

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO OVERVIEW AND SCRUTINY COMMITTEE 3

24 JANUARY 2019

REPORT OF INTERIM CHIEF EXECUTIVE

COMMUNITY ASSET TRANSFER

1. Purpose of Report

1.1 The purpose of this report is to update the Committee on:

- (1) The work of the Community Asset Transfer (CAT) Task and Finish Group;
- (2) The implementation of recommendations made by the Overview and Scrutiny Committee 3 (OVSC 3) in January 2018;
- (3) Proposed changes to the Council's CAT policy and processes based on (1) and (2) above;
- (4) Current and future CAT activity and CAT Priority Assets available for transfer.

2. Connection to Corporate Improvement Plan and other Corporate Priority

2.1 The report assists in the achievement of the Corporate priority of 'Smarter Use of Resources' – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background

Current Financial Climate

- 3.1 Ongoing policies of fiscal austerity mean that Wales is continuing to face an unprecedented and difficult financial climate for our public services particularly local government. Councils received their final settlements from Welsh Government on 19 December 2018. The headline figure was an increase of 0.2%, across Wales and a reduction of 0.1% for Bridgend.
- 3.2 The Interim Head of Finance and Section 151 Officer presented the Draft Medium Term Financial Strategy (MTFS) 2019-20 to 2022-23 to Cabinet on 20 November 2018, which indicated that BCBC needs to make budget reductions of £36.4m over next 4 years.
- 3.3 It is imperative therefore that the Council continues to work in collaboration with voluntary sector organisations to safeguard the services of value to communities, helping to build a prosperous Wales for current and future generations. The transfer of an asset or service to a Town and Community Council (T&CC), sports club or a community group offers an opportunity to maintain and preserve valuable community services which may otherwise be under threat; or alternatively improve the provision that is already available.

- 3.4 The Corporate Director (Communities) prepared two reports relating to Playing Fields, Outdoor Sports Facilities and Parks Pavilions which have been discussed by the Overview and Scrutiny Committee 1 on 5 September 2018 and Cabinet on 18 September 2018. The purpose of the Cabinet report was to seek approval to undertake a consultation exercise on proposals to make the Council's provision of playing fields, outdoor sports facilities and sports pavilions more financially sustainable moving forward. It also aligns with the priority of moving to a position where there is less reliance on the Council for the cost and provision of community services by seeking ways in which the local community, relevant sports clubs and potentially T&CCs might play a greater part moving forward in maintaining and operating these facilities. It is proposed to consult the public in February 2019 on the proposals to significantly increase charges applied to sports clubs and other organisations using the Council's playing fields and pavilions to a full cost recovery basis. This is intended to stimulate greater interest in the community asset transfer of facilities with support provided by the Council to allow this to happen in a sustainable manner. This is part of a range of measures in the parks and playing fields service aimed at reducing costs by £138,000 in 2019-20 and a further £300,000 in 2020-21 under the proposed MTFS.

Current CAT Policy

- 3.5 Community asset transfer 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.
- 3.6 In 2015 the Council determined the categories of assets which that it was prepared to transfer to community groups based on our emerging corporate priorities and MTFS budget reduction requirements to be as follows:

Priority 1	<ul style="list-style-type: none"> • Public Toilets • Parks Pavilions • Bus Shelters • Community Centres
Priority 2	<ul style="list-style-type: none"> • Playgrounds • Playing fields (excluding school playing fields) and bowling greens
Priority 3	<ul style="list-style-type: none"> • Miscellaneous assets

- 3.7 The Corporate Director (Communities) wrote to Clerks of T&CCs and relevant Community Groups and Sports Clubs on 16 October 2015 outlining the Council's CAT policy, assets available for transfer, timescales and inviting expressions of interest in transferring Council assets under CAT Priority 1.
- 3.8 The Council issued updated guidance on Community Asset Transfer in October 2015 based on the Best Practice Guide issued by Welsh Government which incorporated the revisions to systems and processes and the establishment of clear roles and responsibilities for a four stage process (see **Appendix A**):

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

- 3.9 The Community Asset Transfer Steering Group which is chaired by the Head of Operations Community Services meets on a monthly basis and is represented by officers from Communities Operations (Parks, Corporate Landlord and CAT Officer), Education and Family Support Directorate, Finance, and Legal Services. The Steering Group has responsibility for approving expressions of interests, business cases, support and funding by ensuring that any proposed community asset transfer meets the Council's strategic priorities, operational requirements and future direction of travel. Approval to dispose of council assets including community asset transfers has been delegated to the Strategic Asset Management and Investment Manager. However, more complex and contentious disposals tend to be authorised either by the Corporate Director (Communities) or reported to Cabinet for approval. Any associated funding is approved by the Council's Section 151 Officer.

CAT Resources & Support

- 3.10 The Council created a 3-year fixed-term CAT Officer post funded from the Change Management Fund in November 2015 to deal with enquiries, provide advice and guidance, oversee due diligence and liaise with internal and external stakeholders. The Corporate Management Board (CMB) agreed to extend the contract for a further 3 years from 31 October 2018, following a bid to the Change Fund.
- 3.11 The Council has set aside capital funding to assist T&CCs and community groups to progress and complete community asset transfers which includes:
- £1 million Sports Pavilion Fund used to improve the condition of self-managed sports pavilions in partnership with users. The users under the terms of their respective completed leases would be responsible for the maintenance and repair of buildings and the payment of running costs. It was anticipated that users would then be able to take control of any repairs and maintenance, in line with their needs and expectations. This was approved by Council on 19 February 2014 when the 'Refurbishment and Management of Sports Pavilions' Report confirmed at that time the total legacy of repair for sports pavilions was estimated to be £3.85 million.
 - Setting aside an initial £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. Funding from this source has been increased over the next 3 years by £135K to take account of the extension of the CAT Officer post.
 - Approved an additional £50K capital funding per annum from 2016/17 to 2018/19 to support T&CCs to undertake capital projects. This is in addition to re-focusing the £50K already in the Capital Programme in each of these years for community purposes to support community asset transfer. Funding for 2019/20 reverting back to £50K;
 - Made £176.5K available from the Special Regeneration Fund (SRF) and the LEADER Local Development Fund (Project TRC-28) until March 2019 for the Community Asset Transfer Business Support Contact to provide community groups with business planning and specialist advice.

Recommendations of the Overview and Scrutiny Committee 3

- 3.12 The Corporate Director (Communities) submitted a report entitled "Community Asset Transfer" to the Overview and Scrutiny Committee 3 (OVSC3) on 17 January 2018 which outlined:

- The Council's community asset transfer policy;
- The financial incentives and other support currently available to T&CCs, community groups and sports clubs under the community asset transfer programme;
- The level of community asset transfer activity and progress to date; and
- Possible future developments.

3.13 The Chairman and Vice-Chairman of Bryncethin RFC and the Town Clerk for Pencoed Town Council were also invited to attend the meeting to share their experiences of the community asset transfer process with Members.

3.14 The OVSC3 concluded that:

- Bridgend County Borough Council needed to communicate more efficiently with T&CCs, community groups and sports clubs and recommended that, as previously carried out, a current and up to date list of CAT Priority 1 assets be sent to all, to invite expressions of interest in the transferring of Council assets, detailing what advice and financial support would be made available for any interested parties.
- In relation to the current CAT process, Members emphasised the need for the method to be further developed and streamlined in order for the programme to be successful. Therefore Members recommended that where applicable, indicative timescales be provided to assist with expectations throughout the stages and to avoid any potential risks in relation to any funding applications made by groups.
- Members acknowledged and understood the frustrations relayed by the Pencoed Town Clerk and representatives from Bryncethin RFC with reference to their analysis of the current CAT process being long and protracted and expressed particular concerns over the delay in the production of leases for assets. The Committee viewed this as a result of a lack of communication between the departments involved throughout the process and a shortage of resources within this area of the Authority.

3.15 Members attending the OVSC3 made a total of 7 Recommendations and Management Responses of the Corporate Director (Communities) have been included at **Appendix B**.

4. Current Situation / Proposal

Level of CAT Activity

4.1 Since the appointment of a CAT Officer in November 2015 the following progress has been made in relation to community asset transfers:

- 97 community organisations have contacted BCBC in respect of 82 different assets. The majority of enquiries to date have been received from sports clubs and associations in relation to self-management of pavilions and playing fields;
- 7 T&CCs are currently progressing applications including public toilets, community centres, playing fields, playgrounds and free car parks;
- 4 transfers have been completed; and 41 applications are currently "live" and subject to informal discussions, the development of formal expressions of interest, business cases or seeking final approvals; and 4 projects being held in abeyance (see Project List at **Appendix C**) which can be summarised as follows:

Progress Reached	No. as at 31/12/18	No. as at 17/01/18*
Completed Transfers (Long Lease or Tenancy at Will)	4	1
Transfer Approved with Heads of Terms / Lease being Finalised	11	6
Renewable Management Agreement being Finalised	1	-
Expression of Interest Approved with Business Case being Developed	14	10
Informal Expression of Interest Received with Discussions Ongoing	17	15
Engagement on Hold at Request of Group	4	3
Total	51	35

* Data previously reported to OVSC3 in January 2018 has been included above for comparison purposes

- 4.2 Bryncethin RFC completed a 35 year lease with the Council on the 9 October 2018 to take over and self-manage Bryncethin Playing Fields and Pavilion. The Club has secured more than £500,000 in funding to transform the pavilion into a community centre.
- 4.3 The leasehold of a children's playground at Pandy Crescent, Pyle has been transferred to Pyle Community Council to enable refurbishment and improvements to be undertaken.
- 4.4 The former Coed Bach Playground has been transferred to Pencoed Town Council on a 35 year lease to enable the playground to be reinstated for the children and young people in the area.
- 4.5 A tenancy at will has been completed with Laleston Community Council for Bryntirion & Laleston Community Centre following the surrender of the lease by a local community association with a more long-term arrangement presently being discussed.
- 4.6 Terms have been agreed with the Pencoed Town Council for the granting of a further 35 year lease of the two tennis courts at Pencoed Recreation Centre for their Multi-Use Games area and proposed Skateboard Park.
- 4.7 The business cases for the transfer of Hermon Road / Metcalf Street Playing Fields and Cwm Garw Playing Fields submitted by Caerau FC and Carn Rovers FC respectively have been approved by the CAT Steering Group and Heads of Terms are currently being prepared by the Corporate Landlord section. Caerau FC has ambitious plans to install a 4G pitch, 250 seater stand and new changing and car park facilities while Carn Rovers FC re-located at the start of the new season from temporary changing facilities at Pwll-Y-Garn Playing Fields to a pavilion in a good state of repair vacated by the local rugby club.
- 4.8 Heads of Terms for the leasehold transfer of 4 assets to community councils are in the process of being finalised:

Asset	Community Council
North Cornelly Community Centre	Cornelly
North Cornelly Playground & Green	Cornelly
Coytrahen Playing Fields	Llangynwyd Lower Community Council
Playground at Great Western Avenue Playing Fields [Pendre Fields]	Coity Higher Community Council

- 4.9 The Council has agreed in principle to the freehold transfers of John Street and Griffin Park public toilets which were closed on 2 January 2019. Porthcawl Town Council proposes to re-open and operate these facilities under licences while the transfers are being finalised. Cabinet has previously approved the allocation of £35K match-funding under the Town and Community Council Capital Grant scheme to assist with the re-development of Griffin Park public toilets and a condition survey and maintenance plan is in the process of being prepared for John Street public toilets which has Grade II listed building status. Porthcawl Town Council are also presently discussing taking over day to day running of the Griffin Park Youth Drop in Centre on a renewable management agreement while the development of a new road scheme for Sandy Bay is being progressed by the Council.
- 4.10 Business cases are also in the process of being developed / finalised with assistance from a Business Adviser under the CAT Business Support contract for the transfer of a further 12 assets:

Asset	Community Group(s)
Blandy Park Playing Fields	Garw Athletic FC
Croft Goch Playing Fields	Kenfig Hill RFC & Kenfig Hill AFC
Heol-Y-Cyw Playing Fields	Heol-Y_Cyw RFC
Llangeinor Playing Fields	Hwb Llangeinor (Llangeinor AFC, Llangeinor Rangers and Richard Price Centre)
Llangynwyd Playing Fields	Llangynwyd Rangers
Maesteg Park Playing Fields	Maesteg Park FC
Newbridge Fields Athletics Clubhouse and Playing Field	Bridgend Athletics Club
Rest Bay Playing Fields	Rest Bay Sports (FC Porthcawl and Porthcawl United)
South Parade Playing Fields	Maesteg Harlequins RFC
Waunbont Bowls Pavilion	Pontycymer Bowling Club
Wildmill Community Centre	Wildmill Community Life Centre Ltd
Woodlands Park	Pencoed Athletic BGC

- 4.11 Pencoed Town Council is also progressing a transfer of the playground and land at Hendre Road with the potential development of a mini-Multi Use Games Area (MUGA), and also submitted an expression of interest for the community asset transfer of the pavilion at Pencoed Recreation Ground.
- 4.12 Bridgend Town Council has withdrawn its interest in obtaining licences to enable them to manage 9 bus shelters within the Bridgend area because the freehold interest could not be transferred as the majority are located within adoptable highway limits.
- 4.13 The CAT Officer is presently working with the Digital Content Team to develop webpages to promote community asset transfer and provide basic information that can be remotely accessed by community groups.

Financial Incentives & Other Support

- 4.14 Bryncethin RFC has been awarded £110K from the Council's £1 million Sports Pavilion Fund and a further £52K allocated from section 106 monies to assist with the upgrading of the pavilion to develop a community hub estimated to cost more than £500K. Additional funding for the project has been secured from the Welsh Government (the Community Facilities Programme and the Rural Community Development Fund) and the Welsh Rugby Union with work due to commence on site early in the New Year.

- 4.15 Careau FC has been awarded £50K to refurbish the existing facility under the Sports Pavilion Fund with works due to commence when the lease is agreed. Carn Rovers has submitted an application for £5,500 to the Sports Pavilion Fund which is due to be assessed by the CAT Steering Group in January 2019.
- 4.16 Funding under the Town and Community Council grant for 2017-18 and 2018-19 prioritised community asset transfer projects. The CAT Officer has liaised with T&CCs to assist them in submitting funding applications and on 31 October 2017 and 27 March 2018 Cabinet approved match funding for 5 CAT related projects:

T&CC	Project	2017-18	2018-19
Cornelly	Cornelly Community Centre Roof	£50,000.00	
Porthcawl	Griffin Park Public Toilets	£35,000.00	
Garw Valley	Bus shelter refurbishment in Betws		£3,795.09
Pencoed	Provision of skateboard park		£20,000.00
Cornelly	Landscaping around Cornelly Community Centre including pocket park		£40,000.00
Total		£85,000.00	£63,795.09

- 4.17 The Council entered into a joint contract with the Wales Co-operative Centre, Bridgend Association of Voluntary Organisations (BAVO), and the Coalfields Regeneration Trust following a full tendering exercise in December 2016 to provide business planning and specialist advice to community groups to facilitate the community asset transfer process. A total of 23 individual community organisations have been referred under the joint contract to provide guidance in respect of business planning, legal structures, accounting for VAT, and building surveys (see Summary of Work undertaken at **Appendix D**). The costs of the CAT Business Support contract are part funded by the LEADER Local Development Fund (Project TRC-28) for groups requiring support located in a Rural Development area. The joint contract is due to end on 31 March 2019 and discussions are presently ongoing with Procurement and Legal Services to determine if these arrangements can be renewed or whether another tender exercise needs to be undertaken.
- 4.18 The Rural Community Asset Transfer Toolkit has been developed by REACH under the Rural Development Programme to complement the Council's Community Asset Transfer Guidance document and assist community groups progress a transfer and manage assets effectively.

CAT Task & Finish Group

- 4.19 The CAT Task & Finish Group has been established by the CAT Steering Group as a direct response to the recommendations made by Members of the OVSC3 with the primary objective of providing strategic direction in respect of the Council's CAT Programme and associated policies, systems and processes (see Terms of Reference at **Appendix E**).
- 4.20 The inaugural meeting of the Task & Finish Group was held on 15 August 2018 with a further 4 meetings being held to date with another meeting planned for 6 February 2019 to enable any new recommendations made by members of OVSC3 to be considered:

Date of Meeting	Main Items Discussed
15 August 2018	<ul style="list-style-type: none"> • Terms of Reference • Current CAT Policy

	<ul style="list-style-type: none"> • Current CAT Priority Asset Groups • Current Assets Available for Transfer • Future Developments likely to impact upon CAT
19 September 2018	<ul style="list-style-type: none"> • Sports Facilities : Single & Multi Users • Comparisons With Other Local Authorities • Forward Work Programme
18 October 2018	<ul style="list-style-type: none"> • Risk Management , Risk Appetite & Risk Register
12 November 2018	<ul style="list-style-type: none"> • Process Mapping – Current Policy & Procedures ('Brown Paper Technique') • Conclusions & Recommendations For Improvements
20 December 2018	<ul style="list-style-type: none"> • Current CAT Process Outline • Proposed CAT Process Outline • Key Legal Points • Multi User Sites • Future CAT Assets & Priorities
6 February 2019	<ul style="list-style-type: none"> • Updated CAT Policy • Updated CAT Asset List • Staff Resources • CAT Incentives & Support • Feedback & Recommendations from OVSC3

4.21 The approaches adopted by other local authorities to community asset transfer and in particular Carmarthenshire and Neath Port Talbot have been considered by the Task & Finish Group so that best practice of these two local authorities and their lessons learnt can be assessed and their adoption by the Council taken into consideration.

4.22 The Head of Operations Community Services facilitated a Process Flow Mapping exercise with the aim of providing a structured way of mapping and critiquing the existing community asset transfer process, in order to examine its effectiveness and determine obstacles, identify areas requiring improvement and to recommend process changes. This exercise highlighted a clear consensus amongst members of the Task & Finish Group (and synergy with the main Recommendations of the OVSC3) that front loading at Pre Expression of Interest stage is the key to ensuring that the Council can reduce delays and limit the disappointment of community groups from the outset. The maintenance of an up-to-date CAT List is integral to ensuring that the Council is in a position to know:

- What assets are available or not available (with clear reason why, e.g. development potential);
- Land Title, Restrictions / Covenants;
- Basis of Transfer (Freehold / Leasehold or Management Agreement);
- Duration of Lease or Management Agreement.

4.23 There is also other basic asset data that must also be made available at the Pre Expression of Interest stage and this should include:

- Compliance Data;
- Condition Survey;
- Operating Costs.

4.24 The use of model Heads of Terms and template Leases for particular asset groups is also strongly advocated by the Task & Finish Group and there may be scope for these to be subject to independent review by bodies such as the Welsh Rugby Union or FAW Trust so that a “take it or leave it” approach can be adopted by the Council to avoid protracted negotiations. However, community asset transfers have varying degrees of complexity and as a result, model Heads of Terms and template Leases may not cover all requirements in each case.

4.25 The submission of a detailed business plan is time consuming and costly to prepare and its assessment and approval by officers can cause transfers to be delayed. Although the Task & Finish Group believes that the submission of income and expenditure projections for a minimum of a 3-year period is still an essential requirement to enable a community group to demonstrate an understanding of the associated costs of managing and demonstrating the sustainability of the asset. Detailed business plans should still be requested for complex projects particularly if the Council asset subject to transfer requires significant investment involving major refurbishment or new build.

4.26 The Business Diagnostic Assessment (see Outline at **Appendix F**) is considered to be an essential part of the due diligence process that should provide the Council with assurance as regards the capabilities and capacity of a particular community group and that the directors / trustees involved are fully aware of the duties and responsibilities that must be discharged. The Business Diagnostic Assessment should contain mandatory and discretionary recommendations (including compulsory training elements) to assist in the development of community groups and them becoming competent asset holders. The implementation of recommendations should dictate how quickly the transfer can be progressed. There is also potential to introduce a RAG traffic light rating system based upon an assessment of risk to make this aspect more transparent as illustrated in the draft table shown at **Appendix G**.

4.27 There is also scope for T&CCs and established community groups to have their applications fast tracked particularly where the asset subject to transfer is in a compliant condition (see draft Risk Based Model at **Appendix G**). The current 4 stage model CAT approach should, however, be retained for:

- All complex transfers;
- Assets assessed by the Council as uneconomical to repair; and
- Disposals of surplus assets (either on or off market) with potential community interest.

4.28 There are obvious advantages and disadvantages associated with the adoption of a “Fast Track” Approach and these include the following:

Advantages	Disadvantages
<ul style="list-style-type: none"> • Simpler more streamlined process enabling Priority 1 CAT’s to be met within limited timescale • Earlier decision making by the Council and community groups • Creates momentum for process through success stories 	<ul style="list-style-type: none"> • Not in accordance with Welsh Government best practice • Requires up front resourcing to collate relevant information • Reduced requirement for detailed business plan • Risk assets could be returned in

<ul style="list-style-type: none"> • Enables MTFS savings to be achieved in a more timely manner 	worse condition and then closed
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4.29 The Task & Finish Group will be recommending to Cabinet that the priority of assets for community asset transfer should be refined so that savings under the MTFS can be prioritised accordingly:

Priority 1	<ul style="list-style-type: none"> • Sports Pavilions • Playing Fields (excluding school playing fields) and Bowling Greens • Community Centres
Priority 2	<ul style="list-style-type: none"> • Playgrounds / Play Areas • Free Car Parks • Allotments

4.30 A List of Assets available for community asset transfer either under long-term leases or short-term management agreements is in the process of being finalised to take account of future development potential of sites (updated Local Development Plan and the Schools Development Plan), and the generation of capital receipts. This List of Assets once approved by Cabinet will be distributed to Members, T&CCs and other stakeholders as a matter of priority.

4.31 Resourcing shortages were noted as being a contributory factor in the delay in processing CAT transfers and the staff resources required to progress multiple community asset transfers within agreed timescales for the influx of CAT's required under the MTFS is being assessed by the newly appointed Head of Operations Community Services as part of the re-structuring of the Communities Directorate with any proposed increases in personnel needing to be subject to the development of a business case and approved by CMB and/or Cabinet. However, securing funding for any additional staff growth in the current financial climate is likely to prove difficult. The "Team" approach adopted by both Carmarthenshire and Neath Port Talbot to manage multiple projects whereby multi-disciplinary staff (e.g. Property, Legal, Parks and CAT Officer) work together is also favoured by the Task & Finish Group.

4.32 The interim recommendations arising from the CAT Task & Finish Group to date can be summarised as follows:

- A List of Assets available for community asset transfer should be maintained and periodically reviewed and updated;
- Asset data (compliance, condition survey and operating costs) should be issued to community groups at the earliest opportunity;
- Model Heads of Terms and template Leases for particular asset groups should be utilised wherever possible with a "take it or leave it" approach being adopted;
- The submission of income and expenditure projections for a minimum of a 3-year period should suffice for the majority of community asset transfers but detailed business plans should still be requested for complex projects;
- A risk based approach should be adopted for the Business Diagnostic Assessment undertaken upon community groups and the assets being subject to transfer;
- T&CCs and established community groups should have their applications fast tracked particularly where the asset subject to transfer is in a compliant condition. The risk based approach will enable a risk matrix to be produced identifying suitability for fast tracking (see **Appendix G**);

- The risk based approach will also ensure that the majority of community groups will no longer be expected to produce a full detailed business case. This is a move away from Welsh Government suggested best practice but a significant step forwards in streamlining the CAT process.
- Staff resources required to progress community asset transfers needs to be evaluated so that agreed timescales can be met and a “team” approach adopted.

4.33 It is envisaged that a CAT report outlining the final recommendations of the Task & Finish Group will be submitted to Cabinet to coincide with the report outlining the outcome of the public consultation on Playing Fields, Outdoor Sports Facilities and Parks Pavilions and the proposed introduction of full cost recovery.

4.34 It is envisaged that the updated CAT programme and related policy should then be subject to a re-launch to encourage wider participation by and engagement with stakeholders to coincide with CAT being promoted on the Council's web pages.

5. Effect upon Policy Framework& Procedure Rules

5.1 The Council's CAT policy document will need to be updated to reflect any agreed changes to process and this will also need to be approved by Cabinet.

6. Equality Impact Assessment

6.1 There is no impact on specific equality groups as a consequence of this report.

7. Well-being of Future Generations (Wales) Act 2015 Assessment

7.1 The Council is committed to promoting sustainable development and to discharge our duties under the Well-being of Future Generations (Wales) Act 2015. The proposals being made by the CAT Task & Finish Group are aimed at streamlining processes to enable community asset transfers to be fast tracked, wherever possible, and to reduce the burden placed upon T&CCs and community groups. The proposals seeks to take into consideration the long-term sustainability of sports facilities in the County Borough of Bridgend and recognises the importance of such facilities in delivering a healthier Wales and the role these facilities have in a Wales of cohesive communities. In light of increasing pressures on the Council's budgets, taking an integrated approach to the way the Council operates these kinds of facilities will be vital. The report outlines how sports clubs and community groups will be involved in the development of collaborative working opportunities to ensure the long-term sustainability of the facilities and the Council's ability to fund other services.

8. Financial Implications

8.1 The financial implications of the Council's current Community Asset Transfer activities are reflected in the report.

9. Recommendation

- 9.1 The Committee notes the suggested changes to the Council's community asset transfer protocols being recommended by the CAT Task & Finish Group and are asked to provide feedback on these proposals.

Mark Shephard
INTERIM CHIEF EXECUTIVE
January 2019

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Background Docs – Community Asset Transfer policy document

CAT PROCESS – CURRENT
(Updated to reflect Changes approved by Cabinet on 25/07/17)

APPLICATION STAGE	REQUIREMENTS	DECISION MAKER	TARGET TIMESCALES
<p>STAGE 0 Informal pre-application discussion</p>	<p>Before submitting an Expression of Interest, applicants should discuss their proposals with the CAT Officer.</p>	N/A	N/A
<p>STAGE 1 Submit formal Expression of Interest (EOI) (Appendix 1) to CAT Officer</p>	<p>Outline business case in the form of the EOI to provide:</p> <ul style="list-style-type: none"> • Details of the organisation • Governance arrangements • Proposed use of asset and benefits • Benefits to community, TSO and Council • Support from community/partners <p>If the application is supported, the TSO will be invited to proceed to Stage 2. If the application is not supported a full explanation will be provided.</p>	CAT Steering Group	12 weeks from receipt of Expression of Interest
<p>STAGE 2 Business Plan</p> <p>The Council will provide any relevant asset information available</p> <p>Support may be available under the Council's CAT Business Support contract (from our partners Wales Co-operative Centre, Coalfields Regeneration Trust and BAVO)</p>	<p>Detailed Finance and Business Plans prepared by TSO – (see illustration at Appendices 4 and 5)</p> <ul style="list-style-type: none"> • Needs analysis and projected utilisation • Type of transfer sought and why • Planned outcomes and benefits and how they will be measured/monitored • Details of any proposed partnership/collaborative working • Track record for delivering service/managing property • Capacity to manage the asset • 3 year plans for revenue and capital funding – projected income and expenditure including costs of managing and operating the asset • Financial sustainability and forward planning 	Business plans to be assessed by Finance Department	Full business plan to be submitted within a 12 weeks of Stage 1 approval if possible
<p>STAGE 3: Full assessment of Business Plan</p>	<p>Report by CAT Officer to CAT Steering Group or CAT Panel (complex/larger cases) with a detailed assessment of:</p> <ul style="list-style-type: none"> • Benefits for community, the TSO and how they relate to delivering Council priorities • Risks in relation to financial and organisational ability to manage the asset • Potential loss of capital receipt and existing income or other opportunity cost to the 	<p>CAT Steering Group</p> <p>CAT Panel</p>	12 weeks from receipt of full Business Plan

	<p>Council</p> <ul style="list-style-type: none"> • Potential for on-going revenue savings for the Council • Proposed terms of transfer and any legal or other issues • Monitoring arrangements as required 		
<p>STAGE 4: Property transaction approval and completion of agreement</p>	<p>Approval via Council Delegated Powers or by Cabinet.</p> <p>Instruct Solicitors</p> <p>Legal completion</p>	<p>Corporate Director (Communities) in consultation with s. 151 Officer</p> <p>Cabinet</p> <p>Head of Legal and Regulatory Services</p>	<p>As required</p>

**OVERVIEW & SCRUTINY COMMITTEE 3 – 17 JANUARY 2018
COMMUNITY ASSET TRANSFER - RECOMMENDATIONS & MANAGEMENT RESPONSES**

	Members wished to make the following comments:	Management Responses	Progress Update
(1)	The Committee highlighted the need for Bridgend County Borough Council to communicate more efficiently with Town and Community Councils, Community Groups and Sports Clubs and recommended that, as previously carried out, a current and up to date list of CAT Priority 1 assets be sent to all, to invite expressions of interest in the transferring of Council assets, detailing what advice and financial support would be made available for any interested parties.	Agreed. An updated list of CAT Priority 1 assets will be prepared and circulated to Town and Community Councils, Community Groups and Sports Clubs when Council policy arising from the Parks Review is determined.	Updated list of CAT Priority 1 assets presently being finalised and will be submitted to Cabinet for approval shortly.
(2)	In relation to the current CAT process, Members emphasised the need for the method to be further developed and streamlined in order for the scheme to be successful. Therefore Members recommended that where applicable, indicative timescales be provided to assist with expectations throughout the stages and to avoid any potential risks in relation to any funding applications made by groups.	Agreed where possible. CAT processes will be subject to internal review with the objective of them being streamlined and ensure that transfers can be progressed in a more timely manner. However, it also needed to be recognised that some matters that caused delay were outside the control of the Council. Realistic timescales will also be provided to ensure that Town and Community Councils, Community Groups and Sports Clubs are aware of the length of time community asset transfers should take.	The CAT Task & Finish Group have reviewed processes and interim recommendations prepared. These will be finalised following feedback from OVSC3 on 24 January 2019 and a report submitted to Cabinet shortly thereafter.
	Members acknowledged and understood the frustrations relayed by the Town Clerk and representatives from Bryncethin RFC with reference to their analysis of the current CAT process being long and protracted and expressed particular concerns over the delay in the production of leases for assets. The Committee viewed this as a result of a lack of communication between the departments involved throughout the process and a		

	<p>shortage of resources within this area of the Authority. Therefore the Committee made the following recommendations:</p>		
(3)	<p>That a copy of the lease be provided at the expression of interest stage to enable much earlier discussions and deliberations.</p>	<p>The suggestion will be looked at more fully. The feasibility of preparing standard leases for categories of assets will be explored with the objective of reducing delays and workload ideally. A copy of the standard lease will be issued once an expression of interest has been approved by the CAT Steering Group.</p>	<p>Model Heads of Terms / template Leases for a particular asset group are favoured by the CAT Task & Finish Group. However, community asset transfers have varying degrees of complexity and as a result, a model Heads of Terms and template Lease may not cover all requirements.</p>
(4)	<p>That when delays are encountered, that meetings are arranged with the relevant officers, along with an independent person to operate as an arbitrator to openly discuss any ongoing barriers. The Committee further suggest that the independent person could be an elected Member from another ward.</p>	<p>It is hoped that the introduction of standard leases will ensure that fair terms and conditions will offered to all parties and reduce the element of negotiation. The principle of an independent person to facilitate arbitration will be considered as part of this process.</p>	<p>There may be scope for the model Heads of Terms and template Leases to be subject to independent review by bodies such as the Welsh Rugby Union or FAW Trust so that a “take it or leave it” approach can be adopted by the Council to avoid protracted legal disputes.</p>
(5)	<p>Following discussions regarding the CAT Priority 1 Asset list and the mentioned resource issues allocated to the process, Members noted that the asset list is very extensive and highlighted how onerous a task it would become if several groups put forward an expression of interest to each asset. Therefore Members recommended that the CAT Asset list be reviewed and Officers concentrate resources on the top 10 assets that are currently under discussion until transfer is completed.</p>	<p>It will be difficult to target 10 assets when the Council are currently in discussions with circa. 30 community groups at various stages of the CAT process. However, it is anticipated that the circulation of an up-to-date list of CAT Priority 1 assets and the introduction of streamlined CAT processes / standard leases will significantly reduce workload going forward.</p> <p>The workload of staff involved in the CAT process will be subject to ongoing monitoring so that they can reflect</p>	<p>Staff resources required to progress community asset transfers needs to be evaluated so that agreed timescales can be met and a “team” approach adopted.</p>







		Council priorities and savings required under the MTFS.	
(6)	The Committee noted that there is currently a Community Asset Transfer Steering Group that consists of Bridgend County Borough Council Officers only and Members recommended that the group include elected Members.	The input of elected members is always welcomed and it is suggested that a Task and Finish Group should be established in the first instance to discuss and agree an up-to-date list of CAT Priority 1 assets and the formulation of streamlined CAT processes / standard leases with two elected members being invited to participate. The feasibility of elected members joining the CAT Steering Group can also be discussed as part of this process.	The Deputy Leader and the Cabinet Member for Communities have been members of the CAT Task & Finish Group and the future membership of the CAT Steering Group is still under discussion.
(7)	Members highlighted the need to encourage Town and Community Councils, Community Groups and Sports Clubs to work more collaboratively to enhance their viability to take over the Council's assets. Members therefore recommended that these comments be presented the TCC Forum.	Agreed. The need to work more collaboratively is acknowledged and that Town and Community Councils should be provided with a CAT update when an up-to-date list of CAT Priority 1 assets and streamlined CAT processes and standard leases have been finalised.	It is envisaged that the updated CAT programme and related policy should then be subject to a re-launch to encouraged wider participation by and engagement with stakeholders to coincide with CAT being promoted on the Council's web pages.

<p>In addition to the recommendations made above, the Committee provided the following resolution which takes into account most of the issues raised and discussed and also provides openness and transparency in the CAT process. Members recommended that a Community Asset Transfer pack be created to supply to potential applicants to ensure they fully understand the risk implications of taking on an asset. Members recommended that the pack include the following information:</p> <ul style="list-style-type: none"> · type and term of lease; · estimated running costs of the asset; · what services the Council would expect the applicant to undertake; · who to contact for advice and support in completing the business case; · Estimated timelines for each stage in the process. 	<p>Agreed. In addition to the Rural Development CAT Toolkit and the running cost data which is already issued to community groups, the CAT Officer will develop a standard information pack that can be tailored for a particular asset.</p>	<p>The interim conclusions of the CAT Task & Finish Group is that front loading at Pre Expression of Interest stage is the key to ensuring that the Council can reduce delays and limit the disappointment of community groups from the outset and that the following basic data should be provided to T&CCs and community groups:</p> <ul style="list-style-type: none"> • Model Heads of Terms; • Compliance Data; • Condition Survey; • Operating Costs.
<p>Members noted the inaccuracies within the CAT Priority 1 Asset list and ask that the document be reviewed and further requested that a copy of the up to date version is distributed to Members.</p>	<p>An updated list of CAT Priority 1 assets will be prepared and circulated to Members when Council policy arising from the Parks Review is determined.</p>	<p>The CAT Task & Finish Group sees the maintenance of an up-to-date CAT List is integral to ensuring that the Council is in a position to know:</p> <ul style="list-style-type: none"> • What assets are available or not available (with clear reason why, e.g. development potential); • Land Title, Restrictions / Covenants; • Basis of Transfer (Freehold / Leasehold or Management Agreement); • Duration of Lease or Management Agreement.







Bridgend County Borough Council - Community Asset Transfer Programme - Summary of Progress (31 December 2018)

A. Sports Pavilions & Playing Fields

	UPRN	Assets	CAT Lead Club	Process Stage			Commentary
				Informal Discussions / EOI	EOI Approved	Business Case Approved	
A1	30025	Aberfields (Planka) Playing Fields	Nantymoel RFC	21/03/2017			Awaiting further engagement with group.
A2	20020	Blandy Park Playing Fields	Garw AFC	28/07/2017	16/05/2018		EOI approved by CAT Steering Group 16/05/18. Business Adviser appointed and concept drawings being developed.
A3	40026	Bryncethin Playing Fields	Bryncethin RFC		28/01/2016	26/05/2017	Funding up to £110K approved from Sports Pavilion Fund. Lease issued on 09/10/18.
A4	70022	Cae Gof Playing Fields	Cefn Cribwr Athletic Club/RFC		07/10/2016		Self-management of the pavilion to be explored.
A5	10040	Caerau FC (Riverboat)	Cerau All Whites	18/01/2018			Club seeking to relocate from Caerau Welfare Park following Caerau FC's CAT of Metcalf Street.
A6	50020	Coychurch Playing Fields	Brackla Juniors	19/03/2017			Awaiting further engagement with group.
A7	40027	Coytrahen Playing Fields	Llangynwyd Lower Community Council	29/03/2017	04/07/2018	n/a	EOI approved by CAT Steering Group on 04/07/18. Landscape consultant engaged. Lease being finalised.
A8	70023	Croft Goch Playing Fields	Kenfig Hill RFC & Kenfig Hill AFC	24/04/2017	29/03/2018		Joint management group established to progress transfer and Business Adviser assigned to develop legal entity / business case.
A9	20021	Cwm Garw Playing Fields	Carn Rovers	26/10/2017	26/01/2018	22/11/2018	Business plan approved by CAT Steering Group. Funding application under Sports Pavilion Fund to be assessed.
A10	30026	Evanstown Welfare Park	Gifnach Goch RFC	22/09/2017	26/01/2018		EOI approved on 26/01/18 by CAT Steering Group and independent condition survey undertaken. Business Plan to be developed.
A11	10042	Garth Park Playing Fields	Maseleg Celtic RFC	24/02/2017			Club discussing feasibility of submitting an EOI.
A12	90012	Heol-Y-Cyw Playing Fields	Heol-Y-Cyw RFC		05/10/2016		Business Plan to be submitted to the Finance Department shortly.
A13	10043	Hermon Road/Metcalf Street Playing Field	Caerau FC		28/09/2016	23/04/2018	Business plan approved by CAT Steering Group on 23/04/18 and funding of £50K assigned under the Sports Pavilion Fund.
A14	20023	Llangeinor Playing Fields	Llangeinor AFC, Llangeinor Rangers, Richard Price Centre	23/11/2017	18/08/2017		Business plan being developed with assistance under the CAT Business Support contract.
A15	10045	Llangynwyd Playing Fields	Llangynwyd Rangers		24/03/2016		Business plan being developed with assistance under the CAT Business Support contract.
A16	80030	Locks Lane Playing Fields	Porthcawl Athletics Association	26/03/2018			Discussions held with Association in respect of the leases of the changing rooms, clubhouse and Redrow pitch.
A17	10047	Maesteg Welfare Park	Nantyllyon RFC		16/05/2016		Awaiting further engagement with group.
A18	30028	Nantymoel R.F.C.	Nantymoel RFC	18/03/2016			Discussions to be held with Club on 14/01/19 as part of Ogmore Vale forum.
A19	60022	Newbridge Fields Athletics Pavilion	Bridgend Athletics Club	20/12/2018	22/08/2018		Business case being developed and discussions to be held with Bridgend Town Council on 21/01/19.
A20	60064	Newbridge Fields (South) Newest Rugby Pitch	Bridgend Town Cricket Club	13/06/2018			Club seeking to develop dedicated cricket pitch. EOI submitted 13/06/18 deferred subject to further consultation with other users.
A21	60062	Newbridge Field Bandstand Pavilion + 2 pitches	Bridgend Sports RFC	12/10/2018			EOI decision deferred while decision on Newbridge Fields is being taken.
A22	70025	North Cornelly Playing Fields	Cornelly United	08/01/2018			Land holding queried with Property Services and EOI to be drafted. Future development potential of site to be determined.
A23	40028	Pandy Park Playing Fields	Tondu RFC	04/04/2017			CAT Officer has held discussions with other users (Tondu Robbins AFC and Aberkenfig BGC). EOI from Tondu RFC deferred multi-user site.
A24	40029	Pandy Park Playing Fields Amenity Land	Tondu RFC	13/06/2018	04/07/2018		Tondu RFC seeking develop amenity land for mini and junior rugby. Development potential of land determined.
A25	90013	Pencoed Recreation Ground	Pencoed Town Council	09/11/2017			EOI submitted by PTC deferred while condition survey results of the pavilion are assessed.
A26	80033	Rest Bay Playing Fields	FC Porthcawl & Porthcawl Utd.	10/02/2017			EOI rejected by BCBC. Development of a Management Agreement being progressed and business plan submitted to Finance.
A27	10050	South Parade Playing Fields	Maesteg Harlequins	27/11/2017	22/08/2018		EOI approved and business plan being developed.
A28	10051	Tudor Park Playing Fields	Maesteg Park AFC	22/06/2017	24/09/2018		EOI approved and business plan being developed.
A29	20064	Waunbont Bows	Pontycymmer Bows Club	14/07/2017	28/11/2017		A Business Adviser has been assigned. Clubs have elected to disband association and Bows Club to progress project on their own.
A30	90014	Woodlands Park Playing Fields	Pencoed AFC & Pencoed B&GC	09/11/2017	20/12/2018		EOI approved and business plan being developed.

Key:	 Transfer completed	 Transfer approved Lease being finalised	 Expression of Interest Submitted / Approved & Business Case to be Developed	 Informal Expression of Interest	 Engagement on hold at request of Group	 Management Agreement to be Developed
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B. Community Centres						Commentary	
UPRN	Assets	CAT Lead Club	Process Stage				
			Informal Discussions / EOI	EOI Approved	Business Case Approved		
B1	60161	Brynirion & Laleston Community Centre	Laleston Community Council	27/02/2018	13/06/2018		The Community Association surrender lease on 30/05/18 and the Community Council to progress CAT. Temporary Tenancy at Will agreed.
B2	10029	Caerau Community Centre	Caerau Development Trust	16/10/2016			The Centre have prepared an EOI but have not been advanced to application stage.
B3	70018	North Cornelly Community Centre	Cornelly Community Council		21/01/2016	n/a	Roof refurbishment to be funded under T&CC grant. "Light touch" business plan submitted and approved. Lease being prepared.
B4	80077	Griffin Park Youth Drop in Centre	Porthcawl Town Council		22/11/2018	n/a	Asset surplus to Education requirements. Short-term management agreement to reflect future Sandy Bay Road development.
B5	60042	Wildmill Community Centre	Wildmill Community Life Centre Ltd		21/01/2016		25 year lease secured on 04/07/06 with development of a business case for freehold transfer being progressed by Business Adviser.
C. Public Toilets						Commentary	
UPRN	Assets	CAT Lead Club	Process Stage				
			Informal Discussions / EOI	EOI Approved	Business Case Approved		
C1	80008	Griffin Park Public Toilets, Porthcawl	Porthcawl Town Council	07/02/2017	27/02/2017	18/08/2017	Match funding for refurbishment of the toilets under T&CC grant approved and freehold transfer to be finalised. Temporary licence to use.
C2	80009	John Street Public Toilets, Porthcawl	Porthcawl Town Council	14/08/2018	22/11/2018	n/a	Restrictions on listed building status held. Freehold transfer agreed in principle with temporary licence to use being progressed.
C3	60019	Cheapside Public Toilets, Bridgend	Brackla Shopping Centre	04/12/2018			Informal discussions held with Brackla Shopping Centre potential re-development.
D. Playgrounds / Green Spaces						Commentary	
UPRN	Assets	CAT Lead Club	Process Stage				
			Informal Discussions / EOI	EOI Approved	Business Case Approved		
D1	-	Bridgend Area	Bridgend Town Council	16/08/17			Feasibility of transferring 15 playgrounds in Bridgend area are being assessed internally by CAT Task & Finish Group.
D2	90017	Coed Bach Playground	Pencoed Town Council		06/06/2017	28/11/2017	Lease agreed.
D3	50021	Great Western Avenue Playground	Coity Higher Community Council	18/10/2017	16/05/2018		EOI approved. Draft Heads of Terms prepared. Lease to be finalised.
D4	-	Hendre Road Playground & Green	Pencoed Town Council	23/04/2018			EOI approved. Town Council requested data on annual inspection report and costs.
D5	70018	North Cornelly Green / Playground	Cornelly Community Council		26/09/2017		Plans updated to take account of adjoining Surgery development. Lease to be finalised.
D6	-	Pandy Crescent, Pyle	Pyle Community Council		27/02/2017	24/04/2017	Match funding for park improvements under T&CC grant approved and leasehold transfer finalised.
D7	90013	Pencoed Recreation Ground – Tennis Court	Pencoed Town Council		27/02/2017	30/10/2017	Change of use to MUGA - lease being agreed.
D8	90013	Pencoed Recreation Ground – Tennis Court	Pencoed Town Council	31/01/2017	27/02/2017	30/10/2017	Change of use to Skateboard Park - lease being agreed. Funding of £20K approved by Cabinet under T&CC Grant 2018-19.
E. Bus Shelters						Commentary	
UPRN	Assets	CAT Lead Club	Process Stage				
			Informal Discussions / EOI	EOI Approved	Business Case Approved		
E1	-	Bridgend Area	Bridgend Town Council	02/12/2015	16/02/2017	n/a	Licences on 9 bus shelters subsequently withdrawn by Town Council.
F. Car Parks						Commentary	
UPRN	Assets	CAT Lead Club	Process Stage				
			Informal Discussions / EOI	EOI Approved	Business Case Approved		
F1	-	Heol Y Cyw Free Car Park	Coychurch Higher Community Council	14/02/2018			Future development potential of site to be determined. To be subject to further discussions with Community Council.
G. Miscellaneous Assets						Commentary	
UPRN	Assets	CAT Lead Club	Process Stage				
			Informal Discussions / EOI	EOI Approved	Business Case Approved		
G1	-	Hut 9, Island Farm	Hut 9 preservation Group	25/07/2018			CAT Officer has met with the group and outlined the benefits of CAT.
G2	-	Llynfi Valley BMX Track, Coequant Road	Llynfi BMX Club	26/04/2018			CAT Officer facilitating discussions to transfer lease from CDT to the BMX Club.

Key:		Transfer completed		Transfer approved Lease being finalised		Expression of Interest Submitted / Approved & Business Case to be Developed		Informal Expression of Interest		Engagement on hold at request of Group		Management Agreement to be Developed
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APPENDIX D

CAT Business Support Contract - Summary of Activity				
(1 December 2016 to 31 December 2018)				
Ref	Community Group	Type of Work	Allocated To	Cost (Exc. VAT)
001	Bryncethin RFC	Business Planning & Legal Entity	Wales Co-op	4,025.00
002	Cornelly Community Association	Business Diagnostic	Wales Co-op	322.00
003	Llangynwyd Rangers BGCW FC	Business Business & Financial Planning	Coalfields Regeneration Trust	1,288.00
003A	Llangynwyd Rangers BGCW FC	Business Diagnostic	Coalfields Regeneration Trust	322.00
004	Heol-Y-Cyw RFC	Structural Engineering Survey	Vale Consultancy	360.00
004A	Heol-Y-Cyw RFC	Condition Survey	Hurley & Davies	1,311.50
004B	Heol-Y-Cyw RFC	Business Planning	Coalfields Regeneration Trust	5,488.00
005	Porthcawl TC (Griffin Park Toilets)	Refurbishment Design & Costing	Hurley & Davies	735.50
005B	Porthcawl TC (Griffin Park Toilets)	Revised Refurbishment Design & Costing	Hurley & Davies	987.50
006	Rest Bay Playing Fields	Visioning, Initial Plan and Site Visit	Wales Co-op	828.00
006A	Rest Bay Playing Fields	Additional Business Planning	Wales Co-op	230.00
007	Cornelly Community Association	Charity Registration, Visioning, Business Plan & P&P	Wales Co-op	2,676.00
008	Llangeinor Hub	Visioning and Site Planning	Coalfields Regeneration Trust	5,000.00
008A	Llangeinor Hub	Legal structures, Business Planning and Consultation	Coalfields Regeneration Trust	3,542.00
009	Llangynwyd Rangers BGCW FC	Condition Survey	Hurley & Davies	1,317.50
010	Caerau FC	Business Planning & Funding	Wales Co-op	1,533.00
010A	Caerau FC	Additional Business Planning	Wales Co-op	967.05
011	BCBC Regeneration School	Training & Networking for Community Groups	Coalfields	6,000.00
012	Generic	Procedures for Community Groups	BAVO	1,150.00
013	Caerau FC	Condition Survey	Hurley & Davies	750.00
014	Wildmill Community Centre	Business Plan	Wales Co-op	4,140.00
015	Pontycymer Bowling & Garw Valley Tennis	Business Diagnostics & Business Planning	Coalfields Regeneration Trust	4,140.00
015A	Pontycymer Bowling Club	Business Entity & Inception Drawings	Coalfields Regeneration Trust	1,394.00
016	Carn Rovers	Business Diagnostics & Business Planning	Wales Co-op	3,220.00
017	Kenfig Hill RFC & Kenfig Hill AFC	Business Diagnostics, Legal Entity & Business Planning	BAVO	5,488.00
018	Garw Valley AFC	Business Diagnostics, Business Planning & Funding Strategy	Wales Co-op	5,488.00
019	Carn Rovers	Legal Entity	Wales Co-op	974.00
020	Cornelly Community Council	Condition Survey	Hurley & Davies	850.00
021	Kenfig Hill RFC & Kenfig Hill AFC	Condition Survey	Hurley & Davies	850.00
022	Resby Bay Sports	Condition Survey & Re-configuration Plans	Hurley & Davies	1,195.00
022A	Resby Bay Sports	Re-configuration Plans Additional Work	Hurley & Davies	2,250.00
023	Gilfach Goch RFC	Condition Survey	Hurley & Davies	950.00
024	Porthcawl TC (Griffin Park Toilets)	CCTV Drainage Investigation	Draintech	465.00
025	Cornelly Community Council	Roof Design	Hurley & Davies	4,000.00
026	Porthcawl TC (Griffin Park Toilets)	Structural Engineering Survey	Vale Construction	350.00
027	Cornelly Community Council	Business Plan & Funding Strategy	Wales Co-op	1,610.00
028	Pencoed Athletic B&GC	Pitch Survey (Woodlands Park)	GEO Turf Consulting Limited	800.00
029	Garw SBGC (Blandy Park)	Concept Drawings	CFW Architects	750.00
030	Heol Y Cyw RFC	Updated Condition Survey following Storm Damage	Hurley & Davies	850.00
031	Laleston Community Council	Condition Survey	Hurley & Davies	1,150.00
032	Caerau FC	Community Benefit Society Registration	Wales Co-op	400.00
033	Pencoed Athletic B&GC	Condition Survey	Hurley & Davies	1,250.00
034	Pencoed Athletic B&GC	Legal Entity & Business Planning	Coalfields Regeneration Trust	5,750.00
035	Maesteg Harlequins RFC	Condition Survey	Hurley & Davies	1,075.00
036	Maesteg Harlequins RFC	Legal Entity & Business Planning	Coalfields Regeneration Trust	4,140.00
037	Bridgend Athletics Club	Legal Entity & Business Planning	Wales Co-op	1,610.00
038	Maesteg Park FC	Legal Entity & Business Planning	Coalfields Regeneration Trust	3,220.00
039	Tondu RFC	Condition Survey	Hurley & Davies	1,225.00
040	Laleston Community Council	Business Planning & Funding Strategy	Wales Co-op	1,610.00
041	Porthcawl TC (John Street Toilets)	Specialist Condition Survey	Ferrier Hart Thomas	4,200.00
042	Llangynwyd Community Council	Landscape Architecture	Whittington Landscape Architecture	2,100.00
043	Maesteg Park FC	Pitch Condition Survey	Alan Lewis Limited	378.00
044	Maesteg Harlequins RFC	Mechanical Condition Survey	TBC	TBC
045	Laleston Community Council	Asbestos Refurbishment & Demolition Survey	TBC	TBC
	MANAGEMENT & ADMIN	Programme Management Fees		14,684.85
		Client Management Fees		1,353.44
			Total	122,743.34

COMMUNITY ASSET TRANSFER TASK & FINISH GROUP

TERMS OF REFERENCE

1. Role of the Task & Finish Group:

- 1.1 The Community Asset Transfer (CAT) Task & Finish Group has been established as a direct response to the recommendations made by Members attending the Overview and Scrutiny Committee 3 meeting held on 17 January 2018.
- 1.2 The Task & Finish Group has been established by the CAT Steering Group to provide strategic direction in respect of the Council's CAT Programme and associated policies, systems and processes.
- 1.3 The Task & Finish Group is to determine appropriate strategies to implement the recommendations of the Overview and Scrutiny Committee and in particular:

Primary Recommendations

- Prepare a current and up-to-date list of CAT Priority 1 assets;
- Streamline CAT systems and processes in order for the CAT programme to be more successful;
- Develop standard leases that can be provided to community groups at the expression of interest stage to enable earlier discussions and deliberations;
- Encourage Town and Community Councils, Community Groups and Sports Clubs to work more collaboratively to enhance their viability to take over the self-management of Council assets.

Secondary Recommendations

- Improve channels of communication between the Council and Town / Community Councils, Community Groups and Sports Clubs;
 - Invite expressions of interest in the transferring of Council assets, detailing what advice and financial support would be made available for any interested parties;
 - Provide indicative timescales to assist manage expectations throughout the stages of the CAT process and to avoid any potential risks in relation to any funding applications made by groups;
 - Develop a Community Asset Transfer pack for potential applicants to ensure they fully understand the risk implications of taking on an asset;
 - Elected Members should be considered for inclusion upon the CAT Steering Group.
- 1.4 The CAT Steering Group has also identified the following objectives to be covered under the work of CAT Task & Finish Group to:
 - Determine categories and priority of assets available under the CAT Programme;
 - Ascertain acceptable levels of risk associated with each category of asset;
 - Determine the impact of partial CATs, i.e. "cherry picking" of particular assets;
 - Define the requirements of multi-user facilities;
 - Share experiences of other local authorities;
 - Determine resource levels required to progress CATs;
 - Establish appropriate CAT related targets under the Council's Performance Management Framework.

2. Membership:

2.1 The CAT Task & Finish Group will comprise representatives from the following Members / Officers:

Name	Designation
Cllr. Hywel Williams	Deputy Leader
Cllr. Richard Young	Cabinet Member for Communities
Zak Shell	Chair of CAT Steering Group & Head of Neighbourhood Services
Andrew Hobbs	Group Manager - Street Works
Fiona Blick	Strategic Asset Management and Investment Manager
Pippa Kestle	Asset Surveyor
Rob Jones	Senior Lawyer - Commercial Team
Guy Smith	CAT Officer

2.2 The CAT Task & Finish Group may invite anyone with relevant skills, knowledge or experience to attend a meeting in the capacity as an Advisor to give advice and information. Advisors to the Group have no decision making powers.

3. Reporting & Term of Appointment:

3.1 The CAT Task & Finish Group will report in the first instance to the Corporate Director (Communities).

3.2 The CAT Task & Finish Group will ensure that the CAT Steering Group and other stakeholders are updated on a regular basis regarding progress.

3.3 The CAT Task & Finish Group aims to be in a position to submit findings and recommendations by December 2018 / January 2019.

4. Conduct of Meetings

4.1 The CAT Task & Finish Group may delegate activities to individual members or to working groups of members, provided that the extent of this delegation is made clear to Group members concerned and shown in the minutes of the meeting.

4.2 Minutes will be taken of each CAT Task & Finish Group meeting by the CAT Officer who will act as Secretary.

4.3 Draft minutes will be circulated to Group members within 1 week of each meeting.

BUSINESS DIAGNOSTIC ASSESSMENT OUTLINE

Due diligence of the group and its business case commences where the CAT Officer / Business Adviser will work with the community group undertake a Business Diagnostic Assessment of the following:

- a) Capacity of the organisation** – will review their governance, legal structure, powers within their constitution as an organisation identifying if the proposed project are in line with the directors / trustees 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 Co-op, 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 / trustees 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. Community groups / sports clubs will be asked to undertake a skills audit of their committees and implement training or mentoring in areas where there are skills deficits/gaps.
- c) Business and financial case** – The group is presently 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 CAT Steering Group.

Going forward it is suggested that the CAT Officer / Business Adviser will complete an application assessment matrix which scores an 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)

The Business Diagnostic will also result in (where required) mandatory and discretionary recommendations (including compulsory training elements) to assist the development of community groups and them becoming competent asset holders.

RISK BASED MODEL						
ORGANISATION						
		1	2	3	4	5
A S S E T	A					
	B					
	C					
	D					
	E					
Organisation						
Rating		Description				
1		Established group with acceptable historic accounts and evidence of the required funding for the venture Correctly constituted legal entity with relevant knowledge and skills Experience of managing a facility and understands the requirements and legal undertaking Has a good and active relationship with the relevant sports organisation etc Experience of delivering in the community Proposed project is feasible and good fit with community need.				
2		Established group with evidence of the required funding for the venture Correctly constituted legal entity with relevant knowledge and skills Some experience of managing a facility and understanding of the requirements and legal undertaking Working relationship with the relevant sports organisation etc Some experience of delivering in the community Proposed project is feasible and good fit with community need.				
3		Recently formed group with evidence of the required funding for the venture Correctly constituted legal entity with some knowledge and skills Limited experience of managing a facility but some understanding of the requirements and legal undertaking Working relationship with the relevant sports organisation etc Limited experience of delivering in the community Proposed project is feasible and good fit with community need.				
4		Newly formed group with some funding for the venture Correctly constituted legal entity with some knowledge and skills Limited experience of managing a facility and understand the requirements and legal undertaking Working relationship with the relevant sports organisation etc Limited or no experience of delivering in the community Some concerns of project feasibility and/or fit with community need.				
5		Newly formed group No historic accounts or funding Not correctly constituted legal entity Limited knowledge and skills Poor relationship with relevant sports organisation etc No experience of delivering in the community Questions over project feasibility / poor fit with community need				
Asset - assumes building on site						
Rating		Description			Likely Condition Grade	
A		Building in good condition - newly built or recent full refurbishment. Fully compliant. No management issues. No major expenditure anticipated during lease term other than usual planned maintenance. Condition Grade likely to be a Grade A with limited Priority 2 and 3 costs			Grade A	
B		Building in reasonable condition Fully compliant. No management issues. No major expenditure required other than usual planned maintenance. Condition Grade likely to be a Grade B with some Priority 1, 2 & 3 costs			Grade B	
C		Building in fair condition. No major issues affecting day to day running but may need significant expenditure during lease term. Condition Grade likely to be a Grade B or possible Grade C with significant Priority 1, 2 & 3 costs			Grade B/C	
D		Building in poor condition but complaint. Safe but life may be limited or significant expenditure required during standard lease term. HOT's to take into account expected remaining life if applicable. Condition Grade likely to be a Grade C with high Priority 1, 2 & 3 costs			Grade C	
E		Building in very poor condition. Not complaint and potentially unsafe. Closure (and demolition) to be considered or Major Refurbishment / New Build Required			Grade D	