



**Dear Members of the Local Government and Housing Committee,** please find below our written submission to the Inquiry into community assets.

Firstly, we welcome the opportunity to input into this important aspect of Welsh affairs. Our response is written on behalf of our extensive membership base across Wales and the wider UK and is endorsed by a number of our key partners and stakeholders. We clearly have a land and food focus in our work but we hope you are able to accept this submission as community asset transfers (CAT) should not be solely about our built infrastructure. CAT for land (and buildings) can and do have a wide impact on health, wellbeing, social care, the environment, climate change and our nature emergency. Effective land transfers deliver jobs, economic returns, skills & training outputs and volunteering opportunities across the breadth of Wales.

### **Social Farms & Gardens**

**Our vision** - people and communities reaching their full potential through nature-based activities as a part of everyday life.

**Our mission** - to improve the health and wellbeing of individuals, communities, and the environment through nature-based activities.

We exist to support and develop community focused land-based activity. This activity takes place across a variety of settings including community; gardens, allotments, city farms, forests & woodlands, care farms and Community Supported Agriculture (CSA) sites. We represent over 2,200 member organisations across the UK, 390 of which are in Wales.

Social Farms & Gardens was established in 1980 under the name of 'The Federation of City Farms & Community Gardens'. We have Welsh offices in Bangor, Newtown & Cardiff along with Bristol, Belfast, London and Edinburgh. Across the UK there is a network of over 5,000 community managed food growing spaces. In Wales, the only UK country to have a specific community growing strategy, and an emergent Community Food Strategy we have around 450 community gardens, 2 city farms, 6 care farms, 9 CSA projects with a further 14 in various stages of development and over 500 allotment sites.

Much of our work in Wales is supported by Welsh Government and the funds it administers, ensuring our work is well aligned to current and future policy direction in Wales. In direct relation to this inquiry we administer and deliver the services of the Community Land Advisory Service (CLAS Cymru), through direct funding from Welsh Government.

In specific reference to the inquiry, we offer the following responses to the questions posed:

**Whether the current statutory and policy framework empowers communities in Wales to develop community assets;**

No, sadly we don't believe the current policies and frameworks in Wales are robust enough to enable communities to satisfactorily acquire and develop community assets. In fact, we would go as far as to say current guidance and policies often hinder community access to assets. For years now, along with other organisations in Wales we have been supporting groups to try and acquire community assets for community benefit: often it's a painful, drawn out, confusing process that can be costly in terms of time, energy, and fees.

We find that the 22 local authorities across Wales all have a different approach to their CAT policy/ies. Some, but only a few, have a clear pathway with support in place for communities, whilst others have no public facing policy at all and it's often very difficult, even for us as professionals, to navigate the numerous departments to even make an initial enquiry. Other public bodies such as our health boards, Natural Resources Wales and indeed Welsh Government don't even have their own CAT policies. Welsh Government for instance, has set the framework for Local Authorities to follow, but does not have its own policy. In our opinion, Welsh Government should be leading on this and setting the standard. In our 12 years of working in Wales we are only aware of two transfers of land from WG for community use and both of these have taken years to complete on. We have been supporting several groups with approaches to NRW but again we have met with layers of bureaucracy, issues over 'returns' and officers unwilling to push the requests forward to someone who may be able to make a decision. On the flip side, we know it is sometimes possible to find the right person who is willing to champion and support a transfer and this has led to some high-profile successes – for instance Swansea Bay University Health Board's Morriston Hospital are leasing land for a new Community Supported Agriculture project, which is expected to provide fresh vegetables to between 100 and 150 households each week whilst providing opportunities for therapeutic activities for patients. It shouldn't be the case that successes are down to individuals, they should be driven by robust policies and legislation.

Public Authorities in Wales are not obliged to undertake Community Asset Transfers and Local Authorities have to initiate the process themselves. Yet the Well Being of Future Generations Act encourages integration and sustainable and innovative approaches. Collaboration and Involvement are key ways of working that are within the Act, yet they are often ignored or applied with rhetoric.

The 'General Disposal Consent' (Wales) provisions issued under the Local Government Act 1972 permit local authorities to sell at below best financial consideration where it believes

doing so would be in the interests of the economic, social or environmental well-being, without the requirement to get consent of Welsh Government. However, despite this permitting local authorities to transfer assets to communities at a discount in return for other benefits, many are still reluctant to do so. This is permitted by the 'General Disposal Consent' (Wales) provisions issued under the Local Government Act 1972. This needs to be reviewed. All too often the CAT outcomes are focused on a very narrow-minded viewpoint of *pounds & pence* – where local authorities and public bodies want to try and maximise their returns instead of being able to see the wider picture of the social return many of the sites we support deliver.

We feel we lag far behind Scotland and England (to a lesser extent) in terms of overarching policies and legislation that support, promote and enable community asset transfers. There is no mechanism in Wales for communities to declare their interests formally in an asset which may well be in the heart of their community. There is no 'right to buy' or 'right to grow' in Wales but yet there is in Scotland

For several years now we have been calling upon Welsh Government and its ministers to - review the policies and frameworks it has in this area, and we welcome this inquiry as part of this important work. We know that our communities can often deliver important social benefits and efficient services that public bodies simply cannot with their budget constraints, areas of focus or other pressures they face.

We strongly urge the committee to ensure when considering the findings from this inquiry and in making its recommendations it works hard to put Wales at the forefront of progressive supportive policy and legislative development right across the UK. Any future policy or legislation on CATs must include not only the built environment but also **land**.

The current Welsh Government Guidance states that the type of tenure granted can include:

- Management Agreement;
- Licence to occupy;
- Short lease;
- Long lease; and
- Freehold transfer

yet full business plans are requested/required. Where a short-term licence agreement is provided for a small area of land, the level of risk should be considered and a concise management plan should be requested that is relevant, necessary, reasonable and proportionate. We are currently working with Rhondda Cynon Taff Council and we have developed a template for such a management plan.

## Alternatives to ownership

Ownership of assets, both land and buildings, can provide, as we have indicated elsewhere in our response, significant advantages to communities. However, full title transfer is not always either possible or desirable. A sole focus on title transfer can result in missed opportunities to support and develop communities.

The Government should support and encourage public bodies to co-produce, with communities as equal partners, future asset management plans that reflect community values and vision but also reflect the legal and professional requirements of asset management.

As an example, the Skyline Project in the Upper Rhondda will deliver significant community benefit where title transfer is neither politically acceptable nor appropriate because of the nature of the long-term risks associated with a former mining landscape.

[A Future Forest Vision](#) (completed in April 2022) was co-produced by the community and NRW. This ensured that the forest will be managed to reflect both the community's values and professional forest management standards. The co-produced forest plan is being followed by a community stewardship agreement that will enshrine community rights for both social, economic, and environmental work in the forest. Consequently, without the necessity of transferring any title from the Welsh Government's Woodland Estate, the community is able to benefit in the following ways:

- Shaping the future of the forest as an equal partner – not as a consultee.
- Providing jobs and training through a community forestry enterprise and providing support for the Foundational Economy.
- The ability to use the forest as a resource for learning, and physical and mental wellbeing.

The transfer of assets to the community remains the cleanest way to give communities a say in the management of their physical environment. But where that is not possible, supporting the co-production of future management plans and giving communities long-term rights under a stewardship agreement can provide many of the community benefits of asset transfer.

## The extent the Community Asset Transfer scheme promotes and supports effective development of community assets;

As we have mentioned above there are some local authorities that have a proactive and proportionate approach to CATs (Rhondda Cynon Taf, Blaenau Gwent, Flintshire via the voluntary service council) and some are re-shaping their work in this area (Pembrokeshire). For some local authorities, we are already seeing a marked improvement in the processes and support given to groups to begin their community asset transfer journey. Other

authorities hide behind the need for capital receipts from land without considering whether more benefits (and goals under their wellbeing plans) could be delivered for their communities if a community asset transfer took place.

Over recent years we have challenged Welsh Government to review its CAT guidance and whilst it is fair to say we have a second [re-iteration of a CAT guidance document](#), we still do not feel this revised document considers much, if any, of the two rounds of detailed internal Welsh Government research that has been carried out which sought to constructively critique the initial guidance and inform the revision. This research team made some clear recommendations, but we are yet to see this being picked up in a guidance revision. We and many others fed into this research and its disappointing to see two separate rounds of research being ignored in this way.

We know there are some amazing organisations out there that have persevered through an often painful process to acquire the rights to access land and buildings for community use. The most successful have often been due to considerable external support (funding, mentoring, legal & peer to peer) by third sector and other external bodies to the public sector – i.e. the Lottery's previous CAT programmes (no longer available in Wales), the Development Trust Association Wales CAT support programme, the Plunkett Foundation's Community Shop support programme, Coed Cymru and Llais Y Goedwig's community woodland schemes and of course the ongoing [Community Land Advisory Service Cymru](#) ongoing support to communities along with the likes of [Project Skyline](#). Yet we have had to delve deep to find these exemplar case studies and dig even deeper to find the ones that highlight the pitfalls and issues for others to avoid.

**To explore barriers and challenges faced by communities in taking ownership of public or privately owned assets, including finance and support services;**

Sadly, it is evident that many asset transfers are in fact a transfer of liabilities. Welsh Government's own research confirms this. We acknowledge that there are funding pressures on all public bodies and that asset disposal for them is possibly not the preferred option, but to transfer 'liabilities' without due care and consideration can cause wide ranging issues for the groups that take them on. It is rare to see a transfer of a true 'asset'. In some cases this is ok as the groups taking on the transfer can often raise funds that are simply not available to the public body. However, we are aware of several instances where assets were due to be transferred with a cash injection from the public body but at the last minute that offer was withdrawn. We have seen last minute changes to substantial elements of the heads of terms – in one case removing the offer of freehold transfer and swapping it out for 'lease hold' – an action that can create significant undue pressures on the groups seeking the transfer – especially when many funders require long term access to the site in-order to financially support the groups in question.

In another example a community was told they could reserve the right to purchase a county farm if they were able to raise £50,000 as a non-refundable deposit. After having successfully raised the sums, it turned out that the local authority was not legally able to reserve it for them. The same community group went on to have offers for the farm accepted twice, only to be gazumped by another buyer. The local authority then decided to

put decided to put the farm out to auction, at which point community was outbid by a private buyer.

The often very lengthy time frames it takes to complete transfers is of great concern to us and the organisations we support. We estimate that it may take an average of around three years to complete, but we are aware of one or two that have taken far in excess of this. During these prolonged periods of time and community groups struggle to maintain the momentum required and keep funders engaged, and the longer things are dragged out, the more costly it can become. Community groups also struggle to maintain momentum due to extended periods of silence from local authorities.

Access to some of the support services is limited, but it is possible to readily access support for governance, business planning and funding support from the many organisations in Wales that are funded to do so. Where we would argue access to support is limited (especially that which is affordable to many community groups) is around planning, land access agreements and conveyancing services. Our Community Land Advisory Service assists with all of this where it is physically possible to, but with our limited resources and funding to deliver our services we are limited only by capacity to support around 65 groups a year. This year is the first year CLAS Cymru has received an indication of a three year budget from WG – previously it has only been on an annual basis and that makes it difficult to retain and recruit staff with the right skills and to be able to sufficiently plan ahead.

Again, there are one or two local authorities that can assist groups with a lot of the processes of a CAT but face challenges with less resourced areas of their local authorities. This is to be commended and understanding should be sought on how and why some local authorities are able to 'afford' this and others cannot.

Funding in general is really competitive and whilst there is support for funding out there, and some services offering attractive 'mixed finance' the time delays for CATs to complete have a real impact on groups' ability to access these.

The type of asset transfer can be a barrier in itself – a licence is almost meaningless, a lease can, in some cases, cause significant barriers / issues (in ability to mortgage, get out clauses, short lengths etc.), and in the case of a Farm Business Tenancy there is little or no protection for the tenant – much of the 'power' is in the favour of the vendor. Commercial leases are often required to provide security of tenure at the end of the term. Local authorities often prefer to exclude this element of the Landlord and Tenant Act 1954 which we do not consider best practice, but at least there are rights to the tenant under this more appropriate legislation.

Costs of transfers is also an issue to some – legal fees can be extortionate and sometimes difficult to fund through grant programmes. The lack of specific grant programmes (especially in Wales is an issue). We are fully aware of the 'Community Ownership Fund' which has come about as part of the levelling up agenda is centrally administered by Westminster government (an issue in itself) but with a limited pot the money is stretched so thinly across the UK nations.

We have mentioned previously, but it is worth highlighting again, a significant barrier is the perceived value of the asset in question – we are aware of several examples where a local authority land agent may value a property at a staggeringly high rate when compared to an independent assessment. Equally, we are aware of some public bodies struggling to get around audit issues of transferring an asset that has a ‘cash’ value – but perhaps one that is only accessible over a long period of time, but where the transferring body needs all of that equity transferred at the same time as the asset is transferred – which is impossible in some cases.

- **To discover what lessons can be learnt from beyond the Welsh border.**

This is perhaps not our area of expertise, and we would refer the committee to the [recent publication by the IWA](#) that sets out clearly some of the policy frameworks from both Scotland and England. Equally in specific relation to housing the Wales Coop Centre (now Cwmpass) have published a [recent paper](#) highlighting some of the barriers but also showcasing the opportunities that supportive policies may be able to deliver.

Equally the Incredible Edible network have issued a briefing paper to representatives of the House of Commons for a [‘Right to Grow’](#) Bill. This has received enough support in the commons to be presented as a ten-minute rule bill. It comes with clear recommendations and offers a solution for a legislative approach.

#### ***Our recommendations:***

##### **Short term: (One year)**

We request that the committee;

Consider asking us and other key organisations that are supporting community asset transfers to talk with us directly over some of the issues (and opportunities) we raise as part of our submission.

Consider taking up an offer of visiting one or two of the ‘flag ship’ community assets transfers that have managed to overcome many of the issues we raise, so they can see first hand the impact such transfers can have on communities, the environment and other key areas of Welsh Government policy.

Review the two rounds of research that have already been commissioned and completed in regard to WG CAT policy / guidance and ascertain the recommendations that can be quickly built into a revision of this document.

Work out a mechanism that mandates local authorities, and other public bodies to review and publish their own CAT policies.

Recommend that Welsh Government should publish their own CAT policy.

Support the Third Sector Resilience Team within WG to begin shaping an overarching 'community policy' and to resource this team sufficiently to enable them to work with the third sector to carry out this work which could act as a springboard to legislative reform here in Wales.

In situations where asset transfer is not possible, the Welsh Government should support public bodies to co-produce, with communities as equal partners, future asset management plans that reflect community values and vision but also reflect the legal and professional requirements of asset management.

**Longer term: (but please, don't delay this work)**

Look to introduce an overarching 'community empowerment act' for Wales. One that takes the best of Scottish and English legislation, but one that also addresses the concerns that have been raised about their effectiveness.

Seek to introduce legislation that supports a community 'right to buy', this should be one that is not solely focused on market value but also considers social value.

Adapt policy and legislation that empowers communities and gives them the 'right to grow' through 'meanwhile' access to land that may be identified for other uses, as is being called for by the Incredible Edible movement.

Seek to create a CAT fund for Wales that truly meets the needs of public bodies and communities alike.

**Many thanks for your time in reading our submission.**

Resilient  
Green Spaces  
Mannau  
Gwyrdd Gwydn



# Exploring Community Access to Farms & Land

Morrison Hospital, Swansea Bay Case Study  
Resilient Green Spaces

Social Farms  
& Gardens  
Ffermydd a Gerddi  
Cymdeithasol



DEVELOPMENT TRUSTS  
ASSOCIATION WALES  
CYMDEITHAS YMDDIRIEDOLAETHAU  
DATBLYGU CYMRU  
Community Enterprise | Community Assets  
Menter Gymunedol | Asedau Cymunedol



OPEN FOOD  
NETWORK UK

(SHARED ASSETS)



School of Geography  
and Planning  
Ysgol Daearyddiaeth  
a Chynllunio

## Setting up a CSA

The Landworkers' Alliance and Shared Assets have teamed up to find ways to realise the challenges and opportunities of access to land for new entrants and local communities interested in agroecological farming as part of the Resilient Green Spaces project. This series of case studies are meant to showcase existing good practice amongst a variety of groups in Wales, as well explain how they have tried to tackle some of the barriers they've faced along the way, to inspire others who might be on a similar journey.

### **Setting up a Community Supported Agriculture (CSA) project on land at Morriston Hospital, Swansea Bay University Health Board**

Morriston Hospital, a 750 bedded teaching hospital, is managed by Swansea Bay University Health Board, and located in an area of relatively high deprivation in the north of Swansea. The Health Board has recently worked in collaboration with a local grower to begin setting up a Community Supported Agriculture (CSA) farm on its land. This unique relationship between a health board and a CSA is a first of its kind within the UK.

A CSA is a model of agriculture where the responsibilities and rewards of farming are shared between farmers and consumers. There are different types of CSA, but one of the most common is where community members agree to purchase 'shares' ahead of the harvest, so that the farmer has the money to invest in the growing season with a customer base (who will later receive regular veg boxes) already guaranteed.

Aside from increasing access to healthy, locally produced food, CSAs can also provide a range of indirect benefits, such as improving biodiversity, reducing loneliness and isolation within the local population, enhancing economies, supporting the circular economy and providing educational opportunities for the wider community. By developing a biopsychosocial model of care such as this, it will help alleviate the pressure on the medical model of health provision.

The proposal for the Morriston CSA aligned closely with the Health Board's Organisational Strategy, Welsh Government's Programme for Government Wellbeing Statement 2021-2026, their plan for health and social care set out in 'A Healthier Wales', the Chief Medical Officer's Special Edition Annual Report 2019-2020: Protecting Our Health, and the Wellbeing of Future Generations (Wales) Act 2015.

### **Who was involved?**

Rob Hernando, who has a background in alternative agriculture and sustainability, has been involved in community outreach projects in the Swansea area for a number of years, and has volunteered at Cae Tan CSA in the Gower Peninsula since 2017. Rob was keen that people in the north and east of Swansea also had access to the benefits of a local CSA scheme.

In conjunction with Natural Resources Wales (NRW), Rob undertook a feasibility study, which showed the potential for a CSA to work in this area, but he quickly ran into problems finding available land that was suitable for the CSA. Amanda Davies, the Service Improvement Manager at Swansea Bay University Health Board, became aware of Rob's search. Amanda's role involves overseeing the management of land and property within the Health Board, and she fully understood the broader ways in which a CSA could improve people's health and wellbeing.

She explained that the Health Board owns 55 acres at Morriston, most of which is destined for future health care development. However due to its topography the Health Board had 7.6 acres available that was unsuitable for this sort of development and was being rented out for grazing. She thought the land could ideally lend itself to the CSA project should Health Board approval be granted.

Amanda stated that as a Health Board they have a responsibility for, and are a key contributor to, the reduction of health inequalities within the population they serve. Part of Swansea Bay University Health Board's vision is to be a sustainable organisation, one that protects and enhances their environment. One of the Health Board's Wellbeing Objectives is to:

**“Seek to allocate our resources to meeting the needs of, and improving, the population's health.”**



Amanda and Rob on the CSA site (Image credit: Swansea Bay University Health Board)

Welsh Government published its Programme for Government in June 2021. The Wellbeing Statement within it sets out how wellbeing objectives meet public bodies' statutory duties under the Wellbeing of Future Generations Act. Objective 9 states that as a public body the Health Board should look to:

**“Embed Our Response to the Climate and Nature Emergency in Everything We Do”**

As an anchor institution, the Health Board recognises that they have assets such as land that can be leveraged to benefit their local population. In January 2021, Amanda approached Rob and Cae Tan CSA to explore further what was involved. Impressed with what she saw and heard, Amanda championed the project within the Health Board, utilising the language and duties of the Wellbeing of Future Generations Act, commitments around addressing the climate emergency, and the 'One Health' approach to health policy outlined above, to act as the lever to seek approvals from the Health Board to support the establishment of a CSA.

## What were their aims?

The Morriston Hospital CSA aims to improve the health of people and the environment in the area by increasing access to good food, green space and contact with nature, education and training, and enhancing biodiversity. When established, the CSA hopes to produce enough food for approximately 100-150 households per week through a veg box scheme, provide some food for the hospital catering department at special events, and donate any surplus food to local food banks to ensure nothing is wasted. The CSA will also support the Healthy Schools initiative which will allow children from the local area to learn more about the environment and participate in a growing project.

There are also clear opportunities for hospital staff and patients to benefit from having a CSA to visit on their doorstep, given the recognised impact of spending time in natural environments on recovery from illness and maintaining good mental health. Initial discussions have taken place for research to be undertaken by Swansea University to evaluate the benefits of the CSA. By documenting the impact of the CSA from the outset, the team at the Morriston Hospital site hope their experience will act as a beacon of good practice which will inspire other health boards and local authorities throughout the UK to begin similar projects on their estates.



Map of the potential CSA site

(Image credit: Google Earth with edits by the the CSA/Health Board Team)

## What did they manage to do?

After many months of negotiation, the project received Health Board approval in November 2021. The CSA has registered as a Community Interest Company. The lease was agreed and signed in May 2022 for the 7.6 acre site. In exchange for a peppercorn rate, the CSA will offer volunteering, training, social prescribing opportunities, and provide some food for the hospital's patients to support special events such as 'Sustainability Days' or Vegetarian/Vegan Week.

The Health Board has a number of coffee shops within Morriston Hospital and the catering teams will be providing their coffee grounds waste which will be used for composting on the site which contributes to the circular economy.

## What did they not manage to do?

At the time of writing the CSA has not yet produced a harvest. However, the plan for the rest of 2022 will involve preparing the land for growing and getting essential infrastructure in place such as hardstanding for parking and polytunnels. The first growing season and harvest will be in 2023/24.

The CSA has signed a 10-year lease, which has a 5-year break clause. This means that the CSA is not currently eligible for some of larger funding pots they might otherwise apply to support their activities.

### **What barriers did they face and how did they attempt to tackle these?**

The main barrier faced during the process of securing the land for the CSA was assuring colleagues in the Health Board to allow the CSA, as a business, to gain access to public land to operate on. Initially, as this was something that was new, and had not been done elsewhere before, there was a sense of nervousness about doing this. However, once Amanda explained that the CSA could provide a range of benefits to the hospital, its patients and the wider community, which align with the Health Board's organisational policies and objectives, they were persuaded of its value. In particular, it was helpful to use the language of the 'One Health' approach, which emphasises that addressing climate change and food/water security should be considered part of healthcare. The Health Board is fully committed to this project, wants it to succeed and is working with the University and others to evaluate the impact of its successes.

### **What if any lessons could be learned for other community groups?**

From their positive experience of working together, Swansea Bay University Health Board recognises the benefits of working with grassroots projects. Both parties have learned some lessons worth sharing with other groups interested in doing something similar.

Rob shared that it is important to be patient and not give up, as for large institutions such as a Health Board, approvals and governance arrangements can take time to finalise, especially if they haven't had to set up this type of framework before. To support with navigating these processes, it is very helpful to have an 'champion' (like Amanda) within the institution who really understands the potential project, the benefits it would bring, and can explain these to their colleagues in the right language - referring to policy objectives they are trying to meet as an institution can be particularly useful here.

In a healthcare context, Amanda said:

**“Like many other parts of Wales, as a Health Board we face increasing challenges about how to keep our population healthy. We need to think differently about how we address these challenges if we are to have a sustainable health and care service in the future. The NHS doesn't have to be the primary deliverer of healthcare, but can still achieve positive and measurable outcomes by supporting schemes such as CSAs, which will alleviate the pressure from the NHS. By helping to establish a CSA on our land it is a perfect opportunity to support our communities, increase well-being and encourage greater access to affordable, healthy food.”**

Rob's view is that partnering with the Health Board has led to more opportunities for the CSA initiative than would otherwise be the case, whilst still providing accessible and affordable organic food to the local community as the core of the business.

## Find out more:

<http://www.caetancsa.org/en/exciting-new-csa-for-morrison-hospital/>



## About Resilient Green Spaces:

Resilient Green Spaces is a £1.27m partnership project being led by Social Farms & Gardens to pilot alternative re-localised food systems using communities and their green spaces as the driving force for change across Wales until June 2023.

This project has received funding through the Welsh Government Rural Communities – Rural Development Programme 2014-2020, which is funded by the European Agricultural Fund for Rural Development and the Welsh Government.



Resilient  
Green Spaces  
Mannau  
Gwyrdd Gwydn



# Exploring Community Access to Farms & Land

Blaenau Gwent Case Study  
Resilient Green Spaces

Social Farms  
& Gardens  
Ffermydd a Gerddi  
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DEVELOPMENT TRUSTS  
ASSOCIATION WALES  
CYMDEITHAS YMDDIRIEDOLAETHAU  
DATBLYGU CYMRU  
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Menter Gymunedol | Asedau Cymunedol



OPEN FOOD  
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# Setting up a CSA

The Landworkers' Alliance and Shared Assets have teamed up to find ways to realise the challenges and opportunities of access to land for new entrants and local communities interested in agroecological farming as part of the [Resilient Green Spaces](#) project. This series of case studies are meant to showcase existing good practice amongst a variety of groups in Wales, as well explain how they have tried to tackle some of the barriers they've faced along the way, to inspire others who might be on a similar journey.

## Blaenau Gwent Case Study – Joining up Community Asset Transfers, Land and Food Growing

Blaenau Gwent Borough Council in south-east Wales has been considering how to use its Community Asset Transfer (CAT) policy to support food growing and land-based environmental projects over the last few years. The county has some agricultural land holdings, although the officers we spoke to did not know the full extent of these holdings - a land review is ongoing but could take some time to complete. Currently 104.5 acres is leased out for agriculture and a further 15.3 acres is leased as allotments. The council has a [Community Asset Transfer Strategy](#) and is working with local groups to facilitate asset transfer processes.

Most of the transfers have been of buildings and sports pitches, not land for food growing. With a new officer working for the Public Services Board appointed to look at sustainable food, there is an opportunity and willingness to streamline and extend the CAT process, so it works for food growing land as well as buildings. In this way, it could support the development of a sustainable food strategy by enabling land to be transferred for community food growing initiatives, in which there is increasing interest in amongst local people.

This case study outlines the work to date on these issues, the barriers faced and plans for the future.

## Who was involved?

To date, CATs have mainly been managed from the council side by an officer within the Estates Department, supported by and working alongside other colleagues in the Environment and Regeneration Directorate, and staff from external organisations involved in CAT processes. These include Tai Calon (a social housing provider who took over management of lots of former council housing stock, and has significant land holdings), the charity Growing Space (who run Terence Gardens, a community garden, workshop/studio, and café in Brynmawr), and the Third Sector Support Group (a group comprising the main third sector and sports organisations who support CAT within Blaenau Gwent). The membership of the Third Sector Support Group is kept under review, and Social Farms & Gardens recently joined, in part due to the growing recognition of local people's interest in food growing. A new officer tasked with creating a Sustainable Food Strategy is sponsored by the area's Public Services Board, hosted by Tai Calon, and funded from a variety of sources including the council, is also involved in this work.

## What were their aims?

The Council's aim to date has largely been to support community groups wishing to take on the management/ownership of particular assets through the processes outlined in their CAT Strategy. However, given the difficult experiences of these groups and others that have approached the Council, there is now a recognised need to have a more joined up, streamlined and accessible approach to CATs, and for this process to work for land as well as buildings, so that it can support local food growing and the soon to be devised Sustainable Food Strategy. This will likely be a core aim of the Council's work going forwards.

## What did they manage to do?

To date, the Council has supported a total of 46 community initiatives to complete CAT processes, of which one so far - Terence Gardens - has been focused on food growing. The Council is continuing to provide support to a further six groups in the middle of the CAT process, two of which are planning to work on food growing. The three CAT initiatives completed, or in progress, related to food growing, are as follows:

Terence Gardens in Brynmawr, run by the charity Growing Space. This was an established community garden expanded to include a larger polytunnel/growing area, as well as a café and other infrastructure acting as a hub for community engagement, volunteering and pathways to other services. The idea was that people might be more open to discussing problems they are having in other areas of life whilst gardening or over a cup of tea, and that this could lead to referrals to other services, as well as, in the other direction, referrals from health providers who could see the benefits for people of engaging in outdoor activities.



Barefoot Farm, Cwm, Ebbw Vale - this project is still in development, being led by a new start up which has had to become established as a company, whilst also navigating the Council's CAT application process and trying to obtain planning consent. The CAT approval will be subject to planning consent being granted and the council advertising the proposal under the Local Government Act 1972 as a loss of public open space and taking account of any representations made.

Pentref Tyleri are a community interest company operating in Cwmtillery. They have a number of exciting proposals planned which will be considered for CAT. Initially they have sublet space from another CAT project and have set up a community cafe and small growing area using funding from Keep Wales Tidy. They are working with the Council to undertake small scale environmental improvements and the café is being utilised as a meeting place for the local community and as a mechanism to consult and generate ideas on future projects, which could include: outdoor seating, community work spaces, enhancing biodiversity, and supporting community businesses. The group have been successful in attracting Kickstart funding to create employment and training opportunities, and recently won a Community Land Advisory Service (CLAS) Award run by Social Farms & Gardens in recognition of what they have achieved so far.



### What did they not manage to do?

Blaenau Gwent Borough Council has a good handle of the buildings they own, and which might be suitable for CATs. The local authority has knowledge of what land it owns, most of which is registered at the Land Registry, but has less awareness of the existing use of most of this land or indeed if there might be suitable areas for food growing. There is a land review currently underway, but it is estimated this could take years to complete. In the short-term, the Council is unlikely to have a full picture of its suitable and available land and which of these areas might be an option for transfer processes, and so will have to rely on community groups approaching them and addressing their enquiries on a case-by-case basis.

### What barriers did they face?

The council and the community groups have encountered a number of barriers in working through the CAT process. The bureaucracy of the process and associated costs and lengthy timeframes can be difficult to manage for both sides. Council officers have experienced a loss of enthusiasm from initially keen community members once they become embroiled in the complex CAT process. On the Council side, there is a lack of staff capacity and resources to support interested groups through the practicalities of CAT, although this is offset by the extensive third sector support available to applicants.

There is now no budget for undertaking any required actions under the CAT process. This would include adverts under the Local Government Act 1972, or addressing land which may be dedicated under Fields in Trust or as Charity Land, all of which can add time as well as expense to the process.

The cost of advertising under the Local Government Act is one cost which has been flagged up as potentially quite extensive. When the Council undertook the transfer of sports facilities these were all clearly identified and advertised in one large advert in the local paper. For smaller, ad hoc land adverts, the Council may consider grouping sites together into one advert. This may require a certain number of pieces of land to make it cost effective and so may lead to delays in approval.

With such limited resources, the Council may be less likely to prioritise CAT processes for pieces of land that could be used for food growing, as these may currently be underutilised and not be costing the Council much in terms of maintenance. Thus far, the focus of CATs in Blaenau Gwent and elsewhere have been sports facilities and other buildings, which have both high running costs for the Council and an existing service that the community may wish to maintain.

### **How did they attempt to tackle these barriers?**

The council officer noted that having a CAT Strategy has been good for raising awareness of this approach to managing and transferring assets. The current iteration of the CAT strategy also has a simplified approach for small areas of land – under which many small food growing projects are likely to fall.

Regarding the proposed Sustainable Food Strategy, it is hoped that it will address practical delivery issues for interested parties so that potential applicants are fully aware of the requirements and process they must adhere to. This would include completing the CAT application, the applying group to be incorporated, applying for planning consent, addressing environmental concerns and so on. As well as simplifying the current CAT process, the council officer is keen to make sure any future Sustainable Food Strategy is designed from the outset with these practical considerations in mind, to avoid similar problems around accessing land in the months and years ahead.

### **What worked well for them?**

Current land values are relatively low in Blaenau Gwent, meaning policy can often be a more influential driver for land use change than cost. This is an opportunity in terms of community land ownership, as policies can often consider a wider range of social and environmental benefits, such as those provided by community farms, than the purely financial approach to managing land taken by many councils.

The simplified application process minimises the process for any applicants and seeks to ensure any new group is incorporated, understands the obligations they are taking on (including operational costs), and will have public liability insurance in place.

There is a good core network of third sector support organisations in place who meet regularly to discuss applications, new initiatives, and support needed.

## What if any lessons could be learned for other community groups and/or public bodies?

A council officer suggested that including pieces of land with building CATs, and connecting new groups with existing CAT sites, might be a way to accelerate the process of accessing more land. The idea was that groups could link with others in their area which already hold land or buildings, so that any additional land could be an extension of the area held by the original group, which would simplify the council CAT process.

## Future plans:

As well as continuing to support the groups in the process of a CAT currently, as mentioned above council officers are interested in finding ways to review and further simplify the CAT procedures, and to ensure they work for pieces of land as well as buildings. They are also interested in working with Tai Calon to create more hubs, similar to Terence Gardens, which have food growing at their centre but also link to other services and provide a 'village heart' for communities.

## About Resilient Green Spaces:

Resilient Green Spaces is a £1.27m partnership project being led by Social Farms & Gardens to pilot alternative re-localised food systems using communities and their green spaces as the driving force for change across Wales until June 2023.

This project has received funding through the Welsh Government Rural Communities – Rural Development Programme 2014-2020, which is funded by the European Agricultural Fund for Rural Development and the Welsh Government.

