

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT OF THE CHIEF EXECUTIVE

TOWN & COMMUNITY COUNCIL FORUM

17 MARCH 2020

COMMUNITY ASSET TRANSFER UPDATE

1. Purpose of Report

- 1.1 To provide representatives of the Forum with an outline of the changes to Bridgend County Borough Council's Community Asset Transfer (CAT) policy and the support and opportunities currently available to Town & Community Councils (T&CCs) to work with the Council and community groups to achieve the best management arrangements for public sector assets and services.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 This report assists in the achievement of the following corporate priorities:-
1. Helping people to be more self-reliant – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
 2. 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

- 3.1 The transfer of assets or services to T&CCs, sports clubs or community groups offers opportunities to maintain and preserve valuable community services which may otherwise be under threat due to financial cutbacks as a result of austerity; or alternatively improve the provision that is already available.
- 3.2 The Council established a £1 million Sports Pavilion Fund in February 2014 to encourage sports clubs to self-manage pavilions. The fund was intended to allow investment to improve the condition of such assets as part of an agreement to lease and take over the responsibility for the maintenance and repair of facilities and the payment of running costs - in line with their needs and expectations. A series of independent condition surveys are due to be undertaken shortly upon all Council assets available for CAT so that the extent of building works required in the future can be determined. The Cabinet has already agreed in principle that it will seek Council approval to replenish the fund, as and when necessary, as demand for CAT increases and the fund diminishes. This will be in conjunction with the S151 Officer and will be actioned through quarterly capital monitoring reports to Cabinet and Council when the

fund reaches a level of around £200,000 and will be based on known commitments going forward.

- 3.3 The Corporate Director Communities first wrote to T&CCs, sports clubs and community groups on 16 October 2015 outlining the Council's CAT policy, assets available for transfer, timescales and inviting expressions of interest in transferring Council assets which included sports pavilions and playing fields. It is evident that the Council's level of subsidy of more than 80% has in the main been a disincentive to the number of sports clubs seeking to complete transfers with only ambitious teams such as Bryncethin RFC, who secured funding of more than £550K, to turn their outdated pavilion into a community centre selecting self-management.
- 3.4 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 to liaise with internal and external stakeholders. The Corporate Management Board (CMB) agreed to extend the CAT Officer post for a further 3 years from 31 October 2018, and also included added responsibility for T&CC liaison following a further bid to the Change Management Fund.
- 3.5 The CAT 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), the Education and Family Support Directorate, the Social Services and Wellbeing 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 CAT meets the Council's strategic priorities, operational requirements and future direction of travel. Approval to dispose of any Council asset under CAT has been delegated to the Strategic Asset Management and Investment Manager. However, more complex and potentially contentious disposals are authorised either by the Corporate Director (Communities) or reported to Cabinet for approval.
- 3.6 The Council has entered into a CAT Business Support Contract to provide business planning and specialist advice to community groups to facilitate the CAT process which is provided by our partners - the Wales Co-operative Centre and the Coalfields Regeneration Trust. A total of 45 individual T&CCs and community groups have already received assistance under the contract to date.
- 3.7 The transfer of Bryncethin Playing Fields was protracted and highlighted limitations in the CAT process which needed to be improved and streamlined. The CAT Task & Finish Group was established by the CAT Steering Group with the primary objective of providing strategic direction in respect of the Council's CAT Programme and associated policies, systems and processes intended to make the process simpler and shorten timescales. The main recommendations arising from the CAT Task & Finish Group can be summarised as follows:
 - A list of assets available for CAT should be maintained and periodically reviewed and updated (see latest CAT Priority 1 Asset List grouped by T&CC areas at **Appendix A**);
 - 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 5-year period should suffice for the majority of CATs but detailed business plans should still be requested for more complex projects;
- A risk based approach should be adopted for the Business Diagnostic Assessment undertaken upon community groups/sports clubs and the assets being subject to CAT;
- T&CCs and established community groups/sports clubs should have their applications fast tracked particularly where the asset subject to CAT is in a compliant condition. The risk based approach will enable a risk matrix to be produced identifying suitability for fast tracking.

3.8 The Task & Finish Group also recommended to Cabinet in the report approved on 23 July 2019 that the priority of assets for CAT should be refined so that savings under the Medium Term Financial Strategy (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
Priority 3	<ul style="list-style-type: none"> • Miscellaneous Assets

3.9 The Council's updated CAT Policy that has also been approved by the Cabinet takes account of the changes summarised at paragraph 3.7 and in particular the simplified "fast track" process which will be applicable to all T&CCs and the majority of community groups wishing to progress transfers (see Copy of revised CAT Policy at **Appendix B**).

4. Current Situation / Proposal

Level of CAT Activity

4.1 T&CCs, sports clubs and community groups are actively engaging with the CAT Officer to progress CATs on all the sports facilities managed by Green Spaces and Bereavement Services, and other asset groups such as community centres and play areas:

Progress Reached	Playing Fields & Pavilions	Other Asset Groups
Completed Transfers (Long Lease or Tenancy at Will)	1	5
Freehold Transfers being Finalised	0	2
Transfer Approved with Heads of Terms / Lease being Finalised	10	6
Renewable 5 Year Lease being Finalised	1	0
License to Occupy / Use	0	1
Expression of Interest Approved with Business Diagnostic Assessment & Financial Projections / Business Case being Developed	21	5

Informal Expression of Interest Received with Discussions Ongoing	16	5
Total	49	24

- 4.2 A detailed summary of CAT activity as at 28 February 2020 is included at **Appendix B**.
- 4.3 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 has re-opened and operates both facilities under licence 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. A condition survey and maintenance plan has been prepared under the CAT Business Support contract for John Street public toilets which has Grade II listed building status. Funding applications submitted by the Town Council to the CAT Fund for £50K has already been approved and a further application under the Town and Community Council Capital Grant scheme 2020-21 for an additional £20K is due to be considered by the Cabinet shortly so that the Council can work in partnership with the Town Council to refurbish the facility.
- 4.4 Awen Cultural Trust took over the temporary running of Maesteg Bus Station public toilets under a short-term licence with the operating costs funded by Maesteg Town Council until the facility was closed in October 2019 so that work on the Maesteg Town Hall redevelopment could be commenced.
- 4.5 Porthcawl Town Council have also taken 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.
- 4.6 A tenancy at will has been completed with Laleston Community Council to enable the Bryntirion & Laleston Community Centre to remain open following the surrender of the lease by a local community association while the intention is for a 35 year lease to be progressed in the future.
- 4.7 Pencoed Town Council completed a tenancy at will in March 2020 for the Pencoed Pavilion. Pencoed Town Council have also been granted a 35 year lease for the two tennis courts at Pencoed Recreation Centre that has enabled a Multi-Use Games area and Skateboard Park to be developed.
- 4.8 A number of Play Areas have been or are in the process of being transferred to T&CCs which include: Coity Higher, Cornelly, Coychurch Lower, Laleston, Pencoed and Pyle. The Council encourages other T&CCs to also consider taking over the day to day management of Play Areas in their localities.
- 4.9 There are currently 6 T&CCs progressing CATs of playing fields and/or pavilions:

T&CC	Asset
Coity Higher Community Council	Great Western Avenue Playing Fields
Cornelly Community Council	North Cornelly Playing Fields
Laleston Community Council	Bryntirion Playing Fields
Llangynwyd Lower Community Council	Coytrahen Playing Fields

Newcastle Higher Community Council	Pen-Y-Fai Playing Fields
Porthcawl Town Council	Griffin Park (including Bowls Pavilion & Greens)

- 4.10 There are 8 CATs to sports clubs that it is hoped will be completed shortly:

Sports Club / Group	Asset(s)
Bridgend Athletic Club	Newbridge Fields Athletic Field & Track
Caerau FC	Hermon Road / Metcalf Street Playing Fields
Carn Rovers FC	Cwm Garw Playing Fields
Kenfig Hill RFC	Croft Goch Playing Fields (Pavilion + Rugby Pitch)
Maesteg Harlequins RFC	South Parade Playing Fields
Maesteg Park FC	Tudor Park Playing Fields
Pencoed Athletic BGC	Woodlands Park
Rest Bay Sports	Rest Bay Playing Fields

CAT Resources

- 4.11 Resourcing shortages were noted by the CAT Task & Finish Group as being a contributory factor in the delay in processing CATs. The staff resources required to progress multiple CATs within agreed timescales for the influx of transfers required has been assessed by the Head of Operations Community Services and shortages within the Corporate Landlord and Green Spaces and Bereavement Services teams identified together with additional support requirements for the CAT Officer. Proposals for additional staff resources have been outlined in a business case that will be submitted to the Corporate Management Board shortly. Additional funding has been identified and earmarked provisionally in the Change Management Fund to support this application for more resource that will ensure that the pace of CAT is accelerated.
- 4.12 The “Team” approach favoured by the CAT Task & Finish Group whereby multi-disciplinary staff from different sections of the Council work together has already commenced with the formation of a CAT Operations Group.

CAT Fund

- 4.13 The Sports Pavilion Fund outlined in paragraph 3.2 was re-designated as the CAT Fund and the scope for funding widened under the MTFS 2019-20 to 2022-23 in February 2019 to also include building works on other Council facilities such as community centres and public toilets, to support the CAT process. This is to ensure that as many buildings as possible can be kept open and provide long-term community benefits.
- 4.14 Funding applications up to £50K are approved by the CAT Steering Group with all sums in excess of this threshold being referred to the Cabinet for approval. To date six projects have been allocated funding from this source totalling up to £340,520:

Community Group / Sports Club	Asset	Purpose	Amount
Bryncethin RFC	Bryncethin Playing Fields	Develop a community centre	£110,000

Careau FC	Hermon Road/Metcalf Street Playing Fields	Refurbish the existing pavilion	£50,000
Pencoed Town Council	Pencoed Recreation Ground Pavilion	Repairs to enable pavilion to be re-opened	*£75,000
Carn Rovers	Cwm Garw Playing Fields	Pavilion repairs and security measures	£10,300
Rest Bay Sports	Rest Bay Playing Fields	Pavilion Refurbishment	£45,220
Porthcawl Town Council	John Street Public Toilets	Refurbishment of Grade 2 Listed Building	£50,000

* Maximum contribution agreed by Cabinet on 21 May 2019

- 4.15 The Cabinet has previously confirmed their commitment to replenishing the CAT Fund as and when necessary, subject to the availability of finite capital resources, to encourage transfers and meet demand particularly where value for money can be clearly demonstrated post CAT, and this principle was re-affirmed in the Cabinet report approved on 25 February 2020.
- 4.16 The Cabinet has also identified that a number of the pitches, greens and wickets currently maintained by Green Spaces and Bereavement Services may be in a poor condition due to enforced cuts in service provision over a number of years and issues surrounding drainage. The Cabinet also agreed on 25 February 2020 that the CAT Fund should be extended to include the maintenance of playing fields so that capital grants to enable pitch and drainage improvements, and equipment purchases can be administered via this source by improving the chances of long-term sustainable CAT by:
- Developing a programme of sports pitch improvement and drainage capital grants valued at £5,000 to £25,000 in consultation with the governing bodies to ensure that prioritised sites are fit for purpose based upon independent condition assessments of sports pitches, greens and wickets that will be commissioned separately.
 - Establishing pitch maintenance equipment grants to provide capital funding valued from £5,000 up to £10,000 for T&CCs and sports clubs who complete transfers to assist with the purchase of equipment to enable the self-management of associated green spaces.

T&CC Capital Grant Scheme

- 4.17 Funding under the T&CC Capital grant scheme since 2017-18 has prioritised CAT projects. The CAT Officer has liaised with T&CCs to assist them in submitting funding applications and Cabinet has approved match funding of £229,211 in respect of 10 CAT related projects during this period:

T&CC	Project	2017-18	2018-19	2019-20
Cornelly	Cornelly Community Centre Roof	£50,000		
Porthcawl	Griffin Park Public Toilets	£35,000		

Garw Valley	Bus shelter refurbishment in Betws		£3,795	
Pencoed	Provision of skateboard park		£20,000	
Cornelly	Landscaping around Cornelly Community Centre including pocket park		£40,000	
Pencoed	Refurbishment of Pencoed Recreation Ground Pavilion			£20,000
Bridgend	Refurbishment of Athletic Track at Newbridge Fields			£20,000
Cornelly	Refurbishment of Community Centre Toilets			£10,000
Coity Higher	Refurbishment of Pendre Fields Play Area			£15,000
Coity Higher	Refurbishment of Coity Castle Play Area			£15,416
Total		£85,000	£63,795	£80,416

- 4.18 Applications to the T&CC Capital grant scheme 2020-21 were made available in January 2020 with the deadline for receipt of completed applications of 28 February 2020 being established. Decisions on the allocation will be made by Cabinet in March 2020 ready for the start of the new financial year. Funding of up to £90,509 (T&CC Capital Grant Annual Allocation of £50,000 + Carry Forwards from Previous Years of £40,509) is currently available for 2020-21.

Other Support

- 4.19 Cabinet confirmed the establishment of the Bridgend Sports Team Support Fund (BSTSF) on 25 February 2020 which is primarily aimed at assisting the development of mini, junior and youth teams, particularly those involved with sports clubs undertaking self-management or CAT. Funding of up to £75,000 has been made available in both of the next two financial years to support voluntary sports clubs based within the County Borough of Bridgend. Financial assistance will be limited to a maximum of £2,000 per team to fund the cost of equipment, training and day to day operating costs.
- 4.20 The Council has previously confirmed that the annual grant provided to bowling clubs will end in 2019-20. The Council appreciates that bowls club that currently make no direct financial contributions for the hire or the upkeep of bowls greens will be impacted most when self-management arrangements are introduced and that to lessen the initial burden that some form of transitional relief may be required to ensure sustainability of such assets. The Council is therefore prepared to make available a one-off grant of £5,000 for each bowls facility on the condition that the bowls clubs using them also commit to taking over the bowls green maintenance on a day to day basis from 30 September 2020 and that they complete a CAT lease of these facilities. This funding should not be linked to the number of bowls clubs or bowls greens attributed to a particular site.

Strategy for Newbridge Fields / Maesteg Welfare Park / Aberfields

- 4.21 The Council has previously identified that Newbridge Fields may require alternative management and operational arrangements and is not suitable to be divided into plots to facilitate CATs to individual sports clubs. The CAT Steering Group also recognises that there are two further sites – Maesteg Welfare Park and Aberfields (more commonly known as “the Planka”) that currently provides sports facilities (pavilions and playing fields) that are also extensively used as public parks by local residents and visitors. Due to the size of the sites, level of public usage, the number of clubs involved, and/or need for improvement / development that options available in addition to the standard CAT to sports clubs should also be assessed and individual strategies developed for these sites.
- 4.22 The CAT Officer has already held informal discussions with the relevant T&CCs and some of sports clubs involved and has established a Stakeholder Steering Group for each of the three sites to determine the most appropriate way of managing and developing these facilities in the future with option appraisals being independently commissioned.
- 4.23 A specification of requirements has been prepared and selective tender exercise to engage consultants is due to commence shortly. A budget of £20K has been set aside from the Change Management Fund already earmarked for CAT and is estimated that the assignment will take up to 6 months to complete with final reports being required by October 2020 so that any new arrangements can potentially be introduced by 1 April 2021.

Conclusion

- 4.24 The Council has agreed to take a flexible and adaptable approach, whenever that is possible, when determining the most appropriate form and duration of a transfer. A List of Assets available for CAT either under long-term leases or short-term management agreements has been prepared to take account of future development potential of sites (updated Local Development Plan and the Schools Development Plan), and the generation of capital receipts (see CAT Priority 1 Asset List at **Appendix A**).
- 4.25 The level of engagement with T&CCs and sports clubs outlined at paragraphs 4.1 to 4.10 has been good with all sports related facilities being subject to discussions surrounding self-management arrangements.
- 4.26 The Council wishes to continue to work in partnership with T&CCs and encourages them to consider entering into more discussions relating to CAT of playing fields, pavilions, play areas and community centres and the provision of services such as grass cutting to ensure the best outcomes can be achieved to benefit our local communities.
- 4.27 The Council wishes to expand its collaboration with T&CCs both formally and informally, to foster a culture of joint working, recognising the extremely important role that T&CCs can play in helping to manage and maintain facilities and services that otherwise may come under threat as the County Borough Council continues to experience unprecedented and ongoing cutbacks to its overall budget. The Council also acknowledges that in some cases, because of their direct link to local communities and community groups, T&CCs may be better placed to work in partnership at a local level to develop long-term sustainable solutions.

- 4.28 The Council has identified other enhancements to its support mechanisms such as pitch / drainage improvements and equipment grants that may also be needed in addition to grants already provided to refurbish buildings such as pavilions to ensure that self-management can be completed successfully and assets become sustainable to the benefit of future generations. While it is the intention of the Council to replenish the CAT Fund to reflect the needs of community groups this cannot be guaranteed and is subject to the availability of continued funding. It is in the interests of T&CCs and community groups to complete transfers at the earliest opportunity so that required funding to improve assets can be duly secured and essential maintenance works progressed.

5. Effect upon Policy Framework& Procedure Rules

- 5.1 The Council's CAT policy document has already been updated to reflect the changes to process recommended by the CAT Task & Finish Group and approved by the Cabinet on 23 July 2019.

6. Equality Impact Assessment

- 6.1 There is no impact on specific equality groups as a consequence of this report. A full EIA was undertaken to support the original report - "Playing Fields, Outdoor Sports Facilities and Parks Pavilions" - considered by Cabinet on 22 October 2019.

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 made by the CAT Task & Finish Group were aimed at streamlining processes to enable CATs to be fast tracked, wherever possible, and to reduce the burden placed upon T&CCs and community groups.
- 7.2 Bridgend County Borough Council wishes to promote CATs of its playing fields and sports pavilions to either T&CCs or relevant sports groups to ensure that existing users are not required to pay any increased charges. The proposals seek to take into consideration the long-term sustainability of sports facilities in the County Borough 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 budget pressures, taking an integrated approach to the way the Council operates these kinds of facilities is vital. The report outlines how T&CCs, sports clubs and community groups can have an involvement 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.
- 7.3 The required Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is outlined below in respect of the Council's CAT policy and processes:

Long-term	Supports the corporate priorities of the Council outlined at paragraph 2.1.
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Prevention	Ensures the assets and services threatened by financial austerity can continue to be used by the community and promote healthier lifestyles and general well-being.
Integration	Enables the Council to work in partnership with T&CCs, sports clubs, community groups, other stakeholders and the wider community to meet local needs in a more holistic way.
Collaboration	The proposals have been developed and will be delivered through a strong partnership between BCBC, T&CCs and relevant stakeholders.
Involvement	The proposals will be delivered in close partnership with a range of local stakeholders including T&CCs, community groups and current users.

8. Financial Implications

- 8.1 The financial implications of the Council's current CAT activities and additional measures aimed at supporting sports clubs and stimulating transfers, in addition to any future capital funding agreed to replenish the CAT Fund, are reflected in the report originally considered by the Cabinet on 25 February 2020 and summarised below as follows:

Usage of Funding	Required Funding		Financial Year
	Capital	Revenue	
Establishment of Bridgend Sports Team Support Fund	-	£75,000	2020-21
	-	£75,000	2021-22
Commissioning Pitch Condition Surveys	-	£50,000	2020-21
Transitional Grants for Bowls Sites	-	£60,000	2020-21

9. Recommendation

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

- 9.1 Revised CAT Policy designed to simplify the process and reduce delays.
- 9.2 Associated funding under the CAT Fund and Town & Community Council Capital Grant scheme that has been set aside to encourage and support the transfer of Priority 1 assets.
- 9.3 List of CAT Priority 1 Assets that are available for transfer under long-term lease, tenancy at will, short-term management agreement or licence at **Appendix A**.
- 9.4 Recognition that community owned and managed models of delivery can reinvigorate community assets and can be devolved to the local level in which they operate. The success of CAT is dependent on the proactive participation

of willing participants – T&CCs and community groups - together with their ability and capacity to manage the asset.

- 9.5 Commitment and willingness to engage with T&CCs and community groups to progress CATs.

Mark Shephard
CHIEF EXECUTIVE
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Contact Officer: Guy Smith, Community Asset Transfer Officer
Telephone: (01656) 815323

E-mail: Guy.Smith@bridgend.gov.uk

Postal Address: Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents

Cabinet Report - Community Asset Transfer Policy (23 July 2019)
Cabinet Report - Playing Fields, Outdoor Sports Facilities & Parks Pavilions (22 October 2019)
Cabinet Report - Playing Fields, Outdoor Sports Facilities & Parks Pavilions and Community Asset Transfer (25 February 2020)

