
Report to Clackmannanshire Council

Date of Meeting: 28 June 2018

Subject: Arrangements for Management of Community Facilities

Report by: Head of Strategy & Customer Services

1.0 Purpose

- 1.1. The purpose of this report is to seek authority from Council to negotiate heads of terms with appropriately constituted community groups which would formalise interim management arrangements for facilities that were made available for Community Asset Transfer as part of the 2018/19 budget.

2.0 Recommendations

- 2.1. It is recommended that Council authorises officers to enter into negotiations with relevant community groups to seek appropriate heads of terms for interim management arrangements provided these are on a neutral cost basis for the Council.

3.0 Considerations

- 3.1. When the Council approved its 2018/19 budget on 8 March 2018, it agreed two savings that contained provision for potential Community Asset Transfer, these being SCSR03 and SCSR05.
- 3.2. Expressions of interest have been received on a number of facilities to date, with constructive dialogue ongoing with interested community groups.
- 3.3. Whilst community asset transfer ultimately can be rewarding for communities, it is challenging. Communities need to put in place properly constituted groups and build up community support, which many are doing with assistance from Clackmannanshire Third Sector Interface and Development Trust Association Scotland; they also need to build capacity, membership and indeed finances, all of which takes time, particularly considering the voluntary nature of these undertakings.
- 3.4. Many groups have expressed a need to agree interim arrangements to allow some form of community management arrangements to be put in place pending a more detailed Community Asset Transfer application. This would allow the community groups to take responsibility for some buildings without full asset transfer along the lines of a 'try before you buy' type of arrangement to build capacity, allow the business plan to be tested and further developed

and ultimately facilitate successful community empowerment. It may also allow scheduled lets after the Council closure date to be honoured, making the venue a more commercially viable proposition. Furthermore, it would allow the community to continue to have access to community facilities while the community groups progress with their business plans.

- 3.5. Providing authorisation to officers to proceed as soon as possible with negotiations on limited interim arrangements will prevent unnecessary delays and likely maximise the chance for success, particularly given the summer recess period is imminent. This may include for example, authorisation to negotiate with community groups to take on let bookings and associated income or to allow officers to agree peppercorn rents for limited development periods as long as any such arrangements do not commit the Council to unbudgeted costs. Groups have indicated that the ability to negotiate as soon as possible on such matters is essential given tight timelines.
- 3.6. It is intended that regular progress reports would be made to Council, with the next update planned for August 2018.

4.0 Sustainability Implications

- 4.1. Discussions with community groups to date have intimated that agreeing interim arrangements is likely to be a key factor in the long term sustainability of their community ownership and management ambitions.
- 4.2. The Council has a statutory duty to obtain the “best consideration” from any asset. As such any arrangements reached as a result of this paper would be interim; it is understood that ultimately any community asset transfer will need to satisfy the duty of best value.
- 4.3. Even with best endeavours on both sides, there is a risk that providing for interim arrangements may not ultimately lead to a community asset transfer application.

5.0 Resource Implications

5.1. Financial Details

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes
- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. Staffing

6.0 Exempt Reports

- 6.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box)

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
 Yes No

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none". NONE

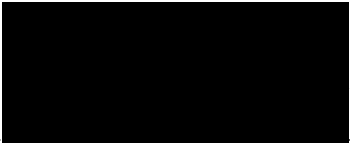
11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
 Yes (please list the documents below) No

Author(s)

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Approved by

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