



**Report of the Cabinet Member for Corporate Services and Performance
Community Assets Scrutiny Inquiry – 22 April 2024**

COMMUNITY ASSET TRANSFERS

Purpose	This report gives information requested on Community Asset Transfers
Content	The report answered a set of questions asked by the Panel relating to cultural services aspects of community asset transfer.
Councillors are being asked to	Consider the contents of the report and consider its contents as part of the scrutiny inquiry into community asset transfers.
Lead Cabinet Member / Officer(s)	<ul style="list-style-type: none"> • Councillor David Hopkins • Mark Wade, Director of Place • Geoff Bacon, Head of Property Services • Tracey McNulty, Head of Cultural Services
Report Author	Jamie Rewbridge

1. Purpose

Scrutiny have asked that there be an investigation into how the Council manages the transfer of Council owned community assets in Swansea. The key question, therefore, is: ***How can the Council ensure that its community assets are working to provide the best outcomes for the people of Swansea?***

In order to examine this, the committee will need to consider Community Asset Transfers (CATs) and their effectiveness within Swansea Council. To do this they are gathering evidence on a number of issues. This report outlines the responses to questions asked regarding cultural services aspects of community asset transfer.

2. Responses to Panel Questions

1) Supply a list of all CAT that have taken place, those in the pipeline and those that could potentially be such.

This list is prepared with the knowledge and information that Officers currently preparing this report have available, and where formal transfers have taken place either under the revised Community Asset Transfer

Policy, or previously where decisions have been taken under the Councils Wellbeing powers. They are not in chronological order, or an exhaustive list.

CATs taken place, where decision made and/or legal documentation complete or in significant progress

- a) Swansea Indoor Bowling Stadium
- b) Swansea Tennis Centre
- c) Parts of Tir Canol Playing Fields
- d) Graig y Coed, Penclawdd
- e) Underhill Park
- f) Land at West Cross (Skatepark)
- g) Langland Bay Tennis Courts (3)
- h) Various parts of Coed Gwilim Park
- i) Part(s) of Coed Bach Park
- j) Waunarllywydd Playing Fields
- k) Ynystawe Park
- l) Halfway Park Changing rooms
- m) Pentyla Playing fields
- n) Part of Mynydd Newydd
- o) Forge Fach, Clydach
- p) St Thomas Community Centre
- q) Sixteen Allotment Sites

CAT in the pipeline i.e., expressions of interest received, discussions ongoing but no formal decision.

- a) Mumbles Bowls Green/Pavillion
- b) Part of Woodland Mumbles
- c) Part of Clyne Gardens
- d) Ashlands and Banfields Playing Fields
- e) Cwm Level Playing Fields
- f) Cwmbwrla Park
- g) Cadlemill Playing field
- h) Trallwn Football pitch/playing field
- i) Clydach Canal Society Building
- j) Parc Y Werin Bowls Green

2) How is this process administered and managed within the department?

In line with the Community Asset Transfer Policy- an expression of interest form is issued to interested parties, which aims to capture the core details of the applicants request, background of their organisation and intentions.

Follow up meetings and general contact is arranged by relevant officers depending on the nature of the Asset, and will involve various internal parties depending on the asset/service– Cultural Services, Parks, Corporate Property etc. Following which any further information is requested, which may be in the form of a business plan or project plan. In line with the new Community Asset Transfer Policy, formal decisions to asset transfers are then prepared akin to the Cabinet reporting processes, subject to input from the various internal officers and in

consultation with the relevant Heads of Service, Director and Cabinet Member(s). Disposal of public land will also involve an Open Space Disposal Notice, as part of the decision-making process.

3) Practical examples of a selection of different CATs for discussion including for example:

a. Those that have shown to have delivered local benefit:

Swansea Tennis Centre and Bowls Centre were transferred to Community Interest Companies in 2010/11, and delivered significant community benefit. The Tennis Centre, which was earmarked for closure due to MTFP budget pressures at the time, was enabled to remain open, providing same or better outcomes and nil cost to the council through local ownership. Both facilities are performing well, at no cost to the Council, with the successes of both facilities highlighted in a report to Cabinet each year.

Underhill Park and Mumbles Skatepark transfers have enabled multi million pound investment to revitalise the assets with new, fit for purpose facilities- funded through a variety of sources and limited cost to the Council. The facilities are enjoyed by thousands of users each week and under the arrangements are set to continue to do so for future generations.

Coed Gwilim transfer of parts of the park under a phased approach has unlocked opportunity for investment, improved facilities and better use of community assets within the park operated by the Friends of Coed Gwilim park, including a new café, improved bowls green and future plans for improved football changing rooms and pitches.

b. Those have been most challenging:

Each are challenging in their own way so it would be unfair to highlight specific sites, and the challenges will change, depending on the type of asset, organisations objectives and wider community interest; notably those that have been most challenging, are when the following factors are included:

- Pressure to transfer and enter into a lease by a deadline due to funding deadlines set by others but critical for the transferee
- Where open space considerations are complicated or provoke objection
- Where more than one organisation/club expresses an interest in the same asset.
- The time it takes to resolve legal processes between parties post decision

c. Those that have saved the LA financially

Any proposal for a Community Asset Transfer must be supported by a Head of Service and the relevant Cabinet Member. If the proposal

does not have internal support, then it cannot proceed.

If supported then under the Council's Land Transaction Procedure Rules (LTPR), the Head of Property Services must be consulted. The latter will assess the status of the property, its tenure, open market value and potential for realisation of a capital receipt and liaise with the supporting department. Property Services and Finance must be consulted prior to reporting to consider the financial implications of the CAT and to ensure it does not breach subsidy controls. Legal, financial and any possible Equality and Engagement Implications will also need to be considered and discussed at this stage.

Given the current financial pressures on the public sector it is anticipated that a number of non-statutory services will need to be delivered in different ways and it is expected that the delivery of these services by community-based organisations (and the assets necessary to deliver those services) will play a significant role in reducing future costs.

- The transfer must create a mutual benefit to both the Council and the Community by promoting social, economic or environmental wellbeing and supporting the aims and priorities of the Authority;
- More often than not there should be an initial element of financial benefit to the Authority.
- The Authority will encourage collaboration between community-based groups and the sharing of assets to optimise social value and value for money.

d. New and also established CATs

See list above in 1) further highlighted examples below:

New- Coed Gwilim Park/Underhill Park.

Established- Swansea Tennis Centre/Bowls Centre, Parts of Tir Canol, Sixteen Allotment Sites.

4) Information in relation to Community Centres including a copy of the annual license document used. Give an idea of what 'providing limited, financial support to assist in day-to-day operations' means and what 'threat' there may be to this if funding is to be reduced/cut.

Copy of annual licence attached as appendix C. Across Swansea we have several community organisations operating council owned Community Buildings via Voluntary Management Committees, who are supported by a small team (3FTE) of Community Development officers (CDO) and this is recognised as a model of good practice. The CDO's in partnership with the committees ensures that the centres offer remain vibrant, inclusive and responsive to the needs of their community by providing an affordable venue to promote social and financial inclusion and maximise community involvement and participation. Importantly, the

CDO's offer full support and guidance on H&S, training, funding opportunities, fire safety and thus ensuring the buildings remain safe, well managed and accessible facilities for all the community. Without the team, as is seen in other authorities, there is a risk of community centre closures or operating at increase cost through deploying of Council staff.

5) What has worked well, what has been most challenging, examples of how we have or can learn from these experiences for the future.

Ongoing and accessible support ensures the Community Buildings continue to thrive and work with the volunteers to improve the social, economic, environmental and cultural well-being of Wales by providing more activities and services within the community.

Encouraging more volunteers and community involvement with active residents and community groups engaged is always challenging having the CDO's in place enables us to highlight operational or building risks across the centres and prioritise intervention accordingly

It should be noted that each and every community centre (40) in Swansea Council ownership has for some time, already been transferred to its management committee by way of Licence. In terms of 'community empowerment' by asset transfer, Swansea are therefore well ahead of the game, and often referred to by other Councils as examples of good practice.

6) What consultation has taken place around CAT as a strategy? Do you have any feedback to show the Panel or do/plan to seek feedback on the process from those who have taken on an asset?

No formal consultation undertaken at this stage in terms of CAT as a strategy (i.e. how it is working), other than the evidence suggested previously that outline the successes that it has yielded through investment, improved facilities and local decision making. However the Policy was adopted via the formal decision making of the Council.

Relevant officers remain available to support new CATs to ensure a smooth transition. Where CATs involve significant assets, i.e. Bowls Stadium and Tennis Centre, annual reporting is undertaken to monitor and report on the arrangements and performance, to inform this regular communication between the Council and the tenant is critical.

7) What do you think could help to improve the process further?

More resource in a range of areas to support with enquiries, process-mapping and deliverability of an end-end project plan with others. Further understanding by all parties and key stakeholders that the process of transferring an asset is not straightforward and takes time due to due diligence that the council is obligated to undertake, the decision making process, in addition to the legal processes, sometimes take years to deliver.

3. Integrated Assessment Implications

3.1 The Council is subject to the Equality Act (Public Sector Equality Duty the socio-economic duty), the Well-being of Future Generations (Wales 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language.
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

The Well-being of Future Generations (Wales) Act 2015 mandates public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

This report is for information only and does not require IIA Screening

4. Financial Implications

4.1 There are no financial implications associated with this report.

5. Legal Implications

5.1 There are no legal implications associated with this report.

Glossary of terms:

Acronym	Expansion
LA	Local Authority
WG	Welsh Government
CAT	Community Asset Transfer

Background papers:

Appendices:

- Appendix A - Disposal of Sporting and Leisure Facilities under the Community Asset Transfer Policy Cabinet Report
- Appendix B - CAT Policy
- Appendix C- Template Community Buildings Licence