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**Report to Audit and Scrutiny**

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**Date of Meeting: 12<sup>th</sup> December 2024**

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**Subject: Community Empowerment Act Annual Report (Participation Requests and Asset Transfer) and Participatory Budgeting Performance Report**

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**Report by: Strategic Director: Place**

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**1.0 Purpose**

- 1.1. The Council is required under the terms of the Community Empowerment Act (Scotland) 2015 to produce an annual report on Community Asset Transfer Requests and Participation Requests. Additionally, the report will outline the Council's performance against its Participatory Budgeting ambition. This report details the activities for the Council for the reporting year 1 April 2023 - 31 March 2024.

**2.0 Recommendations**

- 2.1. That Committee notes the report and accompanying appendices.

**3.0 Considerations**

- 3.1. Clackmannanshire Council has a duty to promote, process and report annually on Community Asset Transfer Requests and Participation Requests. This duty is set out in the Community Empowerment (Scotland) Act 2015 which aims to help empower community bodies through the ownership of land and buildings, and by strengthening their voices in the decisions that matter to them.
- 3.2. Participatory budgeting (PB) is a way for people to have a direct say in how local money is spent. The Council has been given a target figure defined as 1% of 'total estimated expenditure for revenue, as per the Local Government finance circular (FC 1/2022), less assumed council tax intake. For 2023-24, this target was £1.19896m.
- 3.3. Community Asset Transfer (CAT) involves the transfer of responsibility for land or buildings from the Council to a community body. Participation Requests (PR) are a mechanism for community bodies to contribute to how local services are planned and delivered.

- 3.4. Clackmannanshire Council submitted its annual reports for the reporting year 2023-24 to Scottish Government by the 30 June 2024 deadline. The Annual Reports (attached in the Appendix) are also published on the Council's website.

#### CAT Request Summary

- 3.5. Clackmannanshire has an impressive breadth of sustained Community Asset Transfers that have developed over the years. This approach has breathed life into some of the community assets once owned and operated by the Council, not providing vital supports and services to communities by communities, supported by an army of volunteers.
- 3.6. During the reporting period, the Council received 1 Community Asset Transfer expression of interest application. Officers undertook an assessment of the application, but unfortunately, the applicant withdrew their expression of interest application prior to the end of the public notification period.
- 3.7. The Council agreed as part of the 2024-25 budget setting process to invest within a resource that would support the development of CAT within the authority. This resource would be funded through the Council's Transformation Fund delegated to the Chief Executive. A full job profile, person specification and job evaluation would be progressed in line with the Council's approved HR Policies.
- 3.8. In the intervening period, the Council continued to promote Community Asset Transfer through the Council's website, with Council Officers offering support to interested parties.
- 3.9. The Council, through the Be the Future Priority in relation to the creation of an Asset Management Strategy will develop further the Council's Community Asset Transfer Policy; however, this work will not be completed until Autumn 2025.

#### Participation Request Summary

- 3.10. The Council received zero participation request within the reporting period. This is similar to the experiences of our neighbours in Stirling and Falkirk over the years, with minimal requests having been made.
- 3.11. The low uptake in Participation Requests, could be down to a number of factors, such as the formal nature of an application, but also, that Services within the Council, actively engage our citizens and communities within a range of service activity.
- 3.12. It is important to highlight to the Committee that the Council currently has a strong track record of involving and working alongside its citizens and local stakeholders. Examples of these include the Family Wellbeing Partnership which has received national recognition. Our Tenant Participation Survey highlights that our tenants feel informed and included, and our work with children and young people report that they feel empowered and engaged.
- 3.13. Work will be undertaken to raise awareness of Participation Requests over the 2024-25 reporting period within the context of the Council wider community empowerment approach.

## Participatory Budgeting

3.14. The Council recorded 6 defined activities / work areas that contributed to our participatory budgeting target:

- ADP Social Work Investment
- Citizens Advice Bureau – Carers Welfare Rights Project
- Carers Centre additional funding
- Whole Family Wellbeing Fund
- The Family Wellbeing Partnership
- Child Wellbeing Partnership

3.15. The Council in 2023-24 narrowly fell short of our target of 1% (£1.19896m) of Council Budget aligned to participatory budgeting, achieving 0.9% (£1.044131m).

3.16. Officers have issued new advice via each of the directorates in support of them delivering their activity, programmes and services with a participatory budgeting lens. It is our desire to improve on 2023-24 activities and realise our 1% target going forward. This is however challenging within the current economic climate.

## **4.0 Sustainability Implications**

4.1. There are no direct sustainability impacts as result of the recommendations in this report.

## **5.0 Resource Implications**

### *Financial Details*

5.1. There are no direct financial impacts arising as a result of this report. This includes a reference to full life cycle costs where appropriate. Yes

5.2. Finance have been consulted and have agreed the financial implications as set out in the report.

Yes

### *Staffing*

5.3. There are no direct staffing implications resulting from this report.

## **6.0 Exempt Reports**

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

### (1) Our Priorities

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

### (2) Council Policies

Complies with relevant Council Policies

## 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

## 9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - 2023-24 CAT Requests Annual Report

Appendix 2 - 2023-24 Participation Request Annual Report

Appendix 3 – 2023-24 Participatory Budgeting Report

## 11.0 Background Papers


11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Lesley Bailie	Strategy & Performance Adviser	Ext 2012

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Kevin Wells	Strategic Director: Place	



**Asset Transfer Request**  
**Reporting Template 2023/24 for Relevant Authorities**

Section 95 of the Community Empowerment (Scotland) Act 2015 requires relevant authorities to produce an annual report on Asset Transfer Request activity and publish this no later than 30 June each year.

Following stakeholder feedback and in response to asset transfer evaluations, this template has been created to help gather asset transfer data for the period 1 April 2023 to 31 March 2024. Information provided will help inform policy and practice at local and national level as the data will be collated and shared by the Scottish Government's Community Empowerment Team. However, it will be for each relevant authority to make their own annual report publicly available by 30 June 2024, whether using this template or not.

**Please provide information in sections below and email completed template by 30 June 2024 to [community.empowerment@gov.scot](mailto:community.empowerment@gov.scot) Section**

**One – Relevant Authority Information**

Organisation: Clackmannanshire Council

Address: Kilncraigs, Greenside Street, Alloa

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser Email: [lbaillie@clacks.gov.uk](mailto:lbaillie@clacks.gov.uk)

Telephone: 01259 452012

Date of completion:

Are you the Asset Transfer Lead Contact for the organisation: Yes

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

## **Section 2: Asset Transfer Data in 2023/24**

2.1 Please complete the following table for the 2023/24 reporting period :

Total Applications Received	Number of successful applications determined	Number of unsuccessful applications determined	Number received and yet to be determined	Number received prior to 2023/24 and yet to be determined
1	0	0	0	0

2.2 Please provide details of Asset Transfer Requests received which resulted in transfer of ownership, lease, or rights from your relevant authority to a community transfer body in 2023/24:

n/a

2.3 Please provide details of Asset Transfer Requests that went to a relevant authority appeal or review which were concluded in 2023/24:

Name of Community Transfer Body	Was the Asset Transfer Appeal/Review accepted? (Y/N)	Why was the Appeal/Review accepted/refused? <i>Please provide details of the asset transfer request and reasons for your decision.</i>
n/a		

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

The Community Transfer Body withdrew the 2023-24 Asset Transfer Request before the Request went forward for decision. Therefore, no further detail appears in the report. However, the CAT Request had progressed almost to decision and a considerable amount of time and effort by both the CTB and Council was committed to it.



### **Section Three – Promotion and Equality**

3.1 Please provide information on any action you have taken to promote the benefits of asset transfer or any support provided for communities to engage with the Asset Transfer Request process.

We work in partnership with the Third Sector Interface in order to promote the benefits of asset transfer to local communities. This partnership has promoted ongoing dialogue, initiated during the reporting period, with two potential CTBs regarding the transfer of Council assets.

We have provided management information about the properties and we have discussed the process and the options available to the CTB. We have arranged for site visits for the CTBs to allow them to assess the suitability of the assets

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

The information we provide on our website encourages dialogue at an early stage the better to provide tailored support to disadvantaged communities and we are available to meet to provide support at a time and place to suit. We signpost potential applicants to their options for other sources of support which may be more appropriate to their needs.

We circulate, both directly and through community networks, the information we receive from Scottish Government and support organisations with opportunities for learning, support and funding to help communities engage with the asset transfer process.

### **Section Four – Additional Information**

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

Not captured in the reporting template is the routine volume of telephone and email enquiries about the availability of Council land and property for CAT ; and the volume of general enquiries received by phone, email and in person about the CAT process and what is required of Community Transfer Bodies in order to complete a CAT.

**Please email the completed template by 30 June 2024 to [community.empowerment@gov.scot](mailto:community.empowerment@gov.scot)**

If you have any queries please contact Malcolm Cowie, Asset Transfer Policy Manager at [Malcolm.cowie@gov.scot](mailto:Malcolm.cowie@gov.scot)



### Participation Requests Reporting Template 2023/24 for Public Service Authorities

Section 32 of the Community Empowerment (Scotland) Act 2015 requires public service authorities to produce an annual report on Participation Request activity and publish this no later than 30 June each year. This template has been created to gather participation request data for the period 1 April 2023 to 31 March 2024. Information provided will help inform policy and practice at local and national level as the data will be collated and shared by the Scottish

Government's Community Empowerment Team. However, it is for each public service authority to make their own annual report publicly available by 30 June each year, whether using this template or not.

**Please provide information in the sections below and email the completed template by 30 June 2024 to [community.empowerment@gov.scot](mailto:community.empowerment@gov.scot).**

#### **Section One – Public Service Authority Information**

Organisation: Clackmannanshire Council

Completed by: Lesley Baillie                      Role: Strategy & Performance Adviser

Email: [lbaille@clacks.gov.uk](mailto:lbaille@clacks.gov.uk)                      Telephone: 01259 452012 Date

of completion:

Are you the Participation Request Lead Contact for the organisation: Yes

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

**Section 2: Participation Request Data for 2023/24**

Please complete following overview table:

Total new applications received in 2023/24	Total applications received prior to 1 April 2022 which were still to be determined at 31 March 2024	Number of accepted applications in 2023/24	Number of applications agreed in 2023/24	Number of applications refused in 2023/24
0	0	0	0	0
<p>Where you were unable to accept a participation request, was an alternative process put in place to discuss the group's issue and work with them or support offered to help them consider how to address their identified need? Please provide details:</p> <p>n/a</p>				

2.1 Please provide details of Participation Requests received using the legislation and outwith the legislation in the reporting year which resulted in changes to public services provided by or on behalf of your public service authority and tell us about those changes. Please also include details of requests received prior to 2023/24, which resulted in changes to the way of working being implemented in 2023/24.

Name of Community Participation Body	Was the Participation Request successful? (Y/N)	Previous way of working	Way of working following changes	What difference did those changes make for the users of the service? Did they improve service user experiences or outcomes?	Details of any participation requests considered outwith the formal process e.g. agreements reached that resulted in changes to services.

n/a					
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**2.2 Please use this space to provide any further comments relating to the above data, such as:**

- describing the outcome improvement process (whether or not it resulted from a formal participation request)
- how the community participation body was involved in designing the outcome improvement process
- how the community participation body participated in the outcome improvement process including taking part in decisions and delivering actions
- details of any wider benefits, such as improved community engagement and ongoing participation.

Participation in decisions about how Services are planned and delivered is also being made possible through ongoing Service-led engagement activities built in to Services plans and approaches.

**Section Three – Partnership Working & Promotion of Participation Requests**

**3.1a Please provide details of any engagement with support organisations such as local Third Sector Interfaces and public sector Community Learning and Development staff or national organisations such as the Scottish Community Development Centre.**

*For example has any new practices to support Participation Requests been developed from working with other bodies, or any learning gained?*

We have been actively participating in the Review of Part 3 of the Community Empowerment Act (Participation Requests) and through this have gained a better understanding of how community bodies view the provision.

**3.1b Please tell us about any challenges you have had in accessing support.**

n/a

**3.2 Please provide details of action taken to promote the use of Participation Requests or support Community Participation Bodies in making a Participation Request.**

*For example this could include: Support before making a request, such as to determine whether a participation request is the most appropriate route; Support to make the request such as assist groups to complete forms, or identify appropriate outcomes; and/or Support to take part effectively in outcome improvement processes (whether or not they resulted from a formal participation request).*

We actively encourage potential applicants to have a conversation by phone or in person to support them with a Request and if relevant, signpost them to a more appropriate route for their contribution. We offer to work with them on the wording of their Request to ensure it will be effective. We advise them of the steps their Request will go through in accordance with the statutory guidance.

**3.3 Please let us know what actions you have been taking to ensure that your processes are inclusive.**

*For example, this could include accessible information and other support, which enable wider use of participation requests by all population groups including those with protected characteristics. We are particularly interested in any ways you have targeted those with protected characteristics to raise awareness of the PR process or support request submissions.*

Services have increased participation in outcome improvement processes through initiatives which directly engage with their respective service users, such as commissioning and empowering community groups to deliver community-led services for our communities' most vulnerable people.

We circulate both directly and through community networks the information we receive from Scottish Government and support organisations with opportunities for learning, support and funding to help communities engage with the asset transfer process.

**3.4 Please outline any plans you have to continue involving local people and local groups in outcome improvement processes as a result of your Participation Request policies (and also outwith formal participation requests).**

The work of our Family Wellbeing Partnership, for example, improves outcomes for children and families by working collaboratively with third sector organisations and community groups to re-shape the services that people use.

**3.5 Please provide details about any work undertaken to consider wider reviews of participation practice, and any such methods used to engage with communities.**

Our Be the Future Target Operating Model and Transformation Programme set out how we will support the development of collaborative approaches to improving outcomes in our communities.

**Section Four – Additional Information**

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

*For example, we are interested in your reflections about what has gone well and what has gone less well in relation to Participation Requests over the past year?*

*Is there any aspect of the process that you intend to adapt or change in the year ahead?*

*Have you identified any needs for guidance or support that would support the process?*

*If you have developed any case study material or published new information about Participation Requests please share links to those with us here.*

Promoting PRs continues to present a challenge under the current intent of the provision due to the scope for different interpretations of how they can be used. We look forward to having greater clarity following the conclusion of the Review .

*Any other information:*

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email: [lbaillie@clacks.gov.uk](mailto:lbaillie@clacks.gov.uk)

Telephone: 01259 452012

Date of completion:

**Please email the completed template by 30 June 2024 to [community.empowerment@gov.scot](mailto:community.empowerment@gov.scot)**

If you have any queries please contact Malcolm Cowie, Participation Request Policy Manager at [Malcolm.cowie@gov.scot](mailto:Malcolm.cowie@gov.scot)

Community Empowerment Team, Scottish Government

## PARTICIPATORY BUDGETING ACTIVITY IN 2023/24

1	<b>Local Authority Name</b>	Clackmannanshire Council
2a	<b>LA target figure defined as 1% of 'total estimated expenditure for revenue, as per the Local Government finance circular (<a href="#">FC 1/2022</a>), less assumed council tax intake.</b>	<b>£1.19896m</b>
2b	<b>Total council budget subject to PB in 2023/24 which may be different to the target set above.</b>  This figure should correlate total revenue and capital budgets outlined in section 5.	<b>£1.044131m</b>
3	<b>Please outline your council's corporate approach for PB</b>	Clackmannanshire Council aims to involve the public in participatory activities designed to give service users a role in decision-making on the allocation of budgets for specific Council services and projects. We aim to build participatory democracy through a variety of de-centralised engagement mechanisms which support the delivery of outcomes in the Corporate Plan 'Be the Future' by delivering the following outcomes: <ul style="list-style-type: none"> <li>▪ empowered communities with increased autonomy over local decision making;</li> <li>▪ better satisfied communities;</li> <li>▪ investment in local communities on areas which matter the most to local people;</li> <li>▪ opportunities for meaningful and sustainable community engagement;</li> <li>▪ through PB in schools, confident and active young citizens;</li> <li>▪ increased participation in civic life and local democracy</li> </ul>



<p>4a</p>	<p><b>Please include a high-level summary of your council's key PB activity in 2023/24</b></p> <p><i>Please note this is also an opportunity to demonstrate strategic and operational work, outwith specific budgets, required to progress PB.</i></p>	<p>As part of an ongoing corporate Transformation Programme, our approaches and key activities have broadened out from PB itself to other types of participative mechanisms for involving service users in budget decisions, such as commissioning, user panels and partnership bodies. More effort is being directed towards building working relationships with service users to establish ongoing dialogue by getting relevant people round the decision-making table in question and in ensuring that user feedback is fed into service planning.</p> <p>Our Family Wellbeing Partnership (FWP)</p>
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		<p>moves budgets and other resources closer to communities, integrating services and key workstreams, involving and empowering individuals in the design of services. Through a capacity-building process involving community leaders, the FWP distributed £75,000 to communities for community-led projects represent the best solutions to some of the challenges that our communities face, including child poverty. It works with third sector organisations and community groups, taking a more joined up approach in order to reshape the services that people want and need. The focus is on services that are designed for people, making it simpler for people to access services and supports and thus making a real difference to their lives.</p> <p>A key activity in the reporting year was the Whole Family Wellbeing Fund by which grants were distributed following a participatory panel decision for projects which (i) would support children with care experience to return to Clackmannanshire; (ii) increase the participation of children and families in the design of family support services; (iii) increase the range of 'earliest point' intervention services.</p>
<p>4b</p>	<p><b>Total number of people participating in your council's PB activity</b></p> <p><i>Please note <b>this is the number of people who participated in decision making</b>, not the number of people who were impacted</i></p>	<p>Approx 12 in HSCP commissioning, user panels and partnerships.</p> <p>165 families participating in the Child Wellbeing Partnership co-design of services and decisions on activity equipment.</p> <p>A further 98 young people, 16 individual adults and 180 families in the Family Wellbeing Partnership.</p>

<b>5</b>	<b>Breakdown of revenue and/or capital subject to participatory budgeting during 23/24</b>		
	<b>Service Area</b>	<b>Revenue (£000,000)</b>	<b>Capital (£000,000)</b>
	ADP Social Work Investment	£ 0.09	£
	Citizens Advice Bureau – Carers Welfare Rights Project	£ 0.010766	£
	Carers Centre additional funding	£ 0.013365	£
	Whole Family Wellbeing Fund	£ 0.069	£
	The Family Wellbeing Partnership	£0.845	£
	Child Wellbeing Partnership	£0.016	£
	<b>TOTAL</b>	<b>£ 1.044131</b>	<b>£</b>
<b>6</b>	<b>If the target (defined at 2a) has not been achieved, please summarise the main challenges</b>	<p>Due to the lead-in time for planning PB activity, a key challenge is to achieve PB targets when Services are bound by the constraints of annual budgeting, annual contracts and expenditure deadlines.</p> <p>In addition, allocating officer time to the extra workload is a challenge while the reduction in Council budgets is forcing Services to manage with fewer and fewer officers.</p>	
<b>7</b>	<b>Evidence:</b> What performance measures and/or quality indicators did you use to assess the impact/success of PB activity?	<p>Whilst quality and impact are assessed through participant feedback as it would be with PB, the participative activities are integrated into a transformation programme that aims to eliminate a silo approach eg recent improvements in measurable performance in respect of the poverty-related attainment gap which bucked the national trend. Individual transformation projects such as the FWP are tracked and benefits measured, however, we are currently developing a consolidated benefits realisation framework.</p>	

Signed ...  .....  
 (Chief Executive or equivalent)

Date ...23<sup>rd</sup> August 2024.....