
A COMMUNITY LAND ADVISORY SERVICE FOR NORTHERN IRELAND

Social **Farms**
& **Gardens** 

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The Joseph Rowntree report Community Asset Transfer in Northern Ireland (2012) highlights that the process is less well developed than in the rest of the United Kingdom but where it has been implemented has played a role in contested spaces and peace building between catholic and protestant communities.

The report highlights the role asset transfer plays in the needed shift from a deficit model of planning to a more sustainable growth model. At the time of writing local authorities and the Housing Executive were keen to explore this model of working practice, however there is little evidence to suggest that there have been many successful transfers. The report concludes that a lack of skills to develop investment readiness and financial management is hindering community involvement in asset transfer.

Whilst there is no legislative framework for asset transfer in Northern Ireland, in 2014 the then Department of Social Development (now Department for Communities) drew up a policy framework document to create a more enabling environment for Community Asset Transfer. <https://www.communities-ni.gov.uk/sites/default/files/publications/dsd/community-asset-transfer-policy-framework.pdf>

Included in this document are benefits of asset transfer the community, public sector and the third sector and an overview of the disposal process. Development Trust Northern Ireland have been appointed to support the implementation of community asset transfer. Their remit includes building capacity and expertise within the Third Sector to enable communities to take advantage of future opportunities.

The document identifies outcomes that must be achieved by successful asset transfer:

- Delivering community benefits
- Supporting development of social enterprise
- Contributing to social, environmental or economic regeneration
- Supporting the sustainability of a community organisation
- Improving social cohesion

This is underpinned by the principles of partnership and mutual benefit.

There are opportunities for the implementation of CLAS based on barriers that the report identified to the implementation of Community Asset Transfer. These include:

- A lack of awareness of the potential beneficial outcomes and how it can be applied
- A poor understanding within the public and third sectors of the risks associated with Community Asset Transfer and how to manage it
- There is inadequate public information available about the availability of land and how it can be acquired

- Not enough access to information and case studies where asset transfer has been implemented
- No one centre of expertise that can provide advice and support to organisations interested in asset transfer.
- Uncertainty about how to construct leases which balance tenants rights against the need to manage risk in the transfer process
- Many organisations are not investment ready and may lack the skills and capacity to successfully manage and develop assets
- There is a lack of financial support available to invest in early pre-feasibility work

Potential future work for Social Farms and Gardens: The framework document covers the spectrum of asset transfer, with Development Trusts having a remit for its implementation. It should be possible to establish a Memorandum of Understanding (or a less formal working partnership agreement) with Department of Communities and Development Trust NI to support their work from a land transfer perspective. The implementation of a pilot project would illustrate

In a broader context CLAS links in with the following policy priorities:

Policy context	What this looks like
<p>Programme for Government Outcomes Framework: The Programme for Government is the highest level strategic document of the NI Executive – setting out the priorities that it will pursue in the current Assembly mandate, and the most significant actions it will take to address them. The draft Programme for Government contains 14 strategic outcomes which, taken together, set a clear direction of travel and enable continuous improvement on the essential components of societal wellbeing. The outcomes are supported by 48 indicators which are clear statements for change.</p> <p>A key feature of the new Programme is its dependence on collaborative working between organisations and groups, whether in the public, voluntary, or private sectors, and it is a Programme in which individuals and communities can also play an active part.</p> <ul style="list-style-type: none"> • Purpose: Improving Wellbeing for all by tackling disadvantage and driving economic growth Outcomes: <ul style="list-style-type: none"> • We live and work sustainably protecting the environment 	<p>Indicators:</p> <ul style="list-style-type: none"> 2. Reduce health inequality 6. Improve mental health 9. Improve support for adults with care needs 26. Increase respect for each other 27. Improve cultural participation 28. Increase the confidence and capability of people and communities 29. Increase environmental sustainability 31. Increase shared space 32. Increase economic opportunities for our most deprived communities <p>Measures:</p> <ul style="list-style-type: none"> 2. Reduce health inequality 29. Increase environmental sustainability 17. Reduce economic inactivity 28. Increase the confidence and capabilities of communities 29. Increase environmental sustainability

<ul style="list-style-type: none"> • We enjoy long, healthy, active lives • We connect people and opportunities through our infrastructure 	
<p>The Wildlife and Natural Environment Act (NI) 2011 places a statutory biodiversity duty on public bodies, stating 'it is the duty of every public body in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions.'</p>	<p>Consideration should be given to how community growing and access to land can impact on biodiversity</p>



POTENTIAL STRATEGIC PARTNER ORGANISATIONS

Development Trusts NI

Development Trusts NI's vision is to have a successful development trust in every community that wants one.

To achieve this Development Trusts NI will address itself to four key areas of activity:

- Encouraging the growth of new development trusts
- Support and strengthening established development trusts
- Promoting and representing the interests of development trusts
- Reflecting the democratic wishes and aspirations of our membership and running our own organisation efficiently and transparently.

HOW CLAS can compliment the work of DTNI:

- Capacity building needed – people need to understand common ownership and explore how a community ownership structure might work, there is currently too narrow a definition of ownership. Concept needs to be sold to local government by creating spaces and opportunities.
- To get council buy in they need to know what to do, success convinces council to get involved. People in elected positions do get it. A champion within council will support work, however process will still be bureaucratic,
- SOF&G distinctiveness – community growing, could this be embedded into government? This could be sold in terms of health and education – take title and ownership, use derelict land productively. SOFAG can give authority.
- Capitalise on desire to make it happen but work with central government
- Within local planning documents at council level there are opportunities to embed and create local opportunities to transfer land to create community ownership.
- General support – understanding obstacles in planning, where it sits within local government, to further enhance this it can be tied in to the wellbeing agenda within local government and area plans. Further alignment can be developed with the Public Health Agency and Community Planning.

HOW CLAS AND DEVELOPMENT TRUST NI COULD POTENTIALLY LINK

Raise awareness of what is possible, raise profile of how things work.

Clarity on collaboration

Communities – find time to coordinate places

Community rights – frames ownership, brings other group together

Lands – who owns it, rights, access to walking – question around forms of ownership

Utilise land for wider purposes – no common understanding. Who owns the land, what are the commons? – Bring it down to micro level – what is the communities relationship with it? Scale work up to high macro level.

Community Places

Community places provides free, independent and professional advice on planning issues to people and community groups who cannot afford to pay a planning consultant. This includes planning advice on whether planning permission is needed and what permissions are required and making representations to the relevant statutory authority. They do not provide advice on what is needed to acquire land. As a charity / social enterprise they tender for consultancy work which has included developing innovative community engagement practices such as participatory budgeting and capacity building.

Community Places are willing to explore the potential to work together on joint bids.

Belfast City Council – There are a network of council officers working across the city to support communities develop community gardens and allotments including Grow Your Own Groups, After School Garden Clubs, classes, cross community projects and accredited training sites. The Council provides resources, funding and support to build the capacity of groups. None of the officers have worked directly with an asset transfer, Belfast City Council owns the lands used. However one of the officers was aware of an asset transfer between the Council and GROW at the waterworks. As with the other local authority examples there are no guidelines or procedures for groups to follow. The process was:

- The group identified a local councillor to approach the Council
- The group demonstrated the need
- Developed clear aims and objectives and expectations
- Developed a business plan
- Approved by council

Opportunity for CLAS Social Farms & Gardens: Work with councils across Northern Ireland to establish a standardised procedure for groups wishing to explore land transfer.

Groups can apply to have access to a meanwhile lease by following the process described above.

Belfast City Council staff also highlighted other opportunities for Social Farms & Gardens to support their work:

- Many users of community gardens have complex support needs which council staff cannot manage. More support around therapeutic horticulture would make the gardens more inclusive and accessible
- There is a skills exchange programme operating in East Belfast, they could benefit from linking in with the Growing Resilience project
- Community growers need direction and expertise on site. (From the perspective of Social Farms & Gardens this could involve working with the Council to get funding for a peripatetic worker, or developing a range of volunteering opportunities for growers across Belfast)
- Training support is required at St James City Farm as there is a knowledge gap around the legislative requirements of city farms

North Down & Ards Borough Council – Steven Addy, Head of Regulatory Services (includes neighbourhood and environmental issues, building control and licensing) Works with Keep Northern Ireland Beautiful. Hasn't been directly involved in any work that falls under CLAS objectives but would be willing to explore partnership working and would be happy to identify a list of council sites available. This would require groups developing a business case to be approved by council. Steven would be happy to reach out to potential groups to develop a pilot. This potentially could be partially funded by the Keep Northern Ireland Beautiful small grants programme.

CASE STUDY CLOUGHMILLS COMMUNITY ACTION TEAM

The process & insider learning!

Declan Donnelly – Causeway Coast & Glens Council



CCAT has been established for 20 years, every stage built on a foundation. 7 years on current site – evolved and changed over time. Started with a garden in a pub, where they could try things out and the community led how things should be developed.

Wouldn't have been successful with the new council structure, too bureaucratic which has now multiplied! In the old council Cloughmills was an important part of the district, now the council boundaries are so geographically large (140 miles of coastline) and with so many councillors the process would be inevitably slow.

Process: Get a councillor on board behind the scenes, update them with progress, invite them to things, build relationships because ultimately they make the decisions. Need a strong ally, and to be able to take risks. Help and direction more valuable than money.

In Cloughmills community garden is the vehicle but it is people led, the garden is about the community, it is a social space. People make the place. Put physical space to one side – listen to stories about people and approaches – if the focus is on space lessons won't disseminate across.

Council own the land – The former Ballymoney council bought land with ideas about what it could be used for. Initially the group had been using the garden in the pub but when they decided to scale up Declan approached his director as he knew there were no plans for the Mill. He knew there would be more than an element of reflected glory in the project – this is part of the 'win' for councils.

Responsibilities: Council don't spend money on the site, provide basic maintenance only. CCAT are responsible for public liability insurance. Lease with council and peppercorn rent

Try & identify a friendly face in local council – cultivate that relationship – they're the inside source. They also know what others do – find a friend! Hard to know who to talk to but an insider can identify colleagues on your behalf. However when you can't do direct negotiations, go to a councillor, staff will be much quicker in responding to an elected representative than a member of the public.

Council want to transfer land – it is going to happen soon, had hoped to be in place before the councils merged but it's not! When it is agreed there will be a 25 year lease but currently rolls year to year.

KEEP NORTHERN IRELAND BEAUTIFUL

Keep Northern Ireland Beautiful exists to inspire all sectors of society to take responsibility for creating cleaner, greener and more sustainable communities by running environmental education programmes and awareness raising campaigns, increasing volunteering opportunities and reporting on local environmental quality.

Live Here Love Here, a programme within Keep Northern Ireland Beautiful encourages civic pride and has a small grants programme that opens in April and runs to January annually. Potentially groups could apply for this funding in support of an asset transfer. They would be particularly interested in offering funding to groups through cluster networks. They are open to exploring joint funding opportunities and are working with a number of councils (Derry & Strabane, North Down & Ards and Fermanagh & Omagh) who are keen to pass over council land and would benefit from best practice information.

Projects are funded by the Department of Agriculture, Environment and Rural Affairs (DEARA) and local councils.

Keep NI Beautiful are currently working with Sustrans across Ireland on developing vegetable plots and allotments along the expanding Greenway network. There may be potential for CLAS support or wider organisational support from Social Farms & Gardens.

COMMUNITY EXPERIENCES



To better understand the experiences of communities and the need for CLAS in Northern Ireland a survey was carried out with groups who have or are in the process of undertaking asset transfer. The learning from this formed the basis of a Roundtable discussion with practitioners and community groups.

KEY FINDINGS

The full survey monkey data is attached (Appendix 1)

- The majority of land currently used by groups is owned by local councils, private landowners, Community Association, Statutory body (NIHE) and housing associations.
- The most common agreement is a lease, followed by freehold ownership, informal written agreement and licence.
- 47% of respondents received support in securing their access agreement including: access to legal advice, support in negotiating with owners, access to expert advice and help from local council
- Most respondents (36%) would have liked access to legal advice
- Respondents have varying control over their land ranging from none to use as a garden village only, no sheds, trees or bushes; stewardship responsibility
- 92% are happy with the terms of their access agreement. Those that aren't state lack of clarity around responsibility for buildings and the cost of licences and permits required
- 78% think CLAS would be a useful support service
- Training support identified includes: negotiating with landlords (21%), taking on a public asset (16%); getting planning permission (16%); negotiation skills (11%)

Respondents to the survey were invited to a roundtable discussion to discuss their experiences and the support landscape currently available with members of staff from Social Farms & Gardens and support organisations.

The Roundtable event comprised of three sections:

- A facilitated discussion between community growers who have experience of asset transfer
- An input from support organisations on the services they offer
- A joint roundtable discussion

NOTES & EMERGING THEMES

COMMUNITY GROWERS EXPERIENCES

- Having to negotiate with two statutory bodies caused delays and confusion – different advice from different bodies, no clarity if planning permission was required
- No legal support available to negotiate lease, it was very expensive
- Long process
- It's hard to engage and motivate communities and volunteers when nothing much is happening
- Clear guidance on the process of acquiring land is needed
- Clarity around what a community garden is needed
- Support needed: planning permission, who owns the land, who is responsible for what, negotiating and understanding a lease, the legal requirements
- Explore and develop land options

- Understanding what works best for each group
- An advocate to negotiate on behalf of groups – (ideally a nominated person from e.g. CLAS, but could this be an opportunity to build training and capacity for staff, volunteers and boards?)
- Accessibility requirements

Response: Peter Doran (Queens University Belfast)

- Consider transaction costs for commons – at policy level people are not bought in to the rationale or clear on the rationale. One narrative to engage policy could include: wellbeing on the ground, activating citizens – transition to a new economy and environment
- The Belfast Development Plan 2035 contains language around the environment which is already out of date – in addition there is also nothing about food economy. Could work be aligned with NESTA objectives around climate change?
- The Earth Justice Centre (Friends of the Earth & Queens) is a movement to identify commons objectives to address global issues on the ground. Need to collaborate and work across the UK and Ireland to develop the movement.
- Use empowered global language to build the movement

SUPPORT ORGANISATIONS

- **Development Trusts NI:** 90 members, resourced by Department for Communities. Remit to facilitate surplus public asset transfer. Bigger agenda is land reform and recognition of local contributions to place. Connected in to other Development Trust networks across the UK.
- Challenges – no legislative background
- Culture – public v private sector, 3rd sector is an add-on (which doesn't campaign strongly enough)
- DTNI works with groups to see what is available and how to access it
- **Transition Ireland / Northern Ireland:** issues are policy and regulatory challenges. They promote larger scale farming and contextualise food production as public good. Keen to collaborate and share resources. Sees potential for shared working in relation to community planning and asset transfer and developing a shared vision of alternative commons. Micheal Callaghan (manager) has written a thesis around this area and he is working to update this to compare policy and legislative status.
- **Community Places:** core funded by Department for Infrastructure. Provides planning advice and community engagement support
- **NI Environment Link:** Jonny has developed a land strategy for NI which had cross party support on the basis of its alignment to the sustainable development goals (which NI really needs to showcase local action on)

Concluding thought regarding developing CLAS in Northern Ireland from other support agencies:

For CLAS demonstrating the natural capital, hidden economic value may increase support e.g. re-evaluating parks and green space in terms of health and wellbeing. Rationale: people need to feed in at the same way and there's work to do to build more resilient local economies with more local ownership.

JOINT ROUNDTABLE

1. Priorities

- Could CLAS be framed around Sustainable Development Goals's which are not happening at a local level
 - Global agenda of local SDG's – explore pathways to link organisations on the ground
 - Element of campaigning – link in to policies. Issues:
 - Access to land
 - Long term leases
 - Political support
 - **A wider voice for campaigning is needed – a shared message needs to be identified**
 - There is already an element of duplication
 - Agree best way to work together
 - Recognition of roles to play
 - How to stop burn out by community activists
 - Hold government to account
 - Share what the landscape looks like
 - People aren't linked up
-
- Requirements: build capacity of groups to manage land
 - Showcase what communities can do
 - Build on case studies – success and benefits to start culture change
 - Good practice – build and develop peer to peer support
 - Provide advice to those interested in community growing
 - What solution are we offering to local councils / regional government? Why would they provide access to land for organisations? (Because it's a solution to community planning. There would need to be a big education job to convey this to local government)
 - Support to demonstrate the economic value and impact of public land for community growing, e.g. public health benefits. Could a standard methodology be developed (by Social Farms & Gardens?)

SOME KEY POINTS

- Link projects to policy makers
- Work with NIEL to influence policy
- Lobby local councils
- Link work to SDG's
- Case Studies

- Support government / local councils to identify sites that could be used
- A cultural mind shift is needed before statutory organisations would be ready to engage
- Is there a role for a broker? Someone employed by Social Farms and Gardens to work directly with communities through the process of looking for land?
- Policy makers don't value what community groups are doing
- Shared information required around liability, insurance and other areas pertaining to risk
- How to engage and motivate communities when nothing much is happening
- How to find a landowner with spare land?
- No clear guidance on the process of land transfer
- Bureaucracy is overwhelming and is it all necessary?
- Legal support required

Conclusions & potential work development plans from Survey Monkey and Round Table Discussion

- Issues and concerns from community growers have been highlighted and are consistent with the information received from Survey Monkey.
- There appears to be a lack of awareness about who support organisations are and what they do. A mapping exercise and a promotional strategy to disseminate this information to community growing groups would provide clearer information on the process of acquiring land. Is linking with Friends of the Earth & Queens a step too far for where we want to go? Same issue with
- Social Farms and Gardens and CLAS have a dual role - direct grass roots engagement and the ability to influence policy. The use of language could be the missing piece in moving beyond the impasse in government / policy makers lack of interest to support for the movement. There is a gap in engaging with audiences, which appears to be either targeted towards policy makers or community groups. Social Farms and Gardens have a track record of engaging both and could take the lead in developing and showcasing local models of practice.
- Emerging work:
 - Advocacy
 - Community engagement - how to motivate volunteers and build capacity of communities during the long bureaucratic process. This could be further enhanced utilising the Growing Resilience model to build in peer to peer support, engagement and exchange.
 - Social Farms & Gardens / CLAS could lead in being a shared voice with the other support organisations – Currently there is no organisation taking a lead on research and campaigning. As part of a

collaborative approach SOF&G / CLAS could facilitate a referral network and peer to peer learning

- Work with local councils - align our work to community planning. North Down & Ards Council are open to a pilot which could potentially be part funded by a Live Here Love Here Small grant
- Funding could be sought to develop a policy / how to toolkit with case studies, this could be a collaborative piece with other support organisations.
- Seeing is believing tours and case study development to showcase what has worked so far in NI