

## **Gedling Borough Council**

# **Community Asset Transfer (CAT) information pack and submission process**



### **Introduction**

Gedling Borough Council adopted a Community Asset Transfer (CAT) Policy in October 2015. Alongside this, the Council has worked with a partnership group of community stakeholders to develop knowledge, awareness and underpinning processes to ensure that future Community Asset Transfers in Gedling are resilient and continue to provide essential services to the wider community over the long term.

This information pack is designed to enable organisations to decide whether CAT is the right option for them, and to provide access to all the information needed in order to go forward with CAT. The pack sets out the CAT submission and decision process and includes the submission form, which should be completed when making a formal application to take on responsibility for a community facility.

**For further information about the contents of this pack, please contact Jane Ansell, Community Investment Manager on 0115 9013698**

**Email: [jane.ansell@gedling.gov.uk](mailto:jane.ansell@gedling.gov.uk).**

## 1. What is Community Asset Transfer (CAT)?

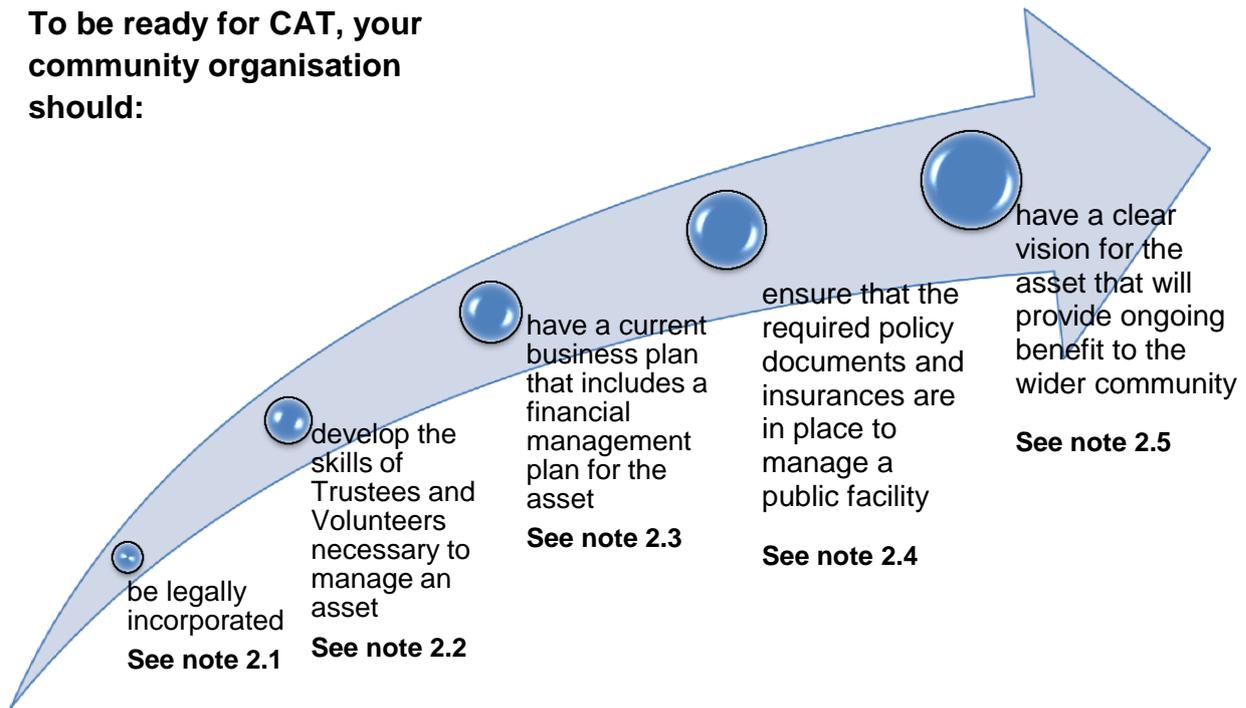
Community Asset Transfer (CAT) involves the transfer of management and/or ownership of either land or buildings from the local authority to community based organisations or other public sector organisations.

Examples of community based organisations are a local Charity, Community Interest Company or Industrial and Provident Society. The transfer applies to buildings, land and green space where the primary purpose is to enable community activities to take place. Some frequently asked questions and responses are at **Appendix 1**.

## 2. Thinking about taking on a Community Asset?

Taking on the management of a community facility is a serious undertaking. Before going ahead, it is important to understand clearly the implications and responsibilities involved, as well as the opportunities for growth in community services that CAT can provide. The diagram below sets out the important elements that need to be in place to enable an organisation to enter into a CAT.

**To be ready for CAT, your community organisation should:**



### 2.1 Legal Incorporation

In order to be considered for CAT, the organisation must be registered as a Charity, Community Interest Company or similarly recognised legal vehicle. There are many sources of advice and support to enable groups to find the right model to suit their needs and reflect the types of services and activities they may provide, either now, or in the future.

## 2.2 Skills and Experience

It is vital that organisations taking on CAT develop a strong leadership team or Board of Trustees, with the skills and expertise needed to manage the responsibilities of running a community facility. These range from financial, interpersonal, leadership and administrative to the specific skills needed by staff and volunteers delivering particular activities.

## 2.3 Current Business Plan

Failing to plan is planning to fail, therefore the development of a well thought out business plan for the organisation setting out the aims, priorities, project and financial planning for the present and future of the community facility is an essential exercise to complete before entering into CAT. The Council's Community Centres' Management Team can provide detailed information on the costs and other considerations associated with managing local community centres, and our Parks and Streetcare Team can give similar advice about park based facilities such as sports pavilions, pitches and other play facilities.

## 2.4 Policies and Insurances

Any organisation managing a public facility and delivering services to the public must have certain policies and insurances in place to ensure that activities provided are delivered safely and within the requirements of the law. **Policies include:** Health and Safety, Equality Act, Staffing, Room hire/Charging, Volunteering, Child and Vulnerable Adult Protection, Alcohol and Drugs misuse **Insurances include:** Public Liability, Trustees Indemnity, Buildings and Contents. Templates and good practice examples are available.

## 2.5 Your Vision for Services to the Community

There is no point in taking on a community facility if you do not have a clear vision and rationale behind what you want to use it for. What would you like to offer? Is there evidence of need for the service? Who will benefit, and how? Do you need partners to help? Who should those partners be, and how will you work together? What outcomes are you aiming to achieve now, soon and later? Most funding bodies expect to see these questions addressed before awarding grants.

## 3. Further advice and information about CAT

There is a wealth of guidance, practical support, funding and information available to voluntary and community organisations to help with all of the developments set out above, and the Council is committed to increasing access by local groups to these sources of support. Our **Community Relations Team** is connected to a wide network of partners and can signpost and link groups up with help at any point in the process.

Any group that is interested in finding out more about CAT in Gedling can join our **Community Partnership Group** made up of local community and voluntary groups interested in maintaining services to the community from local facilities. The group meets every two months on a Monday evening at the Civic Centre to hear about new initiatives and ongoing help available, share knowledge and provide mutual support. We are shortly to launch an **Online Resource Hub** for the voluntary and community sector on the Council's Website. In the meantime, please follow the link below to view the Council's Community Asset Transfer Policy and links to further help and information about CAT.

<http://www.gedling.gov.uk/communityassettransfers/>

#### **4. Decided to explore CAT further?**

If after reading through items 1 – 3 of this pack and reviewing the Council's Community Asset Transfer Policy, you have decided that CAT is something you would like to explore further, please contact **Jane Ansell** on the number or email on **page 1** of this document. Jane will provide further guidance and link you up to support in line with your organisation's needs.

#### **5. Ready to make a formal CAT Submission?**

So you think you have the necessary structures, team, policies, plans, skills and resources in place and have identified a community facility suitable for your needs. Organisations that are ready to make a formal submission should do so on the template attached at **Appendix 2**.

##### **5.1 Decision process**

The Council is committed to ensuring an open and transparent assessment and decision process in respect of Community Asset Transfer.

On receipt of a CAT submission, an initial check will be made to ensure that the proposal meets the viability criteria. Subject to that being met, a public consultation notice will then be issued, giving a six week deadline for receipt of comments.

A meeting of the appointed CAT assessment group will then be convened to coincide with the above deadline. This group is comprised of the Service Manager, Community Relations and relevant officers from the Legal, Estates, Facilities, Finance and Community Centres Management Teams.

##### **The assessment process will consider:**

- outcomes of formal and informal consultation
  - the fitness of the facility for transfer
  - review of the business plan and the capacity of the organisation
  - financial viability of the proposal
  - transitional requirements and preferred model of transfer
  - risk assessment and equalities impact assessment of the proposal
- i. Following the assessment process, a report and recommendation on the suitability of the CAT proposal would be submitted to the next available Cabinet meeting for a formal decision.
  - ii. If the decision of Cabinet is negative, you will receive a letter setting out both the decision and reasons for decision within 14 working days of the Cabinet meeting.
  - iii. If the decision of Cabinet is affirmative, a transfer plan would then be drawn up addressing transitional support needs and agreed actions, and a lease negotiation process would run concurrently with this.

# Community Asset Transfer

## Some Frequently Asked Questions

What is the Council's position on rents?

*Subject to the status of the applying organisation, The Council is amenable to 'peppercorn' or 'nominal' rents.*

What type and length of lease is the Council offering?

*The council has a preference for long term full repairing leases of up to 99 years.*

Are there any covenants or restrictions on how the Asset can be used?

*Leases will only be issued to organisations whose proposed activities provide community benefit. Other covenants may be identified during the course of lease negotiations.*

Would we be able to sublet?

Would there be a restriction on the type of sublet, and /or on who we could sublet to?

Does the liability for the sublet sit with us or with the Council?

*The Council is amenable to allowing organisations to sublet for financial resilience purposes and to maximise services to the community. Matters of liability and profit on income when subletting would be dealt with as part of the lease negotiations.*

In the event of a change in Equality Act or Fire, Health and Safety legislation, potentially requiring costly upgrades to the asset, would the Council be able to support the organisation with those costs?

*The Council's preference is for full repairing leases, which place responsibility on the leaseholder to maintain the facility in accordance with current and emerging legislation. That said, the Council will always consider support on a case by case basis. This may take the form of providing assistance with funding applications to help with Equality Act compliance, and/or the provision of shared contracting arrangements across a number of assets to reduce overall costs.*

(....continued overleaf)

**If the Council's intention towards the asset changes during the term of a lease, what period of notice would be given?**

***Whilst the Council does not anticipate a significant change in policy in respect of Community Asset Transfer, it will be important when engaging in lease negotiations for both parties to reach a reasonable agreement on the circumstances and timeframes for giving notice.***

**What happens if my community organisation has to cease operating during the term of the lease?**

***The Council's developmental approach to CAT and the robust assessment process set out in this resource pack are designed to ensure that only those community groups that have demonstrated the necessary capability will enter into CAT.***

***Each successful CAT will be subject to a transitional support agreement to enable the group to build up experience and resilience in their new role over an agreed period.***

***The Council recognises however that unforeseen circumstances can arise, and in these circumstances would work with the organisation in the first instance to help resolve any interim difficulties.***

***Any subsequent requirement for the organisation to cease operating and be released from the CAT would be subject to the terms set out in the lease agreement.***

## COMMUNITY ASSET TRANSFER SUBMISSION FORM

### Section 1: Submission summary

Organisation Name	Lead Contact	Address
	Tel:	Email:
<b>Legal status of the organisation (i.e. Registered Charity, Community Interest Company etc.)</b>		
<b>Charity / Company registration number</b>		
<b>Name of Community Asset proposed for Transfer</b>		

### Section 2: Outline proposal: Max 50 words

Please give a short outline of your CAT request below.

**Section 3: Professional advice and organisational development undertaken**

Please give details below of any professional advice and organisational development you have undertaken in order to prepare for CAT.

**Section 4: Funding**

Please provide details of any funding either already applied for, or being considered in respect of your CAT proposal.

<b>Details of Funder</b>	<b>Amount</b>	<b>Applied? Y/N</b>	<b>Secured? Y/N</b>

## **Section 5. Your Vision**

In not more than 1,000 words, please set out below your vision for the community asset in question, addressing the following

- What activities and services do you intend to provide?
- Who will be the main beneficiaries?
- What consultation has been undertaken and who with?
- What evidence is there that your proposed services are needed?
- What partners are you intending to work with?
- How do you aim to sustain and grow the service?

(Please continue overleaf if needed)

**Section 5. Your Vision continued...**

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for the user to write their vision or notes.

**Section 6: Submission Requirements checklist: Please ensure that the following documents are included with your submission:**

- ✓ *Business Plan*
- ✓ *Governing document / Articles and Memorandum*
- ✓ *End of year Statement of accounts for the previous two financial years (if held)*

***Relevant policy documents, including:***

- ✓ *Health and Safety Policy*
- ✓ *Equality Act Policy*
- ✓ *Child and Vulnerable Adult Protection Policy*
- ✓ *Facilities Hire / charging policy*

***Relevant insurances, including:***

- ✓ *Public Liability Insurance minimum £10,000,000*
- ✓ *Buildings and contents Insurance*
- ✓ *Trustees Indemnity Insurance (if held)*

**Thank you, your Community Asset Transfer submission is now complete.**

**Please return the submission document, along with the supplementary information requested, either by email or post to:**

**Lance Juby**  
**Service Manager, Community Relations**  
Gedling Borough Council  
Civic Centre  
Arnot Hill House  
Arnold  
Nottingham  
NG5 6LU

Tel: 0115 9013708  
Email: [lance.juby@gedling.gov.uk](mailto:lance.juby@gedling.gov.uk)