



John Griffiths MS
Chair
Local Government and Housing Committee

SeneddHousing@senedd.wales

24 June 2022

Dear Mr Griffiths,

Inquiry into community assets

Thank you very much for the opportunity to participate in the above inquiry. The Welsh Government has published guidance, *Community Asset Transfer (2019)*¹, which explains that asset transfers can safeguard an asset or service which is at risk of being lost to the community due to the local authority being unable to fund them. The guidance states that a number of opportunities can arise from transferring assets, as well as risks. It emphasises that the process must “[be of] mutual benefit with a joined up vision to achieve a shared goal.”

To the Welsh Language Commissioner, safeguarding assets and services for Welsh speakers is crucial. We note that the guidance refers to the Wellbeing of Future Generations Act, including a thriving Welsh language. It makes several other references to the Welsh language, for example when discussing the due diligence process. Amongst the key elements of that process, the transferring authorities and/or the community organisations planning to receive an asset need to consider:

¹ [community-asset-transfer-guide.pdf \(gov.wales\)](https://gov.wales/community-asset-transfer-guide.pdf)

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- the effect of a community asset transfer on the opportunities for people to use the Welsh language
- how the Welsh language will be treated no less favourably than the English language
- the ability of the organisation receiving the asset to provide services in Welsh
- how this will be monitored after the transfer
- are the standards imposed under the Welsh Language (Wales) Measure 2011 applicable to the service provision

It is also noted that, when considering whether an applicant should be permitted to submit a full business case for an asset transfer, the criteria should include the ability to provide services through the medium of Welsh.

The Government has published other documents to accompany the guidance, to support those involved in the asset transfer process. These include due diligence guidance, an example of the process, and forms and templates which make reference to the Welsh language.

The Commissioner supports the focus given to the Welsh language in these documents, as the language must be considered from the outset of any asset transfer process in order to ensure fairness for Welsh speakers and to support the viability of the Welsh language in the community. This aligns with the objectives of the *Cymraeg 2050* strategy and the 'Community and economy' element of the strategy. It discusses the importance of ensuring the viability of Welsh-speaking communities and creating contexts in which the use of Welsh occurs naturally, and taking action to normalise the language and improve its prestige.

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On the other hand, the Commissioner is concerned by the findings of the recent report by the Institute of Welsh Affairs, *Our Land: Communities and Land Use (2022)*². Although this report focuses on land use, whilst the Committee's inquiry focuses on built assets, it discusses the Community Asset Transfer process in general and makes important points regarding the Welsh language. The report refers to weaknesses in the process stating that it is unclear, inconsistent and undermines community groups. Local authorities are criticised for poor communication and a lack of knowledge as well as having few dedicated Community Asset Transfer officers. The report concludes that “there appears to be little capacity in most local authorities to support Community Asset Transfers”. This is a cause of concern for the Commissioner since local authorities need sufficient resources and expertise to guide the transfer process in the most effective way in order to ensure the interests of the community and Welsh speakers.

The report discusses concerns about second homes and entire farms being bought for tree planting, having a detrimental effect on the sustainability of communities. The close association between rural communities and the agricultural sector and the Welsh language is highlighted. These are issues that the Commissioner has highlighted too. The report concludes by describing “a clear need for community empowerment measures in Wales, tailored to Wales’ unique circumstances and learning from the experience of other UK nations rather than merely replicating them.”

The Welsh Language Communities Housing Plan, which was subject to consultation by the Government earlier this year, proposes ways of supporting Welsh language communities with a high density of second homes. It discusses the importance of co-operatives and social enterprises in Wales, and communities working together to safeguard local services. It provides examples of community-based social enterprises that provide services, offer good quality job opportunities and support the local economy, with the Welsh language being central to their work. The results of this consultation are not yet

² [IWA_Our-Land-Communities-and-land-use.pdf](#)



known. However, if the Government moves forward with the intentions stated in the consultation, action must be taken to ensure that the support provided is sufficient to realise the Government's objectives in this area.

Supporting community-led enterprises is one of the commitments made by the Government in its *Programme for Government* (2021). We agree with the aim of empowering communities, with the Welsh language being integral to that. In order for this to succeed, action must be taken to provide the resources, information and advice needed by all community groups and all organisations wishing to participate in processes such as Community Asset Transfers, and support them to integrate the Welsh language in their work. We acknowledge that the asset transfer guidance refers to the need to consider the effect of community asset transfers on opportunities for people to use the Welsh language. However, as part of your inquiry, we ask you to consider to what extent does the Community Asset Transfer plan contribute in practice to realising the objectives of the *Cymraeg 2050* Strategy and ensures that asset transfers do not undermine the use of Welsh in any way in communities across Wales.

We hope that the above comments will be useful to your inquiry in this area. Thank you once again for the opportunity to contribute.

Yours sincerely,

Dyfan Sion
On behalf of the Welsh Language Commissioner

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