

# **EVIDENCE PACK**

## **Community Assets Scrutiny Inquiry**

**SUMMARY:** This is the evidence pack for the Scrutiny Inquiry into Community Assets. It includes all of the evidence collected by the scrutiny councillors at meetings, through research and from submissions. The scrutiny councillors will present their conclusions and recommendations in a separate report based on this evidence.

# Introduction

This pack draws together, in one document, all of the published evidence for the Community Assets Scrutiny Inquiry. Over the last 4 months a panel of scrutiny councillors has looked at the Council services and stakeholders. Specifically, they have been looking to answer the following question:

- ***How can the Council ensure that its community assets are working to provide the best outcomes for the people of Swansea.***

What is not part of this inquiry...

Specific venues, only as examples of practice. The inquiry will have a strategic focus, with overview of roles and responsibilities, priorities, powers, current experience and trends, partnership activity and achievement, and how things can be improved.

The inquiry looked at Community Asset Transfer in relation to the provision of council functions and how it works with others including stakeholders. It also considered what the Council does well and what can be improved in this area. This included the following key lines of inquiry:

1. **About Community Assets.** What are community assets? How does a community asset get designated as such? How does a potential asset transfer get identified? Who can apply to have an asset transferred?
2. **The regulatory framework.** What is the regulatory framework that relates to community assets in particular in relation to transferring an asset to a body other than Council? What are the legislative rules and guidance that regulates the management of community assets.
3. **Local policy and the strategic context.** What are the existing local policies in relation to Asset Transfer? What are the different policies relating to Asset Transfer used across Wales and do they differ with Swansea. How does the Council ensure that any Asset Transfer supports the Swansea Councils strategic aims and priorities.
4. **Financial implications.** What are the financial benefits for the Council to transferring an asset and also any disadvantages associated with it.
5. **Risks and barriers.** Risks associated with community asset transfer and how are they addressed and/or mitigated? What are considered as the main barriers and how do we work to overcome them?
6. **Due diligence, the business case and sustainability.** What due diligence is completed around for example financial resilience, governance, Welsh language, equalities, positive effects on community (and ensuring no adverse effects), sustainability, maintenance requirements. How do we ensure the process of decision making is transparent?
7. **Guidance and support.** What guidance, advice and support are given to those taking on an asset, including in relation to funding and applying for grants.
8. **Community benefits/disadvantages.** What are the community benefits and also disadvantages to Asset Transfer. How is this assessed?

9. **Consultation with stakeholders.** What is the process for and who is consulted when transferring a community asset? Do we consult about the wider council policy/aims/objectives in relation to community asset transfer in Swansea?
10. **The asset transfer experience in Swansea.** What has worked well and not so well. Highlight some practical examples where transfers have successfully delivered local benefits, what are the key factors for success (include examples of successful and not so successful transfers). What happens when an asset transfer is not successful or one breaks down or ceases?
11. **Wellbeing and Future Generations as a lever:** What is our strategy, vision, aims and objectives in this area? How are we performing against those? For example, how are we considering future generations when we transfer community assets?

The final report for the inquiry, including conclusions and recommendations, is expected to be discussed by the Panel September 2024, following that it will be submitted to the Scrutiny Programme Committee and to Cabinet.

## **Key questions used for evidence gathering, consultation and research**

### **1. Key questions used for consultation with stakeholders and also for an email to Councillors and Community Councils**

From your experience of being involved in the transfer of a community asset:

1. What went well?
2. What was more challenging?
3. What risks and barriers did you face? How did you overcome or mitigate them?
4. What guidance, advice and support were you given? Including in relation to funding and applying for grants?
5. What have been the main community benefits to the transfer you have found since? Have there been any particular disadvantages or challenges found since the transfer?
6. What consultation did you (or was) carried out with regard to the transfer?
7. Do you think the asset transfer process could be improved, if so, how?

### **2. Key questions for session looking at due diligence, risks, barriers and guidance and support**

1. How do you ensure that a CAT creates a mutual benefit to both and the community?
2. How does the Council ensure that any CAT supports the Council's strategic aims and priorities? Example.
3. What can be the financial benefits to transferring assets? Are there any financial disadvantages to it? Example.
4. What are the main risks associated with CAT both to the Council, the community and those taking on an asset?
5. What happens if a CAT breaks down?
6. What due diligence is completed around, for example, financial resilience, governance, duty of care, Welsh Language, equalities. Example.
7. How do we assess the potential positive impacts on a community (or indeed any negative impacts that could occur)?

8. How do we ensure the process of decision making is transparent?
9. Do the council proactively look for CAT possibilities or do we generally just respond to applications?
10. What guidance, advice and support are given (or available) to those taking on a CAT? Copies of info available. Example of support given.
11. Who do we speak to when a CAT is being considered? For example, Ward Councillors, community councillors, people using facility etc?
12. What do you believe have been the main benefits, so far, from CAT?
13. What do you believe could improve the process further?

### **3. Key questions used for session looking at leisure services specific issues**

1. List of all CAT that have taken place, those in the pipeline and those that could potentially be such.
2. How is this process administered and managed within the department?
3. Practical examples of a selection of different CATs for discussion including for example: ...
  - a. Those that have shown to have delivered local benefit.
  - b. That have been challenging
  - c. That have saved the LA financially
  - d. New and also established CATs
4. Information in relation to Community Centres including 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.
5. What has worked well, what has been most challenging, examples of how we have or can learn from these experiences for future.
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?
7. What do you think could help to improve the process further?

### **4. Desk Based Research Scope**

Examples of different practice elsewhere in relation to Community Asset Transfer. Looking for good or useful practice to aid the inquiry, recognising that each local authority will have different support, resources and settings. Also recognising that complete like for like will not be possible. Examples from across the UK including a number from Wales (Examples of practice including their context).

## Timetable of Work Completed

Date/Venue	Evidence Gathering Activity
Pre-Inquiry Scrutiny Working Group 1 Feb 2024 4.30pm	<ul style="list-style-type: none"> <li>• <b>Overview</b> of subject area from Lead Council Officer/s and Lead Cabinet Member. They will provide a strategic overview of Community Assets including details of what it is, legal frameworks we work under and identifies the key influencers.</li> <li>• Panel discuss and agree the Terms of Reference and Project Plan for the Inquiry.</li> <li>• Panel agree its public call for evidence and Integrated Impact Assessment for inquiry</li> </ul>
Evidence gathering	
<b>Session 1</b> 11 Mar 24 5.00pm	<ul style="list-style-type: none"> <li>• <b>Due diligence.</b> Aspects of asset transfer including finance and legal aspects etc. How is it benefitting the LA and Communities more widely...financially and other? How is due diligence checked and monitored on an ongoing basis.</li> <li>• <b>Risks.</b> What are the risks associated with community asset transfer and how are they addressed and/or mitigated?</li> <li>• <b>Barriers.</b> What are considered as the main barriers and how do we work to overcome them?</li> <li>• <b>Guidance and support.</b> What guidance, advice and support are given to those taking on an asset, including in relation to funding and applying for grants.</li> </ul>
<b>Session 2</b> 22 Apr 24 4.30pm	<b>Cultural Services specific.</b> Activity and examples relating to asset transfer in cultural services department. To include for example community centres, parks, sports facilities/grounds, growing areas etc, Also, provide a of list of already transferred assets and a list of those in pipeline. Projected financial savings. Evidence of community benefit.
<b>Session 3</b> 20 May 24 4.30pm	<ul style="list-style-type: none"> <li>• <b>Policy</b> and practice in other local authorities (How other LA's do it)</li> <li>• <b>Stakeholders.</b> Panel look at replies received from an email sent to all councillors/community councils</li> </ul>
<b>Session 4</b> 17 Jun 24 4.30pm	<b>Stakeholders.</b> Roundtable meeting with a group of stakeholders. People who have been through the process, also include SCVS and other interested parties.
Concluding Inquiry	
<b>Meeting 5</b> 23 July 24 4.30pm	<ul style="list-style-type: none"> <li>• <b>Legal aspects of Community Asset Transfer</b></li> <li>• <b>Findings report</b> - discussion regarding conclusions and recommendations based on the evidence gathered</li> </ul>
<b>Meeting 6</b>	Draft final report – informal meeting of Panel members only
<b>Meeting 7</b>	<b>Final Report</b> – agreement for submission to Cabinet