

# Community Ownership Support Service

COSS is a Scottish government funded programme, delivered through the **Development Trusts Association Scotland** since 2011.

An Adviser led service across Scotland which:

- Helps community-based groups take ownership of public assets for community benefit .
- Supports local authorities and other public bodies in the sustainable transfer assets in to community ownership.







# Community Empowerment Act

Reflects the policy principles of subsidiary, community empowerment and improvement outcomes and provides a strategic framework which will:

- Empower community bodies through the ownership of land and buildings and strengthening the decisions that matter to them

# Community Empowerment (Scotland) Act 2015

				
<b>PART 1</b>	<b>PART 2</b>	<b>PART 3</b>	<b>PART 4</b>	<b>PART 5</b>
NATIONAL OUTCOMES	COMMUNITY PLANNING	PARTICIPATION REQUESTS	COMMUNITY RIGHT TO BUY TO BUY LAND	ASSET TRANSFER REQUESTS

					
<b>PART 6</b>	<b>PART 7</b>	<b>PART 8</b>	<b>PART 9</b>	<b>PART 10</b>	<b>PART 11</b>
DELEGATION OF FORESTRY COMMISSIONERS FUNCTIONS	FOOTBALL CLUBS	COMMON GOOD PROPERTY	ALLOTMENTS	PARTICIPATION IN PUBLIC DECISION MAKING	NON DOMESTIC RATES

## Part 3 – Participation Requests

Participation in an Outcome Improvement Process with a Public Service Authority

- To help **start a dialogue**
- **Contributing to the decision making** process
- Contribute to **service change**
- Seek support for **alternatives** which improve outcomes

- **Presumption in favour of community** – unless there are good grounds for refusal
- **Currently no formal appeal process**







# Part 4 – Community Right to Buy

A CRtB is a **pre-emptive right to buy land** for communities throughout Scotland under Part 4 of the Land Reform (Scotland) Act 2003



Part 2 of the Land Reform (Scotland) Act 2003

## COMMUNITY RIGHT TO BUY



CÒIR COIMHEARSNACHD AIR CEANNACHD  
GUIDANCE FOR APPLICATIONS  
MADE ON OR AFTER  
15 APRIL 2016

STIÙIREADH AIRSON  
TAGRAIDHEAN AIR NEO ÀS DÈIDH  
15 GIBLEAN 2016

MARCH 2016



## Tweaked eligibility criteria:

- 2-tier Scottish Charitable Incorporated Organisation (SCIO) and Community Benefit Society now also eligible
- No population ceiling
- More flexibility in defining area
- Minimum membership dropped to 10
- Now need 75% not 50% of members resident
- Must make meeting minutes publicly available
- Dropped audit requirement



# Bellfield Church - Edinburgh



# Part 4 – Abandoned, neglected and detrimental land

Eligible if :

- It is **wholly or mainly abandoned or neglected** or,
- The use or management of the land is such that it **results in or causes harm**, directly or indirectly, to **the environmental wellbeing of a relevant community**
- Need to contact relevant regulator to exercise their regulatory function – to remedy or mitigate harm
- Must have tried and failed to buy land
- **Community compulsory purchase**



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SEE SUPPLEMENTARY PLANS

- 1. SITE PLAN
- 2. FLOOR PLAN
- 3. SECTION
- 4. ELEVATION
- 5. PERSPECTIVE

# Part 5: Asset Transfer Requests

## Gives communities of interest and place -

- The right to request to purchase, lease, manage or use land and buildings belonging to **local authorities and other Scottish public bodies**
- The assets do not have to be on a “surplus to requirements” list
- Communities can state the amount they are prepared to pay – below market value.



# Community Empowerment Act

## Part 5: Asset Transfer Requests

- The **presumption is in favour of communities** unless there are reasonable grounds for refusal
- Asset registers
- Annual Reports
- Timeframes for responses
- Review and appeal to Scottish Ministers

# Inspiring Bridgend Farmhouse – Edinburgh



# Current Trends Communities

- Interest in single category assets – halls, community centres, public toilets
  - Reacting to closure
  - Mainly a stewardship operating model
  - Primarily lease arrangements
  - Local authority grant pots
- Strategic approach – responding to need and opportunity
  - Often established community organisations (paid staff) taking a place based approach

# Current Trends Communities

- **Communities of Place**

- Community hubs
- Service specific – public toilets/ tourist information
- Infrastructure – harbours / car parks

- **Communities of Interest**

- Sports pitches/ centres
- Men's sheds
- Growing spaces/ allotments/ meadow
- Health / nurseries
- Arts facilities
- Faith based organisations

# Challenges Communities

- **Development Funding - pre and post acquisition**
  - Scottish Land Fund
  - National Lottery Communities Fund
  - Scottish Government Capital Regeneration Fund
  - Robertson Trust
- **Capacity**
  - Established organisations
  - Volunteers – Board – support
- **Viability**
  - Opportunity for revenue generation – income, grants, SLA, balancing assets, crowd funding, fundraising





# Characteristics of Success

- Based on genuine community need – Action Plans/ Place Plans
- The right asset is sought to meet those needs
- Being realistic about the condition of the building / land (contaminated beyond reasonable repair etc)
- Learning from others who have done it already
- The business plan shows how the asset can ‘wash its face’ (grants, revenue, SLA)

## **And finally.....**

- Making good use of the free help and support (COSS, local support – Council, TSI, Business Gateway, Funders SE networks)

# Further Information

**Community Ownership Support Service**

**[www.dtascommunityownership.org.uk](http://www.dtascommunityownership.org.uk)**

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