



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Cabinet

Date: **Thursday 22 October 2015**

Time: **12.30 pm**

Place: **Reception Room**

For any further information please contact:

Lyndsey Parnell

Senior Elections and Members' Services Officer

0115 901 3910

Cabinet

Membership

Chair Councillor John Clarke

Vice-Chair Councillor Michael Payne

Councillor Peter Barnes
Councillor David Ellis
Councillor Kathryn Fox
Councillor Jenny Hollingsworth
Councillor Henry Wheeler

Observers: Councillor Chris Barnfather

AGENDA

Page

- 1 Apologies for Absence.**
- 2 To approve, as a correct record, the minutes of the meeting held on 24 September 2015.** 5 - 10
- 3 Declaration of Interests.**
- 4 Community Asset Transfer Policy** 11 - 46
Report of the Service Manager Community Relations.
- 5 Progress Reports from Portfolio Holders.**
- 6 Member's Questions to Portfolio Holders.**
- 7 Any other items the Chair considers urgent.**

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MINUTES CABINET

Thursday 24 September 2015

Councillor John Clarke (Chair)

Councillor Michael Payne
Councillor Peter Barnes
Councillor Kathryn Fox

Councillor Jenny Hollingsworth
Councillor Henry Wheeler

Observers: Councillor Chris Barnfather

Absent: Councillor David Ellis

Officers in Attendance: J Robinson, H Barrington, S Bray, M Kimberley,
D Wakelin and A Dubberley

25 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor David Ellis.

26 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 30 JULY 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

27 DECLARATION OF INTERESTS.

None.

28 ERASMUS + EUROPEAN FUNDING PROGRAMME - PROCESS FOR DISTRIBUTING GRANT AND ASSOCIATED MATTERS

Corporate Director Stephen Bray introduced a report, which had been circulated prior to the meeting, seeking authority to commence the process of deploying European grant monies received as part of a successful bid for funding.

RESOLVED to

- 1) Authorise the Council to hold the grant monies and to distribute them in accordance with the successful ERASMUS + bid;

- 2) Authorise the Council to enter into contracts with European and Canadian partner organisations to deliver the programme contracts and ensure that the money is spent in accordance with the ERASMUS + grant agreement; and
- 3) Establish by virement the income and expenditure budgets for GBC's share of the grant received from the European Union for the ERASMUS + programme as detailed in paragraph 4 of the report.

29 PERFORMANCE INFORMATION FOR QUARTER 1 OF THE FINANCIAL YEAR

The Council Solicitor and Monitoring Officer introduced a report, which had been circulated prior to the meeting, giving information about the Council's performance indicators against target for the first quarter of the financial year.

RESOLVED:

To note the information.

30 RECORDING OF MEETINGS.

The Service Manager for Elections and Members' Services introduced a report, which had been circulated prior to the meeting, which sought Cabinet approval, on the recommendation of the Overview and Scrutiny Committee, to implement a system for recording of some meetings of the Council.

RESOLVED:

- 1) To approve the implementation of a system to record and broadcast the audio from meetings of Council and Planning Committee as described in the report;
- 2) That the system is trialled for a period of six months; and
- 3) To request that a further report is submitted to Cabinet after the six month trial to consider whether audio webcasting should be continued.

31 FORWARD PLAN

Consideration was given to a report of the Service Manager, Elections and Members' Services, which had been circulated prior to the meeting, detailing the Executive's draft Forward Plan for the next four month period.

RESOLVED:

To note the report.

PROGRESS REPORTS FROM PORTFOLIO HOLDERS.**Councillor Kathryn Fox (Community Development)**

- Successful school holiday activities were delivered by the Council and its partners.
- A feasibility study on the mineral railway line was now complete and further information would follow.
- The Gedling show and Carlton play day were recently held and well attended.

Councillor David Ellis (Public Protection)

- Councillor Payne (on behalf of Councillor Ellis who had given apologies) praised the quick thinking of staff that spotted a fake taxi license plate which led to the perpetrator being jailed for 21 months.
- A new CCTV camera was, following the granting of planning permission, to be installed on Collyer Road, Calverton.
- There had been little recent change in the levels of reported crime figures for the area.

Councillor Michael Payne (Resources and Reputation)

- The Council was in the process of completing the sale of housing land at Teal Close which would bring in a capital receipt of in the region of £3 million. Katie Walters, the Council's Estate's Surveyor, was thanked for her work on this.

Councillor Jenny Hollingsworth (Growth and Regeneration)

- The Council's development partner Keepmoat had recently held a series of consultation events for the development of the former Gedling Colliery site which were very well attended and informative.
- Affordable housing projects at the former Grove pub, Dunstan Street and the Blue note pub were all either under construction or progressing towards the construction phase very well.
- The refreshed local planning document would be presented to the Cabinet meeting in December.

- Works to refresh the appearance of Arnold marketplace would commence very soon.
- A planning department improvement plan was written and would be shared with members soon.
- 2 interns had recently been appointed to the Economic Development Team.

Councillor Peter Barnes (Environment)

- The Council's Transport Fleet had recently been awarded an eco-star
- Developments to enhance Gedling Country Park were still on-going.

Councillor Henry Wheeler (Housing, Health and Well-being)

- Officers were praised for their quick action following a recent incident at the Richard Herod Centre.
- Online ticket sales were now live for the Bonnington Theatre.
- Floodlights at the Redhill Leisure Centre had been recently removed due to them being structurally unsafe. Replacement lights as well as work to resurface the outdoor playing surface would be in place soon.
- Funding of £120,000 had been secured to deliver "Girls make it happen", a sports development programme for women, thanks to the work Jane Ansell in Community Relations for successfully bidding.
- The Council would be supporting the "Stoptober" campaign wherever it could.
- Further dementia friendly courses were being planned as well as the Alzheimer's memory walk which would take place soon.
- The Clinical Commissioning Group was currently consulting on the cessation of gluten-free foods being made available on prescription which was causing some concern.
- A decision was due soon on the closure of Broom Hill House and some concern had been expressed about the closure of such a vital service.

Councillor John Clarke (Leader of the Council)

- The leader said that he was keen to learn of the experience of residents in the rural areas of the Borough and how services could be tailored for their needs.
- The Chief Executive updated Cabinet on the issue of refugees. The national picture, he said was unclear. Central government had announced that 20,000 Syrian refugees would be settled into the UK over the next five years and funding would be made available to local authorities for one year to help with this. Beyond this initial funding allocation the situation was unclear. It was also not known whether Gedling would be allocated any families to resettle.
- Local residents had made a number of offers to help refugees and a meeting of Nottinghamshire Council Leaders was planned to see if a co-ordinated response could be made to the wider issue of refugee resettlement.

33 MEMBER'S QUESTIONS TO PORTFOLIO HOLDERS.

None.

34 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.46 pm

Signed by Chair:
Date:

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Report to Cabinet

Subject: Community Asset Transfer Policy for Adoption

Date: 22 October 2015

Author: Service Manager – Community Relations

Wards Affected

All

Purpose

To adopt a Community Asset Transfer Policy.

Key Decision

This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more wards of the borough.

Background

Gedling Borough Council owned buildings, land and premises have been occupied by various local groups, organisations and sports clubs for many years. Typically this has been documented by licensing playing fields and pavilions to local community sports clubs and leasing community centres and other space to community organisations and associations. Previously there has been no clear policy for the Council to follow when undertaking these transactions, so licences and leases have often been negotiated and agreed in a reactive and ad-hoc manner.

In March 2014, the Council made a budget decision to explore the community asset transfer of its community centre portfolio as a means to achieve necessary budget efficiencies. It is proposed that the first step for embarking on a future asset transfer programme should be the development of a community asset transfer policy for the Council. Such a document sets out a framework for the Council to follow when it considers the transfer of its buildings or land to different forms of community

ownership.

The Council is also reviewing its Playing Pitch Strategy. This work will identify local need in terms of facility provision for the most popular community sports in Gedling and an up to date Strategy will mean the Council and its community partners will become eligible for Sport England and Football Foundation funding to enhance the Council's playing pitch assets.

The Parks and Street Care Service Area will be reviewing its existing licence arrangements with local sports clubs once a new Playing Pitch Strategy is agreed. An asset transfer policy will also provide guidance through this process.

At the Cabinet meeting on 30 July 2015, Cabinet agreed a draft Community Asset Transfer Policy for consultation. This consultation took place for six weeks from 3 August 2015. All responses from this consultation have been collated and a summary of the feedback from this consultation can be found at Appendix 1. Responses to the feedback received are highlighted throughout the document.

Proposal

Proposed Changes to the Policy post consultation

Taking into account the responses to the feedback included in Appendix 1 the following changes to the Community Asset Transfer Policy document are proposed:

- Amend the definition of Community Asset Transfer to “Community Asset Transfer involves the transfer of management and/or ownership of 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.”
- Within Appendix A reference is made to “a succession plan for volunteers” as part of an organisations business plan expectations.
- Within Appendix B of the final policy document reference is made to the need for both parties to seek expert legal advice where a community organisation wishes to take on paid staff to manage a facility.
- Within Appendix C include additional website links of good practice guidance.

In addition the following is proposed once the final policy is adopted:

- A resource pack is produced for community organisations who may be interested in community asset transfer detailing the Gedling process and additional

guidance for their consideration. This would include “Frequently Asked Questions” which draw upon the consultation feedback received.

- Draw upon good practice suggested by Locality to guide the Council in the implementation of the Policy.

Community Asset Transfer Policy

It is proposed that the Council adopts a community asset transfer policy to ensure as an organisation it can work in a consistent manner when embarking on community asset transfer. The purpose of the policy is to enable the Council to assess applications for community asset transfer against clear criteria that ensures any transfer meets Council objectives and is in the best interests of the community.

Appendix 2 sets out the final proposed Community Asset Policy for Gedling Borough Council following community consultation. This Policy defines:

- what community asset transfer is
- national and local context that guides why we might pursue asset transfer
- benefits and challenges of asset transfer
- Gedling’s principles of asset transfer to be adopted
- the process we will undertake when pursuing asset transfer.

Key elements of this policy are the need to define criteria to assess both the viability of an asset for transfer to a community organisation, but also the eligibility of such an organisation to take on the running of a community asset. It also defines the need for appropriate legal agreements between the Council and any community organisation taking on an asset.

Asset Management Group

The Council’s Asset Management Group will develop and oversee any options appraisal of assets when considering suitability for transfer.

Equality Impact Assessment

An original equality impact assessment was undertaken for the draft Community Asset Transfer Policy that was presented to Cabinet on 30 July 2015. Following the consultation and amendment to the final policy this assessment has been revisited and no amendment has been made. A copy of the equality impact assessment is attached as Appendix 3. The Council will also conduct an Equality Impact Assessment of any proposed transfer of a facility.

Final Decisions on Asset Transfer

Cabinet approval will be obtained in relation to asset transfer that involves a long lease or freehold given its significance and public interest. Delegated authority is in place for officers to make decisions regarding the granting of licences and some leases.

Actively Approaching Community Groups

In certain instances, it may be the case that the Council actively approaches local community organisations to take on our assets. For example regarding the Council's community centre buildings where there are currently organisations operating from these buildings who have already expressed an interest in possible asset transfer, or who already have some form of licence or lease agreement with the Council.

Leisure Centre Strategy

Although the draft Community Asset Transfer Policy refers to the Council's land and buildings, at this stage the future management of the Council's own leisure centres will be directed by the emerging Leisure Centre Strategy.

Alternative Options

The alternative is not to adopt a policy that guides how the Council undertakes its future community asset transfer. There are a number of risks associated with this:

- a thorough assessment of whether Council assets are suitable for transfer is not undertaken and potential liabilities are offered to the community
- the capacity of a community organisation is not thoroughly considered when offering an asset, posing the risk of a transfer venture failing
- the potential financial, legal and on-going support implications are not understood from the outset when pursuing any asset transfer process.

Financial Implications

Budget Council in March 2014 proposed the transfer of community centres to community organisations to achieve savings £134,100 in the operational community centre revenue budgets.

Since that decision officers and Members have discussed that the first step should be the adoption of a community asset transfer policy that defines how we proceed with such a process. As a result the proposed budget savings have been profiled in line with expected asset transfer timescales for community centres delivering £13,700 in 2016/17 and £120,400 in 2017/18.

At the heart of the proposed policy is the need to assess the viability of both an asset and community capacity before we proceed with asset transfer. Such an assessment

is likely to highlight factors that will potentially have financial implications on the Council. For example, the need to undertake a condition survey for a community building. Likewise, financial resource may be required to ensure a community organisation has a robust business plan to deliver asset transfer. This could be in the form of initial legal costs, business plan development, advice or a grant to support the first few years of management.

In addition, it is likely that the Council will need to draw upon independent legal advice if there are areas of legal consideration that fall outside the expertise of the Council and where the Council does not have the current capacity to provide full legal support.

Change management costs, such as those outlined above, can be accommodated within the Council's Transformation Fund budget which was approved for this purpose.

Community Ownership and Management of Assets Programme

The Council has been successful with an application to the national Community Ownership and Management of Assets programme run by Locality. During 2015/16, this will provide the Council with access to:

- up to 10 days of dedicated relationship management support from an experienced broker from Locality to help develop multiple community asset ownership and management projects and/or a complex/ground-breaking single asset transfer project.
- up to 6 additional days of specialist/technical assistance to undertake business planning for specific transfer propositions.
- pre-feasibility grants of up to £10,000 for application by organisations within our area. The grants will be aimed at developing an organisation's capability to take over asset ownership. However, for this element initial timescales for applications are tight and specified as the end of July 2015.

The support from Locality will result in an action plan defining the potential for pursuing community asset transfer of the Council's community centres. The minimum requirement of the programme by 31 March 2016 is for two assets to be identified for potential transfer within this plan. The programme provides an opportunity to draw upon external expertise free of charge when finalising our community asset transfer policy.

Appendices

Appendix 1: Summary Feedback from the Draft Community Asset Transfer Policy Consultation

Appendix 2: Final Community Asset Transfer Policy

Appendix 3: Equality Impact Assessment

Background Papers

Budget Council, March 2014

Cabinet Report, Draft Community Asset Transfer Policy for Consultation, 30 July 2015

Recommendation(s)

- Cabinet adopts the Community Asset Transfer Policy

Reasons for Recommendations

- To establish clear criteria for community asset transfer that ensures any future transfer meets Council objectives and is in the best interests of the community.

Draft Community Asset Transfer Policy

Consultation Feedback Summary Report

Date: 2 October 2015

Overview and Purpose of Consultation

Gedling Borough Council's Cabinet agreed a Draft Community Asset Transfer Policy for Consultation on 30 July 2015. Consultation on the draft Policy ran for six weeks from 3 August 2015 to 14 September 2015.

The draft Policy was made available on the Council's website for members of the community to view and an on-line feedback form was provided for consultees to submit feedback. Information regarding the consultation was circulated directly to key community stakeholders, such as all the Council's community centre user groups. It was also promoted through public media during the six week consultation, via press release, the Council's website and social media such as Twitter.

A consultation meeting was also held with key community centre stakeholders on 7 September 2015 who form part of a local steering group exploring the potential community asset transfer of the Council's community centre buildings.

The purpose of the consultation has been to seek views on the draft Policy, review this feedback and if required make amendments to the final policy. Responses to the feedback received are highlighted throughout the document.

On-line Feedback and Written Submissions

In total there were three on-line responses to the consultation. A written submission was also received from Carlton, Gedling and District U3A.

Below gives a summary of the responses received:

1. The Draft Community Asset Transfer Policy includes 9 principles on pages 5 and 6. Do you have any comments regarding these 9 principles?

- The principles are OK in so far as they go.
- Need more detail about the process and safeguards to be able to comment.
- Council support is very important as it gives an organisation the assurance of getting on-going advice and the benefit of council staff's expertise.
- The range of models of transfer will ensure equality of access and that organisations will play to their strengths.

| RESPONSE TO FEEDBACK: |
|---|
| The Council to develop a resource pack on community asset transfer for community organisations that details the expectations and requirements of the process. |

2. A Gedling Asset Transfer Process is proposed on pages 6 to 12? What are your views regarding this Process?

- The organisation should receive independent legal advice. This may be costly and some consideration should be made for this. The council should consider if legal charges will be permitted against the freehold or leasehold of the property as security for lending and the implications of repossession. If not permitted then the council will need to take steps to protect itself whilst bearing in mind this limits funding options for the tenant. May result in small football teams, etc. struggling to find facilities as professional organisations take on the agreements.
- Will there be a financial effect on educational institutions that use the facilities?
- Does the council have a complaints process for community complaints about the activities taking place at the premises?
- Presumably public liability would transfer to the organisation, is this mentioned? Is costly insurance required?
- How would the Council protect itself against key persons leaving the organisation or dying?
- The council would also need to see evidence of any buildings insurance, again costly for the organisation.
- The stated aims of CATs are to save costs and confer benefits. The problem is that these two aims may be in conflict and excessive cost reductions have the potential to destroy the intended benefits.
- It may well be possible to absorb some costs through voluntary activity (e.g. management and caretaking).
- If costs transferred were to include capital depreciation, capital replacement, insurance or full maintenance costs, the community organisation may well find it impossible to deliver its key benefits to the community.
- Potential conflicts of interest between the new asset managers and other users or potential new users of an asset. E.g. hire charges, equipment, access arrangements or timetabling.
- Essential that CAT instruments (licences, leases and sale agreements) include covenants highlighting rights of new operators, but also their duties and obligations towards actual and potential users.
- Looks robust, thorough and considers a wide range of situations and context. Evidently, it has prioritised the best interests of the community at large and should work if embraced by all. However, the first transfer option, the Licence agreement on page 9, could indicate whether: 1. a given organisation will be a main contact with the council and would then liaise with the other community users with the responsibility of reporting back to the council or 2. the council will meet with all representatives and each representative user would have access with the council.
- If staff are employed either directly at the premises or indirectly as part of maintenance etc. will there be job losses or are the organisation responsible under TUPE?

RESPONSE TO FEEDBACK:

When developing a new resource pack on community asset transfer the Council will need to include reference to gaining legal advice, dealing with existing user groups, complaints procedures, public liability and insurance, employing staff, business and financial planning and conflict resolution.

- Propose that a trustee body should be established to represent the different users and to manage the asset.
- Local authority to establish an ombudsman function which would resolve conflicts that are impossible to resolve within the trustee body.
- Agrees there is need to develop capacity in community organisations to achieve benefits and to mitigate risk.
- Best approach to developing capacity and mitigate conflict of interest is to develop trustee bodies to manage the community asset over a trial period. These bodies could have a year or so to manage the asset before implementation of asset transfer licence, lease or sale. Trustees could develop capability, get support from the Local Authority, resolve conflict of interest, advise on asset transfer terms, such as a lease.

RESPONSE TO FEEDBACK:

Under principle 7 of the Policy the Council is committed to pursuing the best model for transfer in the interests of the Council, community organisations and the wider community.

Community Centre Stakeholder Meeting on 7 September 2015

A number of local community partners have joined a partnership with the Council to explore whether community asset transfer of its community centres is a viable option. This partnership is being supported by a national programme, Community Ownership and Management of Assets, funded by the Department of Local Government and Communities.

At a meeting of the partnership on 7 September 2015 a presentation on the Draft Community Asset Transfer Policy was given and partners present were given the opportunity to provide their views.

A summary of the feedback from this meeting is provided below:

- Important to be clear what kind of community organisation will be eligible for transfer from the outset

RESPONSE TO FEEDBACK:

Community Asset Transfer definition included in the Policy to give examples of types of community organisations.

- Will a lease agreement provide the ability to sub-let
- Important to honour existing community usage

- Groups need to understand community centre capacity to generate income
- A partnership of local organisations is better placed to identify and inform community need.
- A tapered 10 year subsidy pot of resource support to help groups
- When an existing lease or licence expires – what happens next?
- Are we over complicating the process?
- Knowing timescales is important.
- Two local groups are closing – Gedling CVS and Debz4Coffee – will we still be here?
- Lease duration needs to be longer to tap into funding
- Our organisation is happy with the current status quo (licence agreement)
- There is a fear factor with regard to commitment
- Groups having a lack of income/reserves for repairs and maintenance
- Capacity to explore transfers as a group rather than as individuals – collating skills and experience
- TUPE and employment implications for groups

RESPONSE TO FEEDBACK:

When developing a new resource pack on community asset transfer the Council will need to include reference to defining a community organisation, expectations of legal agreements, business and financial planning, support available from the Council, timescales, different models of transfer and employing staff.

- Succession planning is important

RESPONSE TO FEEDBACK:

Within Appendix A of the Policy reference is made to “a succession plan for volunteers” as part of an organisations business plan expectations.

Feedback from Locality Relationship Manager

As part of the Community Ownership and Management of Assets Programme, the Council and its community partners have been allocated a Relationship Manager working for a national community support organisation called Locality.

Below is a summary of the feedback received from our local Relationship Manager:

- Suggest using this explanation unless you have plans to transfer assets to other statutory bodies? “Community Asset Transfer involves the transfer of management and/or ownership of land and buildings from a public sector body to a community-based organisation, e.g.: a local charity, community interest company or industrial and provident society.” (Understanding Community Asset Transfer document)

RESPONSE TO FEEDBACK:

The above definition of Community Asset Transfer to be included in the Policy, while still retaining reference to other public sector organisations.

- Alternatively, Lambeth use “a long-term leasehold or freehold transfer arrangement entered into by the Council with a Community Organisation or Parish and Town Council, at market or below market value, to stimulate the social, economic and environmental well-being of people living and working in area”
- Mapping the viability of assets for transfer – do you have a matrix idea already? Here is an example
<http://www.wigan.gov.uk/Docs/PDF/Council/Strategies-Plans-and-Policies/Community-asset-transfer/Community-asset-transfer-assessment-matrix.pdf>
- What types of timescales are you considering. Lambeth provide indicative timescales for each stage, and responsibility
<http://www.lambeth.gov.uk/sites/default/files/pts-community-asset-ownership-management.pdf>

RESPONSE TO FEEDBACK:

The Council will refer to good practice when considering viability of an asset for transfer.

- Gedling’s Asset transfer process diagram is clear – any thought to the likely timescales to meet each aspect?
- Does the transfer contribute to the Council’s aims and objectives and wider community benefit? – how will groups know this?
- Support for Community Organisations - this is good to offer.
- Does the list cover all the costs GBC currently provide such as insurance?
- Will you also allow groups to sub-let to other community based groups/tenants to allow them to maximise income opportunities?
- Lease breaks for handover if issues?
- Appendix A Business Plan expectations - There are a number of business plan options and templates to consider such as within To Have and to Hold document below.

RESPONSE TO FEEDBACK:

When developing a new resource pack on community asset transfer the Council will need to include reference to timescales, where to find the aims and objectives of the Council, facility management expectations, expectations of legal agreements and employing staff.

- Any TUPE issues such as with caretakers?

RESPONSE TO FEEDBACK:

To make a reference within Appendix B of the Policy with regard to organisations who may wish to employ staff to manage buildings.

- See below for including in Appendix C

- Consider using the definition taken from http://mycommunity.org.uk/wp-content/uploads/2015/03/LOCALITY-ASSET-TRANSFER_UNDERSTANDING.pdf
- Good overview of Community Asset transfer http://mycommunity.org.uk/wp-content/uploads/2015/03/LOCALITY-ASSET-TRANSFER_UNDERSTANDING.pdf
- Asset transfer legal information including jargon busters http://locality.org.uk/?s=as_perform_advancedsearch&as_perform_advancedsearch=true&as_querytype=words&as_posts_pages=both&as_sortby=relevance&s=legal+toolkit
- To Have and to Hold is a guide to long-term community ownership and development of land and buildings <http://locality.org.uk/resources/hold/>

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| RESPONSE TO FEEDBACK: |
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| Add good practice guidance links to Appendix C of the Community Asset Transfer Policy. |
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Community Asset Transfer Policy

Date: 2 October 2015



Contents

| | |
|---|----|
| Introduction | 3 |
| What is Community Asset Transfer? | 3 |
| National and Local Context | 3 |
| Aim of this Policy | 4 |
| Benefits and Challenges of Asset Transfer | 4 |
| Gedling's Principles of Community Asset Transfer | 5 |
| Gedling's Asset Transfer Process | 6 |
| Appendix A: Business Plan Expectations | 11 |
| Appendix B: Risk Management – Viability of Transfer | 12 |
| Appendix C: Guidance for Community Organisations | 14 |

Introduction

Gedling Borough Council owned buildings, land and premises have been occupied by various local groups, organisations and sports clubs for many years. This Community Asset Transfer Policy sets out a framework for the Council to follow when it considers the transfer of its buildings or land to different forms of community ownership. It will ensure the Council can work in a consistent manner when embarking on community asset transfer. The purpose of this Policy is to enable the Council to assess applications for community asset transfer against clear criteria that ensures any transfer meets Council objectives and is in the best interests of the community.

What is Community Asset Transfer?

Community Asset Transfer involves the transfer of management and/or ownership of 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.

National and Local Context

The Quirk Review in 2007 'Making Assets Work – Community Management and Ownership of Public Assets', recommended that community asset transfer can work if both its risks and benefits are made clear. It also highlighted the transfer process itself can offer greater access to funding and greater use of community facilities.

The Localism Act in 2011 directed a shift in power from government to communities, individuals and Councils. The Act's aim of keeping community assets in public use provides an opportunity for local groups, organisations or parishes to nominate 'assets of community value' to be included on a list managed by the local authority. The objective being communities are greater informed of the opportunities for managing or owning public assets and are given the appropriate time to prepare any bids for ownership.

There is a growing trend that community asset transfer is now happening in response to the requirement of local government to reduce its budgets. The pace of reducing budgets can place additional challenge for managing the transfer of assets to voluntary organisations.

Gedling Borough Council has a record of transferring the management of certain facilities over to the community. This has included licensing playing fields and pavilions to local community sports clubs and leasing community centres and other space to community organisations and associations. Previously there has been no

clear policy for the Council to follow when undertaking this transfer, so licences and leases have often been negotiated and agreed in a reactive and ad-hoc manner.

The Council Plan highlights the theme of “Place” as being key to meeting the Borough Council’s vision of Gedling being “the best place to live and work and the best Council around.” The objective to promote and encourage pride and participation in the local area sits within this theme. By providing an opportunity for local communities to participate through the management and ownership of community assets the Council can further meet this objective. This might also enable budget efficiencies for the Council.

Aim of this Policy

- To identify the process and tools that will enable the successful delivery of a future asset transfer programme.
- To recognise the capacity needs of local groups wishing to take on local authority assets.
- To ensure a thorough risk assessment of asset transfer is undertaken.
- To define the legal form a transfer agreement would take.

Benefits and Challenges of Asset Transfer

The potential benefits that community asset transfer can bring:

- facilities under financial pressure remain open
- costs are reduced and volunteer run facilities are eligible to more funding opportunities
- community run facilities can be more responsive to local need. Community organisations are in a better position to plan for their future if they directly manage an asset
- opportunity for greater creativity and innovation if the running of community facilities are outside Council management or ownership
- development of individual volunteers and the rewards that volunteering brings to the community
- continued community empowerment that enables a secure future for local organisations through the management of local assets
- strong community organisations can work in partnership with the Council to achieve its Council Plan objectives
- budget efficiencies for the Council
- positive relationship between the Council and local community partners
- assets can play a greater role in bringing communities together for social, economic and wellbeing purposes. They can become a point for neighbourhood service provision.

A recent report on the transfer of leisure facilities has also identified the potential challenges posed by community asset transfer:¹

¹ “The transfer of public leisure facilities to volunteer delivery.” Research report, September 2014, Geoff

- loss of control by the local authority over community run facilities could mean reduced ability to strategically plan the provision of community facilities in the Borough
- sustaining the long-term enthusiasm for a group of volunteers to run facilities
- the ability of volunteers to succession plan in the management of community facilities
- developing trust between the community organisations and the local authority
- sustaining the long-term financial viability of facilities run by volunteers
- the reality of community capacity – this may be higher in more advantaged areas. More disadvantaged areas will require capacity community building support
- the capacity building and development of volunteers and community organisations takes time. Will the expectation of budget reductions over take this? Both in terms of reducing the costs of facilities and reducing the community development support to volunteers and groups
- reduced standards of provision and loss of skilled facility managers and workers.

Gedling's Nine Principles of Community Asset Transfer

1. Meeting Community Need

The transfer of an asset must be in the best interests of the community and contribute to the aims and priorities of the Council. This includes ensuring an asset remains accessible to the community, in particular for those with the protected characteristics defined by the Equality Act.

2. Transparency

The Council will provide a clear point of contact, have defined criteria for assessing eligibility of a community organisation and the viability of an asset and each stage of the transfer will be clearly defined and agreed by both parties from the outset.

3. Community Engagement and Empowerment

The Council sees asset transfer as a means to further empower community organisations and to support them in shaping how local need can best be met. It is not about transferring risk and liability over to the community. For any asset transfer to happen the community must be supported to ensure they are in the best position to take on the long-term succession management of that community asset. The Council will ensure any community organisations' meet our viability criteria for taking on an asset.

4. Role of Community Assets

An assessment of the potential for Council assets being eligible for transfer will be made. An options appraisal will include whether an asset is fit-for-purpose for community ownership or management and its proposed future use is of benefit to the wider community. The Council's Asset Management Group will oversee this options appraisal.

5. Robust Business Planning

Any transfer must be financially viable for both the community organisation and the Council. The asset must be fit-for-purpose so the financial implications of this will be considered. The Council will work with community organisations to establish a strong long-term business plan for the future.

6. Preferred Model of Transfer

There is more than one model of community asset transfer that could be adopted in each case. The Council is committed to pursuing the best one in each case that is in the interests of the Council, community organisation and the wider community.

7. Council Support Post Transfer

A transfer agreement will set the relevant benefits of transfer and how these will be monitored and measured over time. The Council will have a clear point of contact to manage the relationship with the community organisation that has taken on the asset.

8. Property Development and Protecting Community Assets

The Council will seek to safeguard that assets continue to be of benefit to the community and this will be detailed in any agreement of transfer. Such agreements will need to define circumstances when an asset is no longer viable as a community facility. Any future income from the sale of a property needs to be distributed in the best interests of the local community.

9. Timescales

There is not one set timescale for progressing community asset transfer. This will be established on a case-by-case basis. Agreement to transfer an asset will only take place when the Council is satisfied that this is a sustainable option.

Gedling's Asset Transfer Process

When embarking on asset transfer the Council will follow a clear process that ensures any decision taken is in the best interests of the Council and community need.

Mapping the Viability of Assets for Transfer

The Council will use a matrix for assessing the viability of assets for transfer to community organisations. This matrix will assess criteria such as health and safety, financial liabilities, existing covenants and asset condition. These assets may include buildings, land, open space or other structures that are in the freehold ownership of the Council.

This options appraisal matrix will be developed and overseen by the Council's Asset Management Group that will determine whether asset transfer is a viable option.

Community Consultation Regarding Potential Asset Transfer

If the Council decides it wishes to pursue community asset transfer as an option for any of its assets it will commence consultation that will:

- be undertaken once an asset or group of assets have been identified as being eligible for community transfer
- provide clarity as to why the Council is considering community transfer as an option for these assets
- provide sufficient time for the community to respond to the proposals
- be used when making final decisions on transfer.



The Council will develop a clear framework for assessing whether a community organisation is appropriate and ready to take on one of its assets. The Council will make the final decision as to whether an organisation/s meets its criteria. This framework will assess an organisation in the following ways:

- does the community organisation's governance allows it to be influenced by the local community
- is it a voluntary and community sector or statutory body?
- what is the status of the organisation, is it constituted, a registered charity, community interest company, charitable trust or a not for profit company
- what is the organisation's track record in meeting community need
- does the organisation have the capability to manage an asset, such as health and safety planning, experience in facility management, a robust plan to develop this expertise and a clear management structure?
- is the organisation's financial status robust enough?
- risk associated with transfer for both the Council and the organisation
- financial implications for the Council
- contribution to the Council's aims and objectives and wider community benefit
- does the organisation have a robust business and development plan, including capacity building needs?
- has the organisation prepared a robust business case for asset transfer?
- does the organisation adhere to equality and diversity principles?
- does the organisation have clear aims and objectives?

The above is about ensuring the community organisation has a robust business plan to enable it to embark on asset transfer. Appendix A gives an overview of the key considerations such a business plan will need to have, while Appendix B provides a risk assessment framework to guide the Council.

Support for Community Organisations

If an asset is deemed eligible for potential transfer, a support plan may be offered to an interested community organisation by either the Council directly or another organisation with the skills and expertise to offer capacity building, business planning advice and potential feasibility planning. Such an organisation could be a current partner organisation of the Council working locally or a body contracted to offer such support.

The type of support offered to any community organisation or group of volunteers willing to take on a Council's asset may include:

- assessing the viability of a group taking on a facility
- practical advice and support in business planning and assessing future external funding
- advice in appropriate legal status of a community organisation
- support and guidance in the development of a community organisation
- skills development of groups in business planning, facility management and volunteer succession planning

- financial support for legal advice, stock condition surveys, pre and post transfer capital programme.
- advice regarding the liabilities any trustees could face.

Appendix C offers links to useful guidance to assist in the support of community organisations wishing to explore asset transfer.

Transfer Options; the Gedling Approach

For whatever form of transfer that is pursued a legal agreement will be drawn up between the Council and the community organisation that receives the asset. Such an agreement will determine the legal and financial liabilities as a consequence of asset transfer. In all cases appropriate legal mechanisms will be established to protect the Council’s financial position.

If asset transfer is considered feasible the most likely forms of legal agreement are a licence, a lease or a freehold.

| Legal Agreement | Definition |
|------------------------|--|
| Licence | Where a community organisation is given permission to use an asset but on a shared basis with other community users for the duration of the agreement. |
| Lease | Where a community organisation is given permission to use an asset on an exclusive basis for its activities for the duration of the agreement. |
| Freehold | Where the complete ownership of the asset is passed on to the community organisation. |

Licences

The duration of a licence agreement can be as short or as long as required and will be at the discretion of the Council.

Where there is a licence agreement in place it may be that the Council retains some control over the management of the asset given the shared community use. The type of licence agreement covered by this policy is where an asset is going to be used by a community organisation for a specific purpose. The most common example of this, is where a local sports clubs will use a pitch and pavilion on a recreation ground for a period of many years. This policy does not cover a very short term licence where an organisation seeks to use a piece of land for a one-off event.

Leases

A lease could be as short as 5 years or as long as 99 years. However, it should be noted that external funders often look favourably upon a longer-term tenure when offering capital funding to community organisations. A lease agreement would pass responsibility for building or grounds maintenance, running costs, opening and closing and general management of the site to the community organisation. With a

long lease, a community organisation has a sufficient interest to seek external funding and will take full responsibility for the building or land. However, at the end of the term the building or land would return to the Council. Alternatively, it can be re-negotiated with the existing organisation or any other community group providing the Council's eligibility criteria are met.

Freehold

When entering into a freehold arrangement the Council may wish to consider certain covenants to protect the community asset. This is not only to safeguard the legal and financial interest of the Council, but also to prevent local organisations from being deterred from taking on responsibility given the potential risk it involves. Covenants can also ensure an asset continues to be used for the benefit of the wider community. Options could be:

- its use remains for local people and meets community need
- protection for existing groups to continue to use the asset
- future failure of the community organisation means the asset reverts back to the ownership and control of the Council rather than being sold for development
- in a situation where it is agreed the asset can be sold, the receipts will be allocated for community rather than individual benefit, i.e. paid to the Council or other public body associated with the asset
- in the event of any commercial benefit of a sizeable amount received through use of the asset, an obligation to share part with the Council
- the asset is maintained to a reasonable standard.

Sale Price and Rental Value

The Council will consider current market value of an asset when considering rental or sale price. By virtue of Section 123, Local Government Act 1972, the Council has the power to dispose of land held by it in any manner it wishes but, except with the consent of the Secretary of State, it may not do for a consideration less than the best that can reasonably be obtained (unless the disposal consists of a grant of a term not exceeding seven years).

The Council can, in reliance on the General Disposal Consent (England) 2003, dispose of land at less than best consideration that can be reasonably be obtained in the following circumstances:

a) where the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of anyone or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area;

- i) the promotion or improvement of economic well-being;
- ii) the promotion or improvement of social well-being;
- iii) the promotion or improvement of environmental well-being; and

b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 .

Any decision would need to balance the Council's own financial need against the wider community wellbeing that asset transfer at an undervalue may bring.

State Aid

All Disposals also need to comply with the European Commission's State Aid Rules. When disposing of land at less than best consideration, the Council is providing a subsidy to the owner, developer and/or the occupier of the land and property, depending on the nature of the development. Where this occurs the Council must ensure that the nature and amount of subsidy complies with the State Aid Rules particularly if there is no element of competition in the sales process. Failure to comply with the rules means that the aid is unlawful, and may result in the benefit being recovered with interest from the recipient.

Alternatives to Asset Transfer

If an asset is no longer being required by the Council or is no longer suitable for on-going community use, the authority would consider the sale of the asset on the open market where no community organisation is willing or eligible to take the asset.

Equality Impact Assessment

The Council will conduct an Equality Impact Assessment of any proposed transfer of a facility.

Final Decision

Asset transfer that involves lease or freehold is an Executive decision and given its significance and public interest, final Cabinet approval will be sought before a transfer takes place. In the case of a simple licence agreement is proposed that a decision can be made according to the constitutional delegations of the relevant Portfolio Holder.

Post Transfer Relationship

The Council will still need to have an on-going relationship with community organisations once asset transfer is complete. This will be as much about relationship management as it will to monitor all requirements set out in a licence, lease or freehold agreement are being fulfilled. In the event of an asset transfer venture failing the Council must be prepared to resource any resulting work. This could include bringing it back into Council control, assessing maintenance liabilities, making necessary repairs, re-housing organisations at alternative sites, managing public relations in such circumstances and identifying and pursuing alternative transfer options.

Appendix A: Business Plan Expectations

Organisations such as Community Matters (www.communitymatters.org.uk) have considerable expertise in advising community organisations how to draw up a robust business plan. Their business plan template for voluntary, community and social enterprise organisations reflects the following:

- clear purpose and goals of the organisation
- motivation for wanting asset transfer
- legal structure of the organisation, such as the constitution
- turnover or profitability of the organisation
- existing or proposed assets of the organisation
- profit and loss account and balance sheets
- funding available now or in the future
- the service the organisation will be providing
- why the community or customers would want to use the service
- the identified need for the service
- what will the service involve and how will it benefit the community
- who will use the service and the market research which identifies this
- assessment of any competitors
- any barriers for delivering the service
- marketing objectives and goals
- skills and capacity of the organisation to deliver the service
- succession plan for volunteers within the organisation
- how the service will be provided
- description of premises, including planning requirements and permissions, health and safety expectations and license requirements.
- building work required including quotes
- financial forecast to assess organisational viability
- risk management plan and actions to reduce these
- money required and where this comes from

Appendix B: Risk Management – Viability of Transfer

In order to assess the viability of any transfer of a community asset, the Council will conduct a risk assessment. This will be done in partnership with the community organisation that proposes to take on management or ownership of an asset.

| |
|---|
| Community organisation has capacity to manage the asset? |
| If no, transfer will not be successful and will have a negative impact for the wider community. |
| Action: Development plan for the community organisation that addresses the gaps in capacity before asset transfer is implemented. |
| Community organisation has sufficient finances to buy or refurbish the asset? |
| If no, the asset may not be fit-for-purpose, may not be able to operate at full potential. |
| Action: Support and advice regarding external funding opportunities and Council consideration of its capital fund to enable asset to become fit-for-purpose. |
| Are their limitations regarding State Aid or other public body restrictions? |
| If yes, external funding potential may be limited. |
| Action: Expert legal advice is sought for both parties so the limitations or exemptions are clear. |
| Community organisation has a robust management plan in place? |
| If no, risk of financial liability and insufficient capacity to manage the asset effectively, making transfer not viable. |
| Action: Support and advice for the development of a robust business plan before transfer is agreed. |
| Asset to be used to the benefit of the community? |
| If no, negative reaction or resentment from the wider community and a possible breakdown in community relations. |
| Action: Legal transfer agreement to stipulate requirement that the organisation's governing documents give a strong ambition for addressing wider needs of the community. |
| Community organisation has the financial capacity to upgrade and maintain the asset in the long-term? |
| If no, in the long-term the asset may depreciate in value and no longer be fit-for-purpose. |
| Action: Support and advice for the development of a robust business plan before transfer is agreed. Consideration of financial contribution to support the on-going maintenance of the asset. |
| Community organisation relies on volunteers as opposed to paid staff? |
| If yes, risk of increased burden on a few volunteers and a lack of new volunteers to take on future management. |
| Action: A partnership network to support volunteers, encourage succession planning, enterprise and commercial opportunities. |
| Community organisation wishes to employ paid staff to manage a facility? |

If yes, TUPE implications regarding existing local authority employees would need to be considered.

Action:

Expert legal advice is sought for both parties so the limitations or exemptions are clear.

Ownership of assets across the Council area increasingly fragmented?

If yes, the Council will have less scope to deliver local services and invest in the renewal of local assets.

Action:

Partnership working encouraged to enable greater investment in local facilities. Transfer agreements to set out the expectations of the Council with regard to the strategic management of assets.

Are all roles, responsibilities and liabilities clear from the outset?

If no, this could cause a breakdown in partnership working with the Council and mean unexpected liabilities to either party.

Action:

Transfer agreements to include all legal, financial and statutory liabilities.

Is there conflict from community organisations competing for transfer of an asset?

If yes, this could mean a breakdown in community relations and cause resentment in the community.

Action:

A clear criteria for being eligible for taking on an asset that advocates strong, well governed, financially viable organisations whose ambitions will ultimately benefit the wider community.

Appendix C: Guidance for Community Organisations

Useful resources for community organisations include:

Ethical Property Foundation

<http://www.ethicalproperty.org.uk/>

Understanding Community Asset Transfer

http://mycommunity.org.uk/wp-content/uploads/2015/03/LOCALITY-ASSET-TRANSFER_UNDERSTANDING.pdf

To Have and To Hold is a guide to long-term community ownership and development of land and buildings

<http://locality.org.uk/resources/hold/>

Community Matters Support for Asset Transfer

www.communitymatters.org.uk/content/363/Community-Asset-Transfer

Sport England Community Sport Asset Transfer Toolkit - for community groups and local authorities

<http://assettoolkit.sportengland.org/>

Bury St Edmunds Rugby Club

<http://assettoolkit.sportengland.org/BuryStEdmundsRugbyFootballClub.html>

Asset transfer legal information including jargon busters

http://locality.org.uk/?s=as_perform_advancedsearch&as_perform_advancedsearch=true&as_querytype=words&as_posts_pages=both&as_sortby=relevance&s=legal+toolkit

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EQUALITY IMPACT NEEDS ASSESSMENT

| | | |
|--|--|---------------|
| Policy/Service/Procedure to be assessed | Community Asset Transfer Policy | |
| Assessment completed by: | Lance Juby | |
| Aims/objectives of the Policy/Service/Procedure | | |
| <ul style="list-style-type: none"> • To identify the process and tools that will enable the successful delivery of a future asset transfer programme. • To recognise the capacity needs of local groups wishing to take on local authority assets. • To ensure a thorough risk assessment of asset transfer is undertaken. • To define the legal form a transfer agreement would take. | | |
| Key Performance Indicator | Current Performance | Target |
| n/a | | |
| Who are the customers and stakeholders of this service? | | |
| <p>Communities across the whole of the Borough who may wish to access community facilities in the Borough in the future. Current users of the Council's community buildings, playing fields, pavilions and land.</p> | | |
| Detail below what information you already have about the impact this policy/service/procedure has on the following groups including results from consultation, complaints, census: | | |
| Black and minority ethnic people | Increased proportion of 'Black and Minority Ethnic' group in Gedling (including those people defined as 'White Other') <ul style="list-style-type: none"> ○ 2001 - 5.2% ○ 2011 - 8.9% | |

| | |
|-----------------------------|--|
| | <p>Most ethnically diverse ward – Carlton with 16% of its population from various ethnic groups – it is the fourteenth most ethnically diverse ward in all Nottinghamshire. Asian British; Pakistani make up the largest proportion at 4.6% (116 individuals).</p> <p>Carlton Hill has the highest number of Black/African/Caribbean/Black British residents in the County (outside Nottingham City) and is the fifteenth most ethnically diverse ward in Nottinghamshire</p> <p>The Council's community facilities are available to hire for all BME groups. The Gedling African Caribbean Elders are a regular booking at the Brickyard Community Centre in Carlton Hill.</p> |
| Men/women and trans | <p>Bookings and activities relating to specific genders current exist for community centres and playing pitches, e.g. female and male football teams, WI at Pond Hills Lane Community Centre.</p> <p>We are not aware of any use of our facilities for individuals who are transgender or groups that represent this community. However the facilities are currently available for this community to hire.</p> |
| Pregnant Women | <p>Zumbini sessions run at the Brickyard and Pond Hills Lane Community Centre. SureStart services operate from the Brickyard Community Centre and Killisick Community Centre.</p> |
| Disabled people | <p>Long term limiting illnesses where day to day activities are slightly limited higher in 2011 than 2001</p> <p>Borough level at 19.3% is significantly worse than England level of 17.6%</p> <ul style="list-style-type: none"> • Limited a lot Highest ward Bestwood Village 14.9% Borough level 8.8% • Limited a little Highest ward Killisick 12% Borough level 10.5% <p>Health</p> <ul style="list-style-type: none"> • Very bad health Highest ward Killisick 1.5% Borough level 1.2% • Bad health Highest ward Killisick 5.9% Borough level 4.1% <p>Any maintenance of buildings is compliant with the needs of the Disability Discrimination Act.</p> <p>Age UK, Juggle Diabetes and U3A Sign Language hire Pond Hills Lane Community Centre.</p> <p>Everyone Health Obesity and Weight Management Sessions operate at Killisick and Pond Hills Lane Community Centre.</p> |
| Gay/Lesbian/bisexual | <p>We are not aware of any specific groups at currently using our community facilities. However the</p> |

| | |
|-------------------------------------|--|
| People | facilities are currently available for this community to hire. |
| People from different faiths | <p>Gedling's breakdown of religions in 2011 – 57.1% Christian, 32.7% No religion, 1.4% Muslim.</p> <p>Many Christian groups use the community centres for regular sessions. The community centres are also used for wedding celebrations for different religions. Zion Intermissionary Church operates sessions at Pond Hills Lane Community Centre.</p> |
| People of different ages | <p>Gedling has an increasingly ageing population, fewer 5-44 year olds</p> <p>Decreasing 5-44 year olds 20% fewer than 2001 in 2011 Increasing over 60 population 25.26% of total population (28,700 people) 18.51% people aged 65 and over 5.2% people aged over 80 (5,700 people)</p> <p>Community buildings and bowling green's cater for a broad range of older persons groups - Autumn Club at Killisick and Age UK, Gedling Senior Citizens, Mature Movers, U3a groups, Tea and Social Dances, Swing into shape, Indoor Bowls at Arnold Hill Community, bowls club on bowling greens and Pond Hills Lane Arts Centre.</p> <p>Many children and young people groups – dance groups, pre-schools, childminders, SureStart, Rattle and Rhyme, Play Forum, Brickyard Youth Club, sports clubs at recreation grounds and Pond Hills Lane Arts Centre. The Council currently operates a Safeguarding Policy for all under 18s bookings who meet once a week or 4/5 times a month at Community Centres.</p> |

| How will this policy/service/procedure impact on the following groups: | | |
|---|---|---|
| | Positive impact | Negative impact |
| Different racial groups | Continued accessibility of community facilities post asset transfer | Community organisations fail to comply with equality and diversity expectations when running a community facility resulting in community facilities not being available to this group. |
| Men/women and trans | Continued accessibility of community facilities post asset transfer | Community organisations fail to comply with equality and diversity expectations when running a community facility resulting in community facilities not being available to this group. |
| Pregnant Women | Continued accessibility of community facilities post asset transfer | Community organisations fail to comply with equality and diversity expectations when running a community facility resulting in community facilities not being available to this group. |
| Disabled people | Continued accessibility of community facilities post asset transfer | Community organisations do not comply with the requirements of DDA. Community organisations fail to comply with equality and diversity expectations when running a community facility resulting in community facilities not being available to this group. |
| Gay/Lesbian/bi-sexual people | Continued accessibility of community facilities post asset transfer | Community organisations fail to comply with equality and diversity expectations when running a community facility resulting in community facilities not being available to this group. |
| People from different faiths | Continued accessibility of community facilities post asset transfer | Community organisations fail to comply with equality and diversity expectations when running a community facility resulting in community facilities not being available to this group. |
| People of different ages | Continued accessibility of community facilities post asset transfer | Community organisations fail to comply with equality and diversity expectations when running a community facility resulting in community facilities not being available to this group. |

What changes could be made to the policy/service/procedure to address any negative impacts?

The draft policy includes the following principle:

1. Meeting Community Need

The transfer of an asset must be in the best interests of the community and contribute to the aims and priorities of the Council. This includes ensuring an asset remains accessible to the community, in particular for those with the protected characteristics defined by the Equality Act.

What monitoring will be carried out to ensure this policy/service/procedure meets diverse needs

- The eligibility criteria for community organisations taking on Council assets, includes an assessment whether the organisation adheres to equality and diversity principles.
- The Council will conduct an Equality Impact Assessment of any proposed transfer of a facility.

What actions will be included in your service plan arising from this assessment?

| Action | Outcome | Date? | Who? |
|---|---|---------------------------|------------|
| An equality impact assessment conducted for any proposed transfer of a facility | Manage the potential on any adverse impact on any protected characteristic. | As and when required | tbc |
| Community Transfer Policy has commitment to ensuring those with protected characteristics have continued accessibility to community facilities. | Community Asset Transfer process assesses equality and diversity need of the local community. | 1 st July 2015 | Lance Juby |

Are you satisfied that all aspects of this policy/service/procedure have been thoroughly assessed for all the strands of diversity and that no further investigation is required? Y
If no then a fuller impact assessment is required.

Signed: Lance Juby, Service Manager – Community Relations, 2 October 2015

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