

# Community Assets Scrutiny Inquiry Panel

## Terms of Reference

### Inquiry Key Question

The primary focus for the inquiry is to look at 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.*

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.

### Reasons for carrying out this piece of work

Councillors chose to carry out this piece of work because they want to

- Ensure that the Council is meeting its duties under any legal requirements.
- That the management and delivery of community assets and any transfers are transparent and sustainable.
- Ensure Swansea Council along with its partners are delivering the most effective service.
- To ensure public, communities and relevant partners/organisations are involved and/or consulted in decision making.

### The inquiry will ask and will focus on (the lines of inquiry)

The inquiry will look at community asset transfer in relation to the provision of council functions and how it works with its partners and others to ensure effective management and transfer of community assets in Swansea. It will also consider what the Council does well and what can be improved in this area. This will include:

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 Inquiry Panel will gather evidence from:**

Cabinet Members  
 Council Officers  
 Partner Organisations  
 Other stakeholders  
 Other interested groups including the public  
 Welsh Government, national government  
 Other Local Authorities and/or partnerships  
 Any other relevant information identified

This inquiry will be carried out via Panel meetings, roundtable meetings, desk-based research and a public call for evidence. The work of the inquiry will be displayed and publicised via the Councils website. Recordings of meetings will be available and a section for public questions will form a part of the agendas for all public panel meetings.

### **Intended Impact and Contribution**

This inquiry intends to support the work of the Council by:

- Providing a councillor perspective on the issue
- Providing evidenced proposals to Cabinet that will lead to more effective services
- Gaining the views of the public and stakeholders
- Considering and concluding on recommendations from national reports, legislation /directives and their implications for Swansea

- Identification of good practice/research elsewhere and whether there is any learning for Swansea's approach
- Increased councillor understanding about community asset transfer
- Greater public awareness of work in relation to community assets

### **Membership of the Scrutiny Panel**

#### **Labour Councillors: 3**

Joe Hale	Yvonne Jardine
Victoria Holland	

#### **Liberal Democrat/Independent Councillors: 5**

Wendy Fitzgerald	Michael Locke
Chris Holley	Cheryl Philpott
Sue Jones	

#### **Conservative Councillor: 1**

Will Thomas	
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#### **Uplands Councillor: 3**

Allan Jeffery	<b>Stuart Rice (CONVENER)</b>

### **Lead Cabinet Member for Community Assets**

Cllr David Hopkins (Cabinet Member Corporate Services and Performance)

### **Key Officers Contact for the Inquiry**

Mark Wade (Director Place)

Geoff Bacon (Head of Property Services)

### **Scrutiny Officer supporting the Inquiry**

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