
Report to Audit & Scrutiny Committee

Date of Meeting: 27th August 2026

Subject: Community Empowerment Act Reporting and Activity

Report by: Director Place & Economy

1.0 Purpose

- 1.1. The purpose of this report is to update Audit & Scrutiny Committee on activity related to the Council's duties under parts 3 and 5 of the Community Empowerment (Scotland) Act 2015.

2.0 Recommendations

- 2.1. That the Committee note, challenge and scrutinises:
- 2.1.1. the summary of activities in regard to fulfilment of the Council's duties under part 3 (Participation Requests) and part 5 (Community Asset Transfer Requests) of the Community Empowerment (Scotland) Act 2015
 - 2.1.2. that Clackmannanshire Council has submitted annual reports to the Scottish Governance in compliance with parts 3 and 5 of the Community Empowerment (Scotland) Act 2015

3.0 Considerations

- 3.1. At the meeting of Audit & Scrutiny Committee on 7th March 2024 Elected Members expressed an interest in the detail of community asset transfers and Participation Request as well as the standard reporting data. This progress report is provided in fulfilment of that interest.
- 3.2. The Council has a duty annually to publish a report on Community Asset Transfers and Participation Requests by the 30th of June. Clackmannanshire Council's annual reports (appended to this report) were published on our website by the deadline.
- 3.3. In addition, Clackmannanshire Council has complied with a request from the Scottish Government for a retrospective report of community asset transfer activity covering Requests processed with and without recourse to the legislation. This report was submitted by the 31st July 2026 deadline.

Participation Requests

- 3.4. Participation Requests (PRs) are requests from community groups to public bodies for dialogue which enables them to participate in an outcome improvement process. In line with the requirements of the Act, the Council publishes information and guidance on making a PR and Services follow a procedure for their completion.
- 3.5. During the period 1 April 2025 to 31 March 2026, the Council received no Participation Requests. No positive or negative meaning can be read into this statistic either on the success of this provision of the Act or on the level of community involvement in achieving outcomes in Clackmannanshire. PRs were introduced to enable dialogue where no mechanism exists or where the mechanism is unknown to the community group.
- 3.6. Many of our Services and their customers / community groups have existing mechanisms for instigating dialogue which informs strategic planning and decision-making. Examples of this include the Family Wellbeing Partnership, the Child Wellbeing Partnership, Tenant Participation and other Service User groups. Where these are in operation, there is no advantage to either party, nor any expectation on the part of the Scottish Government, to have recourse to PRs.
- 3.7. Low uptake of PRs is a statistic that is common across Scottish Local Authorities and, in response to the national figures over time, the Scottish Government conducted a review of this part of the Act to determine if it is meeting its aim and to understand the experience of Local Authorities and community groups alike in regard to their use. The findings of the review have just become available. They propose some changes to the guidance to improve clarity on the purpose of PRs and to help raise awareness of their benefit.

Community Asset Transfer (CAT)

- 3.8. Community Asset Transfer Requests (CATs) empower community groups to request ownership, lease or management of a Council-owned asset if they can demonstrate that they can make better use of it to improve outcomes for our communities. The Council publishes the process for CAT on the website and officers continue to provide information and guidance to potential community transfer bodies who are interested in taking on a Council asset.
- 3.9. There were 2 CAT Requests brought to a conclusion in the year 2025-26. Both entered the process in the previous year. One CAT Requests that began in the reporting year is scheduled for a decision in September 2026.
- 3.10. Clackmannanshire has continued to sustain the various Community Asset Transfers that have been completed since the Act came into force. Community assets once owned and operated by the Council are now thriving focal points within their communities, providing services to communities and fostering an impressive array of self-help and community volunteering.
- 3.11. Officers maintain contact with community transfer bodies who have taken responsibility for community facilities and, where resources allow, continue to provide information, expertise and support to help in the period following transfer.

Expressions of Interest (EOIs)

- 3.12. Expressions of Interest are a mechanism by which a potential community transfer body can make informal enquiries about the likelihood of a Community Asset Transfer Request being approved before undertaking the work required to prepare a formal Request.
- 3.13. As an informal element of the CAT process with no obligation on the potential community transfer body, there is no formal recording and reporting required.
- 3.14. There were 5 Expressions of Interest (EOIs) received in the reporting year that the community group have not followed up with formal Requests. These involve ongoing engagement usually so that the Council can provide them with information about assets to help them decide if the property suits their purposes in the first instance, and if a CAT Request is likely to succeed.
- 3.15. Most EOIs do not progress into a formal CAT Request and, in fact, there is no obligation on an enquirer to confirm or withdraw their interest, or otherwise feedback to officers on what they have decided to do in light of the information about the asset that officers provided. However, some EOIs do result in a lease arrangement for a community facility without recourse to the statutory process.
- 3.16. Despite the usual outcome, there is significant officer time and effort applied to answering EOIs. Officers dedicate time to phone calls, responding to emails, arranging site visits and informal meetings, and providing documentary information on the property in order to ensure the potential applicant chooses the most appropriate next steps.
- 3.17. Although not strictly part of the informal or formal process, some EOIs are made speculatively in the hope that the Council has an asset that will suit the community group in question, the perception being that the Council owns more land and building than it does. Many of these EOIs result in no further action because they were not made for a specific asset, or for other reasons relating to the group's priorities, and because alternatives emerge that suit the group better.

Strategic Developments

- 3.18. The Council's revised Asset Management Strategy will shape the Council's approach to Community Asset Transfer Policy and further enhance its role in Be the Future priorities.
- 3.19. The post created following the 2024-25 budget decision to invest Council's Transformation Fund monies in the development of CAT support has been filled and sits in the Wellbeing Directorate providing a bridge between the skills of officers in all Directorates.
- 3.20. This work is in support of the Council's revised Target Operating Model, ensuring that the Council not only manages its assets in a manner that support our communities, but that Communities are treated as partners and empowered to manage and own local assets as appropriate, in line with our Community Wealth Building principles.

4.0 Sustainability Implications

4.1. This progress report notes no sustainability implications.

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

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

Complies with relevant Council Policies ☒

8.0 Impact Assessments

8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Yes ☐

8.2 If an impact assessment has not been undertaken you should explain why:

In publishing the annual reports, Clackmannanshire Council is fulfilling a statutory duty.

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".

CAT annual report 2025-56 : <https://www.clacks.gov.uk/document/7573.pdf>

PR Annual Report 2025-26: <https://www.clacks.gov.uk/document/7572.pdf>

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	2012

Approved by

NAME	DESIGNATION	SIGNATURE
Kevin Wells	Director: Place & Economy	



**Asset Transfer Request
Reporting Template 2025/26 for Clackmannanshire Council**

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.

Section One – Relevant Authority Information

Organisation: Clackmannanshire Council

Address: Kilncraigs, Greenside Street, Alloa

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email: [REDACTED]

Telephone [REDACTED]

Date of completion: 30^h June 2026

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

Section 2: Asset Transfer Data in 2025/26

2.1

Total Applications Received	Number of successful applications determined	Number of unsuccessful applications determined	Number received and yet to be determined	Number received prior to 2025/26 and yet to be determined
2	2	0	1	0



2.2 Details of Asset Transfer Requests received which resulted in transfer of ownership, lease, or rights from Clackmannanshire Council to a community transfer body in 2025/26:

The following Requests were received / determined in the reporting period:-

Asset	CTB	Type of Transfer	Decision Date
Marshall House (received 2024/25)	Alloa Community Shed	Ownership	1 st May 2025
Clackmannan Town Hall and former CAP	Clackmannan Development Trust	Ownership	28 th October 2025
Ben Cleuch Centre	Ochils Community Trust	Lease	Pending

2.3 Details of Asset Transfer Requests that went to a review or appeal which were concluded in 2025/26:

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>
n/a		

2.4 further comments relating to the above data:

n/a



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.

We promote Community Asset Transfer via our website and proactively if a community facility becomes available following the withdrawal of Council services.

We encourage potential applicants to enquire informally in the first instance so that we can discuss possible approaches to community use of the asset in question. We make any information about the property which is held on file readily available to potential applicants. We arrange for site visits for the CTBs to allow them to assess the suitability of the assets and gather information, for example, for a professional survey.

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

The information we provide on our website encourages dialogue at an early stage and we are available to meet in person to provide dedicated support where needed. We signpost potential applicants to their options for other sources of support which may be more appropriate to their needs.

We circulate, both directly and through community networks, the information we receive from Scottish Government and support organisations with opportunities for learning, support and funding to help communities engage with the asset transfer process.

Section Four – Additional Information

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

n/a

Participation Requests Annual Report 2025/26 for Clackmannanshire Council

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 report presents Participation Request data for the period 1 April 2025 to 31 March 2026.

Section One – Public Service Authority Information

Organisation: Clackmannanshire Council

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email: [REDACTED]

Telephone: [REDACTED]

Date of completion: 30/6/26

Are you the Participation Request Lead Contact for the organisation? (Y/N): Yes

Section 2: Participation Request Data for 2025/26

A	B	C	D	E	F	G	H	I
Outstanding applications received prior to 2025/26 and still to be determined at 31 March 2026	Applications received prior to 2025/26 and decided on in 2025/26	Applications received prior to 2025/26 and accepted in 2025/26	Applications received prior to 2025/26 and refused in 2024/25	Total new applications received in 2025/26	Number of applications received in 2025/26 which were decided on in 2025/26	Number of applications received in 2025/26 which were accepted in 2025/26	Number of applications received in 2025/26 which were refused in 2025/26	Number of applications received in 2025/26 which are yet to be decided on
0	0	0	0	0	0	0	0	0

2.1	Where you were unable to accept a Participation Request, how did you address the community group's needs/ support them?
	Not applicable in the reporting year We actively encourage potential applicants to have an informal conversation with us by phone or in person at the outset to support them with a PR and, if relevant, signpost them to a more appropriate route for their contribution if one already exists. We offer to work with them on the wording of their Request before it is formally submitted to help ensure it will be effective and can be dealt with promptly. We advise them of the steps their Request will go through in accordance with the statutory guidance
2.2	Please provide details of participatory activities with community groups you have agreed/ undertaken during 2025/26. This can include Participation Requests and also any informal arrangements you have agreed that doesn't involve using Participation Request legislation that has led to improved local outcomes:
	Participation in decisions through both traditional and innovative approaches is built into Service planning for front-line Services. We continue to involve service users in commissioning community-based services. Our Family Wellbeing Partnership and our Child Wellbeing Partnership continue to work creatively to involve people in improving outcomes for children and families. Our new "Transformation Space" puts local people at the heart of decision-making to solve local problems and enable funding to flow to solutions to homelessness and to mental health matters that mean most to local communities.
2.3	The recent <u>Community Empowerment (Scotland) Act 2015 -Part 3 Participation Requests Findings Report</u> which was published on 31 March 2025 showed that many Public Service Authorities believe that Participation Requests should only be used when informal engagement has failed and therefore do not proactively promote them. In the report some Public Service Authorities highlighted alternative community engagement processes used which avoids the need for a Participation Request. Please provide information on your local community engagement strategies and your approaches to working collaboratively with your communities:

We welcome the clarity that the new overarching principles for PRs bring and we continue see Participation Requests as a useful tool for community groups who do not already have working relationships with Council Services and/or do not know how to make the first approach. Relevant pages of our website prompt the reader to make use of PRs.

A new Communications and Engagement Strategy is being developed based on consultation with key community stakeholders. It aims to set out approaches to participation and engagement with Council Services.

Our Be the Future Target Operating Model and Transformation Programme set out how we continue to support the development of collaborative approaches to improving outcomes in our communities

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email:

Tel:

Date of completion: 30/6/2026