

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: Loch Lomond and The Trossachs National Park Authority

Address: Carrochan, 20 Carrochan Road, Balloch G83 8EG

Completed by: Fiona Jackson

Role: Sustainable Development Advisor

Email: fiona.jackson@lochlomond-trossachs.org

Telephone: 01389 722 612

Date of completion: 30 June 2023

Are you the Asset Transfer Lead Contact for the organisation: ~~Yes~~/No

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

Sandra Dalziel, Legal Manager, sandra.dalziel@lochlomond-trossachs.org

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
1		1		

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:

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>

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

An ATR was received, but when reviewed, the Park Authority determined it did not meet the eligibility criteria in relation to the Community Body's legal status, as required by the Act.

There were additional concerns regarding lack of evidence of capacity of the community body to deliver their proposals.

With advice from COSS and other specialists, the Park Authority explained to the community body that the ATR was unsuccessful and reasons were given. Negotiation between the two parties continues and a joint valuation has taken place, in the hope the Community Body can submit another ATR, or find an alternative route to ownership.

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.

Our Asset Transfer information internal procedures and ways of working ensure staff can provide early support if a community body is thinking about an Asset Transfer. This support is bespoke to the context and enables discussion about the processes and criteria for submitting a valid Asset Transfer Request and where further independent support can be sourced. Further signposting and support can be provided via the mechanisms listed in 3.2.

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

We engage with all community anchor bodies (Community Councils, Community Trusts and other local community groups) on relevant topics via a range of different mechanisms including the Park Authority website, which provides information on Asset Transfer and where to get more support. Further general engagement on many other topics, including encouraging community ownership/management of assets, can be highlighted via: Local Place Plan or community action plan processes, formal consultations/surveys; locally-elected Board Members attending Community Council meetings; Live-streamed Board meetings; Youth Committee; Monthly Communities e-Updates; funding/supporting projects; topic-based meetings or awareness-raising events; place-based Forums, e.g. the Park's Visitor Management Forums.

Our community development activities, which aim to support community bodies to develop capacity and lead on their own actions, is delivered through a range of means such as; funding for Local Place Planning; volunteering, skills development and youth engagement programme;; core funding the Countryside Trust charity and working closely with our four Third Sector Interface and Local Authority community development teams.

Section Four – Additional Information

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

n/a

Section 5 – Community Empowerment Act Review

The following questions relate to the Scottish Government review of the Community Empowerment (Scotland) Act 2015. We would value your feedback as a relevant authority concerned with part 5 (asset transfers) of the Community Empowerment (Scotland) Act 2015. Please note, any feedback offered in Section 5 would only be used for the purposes of the review, and all comments would be anonymised.

5.1 Has the legislation made things easier or more difficult to work with communities on asset transfers? Please provide some comments on your experiences as a relevant authority engaging with this legislation.

The Guidance on the legislation has been helpful as we embark on engaging with a community in relation to our first Asset Transfer Request. So far, it is likely that each Request will be different. Interpretation of the Guidance can be subjective. It seems that a bespoke approach and judgement will need to be taken for each request, taking account of the Guidance. We welcome the direct and more bespoke and specific advice on individual ATRs from both COSS and the Scottish Government Community Empowerment Policy team.

5.2 Where can things be further improved, and what needs to change?

It would be especially helpful if the Guidance had more information regarding the detail required in an ATR concerning a community's capacity to maintain the asset, such as a business plan or similar; the Guidance suggests the information in an ATR can be 'outline', however as the Relevant Authority assessing the ATR, we felt more valid evidence was required to enable us to make a sensible and informed decision as to whether to validate the ATR or not, however the Community Body and COSS interpreted this differently.

As a NDPB it has also been challenging to properly decipher the steps required under the aligned processes of ATR and 'Disposal of a Property (subject to the Scottish Public Finance Manual); however advice ScotGov's Community Empowerment Team's bespoke advice on this has been very helpful.

5.3 Are you aware of what support is available to you when engaging with this legislation, and how you can access this? Please provide comments where possible.

Yes – ScotGov's Community Empowerment Team is extremely supportive.

5.4 What would you like to see now, to further empower Scotland's communities?

A specific request from one of our communities has highlighted the challenges of consultation fatigue and duplication in relation to evidencing engagement on community asset purchase, ownership or management proposals. The Scottish Land Fund requires certain engagement

processes and evidence of community support for a proposal, and others require different levels of evidence. In light of the new legislative Local Place Plan engagement and spatial requirements set by the Planning (Scotland) Act 2019 the community proposes Local Place Plans could be the central mechanism that can evidence community-mandated proposals for land/building ownership, lease or management. **Is it possible for this to be considered?**

Longer-term community development support and funding – particularly multi-year funding for development workers for community development trusts and other community-led groups – not just for projects.

Also, appreciation that identifying rural deprivation, hidden poverty, and community resilience or fragility is challenging and needs more research so that a nationally consistent and more nuanced set of metrics can be developed to measure community 'fragility' (community-led research would be valuable). This would aid in assessing funding applications for community development or other types of support.

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If you have any queries please contact Malcolm Cowie, Asset Transfer Policy Manager at Malcolm.cowie@gov.scot