

Rural Assets

Policy and Practice Insights from the Devolved Nations



Dr Danielle Hutcheon, Dr Sarah Nason, Dr Bobby Macaulay, Dr Margaret Currie,
Dr Davide Natalini, John Hallett, Kieran Sinclair, Richard Osterhus

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This project has been funded by the British Academy and Nuffield Foundation collaboration on Understanding Communities.

The Nuffield Foundation is an independent charitable trust with a mission to advance social well-being. It funds research that informs social policy, primarily in Education, Welfare, and Justice. The Nuffield Foundation is the founder and co-funder of the Nuffield Council on Bioethics, the Ada Lovelace Institute and the Nuffield Family Justice Observatory. The Foundation has funded this project, but the views expressed are those of the authors and not necessarily the Foundation. More information can be found at www.nuffieldfoundation.org.

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Acknowledgements

We would firstly like to thank all the rural communities from across the UK who took part in the research for their time and invaluable contribution to this project and for kindly sharing their experiences. Secondly, we would like to extend thanks to all of the key national support organisations, public authorities and practitioners from across the UK who gave their time, knowledge and expertise. Thirdly we would like to extend our gratitude to our project Advisory Group for guiding and steering us in the right direction. Finally, we give thanks to the Understanding Communities programme teams at the Nuffield Foundation and British Academy for giving us this opportunity and mentoring us through this journey.

Principal Investigator

Danielle Hutcheon, Glasgow Caledonian University

Research Team

Sarah Nason, Bangor University

Bobby Macaulay, University of the Highlands & Islands Perth College

Margaret Currie, James Hutton Institute

Davide Natalini, Anglia Ruskin University

John Hallett, CommunityThinking.org

Kieran Sinclair, Glasgow Caledonian University

Richard Osterhus, Derry & Strabane District Council



Executive Summary

Community asset acquisition is the process by which community groups or organisations seek to gain ownership (or lease) of publicly owned assets, including land and buildings such as libraries and community centres. Across all jurisdictions of the UK, community acquisition of public assets is promoted at a policy and public authority level as a valued means of strengthening local social and economic infrastructure and boosting community sustainability. Concurrently, policy agendas across each of the UK nations have focused on the disposal of public assets for financial cost saving in a context of ongoing austerity related budget cuts.

Rural communities in particular face ongoing threats to their sustainability from public service withdrawal, a lack of quality housing, the outmigration of youth and geographic isolation. While policy encourages rural communities to co-produce their own local level services and amenities through asset acquisition, previous research has shown that the onus is often placed on individuals and groups that lack the resources, skills and social capital required to fill gaps created by reduced state support and service provision. Further, while research has established that community assets can enhance wellbeing in rural contexts, less is known about the conditions under which processes of asset acquisition lead (or do not lead) to increased empowerment, wellbeing and resilience.

With this in mind, the aim of this study, entitled 'Rural Assets: Policy and Practice Insights from the Devolved Nations', was *to understand how the processes of community asset acquisition impact upon the empowerment, resilience and wellbeing of rural communities*. To achieve this, the project used the following methods:

- A comparative analysis of current policy and legal frameworks on community asset acquisition across the four UK nations;
- A scoping review of literature on rural community asset acquisition and its proposed links to community empowerment, resilience and wellbeing;
- A rural community case study approach to gain an understanding of the lived experience of rural communities who engage with asset acquisition processes;

- In-depth interviews with rural community members, public authority representatives and key stakeholders in each nation;
- Work with participants in each rural community to co-produce meaningful outputs and outcomes related to their asset acquisition process.

A series of Knowledge Exchange (KE) events were held in each UK nation to create opportunities for shared learning between communities, policymakers and practitioners on how to improve asset acquisition processes to better enable empowerment, resilience and wellbeing in rural communities.

Key findings

Drivers and motivations for rural community asset acquisition:

- The key drivers **for rural communities** to acquire public assets in all four nations were to provide opportunities for, and gain control over, local socio-economic development, and to replace or maintain services and facilities that had been or might be closed or withdrawn. It was noted that key services and facilities are often particularly precious in rural communities, as there may be few alternatives nearby and their removal can make these communities less appealing places to live, leading to population decline. In our Northern Ireland, Wales and Scotland case studies, protecting or changing the historical and cultural significance of the assets had also been a key factor in the communities' decisions to try and acquire them.
- The key driver **for public authorities** to transfer assets to communities in England, Wales and Northern Ireland was for financial/ cost saving, including through the disposal of assets deemed to be liabilities. Only in Scotland was there evidence of a consistent commitment among public authorities to asset transfer for community benefit and empowerment.

Barriers to rural communities engaging in processes of asset acquisition:

- The main reported barrier across all four nations was a **lack of capacity** in rural communities to engage with processes of asset acquisition due to smaller and often older populations, and limited volunteer pools. This also made it difficult for community groups to demonstrate sustainability and succession plans. A further connected barrier was a **lack of the skills and knowledge required** to navigate complicated acquisition processes.
- Rural communities can face challenges related to **community engagement, support and participation**. In our Scotland case study, for example, the logistics of contacting and updating community members across dispersed and remote geographies were challenging. It can also be difficult to gain support and investment from community members who might not stand to benefit directly from the asset acquisition, e.g. due to their age or interests. A further key challenge can be ensuring that the views and opinions of the whole community are represented in asset acquisition projects, and not just those of the individuals running community councils or most active in local development. Tensions could also exist due to a lack of understanding among incomers to rural areas (e.g. holiday home owners) of the importance and significance of saving local assets.
- **Public authority process** was found to be a significant barrier across all UK nations. In England, Wales and Northern Ireland, rural communities had often found processes to be inconsistent and unclear, especially in England where practice varied across multiple tiers of local government. Public authority processes were found to include unnecessary levels of bureaucracy and were often too complex and lengthy for rural communities to navigate. While legislation in Scotland had standardised practice across public authorities, there was still felt to be inconsistency depending on differences in culture and interpretation of the law. Across all four nations, public authority respondents stated that they were restricted in engaging in community asset acquisition due to a lack of resources and budget cuts.
- **Public authority culture** was a further barrier to asset transfers. In England, Wales and Northern Ireland, rural communities felt that authorities were often resistant to community ownership and untrusting of rural community capability. Some public bodies were also said to be unwilling to let go of assets, or only open to transferring those deemed to be liabilities, or only willing to offer leases rather than ownership. In Scotland, it was reported that, while public authorities are required by law to engage in asset transfer processes, in practice some are more supportive than others, which results in something of a 'postcode lottery'.
- Findings from England and Scotland showed that there can be a **lack of publicly available assets for transfer** in rural areas. In England, requests for the transfer of public sector assets to communities were reported to be less common in rural areas, mainly due to councils not having any available or 'surplus' assets to transfer, but also because many 'public' assets were under the ownership or stewardship of parish and/ or town councils with which communities tended to have limited engagement. In Scotland, public authority interviewees reported a similar lack of appropriate surplus assets available to transfer, with many already in use for providing services which the councils have the responsibility to deliver.
- In England, Wales and Northern Ireland, a **lack of effective legislative mechanisms and policy guidance** was found to be a key barrier to rural communities engaging in asset acquisition. In England, the Localism Act 2011 was considered to be underpromoted, ineffective and weak, especially in regard to the absence of a community right of first refusal or right to buy. In Wales, stakeholders identified a need for a specific policy framework for community asset transfer as well as clearer guidance. In Northern Ireland, political instability had resulted in a lack of policy direction, and there was a need for clear and joined-up approaches across government departments towards creating frameworks for community asset acquisition. While legislation in Scotland, in particular the Community Empowerment Act (Part 5 Asset Transfer), was found to be a key facilitator of asset acquisitions, the legislative process was often complex and time and resource intensive for both rural communities and public authorities.

- In England, Wales and Northern Ireland, there was found to be a **lack of strategic capital funding** available for rural communities to purchase, renovate and maintain assets. This was often compounded by public authorities' inability (or uncertainty about their ability) to offer discounted sale prices to communities and a lack of tools for measuring potential social impact, which are needed to build a case for a discounted sale. While the UK Government Community Ownership Fund was viewed as helpful, the requirement for 50% match funding was often out of the reach of rural communities. In Scotland, the Scottish Land Fund was praised as a vital source of capital funds for the purchase and maintenance of assets.

Facilitators to rural communities engaging in processes of asset acquisition:

- Across all nations, **effective rural community organisations** were seen as a vital pre-requisite for successful asset acquisition. In particular, organisations needed to have a sufficient volunteer pool and professional skills and knowledge within their boards. Skills for dealing with legal issues, planning and project management were seen as especially important for providing a convincing case for asset transfer and when applying for funding to support a purchase.
- **Local and national third sector and intermediary support organisations** in every UK nation were also found to be invaluable to rural communities pursuing asset acquisition. Support organisations were praised for providing help with navigating the often complex and lengthy processes, and with sourcing both pre- and post-acquisition funding.
- **Supportive and proactive public authorities** were found to be key in facilitating effective asset transfers, both by identifying assets available for transfer and by working closely with communities to support them through the acquisition process.
- In Scotland, **legislation, in particular the Community Empowerment Act (Part 5 Asset Transfer)**, was reported to have improved communication and transparency between communities and authorities, and given greater rights to communities.

The impacts of asset acquisition processes on the empowerment, resilience and wellbeing of rural communities:

Our evidence shows that asset acquisition processes **empowered** rural communities through:

- Giving them ownership and control over local socio-economic development and decision making;
- Bringing people together for a common purpose with shared goals, and instigating co-production and engagement between community members;
- Helping them transform negative assets into positive ones;
- Enabling them to reinforce and protect local history and heritage, and to benefit future generations;
- Giving them new skills, a sense of achievement, and increased confidence – including potentially to take on more assets.

Rural communities felt that asset acquisition processes impacted positively on their **resilience** through:

- Allowing them to create valuable new services and facilities, or replace ones that were threatened with closure or not working effectively;
- Enabling them to keep assets within rural communities that may be important in times of crisis or emergency (e.g. village halls during the COVID-19 pandemic);
- Allowing them to tackle issues that threaten local resilience (e.g. youth outmigration).

Rural communities felt that asset acquisition processes impacted positively on their **wellbeing** through:

- Gaining assets that can improve community wellbeing, such as spaces to tackle social isolation and loneliness;
- Bringing the community together and strengthening social bonds;
- Re-energising communities and lifting community spirit.

The research also found that participating in asset acquisition could have a range of **negative effects** on rural communities. Some of these were related to the **context** in which the processes take place, for example, the fact that decision-making power lies in the hands of local authorities, some of which are not committed to asset transfer, or only motivated to dispose of (liability) assets for financial gain rather than social benefit. The potential for asset acquisition success or failure to be impacted by local and national party-political contexts, and the exclusion of more deprived rural communities lacking the capacity to acquire and run assets, were further factors that could be experienced as disempowering.

Application **processes** that were unclear, complex, lengthy, and sometimes had unpredictable outcomes could threaten the empowerment, resilience and wellbeing of rural communities, sometimes leading to burn-out and fatigue among the typically small groups of volunteers involved.

Post-acquisition pressures and worries related to the repair, maintenance and sustainability of assets were a further cause of negative impacts, and could also sometimes cause tensions within communities. Such effects could be especially acute where communities had taken on responsibility for delivering vital local services.

Conclusions and recommendations

- Rural communities can play a key role in delivering important services and facilities that are tailored to the needs of local populations, sometimes more efficiently than public authorities. However, rural communities often take on assets in the context of threat rather than choice, and can be overburdened due to the complex nature of acquisition processes. Therefore, **specific policy support for rural communities** is required, which takes account of the rural context and facilitates access to funding, as well as building communities' capacity to successfully engage with national and local government level procedures.
- Our research strongly emphasises a requirement for **standardised, streamlined and consistent asset acquisition processes** across all local governments in England, Wales and Northern Ireland. This could be assisted by the introduction of legislative mechanisms, such as duties on public authorities to comply with

national guidance. Further, **resources, support and training for local authorities** would enable them to fully engage with and embed community asset acquisition into their everyday practice. While processes are more standardised in Scotland due to the existence of legislation, further resourcing and training is also required there to support consistency, accountability and adoption of community asset transfer across all relevant authorities.

- Our findings show the need for **additional or improved legislative mechanisms for community asset acquisition in England, Wales and Northern Ireland**. In particular, our research points to a demand for more community rights, most notably a right of first refusal and a right to buy, especially in England where the existing right to bid was found to be ineffective. Findings from Wales show that there is a need for Welsh Government to strengthen and tighten legislative powers and guidance, including by introducing an effective national policy framework for community asset acquisition. Scotland is the most advanced nation in the UK in term of asset transfer policy and law, and further opportunities should be identified to share learning with the other UK nations around what works (and what hasn't worked so far), and in particular the differences that legislation had made since its introduction.
- In England, Wales and Northern Ireland, rural communities would be supported by the introduction of **strategic capital funding specific to community asset acquisition**, much like the Scottish Land Fund. Funding is required to cover both pre- and post-acquisition costs, without requiring a significant outlay or match funding from the communities. Different funding pots also need to be better joined-up and coordinated.
- The introduction of **standardised measurement tools for social value** would be beneficial to both communities and public authorities, enabling them to quantify community benefit when making their case for acquisition and when setting the price of assets respectively. This would also allow the disposal of assets at less than market value to become more common practice, reducing the amount of funding rural communities would be required to source.

A circular graphic with a white border is centered on the page. Inside the circle is a photograph of a group of hikers walking away from the camera on a dirt path through a forest of tall, thin trees. The hikers are wearing winter gear, including jackets and hats. The background shows a hazy, overcast sky and distant hills. The overall image has a blue-purple color cast.

Introduction

1. Introduction

Rural communities often face threats from public service withdrawal, a lack of quality housing, and increased centralisation of markets;¹ some being more vulnerable to spatial injustices and inequalities than others.² Contemporary events, such as Brexit and Covid-19, may only exacerbate deep-rooted challenges.³ Rural communities also face long-standing challenges, such as out-migration of young people and geographic isolation, that affect local socioeconomic development and threaten community resilience and wellbeing. Across all jurisdictions of the UK, the acquisition of local assets, such as land and buildings, is promoted at a policy and public authority level as a valued means of strengthening local social and economic infrastructure and boosting community sustainability.⁴ Nonetheless, where policy encourages rural communities to co-produce their own local level services and amenities through asset acquisition, the onus is often placed on individuals and groups that lack the resources, skills and social capital required to fill gaps created by reduced state support and service provision.⁵

While research has established that community assets can enhance wellbeing in rural contexts, less is known about the conditions under which processes of asset acquisition lead (or do not lead) to increased empowerment, wellbeing, and resilience. Investigating this theme is important for policy and practice, both to understand how these processes may make communities more empowered, resilient and well, but also to understand the risk that, where they don't work well, they may further widen existing spatial injustices.

Where devolution is a petri dish for experiments in developing rural policy, our novel comparative study draws upon co-produced knowledge of policy, processes and implementation of asset acquisition in each UK jurisdiction. Through a comprehensive policy and administrative analysis, the collection of primary data from rural community case studies, and an approach that co-produces outcomes with communities, we sought to identify the people, systems, and structures involved, highlighting the barriers and facilitators emerging in the narrative accounts of pathways to asset acquisition. Taking an Action Research approach, the research sought to facilitate knowledge exchange across policy, practice

and community levels, and across the four UK nations, to better enable processes of asset acquisition that achieve greater resilience, empowerment and wellbeing of rural communities.

1.2 Aims and Objectives

This study aimed *to understand how processes of community asset acquisition impact upon the empowerment, resilience and wellbeing of rural communities*. To achieve this, the project had the following objectives:

1. *To explore existing sources of evidence to understand proposed links between asset acquisition and community empowerment, resilience and wellbeing in rural communities;*
2. *To identify existing policy and practice level structures and processes for community asset acquisition and their application in rural contexts;*
3. *To understand the key facilitators and barriers to rural communities engaging in processes of community asset acquisition;*
4. *To promote shared learning and create solutions with communities, policy makers and practitioners on how to enable empowerment, resilience and wellbeing in rural communities through asset acquisition.*

1.3 What do we mean by community asset acquisition?

Community asset acquisition in the context of this study is the process by which community groups or organisations seek to gain ownership (or lease) of publicly owned assets. These assets may include buildings such as libraries or community centres, and land such as parks and other greenspaces. This is commonly known as 'asset transfer'. In certain areas of the UK, communities may also seek to acquire assets from private owners, such as village pubs and shops. However, this study will focus specifically on the processes in each nation that are underpinned by legislative policy and guidance applicable to assets owned by public bodies.

Concurrently, policy agendas across each of the UK nations have been focusing on the viability of public assets in terms of the potential for financial cost saving in a context of ongoing austerity related budget cuts. The aim of such targeted policy action is to encourage public authorities to make assets more efficient, or sell them to raise funds. Recent examples have been the closure of public libraries across the UK.⁶ An independent report by the Institute for Public Policy Research estimated that 75,000 local authority assets have been sold in the last 13 years with an estimated asset value of £15bn.⁷ With 19 English local councils recently reported as being 'cash strapped', eight of which announcing bankruptcy in 2024, the UK Government is now further encouraging councils to sell their property assets to raise funds to pay off debt and cover the cost of other vital services.⁸

The closure and withdrawal of public services can be especially marked in rural areas, where the lack of economies of scale can render services unviable and lead to withdrawal of public services and spaces. However, public services can often be a lifeline for rural communities, and where services may be pared down in urban areas, services and facilities in rural areas are often closed and never replaced. In many cases, the only way of retaining such services amid both public and private sector failure, is for the community to take on the asset, and often the accompanying service, themselves. This has led to criticisms that despite the rhetoric of 'society' and 'empowerment' around these policies, they often lead to the responsibility for vital public service delivery being placed in the hands of ill-equipped rural communities while the local authority rids itself of a liability, often for a capital receipt.^{9 10}

It is in the context of this ongoing debate over the transfer of assets from public sector to community ownership that this study seeks to understand the implications of processes of asset transfers for the empowerment, resilience and wellbeing of rural communities.

1.4 Differing policy and practice across the UK nations

While the promotion of asset acquisition for community empowerment, resilience and wellbeing is a shared theme across the UK nations, there are marked differences in policy application. The upshot is divergence in rights and responsibilities, and in key structures and processes around how rural communities acquire assets. Further, there are complex and multi-faceted interactions between these top down structures and bottom up-community action, with differing practices and procedures operating at local, regional and national levels.

The following provides an overview of policy and practice in each UK nation; however, a more detailed comparative analysis can be viewed in **Appendix 1**.

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- ¹ Steiner A., Teasdale S. Unlocking the potential of rural social enterprise. *Journal of Rural Studies*. 2019; 70: 144-154.
 - ² Piras S, Tobiasz-Lis P, Currie M Et al. Spatial justice on the horizon? A combined Theory of Change scenario tool to assess place-based interventions. *European Planning Studies*. 2021; 30:5: 952-973.
 - ³ Currie M, Mc Morran R., Et al. Understanding the response to COVID19: exploring options for a resilient social and economic recovery in Scotland's rural and island communities. 2021.
 - ⁴ Fischer A, McKee A. A question of capacities? Community resilience and empowerment between assets, abilities and relationships. *Journal of Rural Studies*.2017; 54: 187-197.
 - ⁵ MacKinnon D, Derickson K. D. From resilience to resourcefulness: A critique of resilience policy and activism. *Progress in Human Geography*. 2013; 37:2: 253-270.
 - ⁶ <https://www.bbc.co.uk/news/business-63623501>
 - ⁷ <https://www.ippr.org/articles/parallel-lives>
 - ⁸ <https://www.bbc.co.uk/news/uk-politics-68439624>
 - ⁹ Markantoni, M, Steiner, A, Meador, JE Et al. Do community empowerment and enabling state policies work in practice? Insights from a community development intervention in rural Scotland. 2018. *Geoforum*. 97: 142-154.
 - ¹⁰ Ibid.

Scotland

Scotland is often viewed as the most advanced nation in the UK for community asset acquisition due to the presence of legislation including the Land Reform (Scotland) Act 2003, the Community Empowerment (Scotland) Act 2015 and the Land Reform (Scotland) Act 2016. The Land Reform (Scotland) Act 2003 (the 2003 Act) introduced a Community Right to Buy (CRtB), providing the opportunity for communities across Scotland to register an interest in land (usually private land) and buy that land at market value once it is offered for sale. Initially the CRtB applied to rural settlements of less than 10,000 people, however the Community Empowerment (Scotland) Act 2015 (the 2015 Act) extended this right to buy to the whole of Scotland. The 2003 Act works by allowing a community body (that is, members of a locality associated together in a suitable legal personality) to acquire land in certain circumstances. Part 2 of the 2003 Act gives the relevant community body a right of first refusal, meaning the owner cannot be forced to transfer the land, and the community right only engages once the land is put up for sale. To acquire this right of first refusal, a community must first register an interest in the land it seeks to acquire in a public register. A community body, for the purposes of this CRtB, under Part 2 of the 2003 Act, must be referable to a geographical area.

The 2015 Act introduced a further right for communities to request Asset Transfers from public bodies. Part 5 of the 2015 Act provides a right for communities to request asset transfers from "relevant authorities", including the Scottish Ministers (such as Forest and Land Scotland) and local authorities, and other entities like the Scottish NHS, and Scottish Police Authorities. Communities can use this legislation to seek ownership of land (or buildings), or a right short of ownership, such as a lease or a right to manage or occupy the asset.

To request ownership or a lease of an asset, the community must state the asset to which the request relates, the reasons for making the request, the benefits which the community transfer body considers will arise if the authority were to agree to the request, and the price that the community would be prepared to pay.¹¹ The relevant authority is not allowed to sell the asset until it considers the request,¹² and it must give due consideration to the application based on the scheme set out in the legislation, including whether agreeing to the request would be likely to promote or improve economic development, regeneration, public

health, social wellbeing, or environmental wellbeing.¹³ The relevant authority *must* agree to the community's asset transfer request unless there are reasonable grounds for refusing it.¹⁴ The 2015 Act does not say how much should be paid to purchase or lease an asset, or whether it should be at market value or at a discount. However, according to the Community Empowerment (Scotland) Act 2015 guidance: "*All relevant authorities have a duty to secure Best Value in their operations...it has long been recognised that best value does not always mean the highest possible price, and all authorities have the ability to dispose of property at less than market value where there are wider public benefits to be gained*". A community body can seek a review or appeal if their request is refused, if the request is agreed but the terms and conditions in the decision notice are significantly different from the request, or if no decision notice is issued in the required period. If the request was made to a local authority, the community body can apply for an internal review by the authority itself.¹⁵ If this process does not resolve the issue, or if no decision is made within the required period, the community body can then appeal to Scottish Ministers under section 88.

The 2015 Act also requires a relevant authority to establish and maintain a publicly accessible register of land that, to the best of its knowledge and belief, it owns or leases;¹⁶ and to publish Annual Reports setting out various information such as the number of asset transfer requests received and their outcomes; appeals received and their outcomes; and action taken to promote the use of asset transfer and support given to community transfer bodies making requests.¹⁷

Generally, local authorities can also sell, lease, or otherwise grant propriety interests to communities outside the asset transfer process under the 2015 Act, including at below market value, provided they comply with relevant applicable public administrative law, land law, guidance, and so on. Indeed, many asset transfers from local authorities still take place outwith the procedure laid down in the 2015 Act.

England

In England, the Localism Act 2011 includes provisions giving communities a right to identify a building or land believed to be of importance to their social wellbeing: if the asset comes up for sale, there is a moratorium period during which community interest groups with a legal identity can submit an intention to bid.¹⁸ Whether a particular building or other land in the local authority's area is of community value depends on the local authority's opinion as to whether it furthers the social wellbeing or social interests of the community, or did so in the recent past and will realistically continue to do so, or could do so within the next five years.¹⁹

Part 5 of the Localism Act 2011 enables a suitably constituted community interest group to nominate local assets to be listed as Assets of Community Value, whether these assets are currently in public or private ownership.²⁰ Assets may only be included in the list of Assets of Community Value in response to a community nomination or where otherwise permitted. Community nominations are defined as nominations made by a parish council or a voluntary or community body with a local connection.²¹ Local authorities in England are then required to maintain a list of assets of community value.²² Differently here to the asset transfer requirements under the Community Empowerment (Scotland) Act 2015, community interest bodies under the Localism Act 2011 include parish councils, which are the lowest tier of local government in England.

The owner is prevented from disposing of an asset listed as of community value unless certain conditions are satisfied, including that the owner must notify the local authority in writing of their wish to dispose, and that a relevant moratorium period has ended.²³ Specifically, that an interim moratorium period (of six weeks) has ended without the local authority receiving a written request from a community interest group for the group to be treated as a potential bidder, or that a full moratorium period (of six months) has ended. The moratorium on sale under the Localism Act 2011 gives communities a right to bid for an asset before the owner can transfer to anyone else. This is different to the asset transfer process under the Community Empowerment (Scotland) Act 2015, where the relevant authority must agree to the community's asset transfer request unless there are reasonable grounds for refusing it.²⁴

English local authorities can be expected to have a strategy in place for asset disposal, which should include a community asset transfer policy outlining expectations and processes. However, research published in 2020 by the Co-operative Group Limited and Locality, *In community hands: lessons from the past five years of Community Asset Transfer*, found that many local authorities do not have a community asset transfer policy in place, either as a standalone policy or embedded in other policies such as asset management or localism policies, and that many other authorities had not updated their policies in the five years covered by the report (2014-2019)(Co-operative Group Limited and Locality, 2020).

Wales

Wales has no express legislation giving communities the right to buy, bid for, or seek transfers of land or other assets. The Localism Act 2011 applies to both England and Wales, but its provisions have not yet been brought into force in Wales. Community Asset Transfers, however, do occur in Wales. Under the Local Government Act 1972: General Disposal Consent (Wales) 2003, local authorities in Wales can dispose of land at below market value where the same conditions discussed above in relation to England, around social, economic, and environmental wellbeing, are met, and where the unrestricted value of the land does not exceed £2 million. Welsh Government has developed a "best practice guide" through Ystadau Cymru,²⁵

¹¹ Section 79

¹² Section 84.

¹³ Section 82.

¹⁴ Section 82(5).

¹⁵ Section 86.

¹⁶ Section 94.

¹⁷ Section 95.

¹⁸ Localism Act 2011, section 95.

¹⁹ Localism Act 2011, section 88.

²⁰ Localism Act 2011, Part 5 Community empowerment, Chapter 3 Assets of community value.

²¹ Localism Act 2011, section 89(2)(b).

²² Localism Act 2011, section 88(1) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community. If the asset does not meet these requirements, it might still be of community value if, in the opinion of the authority: Section 88(2) (a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and (b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

²³ Localism Act 2011, section 95(6) specifies the moratorium periods.

²⁴ Community Empowerment (Scotland) Act 2015, section 82(5).

²⁵ Ystadau was formerly known as the National Assets Working Group: <https://gov.wales/ystadau-cymru>

established to enable, support, and encourage excellence in public sector collaborative asset management. The Ystadau guide locates asset acquisition in the context of an austerity driven disposal of assets by public bodies; stating: “Asset Transfers mean that the community can own and manage facilities that might otherwise be closed down if the Local Authority or other Public Authorities are unable to fund them any longer” (Ystadau Cymru, 2019:3).

In May 2022, the Senedd Cymru/Welsh Parliament Local Government and Housing Committee launched an inquiry into Community Assets. This Committee reported in October 2022. Its recommendations included that Welsh Government should act to establish a commission to stimulate innovative thinking on community ownership of land and assets in Wales; that Community Asset Transfer Guidance should be reviewed and updated; and that Welsh Government should make arrangements to consider options for developing Welsh specific legislation, tailored to meet Welsh needs.²⁶

Northern Ireland

Northern Ireland has no specific legislation providing communities with rights to acquire assets, but transfers occur under the general powers of public bodies. Policy frameworks seek to encourage and facilitate transfers, assisted by Development Trusts Northern Ireland (DTNI), which has a formal role in the asset transfer process. A framework issued by the Northern Ireland Executive Department for Social Development in 2014 set out how government can support community ownership and management of public sector assets and empower communities. The framework is directed towards facilitating community ownership or management of surplus public sector assets and encouraging this to become a mainstream option within normal disposal processes.

In terms of community organisations and processes, the community asset transfer framework indicates that voluntary and community sector groups, faith-based organisations, community enterprises and social enterprises can all seek asset transfers provided they are incorporated, constituted for social benefit, and demonstrate an “asset lock” such that the asset is retained for community benefit. Other legislation and guidance explain the powers of local government and central

government departments to dispose of land, and other assets, including at less than market value. The Stormont Regulation and Government Property Act (Northern Ireland) 1933 provides for the sale of assets by Northern Ireland central government departments at less than best consideration to a body that does not trade for profit, subject to the consent of the Northern Ireland Department of Finance. The Local Government Act (Northern Ireland) 1972 allows local councils in Northern Ireland to acquire and dispose of land for the purposes of carrying out their statutory functions.²⁷ However, the power of disposal at less than best consideration requires ministerial consent.²⁸

Development Trusts Northern Ireland (DTNI) has produced a *Routemap to Community Asset Transfer*.²⁹ The formal disposal process is usually started by public bodies as and when they have assets deemed surplus to requirements, and the Central Advisory Unit (CAU) in Land and Property Services (LPS) issues a formal notification (known as a D1 form) on an asset that is deemed surplus to government requirements (taking account the 2018 Guidance noted above). This is issued to all public bodies who then have 15 days to notify the CAU of their potential interest; community interest can be noted during this time, but interested community bodies must have a “sponsor body” (these are public bodies that have a direct interest and stake in the work of local communities and the proposed social business intended as a part of the future use of an asset). In effect, through this process surplus assets are first offered for market sale (where relevant), then to the public sector, and finally to communities with the support of public sector sponsoring bodies. Where there is potential for an asset to be of interest or use to local communities, it is expected that the asset will be marketed to community groups primarily through the DTNI. If no competing public sector interest is declared, or where the

²⁶ <https://senedd.wales/media/1w2fvmna/cr-ld15392-e.pdf>

²⁷ Sections 95 and 96.

²⁸ Department for Communities, Local Government & Housing Regulation Division, *Guidance for District Councils: Local Government Disposal of Land at Less Than Best Price* (2021), online at: <https://www.dtni.org.uk/wp-content/uploads/2021/01/DfC-Guidance-on-Less-than-Best-for-District-Councils.pdf> The Northern Ireland Department for Communities has also published *Guidance* stating that section 96(5) of the 1972 Act, requiring Ministerial approval for disposal, provides the basis for district councils to justify the disposal as being for the wellbeing of the district <https://www.communities-ni.gov.uk/publications/community-asset-transfer-guidance-asset-owners>

²⁹ <https://dtascommunityownership.org.uk/resources/getting-started/asset-transfer-route-map>

community and public sector can collaborate, DTNI then remains involved to review the capacity of the community group and identify support needs. This is followed by the need to develop a full business plan including community consultation, operating plan, governance structures and financial forecasts. A social case is also needed which should explain the positive social, economic, and environmental benefits of the proposed transfer, including reference to sustainability and wider non-monetary benefits. The application is assessed, accepted or declined, and there is potential for review by independent officer/department not involved in the original decision-making panel.³⁰

1.5 What current evidence exists on the impacts of community asset acquisition processes on rural communities?

A scoping review of academic and grey literature was undertaken to identify specific facilitators and barriers to rural communities engaging in processes of asset acquisition, and how these processes may impact on their empowerment, resilience and wellbeing. What we found was that the base of literature on this topic is very underdeveloped, and geographically skewed, with most of the research coming from Scotland.

The following provides an overview of key findings, but a full detailed narrative review is available as **Appendix 2**.

Key factors impacting on processes of asset acquisition

- **A lack of sufficient capacity, skills and knowledge** within rural communities was the most commonly cited reason for failure of an asset transfer process.³¹ Evidence showed that for an asset transfer to be successful, there is a need for capacity and leadership within community organisations that matched the requirements of the task.³² A lack of capacity, skills and knowledge within rural communities was found to lead to an over-reliance on smaller pools of volunteers, and increased burnout.^{33 34}
- **Effective communication** was found to be crucial for the success of asset acquisition. This included good communication across the community to galvanise local support, increase momentum, and encourage participation.^{35 36} Further, early and sustained communication between the seller and the community was identified as an important facilitator of successful asset transfer.^{37 38}

- Research showed that across the UK **legislative mechanisms and processes** for community asset acquisition have been found to be complex and bureaucratic, causing delays and frustration amongst communities.^{39 40} Most notably, the culture and practice of public authorities towards asset acquisition across the UK was found to be inconsistent and challenging.^{41 42}
- Across the UK, **national support organisations** were widely considered to be invaluable to community groups seeking to acquire assets. They have been found to provide specific advice around organisational structure, processes and future sustainability, specifically tailored to the local situation, and have also been found to greatly enhance the chances of a successful asset transfer.^{44 45}

³⁰ This is not the only means through which interests in assets can be obtained. Other procedures include that some public bodies can transfer assets to a community or voluntary organisations whose social business fits within its statutory remit; and public bodies can engage communities on a "lease and manage" basis, where a local community development trust can manage and deliver agreed services through use of the public body's assets (a common example is lease of leisure centres)

³¹ Fischer, A., McKee, A. A question of capacities? Community resilience and empowerment between assets, abilities and relationships. 2017. *Journal of Rural Studies*. 54: 187–197.

³² Aiken, M., Cairns, B., Taylor, M. Et al. Community organisations controlling assets: a better understanding. 2011. Joseph Rowntree Foundation.

³³ Ibid.

³⁴ Dinnie, E., Fischer, A. The trouble with community: how 'sense of community' influences participation in formal, community-led organisations and rural governance. 2020. *Sociologia Ruralis*. 60; 243–259.

³⁵ Ibid.

³⁶ Hobson, J., Lynch, K., Roberts, H Et al. Community ownership of local assets: conditions for sustainable success. 2019. *Journal of Rural Studies*. 65; 116–125.

³⁷ Coates, J., Nickson, S., Owens, N. Et al. Community asset transfer: research with the third sector, local authorities and community and town councils. 2021. Welsh Government.

³⁸ McMorran, R., Lawrence, A., Glass, J. Et al. Review of the effectiveness of current community ownership mechanisms and of options for supporting the expansion of community ownership in Scotland (Commissioned Report). 2018. Scottish Land Commission, Inverness.

³⁹ Ibid.

⁴⁰ Murtagh, B., Benne, E., Copeland, L. Et al. 2012. Community asset transfer in Northern Ireland. 2012. Joseph Rowntree Foundation.

⁴¹ Ibid.

⁴² Briggs, A.L. Community Asset Transfer in England 2010 to 2017 - enabling innovation for positive social change or perpetuating entrenched social inequalities? 2019. University of Manchester, Manchester.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Braunholtz-Speight, T. Community ownership through land reform? 2011. *Oxfam Policy and Practice: Agriculture, Food and Land*. 11; 25–39.

- Access to **pre and post-acquisition funding** was found as key barrier for communities seeking to purchase assets from public authorities. Across the UK, studies found that assets placed for sale on the open market are often priced well beyond the financial reach of community organisations and their funders. Research also showed that assets transferred from authorities can often require significant development or refurbishment.⁴⁶

Empowerment, resilience and wellbeing

Our scoping review of literature showed a general lack of evidence on the impacts of processes of asset acquisition on the empowerment, resilience and wellbeing of rural communities. Rather, research from across the UK has tended to focus on the outcomes of communities owning assets and the impacts post-acquisition.

Much of the existing evidence on **empowerment** related to the sense of control and ownership that community organisations gain when acquiring local spaces, which enables them to provide services and facilities to meet local need.⁴⁷ In particular, the sense of empowerment that comes from communities having agency over local decision-making.⁴⁸ Research also showed that community organisations can be empowered by the relationships and networks formed with funders and external support agencies as a result of successfully acquiring an asset.⁴⁹ In terms of the process itself, evidence showed that empowerment can be entirely dependent on the information and choices available to communities when seeking to acquire assets- including the resources and support available to them. A small amount of research discussed increased empowerment of communities through bringing people together and sharing skills.⁵⁰ Further, research has shown that communities have been empowered through increased capacity building throughout the process.⁵¹ However, research has also showed that asset acquisition processes can actually be disempowering if assets are in a poor state of repair, communities feel forced to take on such assets to fill gaps in service provision, and where the needs of the wider community are not considered.⁵²

The vast majority of research considering **resilience** and community assets focused on the post-acquisition period, and came from Scotland. Community asset owners have been found to enhance rural resilience through *proactively* developing the base of skills, governance and capacity needed to deal with a range of future challenges, as opposed to *reactively* absorbing external shocks.⁵³ Community asset ownership was also found to have increased the resilience of rural communities through a combination of: the

institutionalisation of a vehicle for locally-accountable democratic engagement; creating the means to generate income to enable future developments; and delivering economic returns directly back into the community.⁵⁴ Research from across the UK also found that community ownership of an asset is also associated with a sense of community identity, belonging, pride and common purpose, bringing disparate or previously disengaged sections of the community together and, in turn, building the resilience of the community.⁵⁵ A central aspect of resilience in rural communities has been found to be the ability to maintain a sustainable population going forward through acquiring assets, specifically through attracting and retaining young people.⁵⁶ However, research has also showed that responsibility for the ongoing maintenance of assets can take up much of an organisation's capacity without necessarily improving the economic resilience of the organisation or the broader community.⁵⁷

Much like the concept of resilience, literature on community assets and **wellbeing** tends to focus only on post-acquisition impacts. Evidence on wellbeing impacts are also most closely linked to the creation of spaces, through asset acquisition, that tackle health and wellbeing challenges, for example, social isolation or access to services.⁵⁸ The wellbeing impacts of asset acquisition are also understood in relation to their providing the conditions for the retention or attraction of young people and the resulting 'revitalisation' of the communities.⁵⁹ A small amount of evidence pointed to some negative wellbeing impacts on rural communities undertaking a process of asset acquisition (or rural development projects more generally), including volunteer fatigue, stress, and increased tensions between community members.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Macaulay, B. *The role of community landownership in improving rural health in Scotland*. 2019. Glasgow Caledonian University, Glasgow.

⁴⁹ Ibid.

⁵⁰ McMorran, R., Scott, A. *Community landownership: rediscovering the road to sustainability*, in: Glass, J., Price, M.F., Warren, C., Scott, A. (Eds.), *Lairds, Land and Sustainability: Scottish Perspectives on Upland Management*. 2013. Edinburgh University Press, Edinburgh, pp. 139–172.

⁵¹ Callaghan, G., Williams, D. *Teddy bears and tigers: How renewable energy can revitalise local communities*. 2014. *Local Economy*. 29: 657–674.

⁵² Ibid.

⁵³ Skerratt, S. *Enhancing the analysis of rural community resilience: Evidence from community land ownership*. 2013. *Journal of Rural Studies*. 31: 36–46.

⁵⁴ Rennie, F., Billing, S.L. *Changing community perceptions of sustainable rural development in Scotland*. 2015. *Journal of Rural and Community Development*. 10:2.

⁵⁵ Ibid.

⁵⁶ Ross, D. *Built-in Resilience: Community Landowners' Response to the Covid-19 Crisis*. 2020. Community Land Scotland and Community Woodlands Association.

⁵⁷ ⁵⁸ ⁵⁹ Ibid.



Methodology

2. Methodology

The project was underpinned by the collaborative principles of Action Research and co-production, using an iterative process of planning, action, reflection and evaluation. Impact was embedded throughout the course of the project, where knowledge was created and used in a mutually educational and reciprocal way. Primary data collection and policy analyses were integrated into a cycle of collaboration and Knowledge Exchange (KE) with rural communities, practitioners and policymakers at ground, regional and national levels. A co-production approach was used to create meaningful outputs and outcomes with communities, and to develop shared solutions to complex issues with actors across community, policy and practice.

The project was made up of three interlinked Work Packages:

<p>Work Package 1- Scoping review and comparative analysis of underpinning policy and legal frameworks</p>	<ul style="list-style-type: none"> - A comparative analysis of current policy and legal frameworks to <i>identify existing policy, key legal frameworks, practice level structures and processes for community asset acquisition, and their application in rural contexts</i> (Appendix 1) - A scoping review of literature to <i>explore existing sources of evidence to understand proposed links between asset acquisition and community empowerment, resilience and wellbeing in rural communities</i> (Appendix 2)
<p>Work Package 2- Primary data collection with rural communities, public authorities and key stakeholders; co-production of research outputs/outcomes with communities</p>	<ul style="list-style-type: none"> - Using a rural community case study approach to <i>gain an understanding of the lived experience of rural communities who engage with asset acquisition processes and the wider impacts on their community</i> - In-depth interviews with rural community members, public authority representatives and key stakeholders in each nation (discussed in section 3) - Working with participants in each rural community to co-produce meaningful outputs and outcomes related to their asset acquisition process (Appendix 3)
<p>Work Package 3- Knowledge exchange</p>	<ul style="list-style-type: none"> - Knowledge exchange to <i>create opportunities for shared learning between communities, policymakers and practitioners on how to improve asset acquisition processes to better enable empowerment, resilience and wellbeing in rural communities</i> (discussed in section 3)

2.1. Primary data collection and Knowledge Exchange

Primary data collection methods

Data was collected using in-depth interviews with rural community case study members, public authority representatives and key stakeholders in each nation. Key stakeholders included representatives from national support organisations and relevant policy teams.

Sample and recruitment

Rural community case studies were selected based on the following inclusion criteria:

- (i) The community is categorised as rural as defined by the UK Government Urban/ Rural Classification.
- (ii) The community is actively involved or has been through a formal asset acquisition process (either successfully or unsuccessfully) to obtain land or buildings for community ownership or management from a public body.

The team worked with a range of key stakeholder contacts in each nation to identify shortlists of potential rural case studies and community participants for data collection. Scoping visits then took place to evaluate the suitability of each case study and their willingness to take part in the project. One case study per nation was selected to reflect diverse rural geographies, differing stages of asset acquisition, and a mix of different types of assets. Interviews were undertaken in person and online with individuals within each community case study who were directly or indirectly involved in the process of the asset acquisition. A purposive and snowball sampling approach was used to recruit rural community participants based on local knowledge, and recruitment strategies were applied that were suitable to each locality (e.g. attending local meetings and events).

Public authority representatives in each nation were invited for interview via email using a purposive approach which targeted those who worked in (a) an authority that covered a rural geographic area so that they were able to comment specifically on the rural context; and (b) a relevant department of the authority (e.g. community asset transfer officer, planning department). Key stakeholders were also invited via email for interview and sampled purposively on the basis of their expertise in fields relevant to the research objectives.

Data collection

Informed by the scoping review of literature, comparative analysis of policy and law, and KE with key stakeholders, interview topic guides for each type of interviewee were developed, including the following key themes:

- A description of their role or the role of their organisation/ group;
- Motivations and drivers for community asset acquisition;
- Facilitators and barriers for rural community asset acquisition;
- Policy, law and guidance;
- Support available to communities;
- Specificities of the rural context;
- Impacts of asset acquisition processes on rural community empowerment, resilience and wellbeing.

Interviews were 30- 60 minutes long and were recorded online or using a Dictaphone. Participants were each provided with a participant information sheet that outlined the nature of the study, and were then asked for consent to the use of their interview data for the purposes of the study. All data was saved and stored on a password encrypted file and laptop. Ethical approval for the study was provided by Glasgow Caledonian University.

Data analysis

All data from interviews was transcribed and uploaded into the qualitative data analysis software tool NVivo 20-7. The interview data was analysed using an inductive thematic approach where key themes emerged throughout the analysis of each interview. A coding framework was used to identify the common themes, then to draw out the specific details of each theme, and to isolate the data to evidence these points. All coding was overseen by the full research team, feedback was received, and consensus was sought.

Knowledge exchange approach

Knowledge Exchange (KE) was an iterative process that took place throughout the lifecycle of the project. KE was underpinned by the design and delivery of specific events which sought to create opportunities for shared learning between communities, policymakers and practitioners on how to improve asset acquisition processes to better enable empowerment, resilience and wellbeing in rural communities. Events were also used to share project developments, co-produce place-based strategies for asset acquisition, and give voice to individuals and groups involved in asset acquisition processes.

KE operated on two administrative levels:

1. UK/National – to identify the project's direct contribution to UK and national policy in asset acquisition and ensure alignment of the project's aims with policy on community development;
2. National/local – to directly support communities' strategy development for asset acquisition, foster local policy and community relationships, and share interdisciplinary learning between case studies and stakeholders at key stages of the project.

A total of five KE events took place throughout the project lifecycle, which included one UK-wide online event and four national online events (i.e. one per nation). Details of each nation specific event will be described in the following chapter. Data relating to our key objectives was collected by the research team throughout each KE event using a mixture of Menti-meter, Miro boards, post-it notes and team note taking. Once collected, data was stored on a password encrypted laptop and analysed thematically using a manual approach.

Community co-production

Co-production is an approach that enables people providing and receiving services to share power and responsibility, and to work together in equal, reciprocal and caring relationships. It creates opportunities for people to have a voice and to contribute to social change. It is a method of work which values, strengthens, and works with people to create meaningful change.

We wanted to share power and responsibility for the project with our four rural case-study communities, working with people and organisations there to

explore our project questions. It was also very important that the work produced outputs that were useful for the communities, and that a careful balance was achieved between meeting the objectives of the research and providing community support and development. Most importantly, we wanted to look beyond the textual outputs that academic research produces, and the objective measurements often favoured by policy, and work with rural communities to consider more inclusive, accessible and alternative ways to reflect the lived experience of those engaging with asset acquisition processes.

To achieve this, we placed five key principles at the heart of our work:

- *Value people and build on their strengths;*
- *Develop networks that operate across silos;*
- *Focus on what matters for the people involved;*
- *Build relationships of trust & shared power;*
- *Enable people to be change makers.*

The research team worked with participants in each case study rural community to co-produce meaningful and viable outputs and/or outcomes related to their asset acquisition journey. Through this, we sought to give communities ownership and control over the research process as equal partners, whilst simultaneously creating opportunities for shared learning. In England, we worked with a rural community to explore the potential of using their asset to tackle local social isolation and loneliness in men; in Scotland we facilitated a series of storytelling and walking events to focus on the links between a community asset and the Highland Clearances; in Wales we worked with a rural community to run a community consultation on the proposed use of their asset; and in Northern Ireland we worked with a rural community to explore creative and novel uses of their new digital innovation based asset.

This part of the research sought to utilise creative and innovative methods that allowed communities to communicate their experiences in different ways. This included the use of design thinking, theory of change, and exploratory talk. The researchers utilised the skills and knowledge of the rural communities, and of the wider research team and Advisory Group.

Full details of the community co-production activity are available to view in **Appendix 3**.

The background image shows a street scene with multi-story buildings and a string of colorful bunting flags hanging across the street. A large white circle is superimposed over the center of the image, containing the text 'The nation specific studies'.

The nation specific studies

3. The nation specific studies

Initial scoping of key themes using a co-production and knowledge exchange approach

Before undertaking the nation specific studies, the research team, using the principles of co-production, organised a UK wide online Knowledge Exchange event on 11th October 2022. The event was used to identify key themes and issues for exploration, and to inform the data collection phase of the project, including the development of our interview questions and specific areas for further investigation.

Rural community members, academics, practitioners and policy leads were invited to the event to learn about our project and discuss areas of importance that were relevant to their geographic area or field of work. This included discussions about how our research could make a meaningful contribution to knowledge and social action in each UK nation.

The event was attended 28 participants which are broken down by category below:

Sector/ organisation	Nation	Number of participants
National or local community support organisations	4 (Wales) 2 (Northern Ireland) 2 (England) 8 (Scotland) 2 (UK wide)	18
Academia	1 (Wales) 2 (Scotland)	3
Public authorities	1 (England) 1 (Scotland)	2
Policymakers	2 (UK wide) 1 (Northern Ireland) 2 (Scotland)	5

PICT

At the event, breakout rooms were used to pose specific questions to attendees based on our key research questions to help develop our thinking. The responses of the attendees are noted below:

<p>What are specific rural characteristics and challenges?</p> <p>Communities are dying, historical lack of investment, fewer resources, geographic distance from decision making, DIY attitude, rural not homogeneous, greater accountability and visibility in rural areas, strong community will, tightly knit and resilient communities, poor digital connectivity, poor housing and transport.</p>	<p>What makes rural assets different?</p> <p>Limited availability, used more, precious, closer connection to assets, shared meaning to local people, the last in the area, a community lifeline, community meeting points, multi-purpose/ multi-use facilities, subject to market failure, often privately owned, holiday homes, nature based, part of local culture and heritage, assets economically interdependent, keep communities alive.</p>
<p>What are key assets in rural areas?</p> <p>Housing, spaces that protect heritage and culture, shops, pubs, community halls and centres, schools, churches, transport facilities, resource centres, sports clubs, post offices, community land for growing, community energy projects, big land estates.</p>	<p>What are the key motivations and drivers for rural communities acquiring assets?</p> <p>Not desire but necessity, a need to step in, communities lumped with assets no-one wants, potential to lose a service, to keep the community alive, to address market failure, to decrease council responsibilities.</p>
<p>What are the challenges or barriers to rural community asset acquisition?</p> <p>A lot of work, volunteer burnout, small volunteer pools, lack of grant funding, lack of local expertise, the need for support beyond the acquisition, competition on the open market for purchase, lack of awareness of process or policy, potential wasted effort, disparity of rights and regulations across the UK, complexity of processes.</p>	<p>What are the key facilitators for rural community asset acquisition?</p> <p>Grassroots structures in rural areas, citizen assemblies, support organisations, parish councils (England only), Scottish Land Fund (Scotland only).</p>
<p>What further support is required for rural communities to engage in asset acquisition processes?</p> <p>A democracy of resources, action plans for communities of place, co-production with local authorities, more legislation and guidance, skills banks, public registers/ databases of assets, a community right to buy (outside of Scotland), local social impact measurement, a focus on community wealth building, simpler and greater funding options.</p>	<p>How might evidence from this project be used?</p> <p>A better understanding of policy and practice and support available, knowledge exchange across nations, shared best practice, normalisation of community ownership, evidence to de-risk rural community ownership, to support communities, to ensure targeted messaging, to support a cohesive narrative, to clarify terminology, to evidence clear differences between urban and rural, to lobby for further legislation.</p>

The following sections will now outline each of the specific nation studies.

3.1. The England study

3.1.1. Methods and approach

For our England study, data was collected using three specific approaches to provide a holistic account of rural community asset acquisition processes:

- (1) In-depth interviews and fieldwork with a rural community case study who had been through two asset transfers from a local authority;
- (2) In-depth interviews with local authorities from across England, and key national support organisations;
- (3) Data collected at an England Knowledge Exchange event that brought together rural communities, practitioners and policymakers.

A series of co-production activities were also undertaken with the rural community case study, details of which are outlined in **Appendix 3**.

The rural community case study

Trawden (formally called Beardshaw) is a village in the civil parish of Trawden Forest, in the Pendle district of Lancashire. The parish has a population of 2,765, with a relatively older demographic of retirees. The village has a high street, but is mainly dispersed across farmland, with a number of smaller hamlets. Trawden is traditionally a farming community, with historic links to the textile industries. As the village is surrounded by farmland, it is self-contained, and considered by many as an isolated community or 'the last frontier of Lancashire'. Trawden is located 30 miles from Leeds and approximately 9 miles from Burnley.

Trawden Forest Community Centre (TFCC) is a registered charity, with a board of eight trustees and over 100 volunteers. The size of the board commonly fluctuates depending on availability and capacity, and required skills for particular projects. The organisation was formed after the community in Trawden came together in response to the news that their community centre was due to close in 2014.

Closure of the community centre was part of a wider closure of community services across the region due to budget cuts and cost saving, and also based on the fact that the centre was underutilised.

The owner, Pendle Borough Council, approached Trawden Parish Council and stated that if the community were not willing to take on the asset it would be closed. The community therefore set up a working committee and public meetings to gauge interest and explore options for ownership, and subsequently set up TFCC with a board of 15 local trustees. They were clear that they would not be able to offer market value for the asset, and were strongly supported by the local parish council and the wider community to pursue ownership. The asset transfer was described by the TFCC as having been reasonably straightforward, with positive communication with the council and very few legal requirements. Six months after setting up the charity in October 2014, the group took ownership of their first asset, the community centre, from the council on a freehold basis. They were successful in receiving funding from the local council, the Lancashire Environment Fund and Power to Change to complete renovations on the building to bring it up to working use.

In 2016 the last grocery shop and post office in the village closed. In the same year Lancashire County Council announced that they were going to close the local library (as well as many other libraries in the region) due to budget cuts. Part of the library had previously been a Sure Start children's centre,⁶⁰ but had closed years previously due to funding cuts. The TFCC was approached by a local councillor to consider taking on the building, and invited to submit an expression of interest to the county council. Members of the TFCC recalled the application process for taking on the library as having been difficult due to the requirement for a detailed business plan and the need to deal with different departments and levels of authority, maintaining lines of communication and negotiating the terms and conditions of a restrictive lease (which was the only option offered).

While the council accepted the TFCC's application, progress slowed down significantly due to the leading political party changing in 2017 from Labour/ Liberal Democrats to the Conservatives, who did not support the closure of libraries. This resulted in the process being stopped completely until an internal council review could take place. The council eventually came back to the TFCC in 2018 and stated that they could take on the building as long as they kept the library. After years of negotiations, the group finally got the keys to the building in August 2018 on a 125-year lease at

peppercorn rent. The building was in poor condition, but with a team of local volunteers and the help of local companies and small grants, the TFCC managed to renovate it. To meet the wider needs of the community, TFCC decided to keep part of the building as a library, and turn the other half of the building into a local shop. The community also installed a post office bureau which is in operation one day a week. The shop and library are now in full working use and provide a central grocery shop and meeting place for the community. The shop and library are registered as a limited company that is a wholly owned subsidiary of the Trawden Forest Community Centre charity.

In 2021, the Trawden Arms pub went up for private sale, and the community came together to purchase the asset using a community shares approach. This involved people from across Trawden and the wider region purchasing approximately 350 shares of the pub to raise funds for its purchase, and to ensure that the pub was owned and managed by local shareholders. While for the purpose of this study the process of acquiring the pub was not considered (due to it not being owned by a public authority), the community felt that through acquiring the community centre and library/ shop, they had built the capacity and skills to be able to also acquire the pub.

Throughout all of these processes, the community received help and support from national organisations including Plunkett UK⁶¹ and Power to Change,⁶² as well as local and regional businesses and associations and the local parish council.

In-depth interviews were conducted with 4 community members who were directly or indirectly involved in both of the community asset acquisitions, including board members and volunteers of Trawden Forest Community Centre, library and shop. Two further interviews were conducted with a local borough councillor (and ex county councillor) who was involved in the process, and a representative of a local community sector association.

Interviews with local authorities and key stakeholders

Public authorities in England include different tiers of local government (councils), the NHS, the police and higher education institutes. The structure of local government varies from area to area, but in most parts of England there are two tiers: county

and district councils. Some district or 'metropolitan' councils are also referred to as 'borough' or 'city' councils. In some parts of England there are also town and parish councils, which exist below district councils as the lowest level of local governance. There is a total of 317 councils in England.⁶³

There are a number of national organisations that support communities with asset acquisition processes, including Plunkett UK (in mainly rural areas), Locality⁶⁴ (in mainly urban areas), and both Shared Assets⁶⁵ and the Community Land Trust Network⁶⁶ (for land related acquisitions). There are also a number of regional-based support organisations in existence.

In-depth interviews were conducted with representatives from two local governments (at county council and district council level), an ex-borough council worker, and four national support organisations. These interviews allowed us to gain a national picture of community asset acquisition processes and the extent to which rural communities are engaged and supported.

The national Knowledge Exchange Event

On the 12th June 2023, we hosted an online Rural Community Assets Transfer Knowledge Exchange Event, bringing together rural communities, practitioners, local authorities and policymakers from across England.

The research team teamed up with representatives from key UK and England based organisations that provide support for community ownership to design an event that could provide attendees with the basic information needed to start thinking about acquiring assets. The English landscape for asset acquisition was felt to be distinctly different from the other nations, with much less information available to both authorities and local communities. For this reason, the event focussed on:

⁶⁰ <https://www.gov.uk/find-sure-start-childrens-centre>

⁶¹ <https://plunkett.co.uk/>

⁶² <https://www.powertochange.org.uk/>

⁶³ <https://www.gov.uk/guidance/local-government-structure-and-elections>

⁶⁴ <https://locality.org.uk/>

⁶⁵ <https://www.sharedassets.org.uk/>

⁶⁶ <https://www.communitylandtrusts.org.uk/>

1. *Raising awareness of community ownership and acquisition processes, benefits and best practice;*
2. *Signposting support available to rural communities from different organisations.*

Speakers at the event included Plunkett UK, the Community Land Trust Network, Action with Communities in Rural England (ACRE), and the UK Government Community Ownership Fund policy team. The event was attended by 39 participants, broken down by sector and organisation type below:

Sector/ organisation	Number of participants
Rural community development trusts or groups (or individual community members)	18
National or local community support organisations	11
Local government representatives	4
Policy makers	6

Throughout the event participants were asked to reflect on our key research questions and data was collected using note taking, Miro Boards and mentimeter.

3.1.2 Findings

Key themes and findings from our rural case study, local authorities and key stakeholders, and our Knowledge Exchange event have been combined and are outlined below. First, the motivations for asset transfer, on the part of both the community group and public authority, will be outlined. The perceived barriers and facilitators to the process will then be presented, before the impacts of the process on the wellbeing, empowerment and resilience of rural communities are discussed.

Motivations for rural communities in England to take on public assets

The threat of service closure and withdrawal

The key motivator for English rural communities taking on public assets was the threat of spaces, facilities and services being closed or withdrawn. This was reported by most of our case study interviewees, and also confirmed by the participants in the KE event. Indeed, key themes from the KE event were around stopping the loss of vital services, and providing for community need that was not being met by statutory services.

“Unfortunately, it strikes me that adversity is the greatest single driver that I’ve seen...it may be where a community’s crying out for some services that aren’t being provided and they have with the get-up-and-go and the gumption...to run with that, and do so in quite hostile circumstances” (Local borough councillor interviewee)

This was also the key driver for our rural case study, Trawden, where the community either faced losing vital social infrastructure within their community, or the current services being provided were underutilised or inadequate.

“...if we lost the pub it would be the social aspects and the dining aspects would be lost. If we lost the shop or the post office, they’d lose those facilities... they’re all crucial to the community” (Community case study interviewee 1)

“...it was just inevitable it was going to shut...the community centre, before we took it over, I can’t remember it ever being open really for the community... we see a lot of places that are either parish or local council, and they just aren’t doing anything with them” (Community case study interviewee 2)

In our case study, the closure of assets was related to reduced budgets for local authorities to be able to fund the running and upkeep of buildings, as well as the delivery of services within them.

“...up to the 1970s people relied on your local council to provide services, and it was felt that that’s what should happen because it always had done. But things started changing because funding became less and less, and now of course it’s got down to the local councils doing the minimum, what they have to do by statute, and anything else they want to offload” (Community case study interviewee 3)

Many interviewees from our case study felt that if the community did not try to acquire local assets the very survival of the community would be threatened; therefore, entering into each asset acquisition process was not always necessarily a positive experience or something driven by choice. This was reflected in the KE event, where participants reported that assets in rural areas are often a “community lifeline” and losing local spaces can be catastrophic if they are the last available for communities and there are no alternative services to access. Both case study respondents and KE participants also expressed concern about “what would be done with that land if the community don’t acquire it” (KE participant), especially in relation to land or buildings being sold to private developers who might create something that did not meet the needs or wants of the community.

Relatedly, participants in our KE event reported that rural communities are often driven to secure local assets from local authorities as, historically, rural areas have far fewer assets than urban areas, and there has been a historic lack of investment in rural areas. This was seen as creating a feeling among rural communities that assets in rural areas are “more precious”, and as making their transfer to communities feel “more meaningful”.

Motivations for local authorities to transfer assets to communities

Local authorities may want to rid themselves of a potential liability

Some interviewees expressed the view that caution was sometimes required when being approached by a local authority about a potential asset acquisition, as they may seek to pass an asset on to the community for reasons other than community benefit.

“I have heard anecdotally that communities need to be a kind of wary of going into an asset transfer process blindly because the public authority might essentially be trying to dispose of an asset and so therefore, the community needs to be wary of taking on an asset that isn’t particularly financially viable” (National support organisation interviewee 1)

“Those [who own buildings] have probably gone through a process whereby the council or somebody else said this is a ball-ache, we don’t want it, thank you very much, over to you [the community]” (Local community sector interviewee)

Surplus assets are seen as too costly to local authorities

Our evidence showed that local authorities decide to transfer assets primarily due to budget cuts. Both interviewees and KE participants stated that transfers were “driven by finances”, due to authorities “trying to save money and offload [assets]”, tales of “rising costs”, “closing down” and the need to save maintenance costs and liability costs arising from assets from where services used to be run but had ceased due to “budget cuts”. As one community case study representative put it:

“...it eventually became obvious that they just weren’t interested in continuing to run the assets because of the rising cost...there were a lot of things closing down”.

The local authorities interviewed did confirm that their key motivations for transferring assets to communities were budget costs and the rising costs of running and maintaining services. This was reported to be part of standard procedure.

“...normally what happens is they’re either nudged by Estates because they want to get rid of stuff, because they have a long-term plan to reduce maintenance costs. And if it’s surplus to requirements, they want shot of it straightaway; either selling it for a capital receipt or getting rid of the maintenance” (Local authority interviewee 1)

Rural case study participants, rural community members from the KE event and key stakeholders also reported that rural community groups are often approached by local authorities who wish to dispose of assets.

“...we still can’t afford to maintain the level of services that we think local people want...the reserves are running out...So, we are driven by necessity to look at further asset transfers and, let’s be blunt about it, cost transferring onto other organisation” (Local borough councillor interviewee)

This was also the case for the rural case study, who were offered the local community centre as a way for the local council to cut costs.

“I think the council just wanted rid of it as soon as possible because it was a liability to them, it was costing them money...the rent they were paying nowhere near covered the costs...So overnight we cut the overheads by 75% on that building” (Community case study interviewee 3)

A key part of the process was reported to be the transfer of local government assets to parish council ownership, with the intention that the assets would then go into community level ownership or 'stewardship'. A key driver of this being the shift of costs of running and maintaining assets from a county or district to a community level. Further, such transfers were considered to be less risky as assets could then be reverted back to principal authority ownership should anything go wrong, and parish councils could also raise their precept⁶⁷ to cover additional costs.

"...myself and colleagues at the borough Council recognised that we couldn't afford to continue to deliver services and facilities because the resources to do so were being withdrawn by government... the context of that was very much in the sense of parish and town councils didn't have any council tax cap so in other words if it costs money to run a service then they could add that to their precept and the council tax payers for that area would pick up the tab. So, it was shifting the burden of funding from borough council level to that community level" (Local borough councillor interviewee)

Key barriers for rural community engagement in asset acquisition processes

Lack of capacity of rural communities to engage with policy and process

A clear theme of the evidence was that the capacity of people in rural communities to engage with the policies and processes of transfer varies. As a local authority interviewee put it:

"For our rural villages, a lot of them are very, very small. And again, it goes down to the people that you have within those villages- what they do for work".

As also stated by a national support organisation representative:

"...you're basically trying to get like low-capacity people and by low-capacity I mean low in terms of time, culture, emotion, finance as well. Incredibly low-capacity communities and people to enter into a highly sophisticated process"

Part of this was linked to the simple number of people living within a particular rural area, as well as the nature of that area.

"In rural areas there's been a long-term decline of assets and services...the more that a community loses its local assets, like its shops, its public transports and so on, the less livable they become... so you have rural depopulation happening where you have a decline in young families living there... you have fewer people who have a vested interest in acquiring and establishing assets there or who have the time to do so" (National support organisation interviewee 1)

This was reflected in our KE event where participants stated that the recruitment and retention of volunteers to engage in asset acquisition projects, especially individuals with the skills and knowledge required, is one of the biggest challenges for rural areas. In particular, they reported high levels of volunteer burn out and fatigue because of the smaller pools of people available to take on volunteer roles; participants described volunteering as often "stressful" and "lonely", with "negative impacts on individuals mental health". KE participants felt that the effects on volunteers would dissuade others from volunteering their time, and could also have negative impacts on other ongoing projects due to resources being thinly spread.

Limited capacity within rural communities was also relevant to issues around legacy and sustainability. As stated by one KE participant: "Legacy is a challenge as projects are usually led by a small few. What happens if key members move on?". Succession planning can be challenging given that "community members in rural areas tend to be older" and "younger generations do not engage in volunteering" due to job commitments.

In interviews, it was reported that in many cases where rural communities had fewer community groups and lower levels of community activism, they would be less likely to be 'reactive' to assets becoming available to transfer.

"...where you don't have many pre-existing community organisations with that kind of capability, that are just going to be able to react to something going up for sale and being able to get a bid in in the right window of the Community Ownership Fund, and unless all these things align you won't be able to purchase that asset" (National support organisation interviewee 2)

⁶⁷ A proportion of council tax that is passed to parish councils to manage local services..

As well as issues of capacity to undertake an asset acquisition, smaller population sizes in rural areas were identified by interviewees as presenting difficulties in garnering sufficient levels of engagement and support.

“Often more rural communities struggle with getting larger levels of engagement...I think generally more rural communities do struggle with not necessarily getting buy-in, once people are in they're in, but getting the numbers is quite difficult” (National support organisation interviewee 3)

Some key stakeholders characterised certain rural communities and rural community bodies as having a “paternalistic” culture that leads to a lack of wider community engagement. As one support organisation interviewee put it:

“it is a question of who is participating, and our impression is that a lot of rural [organisations] don't have as much focus on participation”.

This was combined with a view that some rural community bodies focus on what they are doing for the community, rather than with and as part of that community.

The variable quality of internet services and some people's limited digital capabilities were also identified as impacting on online engagement with processes. Face-to-face engagement with authority officials visiting community sites was seen as especially important by all groups responding to our research, however, the challenges of such engagement in rural communities, including due to limited public transport and officer time, were noted. The high value of in-person contact was well-captured by a professional stakeholder who noted that:

“...in-person visits is something that they [community groups] would really value and through which they would be able to personally convey what they needed but also what their impact was and it would help link them up with other services that the local authority might be overseeing” (National support organisation interviewee 1)

Perceptions that local authorities are unwilling to let go of assets

Rural community interviewees stated that they had been given varied reasons for refusal of asset transfer by their local councils, most notably that councils don't want to lose their assets “without good reason”. One case study interviewee stated that they had been refused an asset because the council stated that they did not want to give away “all of the family jewels”, even though the asset had been lying derelict with no plan for its future use.

While community members reported that local councillors may be supportive, it was felt that dealing with the council could sometimes be problematic due to their focus on finance over social value. One community case study member felt that councils' Estates Departments were reluctant to transfer assets as it would reduce their portfolio and therefore threaten their jobs. Another community member stated that they had presented a solid business model for how they might run a public asset, and liaison staff had supported them in developing this plan, however elected officials reasoned that if they themselves adopted this model the asset would no longer be a liability and therefore should not be transferred.

Most of the local authority interviewees admitted that they may refuse an asset transfer request due to the motivations of different areas of the council, such as Estates and Finance. However, some council interviewees stated that decisions were primarily based on an assessment of community capacity and skill to run and maintain the asset. As stated by a local borough councillor:

“I think the greatest reticence was a failure of confidence that these community groups were competent to take things on, so... they just couldn't get their heads round community groups having the competence to run the service or run the facilities”

In many cases, rural community members viewed this as an issue of perception and council culture rather than hard facts about community capability.

A lack of (known) public assets in rural areas available for community acquisition

The rural English local authorities engaging with our research stated that they generally did not receive many community asset transfer requests, and other respondents, including support organisations, similarly considered that requests for the transfer of public sector assets to communities are less common in rural areas. Some county and district authorities stated that they simply did not have a lot of assets available to transfer in rural areas. This was related to the fact that many 'public' assets were under the ownership or stewardship of parish and/or town councils. However, across our evidence, awareness of, and engagement with, parish councils was seen to be limited and decreasing. As one local authority interviewee put it:

"there's broadly, in the general population, complete ignorance about what town and parish councils are there for. And they always struggle to get new people in".

In rural areas stakeholders also noted that there was a lack of publicly owned land available for communities to acquire.

"The majority of rural community land trusts have bought private land assets, not transferred from public sector bodies...county councils and district councils in England don't own very much anymore, and if they do it is usually operational" (National support organisation interviewee 2)

There was, however, said to be more activity in rural areas in terms of transfers from private owners. Such transfers often involved communities taking over the final remaining privately run services in the area, such as shops, post offices and pubs.

"...the issue with rural [areas]...it's it is largely shops and pubs and village halls... where there is the absence of anything, where there's an enterprise behind it or a shop and a pub, and where there's a building already existing or there's a potential for a new build" (National support organisation interviewee 4)

Community interviewees and KE participants stated that they are not necessarily always aware of the sale or closure of council assets, or the possibility for them to assume ownership in order to keep them open. In particular, rural communities generally stated that there was uncertainty over what level of local government owned what, and what exactly parish council ownership meant for local communities and their use of assets.

According to support agencies, information about surplus community assets was often passed through word of mouth in rural locations, rather than provided by the local authority themselves, due to a lack of public transparency over public asset ownership. This was reported by one support organisation to lead to clusters of 'known' assets in certain locations and a scarcity in areas where such knowledge is not held.

A lack of understanding of policy and legislation, among local authorities as well as communities

Our evidence suggests that local authorities have varying interpretations of the requirements of the Localism Act 2011, and it was felt by most participants that there could be better guidance on set approaches or recommended procedures for local authorities under the Act and/or improved awareness of guidance that already exists.

This lack of awareness by both local authorities and communities themselves of policy was found to greatly hold back advancements of asset transfers to communities. As one local authority interviewee put it:

"I really do think it's interpretation of, for instance, the asset of community value, the Localism Act, and how a decision should be made. There's no clear guidance to say, 'This is what your process should be.' So again, it goes within the local authority, and all local authorities are very, very different"

KE participants emphasised a lack of understanding and awareness of the Localism Act among staff at community organisations, many of whom had no idea that such legislation even existed, and a feeling that it wasn't very well advertised or spoken about, especially by local government. Community case study representatives felt that policies and procedures could be more easily accessible, more clearly explained, and should include example case studies. As one community case study representative put it:

"...trying to find information from your local council for doing anything like this or a government database and it's just all legally, it just puts people off, it's just not in English".

Local authority interviewees identified a lack of understanding among their colleagues, primarily due to lacking the capacity and/or time to engage with policy and law. They felt that relevant local authority staff needed to be more aware and cognisant of the process to be able to evaluate the

ability of organisations to successfully assume ownership over assets. As stated by a local borough councillor:

"I think perhaps understanding and the knowledge that this can be done perhaps needs to be wider amongst decision-takers so that people don't instantly dismiss...novel forms of organisation who are rejected out of hand"

Interviewees called for any new or altered legislation to be accompanied by support and training for local authority staff. While the legislation was claimed by local authorities to be quite straightforward, publicisation of the process was said to be restricted by limited council funds.

Ineffective and weak rights for communities under the Localism Act 2011

Across our evidence, especially from support organisations, authorities and KE event participants, the rights to list an asset as of community value and to bid for it during a moratorium period, were variously described as "weak", "lacking teeth", a "paper tiger", based on "misunderstanding the way that the land market operates", "irrelevant", "pointless" and "really of limited use".

Much of this negative commentary stems from the fact that the 2011 Act only gives a window in which communities can bid, it does not give them any right of first refusal, or the right to have their bid properly considered or accepted even when it might be at market value. Interviewees and KE participants variously described this as leading to community "labour for nothing".

"A group can spend six months raising the money to put in a bid for an asset and be refused for any reason. Their bid does not need to be considered at all even if funding is in place from the UK Government through the Community Ownership Fund" (National support organisation interviewee 4).

In relation to the operation of the 2011 Act, our interviewees and KE participants variously spoke of "loopholes" and insufficiently "tight" definitions, particularly around classification of assets and the nature of community value, which were seen to give authorities "leeway" to work to the disadvantage of communities. It was also raised more broadly that the Localism Act 2011, and localism policy generally, does not fully empower communities because decision-making power is still firmly in the hands of public bodies; this is so even where there are community rights to list and

bid for assets, and where authorities do comply with their legal duties.

Lack of clear and coherent process for community asset acquisition

Our evidence showed that some local authorities do not have community asset transfer policies and procedures in place, while those that do have these policies may not update them regularly and/or may fail to ensure that they interact clearly and coherently with other policies across the authority. Policy guidance had sometimes been found to be out of date and therefore difficult to follow, as stated by one local authority interviewee:

"...when I took it over, the policy hadn't changed [for years] and it related to external partners that no longer exist, the internal departments that no longer exist". On variability, one support organisation noted: "...each and every local authority has a different robustness of process or engagement around community asset transfer".

Another support organisation interviewee noted that local government lists of assets of community value often "weren't up to date" and that with regards to designating assets "there isn't an easily available template for all councils to use, where they could just upload that to their website instead of creating their own template" and that sharing of "best practice and what a good application should look like and so on would be helpful".

During our England KE event various participants made comments around the complexity of legal processes and that this can be particularly daunting for communities. Our evidence found that the length of processes is a particular issue; even when there is understanding within communities about the steps that must be taken, it was felt that more could be done to manage expectations of timing. As one community case study interviewee put it:

"...quite often some people get so dissatisfied with the length of time, they don't realise just how long it takes for this process to happen".

Another said that situation could be improved by not having "to work so hard" for the asset transfer. Nonetheless, it was recognised by some that processes were required to be robust and thorough to ensure that communities had the capacity and skills to ensure an asset's sustainability.

“...I think in acquiring assets, there needs to be a really good understanding of what the long-term model is in terms of management. There needs to be due diligence that gets undertaken to make sure that when it’s handed over, that there is a sustainable model on the other side to catch it and to run it and to operate it” (Community case study interviewee 3)

Community members also stated that levels of bureaucracy, legalities and regulatory structures can often be “too much for small community groups to navigate”, especially where there may be smaller volunteer pools and a lack of specific skills and knowledge in rural areas. This was seen to be a much slower and more complex and risky process than with a private purchase on the open market. As stated by one support organisation:

“I think probably most community land trusts would much rather buy off a private seller than a council body as it is a lot more straightforward. You just quite quickly get an option together, that is the price, and that is done. Whereas local authorities, yeah it is a long drawn out process”

Confusion and uncertainty over the specific processes required for asset acquisition and which levels of government need to authorise an asset transfer were also expressed by the community case study and national support organisations.

“...the liaison officer was liaising with their legal department, and then of course there were county councillors involved, and they’ll all...then there is a cabinet within the county council, and so each cabinet member has a different brief...But they just didn’t seem to be able to liaise together to come up with quick responses and quick answers and quick solutions” (Community case study interviewee 1)

In particular, it was reported by interviewees that, while local authorities might be supportive of the transfer, barriers and complications can occur when the council’s legal department assesses the application, due to a lack of knowledge of the legal vehicles involved and whether the transfer would fit the definition of achieving ‘best value’ from the asset’s disposal. This can require communication with multiple local authorities, including different layers of councils, to receive permissions, each of which can take months to process.

Lack of capacity in local authorities

Budget cuts within local authorities were found to have a notable impact on their ability to engage with asset transfer processes themselves. Local authority interviewees stated that they were variously undertaking multiple roles, with community asset transfer being only one part of their work. One stated: “anything that fits the community, that ends up on my desk”. It was noted that community asset transfer is not part of delivering statutory services and is therefore more vulnerable to budget cuts. As one support organisation representative put it:

“Local authorities are just less and less well-resourced, so these legal negotiations [around asset transfer] can take a very long time”. Similarly, another said “...this is the sort of dual effect of austerity, selling off all the public assets, reducing the capacity of local authorities to engage with us to develop a robust process”.

Austerity was also felt by local authority interviewees to have reduced the number of staff that local authorities have to support communities through sometimes complex and time-consuming asset transfer processes. Local authority interviewee 2 noted the negative effects of a lack of funding and infrastructure, including not having “the members of staff that have the skills to be able to go out and build the capacity in the communities, ‘cos that is what is needed, that’s not there”.

Lower levels of local authorities are closer to communities

The smaller and lower levels of the local authority (e.g. borough, town and parish) were considered by rural community members to be far easier to deal with than larger county councils, in terms of being able to access the correct people and those with decision-making authority. Furthermore, local layers of government were seen by community members to be more knowledgeable of the local community context, and therefore more able to recognise the potential impact of transferring an asset.

“[Parish councillors] tend to live in their community and are often volunteers and so very committed to supporting their local residents. Then there is that kind of extra level of local government, which is perhaps seen as more approachable or more available than high levels of local government” (National rural support organisation interviewee 1)

In contrast, county councils were viewed as being too large, and often not having any knowledge of the community or the asset in question, bringing their ability to support the development potential for the project into question.

"They've got this reputation now, the county council, not just from our experience but generally, of being too big and unable to do things quickly, or even at a normal speed. Everything is so laborious and so slow" (Community case study interview 4).

"So, the (council staff) who had a brief for the libraries...he was put in charge of this community asset transfer. He lived in Blackpool, which is sort of an hour-and-a-half's drive away, he'd never heard of our village, he'd never been to East Lancashire and he knew nothing about this area at all... We offered to meet, and that was unacceptable, it was all by email, and very frustrating" (Community case study interviewee 1)

The sale price of assets

The availability of funding for communities to acquire local authority assets was considered by many interviewees to be patchy, and processes overly complex. While the UK Government Community Ownership Fund (COF) was recognised by some interviewees and KE participants as being useful for some communities to purchase public assets, it was felt to have numerous limitations. In particular, challenges were recognised in sourcing adequate match funding (50%, as required by COF), and being able to keep to timescales where public authority processes were found to be slow and complex. This was felt by one support organisation interviewee to have a disproportionate impact on poorer groups who may lack the capacity to navigate the funding process while being held to "unachievable" standards.

Concurrently, public authorities were increasing the price being asked for such assets. Since the start of the policy of austerity, the approach of local government towards the disposal of assets was felt by a large proportion of our interviewees to favour the highest value of 'capital receipts' over the potential social value of transferring to the community.

"The other thing in the background related to austerity is the increasing desire of public bodies to just get as much cash as possible... And so the rug has been pulled out from underneath the community organisation after years of negotiations, because now they are being told basically that the Council is trying to find ways to say, "You are not really charitable and you need to pay us a commercial rent and all the rest of it" (National support organisation interviewee 2)

A challenge highlighted by interviewees was the range of policy, legislation and guidance relating to local authority disposals at below market value, with some respondents stating that there is a lack of clarity and a degree of confusion between various duties on authorities to offer discounts on sale prices, making local authorities cautious and reluctant to exercise their powers.

A support organisation representative suggested that the matter of sale price of assets "...needs to be fixed at a national level, because councils are hesitant to do what is already within their gift, within the current powers, because of the lack of clarity and the confusion between these things..." and that authorities are not selling to communities "not because they decided they wanted the cash more, but because they are worried about the legal position".

While key stakeholders reported exceptional circumstances where assets were sold at lower than market value due to political advocacy, the general policy has been to maximise revenue. As stated by one local authority interviewee:

"That's definitely the thinking at the moment is if we're going to get rid of this land or property, can we get a capital receipt out of it, that will go into the capital programme, it'll make us be able to regenerate this, that and the other...the community benefits are seen in redistributing that capital somewhere else"

Community members reported that, due to such policies, proposed transfers of more valuable land and assets had been either rejected or obstructed by councils seeking to make greater financial gains from asset disposal by selling to the private sector. As reported by one support organisation interviewee, this was problematic as the private sector would buy the most viable assets, leaving councils with only "liabilities" to offer to communities, or nothing at all.

Restrictions and conditions placed on communities when seeking to transfer an asset

Both community and support organisation interviewees stated that conditions and restrictions were often placed on transferred assets. The willingness to transfer freehold assets or provide 'clean' title without ongoing usage restrictions was claimed by one support organisation interviewee to be constrained by council cultures of not trusting communities. Further, they felt that such restrictions sought to hold communities to a standard not met during public ownership, with requirements for a business plan, financial models and strategic plans (none of which had existed previously) arbitrarily set.

Council interviewees and support organisations variously told us that it was more common for communities to acquire a leasehold than a freehold (ownership) for an asset. From the perspective of the authority, this can be down to maintaining financial control. As one local authority interviewee put it:

"What tends to happen as well with asset transfers is we rarely give out the freehold, we usually retain the freehold and then if the county council wants to borrow money, it's got its capital freehold list and it borrows on the back of the property that it owns"

Our English community case study had experiences of both leasehold and ownership. Noted problems of leasehold were conditions on leases, including around the need to seek various permissions in writing from the lease-holder, limitations on sub-letting, and the potential for councils to take back assets. As one community case study interviewee said about lease-holding:

"...what we were worried about, was hang on, if we do all this improvement and we build it up, and we make it a really viable, attractive prospect, are they just going to come and decide actually we want it back now".

Ensuring leasehold conditions are favourable to community organisations was seen as an area where communities are especially vulnerable and where good legal advice is essential.

Party political context

Many rural community members and support organisations saw the party-political platform as a factor affecting asset transfers.

"...a lot of [the process we went through] was more power plays with the politics aspect of it, rather than legalities, or anything... it was more just different parties wanting different things. We've got a very mixed political make-up especially between [our areas], the make-up of the councillors can be quite different" (Community case study interviewee 2)

In particular, there was a feeling that Conservative-run councils were less willing to transfer assets to communities, with some reports of obstacles having been put in the way of potential transfers. The reasons given for this included a political tendency towards wanting to assert control, disregard for the group seeking to take on the asset or the proposed future uses, and a lack of trust in communities to deliver favoured services, such as libraries.

"Partway through the process the political balance of the county council changed and it became controlled by the Conservatives and there was quite an abrupt change. Firstly, the Conservatives had campaigned to keep the libraries open so they sort of reversed a lot of the decisions in terms of the library closure programme but, secondly, the community library concept, they put rather a damper on that...we had been quite optimistic that a speedy transfer of the library building would change hands, that all of a sudden became quite a protracted process and at one point one of the Conservative leadership team said in the committee "Why would we give the family's silver away?"...they regarded all these assets as their assets and they didn't want to have community groups operating them" (Local borough councillor interviewee)

However, one support organisation interviewee noted that Conservative councils in rural areas tended to be more supportive of community asset transfer than those in urban areas:

"I think on the whole our experience of rural Conservative Councils has been very positive towards [community ownership]...In urban areas, Conservative Councils are much less supportive. There just seems to be like two conservatisms in play in England in urban and rural areas, and I think it's the Burkiian little platoons wanting to support community initiatives being very rooted in rural areas and understanding rural communities' desire to be their own entity and not be dominated by unitary Council" (National support organisation interviewee 2)

Some interviewees also reported that they saw very little difference in the approach and ideology of the different political parties, perceiving it more as a question of individuals' views of asset transfer within councils.

Key facilitators for rural community engagement in asset acquisition processes

When asked about key facilitators for rural community asset acquisition, interviewees and KE participants spoke both about what already existed and also what they felt was required. Having strong and clear legislation and policy, access to support for asset transfer, and a strong and capable community organisation were all seen as key factors facilitating asset transfer. We elaborate on each of these below.

Improvements to legislation and policy

Further developments in legislation and policy were favoured by the majority of interviewees at both a national and council level. It was felt by some that, if England had similar Community Asset Transfer legislation to that in Scotland, that would streamline and formalise the acquisition process. In particular, they suggested the introduction of a community right to buy, and the establishment of a fund, much like the Scottish Land Fund,⁶⁸ to support communities to purchase assets. Further, they identified a need to focus on the potential for other public bodies, besides local authorities, such as the NHS and Ministry of Defence (with the latter being especially relevant to rural areas), to transfer land and other assets to communities. As one support organisation interviewee noted:

"...the general consent of disposal and the ability for communities, for local authorities to dispose of community buildings for less than market value, less than best consideration, only applies in legislation under, to local authorities, it doesn't apply to the rest of the public estate"

Further, it was felt by both community and local authority interviewees that if local authorities had their own published asset transfer policy, this would help communities to navigate the requirements and understand more about the process in order to hold local authorities accountable for their decisions. Many interviewees also felt that standardising those policies and procedures throughout the country would allow best practice to be shared and improved.

"If we could have every local authority submit to one central place, "This is how we do things," and then from that, an agreed, "Actually, this is how it should be done," I just think it would streamline the process so much" (Local authority interviewee 3)

Overall, our research participants concurred that legislative change to further empower rural communities through asset acquisition should not be rushed; and it should be carefully thought through in the context of other connected matters such as planning and community wealth building. It was also felt that new legislation must come with sufficient funding for implementation (including some form of asset transfer/land fund), sufficient public awareness raising and public legal education, and an aligned increase in capacity for the public sector to implement it and to comply with any new or expanded duties.

Support from local authorities

The support of the local authority was seen in many cases to be key to facilitating an asset transfer, however this was viewed by KE participants to be a "postcode lottery" depending on which council owned an asset. While the local authorities we interviewed were very supportive of asset transfers and could see benefits for both community development and council finances, they also reported a critical lack of resources, knowledge and training that often left them unable to support local communities.

"...if [the community] want to find information out, they can come to the council, they can go on the website and find out for themselves...but the biggest thing that's missing is the publicity and the knowledge in the areas... it's difficult enough for those that work within the authority sometimes to understand it, so to get a community to understand it is probably really difficult" (Local authority interviewee 2)

⁶⁸ <https://www.gov.scot/policies/land-reform/scottish-land-fund/>

Both the rural case study interviewees and some local authority interviewees identified instances where the asset acquisition process was supported, led and driven by the authority itself, having identified a worthy community organisation to take over.

“So, the county council were going to close this building, as were a lot of other village libraries throughout the county. And just put word out that there that if any community organisations were interested in talking it on, could put in a good case and a good business plan, they’d be open to listen to it” (Community case study interviewee 3)

Some interviewees described cases of local authorities providing support for community organisations going through the process, including advice and guidance on governance, strategy and finances, in order to support the ongoing sustainability of the new asset owners.

“Now [the community] weren’t in any fit state to take it on and I had to work with them for about two years during COVID doing those sessions about governance and strategy and where the money’s going to come from, who’s going to do what. And we got them into a position where they could sign a lease with the parish council and take on the building of the school” (Local authority interviewee 1)

In some circumstances, it was reported that councils had provided additional funds or small grants in order to renovate or refurbish a transferred asset so that it was in good working order for the community, provide some initial revenue, or pay for other essential services such as building surveys, legal fees, training and publicity.

“So, lots of bits and pieces [of funding] have come from some of the county council’s own departments, and the borough council to an extent. Local councillors have helped quite a lot too, just in support, just in keeping us motivated sometimes” (Community case study interviewee 4)

Generally, community case study interviewees reported that they would like to see more support and engagement from local authorities; as one community case study interviewee put it: *“Hand holding throughout the whole process. Just totally throughout the whole process”*. Other specific suggestions for improving the support provided included having more senior council officers involved earlier on, and improving opportunities for networking and peer support between communities that have acquired assets and those at various stages of the process.

Support and guidance from local and national organisations

It was clear from interviews that rural communities have a wide range of support available to them from a number of organisations, including national third sector bodies (e.g. Plunkett UK, Locality, Shared Assets), local bodies (e.g. different levels of local government and third sector membership organisations) and other local organisations who have been through similar processes. The rural case study organisation had gained support from both local and national support agencies, including Plunkett UK.

According to national organisations interviewed, the support they offer includes providing a first point of contact for new projects, advice and guidance for funding applications (especially for those groups least represented), feasibility studies and building evaluation, assistance with negotiations with the owner, help with governance and legal structures, support with community shares, business planning and modelling, and help with community consultation. In addition, support organisations encourage local authorities to dispose of some assets in order to both support communities and reduce their own liabilities, even if it is for below market value, emphasising that the community will improve both the asset and the surrounding area.

However, rural community interviewees and KE participants highlighted that, while this comprehensive range of support is available, not all communities are aware of it. They identified a need for a general guide for the entire asset transfer process, and there were calls for some coordination between support organisations, bringing together different expertise and approaches in the process.

The rural case study reported that networking and visiting other similar community organisations to gather their experience had been beneficial throughout the process of acquiring the assets. More broadly, a strong network of community organisations with experience of having gone through the process was considered helpful in providing advice and ongoing support for those undertaking asset transfers.

"I think in terms of easing the process, ensuring that there is a good strong network of communities who have done this before, experience on offer, to communities I think that works well...it's been useful to talk about what we did to other communities and they've found it beneficial talking to me personally" (Local borough councillor interviewee)

Having an effective community group/ organisation

The rural case study interviewees were keen to emphasise that having a sufficient and suitable workforce to run the organisation had been a major facilitator to them achieving their asset transfers, however there was recognition that this might sometimes be difficult to achieve, perhaps particularly in other rural areas. In particular, they felt lucky that their board members possessed a number of professional skills as well as knowledge of local people and circumstances.

"So a lot of the people that helped were retired accountants, retired, you know, higher level management and so on, so they all had these networking connections from a lifetime in the village" (Community case study interviewee 1)

"A lot of professional people live here and that sort of thing. And that's the advantage we had, whatever we needed, we had somebody who had those skills to help. You know, whether it was an accountant or a solicitor or whatever we needed, we'd always somebody on hand to give a bit of advice, even if they weren't directly involved" (Community case study interviewee 4)

Armed with the advice given, the organisation could then make a more convincing case for the transfer of the asset. As stated by one support organisation interviewee, rural communities often have a heavy reliance on retired volunteers until their organisations are developed enough to employ paid staff, without whom the process can be very challenging.

Following the experience of going through the first asset transfer process, those involved with the rural community case study felt far better able to embark on subsequent attempts due to their increased knowledge and capability. It was felt that the success of the first acquisition depended entirely on the support of local people, which in turn resulted in a virtuous cycle of support and confidence in the future of the asset. Even if people weren't serving on the board, the voluntary contribution of their professional skills or support for community events was seen as having contributed to the confidence of the committee and the strength of the case for the asset transfer.

Impacts of asset acquisition processes on the empowerment, resilience and wellbeing of rural communities

Empowerment

Empowerment was felt by interviewees and KE participants to be built through a recognition that individuals can influence what is happening within their communities.

"I think for me the biggest part of the empowerment journey is around the individuals that are involved, because they can start to realise that they can have a say and it's heard... residents can speak up and they can have their say, either informally through knowing a trustee, for example, or through more formal means such as an AGM" (Community case study interviewee 3)

The asset transfer process itself was also felt to be a source of empowerment through bringing the community together for a common purpose.

"...you aren't alone, you've got all these people, you're not doing this fight on your own and it's a case of there's that support network there of other people that are all coming together" (Community case study interviewee 2)

This was felt, in turn, to boost empowerment through the provision of wider community support for ongoing activities and efforts of the community organisation. The case study community organisation also felt empowered by learning about the skills and knowledge that existed amongst the local community, which in turn boosted their confidence to pursue the assets.

"[The community group] had been drawn together in such a way that they got to know a lot more people who lived in the village and got to make friends and learn about skills that they didn't know that other people had and be able to use skills that they themselves had that other people weren't aware of" (Community case study interviewee 1)

Wider interviewees and KE participants also recognised that empowerment could commonly be generated post-acquisition. Having a successful experience of achieving an asset transfer was felt to increase a community's confidence and sense of empowerment. Interviewees also felt that empowerment was often generated by taking control and ownership over local socio-economic development, which could also generate a drive to pursue further assets within communities.

“They have a sense that they can achieve change and I think that particularly at the moment, many people feel very disillusioned and like they have no control over wider issues like the cost of living crisis and the climate crisis. But by doing something locally, they have the feeling that they can enact change and that is something that is personally empowering and can also improve a sense of mental well-being” (National support organisation interviewee 1)

“Again, going back to empowerment, we do have certain levels of autonomy and we can address things and issues that come up with the community probably more than we could do if we weren’t part of that community asset” (Community case study interviewee 3)

While the asset transfer process may have led to a sense of achievement and feelings of empowerment, it was also noted by some interviewees and KE participants that already confident, empowered, and energised communities are often more able to achieve successful asset transfers in the first place.

“I think generally, people in Trawden are quite confident in themselves anyway...I’m not sure that Trawden was a place that needed to feel as though they needed empowering in the first place” (Community case study interviewee 4)

The asset transfer process was also criticised by many interviewees for being disempowering. The lack of control of the process and reliance on the whim and timescale of the local authorities often led to feelings of helplessness among community organisations.

“I think it was mainly the council aspect of it that was disempowering because you were at their mercy with everything and it’s not a really clear process and you are relying on people taking a chance on you. You might have these policies and these acts and stuff but at the end of the day, you need someone to be able to say yes to the vision that you hold for the possibility in the future you’re trying to shape” (Community case study interviewee 2)

Further, community case study interviewees spoke of feeling disempowered by power and control over decision making lying in the hands of local authorities.

“As soon as people are in power either as members or as officers they’re not really accountable to anyone...it feels to me like there’s a missing step in Localism Act that doesn’t recognise the power that local authorities do have in being a decision maker...it’s quite difficult to talk about empowerment in that sense when there isn’t a recognition of power in deciding where assets go” (National support organisation interviewee 3)

Community case study representatives and professional stakeholders also noted issues of “control” in the context of local and national politics, which was seen by many to be intertwined with asset transfer process. For example, some interviewees stated that disempowerment could be felt when local councillors’ decision making was strongly influenced by party political affiliation.

Beyond the process of asset transfer itself, the concept of community ownership was considered by interviewees and KE participants to be disempowering in instances where the public or private sector were deferring responsibility for providing essential services to the community. Examples included community organisations that were providing broadband services in areas not covered by other providers, or cases where assets had been taken on by the community in response to a threat of closure or service withdrawal. Further disempowerment was felt where communities only had the option to take on liability assets from public authorities, which threatened their ability to sustain and operate assets to their full potential.

Resilience

Broadly, resilience was seen by interviewees and KE participants as a community’s ability to sustain itself without relying on external input, especially in times of challenge or need. Service withdrawal – a key driver of community asset transfer in rural communities – was really felt to threaten community resilience and, as stated earlier, rural assets were felt to be particularly precious because there are less of them and they often represent “a community lifeline”. Accordingly, rural community asset transfer motivated by a threat of closure or service withdrawal could be seen as protecting or bolstering the community’s resilience.

KE participants identified certain factors that made resilience particularly strong in rural communities, prior to engaging in asset transfer. For example, people living in smaller, closer-knit communities were seen as more likely to be proactive and willing to fill service provision gaps. Rural areas were also

perceived to have clearer, more obvious communities of place – for example a village has clear boundaries. Finally, rural communities were felt to have a better understanding of their own needs than the public authorities that serve them.

The community case study interviewees felt that their resilience had been gradually strengthened as a result of going through asset transfer processes.

“I think first of all it was the experience of the community centre takeover that then gave them the confidence to go for the community shop and I think then the experience of the two operations then led the village as a whole to have the confidence to run the pub. So, you know, that’s my concept of resilience, it’s being able to think, “Oh we can do this” (Community case study interviewee 4)

Nonetheless, community respondents felt that resilience of the community organisation was not yet possible to judge, as it would take many years of responding to ongoing shocks in order to test.

Wellbeing

Interviewees and KE participants felt that asset transfer could improve people’s wellbeing by giving them some control over what happens locally, linking wellbeing to empowerment.

“All of the markers that you consider around improving well-being and empowerment are those things about giving people voice, getting them to talk to each other, building a sense of community, having a sense of achievement” (National support organisation interviewee 4)

Participants in the KE event also mentioned that all assets, whether community owned or not, increase both the economic sustainability and wellbeing of rural communities; thus, as with resilience, asset transfer motivated by a threat of closure or service withdrawal was seen as protecting community wellbeing. Wellbeing benefits were especially found to be associated with assets which provide a space for people of all ages and backgrounds to meet and strengthen community bonds, such as a cafe or community centre.

“We’ve got a youth action group that come down, we’ve got all uniform groups, the Cubs, Brownies and so on, it’s just making sure that there’s something for every section identified in the village...it’s making sure that who in the village is represented and what can we do for them and then how do we do it” (Community case study interviewee 2)

More generally, by creating new shared spaces within the community, interviewees noted that asset transfer processes can ultimately increase wellbeing through providing opportunities to tackle loneliness and promote mental health within communities.

“That has an impact mentally because it helps them to feel less isolated and more in control of their personal circumstances. And as I mentioned earlier, in terms of mental well-being, it can help people feel more connected. It gives them somewhere to go during the day if they’re a volunteer, then they can have a sense of purpose. If there’s someone who lives on their own or who is kind of socially isolated” (National support organisation interviewee 1)

KE participants also noted aspects of the acquisition process that can negatively affect wellbeing. For those involved in community organisations, this included stress associated with bureaucracy, responsibility and succession planning. Some community members also experienced feelings of guilt about lacking the time to be able to commit to being involved in the process or having to stop their involvement due to other pressures on their time.

3.1.3. Conclusion and recommendations

In summary, our findings for England showed a number of barriers related to the rural context, most notably the inability of rural communities to successfully engage in asset acquisition processes due to smaller volunteer pools and a lack of individuals with the specific skills, capacity and knowledge required. This was mostly related to challenges in recruiting and retaining the volunteers required to undertake an asset acquisition and demonstrate legacy and succession.

Our research showed that the key drivers for local authorities in England to transfer assets to communities were cost saving and the disposal of potential liabilities. Communities viewed this as problematic reporting that authorities were sometimes unwilling to let go of assets with any financial value to them, and expressing frustration that authorities were unable to offer assets for anything less than market value, unless they could not sell to private buyers.

In terms of barriers to community asset acquisition, public authority processes in England were found to be overly complex and lengthy, with a lack of clear and consistent practice across different tiers of local government. Further, local authority process was sometimes felt to be influenced (both negatively and positively) by local and national party-political

context. Local authorities themselves felt restricted by a lack of capacity and resources to be able to support communities through these processes.

Findings showed a general lack of understanding and engagement with the Localism Act 2011, which was widely considered to be 'weak' and 'ineffective' as it does not give communities any right of first refusal, or the right to have their bid properly considered or accepted even when it might be at market value.

Our research highlighted the impact of having supportive and engaged local authorities, who could recognise the role and value of rural community groups in taking on assets. Local and national support organisations had also provided invaluable support for rural communities in navigating such complex processes.

Considering the presented evidence, we make the following recommendations:

- Rural communities can play a key role in delivering key services and facilities that are tailored to the key needs of local populations, as shown by our case study in Trawden. To do this, communities require policy support that considers the rural context and facilitates access to funding, as well as upskilling and capacity building within local community groups to allow them to pursue public assets.
- Findings show that use and understanding of the Localism Act 2011 is low, and the current legislative mechanism 'lack teeth'. Therefore, our research emphasises a requirement for further rights – for first refusal and to buy – to truly empower communities.
- Our research strongly emphasises a requirement for standardised, streamlined and consistent asset acquisition processes across all tiers of local government. This could be assisted by the introduction of duties on public authorities to comply with formal legislative measures and to regularly update and publish public asset registers. Further, resources, support and training are required for local authorities to enable them to fully engage with and embed community asset acquisition into their everyday practice.

- The introduction of standardised measurement tools for social value would be beneficial to both communities and public authorities, enabling them to quantify community benefit when making their case for acquisition and when assessing the financial value of assets respectively. This would also allow for disposal of assets at less than market value to become more common practice.

While this evidence contributes to an important development area for policy and practice in England, we acknowledge that the research had a specific focus on rural communities, and that the views of all interviewees and KE participants may not be representative of all English community populations.

3.2. The Scotland study

3.2.1. Methods and approach

Primary data collection and analysis took place to better understand the key facilitators and barriers to rural communities engaging in processes of community asset acquisition, and to explore how engaging in these processes may impact on their empowerment, resilience and wellbeing. Data was collected using three specific approaches:

- (1) In-depth interviews and fieldwork with a rural community case study who were in the process of seeking an asset transfer of land from a public authority;
- (2) In-depth interviews with public authorities from across Scotland, key national stakeholders, and a Scottish Government policy officer;
- (3) Data collected at a Scotland specific Knowledge Exchange event that brought together rural communities, practitioners and policymakers.

A series of co-production activities were also undertaken with the rural community case study, details of which are outlined in **Appendix 3**.

The rural community case study

Rosal Clearances Village is one of the largest of many abandoned settlements scattered along Strathnaver, and stretches south from Bettyhill on the north coast. The area of Rosal is a victim of the Highland Clearances: a process of forcibly resettling inland residents to often unsuitable terrains on the coasts, which endure harsh weather and a scarcity of fertile ground, in order to clear way for farming, largely between 1750 and 1880. Inhabitants of Rosal were evicted in 1814, and during the process houses and crops were destroyed to deter them from returning home. Prior to the evictions, the village had been a continuous settlement for over a thousand years. Forestry and Land Scotland (FLS), an arms-length body of the Scottish Government, currently owns the Rosal land site but has made public its intention to sell the land.

North Sutherland Community Forest Trust (NSCFT)

is a charity which has a membership of one hundred community residents and is run by a board of voluntary directors. The trust covers the community council areas of Tongue; Bettyhill, Strathnaver and Altnaharra; Strathy and Armadale; and Melvich. These are some of the least densely populated areas of the UK. NSCFT's key purpose is to promote rural regeneration in areas of social and economic deprivation and to advance the education of people about the local history and culture. NSCFT have a history of buying local assets with the intention of creating a stronger sense of community led stewardship over their landscape, and already own Borgie Cabin, a log cabin in Borgie Breco forest which is hired out to residents and visitors, and Forsinain Forest, approximately 762 acres of woodland.

At the time of the research, NSCFT were in the process of trying to purchase the Rosal site from FLS with the objective of preserving and promoting the clearances village to locals and tourists. The site itself is in the close vicinity of the North Coast 500, a popular scenic tourist road route for national and international visitors to Scotland. NSCFT believe that Rosal has fundamental value to the community due to the historical association with the Highland Clearances, therefore, there were fears that the asset would be sold to an absent landowner that had no connection to its history. Their hope is to bring the local asset into community ownership to showcase the archaeological history and Gaelic heritage within and around Rosal, telling the story of the local history and hopes for the future.

The project was initially led by Strathnaver Museum who wished to bring the land back into community ownership (as it was pre-clearances), however due a lack of volunteer capacity the project was handed over to NSCFT to lead. The trust was working collaboratively with Strathnaver Museum, Bettyhill Community Council, Historic Environment Scotland, and other community stakeholders to achieve their objective. NSCFT had already received first-round funding from the Scottish Land Fund (SLF) in 2021 to run community consultation events and to get a valuation of the land. A formal application for asset transfer had also been submitted to FLS and had been accepted, and a deadline was provided (of June 2022) to complete the transfer.

Delays were being faced as the group had initially applied to FLS to take over ownership of a large part of the land, including a portion of forest. Since that time, the Trust had decided only to pursue ownership of a smaller portion of the land as responsibility and management of the site was felt to be beyond the capability of the Trust. Nonetheless, there were ongoing community concerns that if NSCFT didn't take on the whole site parts of it would be purchased by large developers or land owners who had no interest in its significance or in local development. The group were also concerned that they were applying for public funds (through the SLF) to pay for a publicly owned piece of land that was taken away from the community during the clearances, and therefore wanted time to discuss options, such as discounts or nominal fees for purchase. At the time of the study, the community were in the process of filling out a stage 2 application to the SLF for money to purchase the site, but were facing delays while decisions were being made over what FLS wanted to sell versus what the community actually wanted to purchase. Because of these ongoing discussions, the NSCFT had asked for an extension to the FLS deadline for completion.

In-depth interviews were conducted with five community members who were directly or indirectly involved in the community asset acquisition, including members of the NSCFT.

Interviews with public authorities and key stakeholders

In line with existing legislation on asset acquisition in Scotland, transfer requests can be made to any 'relevant authority'.⁶⁹ This includes local authorities (councils), education colleges, Forestry and Land Scotland, Scottish Ministerial agencies, health boards, police, fire and rescue and Scottish Water. According to a 2021 evaluation of community asset transfer, local authorities received the highest number of asset transfer requests (84% of all applications), with a small number of requests made to health boards and 'other' relevant authorities.

In Scotland there are 32 local authorities (referred to as councils). In-depth interviews were conducted with five representatives from four public authorities (four council representatives and one representative of Forestry and Land Scotland), two national support organisations and one Scottish Government policy officer. These interviews allowed us to gain a national picture of community asset acquisition processes and to what extent rural communities are engaged and supported.

The National Knowledge Exchange event

On the 22nd June 2023, we hosted an online Rural Community Assets Transfer Knowledge Exchange Event for Scotland. In consultation with key Scottish stakeholders from policy and practice it was felt that there was a need to share knowledge and understanding of the impacts of legislation on experiences of rural community asset transfers. This included seeking feedback from rural communities that have been engaging with the process and identify enablers, facilitators, barriers and challenges. The event was attended by 27 rural community members from across Scotland. The Scotland KE event was designed with the following aims:

1. Identify good and bad practice, what works and what doesn't with current community asset transfer processes from the rural communities' perspective in Scotland;
2. Identify effects of the acquisition process on the empowerment, resilience and wellbeing of rural communities in Scotland.

Throughout the event participants were asked to reflect on our key research questions and data was collected using note taking, Miro Boards and mentimeter.

3.2.2. Findings

Findings from interviews with our rural case study, local authorities and key stakeholders, and our Knowledge Exchange (KE) event, have been combined and are outlined below. First, we discuss the motivations for asset transfer, on the part of both the community group and the public authority. The perceived barriers and facilitators to the process will then be presented, before we discuss the impacts of the process on the empowerment, resilience and wellbeing of rural communities.

Motivations for rural communities in Scotland to take on public assets

To preserve the historical and/or cultural significance of assets

The key motivator for the NSCFT to take ownership of the land at Rosal was because of its historical and cultural significance as a Highland Clearances village.

"It's a historic site, it's one of the most important historic sites when it comes to the clearance...We're just making sure that history is not forgotten" (Community case study interviewee 1)

"We don't have any immediate descendants of the people who were cleared, and it almost feels like we are getting the last generations of people who still care about the clearances...the important thing for the trust is keeping those memories and the importance of it alive, and by owning Rosal" (Community case study interviewee 2)

Community case study interviewees expressed a fear that, if they did not acquire the land, it could be sold to private owners who held no connection to it and did not realise its significance to the community.

"...there is that concern that it will be sold to someone with lots of money, who isn't interested in the local area really. It might be sold off in blocks, who knows what will happen. Wind turbines go up or something" (Community case study interviewee 2)

⁶⁹ <https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidancerelevant-9781786527493/pages/6/>

"If the whole lot was to go on offer, as a private purchase, and they just saw it as piece of ground to do whatever with...They need to know what happened up here. And, if it did go out to say private purchase, I'm not saying they wouldn't do the right thing, but they wouldn't really be interested in its historical element. It would just be a piece of ground" (Community case study interviewee 3)

To provide and have control over local socio-economic opportunity

Community case study interviewees stated that another motivation for pursuing ownership of the land (and any other assets in general within their region) was to have control over the socio-economic development of the community.

"I think it's control that it comes down to. If you own the land then you can have control over what happens to it. And there is a strong desire as well, populations declining, and the only way to reverse that is by attracting people in...it's providing those opportunities, housing, employment where you can" (Community case study interviewee 1)

In particular, it was felt that the community could utilise the land to create employment and educational opportunities for residents.

"...there will be an opportunity for a job, for somebody. And there will be an opportunity, hopefully, an opportunity for learning. Teaching...it would be nice to see the local children being taken up there with their schools" (Community case study interviewee 4)

KE participants identified the need in rural areas for land for affordable housing, the need for "assets for tourists to create industry and economic impacts", and the need for more spaces to create community hubs for people to meet as three key motivations for seeking to acquire public authority land and buildings. The rural case study asset is close to the North Coast 500 tourist route, offering opportunities to attract tourists from around the world.

Interviewees felt that public authorities were sometimes not maintaining assets or making best use of them.

"I would say the majority of [asset transfers] are probably where the community is being proactive in seeking to purchase, but their driver can often be because the public sector owner is perhaps not as invested in the asset as they might have been previously" (National support organisation interviewee 1)

Therefore, rural communities were often motivated to approach the public authority to see if they would be willing to transfer so they could best utilise the asset for their own local development.

To save a facility or service due to threat of losing it

A common theme throughout our research was that asset transfers in rural communities may be the only way to save a vital community asset from closure or sale. Participants at the Scottish KE event stated that "threat" and "loss" was often a key driver for rural communities trying to acquire assets from public authorities, as stated by one participant: "...it's often not about choice but being forced to take things into our own hands to prevent closure of services". This was also emphasised by a national support organisation interviewee who stated:

"...there will be some [situations] where communities are just stepping up because the asset's under threat because the public owner isn't looking to continue with that asset provision or that service delivery"

Many interviewees and KE participants made the point that, while in urban areas services and facilities might be pared down due to public sector cuts, in a rural context it often means that services are completely withdrawn so there are no accessible services left at all.

"I think because often that one facility that [the community] would like to take on can be the only asset of its type in that community and they have no other option...Whereas in some of the other larger towns and cities there can be other alternatives that they can access" (Local authority interviewee 1)

"...from a community ownership perspective, our experience is that rural communities are much more likely to engage in owning assets than urban communities, and often it's just because there's fewer assets...they're critical assets, whereas in urban areas, if one shop closes, there's a shop on the next street" (National support organisation interviewee 1)

With key services, such as schools, shops and post offices being based in larger towns and cities, such closures were seen by many to be driving populations out of rural settlements.

Motivations for public authorities to transfer assets to rural communities

For communities to make better use of assets

Public authority interviewees all reported that they were proactive in offering communities the option of acquiring assets if they felt that the community could make better use of the land or buildings.

"...communities tend to have that local knowledge and vested interest in making something work... They have a very close eye on how they can maximise the use of the building. They're looking at how it serves the needs of the community... that is not something a local authority is necessarily set up to do, or can do, under the current climate" (Local council interviewee 2)

It was felt by some public authority interviewees that offering assets to communities was particularly important to support community groups and organisations in their work to ensure the survival and sustainability of rural areas.

"...as a council we're stretched in terms of resources and what we can provide, and we see those community bodies being key to making those communities survive... for us it's not about bringing in money, it's not about being able to losing a valuable asset, it is about making sure that we maintain what we already have in terms of community groups and the services that communities provide" (Local council interviewee 3)

Overall, public authority respondents were clear that they only transferred assets in the 'spirit' of actual community empowerment, and that the best interests of communities came before their own financial gain. Nonetheless, this did not always match the perceptions of other interviewees, as discussed further in the key barriers section below.

To free up public authority resources and capacity

Public authority interviewees stated that another key driver to transfer assets to communities was to free up their resources through allowing communities to deliver their own services and facilities.

"It's the whole ethos of community empowerment. If the community does more for itself then there's less reliance on the council, so there's less dependency. Which frees up council assets and resources to concentrate on other areas where the community is unable to address or help" (Local authority interviewee 1)

It was felt by many public authority interviewees that community asset transfer was a useful mechanism through which communities could identify services and facilities that they felt they could deliver instead of, and/or better than, local councils.

Key barriers for rural community engagement in asset acquisition processes

Capacity of rural community groups

A key barrier to community asset acquisition reported by interviewees and KE participants was a lack of capacity in rural communities, especially as a result of having smaller population sizes.

"...the challenge that would face a rural community as opposed to an urban can just be numbers and bodies on the ground. There needs to be a small number of very committed, knowledgeable local people there to kind of stay the course on community asset transfer. And if you live in a sparsely populated rural area, then your body count is just lower, so it can sometimes be harder to get enough people involved to make it sustainable" (Local council interviewee 2)

This was a prominent topic in the Scotland KE event, where participants stated that it was "very difficult to find volunteers" and that "there are often a small number of people working very long hours".

Interviewees and KE participants reported that rural community members often wear "multiple hats", meaning that they are involved in multiple projects and are members of many different community groups. They are therefore often spread thinly and overburdened, and can sometimes have conflicting community roles.

“...the challenge that groups face are more so capacity and getting volunteers to do it...because there’s all sorts of other projects, everyone’s already on two committees and they’ve got X, Y and Z going on” (National support organisation interviewee 2)

This was felt to lead to challenges in finding individuals with the capacity to lead an asset acquisition project, and also meant that there might be “potential for competition between community groups in terms of funding, space, volunteers, resources, and time” (KE participant).

Challenges related to succession and sustainability

Related to issues around rural community capacity to engage in asset acquisition processes, the sustainability of projects was seen as a major challenge. This was felt to be especially pertinent in rural areas with a predominantly ageing demographic, and with high levels of outmigration of young people.

“There is quite often a worry that there’s people carrying on who don’t really want to carry on. And I think that is a big issue because there’s no one else to pick it up” (National support organisation interviewee 2)

Succession was an important theme of the Scottish KE event, with participants stating that “succession may be problematic if only a few people are involved and if people have either moved on or disengaged”. One rural community leader from the KE event further stated that, as a result of volunteer fatigue and the stresses of belonging to multiple community organisations, “...nobody really wants my job, nobody wants to take the lead. So that is a cause of major concern because I won’t live forever”.

One of the key challenges of engaging in a process of community asset acquisition was felt by KE participants to be the ability to demonstrate succession and sustainability to public authorities and funders. This was in terms of having enough people to fill committees and boards and to be able to show long-term planning and future proofing of asset acquisition projects.

Challenges related to community engagement and participation

Participants at the Scottish KE event made the point that, with smaller and more dispersed populations in rural areas, it can often be “logistically difficult to contact people from across rural communities to get them interested and invested in assets”, especially if they have poor digital connections. KE participants also reported that consulting with the wider community about an asset acquisition can sometimes be a “chicken and egg” situation, as it can be difficult to gather community members together when there aren’t suitable central spaces in which to meet- especially when the key reason for an asset acquisition may be for the creation of such spaces.

KE participants also reported that not all rural communities are cohesive or united when it comes to asset transfer.

“A lot of people are happy for us to get on with it without much involvement, others are far more engaged, then there will be a small amount who are fully committed, and a small amount who are actively against” (KE participant)

Some KE participants also stated that it can be particularly challenging to garner community-wide support for projects that are only for specific communities of interest, rather than geography (e.g. sports groups, age related groups).

Lack of skills and knowledge in rural communities

Related to community capacity and smaller and ageing populations, a key challenge for rural communities was a lack of the local knowledge and expertise required to understand both public authority processes and Scottish legislation.

“I think that the first barrier the community group would face and most community groups would be a realisation of that and knowing where to go for help so they can distil it down a wee bit” (Scottish Government policy interviewee)

While some rural community groups included skilled and knowledgeable professionals, interviewees still recognised complexities of the formal legislative process, as stated by one public authority interviewee: “...even though there’s doctors, retired doctors and retired businesspeople, they don’t know the language of government”.

While some interviewees considered geographic-based larger development trusts and other place-based community organisations to have a greater awareness of the legislation and mechanisms for asset transfer, communities of interest were generally reported to have a lower level of understanding.

“The community asset transfer process is open to communities of interest but I think the understanding from them is generally a bit lower in terms of what their rights are. They know there’s a process there but they don’t know what the process looks like and how they can access it” (National support organisation interviewee 1)

It was felt by rural communities and key stakeholder interviewees that, even where organisations did understand the process, a reliance on small pools of volunteers limited their capacity to effectively engage. For example, they sometimes lacked the skills on their board to write funding applications, or had too few board members to meet the criteria for a formal asset transfer application.

With this in mind, many public authority and national support organisation interviewees felt that it was essential for communities to build their understanding of the process before entering an asset acquisition process. This included suggestions to engage both with support organisations to understand the implications of what they are embarking on, and with the public authority to understand exactly what assets are available and what the public authority process entails.

Public authority process and practice

Despite the 2015 Act raising awareness of asset transfers, we found that some authorities are still reluctant to engage in, or even meaningfully consider, asset transfer requests, for a number of reasons. Firstly, a fundamental barrier to transferring assets was reported by public authorities to be a lack of appropriate surplus assets available to transfer. This was often due to assets already being in use for providing services which the councils have the responsibility to deliver.

“The biggest issue is that we use most of the things we have...if they don’t have a purpose we generally try to sell them to raise money for more council services. So, there isn’t a lot of stuff out there and the kind of things people are asking for are things that are small little parcels of land that have really not got very much value in them at all” (Local council interviewee 3).

While some council interviewees stated that they were generally willing to transfer assets already in use, it was acknowledged that this often required some additional considerations prior to the transfer, which could delay or complicate the process of acquisition.

Secondly, some assets were considered inappropriate for the ownership of just one community organisation due to their significance to the wider regional population.

“There’s some assets that are national assets and regional assets, and whilst I’m very supportive of community ownership, I do think public sector ownership of certain assets is right, if the reach and the benefits of that asset is broader than the immediate geographic community” (National support organisation interviewee 1)

Thus, while public authorities did all recognise the potential benefit of community asset transfer, they highlighted that there may sometimes be a case for retaining the asset in public ownership. Similarly, there may be a case for selling it to another buyer. For example, where a public authority has a remit for regional development, it may choose to sell an asset to a large employer in order to maximise local economic impact, as opposed to a community group which would not offer the same opportunities, depending on the proposed ongoing usage.

“...the public body has to compare the intended use by the community against the existing or the future use of the asset... we have to look at long-term, broader social and economic outcomes, and it’s all judgement based. That’s where it’s quite difficult... I can totally empathise with some public authorities that do struggle with asset transfer, because they’ve got competing interests and demands as well” (National support organisation interviewee 1)

Some relevant authorities have specific community empowerment officers, and teams with various expertise including legal, finance, planning, valuation and community engagement. Nonetheless, our research found that levels of engagement with community asset transfers and the 2015 Act continue to be variable across authorities, mostly as a result of limited capacity and resources. As stated by one public authority interviewee, authorities may not have a public-facing function, and asset transfer may not be a significant portion of anyone’s role:

“...everything costs money, officer time is limited, we are under pressure all of the time for people to deliver their continual duties, doing assets isn't the only thing I do. I think the biggest thing is resource...that all costs money and there is no budget to do any of that, there is no money set aside or earmarked to do [asset transfers]” (Local council interviewee 3)

Public authority interviewees also reported a reduction in staffing across councils, which had significantly impacted on specific departments and led to some work being outsourced, such as legal services.

“There has not been enough resource inside the council to do all the work that's required. So, we've had to outsource some of that. In many cases, even after the approval is in place, it's taking a long time to get the transfer done” (Local council interviewee 1).

A theme emerging from the KE event was that “authorities don't always have the resource to ensure sufficient staff are trained to understand the legislation” and there can be gaps in training within local authorities on how to support communities through the process. KE participants also felt that authorities often misunderstood or misinterpreted the legislation, stating that “they often make things up”, meaning that procedures were often not followed correctly, leading to delays in processing applications. However, the public authorities that we interviewed stated that they are continually ensuring that staff are aware and trained in the process of asset transfer in order that they can provide support or guidance to community groups. Some public authority interviewees also stated that, where they could not provide support themselves, they would signpost communities to others outside of their departments.

“...some of the groups that are coming forward are needing a bit of further support...we have a communities development team who I quite often pull in to support the group to get them into a position to be able to take on what they're planning to do” (Local council interviewee 3)

Therefore, there was a tension and potential disconnect between the experiences and perceptions of rural community members and public authorities working in this area.

Public authority culture

Although our public authority interviewees reported that their organisations were generally supportive of community asset transfers, other interviewees reported this not to be the case across all public authorities. KE participants stated that it can be a “postcode lottery”, with communities having entirely different experiences in terms of the level of support that they receive based on the authority that owns the asset. Some KE participants reported that they had not even been able to open communications about a potential asset transfer, with the council “flat out refusing” to engage in any conversation or negotiation from the outset, while others had been “actively resistant to Community Empowerment legislation and consider it optional”. KE participants also noted that some public authorities may need educating or reminding of their duties:

“[the authority] should be reminded that it's their duty to sell off something that may become a liability instead of an asset, but they don't always see it like that”.

Some professional stakeholders and KE participants attributed reluctance to transfer assets to a degree of “intransigence” within relevant authorities and to what were felt to be insufficient regulation and accountability mechanisms. As one professional stakeholder put it, “they [relevant authorities] don't want to engage, there's no one making them engage”, while the return rate with respect to reporting duties “is pretty poor, and there's a lot of chasing up. So, there's an awful lot of organisations just aren't engaging at all”. Others noted that, whilst legal duties to provide an Annual Report on Asset Transfers might be complied with, the quality of compliance was poor, noting that it can be difficult to find the reports and the website sections where authorities have published their registers of relevant land.

Other concerns related to the quality of Annual Reports, and particularly that authorities only engage in cursory promotion of asset transfers. As the policy interviewee put it, few authorities are “out in town halls speaking to people or publishing lists to say, look, you know, have you an interest in this, please get in touch and maybe we can get talking about it”. Some authority respondents who felt they did comply sufficiently with their legal reporting duties nevertheless acknowledged that their approach to asset transfer was more reactive than proactive. Our participants considered that further options to improve accountability could be explored, as well as raising awareness of existing accountability mechanisms.

Some public authority interviewees reported that, even with a legislative duty on all public authorities to consider all asset transfer requests, some individual officers within authorities could be against the idea community ownership.

“...it can be down to the culture of the organisation or some of the individuals dealing with it in the organisation are just not open to the idea of community ownership. They think that public assets should be owned by the state and looked after by the estate, and that that benefit should be there for everyone and not for the individual community” (National support organisation interviewee 1)

It was also stated by interviewees that some public authorities had been known to reject a request on the basis that they didn't feel the community organisation was capable of effectively managing the requested asset.

“It's a mixture of a lack of trust in community bodies and a lack of holistic management to actually want to empower communities... I honestly believe that there are officers who simply don't trust community groups or who are trying to milk community groups if they've obtained significant funds or who are deliberately obstructive” (Local authority interviewee 2)

Further, as stated by the same interviewee, community organisations, such as social enterprises, could actually threaten and “undermine a council's position by showing that the third sector can deliver a service more effectively than a council can.”

In circumstances where public authorities did not favour full ownership of assets by communities, some authorities were reported by interviewees only to offer leases, which was often not what community groups wanted.

“Some public bodies just won't entertain ownership at all...certainly central belt, speaking to colleagues there it's just not an option...they will give long term leases in some cases but it's not really an option” (National support organisation interviewee 2)

This was also highlighted by KE participants, who stated that some public authorities would not even discuss ownership, only offering lease agreements. KE participants reported that short leases can be particularly detrimental as they “may prevent the community from getting sufficient funding without guaranteed longevity of lease” (KE participant) and can also make communities feel “insecure”.

There was, however, considerable agreement across research participants that an initial lease arrangement, with the option for full ownership further down the line, could be a tactical strategy for communities. As one national support organisation interviewee put it:

“What often works really well is where a community might lease something with a view to owning it, so it's almost like try it out and see, and that can be particularly helpful for communities that perhaps haven't got much capacity, or a new group that haven't tested their own tenacity and their own stamina and determination”

The complexity of the process

Across all our groups of respondents it was felt that formal processes of asset acquisition were often unnecessarily complex. The complexity of legislative process was seen as particularly challenging for rural community groups, which often rely on the commitment of small pools of volunteers who may not always have the required capacity or skills.

“The community asset transfer process is complex, community right to buy process is complex, and I think groups really struggle to work through that... the sheer time it takes to get through those is a big barrier as well...I've had quite a few groups who have been through the review and appeal process and while it's great to have those processes they are extremely lengthy particularly if you end up going through both. It's that time commitment, it's that energy commitment and it's keeping on top of everything you need to do at each stage” (National support organisation interviewee 2)

This was also reflected by public authority interviewees, who variously considered the formal processes under the Act to be “*very bureaucratic, it takes a huge amount of officer time*”, “*resource intensive*”, and “*clumsy and cumbersome*”.

Participants at the KE event reported that public authority processes, in particular, can be “*chaotic*” and “*challenging*” with “*bureaucracy being a key issue*”. One participant expressed the view that “*writing a complaint about the process would be just as time consuming, so the community may be better off getting on with the project*”.

It was also felt that public authority processes were not always proportionate to the size or condition of the asset, or the type of ownership the community is seeking. A Scottish Government representative reiterated this point, stating:

“It’s a small straightforward asset, why on earth are you [the public authority] putting them through every single hoop for five-year, ten-year business plans and huge accounting sheets, give them the blooming asset...just make it proportionate”

Some respondents identified determining “best value” as a complex part of the process and reported that, despite the guidance available, this can be challenging for communities and authorities alike. Some of our interviewees suggested that calculating potential financial savings and other social impact outcomes can be particularly complex for community groups. Nonetheless, some interviewees specifically wished to stress that the authority having “*to compare the intended use by the community against the existing or the future use of the asset*” (National support organisation interviewee 2) was a positive and important part of the legislative process. This was not an area where our respondents suggested legislative change, but there was a view that clarity and accessibility of guidance is important here, and that it would be helpful for this guidance to include further examples and case studies.

Our evidence did demonstrate a perception from authorities and professional stakeholders that the asset transfer procedures introduced by the 2015 Act are more complex, more burdensome on communities and authorities, and more time-consuming than the range of policies and procedures which existed in authorities before the Act came into force, and which are still in use in some authorities. With this in mind, some public authority interviewees stated that they offered their own informal process, which involved initial informal engagement and negotiation before (or

instead of) entering any formal route through the Act. As one public authority interviewee put it: “*... most of our requests come informally through a process we’ve got as an expression of interest*”. This initial step was perceived as important for assessing the eligibility of the group, the feasibility of the requested asset, whether a lease arrangement may be more appropriate, and any further development needs. It was reported by one public authority interviewee that communities tended to prefer this process, and it had actually decreased the number of formal applications they were receiving through the legislative route.

“...an informal process seems to be working much better for community groups and much better for ourselves. It doesn’t necessarily take any less time, but it does make it easier for the groups, they don’t have to do so much work, they don’t have to create so much bureaucracy around about making the case, we can support them with that case, taking that case forward” (Local council interviewee 3)

This juxtaposition between informal and formal, and different perspectives on how “*formal*”, “*bureaucratic*” and “*demanding*” the requirements of the legislation and related guidance are, seemed to be driving individual authority practices. As one national support organisation interviewee put it: “*A lot of it’s being done through less formal arrangements and not through legislation...*”. A public authority interviewee explained: “*...we don’t get the [formal] asset transfer requests anymore, partly I think because we are being much more open and supportive to the expressions of interest that the people don’t feel the need to [use the Act]*”.

Nonetheless, the more ‘stringent’ formal process was accepted by some research participants to be beneficial in terms of preventing problems further down the line, including with respect to the longer-term sustainability of the asset.

“If it were too easy to do asset transfers then I would foresee the complications that might follow with people or organisations not having done sufficient groundwork to actually sustain whatever asset they’ve acquired... it’s formalising that and giving groups the confidence that they’re going through the right steps and the right processes” (Community case study interviewee 1)

Timescales and deadlines

A key barrier reported by KE participants was the length of time that an asset acquisition process can take, which was seen as sometimes “ridiculous” and a “long hard trek of a journey”. In particular, it was felt by many that councils “drag their heels”, extending timescales and being slow to respond.

Within the legislative process of asset transfer, public authorities and community groups are given specific timescales to submit, respond and appeal, therefore a concern for many community groups was the danger of non-compliance by public authorities or an inability to keep to timescales themselves. As stated by one national support organisation interviewee: “...there’s always a kind of risk that you can get kicked out of the system if you don’t comply with those timescales, keeping to what you’re doing.”

While public authorities allow a six-month period to consider a community asset transfer request, national support organisation interviewees stated that there are means through which, against legislative guidance, they can stall this process.

“When an asset transfer request is received there’s a letter which goes out and effectively that starts the formal part of the legislation. It’s really important, it sets the decision date as well. And relevant authorities often stall on that so they don’t issue it for perhaps three or four months, in some cases up to a year...they know that starts the clock ticking on them making their decision. To my mind the guidance is pretty clear that they shouldn’t do that” (National support organisation interviewee 2)

One national support organisation interviewee pointed to the short window that a buyer has to pursue an appeal against a denial or specific conditions applied by the seller as a further challenge for community groups. These were considered to be unintended impacts of the legislation which should be addressed by policymakers:

“...there are some huge barriers that weren’t really thought of when the legislation was designed...I’ve had two groups in the last couple of years who have got to the point where they’ve had their asset transfer approved, but the terms and conditions they applied as part of that are unacceptable to them. So, at that point they have 20 working days to either negotiate that with the relevant authority or decide whether they want to appeal. In one of those instances neither party wanted those terms and conditions, they were imposed by a central legal authority and what actually happened was the community group had to appeal otherwise they would have lost any leverage they had. So, they ended up appealing and actually the relevant authority didn’t want them to appeal, they wanted to have some time to negotiate but they just weren’t within that space” (National support organisation interviewee 2)

Further, KE participants reported that in some cases where members of authority staff had left or moved departments, communities either had to start processes again, faced delays, or experienced a lack of continuity in the process.

Interviewees and KE participants noted that some improvements to the process for asset transfers could be made quite straightforwardly through amending regulations and/or guidance, without the need for additional primary legislation. This includes timescales for reviews and appeals, particularly the need to introduce stricter time limits for various processes, and timescales under the Act more generally that were seen to disadvantage communities as against authorities.

Key facilitators for rural community engagement in asset acquisition processes

When asked about key facilitators for rural community asset acquisition, interviewees and KE participants spoke both about what already exists, and also about what they felt would help improve processes.

The capacity and knowledge of community groups

Public authority and key stakeholder interviewees emphasised that, in order for communities to navigate an asset acquisition, they must fundamentally have a good understanding of the dynamics of the formal legislative process. In addition, interviewees stated that it is beneficial for communities to have personal knowledge and connections to external individuals and

organisations who can help the process through providing guidance and information.

Participants highlighted the inherent culture of self-help and perseverance in many rural communities. Describing one rural community, one public authority interviewee said: *"the people there are massively self-reliant, very professional...Understood what it was they were getting into and had taken the right advice and hadn't relied upon being spoon fed anything at all"*. This willingness to self-organise was occasionally contrasted with urban communities that might be used to receiving more abundant public services.

"We have some communities who are a good travel distance away from the main service centre...there is certainly more of a culture of self-reliance and doing things for yourself and in rural areas, there's not an expectation that there's a big public sector body on your doorstep who can offer that level of support or comfort" (Local council interviewee 2)

It was also recognised that rural communities, especially island communities, in Scotland had been taking ownership of land and assets for a long time, even pre-legislation.

"...islands are used to taking responsibility for things and managing much more things on their own and there isn't a strong presence of anyone else there except for community groups, so they've been championing for a long time, even before the legislation came into place on asset ownership" (Local council interviewee 3)

Participants at the KE event highlighted the importance of *"shared learning across communities"*, allowing those newer to asset acquisition to benefit from the knowledge developed by groups and organisations who have been through the process already.

Legislation and policy guidance

The Community Empowerment Act 2015 (Part 5 Asset Transfer) was widely reported by rural communities and public authorities to have increased awareness of community asset transfer and given community groups improved rights – including the right of appeal and for decisions to be made in specific timeframes. Groups felt encouraged to pursue asset transfers through the official mechanisms, and interviewees specifically reported improved relationships between community groups and public authorities through the greater transparency that came with duties being placed on authorities and processes being standardised across the country.

"I think the real benefit of The Community Empowerment Act isn't the Act itself, isn't the formal process, it's the change it has made and the relationships between councils and communities and how they speak to each other" (Public Authority Interviewee)

"I think the whole basis behind The Community Empowerment Act was that community voices are heard then people are listened to, that their requests are taken seriously and taken forward and I believe that that perhaps wasn't the case in the past" (Local Authority Interviewee 3)

This was reported by interviewees to have led to an increase in community asset transfer requests to public authorities, most of which had been successful.

"[Part 5 of the 2015 Act] has really significantly changed the work that we're doing...prior to asset transfer coming in, communities were purchasing assets from public bodies, but not in the same volume as they are today" (National support organisation interviewee 2)

"I would say that most of the community groups would use the Act and I think they do that because it gives them a stronger lever and especially when it comes to decision making and getting things done on time...In six years, only 9% of asset transfers using the legislation have been refused or rejected so most of them, the vast majority are being accepted and to me that that's a good indicator of how successful a policy it is" (Scottish Government policy interviewee)

Whilst informal approaches to asset transfer outwith the Act were reported to be common, the Act was perceived to be more likely to be used where there is friction or disagreement between a community and a relevant authority, and in other contexts where the power imbalance between community and authority comes to the fore. Formal asset transfer requests were also said by interviewees to be more common where the community is concerned that the authority wishes to transfer the asset elsewhere, if the community feel the price being proposed to them is too high, or where they feel that the community benefit offered warrants a more significant discount.

Having primary legislation in place was perceived by public authority interviewees to have strengthened their motivation for allocating resources to asset transfer processes and community empowerment more generally.

“...councils now realise how limited their funds are and that if they want to promote community development, whether it’s rural or urban, then actually empowerment through asset acquisition can be a useful vehicle for so doing because their own resources to do that are so incredibly limited” (Public authority interviewee 1)

Public funding

The Scottish Land Fund (SLF) is funded by the Scottish Government and managed by a partnership between Highlands and Islands Enterprise and The National Lottery Community Fund. It provides ‘Stage 1’ funding to support community groups in developing proposals for the acquisition, followed by a ‘Stage 2’ grant of up to 95% of the value of an asset and some limited revenue support. As stated by national support organisation interviewees, if a community group can negotiate a discount with the seller, this can contribute towards the remaining 5%, or indeed reduce the amount of funding being requested from the SLF. The SLF only covers funding for communities of place (as was required through Community Right to Buy legislation), and does not cover communities of interest, which are eligible within the Community Empowerment Act legislation on Asset Transfer.

Our research participants considered the fund fundamental to the expansion of community ownership in Scotland. It was also viewed as one of the main differences between the UK nations, including by one stakeholder with a UK-wide remit:

“Having the Scottish Land Fund alongside the legislation was completely necessary. So, legislation on its own, without advice and without funding is not enough. For example, we know that a lot of pub groups in England, even when they’ve nominated their pubs in ACV [Assets of Community Value], they struggle to acquire the asset” (UK National support organisation interviewee)

Nonetheless, some community case study interviewees expressed frustration that so many community groups were having to put in so much effort, and apply for so much money, for funds to be simply transferred from one public body to another. Moreover, in the case of the Highland Clearances area of Rosal, the community were frustrated that they had to apply for funding to purchase the land when in theory the community was seeking to take back land belonging to them.

Interviewees reported that SLF also provides post-acquisition support in the form of revenue for the undertaking of immediate maintenance requirements. The ability to access funding for such repairs allows communities to acquire assets for a relatively low cost in the knowledge that they can refurbish them post-acquisition.

“They have the kind of the comfort of knowing that if the Council gives them the keys to the building and it becomes theirs, they’ve got a six-figure grant in the bank that will pay for the initial investment works and not make this a liability going forward” (Public authority interviewee 2)

Nonetheless, a number of interviewees expressed concern that, despite increases in overall SLF budgets, there were still occasions where there were not enough funds to go around all applicants, and that some groups would lose out.

National support organisation interviewees stated that the UK Government’s Community Ownership Fund (COF) was also useful as it is available to communities of interest as well as communities of place in Scotland, thus filling a gap that the SLF does not cover. While the COF only offers 50% match funding, interviewees stated that the SLF could effectively be used to fund the other 50%, and therefore the two funds worked well in tandem.

Public authority support and facilitation

Public authority interviewees emphasised the importance of building good relationships with community groups to help facilitate the asset transfer process, particularly where previous bad experiences may have resulted in a lack of trust.

“...building trust with community groups is a big thing because we do get quite a lot of things that have come partly through people’s experience of the council through things like planning. They’ve had issues or difficulties because of planning legislation and seeing the council being obstructive...then when it comes to talk about assets we’re still painted with that brush, although we’re very supportive, we want to work together, there is no trust and confidence for that to happen and that sometimes takes a bit of time to work to keep people on board” (Local council interviewee 3)

Further, all public authority interviewees stated that, where possible, they would support communities to develop assets, whether through renovation, refurbishment or redevelopment. One of the council interviewees stated that, where possible, they would commit to undertaking necessary renovations to 'surplus' assets before transferring them to communities:

"...a large part of the reason that buildings become surplus to requirements is because we've got no use for them....The council doesn't spend a lot of money on them, so they fall into disrepair and then it becomes a liability for the Council...but then a liability for the community group as well...So we try to bring some common ground where we can say 'if you're prepared to take this on long term through a very long term lease or through full ownership we can invest X in this facility to bring it up to a reasonable standard'"

This sense of shared responsibility was felt to be due to an overarching aim shared by both the public authority and the community group to improve the local area. Towards this goal, public authorities also reported that they may provide ongoing post-acquisition support including advice, connecting groups through a form of peer support and networking, and providing a small budget for costs, including repairs, legal costs and technical surveys, in order to further incentivise asset transfer.

Support organisations

The role of support organisations was seen as 'invaluable' in facilitating asset transfers, and the support eco-system in Scotland was highly praised in terms of its comprehensive offering. Support was reported to be available from a range of providers, including both public and third sector entities who often worked together in partnership. As one national support organisation interviewee put it:

"Scotland is miles ahead of the game on a lot of this. It has a very well supported structure for the third sector more generally with interfaces and other organisations there are lots of intermediary organisations"

Another professional stakeholder referred to, "...a well-supported sector in terms of the amount of intermediaries and the support that's available". As a public authority interviewee put it, "...working with other agencies all of that stuff is working, it does make it easier to take these projects forward, to give the groups their support and help that they need".

Interviewees reported that organisations had provided support for community groups with: funding applications, including to the SLF and COF; all aspects of the asset transfer process; mentoring and professional advice; post-acquisition issues and capacity development; and external facilitation at events to encourage broader community support. In addition, organisations provided support for public sector organisations to help them understand the asset transfer process, and financial and legal advice to encourage greater public authority participation in asset transfer.

While views of the support landscape were predominantly positive, the view was expressed that this could make it somewhat difficult to navigate: *"the support landscape is so complicated!"* (KE participant). One case study respondent identified a need for signposting to help communities identify the most appropriate organisation for their purposes.

Impacts of asset acquisition processes on the empowerment, resilience and wellbeing of rural communities

Empowerment

Rural communities taking control, either of an asset specifically or of their own development more broadly, was considered to be empowering.

"Asset acquisition can empower in the sense that you take on the asset, there's a sense of pride there, a sense of doing it for yourself. And fundamentally that's what empowerment is about, it's about local control" (National support organisation interviewee 1)

Public authority interviewees understood empowerment in terms of facilitating a culture of self-reliance in rural communities, with less expectation that public authorities will do things. They recognised that communities often know how to make things work for themselves, and that well-established community groups are well-placed to facilitate this process. This was reiterated by the policy interviewee who also acknowledged that communities might be better at managing assets than public authorities themselves, making it important for policy to facilitate such efforts.

Some interviewees acknowledged that it may be easier for more affluent rural communities to take control of assets and become empowered, and therefore that active efforts were needed to ensure that the community assets movement doesn't miss less affluent communities out.

“...in terms of the rural aspect, we often think it’s affluent retired people who are in control. There can be really poor areas in rural locales throughout the country and people really, really struggling and feeling really isolated but that doesn’t mean to say that they shouldn’t take on and run assets” (Scottish Government Policy interviewee)

The concept of community ownership, and having the formal processes and funding available for community groups to pursue an asset transfer, was considered by community case study interviewees to be empowering in itself. Further, community case study interviewees reported that hearing about other applications being successful, and that the effort put into developing them had not been in vain, had also been empowering.

Within the case study there were references to feelings of disempowerment related to negative connotations of the Highland Clearances, and the poignancy of now owning this asset, which had given the community confidence that they could make decisions locally about how the land is used.

“It gives you a certain strength [to say] this is my place and not to be pushed around...I think, it gives you that sense of, hopefully, confidence” (Community case study interviewee 1)

“I think the whole idea, of bringing it into community ownership is very empowering...when we own the land, we don’t really need to ask anyone. We can just get on and do it. I think that is really empowering for the whole community” (Community case study interviewee 3)

One public authority interviewee noted that the process of a community coming together to form a group to pursue an asset transfer can often result in a more cohesive and empowered local group working together towards a common purpose. However, some national support organisation interviewees felt that where projects fail to acquire the desired asset there is the risk of that all involved feel disempowered and may be reluctant to pursue another project in an area.

“Getting into the process, putting together a good community asset transfer application has a good chance of success and then to have it rejected is incredibly disempowering. They think ‘if we can’t even get this quite often very small, very straightforward project which you would think people would support...’ and it crushes people’s spirit” (National support organisation interviewee 1)

Resilience

Interviewees and KE participants reported that rural areas can become less resilient when they lose vital assets and services, which can have wide reaching negative impacts. In the KE event, the need to take on assets for the wider resilience of rural communities was discussed, with one participant stating: *“[it is] often not a choice but being forced to take things into our own hands to prevent the closure of services”*, and another summing this up as: *“use it or lose it”*.

Some interviewees noted that, while assets can often be worth a lot less money in rural than in urban areas, transferring them to communities, rather than closing them, can play a big part in future community resilience. For example, by providing facilities and services to the community in times of emergency, such as the COVID pandemic.

“I think COVID did show people how resilient [rural communities] are...little village halls and things like that...they are quite vulnerable [to closure], we’ve realised in terms of our resilience, you know, if we lost them lots of communities would struggle far more and it would be difficult to replace” (Public authority interviewee 3)

Public authority interviewees highlighted that the ongoing resilience of community organisations could often depend on strong governance and robust succession plans to ensure that groups were not reliant on a few individuals, especially when those individuals are often elderly retirees. KE participants similarly identified that succession planning might be problematic if people leave a community or are disengaged, and that it can be difficult to get young people involved. KE participants identified ongoing costs associated with assets as a further challenge for community resilience, specifically the costs of the ongoing maintenance that assets may require after acquisition.

Wellbeing

The impact of an asset transfer on a community’s wellbeing was seen by some interviewees to be dependent on the nature of the asset acquired. For example, where a community asset is taken on to deliver services to reduce isolation or build new community connections, community members may experience an improvement in their wellbeing due to increased opportunities for social contact.

In the KE event, participants talked about the “rippling effects” of asset acquisition on the wellbeing of those involved in the process, for example through keeping the minds of older people active. In contrast, however, the demands of working on the asset transfer application was stated by community case study interviewees to have had a detrimental effect on the wellbeing of volunteers.

“...funding applications [to purchase the asset] have been detrimental to my wellbeing...they’re just such a laborious process....my wellbeing did suffer...and I was doing it as a volunteer...I volunteered to do it. I didn’t realise that it was going to take so much of my time. And I was disheartened, I was frustrated, yeah” (Community case study interviewee 4)

This was seen to be magnified in rural communities due to the smaller numbers of volunteers typically involved.

“If you are in a small rural community where there’s a group of four or five well-meaning enthusiastic people who have some knowledge and skills, that’s your group. And there’s a lot of reliance on that group to deliver a project on behalf of the community. So, I would imagine that it could take a toll on people’s mental and physical wellbeing... Whereas if you were in a larger community with a bigger population and potentially a bigger pool to pick from, there’s maybe more people to share the load” (Public authority interviewee 2)

3.2.3. Conclusion and recommendations

In summary, our findings showed a number of barriers to rural community asset acquisition in Scotland, most notably a lack of capacity within rural communities, related to smaller populations and therefore limited pools of volunteers.

Succession planning was found to be challenging for rural communities, due to ageing populations and the outmigration of youth, which proved problematic when trying to demonstrate the future sustainability of projects in asset acquisition applications. Further, rural communities were often found to have a lack of specific skills and knowledge required to navigate formal asset acquisition processes. However, this could be mitigated to some extent by rural communities sharing experience and knowledge, particularly to help those with less experience gain a better understanding of the dynamics of the formal legislative process.

Despite the 2015 Community Empowerment Act having raised awareness and standardised practice across authorities, our interviewees reported inconsistencies across authorities, depending on interpretation and understandings of the legislation, and their willingness to comply. Most notably, communities felt like support for asset acquisition from public authorities could be a ‘postcode lottery’, with some fully embedding and supporting community ownership (and empowerment more broadly), and others less so. Nevertheless, public authority interviewees did demonstrate support for the legislation in terms of partnership working with communities, and shared goals for local development.

While our findings show that legislation has generally led to greater community rights, and improved communication and transparency between rural communities and public authorities, formal processes were still found to be somewhat complex, timely and resource intensive. Nonetheless, such stringent measures were recognised by some as being beneficial for preventing future problems with respect to the long-term sustainability of assets.

Our research specifically highlighted the Scottish Land Fund as being ‘fundamental’ to the expansion of community ownership across Scotland; an important finding given that there is no equivalent to this in any other UK nation. Further, our research showed the ‘invaluable’ role of the Scottish support ecosystem for community asset acquisition, in particular the role of the third sector and intermediary organisations.

Considering the presented evidence, we provide the following recommendations:

- Recognising that the acquisition of assets by rural communities can often be driven by the threat of losing vital services or key historical assets, rather than positive choice, it is important that community groups are supported to understand and navigate what can be a complex and burdensome set of formal processes. In particular, our research points to a need for capacity and knowledge building around legislative process, including opportunities for shared learning from other rural communities who have been through it before.

- While legislative mechanisms are in place to standardise process across relevant authorities, further resourcing and training is required to provide consistency, accountability and adoption of community asset transfer (and community empowerment more broadly) across all relevant authorities. In particular, training is required around keeping to timescales, proactively changing resistant cultures, and reducing levels of bureaucracy.
- Scotland is the most advanced nation in the UK in term of policy and law for community asset acquisition, and further opportunities should be identified to share learning with the other UK nations around what works (and what hasn't worked so far), and in particular the differences that legislation had made since its introduction.

While this evidence contributes to an important development area for policy and practice in Scotland, we acknowledge that the research had a specific focus on rural communities, and that the views of all interviewees and KE participants may not be representative of all Scottish community populations.

3.3. The Wales study

3.3.1. Methods and approach

For our Wales study, data was collected using three specific approaches to provide a holistic account of rural community asset acquisition processes:

- (1) In-depth interviews and fieldwork with a rural community case study who were in the process of an asset transfer process from a local authority;
- (2) In-depth interviews with key support organisations and local authorities in Wales;
- (3) Data collected at a Wales Knowledge Exchange event that brought together rural communities, practitioners and policymakers.

A series of co-production activities were also undertaken with the rural community case study, details of which are outlined in **Appendix 3**.

The rural community case study

Welshpool is a market town, with a population of 6,632, situated in the county of Powys, Wales. Its Welsh language name is Y Trallwng, meaning 'the marshy or sinking land'. The town is four miles from the Wales-England border and low lying on the

River Severn. Welshpool is accessible via railway and bus. Welshpool is one of the county's main employment centres and a key industrial centre, with much of its population employed in the public sector. Welshpool has the highest uptake of free school meals in the county - a strong indicator of deprivation, further reinforced by a low score on the Welsh Index of Multiple Deprivation (WIMD, 2019). Health and social care and support is provided through Powys County Council and range of private care facilities and providers, however public consultation has showed that there is a general lack of services in the area. A limited range of support is provided through voluntary organisations, however provision is notably lower than in other towns in Powys.

The Anne Holloway Centre was previously a day centre, primarily providing care services for the elderly. The asset was originally owned by Powys County Council, then transferred to Welshpool Town Council in early 2015. The Anne Holloway Centre was one of many publicly owned assets across the county to be offered to local community councils or interested groups due to the risk that they might close due to budget cuts. Welshpool Town Council closed the centre on November 30th 2020 due to financial loss faced during the COVID-19 pandemic. Since that time the facility has been used for storage by NHS and other health professionals. While the facility is quite dated and requires some renovation, it includes multiple spaces, such as a hairdressing unit, a kitchen, various social areas, and shower and toilet facilities designed for disabled people.

Welshpool Community Haven is a community organisation which is working towards becoming a charitable incorporated organisation (CIO). The organisation was set up by a group of local carers who recognised that Welshpool was desperately missing health and social services after the closure of the Ann Holloway Centre. The organisation is made up of four trustees and one part-time paid member of staff, and has a membership made of carers and care recipients who are passionate about supporting people in Welshpool and the surrounding area. The Haven is also supported by Credu (a support organisation for young and adult carers) and the Powys Association of Voluntary Organisations (PAVO).

The Haven trustees want to build an inclusive centre which would bring different care and support services, including for those who are disabled or have learning difficulties, from across the community into one central accessible location.

The centre would also become a social hub for the community. At the time of the research, the Haven were renting space in the centre from Welshpool Town Council for a few hours per week to deliver a small range of activities for the community. They were in the process of trying to negotiate an asset transfer through a long-term lease on the building, which would allow them to house a number of different professional social care services from across the community. While the organisation had developed stronger links with the Town Council, their journey to this point had been full of challenges, including finding the correct council officers to speak to and maintaining direct lines of communication. There was also the continuous threat that the council may offer the building to a private or public sector buyer. This meant that the outcome of the asset transfer was still very much unpredictable, and the organisation felt helpless, with little control over any part of the process.

In-depth interviews were conducted with six community members who were directly or indirectly involved in the ongoing process of community asset acquisition, including trustees of the Haven, volunteers and local carers/ service users from the local area.

Interviews with local authorities and key stakeholders

There are 22 principal councils in Wales, who are responsible for the provision of local services in their area, including social care, housing and planning. Below the principal councils there are 734 community and town councils, who by law are not required to provide specific services, but are in charge of the upkeep of local spaces, such as parks, footpaths and village halls.

In-depth interviews were conducted with representatives from one principal council and three national support organisations. One of the national support organisations also had the ability to acquire assets on behalf of communities in an asset guardian role and had direct experience of engaging in asset acquisition processes. These interviews allowed us to gain a national picture of community asset acquisition processes and to what extent rural communities are engaged and supported.

The National Knowledge Exchange event

On the 26th February 2024 we hosted an online knowledge exchange event titled '*Community Assets: Policy and Practice in Wales- what's next?*', bringing together rural communities, practitioners, local authorities and policymakers. During our research an inquiry into community assets was undertaken by the Welsh Parliament Local Government and Housing Committee. Following this, a series of 16 recommendations were published, and in response the Welsh Government was in the process of setting up a commission to develop an action plan. One of the key recommendations was shared learning from other nations, therefore the purpose of the knowledge exchange event was to:

1. *Share current research, policy and practice from across the UK nations;*
2. *Discuss next steps for community asset acquisition policy and practice in Wales.*

Presenters included individuals involved in the Welsh and English community asset acquisition case studies as well as representatives from the Scottish Government, Development Trusts Northern Ireland and key Welsh national support organisations. The event was attended by 48 participants, broken down by sector and organisation type below:

Sector/ organisation	Number of participants
Rural community members (representing individuals or community groups/ councils)	22
National or local community support agencies	11
Local authority representatives	12
Policymakers	3

Throughout the event participants were asked to reflect on our key research questions, and data was collected using note taking, Miro Boards and mentimeter.

3.3.2. Findings

Findings from interviews with our rural case study, local authorities and key stakeholders, and our Knowledge Exchange event have been combined and are outlined below. First, the motivations for asset transfer, on the part of both the community group and public authority, will be outlined. The perceived barriers and facilitators to the process will then be presented, before discussing the impacts of the process on the wellbeing, empowerment and resilience of rural communities.

Motivations for rural communities in Wales to take on public assets

To meet the needs of the community that are not being met by council services

The community group in our rural case study sought to acquire the asset to provide a central, multi-use, inclusive space that could tackle the community's multiple health and social challenges under one roof, given the lack of adequate services available in the area.

"...this is a centre, a hub for everybody...the Anne Holloway has a big space; the Anne Holloway has a small space; there's a bathroom, there's toilets, there's a lovely conservatory, there's a massive big kitchen. There're doors that are wide enough to get the biggest wheelchairs in. Because it was a purpose-built building for all-inclusiveness" (Community case study interviewee 2)

"I think getting this back open, as a facility to the community, for all the different groups. It'll be hugely beneficial. There are other meeting places in the town, but this is the only one that's fully accessible" (Community case study interviewee 3)

Community case study participants felt that the council was not providing services that were meeting the varied needs of the community. As stated by one community member: *"they haven't got the passion for it. And therefore, they haven't got the time or commitments...to dedicate to it. Whereas, we are happy to do that"*. It was also noted that a number of groups had disappeared since COVID:

"So many of our groups folded. There were things like MS groups, or stroke clubs, and so many of them have folded and not started again since Covid. And so, we kept saying, we need that centre. We all knew it was up there doing nothing" (Community case study interviewee 1).

The community were keen to create a central hub to improve awareness of groups and services, provide opportunities for them link together, and increase the efficiency of service delivery.

"...nobody knew where to turn to for support, when it mattered. Or, to talk to somebody in similar situations, because nobody was linking" (Community case study interviewee 1)

For local socio- economic benefit

The majority of interviewees and KE participants recognised the importance of rural communities acquiring assets for local socio-economic development; as described by a national support organisation interviewee: *"Rural vitality. It's the social and economic benefits. Those are the two things. Those are their motivations"*. KE participants also discussed the economic benefits for the wider community that could be achieved through reinvestment of funds generated by projects within the acquired assets, such as social enterprises or wind turbines, into local development and regeneration.

For communities to have ownership of their own development

National support organisation interviewees all concurred that ownership of assets helps local people to feel in control of the development of their communities.

"...[communities] need to have ownership or if they can't have the ownership at least a very long lease on a building or an asset to enable them to actually feel like they've got a stake in that community, to be part of it, to do what they want to do" (National support organisation interviewee 2)

It was recognised that rural communities in particular can often have a sense of being far removed from central (or urban) decision-making powers, which has led to a culture of *"helplessness"*.

"...in the Welsh context, you've got post-industrial communities...there's a sort of learned helplessness that no matter what they do decisions are made elsewhere...They absolutely have no control, and so getting some say, a voice in that asset management becomes really important" (National support organisation interviewee 1)

A similar sentiment was expressed by the local authority interviewee, who stated:

"...community asset transfer allows assets to be managed more at a local level rather than a central level. So, it's ensuring that the people that utilise and manage those assets know what they want and know how they can get there"

While some interviewees and KE participants placed importance on having full ownership of land and buildings, others were less concerned with full ownership than with some control over local development.

"I've been asking groups where they don't have ownership, would you like to have ownership? And the answer is no it's fine. We don't want the hassle of ownership as long as we've got the right to determine management strategy and some economic rights, then it's fine. We'll work in partnership with the [public] body" (National support organisation interviewee 1)

Some KE participants expressed that having ownership of assets was not only important for control over what happens with them, but also about being a "fair landlord" who can offer space to other community groups to ensure their survival, much like the case study community organisation.

To protect Welsh language speaking communities

KE participants expressed the view that rural communities are "key custodians of the Welsh language", and this was felt to be especially true in the North but also in some rural areas in Mid and South Wales. Therefore, many placed value on communities acquiring assets to act as a platform for "keeping the Welsh language alive" by providing shared community spaces to engage local people with art, culture and heritage. Some KE participants considered this role especially important because of in-migration, for example of English retirees, and the impact of holiday homes which was perceived to weaken and dilute use of the Welsh language.

Motivations for local authorities to transfer assets to communities

For financial/ cost saving related reasons

Our local authority interviewee stated that one of the key drivers of councils disposing of assets to communities was cost saving for both the short and long term.

"One of the drivers for the community asset transfer programme is to make financial savings for the authority, so for every asset we transfer to a community group, such as a football pitch, we make a financial saving of three and a half thousand pounds a year, just on the day-to-day maintenance. For a rugby pitch, I think it's about four and a half thousand pounds, for a bowls green, it's about twelve thousand pounds. So, we're making considerable financial savings on that" (Local authority interviewee)

This was reiterated by interviewees from national support organisations:

"...the main reason that they're getting rid of those assets is because they are not financially sustainable for the local authorities. So that's the main reason that they are looking to pass on assets and in some cases liabilities to community groups" (National support organisation interviewee 3)

This was also the experience of the case study community, where due to budget cuts within Powys County Council, the day centre had been transferred to Welshpool Town Council, as well as the associated running costs. Much of the council cost saving described by interviewees and KE participants was related to the upkeep of buildings or renovating those that had fallen into disrepair. However, as stated by KE participants, this was seen by some as a "selfish approach to assets" on the part of councils, with one commenting that "councils want to transfer potential liabilities to get rid of them".

National support organisation interviewees emphasised that councils, in the context of austerity and public sector cuts, simply don't have enough funding or human resources to keep assets operational. Therefore, the threat of losing a service was often what was driving communities to take on assets.

"...with austerity we've seen more local authorities having to undertake asset transfers because they simply can't afford to keep those assets...that is quite a negative starting point to the whole asset transfer journey. I don't think it should happen out of necessity simply because the local authority can't afford to keep hold of it...in a dream world they would recognise the strengths that community groups have and start the process from there. Make it a more equal process rather than a 'oh my gosh, how do we get these off the books as quickly as possible...', that's overwhelmingly the experience that we see and hear about" (National support organisation interviewee 2)

This was seen to be especially true of 'softer' community services such as libraries and community centres.

"...cafes, kids centres and library services don't earn enough money to keep these places going...my perception of the history of community asset transfer in Wales is not great and local authorities have used it as a dumping ground...They've got an asset which is a liability and doesn't have a viable income model. Then getting the community to take it on is a great outcome for them" (National support organisation interviewee 1)

However, our local authority interviewee stated that, in addition to financial savings, their council were also motivated to transfer assets by the idea that communities could actually do a better job and provide more efficient services tailored to local need.

"So, while we were looking at the budget and reducing budgets, I think the council were made aware of community asset transfer so that they can be managed more effectively and to be given the tender loving care that we've not been able to do in recent years because of those budget cuts and budget pressures really" (Local authority interviewee)

Further, as stated by KE participants, communities can "often run assets more cheaply than the council" due to discounted rates, especially for community groups who are often registered charities.

Key barriers for rural community engagement in asset acquisition processes

Lower community capacity in rural areas

Interviewees and KE participants all spoke of the limited capacity of rural communities to engage in asset acquisition processes, most notably due to a lack of skills, knowledge, and available volunteers. KE participants highlighted the key challenges presented by rural depopulation, which further decreased community capacity, with rising house prices and school closures felt to be "driving younger people and families out" of rural areas. A lack of services and facilities in rural areas was also seen to be a major deterrent for new people moving in. The knock-on effects of this included the loss of key professional skills and knowledge, new and fresh ideas, and energy and effort, as well as impacts on succession planning for the future.

"...what you find with community centres...you may have an active group, a community association that is able to manage an asset. But as those members become older, it's much harder to recruit the next generation to take over and manage an asset...we have had a couple of instances where community centres, in particular, have been returned to the authority" (Local authority interviewee)

As stated by KE participants- "developing the skills and knowledge (required for an asset acquisition process) can be a big ask for volunteers". Therefore, community members were seen often to be at risk of "fatigue" and without a critical mass of people, going through an asset acquisition process could often be an "uphill struggle to self-organise".

A reliance on a small pool of volunteers in rural areas was also highlighted by national support organisation interviewees, especially in the context of local people commonly volunteering across multiple groups and projects, and having to wear "multiple hats".

"...quite often, the Board are also the operational people as well...I would say probably 99% of our organisations that we work with, the Board are also the caretaker, the cleaner, the booking clerk, everything, social media, they do everything" (National support organisation interviewee 3)

Interviewees and KE participants also highlighted that rural community groups often struggle with ensuring that they have individuals on their boards with the skills and knowledge to navigate the substantial legislative and funding requirements in addition to their other commitments. As highlighted by one community case study interviewee, when trying to navigate the legal process of asset acquisition- "You are always going to need some form of expertise, and the legal side of things. You've got my time, but I'm not a solicitor or a doctor or a CEO" (Community case study interviewee 1).

Ensuring representativeness and participation

With smaller populations in rural areas, KE participants stated that a key challenge can be ensuring that community asset projects are representative of the views and opinions of the whole community, and not just of those who run community councils or are most active in local development. Participants observed that rural community development projects can sometimes be entirely segregated based on language spoken.

“There can tend to be projects led by the “Saes” (the English, monolingual) and those led by the local Cymru Cymraeg. At worst they are antagonistic, but more often it’s just a case that the Saes have their projects and community places and spaces, and the Cymru Cymraeg have theirs, people might openly express support for each if asked, but won’t engage. There is a tribalism still” (KE notes)

Community consultation and the ability to garner wide community support was also described by some as challenging, given these tensions and sometimes a lack of understanding among incomers to rural areas, such as English holiday home owners and retirees, of the “emotional connections between the history of the land and the language” (KE participant).

Local authority process

The vast majority of the barriers described by interviewees and KE participants were related to local authority processes. Firstly, interviewees reported that local authorities don’t tend to have a clear or standardised process through which communities can pursue an asset transfer request: “most local authorities don’t even have a policy on asset transfer that is transparently or publicly available, if they have anything at all” (National support organisation interviewee 2). Further, they reported that processes were too variable across local authorities. This included differing levels of local authority support for asset transfer, differing interpretation of national guidance, and differing levels of authority resources available.

“...it does vary quite dramatically on which geographical area they’re in, because every local authority area, even though we have Welsh Government guidance on asset transfer, how that guidance is interpreted sometimes, whether it’s led by an Estates Department or whether it’s led by regeneration or a community. If the local authority has a Community Officer specifically to help support the process, then the experiences by groups does differ quite drastically in some areas” (National support organisation interviewee 3)

This was also highlighted by the community case study interviewees, who had come across differences between the principal county and town level of local government in terms of legal process.

“...what I think happens with the local Town Council is, some of them don’t know the legalities and formalities...Whereas, obviously at a higher level, like a county council, there is more than one avenue you can go for direction. There is more than one person for legal clarity...It’s scrutinised more. At [Town Council level] there was no scrutiny” (Community case study interviewee 1)

Therefore, interviewees and KE participants felt that community groups often had very different experience depending on where they lived and who owned the asset, which wasn’t necessarily fair or helpful. Many felt that processes should be standardised across all local authorities so that everyone was “on a level playing field”.

While our local authority interviewee stated that their council was willing to facilitate asset transfers and had a standard process, they reported that due to limited staff resources progress was often very slow, especially when dealing with multiple cases.

“...limited staff resources internally means that we can’t transfer the assets as quickly as we like because things crop up like land title issues, the way assets have been registered...it’s not as easy as you would think to do community asset transfer because every one is unique and every one has its issues that need to be resolved...we are constrained with regard to the amount of staff resources we’ve got” (Local authority interviewee)

This was reiterated by KE participants, who felt that public authority processes were particularly slow due to a lack of training and resources within councils, with some councils being so busy that communities “can risk being ghosted”.

KE participants reported that public authority processes can be “complex”, “difficult to manage” and “too bureaucratic” for both communities and council staff alike. National support organisation interviewees also stated that, in their experience, bureaucratic complexity and the requirement for adequate community engagement can often make the asset acquisition process lengthy and resource-intensive. In addition, asset transfer may not be at the top of a council’s priority list, so managing the expectations of community organisations is part of the process of supporting them.

“Community groups need to recognise that local authorities do have a priority of workload and quite often community assets are not as high a priority as the community groups would like it to be” (National support organisation interviewee 3)

Nonetheless, the view was also expressed that *“doing your due diligence and taking a longer time over [asset transfer] is actually more beneficial in the longer term”* for many community groups as it gives them time to evaluate their capacity and needs (National support organisation interviewee 3).

Support organisation interviewees reported that, due to a lack of publicly available information, communities are often unaware of what assets are owned by public authorities, let alone if they are for sale.

“...the very first barrier is actually identifying who owns what and whether they have permission to do some of the things. So quite often they’ll ring the local authority, the local authority won’t have a clue [if they own the asset]” (National support organisation interviewee 3)

Progress on asset acquisitions was often constrained in the first instance by the lack of an open and comprehensive register of available assets. While the Land Registry contains information on all assets owned by the public sector and is in the public domain, it was felt that access to information on ‘available’ assets could be simplified.

“...it’s really difficult to know who owns what... you can do Land Registry searches etc but if there was an actual national level map or list of things that local authorities were looking to transfer potentially, or on the other hand a list of assets that communities would like to be able to bid for, that would be really useful” (National support organisation interviewee 2)

Local authority culture

A key challenge described by both community interviewees and KE participants was the perception that local authorities did not want to transfer assets to communities. This was felt to be due to councils being risk averse and *“too business minded”*, wanting to retain control and ownership over estates, and having a lack of trust or knowledge of community group capacity. This was also highlighted by the local authority interviewee who stated *“...not all local authorities have embraced community asset transfer. Not all local authorities have got resources for community asset transfer and some affluent ones may not need to go down that route”*.

Multiple KE participants and interviewees felt that public bodies still had a very *“old-fashioned”* approach when it came to asset ownership.

“I don’t think we need any policy changes whatsoever...the big barrier that I’ve faced right through the whole thing has been public sector’s fear of change and resistance to change and fear and lack of trust of communities...And I think that that culture is the main reason” (National support organisation interviewee 1)

It was felt by KE participants that not all councils were *“on board”* with community asset acquisition, therefore in some cases put multiple bureaucratic barriers in the way of communities, and were quite *“indifferent”* to engagement. It was also felt that councils were often only open to having a conversation with communities if they had a liability asset to dispose of.

National support organisation interviewees also reported that councils sometimes considered asset transfer risky, in terms of both the viability of community ownership, and the potential political fallout of a decision to reduce the size of the public estate in this way. These interviewees expressed the view that public authorities often prefer to sell assets to private buyers or other areas of the public sector, due to a desire to maximise profits. They felt that, while such profit maximisation is typically the duty of local authorities, they were often short-sighted in their perception of what benefits could derive from community ownership.

KE participants also attributed much of the resistance to transfer assets to community ownership to a lack of trust or knowledge of local communities, and a lack of understanding of the capacity and skills of local groups in strengthening their communities.

Within the case study community, respondents had found the local authority to be unwilling to help, despite the continued pleas of the community. Indeed, it had been difficult for the case study organisation even to make direct contact with councillors, due to a lack of publicly available contact details and the obstruction of one local government individual, and even once established, communications had been difficult to maintain.

"It took them six months to get into contact with the council. And that was a fight every step of the way. To get to talk to them...It was like, a couple of people driving that...fighting every step of the way to get it...It's just, endlessly trying to fight to use something that has been empty and is fully accessible and needed" (Community case study interviewee 4)

"Because I had tried to raise complaints at that time, with the [relevant person] to say, look this is ridiculous, they didn't even answer our calls, they won't answer our emails. There are legal and statutory guidance and timeframes. And it's not being complied with" (Community case study interviewee 1)

Experiencing this type of obstruction had left the case study community pessimistic about their chances of progressing their applications and feeling generally helpless.

Lack of legislation and guidance

Many interviewees and KE participants felt that Wales was behind other UK nations in terms of legislative powers and guidance.

"We would really like to see legislation that could enable [asset transfer] to happen far more easily... we're much further behind both England and Scotland. We don't have any legal mechanism to support communities to take on assets. It's very much up to the public authorities to make that initial step to transfer the asset" (National support organisation interviewee 2)

Further, as stated by the same interviewee, government policy was not joined up in an effective way to enable this:

"Welsh Government is supposedly putting together a communities policy and strategy, but I don't know what that looks like in reality. They keep saying how it's cross governmental which on the one hand is really positive, but on the other hand there's no one to take accountability for it"

This interviewee felt that more focus was required on standardising or streamlining local government processes, and that a more effective policy framework was a vital requirement for doing this.

While the Welsh Future Generations Act was viewed by support organisations as a proactive lever for "making progress" on community asset acquisition and "making public bodies have to collaborate properly with communities" (National support organisation interviewee 1), some saw it as "lacking teeth" and facing significant implementation issues.

"...we've got different legal mechanisms, we've got the Wellbeing of Future Generations Act where public bodies are meant to collaborate and involve communities and that could be geographical communities, it could be communities of interest, it could just be individuals...It lacks in terms of implementation...we have had a lot of very progressive bits of legislation that have happened in the last eight to ten years...but the real change takes time, the culture hasn't quite caught up yet" (National support organisation interviewee 1)

Support organisation interviewees also stated that Welsh Government community asset transfer guidance required amendments to be more "proportional" and "robust".

"The guidance that's there is very good from Welsh Government and there are areas that I think could be strengthened, particularly around the process itself, quite often what they do, in their guidance, it goes to Estates right at the very end to look at Land Registry and all those sorts of things [but instead]... the report on title should be done right at the very beginning...there's a lot of things that should be done upfront, so I think the process should be flipped a bit" (National Support organisation interviewee 3)

Further, one support organisation interviewee felt that legislation could actually be key to clarifying the guidance and promoting better public authority practice:

"...without legislation [guidance] doesn't really have the teeth that it should have and not all local authorities have adopted it and for some they have interpreted it, perhaps, slightly different to how somebody else would interpret it. And I think legislation would help clarify some of those points" (National support organisation interviewee 2)

Interviewees also stated that Welsh Government policy and guidance needed to be clearer for both communities and local authorities to understand, so that they could effectively engage with processes.

"If I cannot understand your terminology and your policies...I don't need to be ashamed of that. That I'm any less of a person...surely we should be making policies and procedures that everybody does understand...I really feel the people at the level that are making our policies, they really need to understand who they are processing them for, for a start" (Community case study interviewee 3)

“...legislation is only good with education as well... unless you educate the bodies who are transferring and also communities to know what their rights are, then actually the legislation is just going to sit on the shelf and not be used as much as it should be” (National support organisation interviewee 2)

While not all saw new legislation as immediately necessary, support organisation interviewees felt a vital need for guidance, education and capacity-building to have a significant impact on encouraging both community groups and public authorities to undertake asset transfers.

“...for the sector it’s that building that capacity, the resources...Wales changing legislation would be useful, yes, but a lot of it is to do with education and having stronger guidance and support out there as well... where we haven’t got the legislation, we need to make sure that the guidance is really as strong and as robust as possible. And that local authorities and other public bodies recognise it and understand the reasoning behind it as well” (National support organisation interviewee 3)

KE participants highlighted particular areas in which government mechanisms were felt to be missing, including “a national framework to register assets that communities are interested in managing”, and a “right of first refusal for communities”. A general theme was that there needs to be a focus on genuine community empowerment, with local authorities fully embedding asset transfer, rather than just “doing it because they have to”.

Both community and support organisation interviewees made the further point that guidance from Welsh Government was generally lacking beyond the point of transfer.

“...Welsh Government guidance stops at the point of transfer. [But the asset transfer process] doesn’t stop at the point of transfer...it is another easy year or two afterwards to get everything sorted...the post asset transfer support is definitely lacking and we’re seeing a lot of organisations becoming very unstuck because of it” (National support organisation interviewee 3)

A lack of funding options for rural communities

Funding options for rural communities were seen by interviewees and KE participants as a barrier to trying to acquire assets. Generally, it was felt by most that, while a good range of funding pots are available, it isn’t well joined-up, and there is a lack of targeted capital funding available for purchasing an asset, to cover professional fees (e.g. legal and surveyor fees), and for post-acquisition renovations. KE participants noted that there was a “mosaic of funders” which were often hard to identify, and applications required a huge amount of work which was challenging for rural communities with smaller pools of volunteers. Further, it was perceived that, due to smaller population sizes and often a lack of community “buy-in”, there were few options for raising money through other routes such as community donations or schemes where community members purchase shares in a project.⁷⁰

KE participants also felt that communities were often simply unable to raise the market price for assets sought by local authorities and could not “compete with private sector and cash buyers”.

“Local authorities are under a duty to get best possible value for those assets, totally forgetting that community groups don’t have ready-made reserves to pull on so that is, again, a problem” (National support organisation interviewee 2)

One national support organisation interviewee reported that rural communities in particular often lose out on funding as they struggle to demonstrate legacy and sustainability to funders.

“I think a lot of rural areas struggle accessing funding... that’s not necessarily to do with the deprivation statistics, but it does have to do with their ability to become sustainable. I think a lot of the rhetoric around community asset transfers is about sustainability of those assets...but they might not have a strong enough business case because the footfall perhaps isn’t there in some of our more rural and more deprived communities” (National support organisation interviewee 3)

Both support organisations and the local authority interviewee highlighted that rural communities have lost access to European funding as a result of Brexit: “[Rural communities] have greater needs and obviously historically they have had additional funding, particularly from the Welsh Government and from European bodies like ESF and ERDF” (Local authority interviewee).

⁷⁰ [h_ps://cwmpas.coop/what-we-do/services/community-shares-wales/](https://cwmpas.coop/what-we-do/services/community-shares-wales/)

The Community Ownership Fund was reported by national support organisations to be one of the only funding sources now available to community groups. However, some interviewees considered it to be complex and difficult to access, noting that it requires significant initial outlay of match-funding of 50%, which was often out of reach to most community organisations, and expected within unrealistic timescales. In particular, prospects for match-funding for communities were considered by interviewees to be limited, with only one public fund, the Community Facilities Programme, available in Wales. Nevertheless, national support organisations themselves recounted negative experiences of trying to access this match funding.

“The process itself was awful from beginning to end...the funding we found out afterwards was retrospective, so we had to fund it ourselves and then claim the money back, which again we were able to do that but most community groups wouldn't...they would only fund 50% of the cost, so we had to secure the rest of it. They wanted the money spent within three months, well, by the time you'd gone out to tender and secured the rest of the funding, obviously that wasn't going to happen...We were approved in October '21 and we received our final payment in March '23. So that just tells you how long it took us to get the money from them” (National support organisation interviewee 3)

As well as funding to purchase assets, interviewees and KE participants also highlighted a gap in pre- and post-acquisition funding. Respondents reported that they required pre-acquisition pump priming and booster funding, and independent advice and guidance on how to raise funds for purchase within communities (e.g. fundraising, community shares). In particular, KE participants noted that existing funding mechanisms need to “run for longer” in line with lengthy asset acquisition processes. Post-acquisition, grant funding for core costs was considered important for ensuring the future viability of transferred assets and, in turn, encouraging both community groups and public authorities to pursue more of them.

Key facilitators for rural community engagement in asset acquisition processes

When asked about key facilitators for rural community asset acquisition, interviewees and KE participants spoke both about what already existed and also about what they felt was required to better facilitate community asset acquisitions.

The support of local authorities

Interviewees and KE participants considered the support of the local authority crucial for facilitating an asset transfer. Some support organisation interviewees viewed new legislation as less important than a change in the attitude and culture of local authorities.

“Fundamentally [what is needed is] a change in culture that actually valued and recognised what communities do...Communities can do some really positive things. They can be trusted, were trusted during the pandemic...it feels a little bit like you can pick up and give to communities a little bit when it suits the public sector but when things are okay and it's back to normal you take it away again. That's not fair fundamentally so revaluing that relationship would be really important...That would be more beneficial than a piece of legislation. That would be where the change happens” (National support organisation interviewee 2)

This was reflected in the experience of the case study community group, who, once they'd had an opportunity to communicate effectively with the council and explain what they were planning and the potential benefits to the council, experienced an increase in the council's support and facilitation of the process.

Interviewees considered that certain public authorities were better than others in this respect, with differences shown particularly in the variability of available financial and organisational support for communities. It was reported that some authorities had actually been proactive in encouraging asset transfers due to the advantages they could see for both the local area and the council itself – indeed this was the picture painted by the local authority interviewee:

“We've embraced community asset transfer, we can see on top of making financial savings, we're also ensuring those assets are safeguarded for future generations and that's why we provide some form of investment in those assets” (Local authority interviewee)

Interviewees reported that supportive local authorities also tended to have a formal process for assessing asset transfer requests, which involved considering the viability of both the asset and the organisation seeking to take it on. It was also reported that additional funding and support might be provided if necessary to improve the condition of the asset and/or ensure the sustainability of the organisation. Our local authority interviewee described the steps involved:

"...we do something called a business diagnostic on that community group to make sure that they are a legal entity that has limited liability. They have the capacity and capabilities to manage an asset...First off is the business diagnostic, then it's the legal entity, so we'll assist them to become a company limited by guarantee or a charitable incorporated organisation or a CIC or other legal entity that gives limited liability [and]...assist them to develop a business case"

The local authority interviewee said that their council was flexible about the community's type of legal interest and terms of ownership or lease, often leasing first to allow community groups to "take on an asset and see how it goes...we look at an asset, we look at the needs of the community groups concerned, and we try to come up with the best solution".

The local authority interviewee also reported that their council was providing targeted support for rural community development, with asset transfer being part of this broader remit:

"...now that European funding has gone, I think our drive now is valley communities, which by default would be the majority of those areas previously classed as rural development areas...we've updated our corporate priorities to reflect that...obviously those areas tend to be the most socially deprived. So, they would have limited facilities, they would have limited road network connections, public transport. So, I think as a local authority, we are fully aware that they have got different needs from say, an urban area" (Local authority interviewee)

Local and national support organisations

A large proportion of interviewees and KE participants viewed support organisations as key facilitators of asset acquisition, because of the wide range of support they can offer to individual community organisations: "Third-sector organisations can act as catalysts, pull the community together, find assets in communities, support the individuals" (KE participant).

Interviewees working for national support organisations said that they both provided direct support and signposted to other organisations with which they work closely.

"...it depends on the type of asset, if it's a community pub or shop, then I would be looking at Plunkett UK for support and information. If it's community growing space I'd be looking at Social Farms and Gardens...in terms of our geographical reach ourselves, we know that we can't do everything, and a lot of these asset transfers are actually quite labour intensive. So, what we try and do is signpost and work with others as well" (National support organisation interviewee 3)

One of the national support organisations interviewed had also acquired assets on behalf of communities as an 'asset guardian' so the interviewee had direct experience of taking on assets from public authorities:

"...if they align with our strategic objectives we will step in as that asset guardian role...we've stepped in to try and safeguard that facility and to keep that within the community whilst we build up the capacity of the community to take it on themselves"

National support organisation interviewees also highlighted their role in helping to promote asset transfer as a concept more broadly and encourage shared learning between nations, which was considered to be sorely lacking.

"There is very little knowledge. There's even very little knowledge at the government level. The government, the main conversations with Welsh government, they haven't got a clue of what's going on in Scotland, I'm better informed about that Scottish Land Reform Act and the Land Commission than very senior civil servants, they haven't got a clue" (National support organisation interviewee 1)

While support organisations were viewed as being useful in promoting and facilitating asset transfers, KE participants highlighted a range of support that, at least as far as they were aware, was missing. Most commonly, participants reported an unmet need for a step-by-step route map or toolkit on how to navigate the process from start to finish. They also expressed a desire for training for community groups on project management and business planning, and for a central place where communities could access information about support organisations and other relevant professional bodies.

The skills and drive of the community

Many interviewees felt that having the appropriate professional skills within a community organisation could help to overcome some of the difficulties of the asset transfer process. In particular, skills related to acquiring funding, legal matters and business planning/ management were seen as important.

"If you had a very strong community group with a lot of various skill sets so you might have a lawyer on your board, you might have an accountant on your board, or you just had someone who had a lot of time that they could do all the research without having to do your day to day stuff, whatever your group is doing that would make it a lot easier"
(National support organisation interviewee 2)

Many community and support organisation interviewees also considered it important to have a strong dedication and drive to improve the local area, both within the community organisations and among local people more broadly.

"I think if you've got strong community anchor organisations or strong groups of people who feel really passionately about something existing in their community, that can be enough to drive it forward"
(Community case study interviewee 5)

"Welshpool has a very strong sense of community... if people are willing to put the work in and say 'this is what we need to do' and are willing to do it. And willing to fight every step of the way. It can be done. It's just, if people have the fight for it"
(Community case study interviewee 4)

That sense of local drive and motivation was felt by many to come from a rural culture of "self-help" and a feeling that if communities don't do things themselves no one else will. Interviewees also felt that, when a community is successful in one project or venture, this tends to breed further support from the wider community and also from local government.

KE participants emphasised that another key to community success in acquiring an asset is careful planning and preparation for every eventuality, and a transparent and realistic view of the journey ahead. Further, that communities should be prepared to be "flexible" and "prepared to swap things around" if something should not work out as planned.

Impacts of asset acquisition processes on the empowerment, resilience and wellbeing of rural communities

Empowerment

There were a range of views on the concept of community empowerment throughout the asset acquisition process. A national support organisation interviewee commented that even at the planning stage, conversations around the importance of an asset can influence the self-perception of a community with regard to its heritage and identity, which can prove empowering in itself:

"One of the narratives which I really like, which has come from the community, is that transition from a former mining town to a future forest town. We used to be a mining town and that's how we were defined and actually now we're defined by our relationship to the forest. Now that is, that is that's massively empowering, that resonates where in a sense, it's only just beginning"

The knowledge that communities have the right and the ability to access and own assets was also seen as empowering and potentially catalysing action.

"If they've got knowledge of their rights and they've got knowledge of the process, then it can empower people to actually take action" (National Support Organisation Interviewee 2)

Positive asset transfer experiences were considered to be empowering insofar as they could instigate co-production and engagement between community members, although this was felt to be to some extent dependent on the level to which public authorities engaged in this partnership.

"My experience is that it can be hugely empowering...even the process, this co-production process where you just get your values listened to, it's been a hugely empowering process and people are really positive about it...it's changing that optimism and a belief and the impact that someone is listening to you when for decades nobody has"
(National Support Organisation Interviewee 1)

“With regards to the asset transfer process, it talks about partnership, it talks about collaboration. There should be that co-productive approach to asset transfers and really learning from the process and adapting...we also mention that there are differences in terms of which local authority you’re in and some are more proactive than others so I think that some empower communities slightly better than others” (National Support Organisation Interviewee 3)

KE participants noted that the work of community organisations can be empowering for its target groups through giving them a voice and a platform through which they can engage. As noted by the community case study interviewees, the fact that action is taken at a community level can lead to a sense of solidarity and “*strength in numbers*”, further bolstering feelings of both individual and community empowerment.

However, one national stakeholder highlighted that, while acquiring an asset might be empowering, various post-acquisition challenges could be quite disempowering for those involved in running and maintaining it:

“I think the process itself could be incredibly disempowering...there’s all the maintenance costs, the ongoing costs...buildings are often in awful conditions and community groups just don’t have the reserves...but that wasn’t ever anything they knew about in advance of the transfer taking place...I think the actual process of undergoing the asset transfer mechanism or process itself can be quite disempowering in general” (National Support Organisation Interviewee)

Resilience

Resilience was understood among research participants as the ability to survive and be sustainable in the face of change. The research indicated that community resilience is both a prerequisite for and an impact of engaging in asset transfer.

The resilience of rural areas in Wales was viewed by interviewees and KE participants as being constrained or threatened by limited facilities and transport connections, with asset acquisition as a way to counter this. Nonetheless, the resilience of rural community organisations to acquire assets was also seen by many to be threatened by their reliance on small groups of volunteers.

Professional stakeholders considered asset ownership as something of a prerequisite for community resilience, as it not only keeps services open and running, but also encourages local people to have a ‘stake’ in their community and achieve outcomes not possible for the public sector.

Case study respondents considered that a community organisation must be resilient in order to take on the challenges of an asset transfer process and see it through to fruition.

“We often talk here of asset transfers taking two years if not more, that’s a long time to be going through quite an arduous process when the hurdles are stacked against you. You need to have a lot of resilience to even countenance taking it on” (National support organisation interviewee)

Following acquisition, resilience was reported to depend on the flexibility of community organisations to consider how the asset can best serve the ongoing and changing needs of the community. In instances where assets became liabilities, the process was seen as having the potential to erode community resilience.

Wellbeing

Impacts on wellbeing were reported at different stages of the asset acquisition process, and for different individuals involved. KE participants spoke of the symbolic value of the asset as something that was bringing the community together for a common purpose, and the impact of taking ownership for the “*collective*” wellbeing of the community. Participants also stated that by taking over local assets communities can be “*re-energised*”, it can increase “*community spirit*” and be a “*rewarding*” endeavour. As stated by one KE participant: “*it’s more than a building (or land), it’s what happens within it that is the true local benefit*”.

Case study interviewees expressed the view that, while the process had so far led to negative impacts upon the wellbeing of those involved in the governance of the community organisation, including exhaustion and burnout, there was potential for improved wellbeing should the transfer be successful. Therefore, wellbeing was seen as changing and evolving depending on the point of the process.

“If you get your asset and it’s going quite well that could have a huge impact on your wellbeing. But going through what is a protracted costly legal process, that’s going to have quite a negative impact on your wellbeing. If you get through that and you can get your keys and your ownership that’s obviously going to have a big peak in your positive wellbeing” (Case study interviewee 2)

Similar trade-offs were reported by interviewees and KE participants, whereby the “positivity” and “self-satisfaction” of being a part of a community organisation was counterbalanced by the “worry” of managing the ongoing financial difficulties faced by many community organisations when taking on assets.

One major aspect of the process associated with improved wellbeing by a range of stakeholders was social interaction and strengthening of social bonds, which began during the acquisition process itself.

“We know just the interactions that people have through all manner of bits of community action, it helps. I guess if I was really trying to find a positive, the fact that you might be two years in the process of an asset transfer, if you’ve got quite a strong group who are working together that could create real social bonds, social capital which would improve wellbeing or have an impact anyway” (National support organisation interviewee 2)

Following acquisition, case study interviewees felt that services provided at the centre for local people, and the opportunities it offered to engage with people and projects, were seen as beneficial for the wellbeing of the local community. One KE event participant described the impact of acquiring a local asset on their own wellbeing, stating: *“this place saved my life, it has brought me out and I have made new friends”*. Case study interviewees reported that the potential opportunities to volunteer within the organisation post-acquisition, particularly in regard to the provision of health and care services, could lead to further positive benefits for both carers and service users.

3.3.3. Conclusion and recommendations

In summary, our findings showed a number of barriers related to the rural context, most notably the limited capacity of rural communities to engage in processes of asset acquisition due to smaller population sizes and volunteer pools. Further, rural communities faced challenges in sourcing the skills and knowledge required to undertake an asset acquisition, especially because certain key community members were stretched across multiple projects.

Local authority process was felt by rural community respondents to be inconsistent, with differences across authority areas in terms of both levels of engagement and interpretation of guidance. Further, local authority culture was felt to be problematic, with some authorities being risk averse, not trusting of rural communities and their abilities, and/or not supportive of the idea of community ownership more generally. This meant that rural communities often had very different experiences depending on the location of the asset in question and who owned it. Local authority processes were also found to be complex, difficult to navigate, overly bureaucratic, and very slow, which was partly attributed to a lack of training and resources within councils.

Wales currently has no legislation giving communities the right to buy, bid for or seek transfers of land or other assets. Respondents felt that Wales was particularly ‘behind’ in comparison to other UK nations in terms of legislative powers and guidance for asset acquisition. In particular, government policy was seen not to be well joined up or coordinated, and while the Future Generations Act was considered a ‘proactive lever’ it was still felt to be facing significant implementation issues.

Respondents across the board identified a lack of targeted capital funding for community asset acquisition, especially in a context where councils were only offering assets to rural communities for full market value. The UK Community Ownership Fund was believed to be the only funding source available to rural community groups, but requires significant match funding, which was felt to be outside of the capability of rural communities to raise.

Our research highlighted the impact of having supportive and engaged local authorities, who could recognise the role and value of rural community groups in taking on assets. Local and national support organisations also provide invaluable support for rural communities to navigate such complex processes.

Considering the presented evidence, we make the following recommendations:

- Rural communities can play a key role in delivering important services and facilities that are tailored to the key needs of local populations, often in more efficient ways, as shown by our case study in Welshpool. To do this, they require policy support that considers the rural context and facilitates access to funding, as well as building capacity within local community groups to allow them to pursue public assets.
- Findings show that there is a need for Welsh Government to strengthen and tighten legislative powers and guidance, and provide an effective national framework for community asset acquisition.
- Our research strongly emphasises a requirement for standardised, streamlined and consistent asset acquisition processes across all local governments in Wales. This could be assisted by the introduction of duties on public authorities to comply with legislative guidance. Further, resources, support and training for local authorities would enable them to fully engage with and embed community asset acquisition into their everyday practice.
- Rural communities would be supported by the introduction of strategic capital funding specific to community asset acquisition.

While this evidence contributes to an important development area for policy and practice in Wales, we acknowledge that the research had a specific focus on rural communities, and that the views of all interviewees and KE participants may not be representative of all Welsh community populations.

3.4. The Northern Ireland study

3.4.1. Methods and approach

For our Northern Ireland (NI) study, data was collected using three specific approaches to provide a holistic account of rural community asset acquisition processes:

- (4) In-depth interviews and fieldwork with a rural community case study who had been through an asset transfer process from a public authority;
- (5) In-depth interviews with public authorities from across NI, and key national stakeholders;
- (6) Data collected at a NI Knowledge Exchange event that brought together rural communities, practitioners and policymakers.

A series of co-production activities were also undertaken with the rural community case study, details of which are outlined in **Appendix 3**.

The rural community case study

Cushendall, meaning 'foot of the River Dall', is a coastal village and townhead in County Antrim, Northern Ireland. The village is located in the historic barony of Glenarm Lowery and the civil parish of Layd, and part of the Causeway Coast and Glens district. With a population of 1,200, Cushendall is considered a rural small town. Cushendall is shadowed by the table topped Lurigethan Mountain at the meeting point of the three of the Glens of Antrim: Glenaan, Glenballyemon and Glencorp. This part of the Northern Irish coastline is separated from Scotland by the North Channel, with the Mull of Kintyre approximately 16 miles away. Historically, residents of Cushendall have had a strong connection with the west coast of Scotland, as it was easier to reach via sea than Belfast was by road. Cushendall is approximately 47 miles from Belfast and can be reached by car or bus.

Traditional industries in Cushendall are farming and tourism, however a large proportion of residents commute to larger towns (e.g. Ballymena and Larne) or to the city of Belfast for work. Cushendall has faced the closure of many local services and facilities, including the bank, petrol station, main village hotel and many local shops. This was felt by case study participants to have impacted on population dynamics, most notably driving the outmigration of young people and families. Further,

due to the natural beauty of Cushendall there has been an increase in second home owners who only visit at weekends or during holiday periods. This has led to a depletion of economic opportunity and local investment in skills and knowledge in the village, while local house prices have been driven up. A further challenge for residents of Cushendall is transport, with routes in and out of the village unreliable, especially in wintertime, due to its coastal and mountain location, and a lack of public transport.

Grow the Glens is a community interest company that was set up in 2016 to create economic opportunity in Cushendall, with a focus on employment opportunities for young people. While the Cushendall Community Development Group is also in existence, it was felt that the village needed a dedicated group focused on driving local economic development through IT, technology and digital access. The group is made up of a committee of seven local residents with a range of professional skills and knowledge, including a senior accountant, a funding expert, an ex-managing director of a construction engineering company, an ex-senior executive in the electricity industry, a business owner, and a Cushendall-born national hurling champion.

The group initially started providing coding classes for local school children, as well as management training with the local Gaelic Athletic Association. Then in 2017 the local police barracks came on the market and the group had the opportunity to express an interest in the building and submit a request for information. The Police Service of Northern Ireland were keen to sell the building as it had been disused for a number of years, and they were still accountable for insurance, heating and lighting costs. Initially the tender for the barracks went to a housing association, but when that purchase did not proceed Grow the Glens were offered the building for £80,000.

Grow the Glens were keen to transform the building into something positive, given that the police barracks had a negative historical legacy related to the troubles in Northern Ireland. The building was also in bad condition and seen as an eyesore in the community, with high fencing, barbed wire and security cameras, so the group were also keen to bring it back into normal working use. They undertook a range of community consultations about the potential use of the building, including distributing surveys and holding open days at the building. The group also received invaluable support from Development Trusts Northern Ireland (DTNI), the key national support organisation, to build their

case, navigate the process, source funding and communicate with local and national government departments.

The group faced numerous challenges throughout the acquisition process, which meant that the asset transfer took years, rather than months, to complete. Initially the group had difficulty finding out who to contact from the Policing Board and with managing communication with various government departments. Further delays were faced with negotiating the price, completing the necessary legal work, and finally getting ministerial sign-off. Grow the Glens applied for numerous sources of funding to pay for the purchase of the building and subsequent renovations. They were successful in obtaining £300,000 from the UK Community Ownership Fund, which was matched by the Department of Communities. A further £50,000 was awarded by the local council. However, a further challenge was the time-bound nature of some of the funding which came with specific deadlines of when it could be used- causing further complications due to the lengthy nature of the process itself.

The group finally received the title deeds and keys to the building in 2022 and have since turned the police barracks into the Cushendall Innovation Centre, which opened in late 2023. The building is now a hybrid working space for local professionals and people wishing to work remotely in the area of Cushendall. It comprises several working spaces, including board rooms, smaller offices, and a kitchen facility. Grow the Glens are exploring the potential for a greater diversity of uses, such as hosting writing retreats for academics and creative writers.

In-depth interviews were conducted with five community members who were directly or indirectly involved in the community asset acquisition, including members of Grow the Glens, members of the local community development trust and a local enterprise development organisation.

Interviews with public authorities and key stakeholders

Public authorities in Northern Ireland include local councils, the Police Service of Northern Ireland, Health and Social Care Trusts and Education Authorities. There are 11 local government districts in Northern Ireland, and one operating local authority within each district. Unlike England and Wales, councils in Northern Ireland are not broken down at a county, city, town or parish level.

Development Trusts Northern Ireland (DTNI) is the key national organisation that supports communities with asset acquisition. Policy frameworks seek to encourage and facilitate transfers assisted by DTNI, which has a formal role in the asset transfer process. Other key national support organisations for community asset acquisition and community development more widely include Rural Community Network, Groundwork and NICVA.

In-depth interviews were conducted with representatives from two local authorities and two national support organisations, and a representative of the Department of Infrastructure at the NI Assembly. These allowed us to gain a national picture of community asset acquisition processes and to what extent rural communities are engaged and supported.

The National Knowledge Exchange event

On the 31st October 2023, rural communities, practitioners, local authorities and policymakers were invited to an all-day Rural Community Ownership Symposium at community-owned venue, The Junction, in Dungannon. The event was designed and co-hosted in collaboration with DTNI, Rural Community Network and RAPID NI. The event had four specific aims:

1. *To support cross-nation knowledge exchange by bringing the example of Scottish policy, UK-wide research and UK case studies to local policy, organisations and rural communities;*
2. *To support local rural communities by providing information about the transfer process and testimonials from NI rural communities that have successfully completed it;*
3. *To galvanise local rural communities to see 'what is possible';*
4. *To support NI policy and community organisations by building momentum, and support the development of a community asset transfer policy agenda for Northern Ireland.*

Speakers at the event included the Scottish Government, the Scottish Community Ownership Support Service, Plunkett UK, Community Land Trust Network and rural communities from across Northern Ireland. The event was attended by 46 participants, broken down by sector and organisation type below:

Sector/ organisation	Number of participants
National or local community support agencies	18
Rural community development trusts, councils or groups (or individual community members)	17
Public authority representatives	8
Department for Agriculture, Environment and Rural Affairs (DAERA)- NI Assembly	2
Department for Communities - NI Assembly	1

Throughout the event participants were asked to reflect on our key research questions, and data was collected using a short survey, note taking and post-it notes.

3.4.2. Findings

Findings from interviews with individuals involved in our rural case study, local authorities and key stakeholders, and our Knowledge Exchange event have been combined and are outlined below. First, we outline the motivations for asset transfer, on the part of both the community group and public authority. The perceived barriers and facilitators to the process will then be presented, before discussing the impacts of the process on the empowerment, resilience and wellbeing of rural communities.

Motivations for rural communities in NI to take on public assets

To tackle youth outmigration and create economic opportunity for young people

A key motivation for rural communities to take on public authority assets was to create more opportunity for young people, and to keep them from leaving rural areas and migrating to larger towns and cities for employment. In our case study site, opportunities for employment were scarce and many young people moved to Belfast for work. The closure of local services, including shops, schools and petrol stations, was felt to further exacerbate the situation and drive people to leave the village.

"We had been thinking about the drop off in numbers in the primary school, and there was a worry that the post office was going to close because there wasn't enough business for it. At one stage the local petrol filling station closed and if you needed petrol you had to drive about a minimum of 12 or 13 miles to get petrol...the worry was that it was going to become a village of elderly folk...the majority of young people who are qualified and who live in the village work in Belfast" (Community case study interviewee 1)

These concerns motivated the establishment of 'Grow the Glens' to create a digital hub for remote working, a practice that had become more common since COVID.

"...our timing was good because the remote working, the working close to home, the idea that you didn't have to travel, because [before COVID] a lot of people here would travel to Belfast which is 50 miles each way. It's a hundred-mile commute" (Community case study interviewee 2)

Participants at the national KE event also placed importance on *"the creation of assets to keep young people in rural communities"* to ensure the future social and economic survival of rural areas. In particular, participants highlighted a need to prioritise housing for young people and families, assets that create local employment opportunities, and digital hubs and remote workspaces for local community members so they do not need to commute to larger towns and cities. Participants also highlighted the need to attract and support younger volunteers in rural areas to ensure the future-proofing of community assets.

For local economic regeneration and rural service provision

As well as providing employment opportunities for young people, interviewees stated that the main driver for rural communities to acquire assets is to support local economic regeneration and fill gaps in service provision.

"There are issues around service provision, challenges for public services or in terms of trying to deliver health education and other services to sort of dispersed rural communities" (National support organisation interviewee 1)

"...within rural areas there are challenges in relation to access to services, there are challenges in relation to their remoteness. There's a set of unique issues within rural areas that doesn't necessarily exist within urban and vice-versa" (Local authority interviewee 1)

The depletion of local services and a decline in markets and employment opportunities has led to a loss of socio-economic prosperity in many rural areas. Taking on local assets was seen to offer a chance to drive new economic activity, create employment, and secure the sustainability of the local area.

"...it's about seeing spaces revitalised and used and making a contribution to the local economy. And when you've got a community organisation coming in, they're very passionate about their area the resilience and determination is there to make it work. To make it a completely sustainable social enterprise" (National support organisation interviewee 2)

"...there's an aspiration and opportunity within the community to get external investment or to develop that asset...I think it provides an opportunity for localised regeneration and for communities to be empowered in terms of utilising assets to be able to deliver. I think it has local economic returns in relation to what they can deliver as well, things like the job market" (Local authority interviewee 1)

To change perceptions of local assets and their history

A further important driver for the acquisition of our rural community case study asset was to transform a building with negative historical associations into something positive.

"It's a different connotation to maybe a police station will have in other parts of the world, this is Northern Ireland after all. We just felt such an opportunity to put in place something which we saw as really positive rather than something which was less positive...That's where the idea came from...we felt it was quite important [for the community]" (Community case study interviewee 2)

Further, the building was seen as a constant visual reminder of negative times in the centre of the village and was not aesthetically pleasing to look at.

"It's a hurt and an eye sore for the community...the building was an oppressive thing for a lot of people. To see it losing that cloak and being transformed into something that was refreshing...there would be a lot of people who would detest the sight of the building. There are others who just didn't want to see it lie and rot, not being used...It's an ugly building" (Community case study interviewee 3)

Both Grow the Glens and national support organisations felt strongly that the conversion of local un-used or derelict police barracks into digital hubs and community spaces could be used as a successful model of positive transformation that could be rolled out across the country. Key stakeholder interviewees and participants in our KE event also recognised the potential benefits to communities of transforming assets entwined with negative historical legacy and the need to *"enable local communities to grow positive narratives"* around such assets.

Motivations for public authorities to transfer assets to communities

They are required to dispose of surplus assets

Local authority and government interviewees saw themselves as having an obligation to dispose of surplus assets as a key part of their remit.

"Going along with the disposal guidelines for government land, we can't sit on surplus land, we have to try and sell it, so...it's just what we have to do" (Department of Infrastructure interviewee)

The main reasons for this were financial, but they also recognised the potential social and economic value to communities and were keen to transfer assets to them where possible: *"I don't think we should be looking at asset transfers completely through an efficiency lens or from a financial perspective"* (Local authority interviewee 1). However, the ability of public authorities to transfer assets to communities was felt to be constrained by the requirement to give first refusal to buyers who can pay full market value.

"...we'll go to the open market and market that land to the general public...the community could bid on it if they've got money, but say that land is unsellable and nobody has any interest in buying the land through the open market, well then we can actually say, 'Right, well we'll revisit this [community] group to possibly transfer it once we've tested the market'" (Local authority interviewee 2)

Generally, land and other assets transferred to communities were reported to have comparatively low financial value, and communities were often required to spend money on repairs and other measures to bring their condition up to standard.

Key barriers for rural community engagement in asset acquisition processes

Youth outmigration and ageing populations in rural areas

Rural community members identified the typically older demographic of rural areas as a key barrier to engaging in asset acquisition processes.

"...rural populations tend to be of an older profile... one of our difficulties is there's not much economic activity, there's not many of those budding entrepreneurs and any have moved away. So, you do end up with guys like me in their 60s trying to do these things and it would be really good if we had a lot more younger people involved" (Community case study interviewee 2)

Volunteer burn-out due to smaller volunteer pools was also a key theme of discussion at the KE event. Participants expressed the view that volunteer fatigue is worse in rural areas, and *"the burden on a smaller population is something that agencies and funders don't necessarily appreciate"*.

Capacity and skills within rural communities

Multiple stakeholders identified that the time and complexity involved in the asset transfer process could often be beyond the capacity and skills of community organisations.

"It does often come down to capacity with community, and them having the skillset and resilience, and getting boards together that are prepared to commit to making it happen...It's about having access to the capital to make it happen... And being able to pitch that to funders, it is very hard. And funders are very reluctant to support community organisations for that reason. They don't have the governance, they don't have the structure. They don't have the track record" (Community case study interviewee 4)

At the KE event, many participants noted that communities often lack people with skills in financial development, delivery and strategic planning, all of which were seen as required for engaging in community asset acquisition processes. Having the capacity and skills to secure funding in an environment where it is increasingly difficult to come by, and being able to demonstrate sustainability to secure funding, were also highlighted as presenting particular challenges for rural communities.

In the case of Grow the Glens, one purpose of taking on the local police barracks was to build local skills and capacity, and create local jobs, improving socio-economic conditions in the area.

Public authority processes

The complexity and length of asset transfer processes, and the significant work required, were considered by case study respondents to be the main barrier to engagement for many groups.

"It really was a difficult process...the whole structure we had to work our way through, the whole unnecessary bureaucracy" (Community case study interviewee 2)

The length of processes was seen as a particular barrier, especially the time taken to address legal issues, including around land titles. Such formalities were generally understood by rural community members to be necessary for protecting all parties, but it was felt by many that expectations around the length of processes could be better managed.

Participants reported both a "lack of urgency" and a "lack of compromise" on the part of public authorities. The complexity of public administration in NI was also viewed as an issue for communities navigating the process. Generally, as one support organisation interviewee put it: "...we can point to some successes, we can point to many, many more failures".

In Cushendall, case study interviewees reported encountering delays at every stage of the process. In particular, delays were faced with identifying contacts within the public authority, negotiating the price, and completing the necessary legal work. While some delays were attributed to upheaval surrounding the coronavirus pandemic, others were felt to be simply due to excessive bureaucracy at the public authority level.

These feelings were also reflected in the KE event, with participants describing public authority processes as "unclear", with a lack of information available on how to even engage. Clear guidance was felt to be missing around both how to start the process and what was required during the process. This was felt to be exacerbated by difficulties in identifying the right person to speak to within local and national government departments and differing/ inconsistent approaches across authorities.

For their part, local authority representatives felt that they were obstructed by having "no staff time to dedicate to the process" and "no support for them to support communities".

While DTNI was identified as a vital national organisation supporting communities and guiding them through process of asset acquisition, both interviewees and KE participants recognised that DTNI are "not well enough resourced" to deal with the demand from communities across NI and provide the level of support required. Therefore, there were strong calls for DTNI to be better supported by government.

A lack of public authority and government support for (full) ownership of assets

Interviewees felt that local authorities were sometimes reluctant to transfer assets to communities. Local authority interviewees reported that this was often due to a lack of trust that the community organisations had the governance, structure or capacity to successfully run the asset, leading to a preference to sell to a private company which they may consider better qualified for this role.

Community case study interviewees saw the development of the police barracks into the Cushendall Innovation Centre as a key example of the potential of rural communities to take ownership and control over their own local community development, and a demonstration that rural communities should not be overlooked in terms of their capacity to deliver high quality, modern and innovative services and facilities that directly meet the needs of local populations.

Interviewees stated that assets are often transferred to communities on a leasehold rather than freehold (ownership) basis. As a one national support organisation interviewee put it, public authorities “...don’t encourage necessarily organisations to pursue the title of something, even when something is surplus...”. One local authority interviewee highlighted other protective arrangements that are sometimes made:

“...we will put in a clawback agreement or restrictive covenants so that if they go belly-up in a couple of years, well then the land isn’t just sold and they get the profit, it then goes back into the [public authority] ownership”

The importance of being flexible and creative with ownership options for communities was emphasised by one local authority interviewee: “...it’s trying to navigate that and come up with creative solutions that’ll work for both ourselves to get it through and for them”. However, interviewees generally felt that this was lacking in most authorities.

Our community case study interviewees expressed the view that authorities should be more open to ownership as a viable option that can give communities a greater sense of legitimacy, responsibility and pride.

“I think from a village perspective, to be seen to own the building is a much bigger thing than just leasing the building. I think we’ve got more credibility in the area by the fact that we took the risk and we went out and we bought this building” (Community case study interviewee 4)

Lack of available policy support and guidance for asset acquisition

Governance in Northern Ireland was seen to be a challenge for realising asset transfer policy at a range of levels. During our research period the Northern Ireland Assembly was not sitting and there was no functioning Executive in place, which was seen by interviewees as making it difficult to get things done, limiting accountability, and affecting public body working relationships.

“We have a government in Northern Ireland that can’t govern, and so to try and get officials and departments to sign off anything without a ministerial go-ahead was always going to be difficult, so it probably took much longer than it should have done” (Community case study interviewee 3)

However, it was noted that accountability was also a challenge due to the nature of the political system, even when functioning.

“...our political system, it doesn’t really work in terms of holding those central government bodies to account. On multiple occasions, we’ve been with and without an Executive...but even when we have been with an Executive, getting the ministers to work their departments and hold their departments to account proves difficult as well” (National support organisation interviewee 2)

This was reiterated by KE participants who felt that “Ministers change too often” and policy approaches were “unclear” and “inconsistent” due to this political uncertainty, which meant there was often a lack of government decision making more generally.

The number of public bodies was seen as making it challenging to know who has responsibility for specific assets, and national support organisations estimated there to be “more than 100” differing approaches to the process. It was also noted that, whereas services such as social care, education, and social housing are largely the responsibility of local authorities in England, Wales and Scotland, in Northern Ireland many more functions are delivered by non-departmental public bodies sponsored by Northern Ireland Executive Departments.

“The way it works is each of those independent organisations has their own budget, has their own resources, and so therefore has their own means of thinking about the relevance the agenda around community ownership...Whilst the policy framework from the Executive office theoretically applies to all parts of the public sector, getting all parts of the public sector to adhere to its principles and apply that in a consistent manner is another thing completely” (National support organisation interviewee 2)

In addition to differences of departmental and authority culture, different legal, policy and practice constraints were found to affect various bodies. As an interviewee from the Department of Infrastructure put it: *“...the policy belongs to the Department for Communities and we follow that but we’re constrained with our own powers in terms of our functions of our department”*. These constraints were found to affect both the type of legal proprietary interests that can be transferred to communities and the authority’s approach to transfer at less than market value. In light of this, our community case study interviewees considered that there would be benefit to more *“joined-up thinking”* in policy and delivery.

Community members perceived that government departments and public authorities themselves don’t always know their own responsibilities in regard to asset transfer, which caused further delays for community organisations.

“...the sheer bureaucracy, the sheer amount of government departments passing from one to the other. To be honest it took us about five months to discover who the right people to talk to were because everybody went ‘no, I don’t think that’s us” (Community case study interviewee 2)

External stakeholders and local authorities themselves expressed uncertainty as to how different public authorities are interpreting and implementing asset transfers amid limited budgets, recently reconfigured infrastructure, little guidance from central government, and a lack of coordination between departments. It was said even to be difficult to identify which government departments have responsibility over rural community development and funding support more generally.

“The Department for Communities will fund the urban areas, but they then turn round and go, ‘Yeah, but sure, the rural’s nothing to do with us.’ ‘Yeah, but we’re talking about community stuff.’ ‘No, but that’s a rural community. We only do urban, and it’s the Department for Agriculture that does rural...’. And you have a different culture in DAERA. If it’s for a farmer, they’ll go, ‘Yeah, no worries.’ If it’s for a community, they’re not interested. They’ll go, ‘That’s Department for Communities. It’s got the word community in it” (Local authority interviewee 2)

For their part, local authorities and government representatives stated that they were keen to facilitate asset transfers where possible but lacked the policy direction and guidance they needed to do so.

“It’s in the spirit of the Executive to try and facilitate this where we can and that’s what we do, but, you know, our role isn’t as policy drivers, it’s just really to facilitate a transfer...Because you’re kind of just left on your own to try and make this work without proper guidance” (Department of Infrastructure interviewee)

This was also highlighted by KE participants, one of whom stated that *“local authorities are not provided with support from government to process asset transfers”*.

There was clear support for various types of change, including a general disposal consent (such as in both England and Wales) so that authorities do not need to seek ministerial approval for all disposals at less than market value. Our community case study interviewees also recommended a presumption in favour of the community:

“If a building is no longer serviceable by a government department or a public organisation there should be a presumption that the community should be given the opportunity to use it at least” (Community case study interviewee 3)

Most notably, interviewees felt that Northern Ireland was *“lagging behind”* other nations of the UK in terms of policy support, guidance and legislation. Across the board interviewees called for the introduction of community rights and community empowerment legislation to include, for example, duties on public bodies to register assets, a right to bid, or even a right to buy. As stated by a community case interviewee *“...in Northern Ireland asset transfer is not seen as important and is not as straightforward as in other parts of the UK, we urgently need a transfer policy supported by legislation”*.

Lack of clarity over who owns assets in rural areas

While a public authority may be willing to transfer assets and “the public sector still has a substantial footprint in terms of ownership of land and property assets in rural spaces” (National support organisation interviewee 2), research participants observed that there seemed to be no comprehensive understanding, even within public authorities, of what land and assets they own.

“There’ll be little pockets of land we’re unaware that we own just because it hasn’t been registered or it hasn’t just come under our noses...it’s not all registered or collated into one spreadsheet... We are a big landowner and there are pockets of land that sometimes we don’t even know we own because it’s not required to be maintained” (Department of Infrastructure interviewee)

While there is an ongoing programme to map all publicly-owned land in Northern Ireland and make it available in an accessible online format, participants were uncertain about how this is progressing or when it may be completed.

“Department of Finance here in Northern Ireland for years now has apparently been working on a public asset register project now...to come up with an online searchable public asset register, and to our knowledge it hasn’t emerged yet. I think that’s a barrier for starters, because if there’s an organisation there that is pushing either community led housing or community asset transfer, the baseline is you got to know where the assets are, what they are, who owns them” (Community case study interviewee 4)

KE participants also highlighted a perception that the land ownership system in rural NI is “too complex”. In particular, historic legislation requiring that surplus rural land be sold back to its previous owner was seen to complicate the asset transfer process, as legal advice needs to be sought on any such instance.

The price of assets and the lack of funding for rural communities for acquisition

A key issue for communities was the inability to even consider taking on an asset without access to adequate funding for purchase or lease and for any renovations or construction required post acquisition. As identified previously, public authorities are restricted in their ability to sell land and buildings for anything less than market value. Further, many public authorities do not have processes in place to measure and evaluate social value or impact as the basis for offering discounts.

“...there is nervousness around looking at the social value as we have no mechanism measuring the social value and comparing that to the financial value” (Local authority interviewee 1)

“...within Northern Ireland currently we as a local authority do not have the legislative permission to transfer an asset at less than market value unless we seek permission from the minister” (Local authority interviewee 2).

The rural case study community felt strongly that they should not have had to pay the market value price of £80,000 for the barracks building, given that they had provided a solid business plan and outlined the substantial social and economic benefits that the asset transfer would bring to the local community. In their view, local and national government processes were missing mechanisms to recognise such contribution and social value.

The difficulty of accessing government funding was also identified as a key issue by both interviewees and KE participants. In particular, as stated by one local authority interviewee, funding for the development of community assets tends to sit under specific government departments that have an urban remit.

“The problem is – we have put things in place to try and balance out the support that’s available to the urban areas for those in the rural, but the departments that fund them, that have the lion’s share of the money, they’re still catching up” (Local authority interviewee 2)

Interviewees explained that, while there are pots of funding available to support asset transfers, including initial preparation and to some (lesser) extent post-acquisition maintenance and development, they are not well joined-up or co-ordinated, and there is no specific dedicated fund for asset transfers.

“...there isn’t any dedicated central funding pot for [asset transfer]. So that’s also been a major difficulty. The Department for Communities who have the policy oversight on behalf of the executive will receive a request for capital funding on a case-by-case basis from third sector organisations” (National support organisation interviewee 2)

Our case study community had received funding from the UK Community Ownership Fund as well as the Department of Communities. While they were aware that they could access funding relating to peace and prosperity, language, culture and sport, they felt that there was a lack of specific funding to help communities get through the acquisition process itself.

"[there is a lack of] small pots of money so you can look at planning, so you can look at feasibility studies and green book appraisals, that's what's really difficult for small groups" (Community case study interviewee 1)

This was also emphasised by KE participants, who felt that funding for "pump-priming" activity would be very useful.

A lack of coordinated communication between funders was also noted by the community case study interviewees as a big issue.

"We have funders from the levelling up stuff, we have funders coming from Stormont, we've some EU funding because Northern Ireland is in a unique position. We've funding coming from the council, none of them even talk to each other" (Community case study interviewee 2)

Interviewees and KE participants highlighted the limited availability of post-acquisition funding and other support (other than that provided by the DTNI), especially from public bodies. In particular, there were calls for targeted funding to be made available for post-acquisition renovations, and for paying staff so that assets are not entirely run by volunteers who may already be "burned out" from the acquisition process itself.

"It is important that voluntary not-for-profit groups such as ours have appropriate support after the building is brought back into community use... funding for a Centre such as ours should make provision for the appointment of a Manager with suitable capabilities" (Community case study interviewee 3)

Again, although it was reported that there are pots of funding that could in practice be used to support maintenance and development of the asset post-acquisition, there was seen to be no dedicated funding source specifically for this purpose.

The withdrawal of funding from the EU, such as the 'Rural Development Programme' (which was delivered by local authorities and ended in 2020),⁷¹ was felt to have exacerbated the funding challenge.

"...it was the councils that delivered the Rural Development Programme, which obviously was an EU thing. That's disappeared. What we did with that is we used that as a vehicle for community development in the rural areas. But now we have no dedicated rural stuff" (Local authority interviewee 2)

The UK Community Ownership Fund was viewed as the only source of substantial funding available to fill the "significant gaps" left by the withdrawal of EU funds. The case study interviewees viewed the support they had received from the Community Ownership Fund as vital.

"I don't think we would have even started out to raise the funds to buy it...we knew there's no point in us getting everybody to chip in and raising £80,000 and then being left with a building that was just going to deteriorate. So, the Community Ownership Fund was essential" (Community case study interviewee 3)

However, the requirement to obtain match funding (of 50%) for the Community Ownership Fund was seen as a significant barrier to many community groups without access to any other large funding pots.

"...the email came in about the Community Ownership Fund and I was like, "Right, okay, projects up to 500 grand and with half of that being match funded, that means half a million-match funding," within five minutes, I'd written to them and said, 'Right, this is great. Obviously, Northern Ireland always welcomes all funding, but who have you spoken to in respect to the community and voluntary sector being able to get match funding?'" (Local authority interviewee 2)

KE participants emphasised that it is not only difficult to find match funding but also that the funds available are "small" and "piecemeal". Key support agencies raised further concerns about the longevity of the Community Ownership Fund and its capacity to meet the substantial needs of communities in NI.

"...the Community Ownership Fund is a dedicated fund for the agenda around community ownership...In the grand scheme of things, that's small beans...you've got really significant capital available for organisations in Scotland. The Community Ownership Fund was a welcome addition to that funding...it's £10 millions' worth of investment and capital over 42 projects. But we can guarantee that most of those projects are at least £1 million each for development" (National support organisation interviewee 2)

⁷¹ <http://www.daera-ni.gov.uk/ar&cles/2014-2020-rural-development-programme>

General lack of policy support for rural community development

In addition to a lack of policy support in specific areas (e.g. funding, asset transfer guidance), interviewees and KE participants identified a general lack of policy support in NI for rural community development.

"...policymakers are very Belfast centric...And trying to get them to think about the importance of that contribution that rural communities make to the region as a whole in terms of economic development and public assets...to think that things need to be done slightly differently in rural communities in terms of public service planning and delivery, I think that's one of the challenges" (National support organisation interviewee 1)

KE participants described the majority of policy around community development as "too urban centric" and emphasised their frustration at "rural being overlooked", especially in regard to the key role of community asset acquisition in maintaining or replacing vital rural services and facilities following closure or withdrawal by the public or private sector. With this came a call to government departments to recognise the value of place-based approaches and understand that rurality brings its own unique challenges. KE participants also reported that it can be difficult, within an already complex set of public administrative bodies, to determine where specific rural policy actually sits.

Inequality between sectarian communities

Community asset transfers were seen by some research participants to present problems within the context of Northern Ireland's religious divisions. Some interviewees noted that many rural communities are still divided down sectarian lines, meaning that assets would tend to be transferred to one or the other affiliation. Although policies seek to ensure that both sides receive equal support and investment, the feasibility of implementing this was questioned, as there could be cases in which two groups seek to purchase the same asset, and some assets are transferred based on the needs of a particular community which may not have an equivalent.

"...the sectarian and the religious divide that still exists here can and will be problematic in relation to asset transfers. Whilst we have moved a considerable way in relation to where we were from the Troubles to where we are now, there is still, particularly within the political realm, if one side gets something the other side has to be matched with something, and that doesn't necessarily work in the context of asset transfer because it needs to be based on need as opposed to you're getting this because somebody else got something" (Local authority interviewee 1)

The potential for this to cause tension within the community, especially in those places with more a marked history of conflict, was seen by some interviewees as deterring groups from even seeking to pursue asset transfers.

Key facilitators for engagement in asset acquisition processes

When asked about key facilitators for rural community asset acquisition, interviewees and KE participants spoke both about what already existed and also what they felt was required.

Political and public authority support

The perception of local and national government as a barrier to rural community asset acquisition mostly related to a lack of guidance, practical support and funding. In contrast, local authorities and key stakeholders agreed that there was general political support, including cross-community political support, for the idea of community asset transfer across government departments, including the Departments for Communities, Finance and Infrastructure.

"...in Northern Ireland there's great political support for these transfers, so you'll be lobbied constantly by all parties...I know we're divided here but you'll get cross-political support for certain community groups that are serving a community...there's a lot of community support - local councillors, local political parties, you've your Members of the Legislative Assembly (MLAs), any transfers you're getting a tidal wave of letters in lobbying the Perm Sec or the minister to transfer it" (Department of Infrastructure interviewee)

Some stakeholder and local authority interviewees reported that they felt government was willing to draft policy and guidance for both community organisations and public authorities around Community Asset Transfer and Community Wealth Building, commission research and fund the support organisation, DTNI. However, as described in the previous section, progress was felt to be held back by political stalemate within the Executive, and while politicians were publicly supporting community efforts, they were seen by respondents not to be doing much legislatively.

Our interviewees did feel that the introduction of a policy framework and related guidance had been an improvement. One national support organisation interviewee noted that this framework “shares the aspirations around community ownership, both urban and rural”, while another said: “in a nutshell it’s a set of guidelines that all government departments must follow when they’re selling public land or property”. Support organisation and local authority interviewees considered that the development of the framework and process guidance had led to “tighter guidance for those who are trying to facilitate the Community Asset Transfer”, particularly those helping develop a business case. National organisations and authorities also noted that there is now “stricter guidance and more helpful guidance for...asset owners to complete our business case” (Local authority interviewee 2). Another local authority interviewee stated:

“It’s a bit more structured now in terms of there’s less parameters for us to go it alone, so we have to go through more of a stringent process, but I think that’s only a better thing because it protects [the authority] as well as the other organisation”

It was noted by multiple participants, however, that the existence of the framework prevented public authorities from being able to be flexible and responsive to communities outside of formal process. The Department of Infrastructure interviewee did emphasise their commitment to making these processes easier by offering assets to community organisations before putting them on the open market:

“There’s land there that can be used and the Department’s definitely willing to facilitate that transfer...it’s a great process and the fact that it’s circulated internally to the community groups before it goes to open market shows the commitment of the Executive to try and facilitate this as much as they possibly can”

However, the interviewee did not specify whether the assets offered to communities before being put on the open market would be ‘surplus’ with little market value to private buyers.

Local authority interviewees referred to cases where more than one group had been interested in taking over an asset and they had sought to mediate between them and try to find a solution where all interested parties could benefit. One local authority interviewee also mentioned an ongoing project to proactively consider whether disposals of public assets could be matched with the needs of community organisations:

“We’re looking at all of the assets that are currently within public ownership and how those assets are used and whether we are maximising the benefit from them. We’re also then in parallel engaging with the range of community voluntary sector organisations within that area, and we want to try and understand what their aspirations are and what their needs are for the communities and to see if the two match up” (Local authority interviewee 1)

Finally, the ability to have face-to-face meetings (following restrictions imposed during the coronavirus pandemic) was considered by community interviewees as vital for developing the relationship between the community organisation and public authority, and driving momentum towards completing the asset transfer.

Having the necessary skills within a community

Having the necessary skills and capacity within the community organisation was seen as a strong prerequisite for effectively engaging in acquisition processes, especially in terms of having the necessary confidence and resilience. This was a key theme of the KE event, where participants reported that communities tend to be successful if they have a strong history of local action and community development, proactive and creative community members, and good communication across the community.

The case study organisation had started with a small group of motivated individuals driving forward ideas but grown to comprise a range of well-respected local people on the board, helping to root the organisation and its work in the community. The professional skillset of the organisation’s board was viewed as an important facilitator, especially when they were experiencing delays and setbacks. Having the confidence and ability to speak to senior civil servants, and having other contacts in the public and private sectors, was seen as having helped drive forward the process.

“...all of us have had a fairly successful track record in the business world. We know an awful lot of people. Not just in Northern Ireland but in Ireland and indeed across the water and in the United States and Europe as well...So that was one aspect of it that was really tremendous” (Community case study interviewee 1)

Further, the fact that board members had skills and knowledge in construction, architecture, accountancy, business development, voluntary services, local sports and funding applications was felt to have led to financial success and effective management. This skillset and professionalism had in turn reassured the public authority that the group had the capacity to successfully manage the asset, further facilitating the process and helping them attract funding.

“Almost everywhere we went, from the first politician we met, they made the comment ‘you are a very professional group, you’re very focused on what you’re doing and you know what to do’. Indeed, I think that gives them confidence that if they give us their money we would make it work... You need people who have some experience in the business world...if you want it done I think that’s what you’ve got to do” (Community case study interviewee 4)

The group also reported having used their contacts and connections outside of the community to support additional strands of work and one-off requests, thereby even further expanding the skillset available to the organisation.

The role of DTNI

Research participants viewed DTNI as playing a key role in facilitating asset transfers. Interviewees all stated that DTNI’s support with simplifying the process, overcoming barriers and identifying how and where funding can be best secured and allocated meant that organisations were in a good position to receive such funding in order to meet community or political objectives.

“I think that a lot of rural communities need an independent rural community development officer that can do what DTNI did for us. We’re all quite experienced in dealing with public departments and that, but we just felt that we weren’t approaching this in the right way, and we just didn’t know how to approach it, and DTNI just simplified things” (Community case study interviewee 3)

There were calls by some of the interviewees for funding for DTNI to provide dedicated community development officers within each region (or locality) specifically to help facilitate asset transfers. Further, some interviewees stated that DTNI should have a statutory role and should be further resourced to support and encourage asset transfers nationally.

Education and knowledge sharing

KE participants highlighted the importance of education and knowledge sharing between communities, across sectors and also across nations, in facilitating engagement and success with rural community asset acquisition. They reported that it is very useful for *“communities to share inspiration and best practice”* and for experiences to be shared to *“avoid bad practice”*. Suggestions for knowledge sharing included the production of an asset acquisition toolkit based on community knowledge and experience. This was seen to be especially helpful for knowing what to expect when entering an asset acquisition process. For example, importance was placed on sharing details of contracts and leases, and sharing how communities have interacted or worked with public authorities both successfully and unsuccessfully.

Impacts of asset acquisition processes on the empowerment, resilience and wellbeing of rural communities

Empowerment

Empowerment was conceptualised in a number of different ways by interviewees and KE participants, with different views on how, for whom and to what extent asset acquisition processes were empowering. Rurality in itself was seen as an empowering concept to rural community members, especially in terms of rural communities having a history and culture of continuous self-empowerment through community action.

“I think what empowers us, and it’s partly being rural, is that we’ve had to do so much self-help in the past. We’ve grown up in a culture of self-help, and a lot of it is about going round and tapping people on the shoulder, and saying, ‘Would you be available on Saturday? Would you be able to do this? Would you be able to do that?’ We just want to get things done” (Community case study interviewee 3)

Our rural case study organisation, Grow the Glens, was an example of realising empowerment through community action, as the organisation was established when it was felt that there was a great need for a focus on local economic development.

KE participants also saw “building something for future generations” through taking on community assets as a source of rural community empowerment. Participants also reported that community asset acquisition processes can potentially empower and “galvanise” communities through upskilling and building capacity to take on further assets, as well as by bringing the community together for a common purpose.

A range of interviewees reported that empowerment could also follow post-acquisition through communities having ownership over local development.

“I think it provides an opportunity for localised regeneration. I think it provides an opportunity for communities to be empowered in terms of utilising assets to be able to deliver. I think it has local economic returns in relation to what they can deliver as well, things like the job market dependent on what it is that the asset is being used for” (Local authority interviewee 1)

Nonetheless, it was recognised that such empowerment may only be felt by those directly involved in the process and most active in local community organisations, such as older retired volunteers who were seen by many as being more likely to have the time, inclination and skills to engage in community development activity.

In the specific case of the police barracks which became the Cushendall Innovation Centre, transforming a building with a negative history into something positive was felt to have empowered those involved in the acquisition process.

Community asset acquisition processes were also seen by interviewees and KE participants to be disempowering in many ways. The length of time it takes to navigate an acquisition process, a lack of help or clear guidance, and potential failure were all felt to undermine the potential for asset acquisition to empower communities. Further, the very notion that assets were genuinely transferred to communities for reasons of community empowerment was met with cynicism by various community respondents, who believed the main motivating factor for local and national government to be cost-saving, and saw power as firmly in the hands of the public bodies.

“Normally a government department trying to get rid of something it didn’t want in the first place. I’m cynical about that. I’m afraid that I’ve seen far too many examples where people talk about empowerment...but I think empowerment has got to be on the community’s terms not on a council, or a government’s, or a public organisation’s” (Community case study interviewee 1)

Research participants also felt that the asset transfer process could be disempowering due to public authority culture, a lack of support for community ownership, and issues relating to the party-political context in NI. Examples were provided where very capable groups who had the ability to take on an asset had struggled when dealing with an authority or individual hostile to the idea of that particular group being empowered. Finally, it was noted that the pursuit of equality between sectarian communities ran the risk of assets being transferred to groups lacking the capacity to successfully run them and therefore being disempowered as a result.

Resilience

Resilience was generally understood by research participants as the strength and sustainability that rural communities have. Most notably, rural communities were considered to have high levels of resilience due to a culture of self-reliance.

“I think, as a community, and it’s back to this having to do things for ourselves, rural communities tend to be resilient...That’s how people live. You depend on each other...there is that sense of people will help each other out because you never know when you’ll need the help yourself” (Community case study interviewee 3)

Community asset acquisition processes were seen by some to further develop the resilience of the community group and the individuals involved, especially due to the challenging nature of the process and the need to work together.

“...if you set goals and you manage to see progress, I think it does build your own resilience. As a group of people, I think we’re more confident working with each other now because we’ve had to work through all the different hurdles...you say to yourself, ‘Yeah, I managed to do that, so if I’m facing another challenge next year, I’ll draw on the resilience or whatever I needed to get through the last time.’ So, that helps you” (Community case study interviewee 3)

In the case study, the asset acquisition had been motivated by a desire to tackle issues which were perceived to be undermining the resilience of the community, such as outmigration of younger people, a perceived lack of attention to economic renewal in the area, and the decrease in key community services. In this respect, future-proofing rural assets was perceived to increase socio-economic prosperity and thereby increase the community's resilience.

The difficult aspects of the process of asset acquisition were seen by many interviewees to test the resilience of both the individuals and community organisations involved. In particular, the precarious nature of relying on small volunteer pools in rural areas, and the risk of volunteer burn-out, which could then in turn impact on the success of the acquisition.

"There's a real danger, people like me who are involved in this, how long can we keep this going for? Our particular ability to not burn out is difficult. I've been involved in far too many organisations... I've burnt out of two or three of them and stepped down from them probably about three years later than I should. So, resilience is also about succession planning. I think you need support with those things" (Community case study interviewee 1)

The link between resilience and the need to rely on volunteers was especially noticed during particularly difficult or demanding times, such as the COVID-19 pandemic.

"I think a lot of people got to burnout stage because of the action taken by the community voluntary sector during the COVID period... there is a train of thought that if we transfer public assets to the community voluntary sector, they can then underpin the management of that asset with volunteers, and that isn't necessarily a sustainable model because they have been providing that input for a long, long time, and get to that burnout stage" (Local authority interviewee 1)

Research participants emphasised that the process of building resilience should not stop at the point of the asset being acquired, and that rural community organisations should receive continued supported for years afterwards.

"If you want to have genuine resilience you've got to support that community not simply to build the thing or put something in place but to enable it to get through the first two or three years" (Community case study interviewee 1).

Specifically, it was emphasised that funding to purchase an asset is only the beginning of realising resilience, and ongoing external financial support needs to be available to support the community to develop the project and actually 'realise' resilience.

Wellbeing

Wellbeing was understood as something that could be pursued at individual, community and organisational levels. Positive impacts on wellbeing were perceived to be delivered not directly through the asset transfer process itself, but rather through the feeling of empowerment that came from community ownership and an increase in community resilience due to the ability to impact on local development.

"I think if done right it [the asset acquisition process] should improve the wellbeing of communities. It should give communities that sense of ownership, and it should give communities the opportunity to deliver solutions to address the needs that they've identified" (Local authority interviewee 1)

At an individual level, community case study interviewees reported that their wellbeing had been increased through being able to help their community.

"I've been involved in this type of thing for all of my adult life, and I grew up with my father being involved in it and knew that his father before him had been involved. So, it's sort of part of what I am and it would be a gap in my life if I didn't have involvement at community level. So, from that point of view, it's good for my wellbeing" (Community case study interviewee 3)

At a community level, it was also felt that taking ownership of the asset had boosted local morale in a context of declining assets and population.

In terms of negative impacts on individual and community wellbeing, interviewees and KE participants reported that the lengthy and difficult process of acquisition, as well as the ongoing responsibility of managing an asset, could have negative impacts on the wellbeing of local volunteers, leading some to rule out getting involved in further efforts and projects.

“I think you can burn out because the amount of time that’s consumed in projects like this, I think people really, really underestimate that” (Community case study interviewee 1)

As regards other negative effects on community wellbeing, it was recognised by interviewees that tensions could arise both across and within communities depending on which community members acquired and managed a particular asset.

“...if you bring a sectoral organisation in to manage [an asset], unless that organisation has a cohesive view in terms of who the community are, that potentially then could be divisive. If it’s divisive, then wellbeing is not going to flourish and develop the way that it should do” (Local authority interviewee 1)

3.4.3. Conclusion and recommendations

In summary, our findings showed a number of barriers related to the rural context, most notably the inability of rural communities to successfully engage in asset acquisition processes due to smaller volunteer pools and a lack of individuals with the specific skills and knowledge required. This was mostly related to the outmigration of youth in rural areas, which had led to a loss of professional skills relevant to rural community development and sustainability. Nonetheless, our rural case study exemplified the importance of initiatives such as Grow the Glens for tackling youth outmigration and driving rural socio-economic development and capacity building through the acquisition of local disused assets. It further highlighted the importance of transforming assets with a negative history, such as the police barracks, into something positive, modern and innovative for the whole community.

Our findings show that public authority processes for asset transfer are felt to be overly complex and lengthy, with a lack of clear and consistent practice across public bodies. Public authorities themselves felt restricted by a lack of resources available to support communities through these processes.

While we did find general political support for community asset acquisition, both communities and public authorities felt that national level approaches to asset acquisition were currently confusing, inconsistent and disjointed. While the introduction of a policy framework and guidance was considered to have been a positive step, there was clear support for further legislative mechanisms including a general disposal consent, duties on public bodies to register assets, and a community right to buy.

A further key barrier to rural communities pursuing assets was the lack of strategic funding. This was exacerbated by the inability of public authorities to sell land and buildings for anything less than market value or to formally recognise social value. Available funding was reported to be small scale and poorly joined up, with a lack of direct capital funding available for rural communities to acquire assets and to develop them post acquisition.

Our research highlighted the key role that DTNI play in supporting and facilitating asset acquisitions by simplifying the process and assisting rural communities to secure funding. Our research participants felt that, given the increasing demand for community support with asset acquisitions, DTNI should be further resourced and given a statutory role in asset transfers.

Education and knowledge sharing across communities, regions and nations was also seen as vital for enabling best practice for rural communities. There is support for the production of community toolkits and asset registers, but the development of such tools was felt to be restricted by the absence of clear and standard approaches from local and national government.

Considering the presented evidence, we make the following recommendations:

- Rural communities can play a key role in tackling youth migration by acquiring and running facilities such as digital hubs, but to do this they require policy support that considers the rural context and facilitates access to funding, as well as upskilling and capacity building within local community groups to enable them to pursue public assets. DTNI is well placed to play an expanded role in providing this support with additional resourcing.
- Our research strongly emphasises a requirement for standardised, streamlined and consistent asset acquisition processes at both a local and national government level. This could be assisted by the introduction of formal legislative mechanisms, such as duties on public authorities, public asset registers, and community rights to buy.

- Rural communities would be supported by the introduction of strategic capital funding specific to community asset acquisition.
- The introduction of measurement tools for social value would be beneficial to both communities and public authorities, enabling them to quantify community benefit when making their case for acquisition and when assessing the financial value of assets respectively.
- There is a need for increased facilitation of knowledge sharing across communities, regions and nations. This should include bringing together communities who have been through asset acquisition processes with those considering the option, and a consideration of wider regional and national approaches that could be effectively adopted.

While this evidence contributes to an important development area for policy and practice in Northern Ireland, we acknowledge that the research had a specific focus on rural communities, and that the views of all interviewees and KE participants may not be representative of all NI community populations.



**Comparative
overview of
findings from the
four UK devolved
nations**

4. Comparative overview of findings from the four UK devolved nations

4.1. Summary of key motivators and drivers of rural community asset acquisition

For communities:

The threat of public service withdrawal or loss/ inadequate service provision

Findings from all four nations showed that the key driver for rural communities engaging in processes of asset acquisition from public authorities was to replace or maintain local services and facilities that had been or would potentially be closed or withdrawn. In particular, communities sought to acquire assets to avoid the closure or withdrawal of vital services due to local council budget cuts, or because authorities were unable to deliver adequate services due to a lack of funding and resources.

Across all nations rural community members expressed that rural assets are often “lifelines” for local people and that “the stakes are higher” in rural areas due to there being fewer local assets. For example, when assets such as schools or shops close, younger people and families often migrate out of rural areas, or are not attracted to move into them, which can cause populations to quickly deplete. With this in mind, asset acquisition in rural areas was often reported to be less about active or positive choice and more about a threat to the very survival of the area.

Members of rural communities from England, Wales and Scotland also reported that they had sought to acquire assets because they felt they could deliver better services than those currently being delivered by public bodies. This was especially true in cases where public authorities were unable to meet the operating and maintenance costs of assets, and land and buildings were falling into disrepair. In particular, rural communities reported that they were driven to provide services that were not only better but also more tailored and context appropriate to meet the needs of local people. This was exemplified by our Welshpool case study in Wales who felt better able to provide local care services for the community.

For locally driven socio-economic development

In Scotland, Wales and Northern Ireland, rural communities were driven to acquire assets to take

control over their own socio-economic development and target specific areas of need. For example, to create education and employment opportunities, to provide affordable housing, to bring in tourism, or to create community hubs and spaces for connection. This was a key driver in the NI case study, for example, where the community group had acquired an asset specifically to tackle the outmigration of youth, with a clear recognition that young people are the future for local socio-economic survival.

Rural community participants identified a lack of awareness among public bodies of the specific needs of rural communities. A key motivation for acquiring assets was therefore to take ownership over their own challenges and tailor their own services based on their knowledge of local needs.

To preserve, protect or change local history and cultural significance of public assets

Findings from Scotland, Wales and Northern Ireland highlighted a desire to protect and preserve the historical and cultural significance of rural assets as a further important driver for acquisition. In Scotland, the case study community group were motivated by a desire for the rural community to recognise the history of the Highland Clearances, and to protect a space where history would not be lost or forgotten. In Wales our KE participants spoke about the need to protect rural Welsh-speaking communities as “key custodians” of the language, to provide more shared community spaces for culture, heritage and art connected to the Welsh language, and also to minimise the effects of the dilution or disappearance of the language through in- and outmigration (e.g. locals out, holidaymakers in). In Northern Ireland we saw how some rural assets hold negative connotations and an ongoing legacy of the troubles, and the potential for community ownership to “enable local communities to grow positive narratives” (KE participant).

For public authorities:

For cost saving or resource reallocation purposes

In England, Wales and Northern Ireland, a context of austerity and mass public sector cuts were stated to be the key driver of public authorities disposing of assets to communities. In addition to the short-term financial benefit of the sale, authorities were motivated by the long-term cost savings implied by

transferring responsibility for the maintenance and upkeep of land and buildings to communities. Public authority interviewees reported that they were often “*restricted by process*” and their remit, and that assets that tend to have a higher market value are often first offered to private buyers, with communities only offered assets that have a low market value or are classed as ‘liabilities’.

In contrast, in Scotland all public authority interviewees were clear that they only transferred assets in the ‘spirit’ of actual community empowerment and that the best interests of communities came before their own financial gain. Some stated that allowing communities to deliver their own services and facilities was especially appealing when they could see how communities could make better use of assets being underutilised by the council. The question of whether the duties placed on public authorities through asset transfer legislation is the reason that the attitudes and motivations of Scottish public authorities differ so much from those in England, Wales and NI, requires further investigation.

4.2. Summary of key barriers for rural community engagement in asset acquisition processes

The following provides an overview of the most significant barriers to rural community asset acquisition across the four nations. Other nation-specific barriers are discussed in each nation chapter.

A lack of capacity and skills within rural communities

A key barrier to rural communities engaging in processes of asset acquisition across all four nations was a lack of local capacity and/or required skills. Lower population sizes in rural areas means smaller pools of potential volunteers with the time and energy to invest in what can be a lengthy and intensive process. Specific skillsets were often also required for success, including experience of funding and project management. Difficulties were also posed by youth out-migration and ageing populations, both in terms of a loss of professional skills, ideas and energy, and in terms of finding board members to succeed those involved in the initial asset acquisition.

For these reasons, rural communities tended to struggle with the recruitment and retention of volunteers, especially as available volunteers were often spread thinly across multiple community projects and facing increasing burnout. Findings

from Scotland showed that this could lead to issues around the sustainability and legacy of assets, in terms of who would be available to run and maintain them, and it could be challenging to demonstrate sustainability to funders and public authority sellers during the application process.

Challenges related to rural community engagement, support and participation

Findings from Scotland and Wales showed that within rural communities there can be varied levels of community support for and participation in asset acquisition processes. In Scotland, it was shown that in more dispersed rural areas it can often be logistically challenging to contact people from across communities and get them engaged with asset projects. Further, gathering support can be difficult where only specific individuals or groups, e.g. defined by age or interest, may benefit from the asset acquisition and others may not.

In Wales, findings showed that a key challenge for rural areas is ensuring that community asset projects are representative of the views and opinions of the whole community, and not just those who run community councils or are most active in local development. Moreover, tensions could exist due to a lack of understanding among incomers to rural areas (e.g. holiday home owners) of the importance and significance of saving local assets.

Public authority processes

Participants from all four nations identified the nature of public authority processes as a significant barrier to community asset acquisition. In England, Wales and Northern Ireland, clear, coherent and standardised guidance for asset transfer was found to be lacking and/or not kept up-to-date. This was a particular issue in England, where different tiers of local government could have vastly different approaches.

Findings from England, Wales and Northern Ireland also showed a general lack of publicly available information about available assets for transfer, or simply who owned what. Findings from Northern Ireland showed that public authorities did not even know what they themselves owned. In Scotland, where public authorities have a legal duty to engage in formal asset transfer processes and publish information about assets, this was felt to be less of an issue.

Across all nations, rural communities and national support organisations reported unnecessary levels of bureaucracy and regulatory structures within

public authority processes, often making them too “complex”, “cumbersome” and difficult to navigate. A particular issue in England, Wales and NI was knowing who to approach in the first instance about acquiring an asset, and how many authority departments might need to be involved.

Most notably, interviewees and KE participants across all nations emphasised the sheer length of time that public authority asset acquisition processes can take, even in Scotland where authorities are legally obliged to keep to specific timescales and were seen to be failing to do so.

While public authority processes were mainly criticised by rural community respondents, public authority interviewees in each nation also stated that they felt “restricted” in their ability to fully engage in processes due to a lack of capacity and resources that had resulted from mass austerity-related budget cuts.

Public authority culture

Rural community members from England, Wales and Northern Ireland stated that, in addition to process problems, public authority culture was a key barrier to engaging in asset acquisition processes. There was a perception that public bodies, in particular councils, can be unwilling to let go of assets, or only open to disposing of assets that are deemed liabilities. Further, it was reported that public authorities could be unwilling to consider full community ownership, with leases sometimes the only option offered- often with stipulations which inhibited the development and operation of assets.

The main reasons provided for authorities’ resistance to community asset transfer were risk-aversion and the prioritisation of financial gain over the potential social impact that community asset acquisition could bring. There was also a perceived lack of trust in rural communities, as well as a lack of appreciation or knowledge of community capacity, skills, and potential ability to deliver better services and facilities than the authority.

In Scotland, it was recognised that, while public authorities must engage in asset transfer processes, some are more supportive than others, resulting in something of a “postcode lottery”. Further, success was felt sometimes to depend entirely on the attitude and approach of the individual officers within authority departments.

Public authority interviewees in Scotland reported that if they had more capacity they would like to be more ‘proactive’ in promoting asset transfer, rather

than just being ‘reactive’ to community requests.

A lack of public assets available for transfer to rural communities

Interviewees in England suggested that requests for the transfer of public sector assets to communities are less common in rural areas. While this was partly attributed to councils not having any available or ‘surplus’ assets to transfer, it was also linked to the fact that many ‘public’ assets were under the ownership or stewardship of parish and/ or town councils, with which communities appeared to have limited engagement.

In Scotland, a fundamental barrier to transferring assets was reported by public authorities to be a lack of appropriate surplus assets available to transfer. This was often due to assets already being in use for providing services that the councils have the responsibility to deliver.

Lack of effective legislation or guidance (outside of Scotland)

Our findings showed that a lack of legislation and/or guidance was a key issue in England, Wales and Northern Ireland. While England has the Localism Act 2011, it was felt that this “lacked teeth” due to its inability to give communities any right of first refusal, to have any bid properly considered, or even to have a bid at market value accepted. Therefore, it was not seen as fully empowering communities, as decision making power is still firmly in the hands of public bodies. Further, there was a general lack of promotion, awareness or understanding of the Act amongst communities and within local authorities themselves.

Respondents in Wales felt behind in comparison to other nations in terms of legislative powers. While the Welsh Future Generations Act was considered a “proactive lever”, it was also viewed as guidance that required significant strengthening, and felt by many to be lacking effective implementation by local authorities. Respondents felt that important government mechanisms were missing, in particular a national policy framework for asset transfer and a right of first refusal for communities. While legislation was not seen as immediately necessary by some, interviewees agreed that there should be a focus on better guidance, education and capacity building for both communities and local authorities.

At the point of our research, Northern Ireland did not have a sitting Assembly and there was no functioning Executive in place, which was seen to be limiting policy action on asset acquisition.

Further, participants felt that, as a consequence of political uncertainty, some government departments and public authorities were unaware of their responsibilities and/or experiencing difficulties in asset acquisition implementation. While the introduction of a policy framework had provided tighter and more efficient guidance, most notably for local authorities, it was felt that further policy action was required. Specifically, some respondents called for community empowerment legislation to offer rights to buy, rights to bid and duties on public bodies to register assets of community value.

Respondents in all nations looked to Scotland's legislation for inspiration, in particular the need to streamline and formalise processes, and to focus on assets owned by wider public authorities, not just councils. While findings from Scotland showed that the overall impact of the Community Empowerment Act 2015 (Part 5 Asset Transfer) has been to empower communities and improve engagement between communities and public authorities, some areas for improvement were nevertheless identified. Most notably, formal mechanisms had been experienced as rigid, and processes as somewhat lengthy and complex, with practice sometimes variable depending on public authority interpretation and implementation.

Lack of funding for acquisition and the market value sale price of assets

In England, Wales and Northern Ireland, a key barrier to community asset acquisition was the price to purchase assets from public authorities. In an arena of austerity related policy and practice, public authorities were commonly unable to offer assets for less than market value, with a general lack of guidance and clarity on disposal for less than this. In England, Wales and Northern Ireland, local authorities often simply don't have processes in place to measure and evaluate social value, and in Northern Ireland they are actually forbidden to offer less than market value without full ministerial sign-off. Without effective social value measurements in place, authorities are unable to offer communities discounts on this basis, but communities are often simply unable to compete on price with private buyers, especially without any rights of first refusal.

While in England, Wales and Northern Ireland it was clear that a "mosaic" of funding pots was available, they were generally felt to be poorly joined-up, uncoordinated, difficult to source, and not specific to asset transfer. The need to navigate complex funding structures and write multiple funding applications created further work and pressure for rural community organisations. While in Scotland,

the Scottish Land Fund was praised as a key source of capital funds for purchase, it was felt that there was a severe lack of targeted capital funding for community asset acquisition in all other nations. The UK Community Ownership Fund was recognised as being helpful and one of the only larger pots available in the UK, but also found to be complex, and requiring a significant outlay of match funding, which was often out of reach for rural community organisations. The loss of specific European funding, such as the EU Rural Development Programme, for rural communities post Brexit was identified as a significant blow.

Across all nations, research participants reported a general lack of post-acquisition funding to support renovations and the future viability of assets.

4.3. Summary of key facilitators for rural community engagement in asset acquisition processes

The following provides an overview of the most significant facilitators for rural community asset acquisition across the four nations. Other nation-specific facilitators are described in each nation chapter.

Effective rural community organisations

Across all nations there was a perception that rural communities tend only to be successful in going through asset acquisition processes if they have a sufficient volunteer pool and professional skills and knowledge within their boards. In particular, skills for dealing with legal issues, planning and project management, were considered vital, especially for providing a convincing case for asset transfer and when applying for funding to support a purchase. Interviewees involved in our Northern Ireland case study felt lucky to have such capable community members on their board, including individuals from backgrounds in construction, architecture, accountancy, business development, voluntary services, local sports and grant writing. In Scotland, community groups having a good grasp of the legislation and procedural aspects of asset acquisition was seen to be beneficial in terms of knowing what to expect throughout the process.

Strong community support, engagement and dedication to the cause was found to be a further prerequisite for successful asset acquisition. In rural communities this was often described as coming naturally from a pre-existing culture of self-help and self-reliance.

Going through a successful asset acquisition process was found across all nations to build capability, knowledge and skills within rural communities, as well as breeding support from the wider community, local government and other key stakeholders. This was reported to then invigorate communities to pursue further development projects, including subsequent asset transfers, as occurred in our England case study.

Finally, shared learning from other communities was reported as beneficial, especially from rural communities who had previously been through a process of asset acquisition, whether successful or unsuccessful, and could offer advice and tips.

Supportive public authorities

A supportive public authority was a key facilitator of effective asset acquisition regardless of nation. Effective support tended to be built on a more general recognition of the value and contribution of communities and community empowerment. In many cases, asset acquisitions were reported to have been entirely driven by public authorities, whether through a need to dispose of an asset or recognition that a community could actually do a better job. However, caution and sometimes cynicism were exercised by many rural community respondents across the UK in relation to the motivations for such proactivity (e.g. councils seeking to offload liability assets).

In England, Wales and Northern Ireland public authority interviewees said that they did try to provide support to communities throughout acquisition processes where possible, in the form of advice and guidance around legal structures, finances and planning. Some council interviewees stated that they had even supported communities with small pots of money to cover things like surveying or legal costs. However, a running theme throughout this research has been the inability of public authorities to do more because of restricted budgets and a lack of staffing and resources, which has essentially tied their hands.

In Scotland, public authority support was found to go further. For example, some authority interviewees reported that they ensured assets were only transferred in an acceptable state, if necessary undertaking repairs and renovations before handing them over to communities.

Support organisations

Across all nations, local and national support organisations were found to be “invaluable” for guiding and supporting rural communities through

asset acquisition processes. In Northern Ireland DTNI were specifically praised as the key intermediary between communities and local/national government. The support ecosystem in Scotland was also highly valued in terms of its comprehensive, joined-up and well-coordinated offering.

Support organisations had provided, amongst other things: a first point of contact for new projects; advice and guidance for funding applications; feasibility studies and building evaluation; assistance with negotiations with the owner; help with governance and legal structures; support with community shares, business planning and modelling; and help with community consultation. Support organisations were also found to play a key role in promoting community asset acquisition more broadly across nations, both by acting as key intermediaries with policy and by helping to drive widespread community support.

Legislation (in Scotland)

Despite some criticisms, our research shows that Scottish policy mechanisms, in particular Part 5 of the Community Empowerment Act 2015 (Asset Transfer), were viewed as effectively assisting rural communities with asset acquisition. Legislative measures have increased awareness of community asset transfer and given community groups effective rights, including the right to appeal and for decisions to be made in specific timeframes – which offers a form of accountability for public authorities. These aspects have encouraged community groups to pursue asset transfers through the official mechanisms in order to benefit from these additional levers, and improved relationships between community groups and public authorities through greater transparency. The formal process and guidelines were considered to have been particularly beneficial where there was friction or disagreement between a community and a relevant authority, or where a power imbalance between the community and the authority was evident. Formal asset transfer requests were also said by interviewees to be useful where the community is concerned that the authority wishes to transfer the asset elsewhere, if the community feel the price being proposed to them is too high, or where they feel that the community benefit offered warrants a more significant discount.

Scottish legislation was also found to have strengthened the hand of public authorities to have specific resources allocated to asset transfer processes and to community empowerment more generally.

4.4. Impacts of asset acquisition processes on the empowerment, resilience and wellbeing of rural communities

To summarise the impacts of asset acquisition processes on the empowerment, resilience and wellbeing of rural communities, findings from across the nations are visualised below in a series of diagrammatic tables.

Impacts on empowerment

	Pre-process	During proces	Post process
Empowering	<ul style="list-style-type: none"> • Being able to take action and start a movement; • Bringing rural communities together for a common goal or purpose. 	<ul style="list-style-type: none"> • Boosting local social connection and cohesion when working together; • The instigation of community co-production, participation and engagement; • Giving the community a voice and platform to make change; • Self-empowerment through community action and self-reliance; • The upskilling and capacity building of community members. 	<ul style="list-style-type: none"> • The sense of achievement from going through a process successfully; • Being able to take control over the asset and local development; • Success can re-energise communities and lift their spirits; • Being able to build something for future generations; • Transforming something negative into something positive for the community and local economy; • Bringing people together and galvanising the community;
Disempowering	<ul style="list-style-type: none"> • When acquisition isn't a choice but a threat (e.g. loss of services) and communities feel forced to take action; • Public authority motivations for disposing of liability assets- cynicism around cost saving rather than community benefit; • When communities are excluded from pursuing assets due to a lack of skills or capacity. 	<ul style="list-style-type: none"> • The difficult and unpredictable process which brings a sense of lack of control and feelings of helplessness; • Dealing with local politics; • Negative attitudes or lack of support from public authorities; • Lack of support or involvement from community members; • Length of time and complexity of process. 	<ul style="list-style-type: none"> • Failure to acquire the assets, especially after a long and difficult process; • The threat of services and facilities being lost if a community is unsuccessful in acquiring an asset.

Impacts on resilience

	Pre-process	During proces	Post process
Resilience		<ul style="list-style-type: none"> • A collective community drive and commitment; • Receiving funding and being more financially secure; • Valuing skills and knowledge within communities; • Having a collective drive and ambition; 	<ul style="list-style-type: none"> • Resilience gained through skills and confidence from completing a process- help them to get more assets; • Being able to future proof for emergencies through gaining assets; • Attracting young people to work and live in communities; • Being able to provide vital services and facilities that rural communities need.
Loss of resilience	<ul style="list-style-type: none"> • Losing local assets and services; • Youth outmigration. 	<ul style="list-style-type: none"> • Challenges with succession planning and sustainability of assets; • The process itself being complex, lengthy and difficult to navigate; • The overburden on small pools of volunteers leading processes. 	<ul style="list-style-type: none"> • Challenges related to the ongoing maintenance and sustainability of assets can decrease resilience.

Impacts on wellbeing

	Pre-process	During proces	Post process
Positive impacts on wellbeing	<ul style="list-style-type: none"> Increasing community cohesion through coming together for a common purpose and shared goals. 	<ul style="list-style-type: none"> Having a voice; Tackling loneliness and connecting people during the process; The practice of volunteering; Feeling more connected to the community and the asset. 	<ul style="list-style-type: none"> Sense of achievement and satisfaction from being successful; Providing new or improved social infrastructure for the community through asset acquisition; Wide and rippling effects of acquiring assets on wellbeing to all different parts of a community; Providing hope and positivity for the future of the community, boosting morale; Ownership and control and increased resilience.
Negative impacts on wellbeing		<ul style="list-style-type: none"> The stress and strain of the process and the weight of responsibility for the community; The demands of funding applications can be detrimental to wellbeing of volunteers; Volunteer burnout and exhaustion. 	<ul style="list-style-type: none"> Dissatisfaction and stress if process is unsuccessful; Worry of continued management and operation of the asset post acquisition; Negative impact on individual and community wellbeing means it is often too stressful to go through a process again.



Conclusions and recommendations

5. Conclusions and recommendations

- Rural communities can play a key role in delivering key services and facilities that are tailored to the needs of local populations, and can often be delivered in more efficient ways. However, rural communities often take on assets in the context of threat rather than choice, and can be overburdened due to the complex nature of acquisition processes. Therefore, they require specific policy support that considers the rural context and facilitates access to funding, as well as upskilling and capacity building to successfully engage with national and local government level procedures.
- Our research strongly emphasises a requirement for standardised, streamlined and consistent asset acquisition processes across all public authorities in England, Wales and Northern Ireland. This could be assisted by the introduction of legislative mechanisms, such as duties on public authorities to comply with national guidance. Further, resources, support and training are required for authorities to enable them to fully engage with and embed community asset acquisition into their everyday practice. While processes are more standardised in Scotland due to the existence of legislation, further resourcing and training is also required there to provide consistency, accountability and adoption of community asset transfer across all relevant authorities.
- Our findings show the need for additional or improved legislative mechanisms for community asset acquisition in England, Wales and Northern Ireland. In particular, our research points to a demand for more community rights, most notably a right of first refusal and a right to buy, especially in England where the existing right to bid was found to be ineffective. Findings from Wales showed that there is a need for Welsh Government to strengthen and tighten legislative powers and guidance, most notably by introducing an effective national policy framework for community asset acquisition. Scotland is the most advanced nation in the UK in term of policy and law, and further opportunities should be identified to share learning with the other UK nations around what works (and what hasn't worked so far), and in particular the differences that legislation had made since its introduction.
- In England, Wales and Northern Ireland, rural communities would be supported by the introduction of strategic capital funding specific to community asset acquisition, much like the Scottish Land Fund. Funding is required to cover both pre and post-acquisition costs, without requiring a significant outlay or match funding from the communities. Different funds also need to be better joined-up and coordinated.
- The introduction of standardised measurement tools for social value would be beneficial to both communities and public authorities, enabling them to quantify community benefit when making their case for acquisition and when assessing the financial value of assets respectively. This would also allow the disposal of assets at less than market value to become more common practice, reducing the amount of funding rural communities are required to source.



Appendix 1

Appendix 1: Comparative analysis of current policy and legal frameworks

The comparative analysis of policy and law sought to achieve objective 2. To identify existing policy and practice level structures and processes for community asset acquisition and their application in rural contexts.

The comparative analysis also sought to answer RQ2. Who are the people, and what are the processes and structures involved in rural asset acquisition in each of the four UK nations?

The law relating to the transfer of assets to communities has developed differently across the UK nations due to variable policy contexts. This chapter introduces some of the main policy and law impacting on community rights to acquire interests in assets, particularly rights to ownership or tenancy. It should not be taken as an exhaustive statement of policy and law, but rather sets the scene for our evidence on the impact of different rights and processes within rural communities and public authorities.

Methodological approach

Firstly, a comparative analysis was undertaken of relevant policy, primary and secondary legislation, and guidance, in each UK nation, on or relating to core mechanisms through which communities can obtain assets. Secondly, a comparative examination was undertaken of policy aims, goals and strategies (e.g. for increased community empowerment, resilience and wellbeing), including intended outcomes for social change. The third element of the work was an examination of legislation and guidance, including use of legal language (specifically the creation of duties and rights) and establishment of legal and administrative mechanisms for acquisition as well as procedures for review and/or appeal. Fourthly, the analysis included the identification of any 'rural proofing' of asset acquisition policy and law (including relevant Impact Assessments) and/or considerations of contextual nuance in each nation. Finally, the analysis identified and compared key structures and processes in each nation (e.g. required or recommended public authority processes, application forms, funding procedures,

requirements to ensure sustainability and/or to produce business plans, support structures, and oversight organisations). We will now discuss the findings for each nation.

Scotland

The development of community asset acquisition in Scotland has been historically connected to the land question: "who owns Scotland?" (McMillan et al., 2020; House of Commons, Communities & Local Government Committee, 2015), as well as to public services reform (Christie Commission, 2011) and community empowerment. The land question has been influenced by rural experiences including the Highland clearances (evictions of tenants from the Highlands and Islands in the 18th and 19th Centuries) and the concentration of land in the hands of private estates. Reconvening the Scottish Parliament enabled proposals developed by a Land Reform Policy Group (LRPG) to be progressed (McMorran et al., 2018; Combe et al., 2020). The LRPG concluded that the existing system of landownership inhibited development in rural communities, causing natural heritage degradation resulting from poor land management (Land Reform Policy Group, 1998; McMorran et al., 2018). Some of the earlier legal interventions in Scottish land reform related to rural and particularly crofting communities.¹

More broadly, in the public sector context, a report on the future delivery of public services recommended that reforms "must aim to empower individuals and communities receiving public services by involving them in the design and delivery of the services they use" (Christie Commission, 2011). Scottish Government policy seeks to empower communities through various actions including by making it easier for communities to take over land and buildings in public ownership through asset transfer.²

Linking consideration of both privately and publicly owned land, the Land Reform (Scotland) Act 2016 introduced a duty on Scottish Ministers to publish a Land Rights and Responsibilities Statement explaining the Government's vision for the ownership, use and management of land, setting out how it sees the balance between the rights of landowners, managers, local communities, and wider society.³

¹ E.g., the Abolition of Feudal Tenure etc. (Scotland) Act 2000 which removed the centuries old system of feudal tenure and the lingering influence of feudal superiors in relation to land; and the Transfer of Crofting Estates (Scotland) Act 1997 providing for the transfer of crofting lands in the Highlands and Islands that are owned by the state to a community body.

² <https://www.gov.scot/policies/community-empowerment/>

³ <https://www.gov.scot/publications/scottish-land-rights-responsibilities-statement-2022/pages/3/>

For the purposes of this project, the most important legislative developments are the Land Reform (Scotland) Act 2003, the Community Empowerment (Scotland) Act 2015 and the Land Reform (Scotland) Act 2016. Each establishes ways for a community to acquire land, and in some cases other assets. The overall effect of these legal rights is to empower communities in a way that either forces an owner to deal only with the community as and when the owner decides to sell, or forces an owner to sell to or otherwise transfer property interests to the community, as and when the community wishes to acquire (Combe et al., 2020).

The Land Reform (Scotland) Act 2003 (the 2003 Act) introduced a Community Right to Buy (CRtB), providing the opportunity for communities across Scotland to register an interest in land (usually private land) and buy that land at market value once it is offered for sale. Initially the CRtB applied to rural settlements of less than 10,000 people, however the Community Empowerment (Scotland) Act 2015 (the 2015 Act) extended this right to buy to the whole of Scotland. The 2003 Act works by allowing a community body (that is, members of a locality associated together in a suitable legal personality) to acquire land in certain circumstances. Part 2 of the 2003 Act provides a more general CRtB, whereas Part 3 refers specifically to Crofting Communities (introducing stronger rights which amount in effect to enforced transfer from existing owners). Whereas the Crofting CRtB can lead to an enforced sale, the Part 2 CRtB gives the relevant community body a right of first refusal, meaning the owner cannot be forced to transfer the land, and the community right only engages once the land is put up for sale. To acquire this right of first refusal, a community must first register an interest in the land it seeks to acquire in a public register.⁴ A community body, for the purposes of this CRtB, under Part 2 of the 2003 Act, must be referable to a geographical area.

The 2015 Act amended the CRtB, aiming to streamline the process, and introduced a further right for communities to request Asset Transfers

from public bodies. Part 5 of the 2015 Act provides a right for communities to request asset transfers from “relevant authorities”. These are public bodies listed in Schedule 3, including the Scottish Ministers (such as Forest and Land Scotland) and local authorities, and other entities like the Scottish NHS, and Scottish Police Authorities. Communities can use this legislation to seek ownership of land, or a right short of ownership, such as a lease or a right to manage or occupy the land. Community asset transfers from public bodies under Part 5 of the 2015 Act can be made to communities of interest. An eligible “community transfer body”,⁵ is defined as either a “community-controlled body” or a body designated as such by Scottish Ministers.⁶ A community could be any group feeling they have something in common, which could be living in the same area, but could also be shared interests or characteristics. Such “communities of interest” can include faith groups, ethnic or cultural groups, people affected by a particular disability, sports clubs, conservation groups and heritage associations. This could range from local groups to national or international bodies with thousands of members.⁷ Where ownership is not sought, there is no requirement to incorporate in any specific form (although it seems likely that given the financial responsibility associated with leasing that a public body or any funders would expect a tenant to adopt a suitable form). Where a community body seeks to acquire ownership, it must have a suitable legal personality normally having a minimum of 20 members.⁸

The right to request an asset transfer is not triggered by anything in particular and, subject to certain restrictions, a community can expect any request to be given due consideration. The community can request ownership or a lease of the land, and the request must state the land to which the request relates, the reasons for making the request, the benefits which the community transfer body considers will arise if the authority were to agree to the request, and the price that the community would be prepared to pay.⁹ The relevant authority is not allowed to sell the land until it

⁴ The Register of Community Interests in Land is maintained by the Keeper of the Registers of Scotland and is available online: <https://www.ros.gov.uk/our-registers/register-of-community-interests-in-land>

⁵ Community Empowerment (Scotland) Act, section 77.

⁶ A “community-controlled body” is a body (whether corporate or unincorporated) with a written constitution defining: the community to which it relates; that the majority of members must be members of the community and that community members must control the body; that membership is open to any member of the relevant community; a statement of the aims and purposes of the body including promotion of community benefit; and that any surplus is to be applied for community benefit.

⁷ See e.g., Scottish Government, A step-by-step guide for community bodies on asset transfer as part of the Community Empowerment (Scotland) Act 2015, online at: <https://www.scot.gov.uk/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-community-9781786527509/pages/5/>

⁸ Section 79(3). These personalities include a company limited by guarantee; a Scottish charitable incorporated organisation; and a community benefit society. Later regulations have allowed some bodies to acquire land even if they have less than 20 members, namely where a community body that has been approved for another right of acquisition then seeks an asset transfer.

⁹ Section 79.

considers the request,¹⁰ and it must give due consideration to the application based on the scheme set out in the legislation, including whether agreeing to the request would be likely to promote or improve economic development, regeneration, public health, social wellbeing, or environmental wellbeing.¹¹ The relevant authority *must* agree to the community's asset transfer request unless there are reasonable grounds for refusing it.¹²

The 2015 Act does not say how much should be paid to purchase or lease an asset, or whether it should be at market value or at a discount. Scottish Government Guidance recommends that the community and relevant authority seek a joint valuation; but the law does not require a community body to undertake a valuation, jointly or otherwise. Authorities can agree to below market value disposals to communities provided they comply with the relevant law. In particular this includes a duty to secure "Best Value". Specifically, "Best Value" seeks to deliver continuous improvement in performance whilst maintaining an appropriate balance between effectiveness and economy. It requires due regard to equal opportunities and to contributions to the achievement of sustainable development. According to para 11.2 of the Community Empowerment (Scotland) Act 2015: asset transfer guidance for authorities: *"All relevant authorities have a duty to secure Best Value in their operations, including when disposing of or letting property. However, it has long been recognised that best value does not always mean the highest possible price, and all authorities have the ability to dispose of property at less than market value where there are wider public benefits to be gained. This is set out in the Disposal of Land by Local Authorities (Scotland) Regulations 2010, and in the Scottish Public Finance Manual for other relevant authorities. It is a question of balancing the financial and non-financial impacts, both positive and negative, of the different options"*.

Generally, local authorities can also sell, lease, or otherwise grant propriety interests to communities outside the asset transfer process under the 2015

Act, including at below market value, provided they comply with relevant applicable public administrative law, land law, guidance, and so on. Indeed, many asset transfers from local authorities still take place outwith the procedure laid down in the 2015 Act.

What is significant about the procedure under the 2015 Act is that there are specific review and appeal rights. A community body can seek a review or appeal if their request is refused, if the request is agreed but the terms and conditions in the decision notice are significantly different from the request, or if no decision notice is issued in the required period. If the request was made to a local authority, the community body can apply for an internal review by the authority itself.¹³ If this process does not resolve the issue, or if no decision is made within the required period, the community body can then appeal to Scottish Ministers under section 88. If the asset transfer request is made to the Scottish Ministers, then the community body can seek a review by the Scottish Ministers.¹⁴ If the request is made to any other relevant authority, the community body can appeal to the Scottish Ministers.¹⁵ There is no further right of appeal beyond the Scottish Ministers, other than through seeking a judicial review. Review and appeal procedures are laid down in regulations¹⁶ and guidance. Review and appeal documents and their outcomes can be found online on the Scottish Government, Planning and Environmental Appeals Division, usually under the case category "CAT".¹⁷

Finally, the 2015 Act also requires a relevant authority to establish and maintain a publicly accessible register of land that, to the best of its knowledge and belief, it owns or leases;¹⁸ and to publish Annual Reports setting out various information such as the number of asset transfer requests received and their outcomes; appeals received and their outcomes; and action taken to promote the use of asset transfer and support given to community transfer bodies making requests.¹⁹

Most of the detail on procedures to be followed and requirements to be met is contained in Regulations.²⁰ These Regulations are also supported

¹⁰ Section 84.

¹¹ Section 82.

¹² Section 82(5).

¹³ Section 86.

¹⁴ Section 87.

¹⁵ Section 85.

¹⁶ The Asset Transfer Request (Appeals) Scotland Regulations 2016 (as amended); The Asset Transfer Request (Review Procedure)(Scotland) Regulations 2016 as amended; The Asset Transfer Request (Appeal Where No Contract Concluded)(Scotland) Regulations 2016 as amended.

¹⁷ <https://www.dpea.scotland.gov.uk/CaseSearch.aspx>

¹⁸ Section 94.

¹⁹ Section 95.

²⁰ Including: The Asset Transfer Request (Procedure) (Scotland) Regulations 2016; The Asset Transfer Request (Appeals) (Scotland) Regulations 2016; The Asset Transfer Request (Review Procedure) (Scotland) Regulations 2016; The Asset Transfer Request (Appeal Where No Contract Concluded) (Scotland)

by Guidance, such as the Community Empowerment (Scotland) Act 2015: asset transfer guidance for authorities, which relevant authorities are required to have regard to in carrying out their functions in relation to asset transfer.²¹ The Scottish Government has also produced the *Community Empowerment (Scotland) Act 2015: community transfer bodies' guidance*. Both sets of Guidance cover the whole process, but each focuses more specifically on the actions required to be taken by relevant authorities and community bodies respectively. The Scottish Government has also published a *Summary Guide to Asset Transfer; Social Value Guidance*; asset transfer model documents; and an archive of asset transfer case studies. In addition, the Development Trusts Association Scotland (DTAS) Community Ownership Support Service (COSS) produces materials to support communities and authorities, including educational materials, example forms and letters, and visual route maps of the processes. The Scottish Government website also provides relevant templates. A Scottish Land Fund was established in 2000, which is currently funded by the Scottish Government and delivered in partnership with the National Lottery Community Fund and Highlands and Islands Enterprise. It offers grants of up to 95% of an asset's value to help communities take ownership of the land and buildings that matter to them, as well as practical support to develop projects.

In addition to the previously mentioned Rights to Buy and Asset Transfers, there is a right for community bodies to acquire eligible land if it is abandoned or neglected, or used or managed in such a way as to cause harm to the environmental wellbeing of a relevant community.²² There does not need to be a willing seller. There is a further right under the Land Reform (Scotland) Act 2016, if strict conditions are met, for communities to acquire land for sustainable development. This right does not require a willing seller and there is scope for the community body to nominate a third-party purchaser. These rights are generally only expected to be used where the other options to acquire land have failed (Robbie, 2021).

Summary of Previous Research and Policy Positions on Scottish Legislation

In reviewing research post legislation, we concluded that there was some early evidence of the implementation of asset transfer legislation in Scotland having fallen short of the original expectations of introducing a robust and consistent approach to asset transfers across relevant authorities. Earlier research suggested differential rates of compliance with the 2015 Act, and that adherence to the letter of the law was not always accompanied by concordance with its spirit. Evidence also suggested some poor community experiences of process, as well as additional layers of process being developed by authorities (particularly an Expression of Interest stage seen by some as adding unnecessary bureaucracy and barriers), some timeframes within the legislation were seen as challenging, and some community groups reported confusion around the process for reviews and appeals. However, we note that more recently there have been several reported reviews and appeals in favour of community bodies, including against Scottish Ministers. Respondents to previous research had suggested that some local authorities had been "less strategic, adaptive and flexible as a result of legislation" and that "processes which used to be negotiated are now much more bureaucratic" (McMorran et al., 2018: 55). Given the timing of previous research, it was understandable that the 2015 Act had not yet sufficiently bedded in, and that more time would be needed for relevant authorities to get to grips with processes and deliver appropriate training, and that community experiences, especially of review and appeal processes, were limited at that time. Previous research also found that the real innovation in the 2015 Act was the "*shift in the power balance for community ownership*", that a relevant authority must agree to a properly made asset transfer request unless there are reasonable grounds for refusing it (McMillan et al., 2020). In 2021, a Scottish Parliament Local Government and Communities Committee found, and welcomed, a generally positive view that stakeholders had of asset transfers under the 2015 Act²³, but also invited the Scottish Government to consider views that the process had become more onerous and bureaucratic over time, and that lease arrangements were increasingly preferred over transfer of ownership (Scottish Parliament Local Government and Communities Committee, 2021).

Regulations 2016; and The Community Empowerment (Registers of Land) (Scotland) Regulations 2016.

²¹ This constitutes guidance under section 96 of the 2015 Act.

²² Land Reform (Scotland) Act 2003, Part 3A.

²³ <https://digitalpublications.parliament.scot/Committees/Report/LGC/2021/2/26/1335d35f-ca3a-4a50-8d86-b4481ea2ba57#898b6bbc-a547-4cfd-8925-75f03e2437c2.dita>

England

In England, community asset transfer has tended to be a central government policy directed at local authorities' use of their redundant assets, operating on a discretionary basis. Historically, local authorities in England (as in Wales and Northern Ireland), only had powers and responsibilities as defined by law; however, the Localism Act 2011 (and related legislation) reversed this presumption so that a local authority now has power to do anything individuals may generally do. An individual can dispose of property, therefore so can a local authority, although legislation does place some conditions on these disposals. The Local Government Act 1972 provides that councils in England cannot dispose of land (other than by way of short tenancies) for less than the best consideration that can reasonably be obtained without consent of the relevant Secretary of State. In 2003, the then Government published a "General Consent" for English local authorities to dispose of land to community organisations at below market value where conditions are met. In effect this 2003 General Disposal Consent provides the legal basis for community asset transfer at below market value. The conditions are that the unrestricted value of the land does not exceed £2 million, and that the local authority considers the purpose for which the land is to be disposed is likely to contribute to one or more of the following: promotion or improvements of economic well-being; social well-being; or environmental well-being.

English local authorities can be expected to have a strategy in place for asset disposal, which should include a community asset transfer policy outlining expectations and processes. However, research published in 2020 by the Co-operative Group Limited and Locality, *In community hands: lessons from the past five years of Community Asset Transfer*, found that many local authorities do not have a community asset transfer policy in place, either as a standalone policy or embedded in other policies such as asset management or localism policies, and that many other authorities had not updated their policies in the five years covered by the report (2014-2019)(Co-operative Group Limited and Locality, 2020).

Community Asset Transfer in England, then, is a voluntary process entered into proactively by public bodies and includes the transfer of ownership or management of land or other assets at less than market value. This is to be distinguished from newer community rights to list and bid for Assets of Community Value under the Localism Act 2011. Part of the background to such new rights was a 2006 review of asset transfer powers and policies established by the then Labour Government (Quirk Review, 2007). This found that sufficient legal powers existed for local authorities to transfer assets to community management or full ownership, but that a culture of using these powers regularly and effectively had not been established. The review's vision for the future was "*recognition that optimising the use of public assets is not the primary objective: the over-riding goal is community empowerment*" (Quirk Review, 2007: 3). Under the Coalition Conservative and Liberal Democrat Government, the Localism Act 2011 introduced provisions giving communities a right to identify a building or land believed to be of importance to their social wellbeing; if the asset comes up for sale, the community is given a fair chance to bid to buy it on the open market.²⁴ The term "asset" is not defined in the 2011 Act but includes land and other real assets.

Part 5 of the Localism Act 2011 enables a suitably constituted community interest group to nominate local assets to be listed as Assets of Community Value, whether these assets are currently in public or private ownership.²⁵ Assets may only be included in the list of Assets of Community Value in response to a community nomination or where otherwise permitted. Community nominations are defined as nominations made by a parish council or a voluntary or community body with a local connection.²⁶ A body other than a parish council has a local connection with land or assets in a local authority's area if the body's activities are wholly or partly concerned with the local authority's area, or with a neighbouring local authority's area.²⁷ Differently here to the asset transfer requirements under the Community Empowerment (Scotland) Act 2015, community interest bodies under the Localism Act 2011 include parish councils, which are the lowest tier of local government in England.

²⁴ Localism Act 2011, Part 5, Chapter 3 "Assets of community value".

²⁵ Localism Act 2011, Part 5 Community empowerment, Chapter 3 Assets of community value.

²⁶ Localism Act 2011, section 89(2)(b).

²⁷ Voluntary community bodies that can nominate assets for listing include neighbourhood forums under the Town and Country Planning Act 1990, parish councils, unincorporated bodies with at least 21 individual members which do not distribute a surplus to members, charities, companies limited by guarantee and industrial and provident societies that do not distribute a surplus to members, and community interest companies: Localism Act 2011, section 89(2)(b)(iii) and The Assets of Community Value (England) Regulations 2012, regulation 5. Unincorporated bodies, companies limited by guarantee, and industrial and provident societies will be considered to have a "local connection" if any surplus made is wholly or partly applied for the benefit of the relevant local authority's area, or for the benefit of a neighbouring local authority's area.

If listed assets of community value come up for sale, there is a moratorium period during which community interest groups with a legal identity can submit an intention to bid.²⁸ Local authorities in England are required to maintain a list of assets of community value.²⁹ For the purposes of Chapter 3 of Part 5, whether a particular building or other land in the local authority's area is of community value depends on the local authority's opinion as to whether it furthers the social wellbeing or social interests of the community, or did so in the recent past and will realistically continue to do so, or could do so within the next five years.³⁰ "Social wellbeing" is not defined in the 2011 Act, whereas "social interests" is defined as including cultural, recreational, and sporting interests.³¹ Upper Tribunal decisions interpret some of these provisions, although what constitutes "social wellbeing" and the "local community" is, as the Tribunal has put it, a "highly contextual question, depending upon all the circumstances of the particular case".³²

The owner is prevented from disposing of an asset listed as of community value unless certain conditions are satisfied, including that the owner must notify the local authority in writing of their wish to dispose, and that a relevant moratorium period has ended. Specifically, that an interim moratorium period (of six weeks) has ended without the local authority receiving a written request from a community interest group for the group to be treated as a potential bidder, or that a full moratorium period (of six months) has ended.³³ The moratorium on sale under the Localism Act 2011 gives communities a right to bid for an asset before the owner can transfer to anyone else. This is different to the asset transfer process under the Community Empowerment (Scotland) Act 2015, where the relevant authority *must* agree to the community's asset transfer request unless there are reasonable grounds for refusing it.³⁴ This is also different to the other Scottish community rights to buy, noted above, where communities can acquire land, usually from private owners, in some cases even where owners are unwilling to sell.

The Assets of Community Value (England) Regulations 2012 provide a more detailed definition of bodies that have a local connection allowing them to nominate assets to be listed as being of community value, and to enable them to bid for assets. The Regulations also provide more detail on the expected contents of community nominations, the procedure when considering whether to list assets, procedures for reviews and appeals against decisions under the 2011 Act, and the moratorium period (among other matters). A Department for Communities and Local Government (now Department for Levelling-up, Housing and Communities) non-statutory advice note published in 2012 provides a legislative overview of Part 5 of the Act and the Assets of Community Value Regulations.³⁵

The Plunkett UK maintains an online database of all community assets in England that have been nominated as Assets of Community Value, through its website Keep It In the Community.³⁶ The Plunkett Foundation is a UK charity that supports people to set up and run a wide range of businesses which are owned by local communities. It provides advice, training, and guidance on setting up and running community businesses, including model rules on legal structures, resources, and templates. Specialist support on asset transfers is also provided by Locality, established in 2011 through the merger of two organisations (the British Association of Settlement and Social Action Centres and the Development Trusts Association). Locality is a membership organisation providing information and advice about community asset transfers and assets of community value, including guides for communities, template documents and consultancy support.

²⁸ Localism Act 2011, section 95.

²⁹ Localism Act 2011, section 88(1) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community. If the asset does not meet these requirements, it might still be of community value if, in the opinion of the authority: Section 88(2) (a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and (b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

³⁰ Localism Act 2011, section 88.

³¹ Section 88(6) "social interests" includes (in particular) each of the following – (a) cultural interests; (b) recreational interests; (c) sporting interests.

³² *Crostone Ltd v Amber Valley Borough Council* [2015] UKFTT CR/2014/0010 (GRC) at [17].

³³ Localism Act 2011, section 95(6) specifies the moratorium periods.

³⁴ Community Empowerment (Scotland) Act 2015, section 82(5).

³⁵ <https://www.gov.uk/government/publications/community-right-to-bid-non-statutory-advice-note-for-local-authorities>

³⁶ <https://plunkett.my.site.com/keepitinthecommunity/s/>

Summary of Previous Research and Policy Positions on Legislation in England

In October 2018 the UK Government issued a consultation on *Planning Reform: Supporting the high street and increasing the delivery of new homes*, Part 2 of which concerned disposal of local authority land. The consultation sought views on whether the thresholds for existing general consents, that allow local authorities to dispose of land to communities for less than market value, should be amended and whether a new general consent should be introduced in relation to land held for planning purposes. There was strong support from 107 respondents for either an increase in the threshold (about half) or the complete removal of the threshold (around a third). Reasons given for reform included that: land values had increased and therefore the existing threshold was now too low; it would give local authorities greater flexibility and scope for local decision making; and that there are other checks and balances in place to prevent abuse of the system (such as local authority fiduciary duties to residents). In contrast, some felt that, given local authorities' financial challenges, the threshold was appropriate and ensured transparency and accountability, so should be retained. At the time of writing no action has yet been taken to amend the threshold.

A range of viewpoints on the use of public land and property in England continue to be advanced. A 2014 Localis report *Public land, public good* advocated for the use of land and property by local authorities as a capital asset that could supply revenue for local services (Localis, 2014). A similar point was made by a 2015 Centre for Cities report *Delivering change: making the most of public assets* (McGough & Bessis, 2015). For their study, *In community hands: lessons from the past five years of Community Asset Transfer* (Co-operative Group and Locality, 2020), published in March 2020, the Co-operative Group Limited and Locality made a Freedom of Information (FOI) request to all local authorities in England to generate new data about the scale of Community Asset Transfers (CATs) and CAT policies and terms of asset transfers taking place. They also carried out a policy analysis of a sample of 20 CAT policies. The research found that, based on the 280 English local authorities that responded to the FOI request, the volume of CATs is approximately 1/12th the size of the volume of sales on the open market, and that CATs represent less than 1% of the total asset portfolio of local authorities. The FOI request also revealed that 45% of the councils responding had a CAT policy in place, either as a standalone policy or embedded in

another strategy. However, one third of these policies had not been updated within the last five years (2014 to 2019). The research also found that most councils were not currently identifying assets available for CAT in the future, and only 19% of the responding councils provided evidence around future planning for asset transfer. The research also demonstrated regional variations showing that, per 10,000 population, the highest volume of asset transfers had been in the North East of England (this region also has the highest percentage of councils with a CAT policy), whereas London had the lowest rate of CATs and one of the lowest percentages of councils with a CAT policy. Perhaps not surprisingly, regions where the average residential land value was significantly higher were likely to have a lower number of CATs.

A 2018 report by Locality, *The Great British Sell Off*, also included FOI data, finding that on average more than 4,000 publicly owned spaces and buildings in England were being sold off each year, and expressing significant concern about the extent of sales for private use. Among other measures, Locality advocates for: a change in the Localism Act 2011 to give communities one year rather than six months to prepare a bid to acquire an asset; the Right to Bid to become a Right to Buy so that community groups have a right of first refusal as against private competition; and legislative protections to be developed to safeguard existing assets in community ownership from private sale.

In 2023, the Plunkett UK issued a *Position Statement: A Community Right to Buy in all Four UK Nations*, listing what it considers to be the problems with current legislation in England. These include low levels of awareness of the various relevant rights; inconsistency of practice across local authorities; no obligation for a seller to sell to the community within the moratorium period, or to accept their offer even if it reaches the desired asking price; and the timeframe of six months for communities to develop a bid being too short.

Northern Ireland

Northern Ireland has no specific legislation providing communities with rights to acquire assets, but transfers occur under the general powers of public bodies. Policy frameworks seek to encourage and facilitate transfers, assisted by Development Trusts Northern Ireland (DTNI),³⁷ which has a formal role in the asset transfer process. A framework issued by the Northern Ireland Executive Department for Social Development in 2014 set out how government can support community ownership and management of public sector assets and empower communities.³⁸ The Framework is directed towards facilitating community ownership or management of surplus public sector assets and encouraging this to become a mainstream option within normal disposal processes. When published, the Framework was presented as supporting the Northern Ireland Executive's commitment to "invest in social enterprise growth to increase sustainability in the broad community sector",³⁹ and as contributing to delivery of its Economic Strategy. The Ministerial Foreword also states: "Community Asset Transfer can be a real catalyst to stimulate regeneration and greater community cohesion across Northern Ireland" as well as "empowering communities".⁴⁰ In terms of community organisations and processes, the Community Asset Transfer Framework indicates that voluntary and community sector groups, faith-based organisations, community enterprises and social enterprises can all seek asset transfers provided they are incorporated, constituted for social benefit, and demonstrate an "asset lock" such that the asset is retained for community benefit.

Other legislation and guidance explains the powers of local government and central government departments to dispose of land, and other assets, including at less than market value. The Stormont Regulation and Government Property Act (Northern Ireland) 1933 provides for the sale of assets by Northern Ireland central government departments at less than best consideration to a body that does not trade for profit, subject to the consent of the Northern Ireland Department of Finance. The Local

Government Act (Northern Ireland) 1972 allows local councils in Northern Ireland to acquire and dispose of land for the purposes of carrying out their statutory functions.⁴¹ However, the power of disposal at less than best consideration requires ministerial consent.⁴² In 2018, the Northern Ireland Department for Communities published guidance for asset owners on *Community Asset Transfer Process in respect of Transfer of Central Government Surplus Assets*,⁴³ and this forms the basis for much of the process outlined below.

Development Trusts Northern Ireland (DTNI) has produced a *Routemap* to Community Asset Transfer.⁴⁴ The formal disposal process is usually started by public bodies as and when they have assets deemed surplus to requirements, and the Central Advisory Unit (CAU) in Land and Property Services (LPS) issues a formal notification (known as a D1 form) on an asset that is deemed surplus to government requirements (taking account the 2018 Guidance noted above). This is issued to all public bodies who then have 15 days to notify the CAU of their potential interest; community interest can be noted during this time, but interested community bodies must have a "sponsor body" (these are public bodies that have a direct interest and stake in the work of local communities and the proposed social business intended as a part of the future use of an asset). In effect, through this process surplus assets are first offered for market sale (where relevant), then to the public sector, and finally to communities with the support of public sector sponsoring bodies. Where there is potential for an asset to be of interest or use to local communities, it is expected that the asset will be marketed to community groups primarily through the DTNI. If no competing public sector interest is declared, or where the community and public sector can collaborate, DTNI then remains involved to review the capacity of the community group and identify support needs. This is followed by the need to develop a full business plan including community consultation, operating plan, governance structures and financial forecasts. A social case is also needed which should explain the positive social, economic, and environmental benefits of the proposed transfer, including

³⁷ DTNI is a member-led organisation working with community and voluntary organisations to facilitate transfers.

³⁸ Urban Regeneration and Community Development Group, Department for Social Development, Community Asset Transfer in Northern Ireland: Enabling and Supporting Community Ownership and Management of Public Assets (Department for Social Development 2014) (Community Asset Transfer Framework NI).

³⁹ Community Asset Transfer Framework NI (p1).

⁴⁰ Ibid.

⁴¹ Sections 95 and 96.

⁴² Department for Communities, Local Government & Housing Regulation Division, Guidance for District Councils: Local Government Disposal of Land at Less Than Best Price (2021), online at: <https://www.dtni.org.uk/wp-content/uploads/2021/01/DfC-Guidance-on-Less-than-Best-for-District-Councils.pdf> The Northern Ireland Department for Communities has also published Guidance stating that section 96(5) of the 1972 Act, requiring Ministerial approval for disposal, provides the basis for district councils to justify the disposal as being for the wellbeing of the district <https://www.communities-ni.gov.uk/publications/community-asset-transfer-guidance-asset-owners>

⁴³ <https://www.communities-ni.gov.uk/publications/community-asset-transfer-guidance-asset-owners>

⁴⁴ <https://dtascommunityownership.org.uk/resources/getting-started/asset-transfer-route-map>

reference to sustainability and wider non-monetary benefits. The application is assessed, accepted or declined, and there is potential for review by independent officer/department not involved in the original decision-making panel.⁴⁵

DTNI is an important actor in these processes. It is a membership organisation, whose vision includes a future *“where community assets are owned by and provide benefit to the community, eventually reducing demands on the public purse and developing a real and sustainable partnership with a range of service providers”*.⁴⁶

Summary of Previous Research and Policy Positions on legislation in Northern Ireland

Research for the Development Trusts Northern Ireland (DTNI) reporting in 2022, *Shaping Community Asset Transfer*, found various challenges to the existing policy-based system for asset transfers. These can be summarised as concerning: economic viability, division and conflict in the community, limited social capital, limited resources and assets, and under-capitalisation and reliance on external funding (DTNI, 2022). The research also disclosed variable stakeholders views, in particular that: the processes for asset transfer are not integrated across all levels of government and are poorly promoted to communities; aspects of the process are seen as bureaucratic and confusing despite guidance; timescales are too short and it can be difficult for community organisations to identify necessary “sponsor bodies” and prepare business cases; there is a lack of professional support for communities and disposing bodies; consistency of approach could be improved; there is a lack of capital funding; the public sector has a bias towards market disposal and private sector organisations; and there is a lack of ongoing support post-acquisition in terms of finance and asset management.

The DTNI research notes that processes, and particularly legislated process, elsewhere in the UK “provides a source of learning” and stakeholders have supported calls to establish a legislative basis for community asset acquisition, particularly to facilitate a cultural shift. However, the report also notes that: *“Many of the weaknesses and challenges of the current CAT process would remain even if new legislation was enacted”*. There is a concern that creating further legislative rights could

encourage community organisations to submit non-financially viable proposals and confer a sense of entitlement to acquire assets regardless of the strength of their case, and that unevenness in the take-up of rights could amplify religious and political divisions. The DTNI scoping paper nevertheless favoured additional community rights legislation, to be drafted such that it *“balances the opportunity for community ownership with shared government and community objectives”*. In practice this would include community empowerment and investment provisions so that community organisations can acquire assets to address their needs (based on geographical area or community of interest); a community right to register an interest to buy public and privately-owned assets of community value (similar to, but potentially stronger than, England’s Localism Act 2011); related appeal rights if registration is refused; and rights to acquire registered assets once they come to market. The DTNI now proposes that there should be a Community Rights Act for Northern Ireland, and that this should relate, appropriately, to both private and public assets. As the DTNI states: *“It is surely time for the debate on ownership in NI to move beyond surplus public assets and give wider thought to those that are privately owned, for example where private ownership is an obstacle to regeneration and public good. Scotland & England present us with examples of how we might begin to think about our rights when challenging private ownership; See the Localism Act 2011, Land Reform (Scotland) Act 2016 and the Community Empowerment (Scotland) Act 2015”*. The campaign is, in effect, for a bespoke Act for Northern Ireland, developed with sensitivity to the country’s unique policy and political context whilst learning from the experiences of other UK nations.⁴⁷

⁴⁵ This is not the only means through which interests in assets can be obtained. Other procedures include that some public bodies can transfer assets to a community or voluntary organisations whose social business fits within its statutory remit; and public bodies can engage communities on a “lease and manage” basis, where a local community development trust can manage and deliver agreed services through use of the public body’s assets (a common example is lease of leisure centres).

⁴⁶ <https://www.dtni.org.uk/who-we-are/>

⁴⁷ <https://www.dtni.org.uk/community-rights-blo/the-community-right-to-own/>

Wales

As with Northern Ireland, Wales has no express legislation giving communities the right to buy, bid for, or seek transfers of land or other assets. The Localism Act 2011 applies to both England and Wales, but its provisions have not yet been brought into force in Wales. Community Asset Transfers, however, do occur in Wales. Under the Local Government Act 1972: General Disposal Consent (Wales) 2003, local authorities in Wales can dispose of land at below market value where the same conditions discussed above in relation to England, around social, economic, and environmental wellbeing, are met, and where the unrestricted value of the land does not exceed £2 million. Welsh Government has developed a “best practice guide” through Ystadau Cymru,⁴⁸ established to enable, support, and encourage excellence in public sector collaborative asset management. The Ystadau guide locates asset acquisition in the context of an austerity driven disposal of assets by public bodies; stating: “*Asset Transfers mean that the community can own and manage facilities that might otherwise be closed down if the Local Authority or other Public Authorities are unable to fund them any longer*” (Ystadau Cymru, 2019: 3).

In 2014 a Welsh Co-operative and Mutuals Commission recommended “*Welsh Government considers legislation to enable communities to list their community assets and have right of first refusal to bring assets into community ownership. In any such legislation, consideration should be given to include sports clubs as community assets*” (Welsh Co-operative and Mutuals Commission 2014: Recommendation 11). In response, the then Minister for Communities and Tackling Poverty concluded that English provisions (under the Localism Act 2011) fell short by not enabling communities to force sale of an asset,⁴⁹ yet no legislative action was taken in Wales. In early 2022 the Institute of Welsh Affairs (IWA) concluded that communities in Wales have fewer statutory rights to acquire land and other assets than those in Scotland or England, despite widespread support for at least the same level of community empowerment measures as in England, and with potential to go further (IWA, 2022). In May 2022, the Senedd Cymru/Welsh Parliament Local Government and Housing

Committee launched an inquiry into Community Assets. This Committee reported in October 2022. Its recommendations included that Welsh Government should take action to establish a commission to stimulate innovative thinking on community ownership of land and assets in Wales; that Community Asset Transfer Guidance should be reviewed and updated; and that Welsh Government should make arrangements to consider options for developing Welsh specific legislation, tailored to meet Welsh needs.⁵⁰

Under the Wellbeing of Future Generations (Wales) Act 2015 (WFGA) public bodies in Wales must carry out sustainable development, which includes setting and publishing wellbeing objectives and taking all reasonable steps to meet them.⁵¹ Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action in accordance with the sustainable development principle aimed at achieving the well-being goals.⁵² The sustainable development principle requires that the body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.⁵³ There are seven wellbeing goals, one of which is “A Wales of cohesive communities” which includes “attractive, viable, safe and well-connected communities”.⁵⁴ When carrying out duties under WFGA, public bodies must act in five particular ways, the “five ways of working”, one of which is “collaboration” namely, “how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives”.⁵⁵ Although not directed explicitly to asset transfer, several duties under WFGA, and particularly the need for public bodies to act collaboratively, could assist communities seeking public body support for asset transfer.

Summary of Previous Research and Policy Positions on legislation in Wales

In May 2022, the Senedd Cymru/Welsh Parliament Local Government and Housing Committee launched an inquiry into Community Assets, which

⁴⁸ Ystadau was formerly known as the National Assets Working Group: <https://gov.wales/ystadau-cymru>

⁴⁹ Lesley Griffiths, Minister for Communities and Tackling Poverty, Written Statement - Assets of Community Value measures contained in the Localism Act 2011 (14 October 2014), online at: <https://gov.wales/writtenstatement-assets-community-value-measures-contained-localism-act-2011>

⁵⁰ <https://senedd.wales/media/1w2fvmna/cr-ld15392-e.pdf>

⁵¹ WFGA, section 3.

⁵² WFGA, section 5.

⁵³ WFGA, section 5(1).

⁵⁴ WFGA, section 4.

⁵⁵ WFGA, section, 5(2)(d).

reported in October 2022.⁵⁶ The Committee made 16 recommendations, including that Welsh Government and Ystadau Cymru should review and update its existing guidance on Community Asset Transfers, including to make it clear that the guidance applies to other public bodies beyond local government, to provide clarity and assurance to local authorities on assessing the social value benefits of transferring an asset, including in circumstances which result in transferring it for lower than the market value, and to strengthen links with the Wellbeing of Future Generations (Wales) Act 2015 WFGA. The Committee also recommended that Welsh Government establish a coordinated package to support communities seeking to buy or lease land or assets, and make arrangements to explore options, including legislative approaches, to find solutions that could empower communities. The Committee recommended that Welsh Government should take action to establish a commission to stimulate innovative thinking on community ownership of land and assets in Wales. A Community Assets Commission Task and Finish Group has now been established.

In 2023, Building Communities Trust (BCT) Wales commissioned Plunkett UK to investigate what we can learn from existing legislation and policies in England, Scotland and Wales, in order to create a more enabling environment for communities to take ownership of assets in Wales. Reporting in early 2024, Plunkett UK/BCT recommended short-term action to encourage peer networking, increase awareness, ensure better access to online resources and establish a “one stop shop” for Wales in terms of information about advice, support and funding relevant to community ownership. In the longer term, Plunkett UK/BCT recommends the introduction of a Community Right to Buy and offering communities first refusal on assets coming to the market. Plunkett UK/BCT notes that most projects examined in its research were concerned with privately owned assets, and that such a right would generally attach to privately owned assets (as is the case in Scotland). Plunkett UK/BCT also recommend expansion of capital/revenue funding, and the consolidation of application processes for various sources of funding. Finally, they recommend

that the Commission on Community Assets in Wales could consider refreshing Ystadau Guidance, especially in the context of WFGA, to at least raise awareness of community asset transfer from public bodies, or to give communities the power to request asset transfer in appropriate contexts.⁵⁷

Overall, there is considerable support in Wales,⁵⁸ England,⁵⁹ and Northern Ireland,⁶⁰ for enacting further legal rights to empower communities seeking asset transfers from both public and private owners. While Scotland already has legislation in place, there is still support for further expansion and strengthening of mechanisms on both CAT and CRtB.

UK Level

The mechanics of how communities can acquire assets in the different UK nations is largely a devolved matter. However, at UK Government level, the policy of Levelling Up the United Kingdom has practical implications for communities seeking to protect local assets. Levelling-up is described as a moral, social and economic programme for the whole of government.⁶¹ Under the Levelling-up and Regeneration Act 2023, UK Government is under a legal duty to prepare a statement of levelling-up missions. These are objectives which Government intends to pursue to reduce geographical disparities in the UK; specifically, in preparing the levelling-up statement the relevant Minister must have regard to the needs of rural areas.⁶² The levelling-up agenda includes the Community Ownership Fund which offers £150 million over four years to support community groups in each of the four UK nations to take ownership of assets which are at risk of being lost to the community.⁶³

⁵⁶ Welsh Parliament Local Government and Housing Committee, Community Assets (October 2022): <https://senedd.wales/media/1w2fvmna/cr-ld15392-e.pdf>

⁵⁷ Plunkett UK and BCT, Community Ownership: A Way Forward for Wales (February 2024): https://plunkett.co.uk/wp-content/uploads/A-Way-Forward-for-Wales_ENGLISH-1.pdf

⁵⁸ BCT, IWA, Plunkett etc

⁵⁹ Locality, Plunkett

⁶⁰ DTNI

⁶¹ https://assets.publishing.service.gov.uk/media/62e7a429d3bf7f75af0923f3/Executive_Summary.pdf

⁶² Section 1 esp section 1(3)(b).

⁶³ <https://www.find-government-grants.service.gov.uk/grants/the-community-ownership-fund-1>

Table 1 (below) provides an overview of the current legal rights for communities to acquire assets from public bodies across the UK.

Table 1: Summary Comparison of Legal Rights to Acquire Assets across the four UK nations

Scotland	England	N.Ireland	Wales
<p>Crofting Community Right to Buy</p> <p>A right for suitably constituted crofting communities to have eligible land transferred.</p>			
<p>Community Right to Buy</p> <p>Community right to register an interest in land. A suitably constituted community body has a right of first refusal to purchase registered land when up for sale.</p>			
<p>Asset Transfer Request</p> <p>Right for communities to request asset transfers from "relevant authorities". If a request is made by a suitably constituted community body, the relevant authority cannot sell until it gives due consideration to the application, including whether agreeing would be likely to promote or improve economic development, regeneration, public health, social wellbeing, or environmental wellbeing. The relevant authority must agree to the request unless there are reasonable grounds for refusing.</p>	<p>Community Right to List and Bid for Assets of Community Value</p> <p>Right of a suitably constituted community interest group to nominate local assets to be listed as Assets of Community Value (ACV), whether assets are currently in public or private ownership. When ACVs come up for sale, there is a moratorium period during which community interest groups with a legal identity can submit an intention to bid.</p>		

Scotland	England	N.Ireland	Wales
<p data-bbox="124 237 373 309">Community Asset Transfer generally</p> <p data-bbox="124 331 443 607">Local authorities are entitled to transfer assets to communities including at below market value if they comply with relevant law (particularly they must seek "Best Value").</p> <p data-bbox="124 629 424 730">Other Rights – where above options have failed</p> <p data-bbox="124 757 443 1167">A right for community bodies to acquire eligible land if it is abandoned or neglected, or used or managed in such a way as to cause harm to the environmental wellbeing of a relevant community. A right, if strict conditions are met, for communities to acquire land for sustainable development.</p>	<p data-bbox="461 237 710 309">Community Asset Transfer generally</p> <p data-bbox="461 331 780 987">Local authorities are entitled to transfer assets to communities, including at below market value, if they comply with relevant law (inc. unrestricted value of the land does not exceed £2 million, and the local authority considers the purpose for which the land is to be disposed likely to contribute to: promotion or improvements of economic well-being; social well-being; or environmental well-being).</p>	<p data-bbox="804 237 1053 309">Community Asset Transfer generally</p> <p data-bbox="804 331 1123 1055">Local authorities can transfer assets to communities, including at below market value, if they comply with relevant law (inc. unrestricted value of land does not exceed £2 million; and the local authority considers the purpose for which the land is to be disposed likely to contribute to: promotion or improvements of economic well-being; social well-being; or environmental well-being; and general duty to carry out sustainable development).</p>	<p data-bbox="1139 237 1388 309">Community Asset Transfer generally</p> <p data-bbox="1139 331 1458 987">Local government and central government can dispose of land/other assets. Central government departments can dispose of assets at less than best consideration to a body that does not trade for profit, subject to the consent of the NI Department of Finance. Local councils can dispose of land for the purposes of carrying out their statutory functions, disposal at less than best consideration requires ministerial consent.</p>



Appendix 2

Appendix 2: Scoping Review of literature

The scoping review of literature set out to achieve objective 1. **To explore existing sources of evidence to understand proposed links between asset acquisition and community empowerment, resilience and wellbeing in rural communities.**

The scoping review also sought to answer RQ1. How can existing evidence proposing links between asset acquisition and community empowerment, resilience and wellbeing be understood and conceptualised?

Methods

Due to the lack of literature in this area, a two-fold approach was adopted that included the identification of (1) literature pertaining to the process of acquisition of community-owned assets; and (2) literature pertaining to the impacts of community asset acquisition on empowerment, resilience and wellbeing. The primary inclusion criteria included:

- Academic, non-academic and grey literature that pertained to the process of acquisition of community-owned assets and/or links between the process of community asset acquisition on the empowerment, resilience and wellbeing of rural communities;
- Literature that referred to assets as land and/or buildings;
- Literature published between January 1990 and August 2022;
- Literature published in the UK.

Key search terms included 'community' and/or 'communities', and 'assets' and/or 'land' and/or 'building', and 'process' and/or 'system' and/or 'approach', and 'empower' and/or 'empowerment' and/or 'empowering', and 'resilience' and/or 'resilient', and 'wellbeing' and/or 'health', and 'rural' and/or 'rurality'. Searches were undertaken in academic databases including Elsevier Scopus, PubMed, Emerald Insight, ProQuest, Wiley Online, Science Direct and Google Scholar. Non-academic literature searches were undertaken using Google, national Government webpages, think tank webpages, and third sector agency webpages.

From the search, 95 sources were identified on the basis of their title, abstract and introduction that met with the inclusion criteria. After screening full texts, removing duplication and sources that did not fit the criteria, a total of 33 sources were included in the final review. From this, 11 sources were identified as solely pertaining to the impacts of community asset acquisition, and 22 sources were identified as solely pertaining to the impact of community asset acquisition on the empowerment, resilience and wellbeing of communities. Data was analysed using NVivo software using a descriptive coding technique, where emerging themes and subthemes were considered for relevance to the study research questions. Findings were then written up to provide a narrative overview of the existing body of literature.

Results

Of the 31 studies included in the review, 14 were peer reviewed journal articles, 12 studies were non-academic grey literature, 3 were a book or book chapter, and one was a PhD thesis. Of the 11 studies relating to actual processes of asset acquisition, 8 were non-academic grey literature, indicating a lack of peer reviewed academic research in this area. The majority of the 31 studies were all recently published, with approximately half of sources published in the past 5 years. The literature identified was also heavily skewed geographically, with 19 of studies focusing on Scotland, 5 from England, 2 from Wales, one from Northern Ireland, with only 4 studies looking across the whole of the UK. Therefore, most of the following narrative is based around the Scottish context. Of the 31 studies, 14 were specifically related to rural areas, 9 relating to both rural and urban areas, and 7 of the studies looked at only urban or the geographic location was not specified. Further, while various studies focused on the impacts of community asset *ownership*, only three peer-reviewed articles considered the impacts of the acquisition process.

Below we provide a narrative outline of, first, the key motivations for communities acquiring assets, and then the factors that impacted on their ability to engage in processes of asset acquisition. We will then discuss the ways in which asset ownership was reported to impact on the empowerment, resilience and wellbeing of rural communities, with specific mention of instances where this was linked to the acquisition process itself.

Key motivations/drivers for community asset acquisition

Key factors identified in the literature as having motivated communities to acquire assets include the symbolic value of the asset; fear of the 'loss' of an asset- whether through closure, disrepair or its sale to a private buyer threatening their ongoing use; the opportunity for community development and sustainability; and the ability to enhance the asset and its use through removing the restrictions of a lease (McMorran et al., 2018; Nichols et al., 2020; Fischer and McKee, 2017). Only two studies discuss the main motivations for local authorities to transfer assets, which is identified as the need to reduce costs amid increasing austerity (Coates et al., 2021), the disposal of 'surplus' assets, and the promotion of community led entrepreneurial solutions to counteract the withdrawal of public services (Development Trusts Association Scotland, 2010).

Factors impacting on processes of community asset acquisition

Community skills and capacity

Research conducted across the UK finds that, for an asset transfer to be successful, there is a need for capacity and leadership within community organisations that matched the requirements of the task (Aiken et al., 2016; Fischer and McKee, 2017). A lack of sufficient capacity is the most commonly cited reason for the failure of an asset transfer process (Aiken et al., 2011; Coates et al., 2021; Development Trusts Association Scotland, 2010; Hobson et al., 2019; McMorran et al., 2018; Skerratt, 2013), while a study from Northern Ireland finds that a lack of skills and knowledge at the level of an individual community or a broader region is seen to hold back progress of asset transfers (Murtagh et al., 2012). Research on a Scottish case study also finds that an unsuccessful attempt at an asset transfer can actually harm capacity due to key individuals becoming disheartened and withdrawing from the organisation attempting to acquire the asset (Fischer and McKee, 2017).

Studies across the four nations find that, due to intrinsic differences between communities, there is a wide diversity of levels of capacity to pursue an asset transfer, and in sparsely-populated rural areas it is often harder to find certain specialist skills (Aiken et al., 2011; McMorran et al., 2018; Nichols et al., 2020; Skerratt, 2013). A lack of capacity within the community organisation attempting to acquire the asset has been found by various studies across

the UK to lead to an overreliance on a small group of individuals (employees and/or volunteers), leading to fatigue and burnout, and ultimately project failure (Aiken et al., 2016, 2011; Dinnie and Fischer, 2020; Gilbert, 2016; McMorran et al., 2018; Thomas and Banks, 2019). Accordingly, studies conducted in Scotland, England and Wales find that successful organisations have had access to an adequate quantity and quality of volunteers and devised strategies for future succession planning to ensure the organisation was sustainable (Archer et al., 2019; Development Trusts Association Scotland, 2010; Gilbert, 2016; Macaulay, 2019; The BIG Lottery Fund, 2016; Wallis et al., 2020). Further, studies from across the UK show that communities have tended to find asset acquisition processes easier if they could draw on local specialist knowledge and skills (Braunholtz-Speight, 2011), could increase local confidence and determination (Skerratt, 2013), had creative and passionate leadership (Aiken et al., 2011; Fischer and McKee, 2017; Wallis et al., 2020), and could access support with workload and succession planning (Aiken et al., 2011; Coates et al., 2021; Murtagh et al., 2012). Research in Scotland, England and Wales has also found that the chances of a successful asset acquisition are increased by strengthening both internal and external community connections and networks through the process (McMorran et al., 2018; The BIG Lottery Fund, 2016), which provide access to mentoring and peer learning and allow organisations to pool resources and share experiences (Briggs, 2019; The BIG Lottery Fund, 2016). The same research finds that the process of a community undertaking an asset acquisition can develop local skills and capacity (Aiken et al., 2011; McMorran et al., 2018; The BIG Lottery Fund, 2016; Wallis et al., 2020) and enhance community confidence to engage in successive acquisitions (McMorran and Scott, 2013).

Good communication and engagement with the community and the seller

Research covering the whole of the UK shows that the skill and ability of the community organisation's board in enabling democratic and participatory forms of governance is considered crucial to the success of asset acquisition and galvanising local support (Aiken et al., 2011). Early and ongoing communication with the wider community is necessary to build support and legitimacy for the organisation and for the asset acquisition proposal across the four nations (Aiken et al., 2011; Development Trusts Association Scotland, 2010; Hobson et al., 2019). Open engagement has also been found to enhance accountability and build

ongoing momentum towards the goals of community organisations (Development Trusts Association Scotland, 2010; Gilbert, 2016).

However, studies from both Scotland and England also show that organisations considered separate or disconnected from the community, or controlled by a small number of people, can face significant local distrust and challenge to their plans (Hobson et al., 2019; Thomas and Banks, 2019). A Scottish study finds that this is made more likely where individuals and communities are dispersed, with different identities and few strong social bonds, which can make trust-building and unifying around a shared vision challenging (McMorran et al., 2018).

Early and sustained communication with the 'seller' (i.e. the public authority) is identified as an important facilitator of a successful transfer across the UK, and key to fostering feelings of empowerment within community organisations and strong partnerships between seller and buyer (Coates et al., 2021; Hobson et al., 2019; McMorran et al., 2018; The BIG Lottery Fund, 2016). In addition, ongoing relationships in which the seller provides tailored support to community organisations prior to, during and after transfer have been found to greatly enhance the chances of success and sustainability in both Scotland and England, and to increase the transferring bodies' faith in the future viability of the assets under community ownership (Briggs, 2019; Development Trusts Association Scotland, 2010; Gilbert, 2016; Wallis et al., 2020). Where a clear line of communication and single point of contact can be identified within the transferring organisation, and indeed the community organisation, relationships are often better and the process able to proceed swiftly and smoothly (Coates et al., 2021; McMorran et al., 2018). Specifically, in two studies in England, relationships with individual councillors were considered key to developing the business cases for the respective asset transfers (Briggs, 2019; Gilbert, 2016).

Legislative mechanisms and processes

Welsh Government research has found that the first time an organisation seeks to take on an asset, their unfamiliarity with the process, legalities and responsibilities can pose a risk due to a lack of understanding of the responsibility and commitment required (Coates et al., 2021). Further, a Scotland-based study reports that an unrealistic idealism about the process can lead to frustration and resentment within the organisation and broader community (McMorran et al., 2018). An English study highlights the importance of having early and honest conversations about the complexity of the

process and the risks and challenges it may pose (Wallis et al., 2020).

Across all UK nations, the literature showed that community organisations have struggled with the complexity and bureaucracy imposed by local authorities and other public bodies. Public bodies are sometimes perceived to be unnecessarily stringent, and studies report a lack of transparency and clarity in communications regarding how to progress the asset transfer process (Coates et al., 2021; McMorran et al., 2018; Nichols et al., 2020). Further, the research identifies some 'over-regulation' (Murtagh et al., 2012) regarding asset disposal and opaque restrictions placed on their use by local authorities 'unwilling to cede total control' (Aiken et al., 2016, 2011), which challenges the very concept of community asset ownership and creates additional cost and complexity for community organisations (The BIG Lottery Fund, 2016). Some authorities have been criticised for assuming the community organisation was not capable of taking on the asset, and also for failing to take into account local needs, relations and context (Coates et al., 2021; Gilbert, 2016).

In Scotland, research has shown that, despite the support provided to community organisations, the complexity, administrative burden, costs and potential for local conflict – in addition to the perceived insufficient payback in terms of empowerment – has sometimes led community organisations to avoid legislative mechanisms such as the Community Right to Buy (CRtB), Crofting Community Right to Buy (CCRtB) and Community Asset Transfer (CAT) (Braunholtz-Speight, 2011; McMorran et al., 2018). This was reported to have contributed to a 'high failure rate' among community organisations embarking on an asset acquisition process, and may in fact act as a barrier, as opposed to facilitator, of community asset acquisition (McMorran et al., 2018), although many groups have acquired assets through negotiated sale outwith the legislative mechanisms (Braunholtz-Speight, 2011). Reasons for an unsuccessful acquisition attempt include being unable to raise the money within the proscribed timescale, the seller withdrawing (Braunholtz-Speight, 2011), or having an asset transfer request rejected by the local authority (Dinnie and Fischer, 2020). Further, the proscribed requirement regarding the governance and constitution of the community body has sometimes either led organisations to abandon of the process or undertake the time-consuming process of modifying their constitution, potentially confusing the nature of the 'community' being considered

(Braunholtz-Speight, 2011; McMorran et al., 2018).

Regarding Asset Transfer legislation specifically, the 2015 Community Empowerment (Scotland) Act (The Scottish Government, 2015) is found by some studies to have led to a hardening of attitudes within local authorities, who subsequently sought to complicate, limit or discourage asset transfer (McMorran et al., 2018). This was reported to have sometimes involved underhand tactics which lacked transparency, accountability or legality, something also reported in one England-based study (Briggs, 2019; McMorran et al., 2018). Local authorities and other 'relevant authorities' across the UK have also been criticised for creating unnecessary confusion and work, whether intentionally or otherwise, through a lack of understanding of, or interest in, asset transfer legislation (Aiken et al., 2011; Briggs, 2019; McMorran et al., 2018). Research in Scotland, England and Wales has also shown that the time taken to complete the asset transfer can jeopardise its success, with some processes taking several years and organisations receiving little communication about the reasons for delays, which has led to many abandoning their plans and pursuing other options (Archer et al., 2019; Coates et al., 2021; McMorran et al., 2018). Such delays can have subsequent implications for funding, activities or the very viability of the organisation (Coates et al., 2021; The BIG Lottery Fund, 2016), as well as jeopardising the state of the asset itself, which may be lying empty and suffer deterioration or vandalism (Aiken et al., 2011). Nonetheless, a study in England has shown that a perceived disregard of the importance of an asset on the part of a local authority has in some instances catalysed local people to inform themselves about the process of asset transfer (Briggs, 2019).

Research from across the UK has shown some indications that the attitudes of some public authorities are softening towards Community Asset Transfer, leading them to actively support the process and, in some cases, even go so far as to improve the standard of assets prior to their transfer (Aiken et al., 2016, 2011). However, this was also found to be dependent on the culture of the local authority (McMorran et al., 2018). Research shows that in many cases the extent to which local authorities acknowledge the social, as opposed to purely financial, return provided by community organisations is a key factor in whether they would support that organisation to acquire an asset (Aiken et al., 2011).

The role of support organisations

Across the UK, support organisations such as Shared Assets, Locality, Plunkett Foundation, Development Trust Association Scotland (DTAS) and Development Trusts Northern Ireland (DTNI) are considered to be invaluable to community groups seeking to acquire assets (Aiken et al., 2016; Coates et al., 2021; McMorran et al., 2018). They have been found to provide specific advice around organisational structure, processes and future sustainability, specifically tailored to the local situation (Aiken et al., 2011; Coates et al., 2021; The BIG Lottery Fund, 2016; Wallis et al., 2020). Support organisations have also been found to greatly enhance the chances of a successful asset transfer (Braunholtz-Speight, 2011; Coates et al., 2021). A Scotland-based study found that, where such support was not available, public bodies were less willing to transfer assets due to the lack of funding, support and post-acquisition revenue provided by support organisations, which public bodies considered necessary for the ongoing viability of the organisation going forward (Development Trusts Association Scotland, 2010).

Research has also identified, however, that the capacity of support organisations can be limited (Coates et al., 2021; Nichols et al., 2020). An English study found examples of councils pooling knowledge in order to support their understanding of the asset transfer process so that they could provide support where required (Wallis et al., 2020). However, advice from local authorities has sometimes been considered confusing and disjointed, with expertise on legal advice specifically reported to be missing (McMorran et al., 2018). A Scottish study has also found that geographical disparities can lead to unequal outcomes and confusion as to where support is available (McMorran et al., 2018).

Across the UK, there is often a requirement to engage with contractors – such as builders, surveyors or community development consultants – during, or even as a precondition of, an asset acquisition process (Aiken et al., 2011). If the requisite expertise is not available on the board of the organisation, it may be necessary to bring it in via consultants or support organisations in order to avoid legal issues further down the line (The BIG Lottery Fund, 2016; Wallis et al., 2020).

Finances

Across the UK, studies have found that assets placed for sale on the open market are often priced well beyond the financial reach of community

organisations and their funders. Timescales in which to gather sufficient funding, develop robust business plans or properly inspect the condition of the asset and assess its implications for ongoing maintenance are also often short (Aiken et al., 2016, 2011; McMorran et al., 2018). In Scotland, public bodies are allowed to dispose of assets at below market value if a community benefit can be evidenced (Development Trusts Association Scotland, 2010), but findings indicated that not all bodies choose to do this. Across the UK, public authorities are reported to perceive that, since the organisation may profit from ownership of the asset, they should pay the same market price as private actors (Aiken et al., 2011). That this profit will be reinvested for the welfare of the community, and often relieving pressure on public services, has not always been recognised (Coates et al., 2021).

Across the four nations, studies have found that it is vital for organisations both to understand the condition of the asset (and any required maintenance), and to develop financial and business plans for running it, prior to applying to acquire it (Aiken et al., 2016, 2011; Coates et al., 2021), otherwise funding for the acquisition may be denied, or worse the organisation may risk bankruptcy following acquisition (Fischer and McKee, 2017). Scotland and England-based studies have found that the ability to generate sufficient post-acquisition capital and revenue funding was considered 'the key to the success of sustainable asset transfer' (Braunholtz-Speight, 2011; Wallis et al., 2020), particularly in the most disadvantaged communities (McMorran et al., 2018). While some councils and support organisations developed funding models to help the community organisation sustain the asset post-acquisition (Braunholtz-Speight, 2011; Wallis et al., 2020), assets often require significant development or refurbishment, and there may be scarce funding available (Aiken et al., 2011; McMorran et al., 2018; The BIG Lottery Fund, 2016). Further, a Welsh study has found that the aforementioned delays in the acquisition and/or refurbishment of an asset can impact on the organisation's ability to generate income through its use (e.g. through rental of spaces) (The BIG Lottery Fund, 2016). Studies from across the UK emphasise that communities need to critically consider the state of the asset and ongoing financial burdens before taking it on (Aiken et al., 2011; Coates et al., 2021; Murtagh et al., 2012), as well as whether the asset offered is really appropriate for their needs (Aiken et al., 2016).

Across the UK, research finds that some 'assets' being transferred by councils have in fact been

considered 'liabilities' by community organisations, with the seller giving little consideration of their material condition or long-term funding and sustainability (Aiken et al., 2011; Coates et al., 2021; Moore and McKee, 2014; Murtagh et al., 2012). In such cases, communities have not felt that they should be paying for something which is unviable and a drain on public funds (McMorran et al., 2018), especially as they would be creating public good through taking it over. Indeed, many communities across the UK have expected not only to receive the asset for free, but also to be given funding for its ongoing maintenance (Aiken et al., 2011; McMorran et al., 2018). Where discounts and/or endowments have not been forthcoming, some communities in Scotland have declined the opportunity to take on the asset (Development Trusts Association Scotland, 2010). It is also reported that sections of communities have opposed asset transfers due to an ideological belief that it is the council's responsibility to deliver certain services (Hobson et al., 2019).

Connections between community asset ownership and concepts of empowerment, resilience and wellbeing

Empowerment

Until fifteen years ago, there was a lack of evidence of the effect of asset ownership on community empowerment (Aiken et al., 2016). However, in Wales it has more recently been considered as '*one of the main long-term benefits of community asset transfer*' (Coates et al., 2021; The BIG Lottery Fund, 2016), while in Scotland a '*power shift*' has been described, from '*disempowered dependency*' to '*empowered self-realisation and independence*', as resulting from the perpetual ownership of the asset (McMorran and Scott, 2013). Literature from Scotland has shown a perceived mutually reinforcing relationship between asset ownership and community empowerment, with the acquisition of an asset in turn boosting the confidence of communities to pursue further acquisitions (Macaulay, 2019; McMorran and Scott, 2013; Ross, 2020).

Much of the narrative around empowerment found in research from across the UK focuses on the **control** that community organisations have over acquired local spaces, and their ability (and responsibility) to provide or facilitate services to meet the needs of local people, without having to ask for permission from a private owner or local authority (Braunholtz-Speight, 2011; Briggs, 2019; Coates et al., 2021; Macaulay, 2019; McMorran et

al., 2014; Ross, 2020). Where the asset is income-generating, research from Scotland indicates that this has allowed communities to guide future local development while holding the required resources to do so (Macaulay, 2019). Where it is not income-generating, it has been suggested that such community organisations should receive external funding in order to develop and implement their own local development plans (Callaghan and Williams, 2014).

English-based research presents a more nuanced view, stating that the extent of empowerment is dependent on the information and choices available to the community organisation, and whether they are able to achieve their own goals through the asset transfer process (Briggs, 2019). This in turn has been found to depend on the resources available to the group, the extent to which they possess 'agency', and their ability to both acquire and then manage an asset (Aiken et al., 2016; Briggs, 2019). Across the UK, where an asset has been unsuitable or in a poor state of repair, its transfer to community ownership has been perceived as disempowering (Aiken et al., 2016). Similarly, where the assumption of an asset is tied to the provision of a service (e.g. swimming pools or libraries), this may risk disempowering a community organisation which did not have the delivery of the relevant service as part of its original mission (Aiken et al., 2016). In this sense, the organisation was not responding to the needs of the community, but the gaps in service provision caused by the withdrawal of the public sector.

Much of the above relates to the ongoing relationship between the community organisation and external bodies including the local authority. Research predominantly based in Scotland indicates that community organisations have been empowered by their relationships with funding bodies and external support agencies (Braunholtz-Speight, 2011); the successful acquisition of an asset has in turn resulted in such external partners taking them more seriously, which has then further built their confidence to take on more responsibility (Aiken et al., 2016; Macaulay, 2019). Networks developed and expanded with other agencies and community organisations through the asset acquisition process has also led to knowledge sharing and helped organisations develop confidence in their approach (Braunholtz-Speight, 2011; Callaghan and Williams, 2014; McMorran et al., 2014).

The increased empowerment associated with community asset ownership has also been directly

linked, by studies based in both Scotland and Northern Ireland, with *increased community capacity*, including leadership abilities and a wide range of other capacities required to successfully manage the organisation (Callaghan and Williams, 2014; McMorran and Scott, 2013; Murtagh et al., 2012). Such resources can broadly be characterised as the skills and capacities of individual community members, though it is uncertain as to whether these can be aggregated to the level of the organisation and community (Aiken et al., 2016, 2011; Dinnie and Fischer, 2020). In addition, empowerment is spoken of across different studies in terms of individuals developing traits including confidence, self-esteem, pride and optimism (Aiken et al., 2011; Danson and Burnett, 2021; Macaulay, 2019; McMorran et al., 2014; McMorran and Scott, 2013). However, studies in both Scotland and England have indicated that increased empowerment tends to be enjoyed more by already wealthier, better connected and more able groups, thereby potentially reinforcing or increasing existing inequalities (Briggs, 2019; Fischer and McKee, 2017).

In Scotland, the process of acquiring an asset has been found to bring people with different skills together behind a shared endeavour allowing the harnessing, and expanding, of these abilities (McMorran et al., 2014; McMorran and Scott, 2013). However, research has also shown that, following an asset acquisition, weaknesses and skills gaps can sometimes become exposed, potentially risking the sustainability and accountability of the organisation (Macaulay, 2019; Thomas and Banks, 2019). Trustees/Directors of organisations tend to benefit most from opportunities for skill development and, with volunteer engagement crucial to these organisations, are encouraged to pass on their new knowledge through a form of peer education to aid succession planning and the broader capacity of the community (Macaulay, 2019; McMorran and Scott, 2013).

Studies in rural Scotland have found that, through devolving decision-making to the lowest level, residents of large-scale community-owned landed estates are more likely to feel able to *influence decisions* that affected their local area, but evidence remains mixed as to whether they are more likely to participate in democratic practices (Aiken et al., 2016; Braunholtz-Speight, 2011; Bryan, 2015; Macaulay, 2019; Rennie and Billing, 2015). Research across the UK has also found that, following asset acquisitions, community decision-making is often stronger and more accountable and transparent, with enhanced opportunities for democratic engagement and for new local leaders to emerge

(Aiken et al., 2011; Macaulay, 2019; McMorran et al., 2018; Murtagh et al., 2012). In many cases, this is directly attributed to having a physical 'democratic space' within the asset itself, in which community issues can be discussed – considered an increasingly rare privilege (Aiken et al., 2016, 2011; Revell and Dinnie, 2020).

Despite these potential benefits, however, Scotland-based research has also found that the shift in power relations caused by the democratisation of land ownership has led to increased division and tension in a number of communities (Macaulay, 2019; McMorran et al., 2014; Thomas and Banks, 2019). This is seen by some as an inevitable result of community empowerment, but also raises questions about the legitimacy of the community governance of the asset and how it may disempower some local people (Macaulay, 2019; McMorran and Scott, 2013). The Scottish research, as well as one study in England, finds that those local people who are not members of the organisations acquiring the asset often have no say over its activities and direction, and are therefore not considered to have been empowered by its community ownership, an issue of particular significance during debates over the scope of community organisations' membership (Briggs, 2019; Macaulay, 2019). In this sense, the extent of empowerment depends on the openness of membership and whether the organisation is truly representing the needs of local people (Dinnie and Fischer, 2020; Macaulay, 2019).

Resilience

The vast majority of research considering resilience and community asset ownership has been conducted in Scotland. Community asset owners have been found to enhance rural resilience through proactively developing the base of skills, governance and capacity needed to deal with a range of future challenges, as opposed to reactively absorbing external shocks (Skerratt, 2013). The responses of some community asset owners to the Covid-19 pandemic demonstrated this resilience, with their existing infrastructure and social remit allowing a swift and efficient response to an acute and serious external threat (Ross, 2020). Research shows that this response relied on having: a physical building to act as a base of coordination; pre-existing social networks within the community; and funds available to be allocated to community needs, either from existing funding or channelled from external sources through a trusted intermediary (Ross, 2020).

Community asset ownership is also claimed to have

increased the resilience of rural communities through the combination of: the institutionalisation of a vehicle for locally-accountable democratic engagement; creating the means to generate income to enable future developments; and delivering economic returns directly back into the community (McMorran et al., 2018, 2014; Rennie and Billing, 2015).

Deliberative democratic mechanisms at the community level have been found to provide an opportunity for new 'democratic spaces' and can facilitate the management of conflict and the encouragement of collaborative decision-making within rural communities (Revell and Dinnie, 2020). Such local democratic mechanisms have also been found to both empower communities and build their resilience in ways impossible for top-down alternatives (Revell and Dinnie, 2020; Skerratt, 2013).

Asset ownership is considered in the literature to enhance the resilience of rural communities through developing a more localised economy and mitigating state and/or market failure to provide goods and services to local people, while retaining profits to plough back into local businesses (Aiken et al., 2016; Macaulay, 2019; Rennie and Billing, 2015). A UK-wide study finds that economic resilience has often been characterised by the financial independence and control associated with community asset ownership, with no need to rely on, or be constrained by, external owners (Aiken et al., 2011). Research has also shown that assets can be leveraged to generate traded income (often through renting space or generating income from renewable energy installations) in order to reduce reliance on grant income, local authority contracts or any other source which could potentially cause the organisation to diverge from its core purposes (Aiken et al., 2016; Callaghan and Williams, 2014; Rennie and Billing, 2015). However, studies in both Scotland and England have found that responsibility for the ongoing maintenance of assets can also take up much of an organisation's capacity and thus have a similar impact, without necessarily improving the economic resilience of the organisation or the broader community (Briggs, 2019; Thomas and Banks, 2019). Research based across the UK has indicated that community asset owners are considered more likely to diversify their income-generating activities than private businesses, benefitting the local community in terms of the range of goods and services available, while developing and encouraging a more robust, resilient local economy not wholly dependent on certain industries (Aiken et al., 2016; Macaulay, 2019; Murtagh et al., 2012).

Social connections, engagement and networks facilitated through the community organisation are perceived to enhance social resilience within rural communities (Danson and Burnett, 2021). There is evidence that community-owned assets have achieved this through a range of means, related to both their governance and their activities (Aiken et al., 2011; Rennie and Billing, 2015; Ross, 2020). Across the UK, the community's ownership of an asset is also associated with a sense of community identity, belonging, pride and common purpose, bringing disparate or previously disengaged sections of the community together and, in turn, building the resilience of the community (Aiken et al., 2016, 2011; Macaulay, 2019; McMorran and Scott, 2013; Murtagh et al., 2012). However, findings also indicate that, where the ownership of these assets is marked by division and tension, the opposite effect can occur (Macaulay, 2019).

A central aspect of resilience in rural communities has been found to be the ability to maintain a sustainable population going forward, specifically through attracting and retaining young people. One of the key facilitators of this was found by two Scotland-based studies to be the provision of housing (Lawrence, 2022; Ross, 2020). Relatedly, the retention of local services and agencies that local people both worked for and relied on was important to retaining people in the community. There are examples of community organisations seeking to acquire assets, in the form of both land and buildings, specifically in order to expand their provision of both housing and local services.

Research across the UK has found that organisations risk their own future resilience through not having a viable succession plan (Aiken et al., 2011). In Scotland, the willingness of volunteers to get involved has been found to depend on the relationships between the organisation and the wider community, including the trust and importance placed on the organisation, the nature of democratic governance and accountability, the history of community action locally, and the presence or history of conflict or division (Aiken et al., 2016; Danson and Burnett, 2021; McMorran et al., 2014; McMorran and Scott, 2013; Rennie and Billing, 2015). In some cases, the experience of engaging in 'political struggle' and local divisions has been directly responsible for the development of community resilience, specifically considering both the history of land struggles in Scotland and the more recent experiences of communities' efforts to take ownership of their land (McMorran et al., 2014).

Wellbeing

Improved wellbeing is characterised (in two large-scale studies considering Scotland and the broader UK, respectively) as a secondary outcome which could be achieved through the targeting of intermediate effects, including: enhanced community identity, pride, confidence and self-value; increased social cohesion and reduced isolation; improved skills, education and aspirations; increased access to services, affordable housing and activities; jobs, training and business opportunities; physical improvements to the area and using local land and buildings in accordance with local needs and priorities; and the ability and knowledge that you can exert influence and control over the circumstances in your life and surroundings (Aiken et al., 2011; Macaulay, 2019). These effects on individual and community wellbeing may take time to appear and are difficult to attribute to any one of the above aspects, but may draw from a combination of many (Aiken et al., 2016, 2011). This is in part attributed to a virtuous cycle between empowerment, self-value and improved health behaviours catalysed by the acquisition of the asset and leading to confidence in the future of the community (Macaulay, 2019). Within rural settings, discussions of the future tend to focus on population retention, especially of young people. Where the community ownership of an asset and its associated impacts listed above provide the conditions for the retention or attraction of young people in the community, the resulting 'revitalisation' of the community is associated with improved wellbeing (Macaulay, 2019).

Other potential wellbeing impacts are seen to be dependent on the specific activities of the community organisation. For example, two Scottish-based studies report that, where an acquired asset is land or otherwise provides access to nature, it leads to wellbeing benefits related to connection to the natural environment, including physical health improvements associated with walking and recreation (Logan et al., 2021; Macaulay, 2019). Across the UK, community organisations are perceived to be better-placed to provide health and wellbeing related tailored services, of a higher quality, than the local authority (Briggs, 2019; Coates et al., 2021; Development Trusts Association Scotland, 2010; McMorran et al., 2018; Ross, 2020).

Predominantly Scotland-based studies have further found that those involved in the management or governance of community organisations are more likely to experience both positive and negative

health impacts. PhD research found skill development, confidence gains and other wellbeing impacts to be greatest among those in positions of power in the organisation, although the risk of stress from local conflict and volunteer fatigue is also higher (Macaulay, 2019). Further, where the ownership of an asset causes tension or divisions within a community, this leads to stress and anxiety for those involved (often Directors or staff of the organisation), negatively affect the wellbeing of them and others (Macaulay, 2019; Thomas and Banks, 2019). Volunteer stress and eventual burnout has been reported by various studies (Aiken et al., 2011; Callaghan and Williams, 2014; Macaulay, 2019), related to the limited availability of skills and capacity, difficulties recruiting and retaining volunteers, and a lack of external support (Aiken et al., 2016; Callaghan and Williams, 2014; Thomas and Banks, 2019).

Conclusion

This scoping review has presented what is currently known about the factors affecting community asset acquisition and how this process may be connected to concepts of empowerment, resilience and wellbeing. The key findings of this scoping review are:

- The base of literature on this topic is underdeveloped, geographically skewed and varying in robustness.
- Drivers for Community Asset Transfer included both community groups seeking an asset for their own purposes and local authorities that wished to dispose of them.
- A number of factors impacted the experience of Community Asset Transfer, specifically: the skills and capacity held within the community; the quality of engagement between the community organisation and transferring body; the availability and function of legislative mechanisms and processes; the support provided by external organisations; and the availability of finance for the acquisition.

- Asset acquisition was reported to affect community empowerment through: the control a community group wields over the asset and the ability to achieve the organisation's goals through its ownership/management; the improved community capacity developed through the asset transfer process; and the increased influence over local decision making.
- Asset ownership can enhance community resilience through proactively developing the ability to deal with challenges and shocks. This was facilitated through having a physical base, strong community connections and an independent source of income and considered both the economic, demographic and political resilience of a community.
- The impacts of community asset acquisitions on community wellbeing depend on the aims, activities and ongoing management and governance of the asset, and may take time to become apparent. Those most involved in the running of the asset, whether volunteers, employees or directors, were considered more likely to experience both the potential positive and negative effects on wellbeing.

While factors including community capacity, communication with public authorities, the presence of formal legislative mechanisms, and the provision of support and funding were key to facilitating asset transfers, these findings are based on relatively few sources with uncertainty regarding the robustness of the additional grey literature. And ultimately, while there are numerous studies connecting concepts of empowerment, resilience and wellbeing to ongoing ownership, only three studies, all based in Scotland, connect any of these concepts to the acquisition process. Therefore, while there is a small but emerging field of research touching on this important topic, this scoping review has identified a considerable gap in knowledge which this programme of research will seek to address.

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Appendix 3

STRATHNAVER PUBLIC HALL
TALLA BAILE SRATH NABHAIR



Appendix 3: Community co-production activity

Welshpool, Wales

Dates of activity: 6th October & 10th December, 2023

Welshpool Community Haven, is a community organisation that involves both carers and cared-for individuals who are passionate about supporting people in Welshpool and the surrounding area. The group is seeking to transform the use of a ex-council ran daycare centre into a social care hub designed for the community.

At an initial ideas event with the Rural Assets team held in October 2023 the group asked for support to run a community consultation at the Welshpool Tractor Run.

They wanted to gather the wider community's views on (1) what local people need from the facility, (2) how they feel the facility should function, and (3) ideas for projects and partnership. The group felt the Tractor Run would be an appropriate event at which to facilitate a listening activity throughout the day, because of the high level of footfall that was anticipated.

Sunday 10th December: Tractor Run listening event

In the Town Hall, we set up a stall with Welshpool Community Haven. Aside from our stall, the Town Hall hosted a variety of local businesses and charities selling and offer services.

Stationed here throughout the day, our goal was to capture as many perspectives as possible.

Participants were asked what their views of the Anne Holloway Centre were, and what they would like to see happening there. Conversational in style, some residents spoke about the local community, the problems and the benefits of living in Welshpool. They were invited to share their views verbally or to write on post-it notes and place them on an interactive table. Members of Welshpool Community Haven supported the workshop throughout the day, telling the story of their journey so far and illuminating why this project is important to them.

Our workshop methodology was based on the design thinking model, which centres on harnessing collaboration and imagination with as diverse a range of people as possible. We concentrated on curating an environment based on safety, enthusiasm, and sharing. It was important to allow



people with different levels of confidence the opportunity to share their thoughts and ideas. In order to engage people from as wide an age range as possible, we also hosted a biscuit decorating table, where children could make themselves a sweet treat and talk about their views. We sought to be as inclusive as possible.

After the workshop, findings were collated and fed back to Welshpool Community Haven in the form of a short report.

Cushendall, Northern Ireland

Dates of activity: 22nd-24th February 2024

Grow the Glens was formed in February 2016 to develop the capability and capacity of local people to build wealth across the Glens of Antrim. In 2017, Grow the Glens acquired the old Cushendall Police Station which had been out of use for over a year.

The Cushendall Innovation Centre has been established as a community asset to encourage enterprise and innovation through enhancing skills, uncovering opportunity and facilitating enterprise. The group asked the Rural Assets team to work with them to coordinate a two-day visit involving a writing retreat for academics and local writers and a development workshop to explore potential projects and future opportunities.



Welshpool: key points from participants at the workshop

Social Activities: Demand for more social activities for various age groups, including over-18s and young children with disabilities.

Inter-generational Mixing: Development of opportunities for old and young to interact for improved mental health.

Collaboration with Schools: Emphasis on linking community activities with local schools.

Children and Youth Engagement: Desire for focused activities like a skate park, after-school clubs, and mum and toddler groups to combat isolation, post-COVID issues and poverty.

Poverty and Family Support: Concerns about poverty trapping families and the need for after-school clubs and support for parents.

Support Services: Need for more support services for unpaid carers and those in need of food and shelter.

Mental Health and Well-being: Recognition of the importance of socialisation, acceptance, and inclusion in preventing mental health issues and tackling isolation.

Community Collaboration: Importance of community collaboration, partnership and volunteer efforts in developing community spaces.

Transparency in Governance: Call for people in power to be more open and transparent.

Impact of Bureaucracy: Red tape seen as hindering care and community initiatives.

Criticism of Authorities: Disappointment with the lack of support from statutory services leading to the need for alternative and community-enabled preventative activities and support services.

Decline of Community Assets: Mention of lost amenities like a cinema and spa, highlighting a desire for their return.

Community Development: Support for redeveloping community centres like the Ann Holloway Centre.

Community Involvement: Encouragement for public participation in meetings and activities.

Cultural and Recreational Activities: Support for initiatives like arcades, photography clubs, and theatre groups.

Importance of Rural Support: Recognition of the significance of community support, especially in rural areas.

Positive Community Perception: Affection for Welshpool as a friendly and safe town with understanding residents.

Inclusivity and Support: Advocacy for inclusive spaces like Welshpool Community Haven and support for diverse age groups.

Tribute to Community Leaders: Recognition of influential figures like Anne Holloway for their impactful contributions to the community.

Over two days, we facilitated a programme of activities to encourage community participation, creativity and use of local assets, to help Grow the Glens move forward in their development journey. We used methods from community thinking, where we strived to get people involved sharing their views, feelings, and perceptions as much as possible, whilst ensuring a safe, vibrant and collaborative environment.

Visit Breakdown

Thursday Afternoon: Arrival and exploration

Grow the Glens volunteers and the six members of the Rural Assets team gathered for an orientation walk around Cushendall, including a history walking tour given by a local resident and business owner.

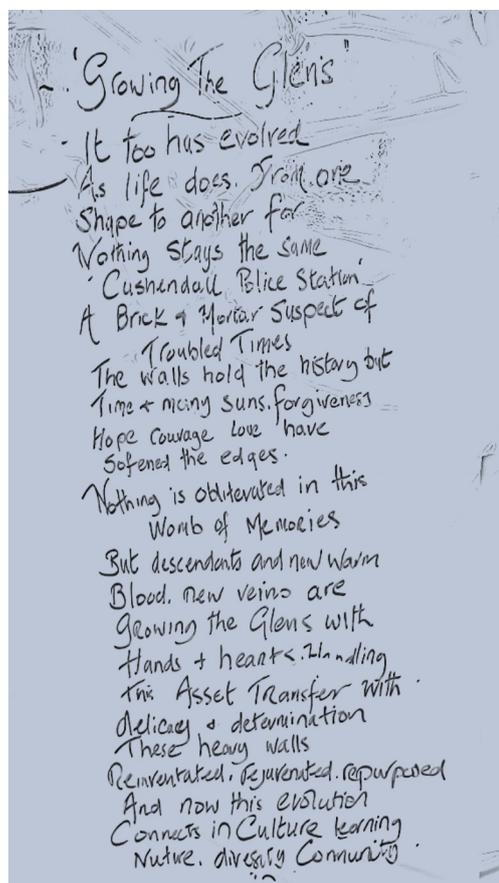
Key points highlighted:

- Cushendall is closer to Scotland than Belfast, with the main road access to Belfast only having been constructed in the late 1960s. Hence many of its links transcend the sea and beyond.
- The settlement is viewed as an attractive place to retire, yet it suffers from young people leaving the area for employment in more urban areas (primarily Belfast), and pockets of poverty exist in connected farming communities.
- Whilst the area is rural it was not disconnected from the 'troubles' which deeply impacted and affected life across the local community.
- Cushendall has a long, rich and interesting history, involving castles, mountains, music and folklore.

On return to Cushendall Innovation Centre, we planned out the following two days of activities with the Grow the Glens team.

Friday: Writing day

We facilitated a writing retreat day in Cushendall Innovation Centre for academics from the Rural Assets team and the James Hutton Institute, and local writers from the surrounding community. Grow the Glens wanted to explore the viability of hosting writing retreats as part of their enterprise work. Writers were supported to focus on their chosen writing task and asked to help explore the enterprise idea through testing facilities at the centre, exploring assets in the local community, and contributing through a development room set up to capture ideas, reflections, feedback and anything relevant to the Grow the Glens work.



Key points raised about the potential for writing retreats at the Innovation Centre:

- **Cosy Environment:** Desire for cosy corners with comfortable seating, bookshelves, coffee tables, and plants to create a welcoming atmosphere.
- **Creative Space:** Preference for spaces conducive to creativity, including classical music, different lighting options, and a mixture of table setups.
- **Amenities:** Availability of hot drinks, herbal/decaf teas, coat hooks, recycling bins, and mirrors in bathrooms.
- **Functionality:** Request for plug-in monitors, standing desks, and structured data and coffee breaks for productivity.
- **Accessibility:** Consider signage at the main entrance and acoustics in meeting rooms.
- **Social Interaction:** Need for common areas for meeting, relaxing, networking, and sharing experiences.
- **Structure:** Using a writing retreat facilitator and warm-up exercise (e.g. ice breakers) to give some structure, enhance productivity and reduce loneliness.
- **Working across Genres:** Provide opportunities to bring together various writing groups, both creative and academic, for collaboration and networking.
- **Residency:** Create a residency for the centre, link with Arts Council or similar, local b&b, etc.

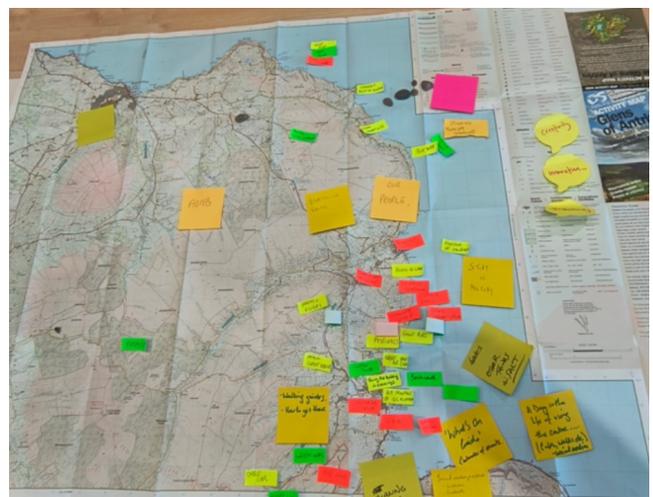
Saturday: Development day

Members of Grow the Glens and the Rural Assets team gathered to spend a day developing ideas and projects at Cushendall Innovation Centre, building on the previous day's work, retaining the creative and focused approach. We facilitated a series of activities to address questions raised by Grow the Glens, some of which were specific to the development of Cushendall Innovation Centre, and others which involved broader ideas about development across the local community that Grow the Glens serves.

After an introduction to the day given by Rural Assets Team member John Hallett, participants were split into two groups to carry out an asset mapping exercise, exploring places and spaces across the Glens of Antrim area. OS maps were used to gather ideas, map assets and think about how space and place relate and could be utilised to support work and generate ideas.

Building on this approach, both groups shared ideas across a meeting table and discussed potential projects that Grow the Glens could develop and explore, both within the centre and more broadly across the local community. To build these ideas a systems thinking approach was introduced to the day; 'making toast' - a design exercise that reveals unexpected insights into how we frame ideas, communicate and solve problems using systems thinking. Groups were asked to prioritise three ideas and explore how each one could work by framing the ideas, communicating and solving issues or problems, and developing the project.

Findings from all of the community co-production activity were collated and written up for the use of the Grow the Glens group.



Key points from development day:

Natural Beauty: Working with and maximising the location, beach walks, the sea, Cushendall centre, as well as the picturesque surroundings of the Glens of Antrim.

Historical Interest: Interest in learning about the history of the place and its origins.

Community Engagement: Importance of nurturing and growing the local community, connecting with families, schools, and attracting more locals to use the centre.

Embracing Culture: local identity, language, and culture, including through Gaelic language (Gaeilge), local artwork, and books.

Activities and Events: Suggestions for activities like cycle hire, storytelling, poetry workshops, and history events with music and stories.

Community Space: Invitation for groups from the local community to use the space and share in-house knowledge.

Digital Connectivity: Emphasis on digital connectivity and transformation, with open access and support for minority groups and under-represented people.

Collaboration: Partnerships to create residencies and connections with the Cushendall festival.

Rosal, Scotland

Dates of activity: 26th and 27th January, 2024

North Sutherland Community Forest Trust (NSCFT) is in the process of bringing the Rosal site, which was left depopulated after the Highland Clearances, under community ownership. The group asked the Rural Assets team to help coordinate a community consultation to capture ideas from the community to help forge a vision of the future use of Rosal. Community engagement was seen as very important for the group, because they wanted to embed the voices of the community into their plans going forward for Rosal.

We supported NSCFT to gather views from the community, based on some key questions they wished to explore:

- *How much do you know about the Clearances?*
- *Do you have any connections or family links to the Highland Clearances?*
- *What would you like to see happen at Rosal?*

We used methods from design thinking, where we sought to get the community involved in sharing their views, feelings, and perceptions as much as possible, whilst ensuring a safe, vibrant and collaborative environment.



Weekend Breakdown

Friday Afternoon: Storytelling at the Strathnaver Museum

A series of local storytellers gathered to read stories concerning Rosal and the historical injustices of the Highland Clearances.

The Chair of NSCFT welcomed members of the community by introducing the goal of the weekend: to collect the views of the community and determine the future of Rosal. Next, the local curator at Strathnaver Museum delivered a talk about the history of Rosal. The key point she illuminated was that Rosal was inhabited for a thousand years before the decision to remove families from their ancestral homes. Since then, however, population growth has struggled to materialise.

Finally, a local author discussed his book 'The Man Who Went too Farr', which narrates the journey of Thomas Seller, a lawyer working for the Duke of Sutherland, who played a role in the evictions.

The speakers were then invited to engage in a conversation on the significance of Rosal to the broader community. Finally, the Rural Assets team led a Q&A, where audience members were welcomed to speak or put their thoughts on sticky notes. The event was attended by 27 people. Some key points raised by community members were:

'If Rosal is owned by the community, we don't need to ask permission from anyone.'

'Looking back at what happened, it's important that the land is stewarded by the people who live here.'

'I would like to see the memory of Rosal kept alive, and we are the people most capable of doing that.'



Evening: Rosal Feast

The team curated an 'alternative Burns Supper' to explore the resonance of Rosal with members of the community. Strathnaver Hall was set up like a banquet hall, with photos of Rosal, quotes from locally written books and poems, and spaces to write thoughts scattered around. Before the feast, there was a welcome speech from a local individual whose family were cleared from Strathnaver. Following this, readings were given from literature such as *Gloomy Memories* and *The Man Who Went too Farr*, which outlined the brutal actions that were taken against families during the period of forced evictions. Throughout the evening, folks were encouraged to share their thoughts on paper and photographs that were placed on their table setting. Following dinner, the local film club screened the film *The Cheviot and the Stag and the Black Black Oil*, which is centered around the story of the Highland Clearances. The community felt it was important to be reminded of the condensed ownership of land in the Scottish Highlands, and how this continues to impact on people in the local community. After the screening, the community had a conversational open discussion, where they shared their thoughts and feelings.



Key points raised at the dinner:

'Watching that, it makes you think, what has really changed? Since the Clearance days. It's hard for folks to get a place to live.'

'Who owns the land, it hasn't much changed. Billionaires own most of Scotland, and we're still on the edges.'

'I think if we had more events like this, to come together, and talk about what happened and where we are at now, could be powerful.'

'Hearing what happened, you just don't learn about it outside of the area, and it's awful. Inhuman the way people were treated.'

'We need to own our own land, that means history and heritage too, it's ours.'

'Rosal should be a reminder of the past. But we can create hope for the future, if we do it ourselves.'

Saturday Morning: Clearance Walk

A walk from Strathnaver Hall to Rosal was led by the NSCFT directors. It lasted around three hours and was a great opportunity for more members of the community to join in the weekend's activities. Some who came along on the walk had never visited the site before. After spending time walking through Rosal, the community gathered at the Hall, where there was coffee and cake. Here, we led a workshop designed to gather more community voices. The walk gave people time and visual prompts to think about their relationship to Rosal. The Trust hoped that experiencing Rosal might inspire thoughts, feelings and ideas that could be shared.

In the Hall, the team set up three different tables, with big sheets of paper, sticky notes, and pens. We posed the question: *what would you like to see happen with Rosal?*



Key points from workshop:

- **Ownership and Stewardship:** Advocacy for community ownership of Rosal to bypass permission requirements.
- **Historical Significance:** Emphasis on preserving the memory of Rosal and the importance of local stewardship of the land.
- **Social Injustice:** Reflection on the enduring issues of land ownership, wealth disparity, and housing insecurity.
- **Commemoration and Education:** Proposals for events, reenactments, and educational initiatives to honor history, preserve heritage, and raise awareness.
- **Lack of Education:** Concern about the insufficient teaching of the Clearances and local history outside of the area.
- **Personal Connection:** Individual anecdotes and familial ties to the area, highlighting the personal stake in preserving heritage.
- **Educational Accessibility:** Challenges in accessing historical sites due to funding cuts, advocating for online resources and initiatives to facilitate learning.
- **Cultural Preservation:** Recognition of the importance of cultural elements like Gaelic singing in preserving local identity and heritage.

Trawden, England

Date of activity: 28th November 2023

After acquiring the local community centre, library, shop and pub, the community were keen to focus their attention on utilising these social spaces for particular groups who may be marginalised or isolated. The Trawden Forest Community Centre group asked the team for assistance in exploring the potential of setting up a Men's Shed within the grounds of their community library and shop to tackle challenges around male social isolation and loneliness in their area. They felt that, since COVID, many local men had become reclusive, particularly those who were older and retired, and that the provision of a male-only space may help to ease this situation.

Since PI Hutcheon had previously been involved in the creation and authorship of a UK and Ireland Men's Shed toolkit (funded by the National Lottery Community Fund), the group requested assistance from the team to scope out *(a) how to engage with community and gauge interest, (b) what materials and resources may be required, and (c) how to design a shed that met the specific needs of the local area.*

With this in mind, the Rural Assets Team worked with the UK Men's Shed Association and co-designed a half day event in Trawden which included:

- A workshop meeting with local community members, the UK Men's Shed Association, and members of the Lion's Den Men's Shed (an existing shed in Keighley).
- A site-walk around the community to explore ideas for a potential Men's Shed space.



Morning workshop meeting

Community members gathered in the Trawden Community Centre to hear:

- *An introduction to Men's Shed from Dr Dani Hutcheon from Glasgow Caledonian University, author of the 'UK and Ireland Men's Shed Toolkit'*
- *An overview of support available to Men's Sheds from Rachel Meadows, Volunteer and Community Development Manager from the UK Men's Shed Association.*

A Q&A session was then held with members of the Lion's Den Men's Shed in Keighley, who are also UK Men's Shed Association Ambassadors. Following this, attendees from the community led a discussion over lunch about what their local Men's Shed might look like and how they might proceed in setting it up. A follow-up visit to the Lion's Den Men's Shed was also organised for later that month.

Afternoon walk around the community

After lunch, attendees all took part in a walk around the Trawden site. The community group had recently acquired a modern portacabin at the back of the community library that was currently not being used. The portacabin was surrounded by garden space also owned by the community group and available to be utilised. Attendees had a tour of the space and open discussion was encouraged about how best to use it. Inspiration and ideas were given by members of the Lion's Den Men's Shed.



Key points from the day:

- **The need to hold a public meeting:** to gauge local interest and recruit potential members of a Men's Shed board.
- **Contacting family and friends:** Engagement with wives, daughters, friends and other contacts of local men was seen as vital to encourage attendance and reach those who might not otherwise engage.
- **Becoming members of the UK Men's Shed Association:** for ongoing support through their journey.
- **Best use of space:** using clever storage solutions and tools that can be packed away, making the space multi-purpose.
- **Using the garden:** for growing fruit and veg, outdoor makers projects and social activities.
- **Gaining inspiration:** the need to visit other Men's Sheds in the region to gain ideas and advice.
- **Starting off small and informal:** to test out ideas and see how it goes.

