



Assets, Regeneration and Growth Committee

1st June 2015

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| Title | Community Asset Strategy |
| Report of | Chief Operating Officer |
| Wards | All |
| Status | Public |
| Enclosures | Appendix 1: Draft Community Asset Strategy |
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Summary

The Community Asset Strategy is a key document which sets out the London Borough of Barnet's objectives, focussing on how the Council intends to utilise or re-provide buildings for community use over the next five years.

The proposed objectives and aims of the Strategy were presented to the Assets, Regeneration and Growth Committee on 15 December 2014 where it was proposed that the key principles laid out in the document formed the basis of the full Strategy and be taken forward for further consultation with the public and key stakeholders.

At the Assets, Regeneration and Growth committee on 15th December 2014 it was also recommended that following consultation a version of the proposed Strategy would be presented to the Committee in March 2015. However, it was decided that to allow further consultation to take place, an update would be sent to Committee members with the proposed Strategy being prepared for June Committee.

Consultation between December and March took the form of an online survey and three public workshops run by an independent company. The feedback from this consultation has been incorporated into the proposal attached.

The proposed Community Asset Strategy is set out in Appendix 1.

Recommendations

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| 1. That the Committee approve Appendix 1 - Draft Community Asset Strategy and note the contents of the report. |
| 2. That the Committee note that, following engagement with existing occupiers of community buildings, an implementation plan will be presented to Assets, Regeneration and Growth Committee on 07 September 2015. |

1. WHY THIS REPORT IS NEEDED

- 1.1 The Assets, Regeneration and Growth Committee agreed a draft of the Council's Strategic Asset Management Plan (SAMP) in September 2014. Following public and stakeholder consultation the SAMP was approved in December 2014. The SAMP contained principles for the governance of the Council's estate, and set out the need for a Community Asset Strategy (CAS) to decide how to govern these assets in the most effective way. This report presents the proposed Community Asset Strategy – at Appendix 1
- 1.2 The Council recognises the social and economic contribution voluntary and community sector (VCS) organisations make to the Borough and the way in which assets can support their work, making their services more sustainable and able to provide better value for money in the long term.
- 1.3 However, part of the Council's strategy for meeting the current and future financial challenges is to maximise the value it gains from its land and assets, by ensuring it receives the best possible income or receipts from Council-owned properties and lands which generate rent or which are sold. This will help it fulfil its Duty of Best Value, as set out under the Local Government Act 1999. The Council will therefore need to strike a balance between commercial use of its assets and opportunities to encourage community participation.

Defining the community estate

- 1.4 In considering the overall portfolio, the SAMP broke the asset base into six individual asset types to allow the portfolio to be reviewed and managed in a focussed way. The six asset types are:
 - Operational estate – held for the delivery of Council services, such as libraries, schools, day centres, etc..
 - Community estate – retained primarily for the benefit of the community such as community centres and sport facilities.
 - Investment estate - held primarily in order to provide an income and investment opportunity
 - Housing portfolio – managed by Barnet Homes
 - Highways and green spaces
 - Development portfolio.

- 1.5 The document approved in December 2015 described the key principles that would be taken forward for consultation. This document proposed that community assets were buildings or land available to VCS organisations for community use such as: community centres and community halls; sport and leisure facilities, and various other types of buildings let to community groups, such as shops or garages. However, it also noted the potential for a very broad definition of community assets, in which any public sector asset can be a community asset because of the social and community benefit it provides. This could, therefore, also include the Council's operational buildings.
- 1.6 The feedback from the consultation was that all Council owned buildings should be considered as community buildings and the use of the building should dictate whether it is considered to provide community benefit. In the revised CAS (Appendix 1) the Council has listened to this feedback and proposes that it does consider the majority of its assets as being used for community benefit and that where possible it will seek to promote local priorities through their use.
- 1.7 However, the measures set out in this Strategy relate most closely to those buildings and land which are occupied by third parties and can both give and achieve the greatest benefit by using them to support VCS organisations. Therefore asset such as schools, for example, which clearly provide facilities for community use, have been excluded from the scope of this Strategy at this time as they are subject to a different set of governance arrangements. It is recognised that the list of buildings that fulfil these criteria is not fixed and that it will change as some buildings are taken out of use and others become available for community participation. In addition, when specific proposals for change in an area arise, the Council will be pragmatic about which buildings could be included for consideration (for example, the use of libraries).
- 1.8 Further information about the proposed definition is set out at section 3 of Appendix 1.

Consultation

- 1.9 Prior to development of this Strategy the Council engaged with the community formally and informally in a number of ways, including:
- A general survey about civil society and community activism carried out by CommUNITY Barnet in 2009
 - A qualitative needs assessment in 2010
 - A review of compliance issues across the estate in 2012
 - A stakeholder engagement meeting in 2013
 - Consultation exercises relating to the Council's Priorities and Spending Review, carried out in 2013 and 2014
 - A series of informal interviews with a range of voluntary and community groups in 2014
 - Barnet internet on-line survey, December 2014 to March 2015, which was advertised in the local press and through letters sent to community building users asking them to complete the survey and indicate if they would be

interested in participating in workshops

- Three workshops were organised and facilitated by an independent company during February/March 2015. They were held on different evenings and across the borough so that it was convenient for as many people to participate as possible. Community building users were invited by letter and those accessing the on-line survey were given a telephone number to register their interest. 45 people attended these sessions.

1.10 The consultation carried out between December 2014 and March 2014 was designed to seek stakeholders' and the general public's response to the following specific key areas:

- The definition of community buildings.
- The objectives and aims of the Strategy.
- The principles for the governance of community assets.
- The proposed respective rights and responsibilities for the Council and users of the community estate.
- The proposed policy for community asset transfer.
- The proposed criteria by which the Council will offer support to voluntary and community groups.

1.11 The online survey, launched in December 2014, on the Engage Barnet website resulted in 19 responses to the questionnaire by the closing date of Friday the 13th February 2015. The questionnaire closing date was extended by two weeks and those participating in the workshop were encouraged to take part but there were no further responses received. The responses showed that approximately 60% of respondents agreed with the Council's proposals whilst about 30% did not agree, as summarised in the table below:

| Question | Strongly agree/Tend to agree | Strongly disagree/ Tend to disagree | Neither agree nor disagree/ Don't know |
|---|------------------------------|-------------------------------------|--|
| Are these the right objectives? | 11 | 5 | 3 |
| Will the aims ensure we meet our objectives? | 10 | 5 | 2 |
| Have we considered right areas for our governance principles? | 7 | 4 | 2 |
| Will support criteria help achieve the aims of the strategy? | 8 | 4 | 1 |

1.12 In addition the themes that emerged from the three workshops undertaken jointly by LBB, Capita and Futuregov, an independent company who facilitated the events, were:

- Community Assets should be given a broad definition.
 - The Community Asset Strategy should focus on community need.
 - That LBB should ensure it “gets the basics right” with a focused customer service.
 - That the Council should increase the capacity of the community assets over a longer term taking an enabling role.
 - That the Council should continue to work with the broader community to better match needs with services including the potential for community hubs.
- 1.13 The full output and summary of the consultation exercises can be found in section 4 and a copy of the output from the workshops report prepared by Futuregov can be found as Appendix 2 within the CAS document (Appendix 1 of this report).

Hubs and Co-location

- 1.14 Community hub is a term used in different ways but which usually refers to a location where a number of different organisations with a social or community focus work in close proximity to each other. Some community hubs contain a mix of any of the following: VCS groups, public services, social enterprises and small medium enterprises. Some are in a single building, while others may be a network of buildings.
- 1.15 The Council is keen to establish community hubs in Barnet as they offer an opportunity to use the public estate more efficiently. By co-locating groups currently based in different buildings, the Council can rationalise the remaining community estate. Any capital or revenue receipts can be re-invested in Council buildings and /or services.
- 1.16 A more detailed description of community hubs can be found in section 5 of Appendix 1.

Criteria relating to support for community groups, and routes for engagement

- 1.17 The Council recognises the need to be consistent and transparent about the circumstances under which it will commit to supporting VCS groups through use of its assets and the level of support it is willing to give and what it expects in return. This is particularly important in the challenging economic climate, as part of the Council’s focus on fairness, responsibility and opportunity.
- 1.18 The CAS aims to ensure that the Council’s community estate is governed according to clear, consistent criteria. Historically, the portfolio has been administered on a case by case basis which has made it responsive to the needs of individual groups but which has made it difficult to implement a consistent approach or to ensure fair, common treatment for different groups.

- 1.19 The CAS contains four criteria which will aim to ensure that the Council can realise its objectives with regard to the community estate, as well as fair and consistent treatment for all community groups using Council assets.

The criteria relate to:

1. The type of services the group or organisation provides
 2. The extent to which the organisation and its use of the asset supports community participation and involvement
 3. The robustness and sustainability of the organization
 4. The ability to maximise utilisation of the asset contributing to the commercial viability of the building.
- 1.20 The Council will operate a standard policy in which rental value of each of its community buildings is assessed on full market rental value for community use. Where the occupier is deemed to be contributing to local priorities and fulfilling other criteria for support, the Council may choose to grant financial assistance to provide support (through an agreement with the occupier), at a level which reflects the community benefit the organisation is providing.
- 1.21 The Strategy confirms that in general, the Council will see a full commercial rent for a property. This should result in an increased income to the Council, some of which will be utilised to fund the grant increases needed to support those groups that meet the criteria for funding outlined above.
- 1.22 The Council is also fully aware that it needs to proceed with caution in terms of seeking any changes to rent levels and lease agreements and will seek to do this in ways that minimise disruption to the groups involved.
- 1.23 The detail proposed criteria for governance of the community estate are set out in section 6 of Appendix 1.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is important that the Council takes a strategic approach to its community asset portfolio and the way in which it can be fully utilised with as many local residents and VCS groups taking full advantage of Council owned buildings and land. The document sets out guidelines and criteria in relation to the overall management and will be used as a reference point for future decisions relating to community assets, their use and commercial arrangements.
- 2.2 The paper recommends that the CAS is approved and during the next three months the Council develops an engagement plan (see section 4.2 of this report) with users of community buildings to provide an implementation plan that can be reviewed by the Assets, Regeneration and Growth Committee in September 2015. This step will allow users of the Council's buildings to make comment on how the Strategy will impact on them from a practical perspective. This feedback, together with available information on the building condition will enable the Council to build an implementation plan that is

deliverable.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Council could decide to continue to manage its community assets on an ad hoc basis, considering each building and its use in isolation, but this would fail to address the current inconsistencies, or deliver a better utilised and compliant community estate in accordance with the Council's priorities.

4. POST DECISION IMPLEMENTATION

- 4.1 If the recommendations are approved by the Committee, the next steps over the period June to September 2015 will be to engage with users of community buildings, further improve the information about building conditions, and develop an Equalities Impact Assessment which will underpin a detailed implementation plan. This plan will be presented to the Assets, Regeneration and Growth committee in September 2015. The scope of this plan is set out in more detail in 4.2.1- 4.2.4 below.
- 4.2 Within the Community Asset Strategy we have classified the portfolio into different categories (see 2.3 of appendix 1) to give us a better overall understanding of the constraints on the estate to help us develop our implementation plan. However, this is just an initial rating and the plan itself will not be developed without engagement with occupiers of our community buildings as described in 4.2.1 below.
- 4.2.1 During the next three months we will engage with occupiers of community properties by:
- Writing to the occupiers with a copy of the Strategy, requesting feedback and questions and asking for comments on how they would see this impacting their own circumstances;
 - Prioritising the review of those properties highlighted in the CAS as requiring action or having potential for community hubs;
 - Holding preliminary discussions on individual arrangements where they are occupied and the lease has expired;
 - Building a profile of our users working together to meet local needs and ensure the building are used for the benefit of the community.
- 4.2.2 In addition, we will continue to review the data that is available on the current community asset base, including information on the condition and compliance of the buildings, along with the likely level of need for community facilities in Barnet.
- 4.2.3 For assets where condition and compliance surveys of the buildings are not currently available, we will establish a plan and timeline for gathering the data in order to further inform our analysis of the financial implications of delivering the Strategy.

- 4.2.4 Establish how the Council will measure social benefit through a fair, open, and transparent process which is in line with the criteria set out in the CAS document attached at Appendix 1. The process will need to establish who will make the assessments and how the users of community buildings will be engaged in the assessment process. In addition, the Council will need to establish what resources are needed to support work between commissioners, the Estates team and the building occupiers and to establish who will take the role of facilitator in the development of individual business cases. These business cases will need to demonstrate financial sustainability, full utilisation of the building and support for local priorities.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Corporate Plan 2013 – 2016 includes objectives to “promote responsible growth, development and success across the Borough” and to “improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study”.

- 5.1.2 Relevant outcomes are “to maintain the right environment for a strong and diverse local economy” and “to promote family and community well-being and encourage engaged, cohesive and safe communities”.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 The recommendations to approve the CAS and implement a plan for engagement (see section 4.2 of this report) with users of community buildings will enable the development of a detailed, evidence-based implementation plan highlighting resource and financial implications likely to be required to implement the Strategy.

- 5.2.2 The proposals are designed to allow the Council to realise both financial and social/community value from its community estate, recognising that the long-term benefits of having stronger, more resilient communities also helps the Borough to meet current and future financial challenges.

- 5.2.3 A project will be set up to establish the condition of the community buildings. This will consist of an initial desktop study and, where it is deemed necessary, full condition and compliance surveys. The full costs of this project will not be known until the desktop review is undertaken – however, in addition to the costs of project management, if all the buildings were to require condition surveys this would be likely to cost in the order of £400k. This will be funded from existing reserves.

- 5.2.4 There is a known backlog of necessary work on a number of community buildings, which would cost in the order of £2.7m. However, once condition

surveys have been carried out and a full picture of the condition of these and the other community buildings is established, this figure could be significantly higher. The data will enable informed decision-making, based on building and local needs. It is the Council's intention to work closely with the individual user of each building and, if necessary due to the condition of the building or for other reasons, to re-provide an appropriate facility. The Council will also engage with local residents when decisions on community facilities are being considered. Funding for the backlog of work required will be addressed in the implementation plan brought to ARG later in the year.

5.2.5 Resources will also be required to:

- Support the Council and voluntary and community groups in facilitating the development of business cases that demonstrate financial sustainability, full utilisation of the building and support for local priorities.
- Develop the criteria and implement and support the process for assessing how the Council will consider the relationship between financial value obtained from the community estate and the social and community benefit delivered by its occupiers, informing the Council's potential decision to offer financial assistance in the form of a rebate in any individual case.
- The Council will consider whether or not a community liaison post may be required to carry out these functions.

5.3 Legal and Constitutional References

5.3.1 Council Constitution, Responsibility for Functions, Annex A – sets out the terms of reference for the Assets, Regeneration and Growth Committee which includes:

- Develop strategies which maximise the financial opportunities of growth;
- Asset Management – all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council; and
- To approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources.

5.4 Risk Management

5.4.1 There is a risk that if the proposed CAS is not approved and used as a document to allow engagement with users of community buildings the preparation of a detailed evidence based implementation plan will not be finalised and it will not be possible to come to an accurate assessment of the cost and benefits of the proposed Strategy.

5.4.2 The combined engagement programme and evidence base development period to August 2015 (described in section 4 of this report) is designed to mitigate the above risks.

5.4.3 There is a risk that the delay to the approval of the final Strategy may have

negative consequences for the Council's relationship with local voluntary and community groups who are keen to engage on the subject of asset use and ownership. Engagement with groups likely to be affected has been planned during the next three months to mitigate the impact and to maintain a positive relationship.

5.5 Equalities and Diversity

5.5.1 The Equality Act 2010, and the Public Sector Equality Duty outlined at section 149 of the Act, require the Council and all other organisations exercising public functions on its behalf to pay due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; and to promote good relations between those with a protected characteristic and those without. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The Act also covers marriage and civil partnership with regard to eliminating discrimination.

The Community Asset Strategy reflects the requirements of the PSED and the objectives of the Council's equal opportunities policy. In particular it

- Aims to ensure that the management and use of community assets reflect the needs and aspirations of the diversity of Barnet and are used for the benefit of the whole community
- Aims to promote active engagement with all Barnet's diverse communities
- Pays due regard to cultural and religious difference where locations/facilities are shared by different members of the community
- Builds on community strengths to promote strong, cohesive communities and local resilience.

5.5.2 An Equalities Impact assessment will be carried out as part of the next steps (see section 4 of this report) to assist the Council in meeting the requirements of the Public Sector Equalities Duty.

5.5.3 The Council will ensure that the consultation and engagement process for the Strategy is accessible to all and engages with a wide variety of voluntary and community groups.

5.5.4 The policy proposals set out in the Strategy are designed to ensure fair and equitable treatment of all Barnet's communities in relation to their access to community assets.

5.6 Consultation and Engagement

5.6.1 This report and the proposals for the CAS draw on past consultation and engagement, which was carried out as is set out in section 4 of Appendix 1.

5.6.2 Further engagement will be carried out as described in section 4 of this

report.

6. BACKGROUND PAPERS

- 6.1 Approval of the draft Strategic Asset Management Plan, Assets, Regeneration and Growth Committee, 8 September 2014
- 6.2 Approval of the Strategic Asset Management Plan, Assets, Regeneration and Growth Committee, 15th December 2014
- 6.2 Approval of Community Asset Strategy – Draft proposals for consultation, Assets, Regeneration and Growth Committee 15 December 2014.