

PERTH AND KINROSS COUNCIL
HOUSING & COMMUNITIES COMMITTEE

15 May 2019

**COMMUNITY ASSET TRANSFER AND PARTICIPATION REQUESTS
ANNUAL REPORT**

**Report by the Depute Chief Executive, Chief Operating Officer
(Report No. 19/147)**

PURPOSE OF REPORT

To provide an update on Community Asset Transfers and Participation Requests for 2018/19 and set out identified improvement actions for 2019/20.

1. BACKGROUND

1.1 The Community Empowerment Act (Scotland) 2015 set out new rights for communities to have greater influence, or control over decisions and services which are most important to them. The Council has a statutory duty to report on the number of both Community Asset Transfers (CATs) and Participation Requests it receives every year and the activity the Council has undertaken to promote these rights. These rights are summarised as:

- **Community Asset Transfers** (CAT) set out in Part 5 of the Community Empowerment Act (Scotland) 2015 gives community groups the right to request ownership, lease or have access to property owned by the Council and other public bodies.
- **Participation Requests** set out in Part 3 of the Community Empowerment Act (Scotland) 2015 enable communities to request to participate in processes which are aimed at improving outcomes.

2. CONTEXT

2.1 The Annual Report in **Appendix 1** outlines the number of Community Asset Transfers requests, Participation Requests and enquires the Council has received from April 1st 2018 to 31st March 2019.

Community Asset Transfer

2.2 This year Perth and Kinross Council has not yet completed a CAT, although we have supported groups who are now in a stronger position to move forward with requests in 2019/20. The report also details some of the ways the Council has supported groups to find alternative solutions, which did not require them to go through the CAT process, including standard lease, or disposal through the Disposal of Land (Scotland) Regulations (2010). This year the Council plans to update the CAT Policy and Guidance as well as promote CATs as part of a wider campaign to raise awareness of, and interest in, community empowerment.

Participation Requests

- 2.3 Participation requests came into force across Scotland in 2017, as a new opportunity for communities to request to get involved in discussions and processes to improve the services and outcomes which are important to them. Since then there has been a low uptake in such requests across the country and Perth & Kinross Council has received one valid request. The Council has produced new promotional materials around participation requests and is currently developing a short infographic video which gives a hypothetical example of a potential request and how it would work. It is recognised that participation requests are one of many pathways open to communities to participate in the councils' decision making process.

3. CONCLUSION AND RECOMMENDATION(S)

It recommended Committee:

- I) Notes the progress and Improvement Actions laid out in Appendix 1

Author(s)

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Approved

Name	Designation	Date
Jim Valentine	Depute Chief Executive, Chief Operating Officer	17 April 2019

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
Consultation	
Internal	None
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan/Single Outcome Agreement

- 1.1 The Community Empowerment (Scotland) Act 2015 places a number of additional duties on local authorities and other public agencies. Community Asset Transfer (CAT) and Participation Requests give community groups greater rights and opportunities to influence, or have control over decisions which affect them. The Improvement Actions identified in the report may impact on all of the strategic objectives, but are likely to be most relevant to:

- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (v) Creating a safe and sustainable place for future generations

Corporate Plan

- 1.2 The Community Empowerment (Scotland) Act 2015 places a number of additional duties on local authorities and other public agencies. Community Asset Transfer (CAT) and Participation Requests give community groups greater rights and opportunities to influence, or have control over decisions which affect them. The Improvement Actions identified in the report may impact on all of the strategic objectives, but are likely to be most relevant to:

- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (v) Creating a safe and sustainable place for future generations

2. Resource Implications

Financial

2.1 Not applicable.

Workforce

2.2 Not applicable.

Asset Management (land, property, IT)

2.3 Not applicable.

3. Assessments

Equality Impact Assessment

3.1 Proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) and are assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

3.2 Proposals have been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

Sustainability

3.3 Not applicable.

Legal and Governance

3.4 Not applicable.

Risk

3.5 Not applicable.

4. Consultation

Internal

4.1 Staff in Communities Service have been consulted during the preparation of this report.

External

4.2 Not applicable.

5. Communication

5.1 Not applicable.

2. BACKGROUND PAPERS

No additional documents have been relied on in preparing the report, other than those committee reports already referenced within the main body of the report.

3. APPENDICES

- Appendix 1 - The Community Asset Transfer and Participation Requests Annual Report 2018/19 .