
Report to: Audit and Scrutiny

Date of Meeting: 7 March 2024

Subject: Community Empowerment Act Annual Report (Community Asset Transfer & Participation Requests)

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. The Council is required under the terms of the Community Empowerment Act (Scotland) 2015 to produce an annual report on Community Asset Transfer Requests and Participation Requests. This report details the activities for the Council for the reporting year 1 April 2022 - 31 March 2023.

2.0 Recommendations

- 2.1. That Committee notes the report and accompanying appendices, commenting and challenging as appropriate.

3.0 Considerations

- 3.1. Clackmannanshire Council has a duty to promote, process and report annually on Community Asset Transfer Requests and Participation Requests. This duty is set out in the Community Empowerment (Scotland) Act 2015 which aims to help empower community bodies through the ownership of land and buildings, and by strengthening their voices in the decisions that matter to them.
- 3.2. Community Asset Transfer (CAT) involves the transfer of responsibility for land or buildings from the Council to a community body. Participation Requests (PR) are a mechanism for community bodies to contribute to how local services are planned and delivered.
- 3.3. Clackmannanshire Council submitted its annual reports for the reporting year 2022-23 to Scottish Government by the 30 June 2023 deadline. The Annual Reports (attached in the Appendix) are also published on the Council's website.

CAT Request Summary

- 3.4. The Council promotes Community Asset Transfer through its website and through local community and voluntary networks. The Council has drawn up

written guidance, and invites informal enquiries and dialogue in order to make the process as accessible as possible to potential community transfer bodies.

- 3.5. The Council received informal enquiries by phone and email about Community Asset Transfer on a recurring basis throughout the reporting year. In general, only a small proportion of CAT enquiries become CAT Requests which would then become the subject of the annual report. There is no requirement to report the number of informal enquiries.
- 3.6. In the reporting year 2022-23, Clackmannanshire Council received CAT enquiries but no CAT Requests. No CAT Request decision appeals were received. No CAT Requests submitted in previous years were determined or waiting for a decision.

Participation Request Summary

- 3.7. The Council promotes Participation Requests through its website and through its community partners. As with CAT, the Council has written guidance available for community groups and actively encourages potential applicants to discuss their Participation Requests with the appropriate officer if possible ahead of formal submission in order to enhance its effectiveness.
- 3.8. In the reporting year 2022-23, Clackmannanshire Council received no Participation Requests. No Participation Requests submitted in previous years were determined or awaiting determination.

4.0 Sustainability Implications

- 4.1. There are no direct sustainability impacts in the recommendations in this Report.

5.0 Resource Implications

- 5.1. *Financial Details* There are no direct financial implications in the recommendations set out in the report.
- 5.2. *Staffing* There are no direct staffing implications in the recommendations.

6.0 Exempt Reports

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

7.0 Declarations

- 7.1. 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".

Appendix 1 - 2022-23 CAT Requests Annual Report

Appendix 2 - 2022-23 Participation Request Annual Report

11.0 Background Papers

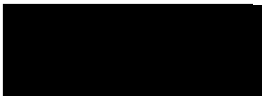
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lesley Baillie	Strategy & Performance Adviser	Ext 2012

Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director, Place	

**Asset Transfer Request
Reporting Template 2022/23 for Relevant Authorities**

Section 95 of the Community Empowerment (Scotland) Act 2015 requires relevant authorities to produce an annual report on Asset Transfer Request activity and publish this no later than 30 June each year.

Following stakeholder feedback and in response to asset transfer evaluations, this template has been created to help gather asset transfer data for the period 1 April 2022 to 31 March 2023. Information provided will help inform policy and practice at local and national level as the data will be collated and shared by the Scottish Government's Community Empowerment Team. However, it will be for each relevant authority to make their own annual report publicly available by 30 June 2023, whether using this template or not.

Please provide information in sections below and email completed template by 30 June 2023 to community.empowerment@gov.scot

Section One – Relevant Authority Information

Organisation: Clackmannanshire Council

Address: Kilncraigs, Greenfield Street Alloa FK10 1EB

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email: lbaillie@clacks.gov.uk

Telephone: 01259 452012

Date of completion: 27/6/23

Are you the Asset Transfer Lead Contact for the organisation: yes

If not please provide the name, job title and email address for the lead contact for any queries:

Section 2: Asset Transfer Data in 2022/23

2.1 Please complete the following table for the 2022/23 reporting period :

Total Applications Received	Number of successful applications determined	Number of unsuccessful applications determined	Number received and yet to be determined	Number received prior to 2022/23 and yet to be determined
0	0	0	0	0

2.2 Please provide details of Asset Transfer Requests received which resulted in transfer of ownership, lease, or rights from your relevant authority to a community transfer body in 2022/23:

None

2.3 Please provide details of Asset Transfer Requests that went to a relevant authority appeal or review which were concluded in 2022/23:

Name of Community Transfer Body	Was the Asset Transfer Appeal/Review accepted? (Y/N)	Why was the Appeal/Review accepted/refused? <i>Please provide details of the asset transfer request and reasons for your decision.</i>
none		

2.4 Please use this space to provide any further comments relating to the above data:

We also receive Expressions of Interest and enquiries which are handled without having to come under the terms of the Act.

Section Three – Promotion and Equality

3.1 Please provide information on any action you have taken to promote the benefits of asset transfer or any support provided for communities to engage with the Asset Transfer Request process.

Information about the process is publicly available on our website.

We actively encourage dialogue between the enquirer and officers at an early stage in order to provide tailored support.

We have liaised with the umbrella organisation of local groups to promote asset transfer and provide advice and information.

3.2 In particular what action has been taken to support disadvantaged communities to engage with the asset transfer process?

Support to engage with the process is available by phone, by digital meeting or by email, as necessary and appropriate.

Section Four – Additional Information

4.1 Please use this space to provide any further feedback not covered in the above sections.



Participation Requests Reporting Template 2022/23 for Public Service Authorities

Section 32 of the Community Empowerment (Scotland) Act 2015 requires public service authorities to produce an annual report on Participation Request activity and publish this no later than 30 June each year. This template has been created to gather participation request data for the period 1 April 2022 to 31 March 2023. Information provided will help inform policy and practice at local and national level as the data will be collated and shared by the Scottish Government's Community Empowerment Team. However, it is for each public service authority to make their own annual report publicly available by 30 June each year, whether using this template or not.

Please provide information in the sections below and email the completed template by 30 June 2023 to community.empowerment@gov.scot .

Section One – Public Service Authority Information

Organisation: Clackmannanshire Council

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email: lbaille@clacks.gov.uk

Telephone: 01259 452012

Date of completion: 27 June 2023

Are you the Participation Request Lead Contact for the organisation: Yes

If not please provide the name, job title and email address for the lead contact for any queries:

Section 2: Participation Request Data for 2022/23

Please complete following overview table:

Total new applications received in 2022/23	Total applications received prior to 1 April 2022 which were still to be determined at 31 March 2023	Number of accepted applications in 2022/23	Number of applications agreed in 2022/23	Number of applications refused in 2022/23
0	0	0	0	0

Where you were unable to accept a participation request, was an alternative process put in place to discuss the group's issue and work with them or support offered to help them consider how to address their identified need? Please provide details: n/a

2.1 Please provide details of Participation Requests received using the legislation and outwith the legislation in the reporting year which resulted in changes to public services provided by or on behalf of your public service authority and tell us about those changes. Please also include details of requests received prior to 2022/23, which resulted in changes to the way of working being implemented in 2022/23.

Name of Community Participation Body	Was the Participation Request successful? (Y/N)	Previous way of working	Way of working following changes	What difference did those changes make for the users of the service? Did they improve service user experiences or outcomes?	Details of any participation requests considered outwith the formal process e.g. agreements reached that resulted in changes to services.
n/a					

2.2 Please use this space to provide any further comments relating to the above data, such as:

- **describing the outcome improvement process (whether or not it resulted from a formal participation request)**
- **how the community participation body was involved in designing the outcome improvement process**
- **how the community participation body participated in the outcome improvement process including taking part in decisions and delivering actions**
- **details of any wider benefits, such as improved community engagement and ongoing participation.**

n/a

Section Three – Partnership Working & Promotion of Participation Requests

3.1a Please provide details of any engagement with support organisations such as local Third Sector Interfaces and public sector Community Learning and Development staff or national organisations such as the Scottish Community Development Centre.

For example has any new practices to support Participation Requests been developed from working with other bodies, or any learning gained?

Clackmannanshire Council officers from different Services participated in the recent review of Participation Requests with SCDC.

3.1b Please tell us about any challenges you have had in accessing support. n/a

3.2 Please provide details of action taken to promote the use of Participation Requests or support Community Participation Bodies in making a Participation Request.

For example this could include: Support before making a request, such as to determine whether a participation request is the most appropriate route; Support to make the request such as assist groups to complete forms, or identify appropriate outcomes; and/or Support to take part effectively in outcome improvement processes (whether or not they resulted from a formal participation request).

No new action / resources in the reporting year.

3.3 Please let us know what actions you have been taking to ensure that your processes are inclusive.

For example, this could include accessible information and other support, which enable wider use of participation requests by all population groups including those with protected characteristics. We are particularly interested in any ways you have targeted those with protected characteristics to raise awareness of the PR process or support request submissions.

Clackmannanshire Council has accepted feedback from community groups on their experiences of it. Most action relates to the need to clarify the purpose and scope of Participation Requests.

3.4 Please outline any plans you have to continue involving local people and local groups in outcome improvement processes as a result of your Participation Request policies (and also outwith formal participation requests). n/a

3.5 Please provide details about any work undertaken to consider wider reviews of participation practice, and any such methods used to engage with communities.

Clackmannanshire Council's wider approach to participation is set out in the corporate plan. Services continue to engage with service users on service delivery and design through traditional methods.

Section Four – Additional Information

4.1 Please use this space to provide any further feedback not covered in the above sections.

For example, we are interested in your reflections about what has gone well and what has gone less well in relation to Participation Requests over the past year?

During informal conversations, we notice that community groups continue to have unrealistic expectations of Participation Requests if they have taken advice externally or if they have not taken advice at all in advance of submitting a PR.

Is there any aspect of the process that you intend to adapt or change in the year ahead?

We continue to urge community groups to enquire with us about the process and to refer to the official guidance.

Have you identified any needs for guidance or support that would support the process? As above

If you have developed any case study material or published new information about Participation Requests please share links to those with us here.

No new material since last year.

Any other information:

n/a