

Review of Asset Transfer Requests Annual Reports: Summary

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Introduction

This briefing is the first output of an 18-month evaluation of the implementation of Asset Transfer Requests (ATRs) commissioned by the Scottish Government and being conducted by researchers at Glasgow Caledonian University. It summarises ATR activity across Scotland using the data from the first set of annual reports that all Relevant Authorities (RAs) referred to in the Act were required to publish by 30th June 2018 and covering the period 1st April 2017 to 31st March 2018

Part 5 of the Community Empowerment (Scotland) Act 2015 (the Act) introduces Asset Transfer Requests (ATRs) which gives Community Transfer Bodies (CTB) the right to request to buy, lease assets or conferral of other rights such as access, management or a licence to occupy, from RAs to achieve community and public benefits. The Guidance document for RAs¹ (2017) states that 'ownership or control of land and buildings is a powerful tool for communities to drive change and achieve their own goals' (2017: 1) and the legislation within the Act shifts the balance of power.

Key findings

As at 31st July, not all RAs submitted an annual report, with some due to be published at a later date. The type, format, amount and quality of data within the reports varied considerably. The lack of data and inconsistency in reporting limits the conclusions that can be drawn at present about the operation of ATRs.

- Across the RAs that submitted reports there were 68 ATRs received, 25 agreed, three refused and 40 in progress. Of the 68 applications 59 were received by local authorities.
- The details of the purpose of the ATRs were not included in all of the annual reports which made it difficult to identify any themes or trends. Where details were available, the purposes varied and included; community woodlands, parking facilities and office and community spaces.
- RAs reported their support and promotion activity which included the publication of an asset register, information online and the designation of a first point of contact. Some RAs also highlighted capacity building that was taking place for staff in order to ensure there were regular feedback and learning sessions on ATR processes.
- Consideration of how to support and promote ATRs to marginalised groups was lacking across the majority of the annual reports. However, an example of good practice emerged within one report which framed the description of ATR support and promotions activities around their broader approach to participation and engagement. They stated that the support activities that are undertaken by the Community Planning Partners are concentrated on the areas of greatest need in line with the Public Sector Equality Duty.

¹ <https://beta.gov.scot/binaries/content/documents/govscot/publications/guidance/2017/01/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-relevant-9781786527493/documents/00513197-pdf/00513197-pdf/govscot:document/>

Next steps

Over the coming months Glasgow Caledonian University researchers will be conducting case studies in 5 RAs in order to address the following research questions:

1. Whether, how, and to what extent, is Part 5 of the Act being implemented as intended in the legislation and guidance?
2. To what extent does implementation of Part 5 of the Act result in more asset transfers being initiated and assets being transferred to community ownership, control and use, and with what potential contribution to improved access to transferred services and facilities?
3. What is the pattern of take up and use of Part 5 of the Act among different community groups? What are the potential implications of these patterns for local inequalities of outcomes?
4. Whether, how, and to what extent do communities feel more empowered as a result of the availability, take up and use of Part 5 of the Act?

A second review of annual reports will take place in 2019 and it is suggested that, in order to ensure a full submission of these reports, it would be useful for there to be a series of reminders for RAs, alongside specific support activities. While the legislation outlines the headline figures that are required, guidance and a more specific and structured template for developing the annual reports may also be of benefit. Indication of the type, quality and format of the information to be presented in future reports would help to increase their usefulness in understanding how ATRs are being implemented and used.