

Asset Transfer Policy: Progress To Date

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Background

Asset Transfers have been happening for years, and pre date our legislation.

Local Authorities have done most of these, and have been the decision maker – often transferring surplus assets to community groups.

Scottish Government introduced new asset transfer legislation in January 2017 – which gave *new rights to community groups, and placed new responsibilities on public bodies* (known as relevant authorities).

These relevant authorities include Local Authorities; NHS Boards; further education colleges; transport partnerships; and Scottish Ministers.

Scottish Ministers include Visit Scotland; Sports Scotland; Forestry and Land Scotland; Transport Scotland etc.

New Rights and New Responsibilities: What that means

Community Groups can:

Place an AT request with a relevant authority for any of their land or buildings – even if these are not surplus.

These requests must be decided in a set time period.

There is a presumption of transfer.

There is an appeal route for adverse decisions.

Relevant Authorities must:

Publish an asset register in a public place (website).

Report annually on asset transfer activity – including transfers; rejected cases; and promotion activity.

Consider AT requests and issue decisions within set timescales.

Four years in – how's it working ?

Good things happening:

292 asset transfers made using the new legislation.

Many more happening outwith the legislation.

Awareness of policy is rising year on year.

Support from COSS

Knowledge gained through data collected, and GCU evaluation

Where things need to improve:

RA's still not fully reporting activity (59% last year).

RA's lack of transparency – on time to consider request and on decisions.

RA's lack of understanding of “community value”

Who to contact – the “brick wall”

Data: 2017 - Present

Out of 95 relevant authorities, 292 asset transfer requests have been received in the last 4 years using the legislation. 164 have been granted (56%) and 27 have been refused (9%).

Requests Received	Requests Granted	Requests Refused	To Be Determined	Invalid Requests	Withdrawn Requests
292	164	27	95	1	5

What is Scottish Government doing?

We Have:

Published national guidance on end to end process for both RA's and community groups.

Published national guidance on considering social value for RA's

Funded COSS to work directly with RA's and community groups on AT.

Worked with GCU researchers who completed a 3 year AT evaluation for us.

We Are:

Listening to communities experiences of AT and want to act on this.

Listening to the evidence i.e. the findings of the GCU research and various scrutiny reports on AT policy.

Acting on this – we formed the National Asset Transfer Action Group in October 2020 to help us work through the challenges.

Improving RA reporting requirements.

The Message Today

Asset Transfers are happening in Scotland: from community managed forests, community centres, gardens, to local mixed use hubs.

Asset Transfers are a good thing – they can transform a community, not just the building or land, but the wider economic, cultural, and health impact.

We recognise that the process is not perfect, and community groups can sometimes get caught up in that – that's why we are working with the RA's to improve their AT activities.

We want to encourage you to keep considering taking on assets in your communities – and we are here to support you do that.