

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT OF THE CORPORATE DIRECTOR - COMMUNITIES

TOWN & COMMUNITY COUNCIL FORUM

10 JULY 2017

COMMUNITY ASSET TRANSFER (CAT) UPDATE

1. Purpose of Report

- 1.1 To provide representatives of the Forum with an outline of Bridgend County Borough Council's Community Asset Transfer policy and the opportunities currently available to work with the Council and community groups to achieve the best management arrangements for public sector property assets.

2. Connection to Corporate Improvement Plan and other Corporate Priority:

- 2.1 To reflect the commitments in the Council's current Corporate Plan:

Priority Two - Helping people to be more self-reliant:

- Enable community groups and the third sector to have more voice and control over community assets;
- Support the third sector, town and community councils and community groups to meet local needs.

Priority Three - Smarter Use of Resources:

- To make the most of our physical assets, including school buildings;
- Review assets and services and enable the successful transfer of those most suitable to community groups and organisations.

3. Background

- 3.1 CAT has traditionally been undertaken in line with the Council's Asset Management Plan 2021 : Community Asset Transfer Guidance Document first published in 2010 and updated in 2015. There have historically been a number of successful CATs, including the transfer of Carnegie House (the former Bridgend Library) to Bridgend Town Council that was subject to full-scale refurbishment in 2013 which is often used as an exemplar by Welsh Government.
- 3.2 Ongoing policies of fiscal austerity means that Wales is facing a continued, unprecedented and difficult financial climate for our public services with the Welsh Budget for 2019-20 likely to be 11 per cent lower than it was in 2010-11. It is imperative therefore that the public sector continues to work in

collaboration to safeguard the services of value to communities, helping to build a prosperous Wales for current and future generations. The transfer of an asset to a Town and Community Council or a community group offers an opportunity to maintain and preserve valuable community services which may otherwise be under threat; or alternatively to improve the provision that is already available.

3.3 Recognising that councils across Wales are proactively considering CAT the Welsh Government issued an updated “Best Practice Guide – Community Asset Transfer in Wales” (March 2016) that is designed to help manage the process, minimise risk, ensure that proposals accord with the Council’s strategy and that community groups are fully aware of the liabilities and responsibilities they will face. The updated Guide fully aligns with the “Wellbeing of Future Generations (Wales) Act 2015”, which came into force in April 2016 and aims to improve the social, economic, environmental and cultural well-being of Wales and making public bodies think more about the long term, working better with people and communities and by taking a holistic approach to solving problems and avoiding future ones.

3.4 In March 2015 the Council’s Strong Communities Connecting Services (SCCS) Board established a Task and Finish group to review its approach to CAT with the aim of increasing the pace and the number of CATs. The recommendations of the Task and Finish group were approved by Cabinet on 14 July 2015 and have been summarised in the table below together with a brief outline of the actions taken:

	Recommendation	Action Taken / Progress						
a)	The Council should draw up a list of assets which it is prepared to transfer to the community taking account of our emerging corporate priorities and Medium Term Financial Strategy (MTFS) budget reduction requirements and giving an indicative timetable;	<p>The Council determined asset groups and specific assets considered appropriate for CAT, viz:</p> <table border="1" data-bbox="906 1346 1401 1693"> <tr> <td data-bbox="906 1346 1058 1485">Priority 1</td> <td data-bbox="1058 1346 1401 1485">Public Toilets Parks Pavilions Bus Shelters Community Centres</td> </tr> <tr> <td data-bbox="906 1485 1058 1655">Priority 2</td> <td data-bbox="1058 1485 1401 1655">Playgrounds Playing fields (excluding school playing fields) and bowling greens</td> </tr> <tr> <td data-bbox="906 1655 1058 1693">Priority 3</td> <td data-bbox="1058 1655 1401 1693">Miscellaneous assets</td> </tr> </table> <p>The Corporate Director (Communities) wrote to Clerks of Town and Community Councils and relevant Community Groups and Sports Clubs on 16 October 2015 to invite expressions of interest in transferring Council assets under CAT Priority 1.</p>	Priority 1	Public Toilets Parks Pavilions Bus Shelters Community Centres	Priority 2	Playgrounds Playing fields (excluding school playing fields) and bowling greens	Priority 3	Miscellaneous assets
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b)	A fixed term dedicated CAT Officer post should be created to work with community groups/organisations to progress CAT applications, providing a single point of contact within the Council;	The Council appointed its first full-time CAT Officer in November 2015 to deal with enquiries, provide advice and guidance, oversee due diligence and liaise with internal and external stakeholders.								
c)	The current CAT guidance should be amended in line with the new Welsh Government Best Practice Guide and best practice examples in other authorities, establishing clear roles and responsibilities including and setting out a framework for considering requests for CAT including a 4 stage process made up of, expression of Interest, development of a business plan, formal assessment of the business plan and completion of the transaction;	<p>The Council issued updated guidance on Community Asset Transfer in October 2015 to reflect best practice and consultation with relevant bodies which incorporated the revisions to systems and processes and the establishment of clear roles and responsibilities for a four stage process:</p> <table border="1" data-bbox="903 875 1394 1117"> <tr> <td>Stage 1</td> <td>Expression of Interest</td> </tr> <tr> <td>Stage 2</td> <td>Development of a Business Plan</td> </tr> <tr> <td>Stage 3</td> <td>Formal assessment of Business Plan</td> </tr> <tr> <td>Stage 4</td> <td>Completion of the transaction</td> </tr> </table> <p>The Stages of the CAT process have been expanded upon further at Appendix 1.</p>	Stage 1	Expression of Interest	Stage 2	Development of a Business Plan	Stage 3	Formal assessment of Business Plan	Stage 4	Completion of the transaction
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Stage 4	Completion of the transaction									
d)	To facilitate CAT, a limited capital funding pot should be created to enable assets to be transferred in a reasonable state of repair and transition revenue funding should be considered, on a case by case basis, subject to a satisfactory business case being made.	<p>The Council has:</p> <ul style="list-style-type: none"> • Secured £1M from capital funding to support organisations wishing to take over Sports Pavilions; • Set aside £200K from the Change Management Earmarked Reserve to fund a dedicated CAT Officer, for a 3 year period, along with specific legal and property support to enable the programme to move forward; • Approved an additional £50K capital funding per annum from 2016/17 to 2018/19 to support Town and Community Councils to undertake capital projects. This is in addition to re- 								

		<p>focusing the £50K already in the Capital Programme in each of these years for community purposes to support CAT;</p> <ul style="list-style-type: none"> • Made £176.5K available from Core and SRF funds until March 2019 for the CAT Business Support Contact to provide community groups with business planning and specialist advice.
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3.5 A CAT Steering Group has been established to primarily oversee the transfer of Priority 1 assets and has responsibility for:

- Identifying CAT priorities and manage enquiries, to deliver against the MTFS priorities;
- Identifying and allocate CAT resources;
- Monitoring CAT progress and review whether projects are on track;
- Dealing with generic issues and risks associated with the delivery of the CAT programme; and
- Removing any barriers to effective joint working identified by the CAT Officer.

4. **Current Situation / Proposal**

4.1 Since the creation of the Community Asset Transfer Officer post in November 2015 the following progress has been made in relation to Priority 1 assets:

- 71 community organisations have contacted BCBC in respect of 59 different assets with sports clubs and associations continuing to be the predominant interested parties seeking self-management of pavilions and playing fields.
- 5 town and community councils (Bridgend, Llangynwyd Lower, Pencoed, Porthcawl and Pyle) are progressing applications including public toilets, pavilions and playing fields, and bus shelters.
- 23 applications are currently “live” and subject to the development of formal expression of interest, business case or seeking final approval.

4.2 The majority of enquiries to date have been received from sports clubs and associations in relation to self-management of pavilions and playing fields.

4.3 The Rural Development Programme commissioned a review to determine the impact to date of Community Asset Transfer upon clubs and societies operating in the rural wards of Bridgend. The review was completed by the Wales Co-operative Centre in May 2016, and resulted in a total of 4 recommendations whose implementation is presently being considered as part of a wider internal review of CAT systems and processes.

4.4 A report which seeks approval for interim changes to the Council's CAT Policy is scheduled to be presented to the Cabinet for consideration on 25 July 2017. The interim changes are designed to ensure that Priority 1 asset transfers can be progressed efficiently and effectively while option appraisals to inform the development of a comprehensive sports pavilion and playing fields strategy can be developed.

4.5 The Council's CAT Policy and associated systems and processes will need to be subject to further review and updating to reflect the revised sports pavilion and playing fields strategy, and an additional report will need to be submitted to Cabinet for approval.

5. Effect upon Policy Framework & Procedure Rules

5.1 Funding to support community asset transfer, the basis of allocation and the terms and conditions of grant are in the process of being reviewed to reflect the changing needs of the Council, and a report outlining these proposals will be submitted to Cabinet in due course.

5.2 The proposed changes to the approval requirements of CAT expression of interest, business cases, and funding applications will also need to be included in an updated CAT guidance document to reflect changes to Council policy, and CAT systems and processes which will also need to be submitted to Cabinet for approval.

6. Equality Impact Assessment

6.1 No Equality Impact Assessment is necessary as part of the grant allocation process, although individual schemes that have been supported may have a positive impact on equalities groups in some instances.

7. Financial Implications

7.1 The Council has already set aside funding to facilitate and support community asset transfers as outlined at paragraph 3.4d) above.

8. Recommendation

Members of the Town and Community Council Forum are recommended to note the Council's:

8.1 Community Asset Transfer Policy and associated funding that has been set aside to encourage and support the transfer of Priority 1 assets.

8.2 List of CAT Priority 1 Assets that are available for transfer at **Appendix 2**.

8.3 Recognition that community owned and managed models of delivery can reinvigorate community assets and ensure that local groups can

directly control what happens within the locality in which they operate. The success of community asset transfer is dependent on the proactive participation of willing participants - Town and Community Councils and community organisations - together with their ability and capacity to manage the asset.

- 8.4 Commitment to engage with Town and Community Councils and community groups to progress Community Asset Transfers.
- 8.5 Intention to make changes to community asset transfer systems and processes to reflect best practice and reduce bureaucracy which will be confirmed in an updated CAT guidance document when Council strategy and priorities have been approved by Cabinet.

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CORPORATE DIRECTOR - COMMUNITIES
July 2017

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Background documents

AMP 2021: Community Asset Transfer Guidance Document

Cabinet Report 4 February 2014 - The Refurbishment and Management of Sports Pavilions

Cabinet Report 14 July 2015 – Community Asset Transfer

STAGES OF CAT PROCESS

The CAT process has been designed to test an organisation's capacity and the robustness of its business and financial case.

- A. **Stage 1** of the process is the submission of an Expression of Interest which gives the CAT officer the opportunity to meet with the group face to face to discuss their proposals. At this stage checks are undertaken on the building and the group are given all relevant data for the asset. This will normally inform their decision to progress with CAT. Decisions are traditionally formed dependant of the condition and affordability of the asset.
- B. **Stage 2** of the process is where due diligence of the group and its business case commences where the CAT officer will work with the group and assess the following issues:
- a) **Capacity of the organisation** – will review their governance, legal structure, powers within their Council as an organisation identifying if the proposed works are in line with the directors responsibility and capability. The group will also be asked to provide key policies and procedures such as Equality policy, Safeguarding policy, Environmental policy, financial management procedures, insurance etc. Where areas for development are identified groups will be signposted to organisations such as Wales Coop, Coalfields Regeneration Trust and BAVO for additional support and training, which can include support with Business plans, funding, and governance. A level of common sense and relativity is being adopted when appraising applications to ensure that the process does not become a barrier or restriction to enable groups to progress forward and support will be provided where possible.
 - b) **Skills and capacity of the group** – groups will be asked for pen profiles of its directors and a brief outline of what skills and experience they will bring to the organisation. Groups will be encouraged to develop role descriptions and a structure to understand how the facility will be managed, procedures surrounding this and outline how conflict will be managed. Additionally some groups (especially where there is 1 leader or an ageing committee) will be asked to develop a succession plan. Clubs will be asked to undertake a skills audit of its committee and implement training or mentoring in areas where there are skills deficits/gaps.
 - c) **Business and financial case** – At Stage 2 the group is expected to submit a 5 year business and financial plan for review. This will identify how viable the scheme is and gives the case officer the opportunity to challenge and question some of the assumptions made to inform cash flow projections. The CAT officer will present the case to SCCS board, and will complete an application assessment matrix which scores on organisation on the following criteria:
 - i. Applicant organisations capacity – skills of committee, how it's governed and what processes and procedures are in place to ensure good practice is adopted
 - ii. The business case and proposal for the asset
 - iii. Community and partnership impact – looking at needs analysis
 - iv. Suitability of the asset
 - v. Financial case and assumptions
 - vi. Capacity to manage the asset (operational)

CAT PRIORITY 1 ASSETS LOCATED IN TOWN & COMMUNITY COUNCIL AREAS

Town / Community Council	Borough Ward	CAT Priority 1 Assets
Maesteg	Caerau	<ul style="list-style-type: none"> • Caerau Noddfa Community Centre, • Caerau Welfare Park • Caerau Athletic Club • Caerau Community Centre • Hermon Road/Metcalf Street Playing Field & Pavillion
	Maesteg West	<ul style="list-style-type: none"> • Maesteg Welfare Park
	Maesteg East	<ul style="list-style-type: none"> • South Parade Pavillion & Playing Fields • Garth Park Pavillion & Playing Fields
Llangynwyd Middle	Llangynwyd	<ul style="list-style-type: none"> • Llangynwyd Pavillion & Playing Fields
Garw Valley	Blaengarw	<ul style="list-style-type: none"> • Pwll y Gwn Pavillion & Playing Fields • Cwm Garwn Pavillion & Playing Fields • Blaengarw Cricket Pavillion
	Pontycymmer	<ul style="list-style-type: none"> • Lawrence Park Pavillion & Playing Fields • Waunbart Bowls Pavillion • Blandy Park Pavillion & Playing Fields
	Llangeinor	Llangeinor Pavillion & Playing Fields
	Bettws	Bettws Playing Fields
Ogmore Valley	Nantymoel	<ul style="list-style-type: none"> • Waun Llwyd Bowls Pavillion • Old Park, Nantymoel RFC
	Ogmore Vale	<ul style="list-style-type: none"> • Caedu Park • Ogmore Vale RFC • Aber Playing Fields
	Blackmill	<ul style="list-style-type: none"> • Evanstown Community Centre • Lewistown Pavillion • Evanstown Welfare Park
Coychurch Higher	Penprysg	Heol-y-Cyw Pavillion & Playing Fields
St Bridges's Minor	Bryncethin	Bryncethin Pavillion & Playing Fields
	Brynoch	Sarn and Bryncethin Community Centre
	Sarn	N/A
Ynysawdre	Ynysawdre	<ul style="list-style-type: none"> • Ynysawdre Community Centre • Pandy Park Pavillion
Llangynwyd Lower	Aberkenfig	<ul style="list-style-type: none"> • Coytrahen Community Centre • Coytrahen Playing Fields
Newcastle Higher	Aberkenfig	N/A
	Pen-y-Fai	N/A
Cefn Cribbwr	Cefn Cribbwr	<ul style="list-style-type: none"> • Cefn Cribbwr Community Centre • Cae Gof Pavillion & Playing Fields
Pyle	Pyle	<ul style="list-style-type: none"> • Croft Goch Pavillion & Playing Fields
Cornelly	Cornelly	<ul style="list-style-type: none"> • North Cornelly Pavillion & Playing Fields • North Cornelly Community Centre

KEY: Subject to long-term lease
 Community Asset Transfer or other development presently under discussion

CAT PRIORITY 1 ASSETS LOCATED IN TOWN & COMMUNITY COUNCIL AREAS

Town / Community Council	Borough Ward	CAT Priority 1 Assets
Porthcawl	Nottage	N/A
	Rest Bay	<ul style="list-style-type: none"> Rest Bay Pavillon & Playing Fields Locks Lane Pavillon Rest Bay Public Toilets
	Porthcawl Central East	<ul style="list-style-type: none"> Giffin Park Community Centre Giffin Park Pavillon Griffin Park Public Toilets
	Porthcawl West Central	John Street Public Toilets
	Newton	N/A
Merthyr Mawr	Bryntirion, Laleston and Methyr Mawr	N/A
Laleston	Bryntirion, Laleston and Methyr Mawr	<ul style="list-style-type: none"> Bryntirion and Laleston Community Centre Llangewydd Road Playing Fields
	Cefn Glas	N/A
	Llangewydd and Brynhyfryd	N/A
Bridgend	Newcastle	<ul style="list-style-type: none"> Newbridge Fields (North) Newbridge Fields (South)
	Morfa	N/A
	Oldcastle	<ul style="list-style-type: none"> Newbridge Fields Cricket Pavilion Rhiw public Toilets Bridgend Bus Station Public Toilets Cheapside, Bridgend Public Toilets
Coity Higher	Litchard	N/A
	Pendre	Great Western Avenue Pavilion
	Coity	N/A
Brackla	Brackla	Brackla Playing Fields
Coychuch Lower	Coychurch Lower	Coychurch Playing Fields & Pavilion
Pencoed	Penprysg	N/A
	Felindre	Pencoed Recreational Grounds Pavillon
	Hendre	Woodlands Park Pavillon

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