



## COMMUNITY ASSET TRANSFER

### Buckinghamshire County Council's Approach

As part of Buckinghamshire County Council's approach to working with its communities, the transfer of property assets to community organisations may be a key element in ensuring a sustainable solution for a community delivered service.

The County Council is taking a positive approach to community transfer of property where the business case is robust and aligns with corporate priorities, that social and community benefits are realistic and do not risk the wider public interest or community purposes. This supports the council's new, devolved decision making process.

The Buckinghamshire County Council Community Asset Transfer Policy was approved on 27<sup>th</sup> June 2011 and is summarised below. (The full policy document can be viewed on [Community Asset Transfer \(CAT\)](#)).

### What is Community Asset Transfer?

*The transfer of an interest in land or buildings from the council's ownership into the stewardship and/or ownership of a voluntary or community sector organisation.*

The transfer of the interest in an asset is usually made at less than market value (either at a reduced cost or free of charge). The level of subsidy is determined by the social, economic or environmental benefits generated by the transfer or in line with a BCC strategy.

### Why?

Long-term secure interest in an asset can provide a voluntary, community or social enterprise (VCSE) with greater financial viability and reduce its dependency on grants. It may also enable it to apply for external funding that is not available to the council, or even to secure loan finance on the value of the asset.

### Organisations which will be considered for CAT are VCSEs or organisations that are not for private profit such as:

- Unincorporated charitable organisations
- Company limited by guarantee with charitable status
- Community Interest Company, limited by guarantee
- Community Benefit Industrial and Provident Society with an asset lock
- Community Interest Company, limited by shares
- Parish or Town councils
- Potential in-house bids for services

Privately owned or commercial organisations can only be considered if their main aim is to deliver social, economic or environmental benefits.

CAT recipients can be of any size and need to:

- Generate social, economic or environmental benefits
- Directly benefit the people of Buckinghamshire
- Benefit as wide and diverse a range of local people as possible

### Eligibility Criteria for CAT

### **Organisations need to:**

- have a well prepared business case
- demonstrate a clear community/social demand for the proposed CAT
- have the capacity to manage the asset and have directors or management committee members who have the necessary experience and skills
- have good governance, robust financial systems, and all necessary policies expected of a community organisation (this can be evidenced by having a recognised quality mark)
- contribute towards Buckinghamshire County Council's corporate and strategic objectives, its corporate plan and, if appropriate, a County Council service delivery strategy
- ensure that proposed use of asset will not duplicate activities, services or facilities already provided in the local community.

### **Tenure Options:**

Transfer of assets can involve different degrees of interest of land and/or buildings; the following is a guide to the length of term that may apply to new CATs, based on the anticipated requirements of most charitable funders.

- Licence – the right to use property on certain terms, but not granting exclusive possession
- Short-term lease – e.g. less than 7 years, Full Repairing and Insuring (FRI) or Internal Repairing (IR) as appropriate
- Long-term lease – e.g. more than 20 years, FRI or IR as appropriate. Break clauses will be inserted.
- Freehold – a transfer of the freehold is very unlikely and will only be considered under very special circumstances. However if it were to take place, it may be on a sole basis or through a joint partnership arrangement

### **Financial Options:**

- A gift by Buckinghamshire County Council, perhaps including an endowment or a service level agreement to aid sustainability.
- A discounted sale or lease (less than open market value) that takes account of the social value achieved by the community management and ownership
- A market value sale where the property is kept off the 'open market' to give the community organisation time to make suitable plans and raise adequate finance.

### **CHILTERN DISTRICT COUNCIL'S APPROACH**

CDC does not currently have a policy on Community Asset Transfer, but the Council supports communities in coming forward to run and operate facilities. Each request for a Community Asset Transfer is considered on its own merits.

### **Further information:**

- **For enquiries relating to a Buckinghamshire County Council property**

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For general enquiries contact:

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- **For enquiries relating to a Chiltern District Council Property**

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