

## Report of the Cabinet Member for Finance and Strategy

Cabinet – 18 February 2016

### COMMUNITY ASSET TRANSFER POLICY AND PROCEDURE

<b>Purpose:</b>	To enable a clear understanding and consistent procedure for dealing with proposed Community Asset Transfers across the Authority.
<b>Policy Framework:</b>	Asset Management Plan 2013-17. <i>Sustainable Swansea – fit for the future</i>
<b>Reason for Decision:</b>	Requirement of Council Constitution.
<b>Consultation:</b>	Finance, Legal, Access to Services.
<b>Recommendations:</b>	It is recommended that: -  1) The policy and procedure contained within the Guidance Note in Appendix 1 of this report be adopted and followed by the Authority.  2) That the basic terms of the transfer will generally be non-negotiable and will be on the basis that the “receiving” organisation will be taking full responsibility for any land or asset.
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#### 1. Background

- 1.1 A Community Asset Transfer (CAT) occurs when a Public Sector body, usually a Local Authority, passes on the management and/or ownership of facility to a community group.
- 1.2 Such transfers potentially increase the sustainability of an asset and the continuance of a service, benefiting the surrounding community whilst at the same time reducing the financial cost on the Authority. CATs can play an important part in the delivery of the objectives within *Sustainable Swansea – fit for the future* for increasing the management of local services by communities.

- 1.3 Given the possible benefits of a CAT and the current required budget savings by the Authority CAT's are being proposed more frequently but there is often some confusion over what exactly a CAT is and the steps that need to be taken to establish whether a CAT is suitable and how to facilitate the transfer if desirable.

## **2. Suggested Policy and Procedure**

- 2.1 The Guidance Note contained within **Appendix A** outlines what a Community Asset Transfer is, when it may be a suitable option and the process/procedure to follow in order to consider the suitability of an asset for transfer and how to implement an appropriate CAT.

**Appendix A** also outlines the basic terms of the transfer will generally be non-negotiable and will be on the basis that the organisation will be taking full responsibility for any land or asset.

## **3. Equality and Engagement Implications**

- 3.1 An EIA Screening has been completed; a full EIA report is not currently required at this stage as the possible Equality and Engagement Implications of each CAT will have to be considered further on a case by case basis. Therefore, once any arrangements are confirmed, the EIA process will be revisited to ensure that any necessary equality issues (e.g. accessibility) are addressed (though this will depend on what is agreed).

## **4. Financial Implications**

- 4.1 There will be financial implications to CAT's which are covered in the Guidance Note within **Appendix A**. However, there are limited financial implications associated with this report as every proposed CAT will have to be considered individually and the financial implications be considered on a case by case basis.

## **5. Legal Implications**

- 5.1 The possible legal implications associated with CAT's are outlined in the Guidance Note in **Appendix A**. However, the legal implications of this report are limited as every proposed CAT will have to be considered on an individual basis.

**Background Papers:** None

**Appendix A:** Community Asset Transfer in CCoS Officer/Member Guidance.