



Local Government and Housing Committee  
Senedd Cymru  
Bae Caerdydd  
Caerdydd  
CF99 1SN

## Consultation: inquiry into community assets

### Response from The Architectural Heritage Fund

Dear John Griffiths MS,

Many thanks for the opportunity to contribute to the committee's inquiry into community assets. Below I outline the support that the Architectural Heritage Fund (AHF) provides to communities across the UK and how the legislation in each nation varies in the extent to which communities are supported to secure assets.

#### Background

The AHF was founded in 1976 to promote the conservation and sustainable re-use of historic buildings. Today, we support communities with finding enterprising new ways to revitalise the historic buildings they love. We help them through the provision of advice, grants and loans.

Our advice and grant funding, particularly during the early stages of projects, often acts as a catalyst for regeneration and reuse projects. They help to generate momentum and confidence in a project and, in time, brings other funders on board. Our loan finance provides flexible funding to projects, often at stages when other funders will not, or cannot, fund projects. Our flexibility and willingness to take risks is unique in the funding environment.

Our funding and advice assists a large range of charities and social enterprises to turn problem buildings and spaces into new opportunities. As well as saving many historic buildings by bringing them into community ownership and long-term use, the organisations we support often help to sustain much needed services and assets, many of which were under threat by funding cuts or changes within local economies.

However, problems persist in many places with individual buildings, high streets and streetscapes undergoing profound changes: some driven by the way we shop, by funding cuts or by changes in demography. This is causing not only problems for the long-term future of historic buildings, but also for community cohesion and civic identity. The feeling of things 'getting worse' or of communities 'left behind' is felt more acutely in places where there is a feeling of powerlessness about the loss of unique heritage buildings – shops, mills, libraries, town halls or churches – that are often vital to that community's identity and sense of prosperity.

In many places, with the reduction in the role of the local authority and significant changes within the economy, it is increasingly falling to communities to make a meaningful contribution to creating vibrant, cohesive and attractive places – as well as finding new ways of delivering services that were once the preserve of the public or private sectors. Despite the challenges, this is bringing about new and successful partnerships, ones that both regenerate historic buildings and places and deliver much needed uses and activities, whether housing, retail, workspaces use or the delivery of health and well-being services.

## Scotland

Under Scottish Government's Land Reforms it passed the [Community Empowerment \(Scotland\) Act 2015](#), which made various changes addressing community rights in relation to land, followed by the [Land Reform \(Scotland\) Act 2016](#), that established the Scottish Land Commission and made provision for various changes to land ownership and management. As part of these laws, it introduced Community Right to Buy.

This was followed in 2018 with the [Community right to buy abandoned, neglected or detrimental land](#). This gives community bodies a right to compulsorily purchase land (this means land, bridges and other structures built on or over land, inland waters, canals and the foreshore) which is wholly or mainly, abandoned or neglected or the use or management of the land is causing harm to the environmental wellbeing of the community.

Community right to buy can be used where the community has identified land and has proposals for that land that could further the achievement of sustainable development. Community bodies can register an interest in any land, such as churches, pubs, estates, empty shops, woodland, fields and more. A registered interest in land lasts for **five years** (from the date of approval from Scottish Ministers) and can be re-registered on an ongoing basis at five-year intervals.

In addition to introducing the Community Right to Buy legislation, the Scottish Government also established the [Scottish Land Fund](#). Funded by the Scottish Government and delivered in partnership with the National Lottery Community Fund and Highlands and Islands Enterprise, it offers grants of up to £1 million to help communities take ownership of the land and buildings that matter to them, as well as practical support to develop projects.

Example of AHF-supported projects which have benefitted from Community Right to Buy and the Scottish Land Fund:

[Ardnamurchan Lighthouse Trust](#) secured the ownership of the Grade A listed Ardnamurchan Lighthouse Complex in July 2020 using the Community Right to Buy with financial support from the Scottish Land Fund. The Trust operates a visitor attraction with tower tours, café and gift shop, and holiday lets. The keepers' cottages had been previously let but in recent years have become uninhabitable due to water ingress. Refurbishing the keepers' cottages as self-catering accommodation is a key part of the economic sustainability of the whole site.

## England

Community Right to Bid ([Assets of Community Value](#)) was introduced as part of the Localism Act 2011. This enables communities to nominate buildings or land for listing by the local authority as an asset of community value. An asset can be listed if its principal use furthers (or has recently furthered) their community's social well-being or social interests (which include cultural, sporting or recreational interests) and is likely to do so in the future. When a listed asset comes to be sold, a moratorium on the sale (of up to **six months**) may be invoked, providing local community groups with a better chance to raise finance, develop a business and to make a bid to buy the asset on the open market.

Local Authorities must keep a 'List of Assets of Community Value'; the legislation sets out in detail the process they must enter into and what information they must include.

The legislation also outlines the definition of an asset of community value, what groups can legitimately nominate, the appeals process for landowners, timescales for groups interested in buying land or property on the list, and compensation available to the owners of land or property on the list.

Examples of AHF-supported projects which have benefitted from being ACV:

[Stanley Halls](#) in Croydon was one of the first community asset transfers in England. Now operating as Stanley Arts, it is a thriving arts venue and co-working space generating earned income and attracting grant support from funders including Historic England, Arts Council England, National Lottery Heritage Fund and the AHF.

The Friends of [Stretford Public Hall](#) benefitted from, and ultimately secured the Hall because they listed it as an Asset of Community Value.

“It gave a vital 6 months to build our bid. Without the localism act I am pretty certain we would never have even got to a campaign stage properly.”

Annoushka Deighton, Founder member and former Chair of the Friends Stretford Public Hall

However, the experience of lots of communities has found the legislation is far too weak. There is a [current campaign](#) calling on the UK Government for a Community Power Act. This has three main aims:

### 1. Community Right to Buy

Giving communities the right of first refusal once buildings and spaces with significant community value come up for sale.

### 2. Community Covenants

These neighbourhood-level arrangements would bring local people, community organisations and local authorities together to share power and make decisions.

### 3. Community Power Commissioner

This independent office would be charged with ensuring action is taken across government to uphold the new community rights, enable the formation of Community Covenants everywhere, and generally unlock community power.

It will be interesting to see how Westminster, in particular the Department for Levelling Up, Housing and Communities, responds to this campaign in the coming months.

## Cymru

In the absence of legislation like the Community Right to Buy in Scotland and Assets of Community Value in England, it is truly remarkable that communities here have managed to successfully secure the ownership of historic buildings through the community asset transfer process.

I have seen the inconsistency in the support provided to communities by local authorities across the country trying to secure the future of assets, facilities and services. Examples of good practice can be seen in Cardiff, Carmarthenshire, Ceredigion and Rhondda-Cynon-Tâf. In these areas, the local authorities committed resources (teams of staff) to work with local communities guiding them

through the processes, understanding the steep learning curve some (most) communities undertake and being patient; not enforcing unrealistic and arbitrary timescales. Unfortunately, such support has not been the experience of many communities which have been left to struggle through the process; either succeeding through sheer bloody-mindedness or giving up, exasperated.

When communities try to secure the ownership of privately owned historic buildings it can be even more trying. Communities are completely at the whim of the individuals who can simply change their mind at any point with no recourse. This is particularly difficult to accept when communities have spent considerable time, effort and money in developing their plans for it all to fall down if the owner decides to retain the property or to place it on the open market.

The valuation of properties can be a point of contention. Having commissioned an independent valuation, community organisations are, rightly, bound by that figure when they are raising funding from the public sector. However, owners will often dispute the valuation expecting to achieve a much higher price especially when they learn that the community is applying for Lottery grants.

Dealing with private owners is made worse and all the more galling when they haven't invested in the properties and have let them fall into a state of disrepair in spite of any protection they should come with a listed designation and / or being located in a conservation area.

Examples of AHF-supported projects which have successfully managed the Community Asset Transfer process:

[Norwegian Church Cardiff Bay](#) is the new charity that was established to take ownership of this iconic building in Cardiff Bay. AHF provided the Welsh Norwegian Society with a Project Viability Grant to explore the option of the Norwegian Arts Centre being returned to community ownership at a time when Cardiff City Council was considering a commercial tenant. The Society was successful in making a convincing case for the building to be transferred to a new charity which took ownership at the beginning of April and formally opened on May 17, Norwegian Constitution Day. An AHF Project Development Grant is contributing towards the post of a Centre Manager for the first 12 months as the charity builds its reputation based on a Norwegian / Nordic culinary experience and cultural programme.

Cardigan Building Preservation Trust secured the ownership of the Grade II\* listed [Cardigan Markethall](#) from Ceredigion County Council. It has since raised £1.6M to tackle urgent roof repairs, improve access and provide new public toilets. The Lower Market will continue to be used by a wide variety of businesses, with improved facilities for more traders. The Upper Market will develop as a Food Court offering a shop window for high quality, local produce and crafts. AHF has supported the Trust to develop this project with grants which were instrumental in developing the plans to obtain planning permission and listed building consent. In 2020, a £200,000 loan was awarded from AHF's Heritage Impact Fund. This is providing cashflow finance during the capital phase of works, which commenced on site in January 2021. The work is expected to be complete by spring 2023, when this Cardigan landmark will once again serve its community.

## The Future

The common narrative in the legislative context in Scotland and England has been to empower communities to protect and enhance their future wellbeing and sustainability. Cymru has been truly world-leading in passing the Wellbeing of Future Generations Act. I encourage Llywodraeth Cymru to be bold once more; emulate the Scottish Government's Community Right to Buy programme and

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Scottish Land Fund; and look at the aims of the ongoing campaign in England and assess the benefits of a Commissioner and Community Covenant would have for communities here. By doing so it could have a transformational impact on communities throughout the nation; securing much-loved and needed assets, improving communities' vitality, resilience and sustainability.

Yn gywir,  
Adam



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**Y Gronfa Treftadaeth Bensaernïol | The Architectural Heritage Fund**