



From mountain to sea

Asset Transfer Annual Report

1st April 2020—31st March 2021

Aberdeenshire Council has long been committed to a policy of Asset Transfer because it recognises that the community ownership of assets can make an important contribution to a range of innovative solutions which community bodies can develop to address local needs.

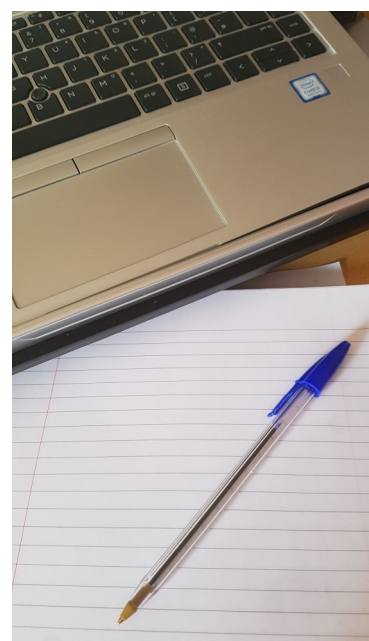
Asset Transfer involves the transfer of responsibility for an asset, either through lease or ownership, from the Council to a community body. In transferring the asset the Council will apply a discount to the commercial lease or market value of the asset in proportion to the perceived community benefits of the transfer.

Section 95 of the Act requires every relevant authority to publish an annual report setting out the numbers of asset transfer requests received and their outcomes. The Annual reports cover each year from 1 April to 31 March and must be published by 30 June.

This report has been produced in compliance with the Act. It is important to note that as the timescale for the Asset Transfer process may take more than 12 months to complete, the number of requests received in one year and the number agreed or refused in that year may not be the same.

Section 95 of the Community Empowerment Act requires Aberdeenshire Council to publish an annual report setting out:

- the number of asset transfer requests received.
- the number of such requests which the Aberdeenshire Council has either agreed to or refused.
- the number of agreed requests which have resulted in the transfer of ownership, a lease or conferral of other rights.
- the number of appeals which have been allowed, dismissed or have resulted in any part of the decision of Aberdeenshire Council being varied or reversed.
- any action taken by Aberdeenshire Council to promote the use of asset transfer requests and to support a community transfer body or community organisation in the making of an asset transfer request.





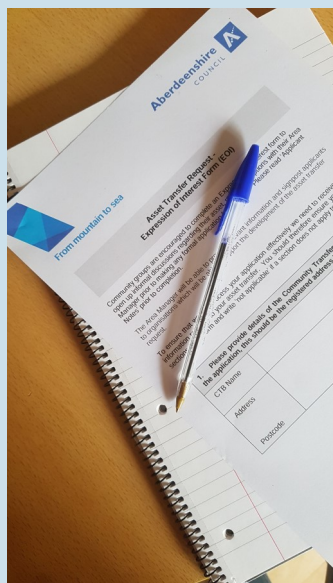
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Aberdeenshire Council Asset Transfer Process

The Council's Asset Transfer process offers groups the option to engage in an informal Expression of Interest (EOI) prior to making a full application.

This allows the group to be supported and provided with relevant information to support the development of a formal asset transfer request.

Not all EOI applications progress to a formal stage as groups may decide to withdraw for a number of reasons. Similarly some groups do not feel the need to make an EOI application and progress directly to the formal stage.



Community Empowerment Legislation

The Community Empowerment (Scotland) Act 2015 moves forward from a voluntary approach by the public sector, and introduces a right for community bodies to make requests to all local authorities to either own or buy an asset.

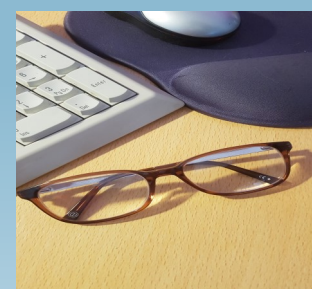
A request can be made in relation to any land or building which is owned or leased by the relevant authority.

The Act requires local authorities to transparently assess requests against a specified list of criteria, and to agree the request unless there are reasonable grounds for refusal.



A formal application is accompanied by a business case, an indication of social return on investment and a financial plan demonstrating how the community group will sustain the running of the asset.

The relevant Area Committee makes the final decision on the application, with the option of an appeal initially to the Council and subsequently to the Scottish Government if the group are unhappy with the decision made.



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Summary Information for Annual Report	
Reporting period - start	01/04/2020
Reporting period - end	31/03/2021
Total number of asset transfer requests received	4
Number agreed	1
Number refused	1
Number resulting in:	
a transfer of ownership of land to a community transfer body	1
a lease of land to such a body	0
rights in respect of land being conferred on such a body	0
Number of appeals under section 85 relating to such requests made to the relevant authority:	
Allowed	0
Dismissed	0
Resulted in any part of the decision of the authority being varied or reversed	0
In relation to a decision of the relevant authority reviewed under section 86 or 87, the number of such decisions that have been:	
Confirmed	0
Modified	0
Substituted by a different decision	0
Total Area Transferred (ha)	0.001

Number of formal Asset Transfer requests received: 4

Garioch —3

The Scout Association—Land adjacent to Inverurie Scout Hut

Action Kintore— Kintore Town House

Garioch Sports & Community Centre Holdings—Strathburn Park (withdrawn)

Marr —1

Alford Valley Community Railway Limited—Former Alford Railway Station, Shed and Ground

Number of formal Asset Transfer requests agreed: 1

Garioch—1

The Scout Association—Land adjacent to Inverurie Scout Hut

Number of formal Asset Transfer requests refused: 1

Banff and Buchan—1

Banff & Macduff Men's Shed—Former Kingswells Nursery, Seafield Street, Banff

Number of contracts concluded: 1

Marr—1

Lumsden Community Association—Lumsden Public Convenience—Purchase

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Number of Expression of Interest applications received between 1st April 2020 and 31st March 2021:

Buchan –2	Banff and Buchan—1
Formartine—2	Garioch—2
Kincardine and Mearns— 1	Marr—0

Appeals

During 2020 – 2021 no appeals were made to the Council.

During 2020 – 2021 no appeals were made to Scottish Ministers.

Support to the Community

This year has proved particularly challenging due to the lack of face-to-face meetings, both with community groups and within our own teams. Across Aberdeenshire there appears to have been less Asset Transfer activity this year, with the majority of applications being made to one area and four of our six areas receiving no applications at all.

We are continually working to promote the process and getting feedback from groups on what they feel would make the process easier. We have developed our own flowchart which is used by officers to ensure that all are familiar with the end-to-end process and are confident in explaining it to community groups.

We have funded Zoom Licences for some community groups, to ensure they can continue to meet and have formed a digital inclusion working group to identify barriers and formulate solutions for local groups both in lockdown and going forward post pandemic.

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