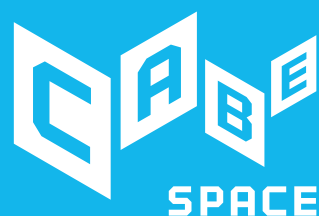


Community-led spaces

A guide for local authorities
and community groups



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The Asset Transfer Unit helps to empower local people and organisations to transform land and buildings into vibrant community enterprise spaces, whilst supporting the development of a thriving civil society. We are the UK's established centre of excellence providing expert advice, guidance and support concerning the transfer of land and buildings from the public sector into mutual and community ownership and management. The Unit is led and managed by the Development Trusts Association – the UK's leading network of community enterprise practitioners – in association with Community Matters and the Local Government Association. It is funded by Communities and Local Government.

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Introduction

Well-designed and well-managed open spaces bring communities together. Research shows that nine out of 10 people use parks and green spaces and the higher the quality of the green space, the more likely it is to be used.¹

There is a long history of communities collectively owning public open space in England: many villages, for instance, have ancient rights to their common land. However, most are owned and managed by local authorities or other public bodies.

Many neighbourhood groups, such as residents' associations or friends' groups, already influence how their local spaces are managed. And many already provide hands-on, practical support through volunteering. A recent CABI survey found that on average, volunteers provide the equivalent of three full-time members of staff each year for public sector organisations working in parks and open spaces.²

With the right knowledge and resources, community groups can become even more actively involved, particularly in underused or neglected spaces, either by managing the space themselves or by licensing or leasing the space from the local authority and taking ownership of it for the benefit of the community. This kind of asset transfer of public spaces from public bodies to community groups is on the rise. A recent survey of local authorities, in autumn 2009, suggested there were 1,000 transfers under way in England. Parks and playing fields were the second most popular asset transferred over the previous two years – 16 per cent of the total.³

The law already gives local authorities and some other public bodies the power to transfer land – where it promotes social, economic and environmental well-being – for less than its market value. Permission from the secretary of state needs to be sought if a proposed discount exceeds £2 million.⁴

There are specific challenges in managing a public open space in particular with regard to its funding and maintenance. While buildings can be let or hired out to generate income, it can be hard to raise enough regular income from the use of a public space to cover the costs of maintaining it to a decent standard. The economies of scale that local authorities can achieve by maintaining a network of spaces may be lost if individual spaces are taken over by community groups. So new models of finance will need to be developed, with the right mix of funding to ensure viability. There is potential,

for instance, for community enterprises to provide new sources of income for spaces. We look at this in this guide among other income options.

The first section in this guide explores some of the advantages of transferring public open spaces to community groups. The implications are considered in the second section, 'Looking at the bigger picture'. Open spaces function as part of a network that benefits people beyond the immediate locality. It is critical that the role of a public space within its wider green network is properly understood, regardless of who owns and manages it.

The variety of types of spaces, and their specific characteristics and uses, provide different opportunities and constraints for community groups that want to take over their management and ownership. The third section, 'Understanding public space assets' explores these issues drawing on practical examples, from turning neglected land on housing estates into community gardens, to exploiting the opportunities for social enterprise by the waterside.

Above all, in considering the transfer of any asset, a good business case is essential, and the fourth section explores objectives, governance, finance and communications.

Throughout the guide we provide checklists for both local authorities and community groups. The variety and creativity of approaches to asset transfer is explored through eight case study examples. And we outline the resources available, such as guidance produced by the Asset Transfer Unit on transferring such assets as heritage buildings and swimming pools into community ownership and management; and guidance from CABI and others on improving the design and management of public open space.

Our guide is an introduction to the main issues surrounding transfer of public space assets. Although primarily focusing on the issues around transferring spaces from local authorities to community groups, the guide is also of relevance to other public bodies considering transferring their spaces.

1 Why transfer public space assets?

Many of the solutions to today's environmental and social challenges – from adapting to climate change to improving the quality of neighbourhood spaces – can be rooted in local communities. CABI research has shown that there is a shortage of decent green space in deprived areas⁵ which can be remedied where local residents take control of derelict or under-used spaces.⁶ Long-lasting solutions respond to local needs and aspirations. They tap into a wide cross-section of the community, to bring new perspectives to old problems and find fresh approaches.

Some local authorities are considering transferring public open spaces as a way of reducing their costs. In a time of public sector budget cutting, the added value of community involvement will be increasingly important to complement reduced state funding.

Unlike local authority budgets for open spaces which are not protected, community organisations can, and do, dedicate their resources to the spaces in their care. Independent trusts, which can generate their own income, such as the Milton Keynes Parks Trust, are better able to survive economic downturns and maintain a high-quality network of public spaces. And we know that volunteer time spent in parks and green space is worth between £22 million and £28 million across England each year.⁷

Many of the benefits of transferring land to community groups exist precisely because the people who live closest to the space care most deeply about it, and they usually spot opportunities or problems first. Transfer can therefore generate better quality spaces, which respond to local demand, for instance for food growing. It can give community groups greater involvement in shaping their local environment, directly involving them in local decision making or simply making better use of a neglected site. It can open up new land for community use: even temporary or “meanwhile” uses⁸, which don't require the organisational stability of full asset transfer, can give people good hands-on experience and generate enthusiasm for greater community control.

Critically, transfer can boost local employment and improve skills. In particular, as more and different

Northall Fields, London © FORM Associates



‘Volunteer time spent in parks and green space is worth between £22 million and £28 million across England each year’

- 1 *Community green: using green space to tackle inequality and improve health*, CABI, 2010
- 2 *Green space skills 2009 National employer survey findings*, CABI 2010
- 3 *Asset Transfer Unit Evaluation: Baseline Report for the Development Trusts Association*, SQW Consulting, 2009
- 4 *Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003*
- 5 *Community green: using local spaces to tackle inequality and improve health*, CABI, 2010
- 6 *It's our space*, CABI, 2007
- 7 *Green space employers survey*, CABI, 2010

groups get involved, it may in time help address the national skills gaps that exist in specialist professions such as horticulture and landscape design.

It can also generate more effective working partnerships between the local authority and residents. The experience of community-led open space improvement projects funded through the 'Transforming your space' lottery programme, for instance, found that people learned how their council worked and became more trusting and open to dialogue. The council gained a better understanding of community groups and their ability to take responsibility for improving the local environment. Community groups became stronger and more confident, with many groups adopting a can-do attitude, gaining credibility and raising local aspirations.

Natural England / Doorstep Greens



8 www.meanwhile.org.uk/useful-info/view/legal

9 The Meanwhile Project has provided advice, guidance and networking to over 700 owners, local authorities and potential occupiers, including the development of a Meanwhile Lease. The Meanwhile Project aims to expand the 'meanwhile use' of redundant land and buildings until they can be brought back into regular commercial or public use.

10 www.meanwhile.org.uk/showcase/bradford-urban-garden

11 www.cabeurl.com/en

12 www.buckscc.gov.uk/sites/bcc/parks/country_parks.page

2 Looking at the bigger picture

Parks, green spaces, public squares, streets, allotments, woodlands and waterways all link up to create networks of public spaces that provide benefits to local communities beyond just those who use the individual spaces.

They can provide accessible green routes for walking and cycling including safe routes to school for children; reduce the urban heat island effect in summer through cooling and shading; help filter polluted air; absorb and store storm water; supply biomass or biofuels to directly replace fossil fuels; increase local food production; and encourage biodiversity and provide corridors for wildlife to move through urban areas. Critically, they can boost the local economy by improving people's perceptions of an area, encouraging business and visitors.

Local authorities and communities should consider how to protect and maximise these broader benefits. Most urban local authorities in England have already mapped their open space networks as part of the process of developing open space strategies, and have a good understanding of their contribution to this bigger picture. Many have also developed agreed standards for open space quality, quantity and accessibility as part of their local development framework, after consulting local people.

The Asset Transfer Unit has found that over a quarter of local authorities have a dedicated community asset transfer strategy, related policies and procedures, although to date few include guidance specifically on public spaces. But together, these strategies can inform an approach to transfer that ensures the needs of local people are met effectively across an area.

Many local authorities are considering alternative approaches to managing and financing their public spaces and testing a range of options. Some authorities are considering alternative management arrangements for all, some, or just a few of the spaces in their care. Involving communities in public space management can range from full transfer of ownership, to shared management with the local authority retaining some responsibilities (such as for litter collection, street cleansing or grass cutting), to interim community uses.⁹ For example, Fabric Bradford's arts development organisation, is working with Bradford City Council and retail developer Westfield to develop a temporary use for the planned Broadway site in the centre of the city. Fabric

received a grant of £25,000 from the Meanwhile Project, which will make a significant contribution to the creation of the Bradford Urban Garden, or BUG.¹⁰

Any plans or policies developed for transferring public space assets, and any proposals for individual site transfers, should ensure that those groups that normally have less influence on decisions are actively involved. These include young women with children; people with disabilities; travelling communities; and some minority ethnic groups. This can be considered as part of an equality impact assessment which public bodies, including local authorities, now have a duty to complete.¹¹

Buckinghamshire County Council is taking a strategic approach to managing and financing its green spaces and country parks.¹² It invited initial expressions of interest in managing the parks and green spaces from organisations including community groups, environmental charities and trusts. The management models explored by the council were:

- continuing to have the parks and green spaces managed by the council, but with greater freedoms, for instance by setting up a separate trading account with the ability to carry money over from one financial year to another
- transferring green spaces to other public sector organisations, such as parish councils
- changing to a public sector 'shared management' model, for example, by collaborating with other local authorities
- transferring spaces to an environmental not-for-profit trust (local or national in scale)
- a combination of the above.

Market testing suggested that no one single management model was likely to fit every park and green space. Instead, a mixture of models was preferred, reflecting the range, scale and diversity of the spaces and the different maintenance regimes that were necessary to care for them. Maintaining quality will be important and it is using the Green Flag Award standard as a benchmark in some instances. The council is considering the options and it is expected to make a decision on the future of its parks in early 2011.

What local authorities should think about when exploring transfer

Establish whether you already have a dedicated community asset transfer strategy, and whether it covers public open space assets. You should try to augment existing policies and procedures so that all expressions of interest from community groups are treated in the same manner. As a local authority, you can request support from the Asset Transfer Unit if you do not already have a strategy in place.

Consider the feasibility of transferring sites.

This may include their condition and suitability, the long-term effect of transfer on the quality of space, including future maintenance and management costs, and the level of community interest. You should involve representatives of the voluntary and community sector and a cross section of community groups in developing strategies and policies.

Make sure that options exist for different levels of community involvement. These could range from full ownership of a space, to friends groups and/or volunteering opportunities. Ensure that there is a long-term strategy for community development and support.

Consider the implications of transfer on all sections of the community, in particular any likely positive or negative effects that transfer may have on particular groups of people. You have a legal duty to ensure that you conduct an equalities impact assessment of your policy, and publish a plan to mitigate any associated risks.

Check how your various asset transfer options could affect your other policies, for instance on climate change adaptation, flooding, transport, access, health, culture and education.

Langley Park Country Park, Buckinghamshire © Andy Stevens, Friends of Langley Park



3 Understanding public open space assets

There are many different types of public open space. Each one is physically unique, of course, and reflects both its locality and community. They may include a mix of different land types and uses. Playgrounds and waterways, wildlife areas, allotments and gardens, parks and cemeteries make up a rich mosaic of public space. In addition to the established public spaces, there are also many spaces that could be opened up for temporary public use or unused sites that could have public access.

Although the majority of public open spaces are owned by local authorities or other public bodies such as the Environment Agency, there are other, often complex, patterns of public, private and voluntary sector ownership. Even with public land, responsibilities can fall between different departments such as highways, housing and parks. Some land is held in trust for the benefit of the public and some is protected as common land. Many parks and gardens are valuable heritage sites that may be listed. English Heritage keeps a record of all listed landscapes and must be consulted on any proposals for a site.¹³ In rural areas many parish and town councils already own and manage public spaces with a high degree of community involvement.

The quality of a space will affect how well it is used. Entering for a Green Flag Award is a good way of comparing your site against the national standard for parks and green spaces and getting local and national recognition for your efforts. Community-managed sites can apply for a Green Pennant Award to recognise a level of quality has been achieved. See the Warley Woods community Trust and Tarvin Community Woodland Trust case studies (p16 and p28) for details.

This section considers some of the different types of public space, highlighting issues to consider and where to go to for help.

Natural spaces

Almost all public open spaces feature natural elements that benefit wildlife, which in turn can attract volunteers and funding. Some are designated as national nature reserves, local nature reserves, or sites of special scientific interest, to recognise and

protect their value to wildlife. Natural England advises on natural landscapes and its 'nature on the map' website shows the sites that are designated across the country.¹⁴

Many local nature reserves are managed directly by local authorities, and a growing number are managed by local volunteer groups, friends' groups or organisations like Wildlife Trusts, in agreement with the local authority.

There are also many small, undesignated local wild areas that are of great local importance. In Northamptonshire, the county council has worked with many organisations to help create 80 pocket parks, in locations from town centres to quiet villages.¹⁵ The scheme was the inspiration for Doorstep Greens, a community-led regeneration programme that provides important places for people to enjoy the natural environment close to home.¹⁶

National charities that have specialist knowledge of natural space management, such as the Wildlife Trusts¹⁷ and BTCV¹⁸, can support community involvement.

Playing fields and sports facilities

Playing fields and sports facilities are often supported by existing groups that could take on a greater role. For example, there are 2,500 affiliated bowling clubs in England. Many local authorities have successfully devolved management of outdoor sports facilities to such clubs and community groups, which has helped to attract outside investment. Some facilities have income-generating potential. In Bury in Greater Manchester, 70 per cent of outdoor sports facilities are self-managed by local sports and community groups. The resulting efficiency savings for the council have been ploughed back into improving sports facilities.

Registering as a community amateur sports club can bring you benefits such as 80 per cent mandatory business rate relief. You can also raise funds from ►

¹³ www.english-heritage.org.uk

¹⁴ www.natureonthemap.org.uk

¹⁵ www.pocketparks.com

¹⁶ www.doorstepgreens.com

¹⁷ www.wildlifetrusts.org

¹⁸ www2.btcv.org.uk

Case study

Bankside Open Spaces Trust, London

Gardening clubs bring different parts of
the community together and help keep the
spaces well maintained

© Bankside Open Spaces Trust



How council and community have come together to inject new life into local spaces

In the 19th century, Bankside, in the London Borough of Southwark, was a squalid area packed with slums. In 1887 the social reformer Octavia Hill established a tiny site, Red Cross Garden, as an 'open air sitting room for the tired inhabitants of Southwark'. However, by the end of the 20th century it was run-down and underused. In 2005, the local charity Bankside Open Spaces Trust (BOST), with support from local people, secured funding to pay for its restoration. It continues to manage the site today.

The original design of the garden had been lost, so the improvements mixed restoring old features and adding new ones. The garden now includes a pond, 19th century-style planting, ecological planting, a play area, mosaics and a maypole. BOST raised the money for the work from the Heritage Lottery Fund and Southwark Council, from which the site is leased. The gardening is done by volunteers. The cost of co-ordinating the work comes from a mixture of grants, particularly from Southwark Council and the Sainsbury family charitable trust.

BOST was established in 2000 to foster a sense of community through the protection, care and development of local green spaces. In addition to Red Cross Garden, it runs Waterloo Green, and, again in partnership with Southwark, eight other green spaces. BOST also facilitates temporary spaces like the urban orchard in nearby Union Street.

At Waterloo Green, BOST found that the space had very strict covenants that made it difficult to use to generate income, including rules that prevented it from having any structures on the space.

Despite BOST's success, finding money to pay for core costs and the day-to-day maintenance of spaces is difficult. Helen Firminger, the trust's director, says: 'the largest portion of our funding comes from grants. Most of these grants are for involving people who are marginalised. It is very unusual to be funded for managing open space – grant makers understandably tend to think that the council should be doing that. It's the people-based work that funders are interested in.'

Running projects on housing estates and in parks after school has proven the most effective way of bringing a diverse community together. This includes

using pictures and objects to illustrate ideas, demonstrating change with ropes and poles on site rather than with a map in a meeting. Isolated people from different cultures have overcome shyness and come into contact with their neighbours through simple gardening projects such as planting a hedge.

Ideally BOST would like to secure an asset, such as a building, that could be used to generate long-term income. However, despite BOST's good track record, lots of ideas, and support from many within Southwark Council, this has proved challenging.

Yet BOST has become a vehicle for the Bankside community to act as a client and influence the quality of local green space, and it encourages high aspirations, including high-quality design. Typically, for each project, its consultation identifies people's needs and these are written into a design brief that a steering group reviews and approves. A design team is appointed and, once the design is developed in detail, landscape contractors are selected.

BOST's board of trustees is drawn from the local residential and business communities. The trust keeps everyone informed of project development and activities taking place in its network of green spaces. Working as a trust to improve many green spaces, not just one, has benefits: the organisation can build and sustain knowledge and skills, relationships can be built over time, and resources can be shared across sites.

Lessons learned

- If asset transfer is to be successful, the relevant people in the council need to be enthusiastic and supportive. It will be far more difficult if they are not.
- Taking on the management of open spaces is hard work: trustees and staff need commitment and imagination.
- Some green spaces, such as millennium greens, have very strict covenants that make it difficult to use the space to generate income.

www.bost.org.uk

www.unionstreetorchard.org.uk

Case study

Croydon Council green spaces, London

Croydon cemetery is managed in partnership with The Shaw Trust, providing employment opportunities for local people and an improvement in horticultural standards

© Croydon Bereavement Services in partnership with The Shaw Trust



How a local authority is taking a strategic approach to asset transfer

In the London Borough of Croydon, a strategy was agreed for the transfer of surplus public assets, including green spaces, from the council to community groups.

The strategy for transferring Croydon's assets was agreed in 2007 by the borough's 'strengthening communities partnership' – a sub-group of the local strategic partnership that works to promote community involvement in the borough.

For the purpose of the strategy, surplus assets were defined as buildings or spaces that were no longer used or that did not have a significant redevelopment value.

At the time work began on the project, the council assumed that the community assets that might be transferred would be buildings. However, Croydon reviewed its green spaces and, as a result of strong interest from local people, it became clear that public spaces should also be considered. The council developed its interest in transferring green spaces on council-owned housing estates to the communities that lived on those estates. Echez Ubaka, senior policy officer at Croydon, explains: 'A lot of these spaces are land-locked between estates. Some are used by people so it is a matter of finding out who is using them and if they'd be interested.'

The council's asset transfer project came about thanks to support from the Development Trusts Association's advancing assets for communities programme.

The plan is that the council would pay around £2,000 per asset for a feasibility study to consider its condition, accessibility, location, use, potential for community management, investment required, and potential sources of funding. If the asset was transferred to a community group, support would be provided by Croydon Voluntary Action (CVA), the local centre for voluntary services. Community groups would have been expected to maintain the site themselves and no money would have been transferred along with the site. However, the council's funding to CVA is being reduced and it is not yet clear what the implications will be for the asset transfer project. The council hopes to have begun work on two pilot projects by summer 2011.

Croydon learned the value of good internal communication and a shared commitment within the council to the process. Given that the sites being considered were green spaces in council-managed housing estates, it was vital to include the facilities management teams in the discussions.

During the process of developing its strategy the partnership arrived at seven key principles:

- It is desirable and beneficial to transfer public assets to community management and ownership where appropriate.
- Asset transfer projects must be financially viable and not leave communities with a liability that would then have to be returned.
- The maximum level of community control of transferred assets should be allowed, taking account of wider regeneration programmes, legal constraints and planning obligations.
- A full assessment of risk to all stakeholders should be done to minimise and apportion risk.
- Where necessary, support will be provided by public agencies to community groups to build capacity to manage assets including, supporting the development of new organisations.
- Public bodies will support community organisations in exploring opportunities for new sources of funding to support asset transfers.
- Public sector bodies will explicitly include the transfer of assets to the community in their property and asset management strategies.

www.croydon.gov.uk

- ◀ individuals under Gift Aid, meaning that you can claim up to £28 in tax for every £100 donated, and profits derived from property income are tax exempt. To date 6,000 clubs have signed up, meaning more money is kept in the club for investing in assets and activities.

School playing fields are protected from development by planning law, and any proposed changes to playing fields need to involve Sport England. Transferring ownership of some playing fields to a charitable trust is one way of ensuring they have greater protection from development. Fields in Trust can advise on this.¹⁹

Community gardens and food growing

There is increasing demand from communities for places to grow food. In researching the idea of a national community land bank the Federation of City Farms and Community Gardens has found the demand for land for food growing far exceeds supply. The waiting list for allotments nationally is around 100,000.²⁰ Food growing can be a great way to engage people who may not normally get involved, as well as improving people's health. Gardening and food growing may also be appropriate on temporary sites. For example, the London Wildlife Trust has set up temporary allotments on a site awaiting development behind the British Museum in London. A partnership between the trust and the UK Centre for Medical Research and Innovation to promote food growing and support biodiversity relies on a simple partnership agreement between the relevant organisations. The Federation of City Farms and Community Gardens provides advice and support for local food-growing initiatives.²¹

Cemeteries

Cemeteries are often both heritage sites and great havens for wildlife as well as providing valuable tranquil spaces for people. They are often underused community assets with potential for greater use. Many have active friends' groups. For example, the Friends of Arnos Vale Cemetery in Bristol fundraises for physical improvements to the cemetery, help with grounds maintenance and support for the reception service.²² Nationally, support is offered by the National Federation of Cemetery Friends.²³

Playgrounds and play spaces

There has in recent years been much public investment in children's play spaces across the country, with many including more 'natural' play spaces that emphasise interaction with naturally occurring features. There is also a history of community involvement in the creation and management of adventure playgrounds, often on under-used land, with many winning awards such as the Glamis adventure playground in Tower Hamlets in east London.²⁴ Guidance on design and management is provided by Play England in its 'Design for Play'²⁵ guide. Its 'Playful Communities toolkit'²⁶ can help for anyone wanting to get involved in creating, improving and maintaining play spaces. It is particularly aimed at community groups.

If you are planning to take on a new or existing play area, staffed or un-staffed, you will need a basic understanding of the regulations and legal obligations, including keeping children safe, health and safety, insurance, registration and inspection of staffed play provision. The *Managing Risk in Play Provision: Implementation* guide provides guidance on health and safety, insurance and risk. Further advice is available from local play associations, your local authority and the Play Safety Forum.²⁷

Spaces around social housing estates

Social landlords provide more than four million homes in England, and the quality and accessibility of the green space around those homes has a fundamental impact on the health and well-being of those residents. From a recent CABI study, less than 1 per cent of those interviewed that live in social housing reported using the green spaces in the housing estate they live in. This may be due to concerns about safety, lack of access, or poor quality.²⁸ There is a huge opportunity for social landlords to work with residents to transform their local spaces through asset transfer, and some estates are already managed by tenant management organisations, under management agreements. The Growing Kitchen Residents Group on the Wenlock Barn Estate in Hackney, east London, shows what is possible. This group brings unused or underused open public spaces on the estate into use as gardens where residents can grow their own fruit and vegetables, aiming to improve the quality of the local environment and the life of the community.

A partnership programme, Neighbourhoods Green, highlights the importance of green spaces for the residents of social housing, to raise the quality of their design, management and safe use and provides guidance, support and tools.²⁹ CABI and the National Housing Federation's *Decent homes, decent spaces* action plan sets out 10 priorities for change on social housing estates.³⁰

Waterside spaces

Canal towpaths, riverbanks and seafronts offer people the benefit of contact with the natural water environment, access to recreation and form an important part of the transport network, providing linear routes for walking and cycling. Many form an important part of our industrial heritage and all are of benefit to wildlife. Ownership is varied, British Waterways, which owns and manage a third of the inland canal network, is moving from being a state-owned organisation to become a 'civil society organisation'. This should provide many more opportunities for volunteer involvement, social enterprise and asset transfer.³¹

Charitable trusts support community involvement in waterways such as The Waterways Trust, a national charity that works to promote greater public enjoyment of inland waterways³² and the Inland Waterways Association³³, which aims to ensure the inland waterways are restored and maintained to the best possible standards, and kept accessible to all.

Waterways can offer possibilities for income generation, such as through the use of associated buildings, charging for moorings and licences ►

19 www.fieldsintrust.org

20 www.farmgarden.org.uk

21 www.farmgarden.org.uk

22 www.arnosvalefriends.org.uk

23 www.cemeteryfriends.org.uk/index.html

24 www.cabeurl.com/em

25 www.cabeurl.com/el

26 www.playfulcommunities.org.uk

27 www.playengland.org.uk


28 www.cabe.org.uk/publications/community-green

29 www.neighbourhoodsgreen.org.uk/ng

30 www.cabe.org.uk/publications/decent-homes-need-decent-spaces

31 www.britishwaterways.co.uk/home

Bluebell Allotments, Norwich © Andy Hendry / New Century Pictures



'Food growing can be a great way to engage people who may not normally get involved in public spaces'

Case study

Warley Woods Community Trust, West Midlands

Volunteers help out at a 'Big Spring Clean' event at Warley Woods. The trust has a membership of 800 people, many of whom volunteer on the site

© Warley Woods Community Trust



How a trust ensured long-term community management of a historical woodland site

Warley Woods is a 40-hectare urban park in Smethwick, in the West Midlands, which was run by Birmingham City Council for most of the 20th century. However, by the late 1990s the site was in a poor condition and in 1997 local residents set up the Warley Woods Community Trust to support it. In 2004 the trust took over the management of the site and has since raised nearly £2 million to invest in improvements.

Warley Woods dates back to the 1500s, but its landscape was designed by the acclaimed 18th century landscape architect Humphry Repton and is listed on English Heritage's *Register of historic parks and gardens*. The site consists of a meadow, large woodlands and a public golf course.

Although Warley Woods was run by Birmingham City Council, it is located within the borough of Sandwell. Because of this, Warley Woods Community Trust, in conjunction with Sandwell Council, applied for and was awarded £757,000 from the urban parks programme of the Heritage Lottery Fund (HLF) in 1999. This funded the resurfacing of paths and drives, new boundary railings, a woodland management plan, and an archaeological investigation.

Following the HLF grant award, Sandwell, in conjunction with the trust, started the legal process to take out a lease on the site. This took time because the park was covered by five different covenants. However, in 2004 the park was leased to Sandwell for 99 years and subleased to Warley Woods Community Trust for the same period.

The aims of the trust are the conservation of Warley Woods, promotion and education of the historical, horticultural and archaeological importance of the historic site and the provision of recreational facilities for all sections of the local community. The trust runs a variety of events such as a Kickstart 'boot camp' and works to involve as many people as possible. The trust is a company limited by guarantee and a registered charity. It employs nine staff and has a membership of 800 people, many of whom volunteer on the site.

The volunteers include a councillor, a town planner, an architect, a business analyst, a chartered surveyor, and a university researcher in community planning. The professional skills of these volunteers have been very valuable. Viv Cole, trust manager, says: 'Without a professional base, you'd struggle.'

The trust has been successful in raising money to tackle the backlog of investment. Donors include the Big Lottery, Groundwork UK, Smethwick town team and the Charles Henry Foyle Trust. The money helps to ensure that damage or vandalism is dealt with quickly.

The day-to-day management costs for the park come from: income from the golf course (57 per cent); a service level agreement with Sandwell Council (23 per cent); various fundraising activities (around 11 per cent); and public donations and sponsorship (5 per cent). Income is also generated from the sale of Warley Woods Christmas cards and a contract with an ice cream seller.

Lessons learned

- Have a clear vision of what you are aiming to achieve: the vision may gradually change as time goes by, but without one it will be difficult to keep people working to the same objectives.
- Volunteers with financial, legal and environmental skills can be vital to the project's success – try to attract these sorts of people as well as those who are offering practical support, such as helping to maintain the space.
- Those involved need to have an attitude of dogged determination. Whether trustees, staff or volunteers, they need to carry on supporting the project in the face of setbacks.
- Keep up contact with officers from the council – they have many skills and it is helpful to have someone you can call for advice.

www.warleywoods.org.uk

◀ and for some recreational activities. A good example is Stourport Forward, a company limited by guarantee, which has attracted funding to regenerate Stourport canal basins and improve streets and parks across Stourport.

Public open space and new development

Public open spaces planned for new developments can be considered for asset transfer from the outset as an alternative to local authority adoption, or ownership by a private management company. This can encourage people to get to know each other in new neighbourhoods and give residents a greater stake in the management of their local environment.

New developments can also bring opportunities for investment in public open space beyond the development itself. 'Section 106' agreements offer contributions from the developer negotiated by the planning authority. These have provided a source of funding for many public space improvements and in some cases for ongoing maintenance of sites. The new community infrastructure levy, (which will largely replace section 106 agreements in time), may provide a potential source of funding for public open spaces, providing that local authorities include public spaces in their list of types of projects that can benefit from the levy.³⁴ Community groups looking to take over responsibility for public spaces will need to discuss how to access planning contributions with their local authority planning officers. It will become increasingly important also to approach developers of local sites to see what they can offer directly or include in their negotiations with local planners.

New Ash Green in Kent is home to 6,300 residents who have owned, paid for and managed the green space on their estate since it was built in the late 60s and early 70s. The management is organised in neighbourhoods by volunteers who are members either of the individual Residents Societies or the Village Associations Council of Management. Maintenance is carried out by an external contractor and sometimes by residents. This arrangement has worked well and the public spaces under their control are well looked after.

The importance of investing in community development and infrastructure in new housing developments is a key lesson in *Learning from the Past*, drawing from the experience of building new towns which started in the 1940s and relating them to current housing programmes such as eco towns.³⁵

32 www.thewaterwaystrust.org.uk

33 www.waterways.org.uk

34 www.cabeurl.com/eu

35 www.dta.org.uk/activities/campaigns/communityanchors/learningfromthepast

36 www.charity-commission.gov.uk

37 www.cabeurl.com/es



'The new community infrastructure levy is a potential source of funding for public open spaces'

4 The business case for transfer

Once you have decided to consider an asset transfer, both the local authority and the community group will need to develop a business case. The success of transfers to community groups can hinge on a well thought-through business case. This should be divided into four themes:

- **Setting out what you want** – what is the status of the site and what is it that you want to achieve from the transfer?
- **Governance and accountability** – what kind of organisation, people and skills are needed?
- **Finance** – where is the money coming from for improvements and ongoing maintenance, and for how long?
- **Communications** – who needs to be informed about what? What is the best way to get the message across?

This section outlines the main things you need to consider under each theme, and offers checklists for local authorities and community groups.

Setting out what you want from transfer

The business case should clearly set out your objectives for doing an asset transfer. These objectives should ideally have been agreed and shared with stakeholders. ►

Setting out what you want – checklist for local authorities

- Check whether the land that you plan to transfer is entirely owned by the local authority, or if it has been gifted or held in trust. If it is owned by a charitable trust, transferring it to a community group will be subject to the charity law framework.³⁶ Investigate what legal constraints and planning obligations exist on the site, and the implications for any prospective transfer.
- Agree a long-term clear vision statement for the site with local community groups. Your vision statement will set out your broad aims from the transfer and what you want to see happening to the site in future. This will help to ensure that everyone is working to the same objectives from the start.
- Ensure that there is broad political and staff commitment to the transfer of the open space to the community, through consultation.
- Offer community groups information and advice about the design, management and use of the site to help their business planning.
- Ensure that you have the capacity and the technical skills to support a transfer. You will almost certainly need to offer some ongoing support and guidance to the community group. They will almost certainly want advice on issues like open space management, horticulture, governance, legal and community development.
- It is possible that staff, as well as land, may be transferred to the community organisation. Involve your human resources team and the relevant trade unions at an early stage and ensure that the implications of the Transfer of Undertakings (Protection of Employment) Regulations 1981, or TUPE, which protect employees' terms and conditions when a business is transferred from one owner to another, have been considered.³⁷



Bayley Hall Café, Hyde Park Manchester © Jane Sebire

Case study

Torbay Coast and Countryside Trust, Devon

Cockington Country Park, managed by the trust includes a demonstration organic garden, disabled-friendly children's play area, lakes, woodland, farmland and a network of walking and cycling paths

© Ian Lloyd



How establishing charitable trust safeguarded the council's green spaces

In 1999, Torbay Council established an independent charitable trust to manage almost 500 hectares of its land. Under this arrangement, the trust can access funding and support that the council cannot.

There was long history behind the move. In the 1930s, coastal land around Torbay, in Devon, came under pressure from uncontrolled development. To prevent further damage, the council bought up large areas of coastal farmland. By the 1990s this was managed by the Torbay countryside service, the council's countryside management department.

In 1997 Torbay was preparing to become a unitary authority and it reviewed all of the services it provided. It approached the National Trust to see if it would be willing to take on some of its heritage assets, including land. However, the move would have required a large cash dowry to fund the cost of future management. So the council decided to explore setting up its own local trust to take on the management of its green spaces instead.

Council research showed that an independent trust could:

- generate income through membership, sponsorship, and grants
- generate more volunteer support
- remain dedicated to the conservation of Torbay's heritage
- develop partnerships and projects with other organisations
- improve standards of care and maintenance
- safeguard greenfield sites against development.

So in 1998 the council formed a trust, and its countryside service team transferred to a new organisation, the Torbay Coast and Countryside Trust. The trust took on the ownership of 486 hectares of land under a 60-year lease. The council subsequently leased more land to the trust, which now manages 708 hectares.

The council is the trust's main landlord and the terms of the lease to the trust are a significant feature of the relationship between the two. In addition to the lease, a management agreement was created. This sets out more details of the relationship between the two organisations. It provides for:

- one Torbay councillor to be a trustee
- council officers to attend trust meetings
- quarterly meetings of the trust liaison group, involving two councillors and two trustees

- the trust to present its business plan each year to the council
- the trust to work to management plans for its sites
- the trust to provide a programme of events and activities
- the council to pay the trust a management fee each year.

Since the trust was set up, 22 per cent of its annual revenue income has come from the management fee paid by the council, the balance coming from a range of sources including rents, grants, membership subscriptions, fundraising appeals and trading income. The trust has raised £6.2 million over 10 years for various capital and revenue projects from grants, legacies and charitable trusts. Events, too, are a good source of income – the trust earns money from events such as Cockington Apple Day and the Occombe Beer Festival.

Dominic Acland, the trust's director, says: 'The formation of the trust was the key to unleashing the real potential of Torbay Council's countryside assets. Charitable status has helped us motivate and enthuse local communities, so we have seen volunteering increase at least four-fold, and our fundraising ability has been massively boosted. Partnerships with the private, voluntary and public sectors have been easier to form and our decision-making processes are leaner and more focused. We have gained independence whilst retaining close and supportive links with Torbay Council.'

Lessons learned

- Securing a three-year service level agreement from the council helped to establish security for the trust
- Having a senior councillor on the board of trustees can help create a close working relationship with the local authority.
- Being independent from the council is important - it can be easier to work with the local community if you are separate organisation.
- When negotiating who will sit on the board of the new trust avoid allocating seats to organisations and then allowing them to nominate someone to take on the role. The people who sit on the board should have the skills you need.
- Events and legacies are a good source of income for charitable trusts.

www.countryside-trust.org.uk
www.torbay.gov.uk

Setting out what you want – checklist for community groups

- Ensure that you have a clear vision statement setting out what you want to see happen to the site in future. This will ensure that everyone understands the aims of the transfer from the start.
- Talk to people to establish the levels of support for transfer: setting this out will strengthen your business case.
- Consider how to involve, inform and consult the people who live and work around the site on an ongoing basis, so that you stay in touch with their aspirations as the project evolves.
- Consider and promote the different opportunities that the transfer can offer to new and marginalised groups of people to become involved.
- Support and develop options for income-generating activity. Conduct market research to find out if the proposed methods of income generation are realistic.
- Be aware of any liabilities on the site or historical legal requirements.
- You will need the help of lawyers or other professionals to help draw up lease agreements; ensure that you have access to legal professionals and other advisors, and sufficient money to pay for this. A suite of legal tools covering all aspects of transfer are available at www.atu.org.uk
- You may need to draw up management plans for the site. The complexity of these will depend on the size of the site and the number and variety of facilities and events that may take place. Once in place, the plans will need regular review.

Governance and accountability

Good governance is fundamental to the success of any asset transfer. The way that you manage staff, money, assets and resources will depend on the size and complexity of the space itself, its ownership, who uses it, who else has an interest in it, and so on.

Governance structures

The governance structure should be devised to meet the needs of the project. Community groups will need to consider what sort of legal status their organisation should have and this will depend on what they want to achieve. A simple constitution might be right for a small community group overseeing an interim use for a small space and could give it the independence to fundraise and involve local people in informal ways. More complex projects are likely to need more formal structures. Options for your structure include a community interest company (CIC), an industrial and provident society (IPS), a charitable trust or a company. You may want to consider 'incorporation' to protect members from personal liability. This could also increase the confidence of partners and funders.³⁸

Quality assurance tools and standards can demonstrate that an organisation is fit for purpose for asset transfer. These include Community Matters' *'Visible standard'*³⁹, the Development Trusts Association's *'Healthcheck'*⁴⁰ and the Charities Evaluation Services' *'Practical quality assurance system for small organisations (PQASSO)'*.⁴¹

38 For more information on structures see, 'To have and to hold', Development Trusts Association, 2005

39 www.communitymatters.org.uk/projects/visible-communities

40 www.dta.org.uk/activities/programmes/healthcheck

41 www.cabeurl.com/ef

42 www.adventurecapitalfund.org.uk

© The Box Moor Trust



Accountability

Open spaces play a central role in the life of local communities, providing a hub for civic life and features that attract newcomers to an area, which can in turn help stimulate the local economy. Because of this, the people who use or value the place should be able to hold the people that run the space accountable, and get involved with what they do. This is as important for woodlands and country parks as it is for busy urban parks. Even if a community organisation is managing a small space serving the needs of a particular part of the community, such as an allotment on a housing estate, it should not exclude use by any part of the community.

To ensure accountability, the adventure capital fund suggests the following approach⁴²:

- Governing boards should wherever possible include 'community connectors' – people with wide and deep links with the community.
- If the group is membership-based it should be proactive in efforts to increase the number of members.
- Elections should be held at regular intervals and a proportion of the elected members should stand down each year. This should be supported by proactive recruitment from the local neighbourhood, especially trying to encourage people from hard-to-reach communities to ensure broad participation.
- Organisations should engage with people in the broadest way, and by using a variety of techniques, including social and community events, newsletters, and digital surveys/media.
- Community groups should work with a wide range of partners. This will help to create robust information and reduce any over-reliance on the local authority.
- The compilation of social impact accounts as records of achievements, as and when required by the asset owner. This ought not to be onerous or unmanageable in the absence of permanent staff.

Insurance

A community group taking on responsibility for a space will need to consider insurance if the council remains the landowner. Public liability insurance is needed to cover members of the public using ►

St Neot Doorstep Green, Liskeard, Cornwall © Natural England / Doorstep Greens / Nick Turner Photography



'People who use a space should be able to hold the people that run the space accountable'

Case study

Heeley Millennium Park, Sheffield

Festivals and community events raise awareness of the park and encourage the community to get involved

© Heeley Development Trust



How a community is overcoming the long-term challenges of running a public space

Heeley Millennium Park, a four-hectare green space in south Sheffield, was created following a campaign by local residents. It is owned and maintained on behalf of the community by Heeley Development Trust.

The area that is now the park had once been housing, but this was demolished and the space left derelict. In 1997, Heeley Development Trust was given a 125-year lease on the land by Sheffield City Council. Initial funding for creating the park was from a variety of sources, including the single regeneration budget, the European regional development fund, and English Partnerships. Now, as well as open green space, the park includes native woodland, children's play facilities and Sheffield's first artificial climbing boulder.

Heeley Development Trust has strong links with the community and tries to ensure that local people are employed in its schemes where possible. But finding funding to pay for the day-to-day maintenance of the park has always been difficult and, from time to time, there have been crises.

After the initial grants for the park ran out, the development trust set up a social enterprise company, White Horse Green People, with the idea that its employees would maintain the park while also bidding for other local landscape contracts to cover its costs. However, after it was unable to secure contracts with a big enough profit margin to support the maintenance team at Millennium Park, and with the construction industry in a slump, the project failed.

In March 2010 the trust was awarded £450,000 of Big Lottery community spaces flagship funding for the park. Most of this will be spent on improving and extending existing facilities. The challenge remains to secure funding for ongoing maintenance.

Once the lottery money has been spent, the trust will have invested more than £1 million in the park. However, because of the way in which green spaces are traditionally valued, the park does not appear as an asset on the trust's balance sheet. In fact, according to Simon Bartles, finance manager, the park could be seen as a liability.

'The Millennium park is a fantastic asset for the community which the trust is very proud of. But in isolation, with its unfunded ongoing maintenance requirements and zero valuation in accounting terms, it could be seen as a liability for the organisation,' he says.

The trust is working to develop other assets with the aim of using these to secure regular long-term income, all of which should help safeguard the park's future.

Lessons learned

- When designing a green space, consider what maintenance it will require. When the trust took over the park it was a green desert. Now the park now has a variety of different spaces and facilities which makes it more valuable to the local community, but does cost more to maintain.
- Securing ongoing contracts helps with cashflow. One of the reasons that the social enterprise set up by the trust to bid for landscape work did not survive was that most of the contracts it won were time limited, rather than ongoing.
- Buildings on land can generate an income to help pay for the maintenance of the land. However, it is likely that no single method of raising income will be enough to cover maintenance costs.
- Because most public spaces are protected and cannot be sold or developed, they are often considered to have no financial value – which is why Millennium Park is not listed on the development trust's balance sheet as an asset. This can deter potential investors, who are wary of spending money on an asset that is considered to have zero value. For more information about this problem, and how to overcome it, see *Making the invisible visible: the real value of park assets*, CABI, 2009.

www.heeleydevtrust.com

‘Community groups will need to have access to the specific skills needed to manage a public space’

- ◀ the site. Employers’ liability insurance will be needed if the group has paid staff. Insurance is needed for events on site, tools, machinery and office equipment such as computers. If a community group employs an organisation to run an event or training on a site, that group should have their own liability insurance.

Where the council remains the landowner, volunteers who are not employed or supervised by council staff will also need their own insurance. If a member of the public is injured because of the activity of the volunteer, then the council’s insurance will not pick up the volunteer’s liability – and the individual volunteer could be liable. If the council supervises or manages the activity of the volunteer then they will be covered under the council’s insurance but the volunteer must make sure that there is a written agreement between the parties.

Skills

Community groups will need to have access to the specific skills necessary to manage a public space, within the group, through a partnership or by buying particular services. They will need green space skills like horticulture, ecology, landscape design and management, as well as management skills like community development, fundraising, communications, event management, budgetary control, personnel management, contract management and partnership working. It is particularly important that there is at least one person on a board of trustees with experience of open space management. Some organisations, such as Groundwork, run horticultural training schemes for the long-term unemployed and there may be opportunities to link with programmes like this, or set up similar schemes to develop the skills of local people on site.



St Neot Doorstep Green, Liskeard, Cornwall © Natural England / Doorstep Greens / Nick Turner Photography

Governance and accountability – checklist for community groups

- If you are already an established group, decide whether your existing governance and accountability structures are fit for the prospective transfer.
- Have an idea of how long you intend the project to last. Is it interim, short term, or long term? Decide whether a phased approach to ownership could allow capacity to develop to help long-term success. Consider whether the governance structure, required skills and legal obligations (such as insurance), will change over different phases of the project, such as when doing any capital improvements, and when doing ongoing maintenance.
- Ensure that the governing board is representative of the local community and/or accountable to them, through groups and individuals.
- Consider who will be on the board and whether they are appointed for a set period. Decisions about the numbers of trustees/directors, and their length of service, can be made in the constitution or memorandum and articles. Knowing the length/depth of commitment required of community representatives often helps to identify interested people.
- Consider how the wider community could contribute to the governance of your organisation. This could be through user groups, community forums, or as potential trustees, volunteers, consultees, participants, users, 'critical friends' and communicators.
- Find out whether the public open space had been designed to meet specific needs, such as the needs of minority ethnic groups, older people or disabled people. Find out whether information has been gathered on the impact of the transfer on equalities. Work out what should be done to address this and make the space more attractive to a wider range of people.
- Consider signing up to the code of conduct governing working relationships between the public and voluntary and community sectors⁴³.

Governance and accountability – checklist for local authorities

- Establish whether community/voluntary organisations already exist with the knowledge, experience and trust of the community that could support or even take on the transfer.
- Find out who in your organisation has the skills and capacity to advise community groups on good governance. If no one is available, you can get advice from local voluntary services or from a range of national community asset-related networks (see resources section on page 38).
- Ensure that you have set up formal review structures and agreed joint undertakings with the community group to ensure the objectives in the business plan are being delivered. You should agree operational and management expectations for management and maintenance.
- If appropriate, ensure that there is local authority liaison with the board of the group to offer a strategic overview, and for accountability to the wider community and public funding.

Finance

Transferring public space to community groups has the potential to bring in new sources of grant income unavailable to local authorities. While this might seem an attractive prospect, fundraising and income generation is time-consuming and challenging and requires both knowledge and skills.

A local authority or public body that is going to transfer a public open space to a community group may need to support it in the initial stages to help them gain access to funds, as well as providing ongoing advice.

The local authority should consider funding the community group to enable them to lever in match funding for the costs of maintaining the site. Experience shows that it is easier to raise money for capital projects, such as building a new playground or facility, than for day-to-day maintenance. A community group considering taking on an asset transfer should ►

Case study

Tarvin Community Woodland Trust, Cheshire

Securing a long term lease for the site gives confidence to funders and is an important step for the trust

© Cheshire West and Chester Council



How a landscape traffic barrier was transformed into community woodland

When a road bypass was built around the Cheshire village of Tarvin, an area of land planted with trees was included between the road and the village to screen the traffic and integrate the road into the surrounding landscape. Following a local campaign, and negotiations with the Highways Agency, this land is now managed by a community trust as amenity woodland for local people.

The bypass, a new section of the A51 trunk road, was built in the mid-1980s. The adjacent land, designed to hide the road, was approximately 1km long and five hectares in area. A local parish councillor, Jim Grogan, recognised the potential of the site: it could be used as an amenity area and still provide a traffic barrier. In 1993 he began to campaign to secure the area as a green space by negotiating with the Highways Agency for the land to be used as community woodland.

In 1997, this was achieved and Tarvin Parish Council agreed to become the licence holder to use the land. A licence was signed agreeing terms for its use. Richard Stephenson, regional environmental advisor at the Highways Agency says: 'we are proud of our relationship with the local community; the woodland provides a much loved place for local people and in return we share the maintenance costs'.

The council set up the Tarvin Community Woodland Group, which consisted of five people, two of whom had to be parish councillors. The group had to be self funding and not financially reliant on the council.

The following year a grant from Cheshire Rural Action funded access gates and a footpath for the site. The Highways Agency contributed design advice and planting. On Remembrance Sunday villagers planted an avenue of 25 English oaks to commemorate the members of the armed forces named on the village war memorial. Commemorative tree planting of English oaks has continued over the succeeding planting seasons.

The group realised that the short-term licence they had to use the land was off-putting to potential funders and that a long-term lease was necessary. In partnership with the council it began negotiations for the lease and decided to set up a trust to take on the lease, should it be granted.

Tarvin Community Woodland Trust was created in 2008. In 2009 the trust took over formal responsibility for the management of the site by signing a 125-year lease, for a peppercorn rent, with Cheshire West and Chester Council, which was by then the relevant authority.

Jim Grogan, chairman of the trust, says: 'The 125-year lease reassures funders that the trust has long-term control of the site. Security of tenure is a vital ingredient to securing future funding'.

The anticipated annual cost of maintaining the woodland is £2,500. The trust receives £1,000 a year from the parish council. In addition it raises £2,000 from local events and plant sales. Additional funding is raised through grants and donations from villagers. The trustees are confident that they can obtain sufficient funds to meet long-term management costs. Projects that will incur high maintenance costs are avoided. 'The key thing is not to be too ambitious. Otherwise, when grants dry up, things will fall into disrepair,' says Jim Grogan. The site has won a Green Pennant Award and this has helped give the trust's work credibility.

Lessons learned

- Involvement of the whole community is essential to create a sense of ownership, something they can be proud to be a part of. Their voluntary work and donations towards the scheme ensure that vandalism and damage are less likely.
- A community group will struggle to attract funding for a space it manages without a long-term lease over the site.
- Don't be too ambitious in your plans. Try not to introduce things that will require expensive long-term maintenance that might be difficult to fund. Better to have something simple that you can look after, rather than something complicated that falls into disrepair.
- Awards, such as the Green Pennant Award for community run green spaces, are worth entering. The criteria required to achieve this award gives credibility to the community group and its ability to run the space properly. This helps reassure potential funders.

www.tarvincommunitywoodland.org
www.highways.gov.uk

- ◀ explore the potential of securing a lump-sum dowry from the local authority at the time they take over the site, or having a service level agreement with them to pay for maintaining the site in the early years.

Endowments are another option. Here money, or assets, are allocated to the trust running the public open space and the income generated is used to fund maintenance. Endowments can fund public open spaces in perpetuity. The public open spaces in the city of Milton Keynes, which are managed by an independent trust, provide a good example of this.⁴⁴ Local authorities can fund endowments through the planning system, raising money through 'planning gain', when negotiating new developments. The amount of money or assets required to fund the maintenance of a public open space in perpetuity is extremely large, which is why endowment funding as a sole source of income is rare.

One of the benefits of transferring public assets is to facilitate greater community enterprise. Income-generating activities which can help maintain open spaces could include sponsorship, café and restaurant concessions, or rental for sports facilities. Coin Street Community Builders is a development trust and social enterprise based on the South Bank in London. The creation and maintenance of the Bernie Spain Gardens and the South Bank riverside walkway has been funded by the income from the development of new social housing, shops, restaurants and studios under the ownership and management of Coin Street.⁴⁵

'Community shares' can fund public open space by raising money from local people to invest in local service provision with which they are actively involved.⁴⁶ This suits an organisation starting out, in that it raises instantly accessible capital not tied to outputs usually specified in grant aid, although does rely on the asset having the potential to generate profit. Financial returns for investors are available only once a profit is made. The process of offering shares can increase the profile of the organisation, attracting more local support which helps it to be more resilient. The Tutbury Ecopower project in Staffordshire is a community-led mini hydroelectric project that will use profits to invest in local green spaces.⁴⁷

Approaches more common abroad include taxation initiatives, where parks are funded by local tax levies, and commercial finance. In the USA some local authorities have issued bonds to pay for public open space, which are repaid over many years.

Finally, volunteer involvement in itself is a source of income. Volunteers working for community groups contribute time and expertise to managing open spaces, and this can be used as match funding.

The business case must set out how the management and maintenance of the transferred open space will be paid for. An accurate record of running costs, and a prediction of future costs, provides a baseline for business planning. Local authorities should be prepared to share their data with community groups in order for them to prepare realistic plans. Any financial proposals should also take account of the fact that local authorities do not pay VAT, but the organisation taking on the management and /or ownership of the asset may well need to.

The financial value of the public open space

Spaces are often transferred to community groups for a symbolic value, such as a peppercorn rent. But any group taking on a public space asset must take account of the infrastructure, such as paving, railings, fences, benches and trees. Knowing their value, or replacement costs, will help establish a realistic estimate of the future maintenance costs and it may also be useful when negotiating with investors.

Taking a 'whole-life costing' approach will provide information on the maintenance and replacement costs over the lifetime of the lease or ownership arrangement. This approach is usually applied to buildings. The whole-life value of green spaces raises a range of new issues. Different elements within a green space, such as paths, trees, flowers and shrubs, will have different maintenance requirements and lifecycles. Some assets, like trees, will appreciate over time. Flowers and shrubs will have far shorter lifecycles. The initial cost of a specific element will not correlate with the level of maintenance required over its whole life. In some cases it will be prudent to invest in quality up front to save money in the long term. When valuing public space it is not appropriate to include the land value because it is overwhelmingly influenced



© Dukes Meadows Trust

Dukes Meadows Trust has a lease from the London Borough of Hounslow to manage the water play area, funded through rental income from adjacent artists studios and a cafe kiosk

by its planning status: land that can be developed is far more valuable than identical land that cannot.⁴⁴

CABE's guide, *Making the invisible visible*, questions the application of traditional accounting methods to parks and green spaces. The historic cost accounting approach is based on the value of the asset at the time it was acquired and current value accounting is based on what it would cost to replace the asset with a similar asset in a similar condition. When it comes to valuing parks, instead of buildings, both approaches have drawbacks. *Making the invisible visible* proposes a new framework for measuring the value of parks and green spaces. This framework enables the methodical assessment of the quantity and condition of assets within spaces, planning over long-term periods and anticipation of expenditure. ►

Finance – checklist for local authorities

- Establish, and make available, the historic and potential future costs of the site and its individual components.
- Funding for the short term (the first three to five years) may need to be paid as a lump sum at the start of the project to enable the community to use the money to raise other funds.
- Consider whether community groups that take on spaces could be offered a funded service level agreement to cover basic maintenance.
- When negotiating planning gain, consider using the money generated to fund endowments for community-run spaces.
- If there is building on or near the space that could generate income for the maintenance and management of the site, consider whether it could be transferred with the open space.
- It might be beneficial to offer knowledge and skills from your staff to work with the community group to support income-generating activities.

Finance – checklist for community groups

- Try to negotiate funding from the local authority to contribute to the cost of maintaining the site or an initial lump sum to either invest or use as match funding for grants. Valuing volunteer time or 'sweat equity' can also be used as match funding.
- Investigate opportunities for alliances or partnership agreements with other organisations who may have an interest in the site.
- Explore all income-generation opportunities that the site can offer making sure that any commercial activities do not affect the accessibility of the space to the wider community.
- Check whether your group has the entrepreneurial skills to set up a community enterprise (not-for-private-profit) business by conducting a skills analysis/audit of potential board members and volunteers. Research whether there is a market for what you intend the enterprise to do.

44 www.theparkstrust.com

45 www.coinstreet.org

46 www.communityshares.org.uk

47 www.tutburyecopower.co.uk

48 *Making the invisible visible: the real value of park assets*, CABE, 2009

Case study

Nene Park Trust, Cambridgeshire

Nene Park offers a wide range of activities and is well used by the whole community. The park is entirely self-funding from income-generating activities

© Nene Park Trust



How an independent trust was established for public space with its own income

Nene Park in Cambridgeshire began as an idea in the 1960s vision for the expansion of Peterborough as a new town. In the 1980s, Nene Park Trust, a charity, was created to manage and protect the park forever.

Nene Park, which runs for 10km along the valley of the River Nene, was conceived by the Peterborough Development Corporation, Peterborough City Council and Cambridgeshire County Council. The park, which opened in 1978, was designed as an accessible network of spaces and waterways, and a gateway to the countryside for the people of Peterborough. Today it includes a range of landscapes and facilities including golf courses, horse riding, hotels, pubs, cafes, a garden centre, farmland and a sculpture park. The trust has programmes to ensure that the park is accessible to all users, including the 'sailability' scheme which gives hundreds of park users with limited mobility the opportunity to sail on the lake, and the Peterborough adapted cycle scheme, which enables park users to become proficient in the use of hand cycles (powered by arms rather than legs) and hire them to explore routes around the park.

In the 1980s the Peterborough Development Corporation was at the end of its life, having established the new town, and a decision had to be made about the future ownership and management of Nene Park. It was decided that the best way to secure the park's future would be to set up an independent trust. This would protect the park from changes in local and national government policy and, if independently funded, would protect it from the uncertainties of public funding. So, in 1988, Nene Park Trust was set up. Peterborough Council gave it a 999-year lease on the 660-hectare site and it was endowed with commercial property and other assets that would generate an income.

Today, the trust spends more than £1.5 million a year looking after the park. This is entirely self-funded. Around £100,000 is generated by the trust from commercial activities such as car parking and events; around £600,000 is income from leases and licences to cafes, pubs and hotels on the land; and around £800,000 comes from the endowment and investments. Because the trust has had a secure income it has been able to employ all the staff it needs and for many years did not really see any reason to attract volunteers. This, however, is likely to change: the trust recognises that having volunteers is not about

saving money: it is a way of getting local people more actively engaged with its work. James McCulloch, chief executive of the trust, says: 'It's not enough to sit here and hope people come. You've got to get out and speak to them.'

Nene Park Trust is a company limited by guarantee and a registered charity. The trust works closely with more than 25 organisations and businesses that manage land or facilities in the park. Its work is overseen by its board of trustees, which was set up to include representatives of local, national and regional organisations. The trust is reviewing its governance structures to ensure they are fit for the next 10 years. 'Often, it's the individual people who are important, not so much who they are appointed by,' says James McCulloch.

Lessons learned

- When setting up a trust to manage public space it is vital that the long-term calculations for the cost of managing the space are accurate. Getting this right – and ensuring that long term infrastructure replacement is accounted for minimises any future financial burden
- The financial endowment gives the trust independence. However, it is important to maintain contact with a wide range of stakeholders, partners, and community groups: without their support, work can be more challenging.
- It is important to get the right range of skills on the board of trustees and to review the composition of the board as the organisation and its work changes and develops.
- Compared with a local authority, which has to deal with a range of issues, a trust benefits from being able to focus solely on public space management.

www.neneparktrust.org.uk

‘Different communication strategies will be needed at different stages of an asset transfer project’



Trelloggan Community Project, Trelloggan, Cornwall © Natural England / Doorstep Greens / Nick Turner Photography

◀ Communications

The success of an asset transfer often comes down to the quality of its communications. They govern whether relationships are positive or not; whether a representative cross-section of local people is involved; and whether fundraising activity is successful.

Regular and purposeful communication starts with putting time aside to prepare an influencing plan. This is a good way to focus and prioritise; clarify what it is you are trying to change and plan ahead and be proactive. Different communication strategies will be needed at different stages of an asset transfer project. Initially communication is likely to be about raising awareness and getting wider support and interest in a project. Once a transfer has progressed, the focus may move to reaching out to the community to encourage volunteer support or talking to specific groups about providing activities on the site.

The local authority will want to ensure that every department involved in the transfer is onside, from property services, asset management, planning and regeneration to those currently responsible for maintaining the site. If a shift in culture is required, this could involve senior officers or members directly addressing their concerns such as how risks are being assessed and managed.

It is important to mobilise the support of organisations such as wildlife trusts, whose remits are relevant and whose members will be keen to get involved, bringing knowledge and resources. A bigger challenge is reaching more deeply into the community.

So an integrated publicity campaign will need to include both ‘broadcast’ and outreach. Broadcast means raising general awareness to maximise local support and involvement, using the media, leaflet drops and public meetings. It needs to ensure that as many people as possible are included; nobody should be excluded because of the physical access to the meeting place, or the timing of meetings, or lack of appropriate support (eg child care).

Outreach is, by contrast, small scale, building relationships and establishing trusted networks. The more personal the contact with volunteers, the more rewarding they will find their involvement, and the more reliable and enthusiastic they will be. Liaison with specific groups about providing activities on the site, such as education programmes, will broaden and deepen the project's value to the local community.

Outreach will be the most effective way to appeal to those whose voices are not often heard. The equalities impact assessment will have identified the different people in the community with which the project needs to engage, for instance by working through community centres and established voluntary organisations. In Birmingham, for example, CSV Environment⁴⁹ and the Bangladeshi Women's Garden Club manage the Concrete to Coriander project, working with Asian women to bring neglected gardens into productive or recreational use.

When there is a need to consult about specific issues or improvements, options range from participatory workshops, which bring people from different disciplines and backgrounds together to explore new possibilities, to online consultations. The latter give the people who know most about the site the chance to comment. Whatever the method, be clear from the outset what residents can and can't influence, and tell people what has happened as a result of the consultation and why.

Community groups should use their influencing plan to identify which media will be most helpful in reaching the wider community. One spokesperson should be appointed to establish relationships with newspapers and radio stations and be their first point of contact. Publish your press releases and news stories somewhere online so that there is a permanent location for information about the project for anyone who is interested.

Be creative and tap into existing skills and enthusiasms. Fylde's Park View 4U group made a video about its park for their website⁵⁰ showing how people have been involved in improving it. All publicity associated with the project, from the noticeboard on site to newsletters, needs branding which projects the personality and values of the project in a convincing way. Budget realistically for commissioning design and production costs. Strong simple design will help to ensure that the impression you want to give is the one that comes over (eg friendly and approachable and informal but not disorganised and random). This provides a good platform for volunteer recruitment and fundraising.

Communications – checklist for local authorities

- Canvas colleagues and other partners to find out about recent outreach work to engage groups across the community.
- Ask your press office if they can advise on developing a media strategy and plan, and provide media training if required.
- Encourage the community to make full use of the council's publicity vehicles as well as their own, such as your website.

Communications – checklist for community groups

- Tailor all communication for the audience. Find out which people care about a particular issue and how they like to receive and respond to information. Be clear about what you want the person receiving it to do, and try to monitor results.
- Use online communication where appropriate. Create a website for your project using a free service like wordpress.com or blogger.com to keep everyone informed of progress. Use an email newsletter, a Facebook group and a Twitter account to direct people to your website and hear what they have to say about the project. Remember, though, that not everyone has access to the internet.
- Keep your management team and supporters interested in this project over the longer term, through regular newsletters; marking milestones and celebrating success; education initiatives and special volunteering days.

49 www.csvenvironment.org.uk

50 www.parkview4u.org.uk

Case study

Park View 4U, Lancashire

Providing a place for children of all ages to play has brought the community together in Lytham. Play areas were incorporated into a masterplan for the whole site, and this aided fundraising

Park View 4U, Lancashire © Cath Powell



How energetic residents transformed a boggy playing field into an activity-filled space

In Lytham, Lancashire, a local campaign for better play facilities, led to the formation of a charity, Park View 4U, that has raised money to create a park filled with equipment and activities for all.

As a result, Park View, a six-hectare playing field in the middle of Lytham, now has four football pitches, a skateboard park, children's play equipment, and play equipment for the older generation and disabled people, among many other facilities.

In 2003, Park View was a waterlogged field with little to offer. Local residents started a campaign for new play equipment for children. At first the council was sceptical and it was difficult to attract funding from other sources. However, the new resident-led community group, Park View 4U, took an imaginative approach to fundraising. It contacted Blackpool airport and a local pilot agreed to fly a plane over the park, free of charge, to film residents standing in formation spelling out the word, 'help'. The film now features in an impressive Park View 4U video. 'We've sent the video to funders and one of them wrote straight back enclosing a cheque for £10,000,' says trustee Cath Powell.

Park View 4U attracted support, and it is now a registered charity. It began working in partnership with Fylde Borough Council, the owner of Park View, along with Lancashire County Council and other local and national partners.

Through Lancashire County Council's community design project, a landscape architect was employed to produce a vision for the whole park. The masterplan has helped Park View 4U in its fundraising work, which has generated money from community events, local businesses, and the Big Lottery. The group has raised almost £1 million that would not have been available to the local council, and this has been invested in the new infrastructure.

Darren Bell, head of leisure services at Fylde Borough Council, says: 'The project has been a fantastic success. It's turned a neglected playing field into a quality recreational facility for all age groups. It's brought the entire community together and created presence on the site and a lasting legacy.'

The site is still owned, managed and maintained by the council. However, Park View 4U was concerned that the council would not be able to maintain the equipment and infrastructure to the high standard it wants. It was also aware that there was an urgent need for an indoor space that would include a café and toilets.

Park View 4U was recently awarded a £500,000 Big Lottery grant and this – along with raising £130,000 of their own – will fund them to create and manage a new building, and the park, for five years. It aims to use the building to generate enough income to fund the park's maintenance needs once the five-year grant has run out. Park View 4U is working with the council, with support from the Development Trusts Association's advancing assets for communities programme, to work out the details. The Asset Transfer Unit is advising on the business plan for the café.

Fylde is committed to transferring the ownership of its public spaces to community groups. However, Park View 4U wants to wait and see how the new building project works out before considering taking on further responsibility.

Lessons learned

- Having a professionally designed masterplan helps fundraising because it makes it easier for people to visualise what could be achieved on the site.
- Be open, and honest, clearly set out the roles and responsibilities at the start of the project – and never underestimate what local people can achieve.
- Develop a good working relationship with council officers, not just with councillors, and support them when you can.

www.parkview4u.org.uk
www.fylde.gov.uk

5 Resources

Asset Transfer Unit

The Asset Transfer Unit helps to empower local people and organisations to transform land and buildings into vibrant community spaces while supporting the development of a thriving third sector.
www.atu.org.uk

CABE

CABE, the Commission for Architecture and the Built Environment, has published a range of information about the future of parks and other spaces.
www.cabe.org.uk/publicspace

British Waterways

British Waterways cares for England's historic canals and rivers.
www.britishwaterways.co.uk/be-part-of-it/volunteering
www.britishwaterways.co.uk/be-part-of-it/third-sector-partnerships
www.waterways-civa.org.uk/

BTCV

Conservation charity that encourages volunteers to create, 'a better environment where people are valued, included and involved. BTCV provide insurance for community groups working on, managing and owning public spaces.

Local action: talks about how to set-up and manage a group, it also covers some of the basic issues around risk, safety and liability etc.
handbooks.btcv.org.uk/handbooks/content/chapter/762

Urban handbook: acknowledging that most of the public spaces likely to be offered for transfer will be in urban settings.
handbooks.btcv.org.uk/handbooks/content/chapter/103

Environments for all: talks about the inclusion agenda and what considerations should be taken.
handbooks.btcv.org.uk/handbooks/content/chapter/833

All can be purchased from BTCV shop:
shop.btcv.org.uk/shop/level2/59/level

Communities and Local Government

The government department that is leading on the Big Society agenda.
www.communities.gov.uk

Development Trusts Association

Supports the establishment and running of development trusts, including help for communities to transform local buildings and land.
www.dta.org.uk

English Heritage

Holds the register of historic parks and gardens and has published *Pillars of the community: the transfer of local authority heritage assets* in November 2010.
www.english-heritage.org.uk

Federation of City Farms and Community Gardens

Supports community groups running farms, gardens, allotments and other green spaces.
www.farmgarden.org.uk/

Fields in Trust

Providing support and guidance to help communities to protect local outdoor sports and play spaces.
www.fieldsintrust.org/

GreenSpace

A charity working to improve parks and green spaces by raising awareness, involving communities and creating skilled professionals. Includes resources and a network for park friends' groups.
www.green-space.org.uk/community/index.php

Groundwork

A group of charities that help people and organisations and create better neighbourhoods.
www.groundwork.org.uk

National Trust

Works to preserve and protect the buildings, countryside and coastline of England, Wales and Northern Ireland, through conservation, learning and discovery.
www.nationaltrust.org.uk

Natural England

An independent public body set up to protect and improve England's natural environment and encourage people to enjoy and get involved in their surroundings. Includes lessons learned from the Doorstep Greens initiative:

www.doorstepgreens.com

www.naturalengland.org.uk/ourwork/enjoying/places/greenspace/doorstepandmillenniumgreens.aspx

NCVO

Provides advice and support to people working in, or with, the voluntary sector, including publications, training and forums.

www.ncvo-vol.org.uk

Play England

Provides advice and support to promote good practice in play provision include briefing papers on the benefits of play and quality standards.

www.playengland.org.uk

Sport England

A public body that provides advice and funding for community sports activities and help to protect playing fields.

www.sportengland.org

The Glass-House Community Led Design

A charity that supports and encourages better working partnerships between communities and professionals who are working together to improve the quality of a neighbourhood.

www.theglasshouse.org.uk

The Land Trust

Provides a cost-effective management solution for public open spaces.

www.thelandtrust.org.uk

The Wildlife Trusts

There are 47 Wildlife Trusts across the UK that work for an environment rich in wildlife for everyone.

www.wildlifetrusts.org

www.cabeurl.com/et

Transfer of public space ownership and management from local authorities to community groups is on the rise. Local people want a greater say in how their local parks and public spaces are managed and, as budgets tighten, local authorities want to maximise the help that communities can offer. This guide, for local authorities and community groups, is an introduction to the issues involved, based on the learning from a range of case studies across England.

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and the Built Environment

The government's advisor
on architecture, urban design
and public space

