



Committee and Date

Cabinet

21 June 2017

COMMUNITY ASSET TRANSFER POLICY AMENDMENT

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1. Summary

The Community Asset Transfer policy was approved by Cabinet in October 2012. It is part of the Council's approach to working with local communities, and the voluntary and community sector, in strengthening the sustainability and resilience of communities and organisations through asset transfer.

The policy explains the circumstances in which an asset may be transferred for the benefit of the local community and the process to be followed by both the community and Council in achieving the transfer. Any transfer proposals are assessed against criteria including how the transfer will benefit the community, safeguard or create new opportunities for local services or activities and support the Council's objectives.

Minor amendments to the policy are now proposed to ensure it is efficient and effective.

2. Recommendations

That Cabinet approves the proposed amendments to the Community Asset Transfer policy.

- Add-Community Amateur Sports Club (CASC) as a qualifying organisation
- Amend the guidance timescales for completion/progression of each step in the process in accordance with the attached flowchart.

REPORT

3. Risk Assessment and Opportunities Appraisal

There are no perceived risks in making the proposed minor amendments to the CAT policy.

Adding CASC as a qualifying organization provides more opportunity for communities to pursue a Community Asset Transfer.

The proposed amendments have been developed following officer review and community feedback on the current policy.

4. Financial Implications

There are no financial implications associated with the proposed amendments.

5. Background

- 5.1 The principles of community asset transfer grew from the Quirk Review 'Making Assets Work', which was a strong advocate of community management and ownership of assets, through to the implementation of the current government's Big Society and Localism policies. The devolution of powers to communities and neighbourhoods, and the diversification of service provision and the constrained financial position of many councils, means that community asset transfer can play an important role in achieving the aims of a community strategy and corporate plan objectives.
- 5.2 A sub-group made up of representatives of the Voluntary and Community Sector Assembly, Shropshire Association of Local Councils, and officers from Shropshire Council, developed the Community Asset Transfer policy. It was approved by Cabinet in October 2012.
- 5.3 The key benefits to the Council of the policy are that it supports the Council's core objective of enabling flourishing Shropshire communities, helps to sustain and strengthen the voluntary and community sector, and provides a clear and transparent basis for assessing proposals for community asset transfers.
- 5.4 The policy seeks to ensure that the proposed transfer of the asset is for the benefit of the community and ensures the sustainability of the community or organisation taking the transfer. This can be achieved through improving usage or access to organisations or facilities to meet community need, as well as strengthening their independence and access to sources of funding which may be denied to the Council.
- 5.5 The policy also seeks to ensure that the organisation applying to take the transfer has suitable experience and capacity to take on the asset and as part of the application process the organisation is required to demonstrate its organisational and governance, financial and partnership arrangements, together with the support from within the community and that use of the asset will underpin the Council's policy objectives.
- 5.6 As the concept of community asset transfer has developed an extensive amount of support and advice has become available to voluntary and community sector bodies from a range of organisations including Locality, formerly the Development Trust Association, who have assisted many community groups and organisations to achieve asset transfers. This is acknowledged in the policy

through the section that gives information to organisations seeking further guidance on how to prepare for and undertake an asset transfer.

- 5.7 The Strategic Asset Manager is responsible for the administration of requests for Community Asset Transfers and works with the Community Enablement Team and Service Heads in managing the process, including evaluation of proposals and enabling the transfers of assets.
- 5.8 The Community Asset Transfer policy is publicised on the Council's website with access to the policy, expression of interest documents and links to other sources of information.
- 5.9 Where the Council proposes to undertake a community asset transfer, either by way of a lease for more than 7 years or sale of the freehold, at less than best consideration, the Council has the benefit of the Local Government Act 1972 general disposal consent (England) 2003. This enables the disposal for less than the best consideration that can reasonably be obtained where the proposed use is to secure the promotion or improvement of the economic, social or environmental well-being of its area, and where the undervalue does not exceed £2m. Leases of a term shorter than seven years are excluded from the best consideration provisions in s123 of the Local Government Act 1972.

6. Additional Information

- 6.1 Since the policy's implementation, 5 assets have been listed on the community asset register.
- 6.2 44 initial expressions of interest have been received. Of these:
 - 5 were rejected at initial expression of interest stage
 - 4 are on hold at initial expression of interest stage
 - 1 has been withdrawn
 - 1 is being progressed outside the CAT process
- 6.3 The remaining 33 applications were invited to proceed to submitting a formal expression of interest and business case. Of these:
 - 11 have been withdrawn / information never submitted
 - 13 are currently being assessed and/or require further information
 - 3 are yet to send in their formal expression of interest and/or business plan.
 - 2 have been rejected
 - 3 are with legal for completion, or have been completed
 - 1 is being progressed outside the CAT process

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Paper : Community Asset Transfer Policy 17 October 2012

Cabinet Members

Portfolio Holder for Corporate Support - Councillor Steve Charmley and
Portfolio Holder for Communities - Councillor Joyce Barrow

Local Member/s

All

Appendices

Appendix 1 – Proposed Amended Community Asset Transfer policy (amendments highlighted)

Appendix 2 - Flowchart