

Report title	Community Asset Transfer – Policy and Strategy Review	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Jacqueline Sweetman City Assets and Housing	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Mark Taylor, Deputy Chief Executive	
Originating service	Assets	
Accountable employee	Luke Dove Tel Email	Strategic Asset Manager, Assets 01902 557121 Luke.Dove@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board Scrutiny Board Cabinet	11 February 2020 6 October 2020 11 November 2020

Recommendation for decision:

The Scrutiny Panel is recommended to:

1. Consider the revised Community Asset Transfer Strategy and endorse its progression to Cabinet for approval.

1.0 Purpose

- 1.1 The purpose of this report is to highlight the most significant changes to the revised Community Asset Transfer Strategy and seek the panels endorsement of the same to progress to Cabinet for approval.

2.0 Background

- 2.1 A Community Asset Transfer (CAT) is where a public body transfers the management and/or ownership of an asset, sometimes including associated services to a voluntary community organisation (VCO).
- 2.2 The CAT Strategy provides a clear guidance document for both the public body transferring the asset and VCO taking on the same in line with relevant legislation and policies.
- 2.3 In the current climate a CAT supports community empowerment and offers an opportunity for assets and/or services to be retained in areas that the Council may not be able to develop or continue to fund itself. It also allows for a more innovative approach to be explored through community lead initiatives with the support of the Council
- 2.4 The Council currently have an existing CAT Strategy, however given the fluid nature of both the economic and social environments, an updated version is required to ensure all applicable outcomes are addressed in line with current Council policies and meets the needs of both the public body and VCO's.

3.0 Key updates to new strategy

- 3.1 The new CAT Strategy is customer focused and is intended as a guidance document to inform its users.
- 3.2 It provides clear direction on what a CAT involves for all parties including highlighting associated benefits and risks so that there is complete transparency from the outset.
- 3.3 Provides a clear timeline for the CAT process which is supported by the Council's governance and recently updated asset management and disposal process to allow management of stakeholder expectation and appropriate forward planning
- 3.4 The new Strategy is Flexible to allow for differentiating circumstances as no two Community Asset Transfers are the same.
- 3.5 It is aligned with the Council Plan 2019-2024 and supports the 'Wolverhampton for Everyone' initiative.
- 3.6 It supports delivery of the Strategic Asset Plan 2018-2023 and upholds the core PRIDE values
- 3.7 It allows for a more innovative approach to be explored through community lead initiatives with the support of the Council

4.0 Option appraisal

4.1 A number of points were considered when updating the new policy and through collaboration both with various Council service areas and the Voluntary Sector, the updated Strategy as presented allows the enablement of transfers that will have a positive impact and assists in avoiding those that may have a detrimental effect through applying a systematic approach. This provides a robust and fair approach to ensure that we are allowing Community organisations to excel, whilst ensuring that the Council's interests are sufficiently safeguarded.

5.0 Reasons for decision

5.1 The updated CAT Strategy provides a robust, clear and fair approach in line with current legislation and policies to ensure that we are allowing community organisations to excel, whilst ensuring that the Council's interests are sufficiently safeguarded.

5.0 Recommendation

5.1 To endorse the revised Community Asset Transfer Strategy and endorse its progression to Cabinet for approval.

6.0 Financial implications

6.1 There are no direct implications arising from this report.

6.2 The financial implications associated with each potential asset transfer will be assessed on a case by case basis and subject of future reports to Councillors for approval, in line with the proposed strategy detailed within this report.

6.3 Applications for community asset transfer will need to be balanced against the market value of the asset and the Council's established requirement to generate both rental income and capital receipts from its property holdings.

[TT/03032020/W]

7.0 Legal implications

7.1 The Council will need to ensure that it complies with S.123 Local Government Act 1972. This requires the Council to obtain best consideration reasonably available when disposing of assets. Disposal includes freehold transfers and the granting of leases for a term of more than seven years.

7.2 A general consent has been issued by the Secretary of State which allows disposals at an undervalue provided that the undervalue is for a sum of less than £2.0 million and the disposal will promote the economic, social or environmental well being of an area.

7.3 Any Community Asset Transfers will need to comply with these requirements. State Aid will also need to be considered on a case by case basis.

[TS/03022020/R]

8.0 Equalities implications

8.1 There are no equalities implications arising from this report.

9.0 Environmental implications

9.1 There are no environmental implications arising from this report.

10.0 Human resources implications

10.1 There are no human resources implications arising from this report.

11.0 Corporate landlord implications

11.1 The new CAT Strategy will provide a clear and consistent approach to Community Assets Transfers moving forward to assist with the efficient management of the Council's asset portfolio

12.0 Health and Wellbeing Implications

12.1 There are no health and wellbeing implications arising from this report.

13.0 Schedule of Background Papers

13.1 None

14.0 Appendices

14.1 Appendix 1 – Community Asset Transfer Strategy