contact details of officer to whom enquiries can be made**

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