



TRAFFORD COUNCIL

Appendix (i)

COMMUNITY ASSET TRANSFER POSITION STATEMENT

June 2013

1 BACKGROUND

This document explains the need for the new strategy in the context of national and local drivers, and the need to ensure efficient and effective use of our property assets. It sets a framework in which applications for the transfer of an asset from the Council to the third sector can be considered in a consistent way.

Nationally, the importance of the growing role of the community in assisting in the delivery of services and the management of community assets has resulted in the Localism Act, encouraging community bids to run services and manage assets. Central Government has been increasingly focused on empowering and supporting local communities. An important element of this is to enable community groups to make best use of local assets – whether land or buildings. The Council's approach includes our response to the requirements of the Act in relation to Community Right to Bid.

Further to the national picture, on a local level there are several Trafford policies which highlight the increasing importance of working with the community, including transfers of assets or partnership working:

- Trafford Community Strategy; Trafford 2021
- The Trafford Asset Strategy (2011)
- Local Development Framework (2010)
- The Strategic Leisure Review (2009)
- Trafford's Greenspace strategy (2010)
- The Strategic Review of Community Sports Facilities based on Green Space and Parks (2011)

2 AIMS OF THE FRAMEWORK

The aims of the framework are based on the requirement to ensure best use of assets in supporting community aspirations and service delivery. Rationalisation of property to create sustainable assets for the future, and addressing the year on year budget challenges requires a radical approach to asset use. The framework aims:

- to create a fair and transparent framework in which groups in Trafford can apply for asset transfer (without compromising the Council's financial integrity);
- to provide a template of practice for Trafford Council's approach to the Localism Act, particularly supporting the future implementation of Community Right to Bid;
- to facilitate the voluntary and community sector organisations in Trafford to work in effective partnership with Trafford Council to deliver positive outcomes for local communities.

The framework will inform decisions by the Council on the transfer to community organisations, of potential community assets in the following categories:

- Community assets which are currently owned by the Council
- Council assets now surplus to Council service delivery requirements
- Council assets which the Council considers to have continuing value but which might be better owned and managed in the communities they serve.

3 SCOPE

The strategy covers the transfer of Council owned assets to eligible groups. While nationally consideration is required on a reactive basis, through the Right to Bid process set out in the Localism Act, the Council will in appropriate circumstances work proactively to achieve success.

Locally this approach has already been supported. The Council recognises the value community groups can play in enhancing local amenities, and has already supported where appropriate key local organisations to deliver improved services in conjunction with the use of Council assets. Pro-active examples include Walton Park Sports Centre, Raglan Road Community Centre, the Beacon Centre in Firswood and the Hub in Altrincham.

Council Assets to be considered:

- § Relevant land or buildings owned by the Council, which will be determined as the strategy develops and suitable transfers emerge. While the scope has yet to be agreed, it is unlikely to include development land, and will be subject to review as part of a property rationalisation strategy which will be developed shortly.
- § While the scope will cover certain categories of asset, decisions will be taken on a specific basis. Discussions have indicated that assets likely to be of interest are community and youth centres, and parks and similar buildings. A list is set out at the end of this paper.
- § Assets which are surplus to the Council's requirements, subject to the need to balance continuing use through transfer with the requirements to finance the capital programme which supports assets still required. The Council is expected to achieve Best Value, which does not necessarily mean best financial value, for example consideration may be taken of community aspirations and overall community value.
- § Assets of continuing use for the delivery of Council services or objectives, where alternative management/ownership is beneficial through increased efficiency or effectiveness.

- § The Council is developing a Corporate Landlord approach to all its land and property assets. The rationalisation process will be undertaken on a corporate basis, including any decisions on transfer.

Transfer:

- § A spectrum including sale or lease of varying length dependent on circumstances. In order to allow groups to become established, management agreements may also be appropriate, as a way of preparing groups to take on a legal interest as a first step.

Eligible groups:

- § The voluntary, community and social enterprise sector (VCSE) – legally constituted community groups, voluntary groups, community interest companies and non-profit making organisations. These may be based in the locality or have another wider interest.

4 CRITERIA FOR TRANSFER

Transfer decisions would take into account the following principles:

- § Whether continuation of service provided from the asset is a Council priority
- § Whether continuation conflicts with other service provision
- § The value of the capital receipt from the asset supporting wider strategies, balanced against local community value.
- § Whether the community option improves service delivery and use of the facility through use of volunteers, more efficient and effective local management and local autonomy, or access to grants and external finance
- § Alignment of the proposal to corporate priorities and objectives
- § Whether the basis should be receipt, free transfer or a point between the two depending on circumstances and the business case.

Comparison between competing requests for the same asset may be required.

- § That the proposal is viable and sustainable and supported by a robust business plan
- § That the VCSE is viable – transfers will be made only to organisations which can demonstrate their business competence, sustainability and strong governance.
- § That the VCSE is open, representative, adheres to equalities and health and safety requirements

- § That it is in the community's interest and long-term benefit, creating social value and benefits
- § The proposal meets the specific needs of the local community in which the asset is based, and is fully accessible and inclusive (unless fulfilling the needs of a specific supported community of interest)
- § That it assists small business start-ups (especially social enterprise/SMEs)
- § That it does not result in duplication of services and should support a community approach that is collaborative, not competitive. In some cases the proposal could if appropriate replace existing provision elsewhere

5 FRAMEWORK FOR ASSESSMENT

The framework and assessment process will seek to identify benefits and mitigate risks.

Each asset transfer application will be different

There is also a need to ensure the assessment process is transparent and all applicants receive fair and equal treatment.

The decision will be based on a balance between financial benefits (capital receipt / revenue savings) against community benefits.

In appropriate circumstances, there will be a Management Agreement / SLA which shall establish the standards of management / service, the support from the Council, and the remedies for either party should the terms not be fully met

A staged approach will be taken with an initial assessment moving on to a full business case. The business case to be provided setting out:

- § Reasons for the transfer – continuing or newly identified need
- § Support for / links to Council / Trafford Partnership strategies and objectives
- § Fit with Council Asset Strategy and other buildings in the area
- § Expected (measurable) outcomes
- § Capacity and ability to acquire, manage, maintain and operate the asset
- § Assessment of revenue and capital costs and income, and continuing viability
- § Monitoring arrangements
- § Proposed arrangements in the event of failure.

These can be assessed using a Red – Amber – Green approach against a set of criteria covering the broad areas set out above.

In a small number of appropriate situations, the Council may support the applicant organisation in the development of its business case.

6 DECISION MAKING PROCESS

For a Council asset, the decision process will be consideration of a report of the Corporate Director (Economic Growth and Prosperity) to the Council's Strategic Lands Group, with recommendation to the Council's Corporate Management Team and with agreement, a report to the Executive Member for approval. As locality partnerships develop, there will be a role for these in the consultation process.

7 COUNCIL ASSETS ELIGIBLE FOR CONSIDERATION FOR TRANSFER

A wide range of property assets are owned and managed by the Council, summarised as follows. These assets have been categorised as likely to be relevant or not relevant for community asset transfer in the table below, in relation to likely community interest based on the Council's current position, and on potential changes.

The analysis of Council assets identifies categories likely to be of interest to community organisations. This does not imply that the council will transfer any specific asset:

- § Community centres
- § The smaller administrative buildings in neighbourhoods
- § The smaller leisure and sports facilities.

Asset Categories	Council potential interest in transfer	Community potential interest in transfer	Interest if Council change approach	Comment / Assumption
Administrative buildings (minor)	Y	Y	Y	Where surplus, may be of interest as local bases
Community Buildings	Y	Y	Y	Enhanced use /lower cost if community owned; potential for direct management. Arrangements for leased out premises could be amended to give full transfer
Leisure and parks buildings	Y	Y	Y	
Social Care – day care	Y	Y	Y	Eg The Hub at Pownall Road, Altrincham former day care centre already transferred
Allotments	Y	Y	Y	Some with allotment societies already
Youth Centres	Y	Y	Y	
Let Estate –community lets	Y	Y	Y	Some leased to groups, some local shop units may be of interest
Administrative buildings (major)	N	N	N	Large assets – high value, unlikely to be of interest
Service Tenancies	N	N	N	Private houses
Depots	N	N	N	Operational assets – only large

				depots remain. Surplus depots will be disposed of as part of the Land Sales Programme
Car Parks	N	N	N	Operational assets – no changes envisaged
Social Care Properties – residential	N	N	N	Large assets – high value, unlikely to be of interest to community
Let Estate – commercial	N	N	N	Held as investment properties, unlikely to be relevant to local communities
Cemeteries	N	N	Y	No intention to divest
War Memorials	N	N	Y	No intention to divest
Leisure facilities – Trafford Community Leisure Trust	N	N	Y	No further intention to divest
Public Conveniences	N	N	Y	Operational asset – unlikely to be of interest
Market	N	Y	Y	commercial
Libraries	N	Y	Y	Only if any declared surplus
Parks	N	Y	Y	