

## Consultation at NI Conversation 2013 conference

In the context of the DSD consultation on community asset transfer, DTNI has played a key role in ensuring the voice of the community and voluntary sector is central in the development of the policy framework.

In order to stimulate discussion, awareness and feedback, a consultation zone was established for participants during the DTNI NI Conversation conference in June 2013. Concise research reports on community asset transfer, alongside the full DSD consultation document, were also available to attendees at the consultation zone in order to promote a more informed dialogue. This zone provided a focal point for informed conversation, debate and feedback from delegates.



A wide-ranging discussion on Twitter attracted nearly 200 individual contributions, widening to access by over 45,000 accounts around the world. Through receiving over 50 written submissions throughout the two days (Appendix 1), DTNI presented a position for endorsement by delegates at the end of the two days. These agreed positions helped direct this consultation response to DSD.

## Key themes and feedback

Written feedback focused on the following three areas, with broad themes emerging from the responses:

### Funding and Skills

- Several responses state a preference for asset transfer to be funded by central government, by DSD or local councils. The preferable option would be to deliver this funding through an intermediary;
- Funding possibilities through the Local Government Finance Act (NI) could be explored alongside UCIT, Charity Bank, BLF, CFNI, NIEA, BCT, HLF, Councils and others
- Above all communities need access to low interest (social) finance;
- Core funding and small grants are required at the early stages to help with appraisals, feasibility work, peer support and business plan development;
- Additional support beyond finance is also needed, particularly legal and technical advice at the early stages.
- Given the importance of this early-stage activity, a Technical Assistance Unit, jointly operated by DSD and DTNI, should be established to support all interested parties
- Tapered revenue support from statutory bodies should be explored, to 'soften the transition' and ensure that assets do not turn out to be liabilities; dowry arrangements could be deployed as one-off support mechanisms; clawback clauses, in the case of super-profits or onward sale can also be applied

### Information and awareness

- Training and awareness is vital to the overall success of the framework, this should include seminars, online support and email bulletins;

- An interactive and on-line training programme should be developed for potential transferees to strengthen capability; two-way secondments should be encouraged; the experiences of the credit unions and housing associations should be mined;
- Any information and awareness raising initiative should identify and highlight practical examples of best practice and tell compelling stories about them in simple language;
- The SIB Asset Database should be completed and published and promoted widely through workshops and online information. Asset-scoping by and through local groups should be encouraged;
- Available Assets should be ‘badged’ to indicate their presence and whom to contact for more information on their possible transfer;
- The condition of assets must be clarified at the early stages. This includes contamination, remedial work, including that subsequently uncovered; insurance liabilities, taxation, legal costs, architects, surveyors, repairs and future costs.

### Legislation and the Right to Bid

- Some argue that NI legislation on asset transfer is not needed; goodwill and guidance will suffice and the delivery of some early wins will do more than legislation;
- Officials might be distracted from implementation to legislation, slowing down the process; it might become bureaucratic and lengthy;
- NI is not especially good at legislation yet – the skills are not yet developed;
- On the other hand, the majority of responses argued that legislation is essential to show intent, to guarantee outcomes, to protect both parties to the transfer, to engage otherwise recalcitrant departments and agencies, to educate the public and press during the process, to extend the consultative circles and to enshrine good practice;
- The importance of creating a “level playing field” was raised throughout the responses, with a prescriptive / legal process in place, similar to procurement, where full information is provided through a transparent and accountable assessment process;
- On a show of hands, nevertheless, the conference voted almost unanimously (with a single dissenter) in favour of a demand for tailored NI legislation.

### Summary

Through the written feedback, there was an overarching theme that Community Asset Transfer is not an end in itself, and whilst it can be an attractive prospect, it must fulfil a purpose with ‘regeneration’ at the top of the agenda. There was a general consensus on the importance of ensuring the framework is backed up by accessible funding and vigorous information and awareness-raising exercises, particularly at the early stages. The issue of legislation and the ‘right to bid’ was less clear-cut, although the majority of responses indicate that legislation may, reluctantly, be required to ensure the framework is robust and delivers positive outcomes for local communities.

## Appendix 1 Written Consultation Responses at #NIConversation 26-27 June 2013

### Question 1 – Funding and Skills

How should the framework for Community Asset Transfer be funded? Where should funding come from? What level of financial support is needed and is most important? What level of support is required to build the capacity, business skills and entrepreneurship needed to make an asset transfer viable? Have you any additional comments?

- There needs to some form of training for groups so they can learn to manage their assets. This training should be funded by Government. (Bryson)
- Government Departments will resist this extra responsibility and funding; (Bryson)
- Government Departments can make savings and efficiencies from transferring assets; (Bryson)
- Funding could be provided through local government post RPA. This can also be achieved through the Local Government Finance Act 2011; (LCDI)
- DSD should also provide core funding (LCDI)
- DSD need to provide funding but they also need brought up to speed on the capacity within the CV sector; (LCDI)
- UCIT and the Big Lottery Fund are options; (LCDI)
- There should be caution with regards to raising expectations. Groups need to be carefully identified and supported by technical assistance;
- There needs to be access to low interest finance to help groups develop the transferred asset (Resurgam Trust)
- A series of small grants should focus on appraisals, feasibility work, peer support and business plan development (DTA Scotland)
- The receiving organisation will need to prove it has (or is prepared to learn) the necessary business skills to best ensure the assets will be beneficially used. (Core Vision);
- Funding source should be defined in legislation/scheme and clear from the outset. It should be funded by central government. (N/A);
- Additional support beyond finance is needed, particularly legal advice at the early stage. (N/A)
- Funding could be a pool of various departments' money. Complex legal arrangements in any transfer communities would need guidance support through this. Any transfer could be complex legally. (Upper Alton Community Forum)
- There needs to be capacity to build through support in setting up development trust. We need legal and planning information. (Andersonstown Neighbourhood Partnership/UACF)
- There needs to be a framework in place which supports communities to utilise assets that exist within their areas. An asset scoping exercise, properly funded, should first be done and then a Masterplan should be drawn up instead of moving forward on an ad hoc basis. This should be funded by a separate fund set up under control of a Department but which various Departments contribute to. (Falls Community Council)
- Need to do an audit of skills; can the skills be brought in temporarily? It must be tailored to group's needs. Groups with more capacity can start the process and mentor others in their peer-to-peer learning. (N/A)
- It should be funded through the Department of Social Development and central Government. The amount of funding given should be based on the state of the buildings. A programme of training needs to be developed to ensure groups are

capable and aware of both the pros and cons of running a community building. (CFNI)

- Transfer needs to be done carefully to negate liability issues. Finance should be provided in the form of loans from Central Government at a workable rate of interest. (N/A)
- Support for community groups to engage in discussion and technical assistance. The budget should transfer for a fixed period, tapering down to minimum (or no) support. There must be support around the community share issue. (N/A)
- The Community Asset Transfer needs to be resourced by Government in the first instance with the possibility of soft loans. Housing Associations could give a percentage of profits towards the Community Asset Transfer seed fund. (North Belfast Partnership)
- Support for asset transfer is a part of wider investment work that is needed across the Northern Ireland CVS. The Development Trust can become repository of specialist support for asset transfer. Risk money in the form of grant aid is needed. The Big Lottery Fund is a possibility. (BCT)
- Central government should fund it. Funding and money saved from managing those assets should be transferred to fund the framework. (Holywell Trust)
- Small amount, perhaps £5,000, to help communities to identify if asset transfer is for them and if so, how will it work for the individual project. (DARD)
- Start with vision/purpose/community building and not the money. In the English experience funding was needed for initial learning and skills exchange across community; feasibility grants up to £10,000; development grants for complex projects up to £100,000; capital for refurbishment or purchase from a mix of grants and patient loans. Plus, “critical friends” to support group through process. (Locality)
- Skills and expertise are the most important needs. For funding it is important to identify the need. Should look into partnership bonds. (BITC);
- Support is a key issue to build awareness; capacity and skills may well be the best way to draw this out of people. (N/A)
- Capacity of community to get the right funding for them. This needs cross Department support through DETI, DEL and DSD. It needs the secondment of staff to support communities. Investment readiness and training is also important. (Lagan Canal Trust)
- The DSD is the most obvious lead department with cross-departmental support also needed. Support needs to be provided to support the business plan and on-going support to assist the group to build capacity. (East Belfast Partnership)
- Holders of the asset should help with funding and an asset should be handed over in a usable condition. Property should be reviewed in six months to a year and any problems should be remedied by the initial holder. There should be a snag list. (Colin NRP)
- Interest free loans to groups capable of building or developing social housing and community facilities. (N/A)
- Insurance and upgrade costs need to be showed. support in terms of building capacity; skills to understand and build the skills of community/voluntary organisations in managing ‘needs’, including planning social business and social economic developments. (N/A)
- Funding should come from central government. Funding should be made available to work up a project from idea stage through to definitive proposal. The proposal then can be assessed by a combination of Development Trust and advisors. If it is recommended then each project should have its own funding mechanisms. (Holywell Trust)

- We need to build capacity through technical expertise to ensure long-term planning around maintaining and using assets in the long-term. A partnership approach to entire process (not a hand-over, hands off approach) is needed. Strategic overview of the number of “assets transferred” within communities. (Belfast Met Group)
- Only a fund for groups to access either directly or through a partner such as DTNI. A fund for purpose of assessing assets and delivering plans: this step is critical. If this step is 100 percent robust then funds to acquire the asset itself can be found. If successful the initial grant to be re-paid or then written off. (Chair DTNI)
- What needs to be funded? Capacity building and an understanding of the pros and cons to allow a community to judge if they should get involved. If it doesn't suit, don't do it. Resource to help with that initial appraisal? Skill of handover, do they know what they expect or how to go about it? (UKAPT)
- Needs around capacity, skills, funding, etc., exist in all sectors not just community and voluntary (New Community Network)

## Question 2 - Information and awareness

What practical steps can be taken to raise awareness of Community Asset Transfer? Have you any additional comments on how this can be achieved?

- Training and awareness is vital, this should include seminars, online support and email bulletins; (Bryson)
- A series of seminars will be needed. Central Government should promote and publish this programme. (LCDI)
- Local statutory bodies need to know that asset transfer exists and is a viable alternative.
- RPA may hold up any progress in the next 2 years. (LCDI)
- Any awareness raising should involve examples of existing projects and examples of best practice; (Resurgam Trust)
- In Scotland the emphasis is on supporting community empowerment, regeneration and community enterprise. Asset transfer needs to be promoted in this context (DTA Scotland)
- Outreach programme – more than the department involved; all party group as Community Asset Transfer Develop understanding of Social and Economic benefits. (New Community Network)
- Through local Councils it should be possible to establish a database of organisations and umbrella bodies to which information can be sent and circulated. (Core Vision)
- There is a need for central government and all public sector bodies (and possibly private sector) to be trained so that all are on the same message. (N/A)
- Need for professionals to be employed within government with appropriate skills. (N/A)
- Comprehensive trawl of assets and community informed. All government departments need to be on board with legal obligations to process. (Upper Alton Community Forum)
- Check out how Credit Unions were established and use the successful elements of this. Consult locally as it needs to be feasible and implementable plan, which has buy-in from all the partners. Co-operatives should be re-examined. One of the bigger demands for community is social housing, should check out examples of Housing Associations. (Andersonstown Neighbourhood Partnership/UACF)
- Asset scoping should take place within areas using existing community structures. (Falls Community Council)

- Involve funders, service providers, partnerships and umbrella bodies such as NICVA. (N/A)
- Develop a central database of assets and make it available to the community groups. The process needs to be simplified. (CFNI)
- Establish a data of assets with local assets for local communities. Needs in depth discussions with local communities, Council and Local Government representatives. (N/A)
- Toolkit for development must be rolled out across sector. Perhaps CVS advertising or a media campaign or an investment readiness campaign should be used to raise awareness. (N/A)
- Promote success and benefit of projects that work and are delivering social benefit share-capacity and technical assistance. (North Belfast Partnership)
- A properly resourced framework and support organisation with actual research and case studies on some examples of documented and shared widely across CVS, government and others. (BCT)
- Access to groups where Community Asset Transfer has been achieved elsewhere. Stories need to be told of the history of the place/building. What is the history of the asset? (Holywell Trust)
- Publicity through organisations such as NICVA. Establish a training programme for local community network organisations. (DARD)
- Get the “people” around to talk. Where are the Trusts? (Upper Springfield Development Trust)
- Build a membership network of practitioners and a wider movement of allies. Identify good examples and tell compelling stories about them in simple language (i.e. not dry case studies). (Locality)
- Case Studies should be used, to show people are doing it. Make it easy for people to see and understand and get through the jargon. (BITC)
- “Seeing is believing”; it is key to use examples of everyday people, communities and groups who have had successes and to highlight these stories to others who may fear that this is beyond them. (N/A)
- Knowledge of available assets is needed. Transfer must be of ownership not assets. (Lagan Canal Trust)
- Have document with “real life” case studies with visual images which may help to lift the process from theoretical to something more visible. Raise awareness of options with Department staff and with groups. (East Belfast Partnership)
- Signage placed on buildings available for transfer. Database set up online where organisations seeking premises can register and view a list of assets available in their area. Search criteria could be for type of asset and post code. (Colin NRP)
- Identify groups with a clear track record in social enterprise at a community level to pilot a model. Current legislation doesn’t allow community based trusts to become sustainable, i.e. housing stock transfer land -this must change. (N/A)
- Demonstration of projects already undertaken within next 12-18 months and the most practical way forward. (Holywell Trust)
- Public meetings to discuss debate and engage community not just those engaged within community and voluntary sector organisations. Entire community should be consulted if “ownership” is being transferred. Skills development is needed in planning; business management and community development. (Belfast Met Group)
- Role of all stakeholders but from government perspective the potential to list assets which are surplus and are available for transfer. No more than listing online and keeping up-to-date. (Chair DTNI)
- Groundwork in communities; understanding of process and abilities. If government can’t make it work why/how can communities make it work: better service? More

efficient? Local demand? Problem with unions, they may not want to lose their jobs. What about employment-investment shares? (UKAPT)

### Question 3 – Legislation and the Right to Bid

Do you feel consider it necessary for the community asset transfer policy to be embedded within legislation? Is a “Right to Bid” provision, like those that exist in England and Wales, necessary in this policy? Have you any additional comments?

- There needs to be a prescriptive/legal process similar to procurement where full information is provided through a transparent and accountable assessment process. This will help create a level playing field; (Bryson)
- Yes legislation is needed. The third sector needs a level playing field and legislation similar to the Social Enterprise Bill will go some way in ensuring this; (LCDI x2)
- It would be very difficult to work without legislation as barriers would be almost impossible to overcome. (Resurgam Trust)
- A scoring matrix, which would favour a transfer to a social enterprise, could be developed. (Resurgam Trust)
- The key issue is locating asset transfer within a coherent policy context (DTA Scotland)
- Some legal framework is necessary; it is worth looking to Scotland as a case study. (DTA Scotland)
- Getting the right balance of rights and duties is crucial. This sends an important message to create the necessary cultural change; (DTA Scotland)
- Key issue is opportunity for Community Asset Transfer to be considered before a ‘surplus’ verdict is given, thus raising the sphere of liability rather than asset. (New Community Network)
- The simpler the process the better. However there needs to be accountability and traceability so the rigour may require legislation (unfortunately!). (Core Vision)
- Yes Community Asset Transfer should be embedded within appropriate legislation which is clear, comprehensive and not a time wasting maze. Rights need to be embedded. (N/A)
- Yes, to ensure that Departments commit. With neighbourhood renewal most departments signed up to it with the exception of the Department of Social Development, few delivered to any extent on the policy because there were no real legal obligations. (Upper Alton Community Forum)
- Must be embedded within legislation. The “right to bid” should be made on a collective community basis. Need to set up strong development trust with knowledge of community asset transfer, financial aspect, risk assessment, procurement, and create an implementation plan with full benefits for community. (Andersonstown Neighbourhood Partnership/UACF)
- Social clauses should be built into any asset transfer policy which favours assets remaining in community ownership. (Falls Community Council)
- Yes to protect community groups; the procurement process needs to be made easier. (CFNI)
- Legislation is needed to protect community; without legislation there is a risk of assets becoming a liability. Best practice should be followed on the “right to bid”. (N/A)
- Yes, if we don’t legislate for it there could be issues. Must acknowledge that government here do work well with community if we potentially want to bid. (N/A)

- Community Asset Transfer needs to have legal base to protect interests of all parties while holding parties to contractual obligations. (North Belfast Partnership)
- Not sure –surely the issue is having statutory bodies prepared to dispose at less than market value and to have some understanding of social impact potential as opposed to only market value. (BCT)
- Yes, safeguards that allow community right to bid i.e. change from “best value” economic mould only to a social requirement. “Right to bid” for more than government/ public assets should be considered. (Holywell Trust)
- Not necessary to have legislation at the outset, but it’s an option for the future. The “right to bid” would be useful. (DARD)
- Don’t fully understand the legal ramifications. (Upper Springfield Development Trust)
- Legislation is not necessary to make a start and achieve progress with developing a first group of schemes. In the experience of both England and Scotland it is necessary if the aim is to build real critical mass and a sustained movement rather than a few exceptional examples. (Locality)
- Yes this is key especially for ‘let projects’. (N/A)
- We need a right to reclaim under-utilised assets in public and private ownership. Capital funding and three to five year revenue support funding is needed to soften the transfer. (Lagan Canal Trust)
- Prefer the “right to bid” provision. (East Belfast Partnership)
- In my experience the only way to move statutory bodies is to point to legislation, so yes. (Colin NRP)
- Yes and yes. Furthermore, a social impact matrix should be part of the process. Groups that can show a clear improvement to community must be given preference. (N/A)
- A balance between social/economic/environmental needs within communities must be achieved. A “Right to bid” should include a “right to redress” and the concept of “first charge” should be added into the context. A community clause could be added to all transferred ownership contracts to ensure the asset do not filter into private developers hands. (N/A)
- We want “right to bid” legislation, it is absolutely essential. (Holywell Trust)
- Yes and also supported with strategic plan/action plan which is embedded within all Departments. (Belfast Met Group)
- No, if context is right (as it is moving) the market will dictate. We need to move now, legislation will delay and frustrate. Delivery of some early wins will do more than legislation. (Chair DTNI)
- Embedded evaluation process. Legislation to transfer the public organisations maintenance budget for five years. Ability to transfer capital/funding as a package with the property. (UKAPT)