



Llywodraeth Cymru
Welsh Government

National Assets Working Group – NAWG

Making Better Use of Our Public Assets

Community Asset Transfers in Wales – A Best Practice Guide

March 2016

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Foreword

We are facing a continued, unprecedented and difficult financial climate for our public services and the third sector in Wales. The UK Government's ongoing policies of fiscal austerity mean that the Welsh Budget will be 11 per cent lower by 2019-20 than it was in 2010-11. It is imperative therefore that we continue to work in collaboration to safeguard the services of value to our communities across Wales, helping to build a prosperous Wales for current and future generations.

Finding better ways to use our public land and buildings will be critical to helping us face these challenges and will help us to deliver services in a more efficient and joined up way. Working collaboratively, innovatively and being open-minded to working in different ways will also be important.

Since the original publication of the Guide, I have sought to demonstrate leadership in this area by highlighting Community Asset Transfers as a means of empowering communities to secure services that are important to them. I have visited several sites across Wales transferred via this process, and I have seen at first hand the challenges that recipients have to face and overcome; the commitment and drive demonstrated by all parties to a transfer, which so often makes the difference in achieving a successful and sustainable outcome and opening up opportunities for new ventures.

At Carnegie House in Bridgend we are able to see how the transfer of a Grade II listed building to the Town Council has enabled a ripple effect of benefits to the wider community; in Dalton Road in Neath Port Talbot we have seen the safeguarding of an important facility for the provision of training and community based projects, to develop the skills and expertise of the local population; in Gwesty Seren in Llan Ffestiniog we have a very special facility that is able to provide an important respite opportunity to people with challenging circumstances, their families and carers. Community Asset Transfer can provide a unique means for unlocking the potential of an asset to deliver services that are not only valued but valuable to the people that live and work around them.

As new models of public service delivery emerge, there will be a greater emphasis on community bodies becoming involved in the delivery of local services and taking responsibility for local assets. There will therefore be an obligation on the Welsh Government and public bodies to support this wherever possible and to ensure that the transfer of assets and services takes place on a sustainable basis. Integrating the expertise and skill of the public and third sector; community and social enterprise organisations who are often directly engaged with the communities served by our public sector assets; provides a perspective that a public authority might not be able to develop in isolation. Working in an integrated way, the public sector can engage local people in the development and sustainment of a thriving and diverse locality as well as securing the long-term use of property assets and services of value to these communities across Wales.

The Community Asset Transfer approach which the guide promotes fully aligns with the 'Wellbeing of Future Generations (Wales) Act 2015', which comes into force in April 2016. The Act is about improving the social, economic, environmental and cultural well-being of

Wales and making public bodies in Wales think more about the long term, working better with people and communities and by taking a holistic approach to solving problems and avoiding future ones.

We know that successfully managing a building or service carries risks, which can be particularly challenging to third sector and community-led organisations with limited experience and funding behind them. However, risk should not be seen as a barrier to transfer as long as all parties are open about the risks and willing to work together to find ways forward for managing and mitigating them. This guidance is intended to help support a step-change in enabling communities to take on these roles, as well as encouraging public authorities to engage openly and innovatively with their communities on the future of the assets to the benefit of all.



A handwritten signature in black ink that reads "Jane Hutt".

Jane Hutt AM
Minister for Finance & Government Business

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1. Introduction

Community Asset Transfer, for Community Ownership and Asset Development is not new to Wales and we already have many successful cases. However, there are equally examples where factors such as lack of experience, or insufficient research and preparatory work have turned an asset into a liability.

This Guide is intended to help manage the process and minimise the risks associated with such transfers by:

- setting out the background to land and building Community Asset Transfers (CATs);
- listing some of the more common risks and suggesting ways that these can be minimised and managed;
- providing ‘sign posts’ to already published resources and organisations that can be utilised by Local Authorities and community-based organisations to bring forward schemes;
- highlighting some practical examples where properly managed transfers have been successfully delivering local benefits; and
- identifying key factors for success.

The *White Paper Reforming Local Government* published in July 2014 included proposals for greater collaboration and co-operation across the public sector and third sectors to deliver community services. These themes were further developed in the *White Paper Reforming Local Government: Power to Local People* published in February 2015, which contained specific proposals to facilitate greater community participation and asset transfer to communities.

This, together with the financial pressures which public services across Wales are currently facing and expect to face in the foreseeable future, has led to an expectation that the number of community asset transfers is likely to increase. It is therefore essential that there is clarity around the process of transfer and that those communities which wish to, are supported to take on these assets and develop a thriving and sustainable long-term viability for these property assets and services.

There are great models across Wales where assets have been transferred and services and enterprises are being run successfully by communities. The support for this was evident from responses to the consultation on Protecting Community Assets, which ran from May to September 2015. As new models for public service delivery emerge, there will be an obligation on public bodies to ensure that the transfer of assets and services continues on a sustainable basis.

1.1 Setting the Context

Public authorities in Wales are not currently obliged to undertake community asset transfers and, in relation to Local Authorities, the process of transfer has to be initiated by them.

However, the *White Paper Reforming Local Government: Power to Local People* proposes that eligible community bodies should be able initiate a transfer process. These new powers, if enacted in legislation, will provide important rights for communities which wish to take on responsibility for community assets. It is also hoped that by opening the process up for positive proposals from communities, a wider range of opportunities will be taken up and there will be greater potential for innovation.

There has been interest and engagement in this agenda for some time. Many public authorities are seeking different ways of getting local services delivered, concentrating on

efficiencies and cost savings as public spending is under pressure. For many Community Councils, community-based organisations, social enterprises and voluntary organisations, this will create opportunities to take on some control/management/ownership of facilities (including their maintenance) and in so doing create strong foundations for future growth by bringing in local skills and understanding.

Public bodies may consider asset transfer due to financial pressure or changes in strategy. As with any proposed changes there are a number of risks to be mitigated, but there are also a significant number of opportunities. CATs could enable a public building to thrive or turn a marginal service into a viable community resource and enterprise. However, it is also important to emphasise that CATs may **not** be appropriate for all communities, as much will depend on local circumstances and the viability of the asset that is being transferred, but when it is appropriate, a range of benefits can be realised.

Throughout the CAT process it should be remembered that CAT is a methodology that must be centred on mutual benefit with a joined up vision to achieve a shared goal. The transfer of a property resource is therefore one where the community group and the public body need to progress together not independently of each other. In developing this approach, the ambition is that all Councils will be activist Councils engaged in delivering better services through greater levels of engagement and in conjunction with their communities. This should open up opportunities for communities to own and manage local services where this is appropriate, looking to the Welsh tradition of cooperatives and mutuals.

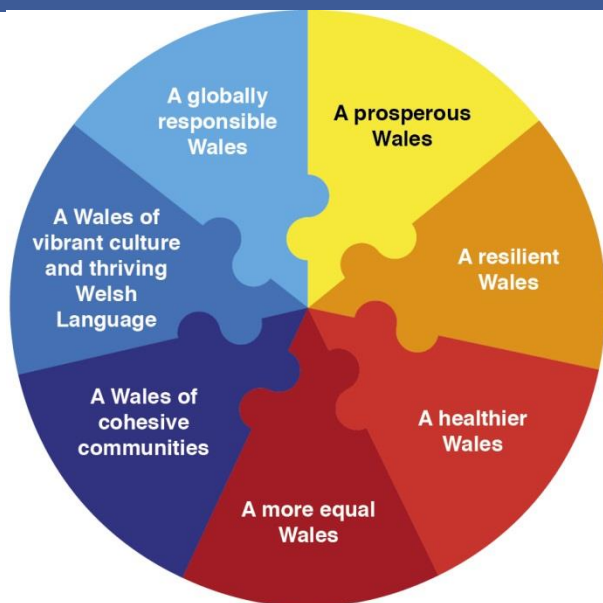
There remains uncertainty on the future structure of Local Government and the delivery of public services, but it is likely to accelerate the current direction of travel by moving decisions closer to local communities, empowering local people to secure better fit services and develop self reliance through the management of community assets and enterprises. In terms of CAT, this will simply accentuate the need for community bodies or organisations to demonstrate the viability of their proposals and their capacity and capability to appropriately manage and develop the asset.

Wellbeing of Future Generations (Wales) Act 2015

At its heart, the public service is there to help make the lives of the most vulnerable people in our society better, now and in the future; to give them opportunities that they might not otherwise have been afforded; and in doing so improving the prospects and opportunities for all. We can all recognise that to be most effective in delivering against this aspiration we must work together towards shared goals if we are to maximise the positive impact we have.

The Wellbeing of Future Generations (Wales) Act 2015 ('the Act') is one of the key levers to help public bodies come together to deliver improvements for the wellbeing of people and communities across Wales.

The Act comes into force on the 1st April 2016. It is about improving the social; economic; environmental and cultural wellbeing of Wales; and sustainable development. It will make the public bodies listed in the Act think more about the long-term; work better with people; communities and each other; look to better capture and manage their impacts and recourses, to prevent problems and take a more joined-up approach to solving existing problems.



In making decisions, public bodies will need to take into account not only the impact they could have on people living in Wales now, but also the impact of their decision making on people living in Wales in the future.

To ensure we are all working towards the same vision, the Act puts in place seven wellbeing goals. It is not just about working to achieve one or two of these goals, instead, public bodies must think about how they can maximise the positive impact that they have on all of these goals. The Act also puts in place a ‘sustainable development principle’ which guides organisations on how to go about meeting their duty under the Act. These are the five ways of working. Public bodies need to ensure that in the course of their decision making, they account for the impact they could have on future generations; therefore organisations will need to demonstrate how they are using the ways of working as part of their decision making. The seven wellbeing goals and five ways of working will have to be a major influence on the leaders of public services in Wales, as they think about what they and their organisations are trying to achieve.

To further support this work, the Welsh Government has developed the concept of ‘One Welsh Public Service’ which articulates the values and behaviours that individuals should apply to promote and reinforce the commitment to improving the wellbeing of people and communities in Wales. The Act encourages organisations to work in a different way and to engage with partners to help solve some of the big problems Wales faces. This means that rather than thinking as individual organisations, we should instead come together to consider what a collective solution might be and the impact this could have on our communities across Wales.

By engaging with communities, third sector and social enterprise organisations regarding the future of assets of value to their communities, public authorities can benefit from a perspective that they may not ordinarily have been able to develop in isolation. An integrated approach that accounts for the widest possible alternatives for service delivery, engaging communities, for the benefit of those communities, could help secure solutions that safeguard against problems both now and for future generations.

From a practical perspective, it will be important to support asset recipients to understand how they can use the five ways of working to ensure their contribution to the goals of the Act, thereby continuing to maximise a positive impact following a Community Asset

Transfer.

1.2 The Framework

Local Authorities have the power to dispose of land in various ways. However official guidance such as *Managing Welsh Public Money* and that from Cabinet Office and HM Treasury all require that a public authority disposal, by any means, is appropriately handled and accounted for.

The disposal of public assets will usually be carried out on a commercial basis. This is due to a general legal requirement that a public authority must achieve best value for the property, sometimes known as a 'best consideration' value.

However, it has been acknowledged that there will be circumstances where it is appropriate for a Local Authority to dispose of an asset at below full market value; permitted under the 'General Disposal Consent' (Wales) December 2003 provisions under the Local Government Act 1972. These circumstances are when such a disposal will secure a benefit to the community through the "promotion or improvement" of the economic, social or environmental well-being of the area. The Authority can therefore evidence it has achieved best value whilst perhaps not obtaining the maximum capital receipt.

The National Assets Working Group (NAWG) has recommended that public bodies should highlight asset availability within the wider public sector prior to offering the asset to the open market. However, that would not preclude community groups proactively approaching councils if they have an interest which might lead to a business proposition. This may be through highlighting an interest in a specific asset; by being made aware of the likelihood of disposal by way of information published on the Local Authority website; through local advertisements; or from information on *Available Public Property in Wales* on Space Cymru (<https://www.epims.ogc.gov.uk/SpaceCymru/Home.aspx>).

There will still be a need to consider the legalities surrounding State Aid. State Aid is a European Commission term which refers to assistance from a publicly funded body, given selectively to organisations engaged in economic activity. However, providing all parties are aware of the regulatory framework there will often be a proportionate solution on how best to proceed. The Welsh Government website provides more information and advice. <http://gov.wales/funding/state-aid/?lang=en>

1.3 Who is the guidance for?

This Guide is provided for decision-makers in Local Government; the wider public and third sector as well as the wide variety of community bodies such as voluntary organisations; co operatives; mutuals; social enterprises and Community Councils who may be considering applying for a CAT. It will also seek to sign-post to other relevant published guidance.

The key message from this Guide is that both parties to any potential transfer enter into the process, in a transparent way, with a mutual understanding of the long term implications and opportunities, as well as the fullest picture of the impact of these implications on the potential future success or failure of the venture.

2. What is a Community Asset Transfer (CAT)?

A community asset transfer (CAT) occurs when a public sector body, e.g. a Local Authority, passes on the management and/or ownership of a property asset to a community council or third sector/community group. Often, but not always this includes the delivery of any associated service as well. A point to note is that, in addition to Local Authorities, assets can be transferred from any public sector body and considering the Social Services and Wellbeing Act this could also include the health sector.

CAT should not be a route to surplus asset disposal but should be seen as an opportunity to help develop thriving and diverse communities sustaining the long-term use in communities across Wales, of property assets and services. The ultimate aim of CAT is community empowerment – ensuring that land, buildings or services are retained or transformed and then operated for public benefit through community asset ownership and management.

Welsh Government has published guidance on how public bodies may transfer assets between themselves (Land Transfer Protocol (LTP) (www.assetscymru.org.uk)). However, the LTP predominantly deals with processes that occur after the decision to sell/or transfer has been made. It does not deal with the wider issues that occur prior to that decision. However, parts of the LTP may offer assistance to organisations moving forward with a CAT.

The spectrum of transfer options can vary widely, but community control or ownership of an asset or service will mean some form of registerable title, occupation agreement and/or management arrangement created in favour of the new asset holder.

2.1 Who can apply?

- (i) Community and Town councils are the grassroots level of local governance in Wales. There are currently over 730 Community and Town councils throughout Wales although they do not cover the whole of the country. Some represent populations of fewer than 200 people, others populations of over 45,000 people; but they all work to improve the quality of life and environment for citizens in their area. Community and Town councils are accountable to local people and have a duty to represent the interests of the different parts of the community equally. About 8,000 people in Wales give voluntary service as Community and Town councilors. Provision of support and advice on CATs for Community Councils is available via One Voice Wales who run bespoke training courses on service devolution.
- (ii) The third sector comprises independent, non-government organisations that are value driven and motivated by social, cultural or environmental objectives first; rather than to simply make a profit. Any surpluses are reinvested to further their social aims for the benefit of the people and communities they serve. These organisations have a myriad of different legal structures including charities, voluntary/community organisations, social enterprises and mutual associations.
- (iii) Community based groups.

It is important that in general terms guidance on CAT defines the type of organisations that applications will be accepted from, and clearly sets out minimum requirements in terms of:

- Governance structures;
- Skills and capacity;
- Mandatory documents required e.g. constitution, annual reports and accounts.

Whilst applicants will include well-established Community Councils or Third Sector organisations, they may also include new organisations specifically formed to take on a particular community asset. CAT policies should be sufficiently flexible and should not exclude such organisations providing they meet any required governance, legal and sustainability criteria. It must be noted that in such cases where the legal structure is new, with no history or track record; this can present unique challenges with respect to risk, procurement and due diligence considerations. However, this should not exclude new organisations from getting involved in the CAT process and Local Authorities, being mindful of this, should ensure that their procedures are flexible enough to incorporate such a scenario.

If the proposals in the White Paper, Reforming Local Government: Power to Local People, are enacted, smaller Community councils will be able to participate in asset transfer where this is initiated by Local Authority. However, only larger Community councils and other community organisations which meet certain eligibility criteria will be able to **initiate** community asset transfer themselves. The scope of the asset transfer can be tailored to reflect the relative maturity and experience of the organisation.

Third sector organisations whether well-established or formed specifically for the purpose of taking over a specific asset can access support and guidance for CAT from their local/regional County Voluntary Council and/or from the Wales Council for Voluntary action (WCVA); the Development Trust Association Wales; Wales Cooperative Centre and other social enterprise support bodies. This will include lessons learned from organisations which have already taken over an asset within their community.

3. Guidance for the Transferring Authority/Body

3.1 As a matter of good practice, a CAT policy (Appendix 4) as a means of managing an asset, should form part of the asset management planning process. As part of any strategy around potential transfers or disposal, an Authority should alert their local Community Council; third sector organisations and community groups; at an early stage, to the fact that the Authority has in mind to dispose of an asset of potential community value. This is necessary to give interested parties the time to consider whether or not the asset, and potentially the services which are delivered through it, are something they might wish to apply to take over; and to organise accordingly. This is commensurate with the ambition to empower local people to secure better services and to strengthen decision making at a community level.

3.2 Consideration should be given to how the Policy will link to the authority's existing policy framework and planning process. This will include corporate plans such as Single Integrated Plans and property strategies including Corporate Asset Management Plans, Acquisitions and Disposals policies. Given the current uncertainty on a future structure for Local Government, it would be expected that corporate plans developed in the future should incorporate a policy or formal guidance in respect of Community Asset transfers.

3.3 When considering an asset transfer to a Community Council, community group or third sector organisation, the Authority should ensure that it has a robust but flexible policy and that the application of that policy is relevant and consistent. It will also be the case that potential asset transfers will vary in type and scale. As an example a small community centre with little need for capital works would have different requirements to an older larger asset that requires significant work and investment by the recipient.

3.4 Although the principle of a community group taking over a service or building may appear attractive, the Authority has a duty to ensure that the proposal accords with the Authority's strategy and that any Community Council, community group or third sector organisation expressing an interest is fully aware of the liabilities and responsibilities it will face.

3.5 The Welsh language is an official language in Wales and is spoken in all communities in the country. Welsh language standards in accordance with the Welsh Language (Wales) Measure 2011 come into force for Local Authorities on 31 March 2016. The Welsh language standards are in five fields of work and include service delivery standards, policy making standards, operational standards, promotion standards and record keeping standards. This will mean that services delivered by Local Authorities in accordance with service delivery standards must be provided to the public in Welsh and English. Policy making standards will require Local Authorities to consider what effects a policy decision would have on opportunities for people to use the Welsh language, or treating the Welsh language no less favourably than the English language; how a decision could be made so that it has positive effects, or increased positive effects, and how a decision could be made so that it does not have adverse effects, or has decreased adverse effects Welsh Language (Wales) Measure 2011.

3.6 This section will help explain what these may be and why they are important to protect the community and the Local Authority.

Strategic Context

Ensure that any asset transfer proposal supports the transferring authority's aims and priorities, and that it accords with the financial priorities against which it will be judged.

Due Diligence

Ensure that due diligence has been carried out. This will help protect not only the transferring Authority but also the community group/Third Sector organisation, its clients and the community.

Key elements of the due diligence process is detailed below:

Is the asset one which can be CAT transferred? If not, state this at the outset.

Has the Authority considered the effect of a CAT on the opportunities for people to use the Welsh language; or how the Welsh language will be treated no less favourably than the English language? Has consideration been given to how the decision could be made so that it has a positive or increased positive effects; or so that it does not have adverse effects or a decreased adverse effect on the opportunities for people to use the Welsh language. How can it be assured that the Welsh language is treated no less favourably than the English language post transfer?

Has the Authority undertaken a risk assessment to assess whether a CAT is the right process for managing the asset; and what would happen to the asset if recipient of the transferred asset were to cease to exist in the future?

Is there a proven need in the community for the proposed use of the asset; is there proven support from the community for the proposal; and how would the community benefit?

Is there any service provision currently provided through the medium of Welsh, how will the Local Authority ensure that these services will continue to be provided through the medium of Welsh and that the Welsh language is treated no less favourably than the English language? What measures could be put in place ahead of the transfer to safeguard this, such as contract terms; covenants; assessment of ability of the recipient organisation to provide services in Welsh. How will this be monitored post transfer?

How would a transfer impact on any future opportunities for use of adjoining Council assets?

Ensure the Community Council/community group/third sector organisation is relevant, coherent and sustainable; so as to provide some reassurance of their ability to manage the asset and deliver the desired benefits.

Check factors like governance, relevant knowledge and skills on the Community Group and experience of delivering in the community and financial resilience:

- This is for guidance only as actual running costs could vary as particular groups may have the ability to reduce some outgoings such as using volunteers for cleaning/ caretaking or being entitled to a reduction in rates;
- To accurately forecast any future costs, recipients should also be provided with condition surveys; historical maintenance and running costs; and the energy rating and consumption data for the asset;
- Ensure that any repairing responsibilities, planning conditions, restricted covenants, access requirements etc are clear and are fully understood by the group, particularly the legal liabilities.

The Transferring Authority should expect to see an outline EOI and business plan from the Community Council, community group or third sector organisation setting out its plans for future use management or ownership; governance and funding of the venture.

Request written documentation to demonstrate that they have considered all factors and have planned for them such as business rates, maintenance, insurances, staff payments, pension requirements, and on-costs; including TUPE obligations, utilities, vandalism risks

and statutory compliance, including State Aid and VAT.

- Ensure this is done in a way which is relevant and proportionate to the nature/size of the opportunity i.e.: EOI, full Business Case or written submission;
- Ask that proof of funding is provided as part of any written document, and that this covers both capital and revenue outgoings, the latter for either 3 or 5 years (dependent upon the length of lease), to ensure that the community group has properly considered finances and is not, for example, relying solely on an up front capital grant.

Consider clearly the differences between Leasehold and Freehold options and their application:

- Individual Authorities have differing approaches but must be clear about what is offered and why.

Make sure that adequate time is allowed to research ownerships and any restrictions/covenants that may exist. Do not build up expectations; ensure this information is correct at the start. The Local Authority is encouraged to share this information with the applicant where feasible.

- Consider adding covenants, claw backs or restrictions to any transfers to protect the interests of the Transferring Authority and community in the future, albeit this requires careful consideration as their inclusion can have unintended consequences. In the case of projects requiring significant capital investment, asset recipients often have to assemble complex funding packages, which will often include loan finance. In these instances should the transferor place a restrictive covenant, or require first charge, the lenders are unlikely to lend because:

(i) In the case of restrictive covenants they would have limited disposal options should the loan default;

(ii) In the case where the first charge goes to the transferor, they would be unlikely to recover their capital in the case of default;

(iii) Many lenders require a minimum lease term for a transfer, before they would consider financing an asset. It is therefore important to understand the potential impact of issuing a lease that is too short to allow the recipient to raise funds to develop and improve the asset;

(iv) For some lenders and grant providers, attaching the above can actually make them ineligible for said funding, therefore an impact assessment of the possible unintended consequences of the above, should be carried out.

These issues would be of particular importance to social enterprises, mutuals etc:

- Consider issues such as open space advertising which will add a cost and time element to any transfer;
- Ensure that the property is not subject to any funding claw backs;
- Consider whether the proposal will require State Aid Assessment;
- There needs to be an appreciation that some transfers can take some time to be completed. This will particularly apply to large projects, which may be subject to complex funding packages. A transfer could take anywhere between 12-24 months to resolve all issues and finalise funding packages.

The Authority must identify and deal with any staff matters such as TUPE, redundancy and management of change issues. They must ensure that all relevant information is appropriately shared in a transparent and timely fashion to aid the decision making of the

recipient organization regarding the future of the asset.

The Authority must take a consistent approach. There are other factors that could be included here. It is important to be prepared to face potential challenges, either in application of policy or legally, if an incident occurs and someone is injured, for example or a community enterprise ends up in financial difficulties.

When a Local Authority is considering transferring premises or land it must satisfy itself the community group fully understands what they will be taking on in terms of:

- the likely cost;
- their ability to resource it;
- the legal liabilities that they would face in the event of failing to make the initiative financially viable;
- other legal liabilities associated with the transfer such as responsibility for compliance issues together with health and safety.
- risk assessments and mitigation should be considered for some types of assets e.g. swimming pools and playing fields have a higher risk of possible serious injury or even death. Recipient bodies need to be aware of all their responsibilities and obligations e.g. corporate manslaughter; the Local Authority must also be satisfied that its ability to transfer the premises/land is clear; and
- that the responsibility for any service delivery (SLA/contracts for delivery) is clearly understood by all parties and appropriately documented.

Links to Service Delivery

In these challenging times of financial pressure, Community groups, Town or Community Councils will often consider, indeed will be encouraged, to take on a service from a public body to sustain local services. There are already good examples of community led service delivery, but as with taking on an asset, a number of questions which are detailed below should be answered before community groups/organisations consider taking over a service transfer and the running of a particular service, linked to a specific asset transfer:

- Who will be the target audience/beneficiary of the service?
- How will the community group/organisation ensure that it provides services and opportunities to members of the community through the medium of Welsh and treats the Welsh language no less favourably than the English language?
- How will modernisation and improvements to the service be achieved?
- Is the service statutory or non-statutory?
- Are there any legal standards for delivery of the service, such as those in relation to the Welsh Language (Wales) Measure 2011?
- What level of accommodation is required?
- What budget is available and how are building running costs likely to be met?
- Are there any other buildings (public or privately owned) that might facilitate the service delivery more appropriately?
- How are premises costs going to be met? (provide the existing provision and costs as a guide for the community group or Town/Community council).
- What budget savings or efficiencies, if any, will the Service achieve from the proposal?
- What property cost savings will the Council achieve, if any, from the CAT? (i.e. reduction in backlog of maintenance).

Will there be any on-going financial, legal or management support from the transferring authority – this is particularly important if there are any on-going liabilities linked to the

transfer such as annual maintenance, depreciation costs or TUPE liabilities including future redundancy and pension liabilities. The point regarding TUPE is not to be underestimated as this can place an unsustainable burden on recipient organisations and present significant management issues post transfer that they may not be equipped or funded to deal with. Therefore it is imperative that transferring Authorities should endeavor to resolve TUPE matters prior to the transfer of an asset.

Strong Communities

The transfer of assets into community ownership and management is recognised as a means of investing in regeneration and delivering positive social economic and environmental change. There is no doubt that the ability and opportunity for the community to take control of the things that matter to it, is an essential and welcome step forward in delivering efficient services across Wales. Support to build strong, self reliant and resilient communities comes in many forms and community asset transfers have a large part to play in this.

Appropriate due diligence by the transferring Authority ought not to be seen as a hindrance but a positive action to ensure long term resilience of the Asset and as a support for stronger, more sustainable and enterprising communities.

Corporate Improvement Plans

Strong communities benefit everyone and contribute towards a sustainable and inclusive local economy. It is vital that all services within an Authority are aware of the potential benefits to a community of carrying out asset transfers and how individual transfers can support the Corporate Improvement Plans or Local Plans.

This is time consuming, however if done correctly and if the appropriate planning and resources are provided, workable solutions can emerge. For example, a community or Town/ Community council may extend the range of services currently being delivered and be more able to develop links to other community initiatives or local businesses.

A robust process is vital however, and Local Authorities should follow due process and are encouraged to work with groups where proposals are at an early stage of development. Changes can be beneficial and now, more than ever, Local Authorities/public bodies have the ability to make radical but important changes to the way services are delivered, meeting the needs more appropriately of the communities they serve.

4. Community Asset Transfer Process

It is important that each Local Authority/appropriate public body either has a Community Asset Transfer Policy or at the very least has guidance that sets out a transparent framework as to how they will consider and process community asset transfer applications.

4.1 Application Process

The Policy should set out clearly the application process to be followed and provide approximate timescales for each step. A two step formal application process is recommended and standard application forms should be provided to ensure consistency and transparency.

A two step process is beneficial to the applicant and the Local Authority/transferring body. It ensures valuable resources are not spent on preparing and assessing a full business case that has little chance of succeeding. It also provides an early opportunity to highlight areas of weakness that could be strengthened to improve the chances of the full business case succeeding.

Pre-application discussions should be encouraged to discuss options, suitability and the potential scope of any transfer. This should be followed by submission of an initial Expression of Interest (EOI). An EOI should provide the Local Authority with enough information to enable them to make a decision as to whether the application should be taken further. It should also not involve the applicant organisation in a huge amount of work. The information requested in the EOI should include as a minimum:

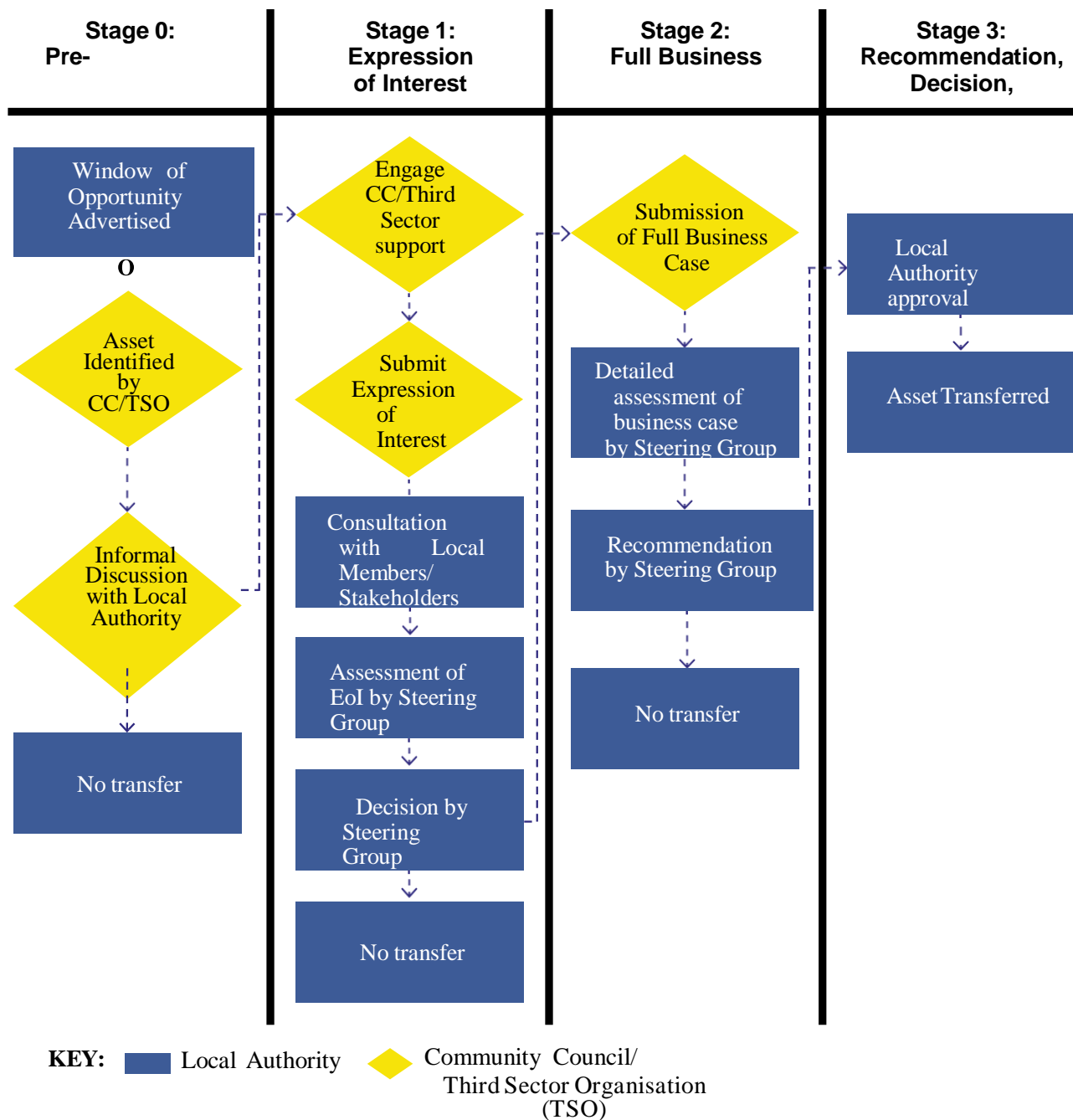
- contact details of the organisation and a nominated project lead;
- type of organisation;
- structure and purpose of organisation;
- details of the asset and type of transfer;
- proposed use of asset;
- benefits to the organisation, community and Local Authority;
- partners, collaborators and stakeholders; and
- evidence of engagement with the community.

4.2 Timescales

The timescales should be realistic, and provide the applicants with sufficient time to prepare any required documentation such as a business plan. Whilst not achievable in all circumstances, an overall timescale of 6 months from submission of the EOI to an Executive/ Cabinet or delegated approval decision to transfer is not unreasonable, although it is recognised this is the most ambitious timeline. Flexibility is again important, as the timescales may also link to external dependencies such as decisions on grant funding. It is acknowledged and must be recognised by all parties that large transfers can take between 12-24 months to resolve complex issues and develop complete funding packages.

Appendix 1 provides further detail in respect of a suggested process and indicative timescales to ensure that it is dealt with in a timely manner.

Community Asset Transfer Process



Appendix 1 provides some more details to the various stages of the process.

The procedure will differ within each Local Authority or public body. Factors will include local property market conditions, internal resources and availability of external support from Community councils, CVCs and other third sector support organisations. The purpose of this section is not to prescribe a set process, but to highlight areas for consideration and suggest good practice in order to try and encourage consistency across authorities. The guidance also seeks to set recommendations for timescales to minimise the risk of lost opportunities due to protracted and lengthy processes.

4.3 Decision Making

It is important that any decision process around CAT is transparent and applications are assessed against clear criteria. This is particularly important when dealing with competing applications from different organisations for the same asset. It is recommended that a dedicated CAT Steering Group is established within the Local Authority to make any required decisions and recommendations around CAT. These will of course be subject to any existing approvals process within the Acquisitions and Disposals Policy as well as the policy making standards relevant to Local Authorities in accordance with the Welsh Language (Wales) Measure 2011.

It is suggested that the Steering Group should be chaired by the Local Authority officer who has ultimate management responsibility for the community asset transfer process. This is often the Chief Estates Officer or equivalent. Representation should also include relevant Council officers to advise on legal, financial, HR (TUPE), planning and any service related issues. It is also recommended that the Steering Group includes representation from at least one of the third sector support organisations and that One Voice Wales, as a sector representative, be kept abreast of developments to enable support to be made available as necessary. The appointment of a Member “champion” for community asset transfer to the Steering Group should also be considered.

When assessing whether a Stage 1 Expression of Interest application should proceed to a Stage 2 full business case, relevant criteria should include:

- benefits for the community, the third sector organisation and how they relate to delivering Council priorities;
- ability to provide services through the medium of Welsh;
- governance, structure and history of the organisation;
- potential loss of capital receipt and existing income or other opportunity cost to the Council arising from the transfer;
- potential benefits in terms of added value, social, economic, environmental and cultural benefits;
- proposed level of discount and terms of transfer; and
- any legal issues arising such as title restrictions.

It is important that any decisions are communicated to the applicant in a timely manner, and if there are insufficient grounds to proceed to Stage 2, that clear reasons are provided. The Stage 2 full business plan should also be evaluated by the Steering Group with a recommendation on whether to proceed to transfer or not. In addition to a more detailed assessment of the criteria considered in the EOI this should include:

- risks in relation to financial and organisational capacity, Governance and ability to manage the asset;
- track record of delivering similar community services projects and enterprises;
- how far the proposed use will ensure extensive reach into the community engagement;
- how opportunities to ensure sustainability will be maximised e.g. income generation;
- financial management arrangements;
- on larger and other transfers, which would include income generating schemes, there should be the availability of additional support from people/bodies with a business background to help assess the viability of the proposal;
- compliance with State Aid, Transfer of Undertakings (Protection of Employment) Regulations (TUPE) and EU Procurement Rules if applicable;
- any legal restrictions to be imposed e.g. restrictive covenants and claw back

provisions; and

- monitoring and evaluation arrangements e.g. Service Level Agreements.

5. Guidance for the Applicant

Any organisation or Community Group wishing to apply for a Community Asset Transfer should familiarise themselves with the issues that the transferring authority considered as part of the process to agree the transfer of a public asset. This should be considered a critical part of the upskilling required prior to a potential transfer. See section 3.

Another key consideration for any organisation undertaking a CAT and the management of any associated service delivery is to be mindful of the scale of the commitment required to maintain the asset successfully post transfer and sustain the organisation in the long term. This is very different to the effort required to secure the transfer of the asset from an Authority. Focus is rightly concentrated at the outset, on the transfer process itself; however a number of initially successful CATs have run into difficulty in the medium term due to “burn out” at the Board level within their organisations, as well as in community disengagement post transfer. Transferring Authorities should give careful consideration as to whether measures should be established post transfer to support recipient organisations; thereby supporting their organisational sustainability and longevity into the medium and long term; and as a consequence, the longevity of the service provision enabled by the transferred asset.

5.1 The Application Criteria

In the first instance the applicant will need to consider the following: –

a) **The Applicant must be:**

A Community/Town Council (CC) or a Third Sector organisation (TSO), which satisfies the following criteria:

- Legal entity that is incorporated and provides limited liability for the stakeholders involved, this would usually be in the form of a not for profit company ltd by guarantee; society; CIO (Charitable Incorporated Organisation) or CIC (Community Interest Company). It must have the Powers to enable the management and ownership of buildings, for trading and the provision of services;
- Exist for community/social/environmental benefit;
- Non-profit distributing – any surpluses must be reinvested to further its community benefits/social aims;
- Demonstrate good governance through open and accountable processes, with appropriate financial and audit controls;
- Demonstrate engagement with the community;
- Demonstrate it has the skills and capacity within or has access to such, to effectively deliver its services and manage the asset;
- Provide services or engage in activities that deliver economic, environmental or social benefits to the community;
- Provide copies of the organisation’s Annual Report and accounts if available.

and be Community-led

- Strong links with the local community and directly benefit the people of the County;
- Benefit as wide and diverse a range of local people as possible and demonstrate an inclusive approach to all members of the community, including

b) The Asset

- A legal interest owned by the Transferring Authority from which the organisation can demonstrate community benefit;
- The asset is in the freehold/leasehold ownership of the Council;
- Applications for multi-uses and co-location of services should be encouraged. Single interest uses will only be considered where there is a significant business case to do so.

c) Proposed Use

- There is both a need and demand for the proposed activities and consideration is given as to whether or not this is being satisfactorily addressed by another organisation;
- The proposed use will support the delivery of the Council's Single Integrated Plan and corporate priorities;
- The proposed use will maximise opportunities for income generation to ensure sustainability;
- The CC or TSO has established how much space it requires to deliver its proposals, and how they will make optimum use of the asset;
- The proposed use will deliver extensive and inclusive reach into the community and will be open to all.

d) Business Plan and Finance

A robust business plan clearly stating the operation and service provision and financial and organisational capacity of the organisation to deliver the proposed services/activities and manage the asset is critical to the success of any transfer.

A Business Plan and Financial Forecast template, with guidelines, is provided at Appendix 3.

The extent and detail of the business case will vary with the type of assets/services being transferred. The due diligence process needs to be proportionate to the proposed asset/service transfer; the proposed use of the asset; current Governance model; capacity and track record of the recipient community organisation.

5.2 How can assets suitable for transfer be identified?

Third sector organisations have identified issues with understanding which assets are available within Local Authorities for asset transfer. If specific assets are to be excluded from the CAT Policy then these should be clearly identified; for example some Local Authorities specifically exclude properties held for economic development purposes such as industrial units. Expectations should also be managed within the Policy in respect of assets that have the potential to generate significant capital receipts if sold on the open market. For example, reference could be made to the Local Authority's need to generate capital receipts to help fund capital projects. Suitable assets can be identified in various ways and the Policy should be flexible enough to deal with all circumstances.

Asset Management Planning Processes

Local Authorities should have a robust asset management planning process in place including regular reviews of their property holdings. Service need for assets, including opportunities for alternative methods of service delivery, will influence their requirement for assets. The potential for assets identified as surplus to requirements to be transferred to

the community should form part of the Local Authorities' disposals process.

Where appropriate, assets identified as suitable for community transfer should be flagged through a "Window of Opportunity" process to ensure fairness and transparency. The NAWG and the Welsh Government's Land Transfer Protocol recommend highlighting availability on e-PIMS. Interested organisations should be offered the opportunity to submit an Expression of Interest (see below) within a defined time period. The time period will be dependent on the asset and nature of transfer. This may be on a restricted basis to specific organisations, particularly if an element of service delivery is to also be transferred. However, there will also be circumstances where the Local Authority wishes to engage with one organisation only such as a Town Council or Community Council and the Policy should make provision for such cases.

Applications from Existing Tenants

Community asset transfer is not new to Local Authorities and many organisations already utilise their buildings as community assets. Applications will be received from community organisations already in occupation of a Local Authority building looking to vary their terms of occupation, for example by increasing the lease term to meet grant funding requirements or formalising licence arrangements. If the community organisation is not in sole occupation of the asset, or the use is narrow and restrictive, Local Authorities may wish to reserve the right to offer it as a restricted or general "Window of Opportunity" to encourage collaboration and co-location. An example is single use sports pavilions such as rugby, football and bowls which may offer the potential for more intensive use by creating a multi-disciplinary Sports Association.

Exploratory Applications

Local Authorities may receive enquiries from community organisations, in relation to assets that have not been previously identified as available for transfer. The CAT Policy should be flexible enough to deal with such applications, again considering the potential for the "Window of Opportunity" process to ensure transparency and fairness.

A suggested template for a pre- application is provided at Appendix 2.

5.3 Terms of Transfer

CAT usually involves a transfer at less than full market value, either at a reduced cost or nominal consideration. However, there may be situations where a Local Authority will require a market value. An "asset" can include land or buildings. The type of tenure to be granted can include:

- management agreement;
- licence to occupy;
- short lease;
- long lease;
- freehold transfer.

Many organisations taking on the asset will be reliant on grant funding to support the development of the asset. Some grant funders will require a certain tenure or length of lease. They may also require that the asset transfer is at a nil consideration. Most community assets are transferred on full repairing and insuring terms and this can be included as a presumption within the CAT Policy. However, there may be circumstances whereby responsibility for some repairs, usually external, is retained by the Local Authority in exchange for a reduced rent rather than a nil consideration. It is therefore recommended that the Policy is flexible rather than prescriptive in terms of both tenure, value of the transfer and repairing obligations.

This flexibility will also provide the opportunity for the Local Authority to suggest alternative terms of occupation if the applicant does not meet all their criteria. This could include for example a shorter lease term than originally requested, particularly if the organisation is newly established or there are concerns over longer term sustainability and funding.

The transferring body needs to give consideration to the length of lease or whether it's appropriate to transfer the freehold. This decision should be influenced by the amount of capital that the incorporated body would need to raise to develop the building and the business idea. If a large loan is needed then the loan provider would expect to take a charge on an asset to protect its investment.

5.4 Engagement and Consultation

Applicants are encouraged to engage with national and/or local Third Sector support organisations to prepare their EOIs and full business plans. These organisations will have specialist staff that can advise on issues such as development and viability of the asset, governance, sustainability, energy efficiency, the business model, funding and investment finance.

This will help to reduce the number of applications that are unlikely to succeed and improve the quality of applications and assist community organisations in determining whether the asset is viable and fit for purpose. These organisations can also help to promote opportunities for asset transfers within their membership.

Organisations providing advice and support include:

- Wales Council for Voluntary Action (WCVA);
- County Voluntary Councils (CVCs);
- Communities First;
- Coalfields Regeneration Trust;
- Wales Co-operative Centre;
- Development Trusts Association (DTA) Wales.

Engagement and support of elected Members is important. They will have links with local groups and evidence of community need and demand. It is also important that they understand the consequences of community ownership of assets, particularly the importance of sustainability. It is recommended that Local Authorities involve Members in the development of their Policies, and provide training and information to explain how the process works in practice.

It is also recommended that Local Authorities consult with Town Councils and Community Councils in respect of their community asset transfer proposals. Ideally this should initially be at a strategic level as part of the Local Authorities asset management and review processes. This will enable them to better plan strategically which assets, and possibly services, they may be interested in rather than having to respond reactively to individual opportunities for transfer. They should also be consulted normally on individual EOI applications that are received within their boundaries.

5.5 A Partnership Approach to Community Asset Transfer

Local Authorities/public bodies are encouraged to develop a partnership approach to community asset transfer. This will support the creation of stronger, more cohesive and more sustainable communities. Officers from a wide range of services will be actively working with community groups to build capacity and provide them with the confidence and skills to take on the ownership and management of assets. **It is important that Local Authorities ensure that all relevant information regarding an asset is made available**

to interested parties sufficiently early to inform planning and decision making on the future operation of said asset and the likely implications on the recipient body. This will include details of its condition, running and maintenance costs and title deed restrictions.

5.6. Funding

This document is not intended to provide detailed advice on funding mechanisms. There however are a number of possible sources of funding available. Some sources of advice are detailed below:

Charity Bank (<http://www.charitybank.org/>) is a savings and loans bank with a mission to use money for the common good. They offer loans of up to £2.5m to community enterprises and organisations with a social purpose in Wales. Loans are available to help buy property; develop community facilities; fund social projects; and assist day-to-day operations as you wait for grant funding to arrive.

Robert Owen Community Banking (<https://rocbf.co.uk/>) is a not-for-profit finance company working to build more resilient local economies in Wales. They provide loan and investment finance opportunities across Wales to create assets and legacies for local communities and help to unlock sustainable income streams.

Welsh Government Community Facilities Programme (<http://gov.wales/topics/people-and-communities/communities/grants/community-facilities-programme/?lang=en>) is a £10 million capital fund to tackle poverty across Wales.

The programme enables community and voluntary groups, as well as social enterprises, to bid for capital grants of up to £500,000 to improve community facilities which provide services for vulnerable local people.

Triodos Bank (<http://www.triodos.co.uk>) seeks to make money work for positive social, environmental and cultural change.

Grant Finder (<http://www.grantfinder.co.uk/>) allows you to subscribe to it's services in order to find a grant that may be applicable to you.

Unity Trust Bank and **WCVA's Community Investment Fund (CIF)**, which is a loan scheme with Unity Trust Bank.

It is also the case that high street banks will also be a source of funding for projects, particularly when they offer strong commercial potential.

The Big Lottery Fund in 2015 (<https://www.biglotteryfund.org.uk/CAT2>) commenced a second phase of the Community Asset Transfer funding (CAT 2) for community organisations. This provides for both capital and revenue grants, peer and mentor support; with a total funding pot of £9 million. Crucially, the application process is also phased: successful applicants at stage 1 of the process can access funds to further develop their capital bids to attempt and secure funding at a stage 2. The aspiration is that their bids should be much more developed and robust as a result.

Building Communities Trust (<http://www.bct.wales/>)
<https://www.biglotteryfund.org.uk/buildingcommunities>

A new Trust that supports people and places in disadvantaged communities in Wales to develop solutions to local issues and create stronger communities through a £ 15 million Trust Fund.

Heritage Lottery Fund <https://www.hlf.org.uk/looking-funding/where-we-fund>

CADW <http://cadw.gov.wales/historicenvironment/help-advice-and-grants/grants/?lang=en>

The Architectural Heritage Fund <http://www.ahfund.org.uk>

Co-operative and Community Finance <https://coopfinance.coop>

Lend to those that practice the principles of co-operation, social ownership and sustainable development

Community Shares <http://communityshares.org.uk>

Could also provide a potential source of finance for third sector and community organisations; and the Wales Co-operative Centre and DTA Wales can provide guidance on the application of this and for community shares initiatives involving a CAT.

It is also the case that high street banks could also be a source of funding for projects, particularly when they offer strong commercial potential.

Appendix 1 – Example of Community Asset Transfer Process

Stage	Requirements	Decision Maker
PRE-APPLICATION EXPRESSION OF INTEREST (EoI) Submitted to Local Authority or Local CVC, where it will be assessed and, if necessary, further advice and assistance in preparing a full and formal expression of Interest, with a comprehensive Business Plan, will be provided. In the interests of transparency and fair play to the entire community, the submission of an Outline Business Case will trigger the Council to advertise the availability of the relevant property for a period of no more than 4 weeks, following which Outline Business Case's from all interested parties will have to be submitted and considered and invites will be issued to acceptable organisations to proceed to the formal Stage 1.	OUTLINE BUSINESS CASE (Document: Community Asset Transfer Outline Business case) <ul style="list-style-type: none"> • Background of the Community Council (CC) or Third Sector Organisation (TSO) • Ability and experience of providing services to the public through the medium of the Welsh language; • Why the asset is needed • Benefits to community, TSO and Council • An Organisational Health Check • Support from Community, Partners & Stakeholders If the original Outline Business Case is initially rejected the TSO will be advised as to the reasons and, if applicable, support from Local CVC Economic Development Officer will be made available in order to improve the submission to the standard required. The Local Authority/Local CVC will also supply the support in order to ensure the CC/TSO provides a Detailed Business Plan in the correct format including	Local Authority/ Local CVC
		Timescales No more than 4-6 weeks

Stage	Requirements	Decision Maker
<p>STAGE 1: FORMAL EXPRESSION OF INTEREST</p> <p>On recommendation Local Authority or Local CVC a Formal Expression of Interest will be submitted to the Head of Estates and Strategic Asset Management by the Community Council/ TSO/Community Group.</p>	<p>BUSINESS PLAN</p> <p>A detailed business plan, in the proper format, with a minimum of 3 years financial forecasts, sustainability plan and a consultation survey has to be submitted as part of the Formal Expression of Interest.</p> <p>If all the documents are in order the TSO will be invited to proceed to Stage 2. If the application is not supported a full explanation will be</p>	<p>Local Authority/ Local CVC</p> <p>Head of Estates and Strategic Asset Management</p> <p>Timescales</p> <p>No more than 1 week</p>
<p>STAGE 2: FULL ASSESMENT OF DETAILED BUSINESS PLAN</p>	<p>SUBMISSION AND ASSESMENT OF DETAILED BUSINESS PLAN</p> <p>Assessment of Detailed Business Plan with specific attention on:</p> <ul style="list-style-type: none"> • Needs analysis and projected utilisation • Type of transfer sought and why • Planned outcomes and benefits and how they will be measured/monitored • Ability and experience of organization in providing services to the public through the medium of the Welsh language • Details of any proposed partnership/collaborative working • Track record for delivering service/managing property • Capacity to 	<p>Head of Estates and Strategic Asset Management</p> <p>In consultation with:</p> <ul style="list-style-type: none"> • Head of Community Regeneration • Relevant Head(s) of Service • Ward Members • Executive Member

Stage	Requirements	Decision Maker
	<p>Report to Corporate Strategic Asset Management Board with a detailed assessment of:</p> <ul style="list-style-type: none"> • Benefits for community, the TSO and how they relate to delivering Council priorities • Risks in relation to financial and organisational ability to manage the asset • Potential loss of capital receipt and existing income or other opportunity cost to the Council arising from the transfer • Establish level of discount (if applicable) • Terms of transfer and any legal issues 	<p>Corporate Strategic Asset Management Board</p> <p>following consultation with:</p> <ul style="list-style-type: none"> • Head of Community Regeneration • Relevant Head(s) of Service • Head of Legal and Corporate Compliance • Chief Financial Officer
		<p>Timescales</p> <p>No more than 8 weeks</p>
STAGE 3: RECOMMENDATION, DECISION AND COMPLETION	Delegated approval or report to Scrutiny Committee and Executive in line with Disposals and Acquisition Policy	<p>Head of Legal and Corporate Compliance.</p> <p>Scrutiny Committee</p>
		<p>Timescales</p> <p>Dependent on complexity 8-16 weeks</p>
		<p>TOTAL TIMESCALE</p> <p>21-31 weeks</p>

Note:

It is important that timelines should be realistic, and provide the applicants with sufficient time to prepare any required documentation such as a business plan. Flexibility is important, as the timescales may also link to external dependencies such as decisions on funding packages. It is acknowledged and must be recognised by all parties that large transfers can take between 12 -24 months to resolve complex issues and develop complete funding packages.

Appendix 2 - Community Asset Transfer Outline Business Case Pre-Application Expression of Interest (EOI)

This is a template that can be used to capture the information needed to consider requests for the transfer of asset for community use. It can be modified or amended where considered appropriate and additional information included where relevant.

Please complete this form, attach additional information and send for appraisal, in the first instance, to:

The Local Authority/Local CVC

Organisation	
Applicant	
Contact details	
Date	

1. Introduction	
The Outline Business Case	
a.	Is this a request to take possession of a specific asset? If yes, please provide details.
b.	Have you been invited to make a request by Local Authority? If yes, please provide details.
c.	Is this an exploratory request? If yes, please provide details of your requirements.
d.	Other reason? If yes, please provide details.

2. Background

Describe your organisation

a.	The services provided
b.	The area of service provision
c.	People numbers and organisational structure
d.	The accommodation you currently use
e.	How your organisation is funded
f.	How your organisation provides services to the public through the medium of the Welsh language.

3. Why the asset is needed

Is your existing accommodation

a.	Unsuitable?
b.	In the wrong location?
c.	Too costly or you have received notice to vacate?
d.	Is your service expanding?
e.	Are you providing additional services?

4. Benefits

Provide details of the benefits that you consider could be achievable.

You should include benefits to your organisation, to the community and to The County.

a.	Will the asset enable service improvements?
b.	Will additional services be provided?
c.	Will the service become more visible?
d.	Will the service become more accessible?
e.	Will the asset complement other services or organisations or enable collaborative working?
f.	Will it safeguard services?
g.	Will there be any financial savings?

5. Organisational Health Check

Consider your Organisations ability to maintain services delivery and deliver benefits

a.	Do you have a mission and objectives?
b.	What are your governance arrangements?
c.	Do you have a written constitution or Memorandum & Articles of Association Please provide Company/Society registration number and/or Charity registration number
d.	Do you publish an annual report? If yes, please provide the most recent copy.
e.	What financial package is in place to support your proposal and how secure is the funding?

6. Partners, Collaborators and Stakeholders

Are you proposing any arrangements with the council or other public or third sector organisations?

- | | |
|----|--|
| a. | Provide details and state the scope of their involvement |
| b. | Are they supportive of this proposal? |

Appendix 3.1 – Finance Plan Template

Another Community Centre – Income & Expenditure Forecast Years 1-5

		Phase 1	Phase 2		Phase 3		
Note:	Income	Current	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
1	Local authority 'start-up' grant						
2	Other grant aid						
3	Rent & room hire						
	Large Hall						
	Small Hall						
	MUGA						
4	Other income						
	Vending machines						
	Café & shop sales						
	Other						
5	Volunteer time in kind						
6	Own fundraising						
	Total						
	Expenditure	Current	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
7	Staff salaries & on-costs						
	Centre Manager						
	Caretaker						
	Cleaner(s)						
	Volunteer time in kind						
8	Staff & volunteer training & devt						
9	Caretaking / cleaning costs						
	Cleaning materials						
	Refuse collection						
	Security						
10	Utilities						
	Water						
	Electricity						
	Gas						
11	Rates						
12	Repairs and maintenance						
13	Transport & travel						
14	Centre supplies						
	Tools & materials						
	Equipment hire						
	Office furniture & IT						
	Medical, clothing & PPE						

14	Telephones						
	Internet						
15	Centre promotion						
	Printing & publicity material						
	Advertising						
16	Vending machine rental & supplies						
17	Insurances and professional						
	Property insurance						
	Public liability insurance						
	Performing rights soc. Fees						
	Accountancy fees						
	Legal fees						
	Architects fees						
	Consultancy fees						
18	Other – sundries & miscellaneous						
	Total						
	Surplus (deficit)						
	Accumulated reserves						

The above template is not exhaustive and could also include information regarding committed or required capital expenditure; both statutory and non-statutory scheduled maintenance (from a condition survey) and how funding needs to be raised to cover any deficit in the Profit and Loss.

Appendix 3.2 – Business Plan Template

Business Plan – Contents

Executive summary p.5

1. Our project	p.7
<ul style="list-style-type: none"> • About AN Other Community Organisation • Our values and the mission of our organisation • The aims and objectives of our community project 	
2. The market	p.9
<ul style="list-style-type: none"> • About our community • Existing & target markets • Results of community consultations • Knowledge of other existing community services & facilities • Opportunities to build partnerships 	
3. Business growth and development	p.11
<ul style="list-style-type: none"> • A review of our organisation (SWOT Analysis) • Our business development strategy <ul style="list-style-type: none"> – Phase 1 – Project design (Year 0) – Phase 2 – Centre development (Years 1 – 3) – Phase 3 – Centre expansion (Years 4 & 5) 	
4. Centre management	p.13
<ul style="list-style-type: none"> • Our management committee • Staffing and the role of community volunteers • Development of community activities • Service delivery & programming • Policies & procedures • Day-to-day operations 	
5. Centre development	p.14
<ul style="list-style-type: none"> • Current facilities • Potential opportunities for refurbishment & expansion 	

6. Marketing plan	p.14
<ul style="list-style-type: none"> • Building our profile • Promoting our services 	
7. Financial plan	p.15
<ul style="list-style-type: none"> • Five year income & expenditure (cashflow projection) • Income generation (sales forecasts) • Fundraising strategy 	
8. Risk analysis	p.17
<ul style="list-style-type: none"> • Risk log • Plan for minimising risks 	

Appendices:**Appendix 1: Community Consultation and Engagement Plan****Appendix 2: Desk top survey of other community facilities****Appendix 3: SWOT Analysis of AN Other Community Organisation****Notes:**

The finance and business plan templates provided are extracts from 'Stepping Up: A toolkit for developing and managing services and assets'. 'The Stepping Up Toolkit has been developed by City of Cardiff Council as part of their ongoing strategic Community Asset Transfer programme'.

Appendix 4 – Community Assets Transfer Policies by Authority

Blaenau Gwent County Borough Council: http://democracy.blaenau-gwent.gov.uk/aksblaenau_gwent/images/att2765.pdf

Bridgend County Borough Council – AMP 2021: Community Asset Transfer Guidance document
<http://www1.bridgend.gov.uk/media/299476/cat-guidance-oct-15.pdf>

Cardiff Council – Stepping up Toolkit
<http://www.cardiff.gov.uk/ENG/Your-Council/Council-finance/Council-Budget/2015-16/Documents/Stepping%20Up%20Toolkit.pdf>

Carmarthenshire County Council – Community Asset Transfer Procedures 2013 – 2016 <http://www.carmarthenshire.gov.wales/media/1109397/Community-Asset-Transfer-Procedures-2013-16.pdf>

Conwy County Borough Council - Asset Management Delivery Plan 2012-2017
[http://modgoveng.conwy.gov.uk/Published/C00000171/M00002713/AI00031895/\\$AMP20122017DeliveryPlanv6.doc.pdf](http://modgoveng.conwy.gov.uk/Published/C00000171/M00002713/AI00031895/$AMP20122017DeliveryPlanv6.doc.pdf)

Flintshire County Council – [http://www.flintshire.gov.uk/en/Resident/Community-Asset-Transfer-\(CAT\)/Community-Asset-Transfer-\(CAT\).aspx](http://www.flintshire.gov.uk/en/Resident/Community-Asset-Transfer-(CAT)/Community-Asset-Transfer-(CAT).aspx)

Merthyr County Borough Council – <http://www.merthyr.gov.uk/media/1881/corporate-asset-management-plan-2014-19-v2.pdf>

Monmouthshire County Council – <http://www.monmouthshire.gov.uk/home/local-democracy-and-councillors/policies-and-procedures/asset-management-plan>

Neath Port Talbot County Borough Council – Property Asset Management Plan 2011 – 2016 – http://www.npt.gov.uk/PDF/Asset_Management_Plan_2011_16.pdf

Vale of Glamorgan County Borough Council – <http://www.valeofglamorgan.gov.uk/Documents/Our%20Council/Achieving%20our%20vision/Corporate-Asset-Management-Plan-2015-2018.pdf>

Appendix 5 – Further Information

Community Matters

Community Matters is the national membership and support organisation for the community sector. They champion voluntary and community action at neighbourhood level, as a means of local people taking control of issues in their area and fostering community spirit. <http://www.communitymatters.org.uk/content/583/6-Community-Asset-Transfer>

DTA Wales

DTA Wales supports development trusts, community organisations and people across Wales, to build resilient communities and take control of their lives, through community enterprise, social action and community ownerships.

The DTA Wales portal is for a wide range of people and organisations who may be interested in the development of land and building assets that can be used for community or public benefit. <http://assetsportal.dtawales.org.uk>

Community Rights

<http://mycommunity.org.uk/resources/understanding-community-asset-transfer/>

Locality

The Asset Transfer Unit (ATU) promotes and supports community asset transfer – the transfer of land and buildings from public bodies to community and voluntary organisations.

<http://locality.org.uk/our-work/assets/asset-transfer-unit/> <http://locality.org.uk/resources/hold/>
<http://locality.org.uk/resources/fa-guide-asset-transfers/>
<http://locality.org.uk/resources/empowering-communities-making-local-assets-officers-guide/>
<http://locality.org.uk/resources/making-local-assets-councillors-guide/> <http://locality.org.uk/wp-content/uploads/Civic-Buildings-the-show-must-go-on.pdf> <http://locality.org.uk/resources/pillars-community-transfer-local-authority-heritage-assets/>
<http://locality.org.uk/blog/income-generation-public-libraries-practical-guide-library-service/>
<http://locality.org.uk/resources/community-led-spaces/> <http://locality.org.uk/resources/making-buildings-work-community/> <http://locality.org.uk/resources/guidance-community-owned-managed-swimming-pools/>

Wales Council for Voluntary Action

WCVA support and represent Wales' third sector. They represent and campaign for voluntary organisations, volunteers and communities.

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

Big Lottery Fund –

<https://www.biglotteryfund.org.uk/wales>

National Association of Local Councils in England and Wales

<http://www.nalc.gov.uk/>

One Voice Wales

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

Community Land Advisory Service Cymru

The Community Land Advisory Service in Wales (CLAS Cymru), which aims to help community growing groups, landowners – plus others involved in land access – to work together to make more land available for community growing. <http://wl.communitylandadvice.org.uk/en/home%20/>

Welsh Government: A Toolkit for the Transfer of Community Assets for Sport, Arts and Cultural

To assist community groups considering the acquisition of community assets for sport, arts and cultural purposes. <http://gov.wales/topics/people-and-communities/communities/community-asset-transfer/?lang=en>

Wales Co-operative Centre

The Wales Co-operative Centre supports the development and growth of social entrepreneurship, social enterprises and co-operatives in Wales. <http://www.walescooperative.org>

The Coalfields Regeneration Trust supports community asset transfer and development in former coalfield communities with coordinated development support and grant funding. <http://www.coalfields-regen.org.uk>

Appendix 6 – Case Studies

Ebbw Vale Institute

Ebbw Vale Institute is the oldest Institute in Wales. It is a Grade II listed building and was built in 1849. It was in danger of being lost due to the need for extensive repair and refurbishment, which the owner, Blaenau Gwent CBC, could not commit funding. In 2007, ProMo-Cymru approached the Council to take on the major task of saving and restoring the historic Institute building and turning it into a sustainable cultural centre of community activity and learning;



which was its original function when it opened its doors as the first educational institute in Wales in The journey to restore the Institute to its former glory began with initial funding from the Heads of the Valley Project. Following the launch of the Big Lottery's Community Asset Transfer Fund, ProMo-Cymru then approached the Council for a freehold community asset transfer. The transfer was completed in May 2012 and a £750,000 Big Lottery grant secured, with support from DTA Wales, to complete the restoration.

Business

ProMo-Cymru Ltd, a registered charity, was established in 1982 as South Wales Co-operative Development Association to develop, train and support business, utilising co-operative principles and community development aspects wherever possible. The underpinning themes of ProMo-Cymru's work are to empower, sustain and develop young people and to sustain and work in partnership with others in the social and economic context for lifelong learning, personal and community development. The Ebbw Vale Institute & Cultural Centre Project (EVi) is a landmark initiative of ProMo-Cymru.

Details

The Institute provides the following services:

- **Cafe** – open to the public and offering snacks and meals with free wifi access;
- **Training and Workshops** – courses include music tuition, event management, art classes and photography. Training facilities can be used for private hire;
- **Venue with Licensed Bar** – events, concerts, wedding receptions and parties;
- **Conference Facilities** – full conference facilities including boardroom meeting spaces and breakout rooms;
- **Recording Studio** – state of the art recording facilities available for tuition, workshops and private hire;
- **Rehearsal Rooms** – fully equipped music rehearsal rooms and dance studios;
- **Video Editing** – Apple based video editing suite available for training workshops and private hire;

- **Business Incubation** – providing hot desk spaces, professional facilities and support for businesses looking to develop and grow.

The building is now used for a wide variety of functions including award ceremonies, business meetings, weddings, musical events, training and education, community socialising and much more. ProMo-Cymru work in partnership with a wide range of groups and organisations including Blaenau Gwent CBC, Communities First, Princes Trust, WEA, Gwent Association of Voluntary Organisations, BRFM (community radio station), The Rotary Club, Encore Academy, Blaenau Gwent Young Stars, Ebbw Vale Operatic Society and Coleg Gwent.

Benefits

The primary benefits of Promo Cymru taking ownership of the Ebbw Vale Institute are: –

- The building has been saved as a community facility;
- The change of ownership meant that grant funding could be applied for to not only carry out immediate and necessary work to save the building, but also to refurbish the interior to a high standard including the installation of a café restaurant, a state of the art recording studio, a Main Hall venue for events serving the community and local businesses and training rooms and facilities for educational purposes. As a charity Promo-Cymru have much more flexibility in what they can offer in terms of service.

They also have the freedom to apply for grant funding to help maintain and sustain the facility. This includes the setting up and running of a wide variety of projects including music, drama, adult education and community courses both certificated and for pleasure.

Lessons Learned

- Be flexible in respect of the tenure to transfer;
- The community asset transfer of EVi required the Council to be more flexible on the tenure they were prepared to transfer. Initially they would only consider a leasehold transfer. However, the conditions for grant funders investing significant funds such as the Big Lottery specified a freehold transfer. The Council subsequently ensured that their Community Asset Transfer Policy, whilst making a presumption that transfers would be made on a leasehold basis, still provided the flexibility for a freehold transfer in exceptional circumstances for example where significant grant funding depended on it.



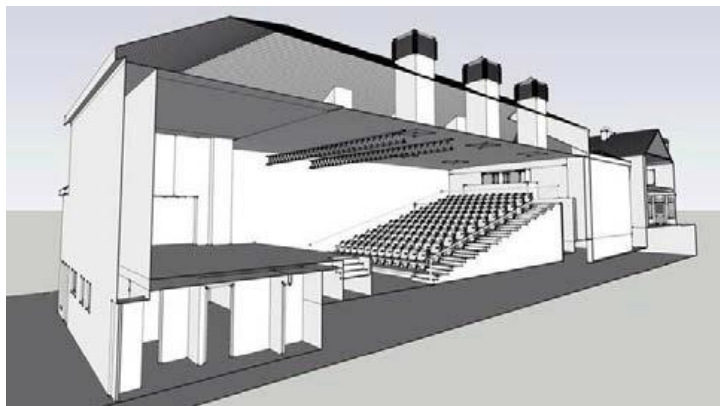
Contact:

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Neuadd Ogwen

In September 2012, Gwynedd Council, Estates Department accepted a recommendation to transfer the freehold of arts and music centre, Neuadd Ogwen, to the responsibility of a social enterprise Tabernacl (Bethesda) Cyf. The transfer included a parcel of land adjacent to the building. The purpose of the transfer was to secure finance to redevelop the centre.



Business

Tabernacl social enterprise was established 20 years ago to celebrate the local arts scene of Bethesda, home to a number of successful Welsh artists including internationally renowned musician Gruff Rhys, the lead singer of Super Furry Animals. Tabernacl had access to funding not available to the local authority. It had secured £600k grant from the Big Lottery Fund (BLF) Community Asset Transfer programme to redevelop Neuadd Ogwen. In addition it had secured £312k from the local Môn Menai Regeneration fund for the building project.



Details

The transfer of the asset took place for a nominal sum of £1. This was due to the restriction on its use in the lease, the Council's intention to include a 'clawback clause' in the transfer terms and finally, that the building was already let to Tabernacl.

Benefits

On paper, the transfer of Neuadd Ogwen to a social enterprise business was a straightforward process. There were a number of factors that aided the transfer process for Gwynedd Council and for Tabernacl.

- Transferring a public liability into a community asset;
- A local authority champion;
- Social enterprise peer-to-peer mentoring.

Tabernacl had not been successful in its first bid to the BLF for a Community Asset Transfer grant. In preparation for its bid to the final application round, the social enterprise was supported by a peer mentor, Promo Cymru facilitated by DTA Wales. The mentor had previously been successful in its bid for grant money and was able to provide guidance and knowledge to Tabernacl.

Lessons Learned

Local Authorities and social enterprises considering an asset transfer should consider the following issues:

- Responsibilities of both parties involved in an asset;
- Encourage measured risk-taking and innovation;
- Appropriate and successful joint working between the stakeholders;
- Legal fees to be eligible in grant applications.

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Aneurin Leisure

Blaenau Gwent County Borough Council began initial discussions regarding alternative models of service delivery for Leisure services during 2012. The key drivers were to sustain the delivery of Leisure's social objectives, meet the requirements of the Council's Medium Term Financial Strategy, including the achievement of NNDR savings for the Council. In January 2013, an external consultancy company was brought in during the early stages to contribute to the development of a business case having supported the set-up of multiple charitable trusts across the UK and they later formed part of a project board which was set up in August 2013.

The project board comprised of key officers from within the Council e.g. Chief Leisure Officer, Head of Legal, Head of Estates, Finance Officer and an external consultancy partner which also included legal advice. A Scrutiny Task and Finish Group was also set up to engage with political members throughout this process.

Details

The following timescale outlines the key decisions that were made in order to achieve a successful transfer:

- 19 December 2012 – Executive Committee approved the appointment of external consultants to identify alternative service delivery options for Leisure Services;
- January 2013 – RPT Consultants appointed to support the development of the alternative service delivery model for Leisure Services;
- Autumn 2013 – An options appraisal was presented to the Council's Executive Committee during the Autumn 2013, outlining the following options:
 - In-house model;
 - New Not for Profit Distributing Organisation (NPDO);
 - Existing NPDO;
 - Hybrid NPDO;
 - Private Sector;
- The Council's Executive Committee endorsed the recommendation to establish a new Not for Profit Distributing Organisation (N.P.D.O.);
- 18 December 2013 – Executive Committee accepted the Revenue Budget 2014/15 and Medium Term Financial Strategy 2014/15 – 2019/20 (which included the Trust transfer proposal);
- 19 December 2013 – Council approved the Revenue Budget 2014/15 and Medium Term Financial Strategy 2014/15 – 2019/20; and
- 12 March 2014 – Council's Executive Committee endorsed the business case to establish a Non Profit Distributing Organisation (N.P.D.O.) for Leisure Services;
- Trust live date – 1 October 2014.

The original deadline for implementing the new Trust was June 1 2014, so the final Council decision made in March 2014 left a relatively short period of time to establish the new organisation and resolve some critical areas, such as the legal documentation, the funding arrangements, the estates transfer etc. It's important not to underestimate the complexity of these issues, which were addressed in a relatively short period of time. Throughout the transfer process it needs the two parties to commit to maintain their commitment to continue to negotiate even when there is disagreement over particular issues. The parties have to be prepared to find common ground, agreement, and at times compromise during the detailed process of getting to a position of transfer.

Business

Aneurin Leisure (AL) is a charitable company limited by guarantee and consists of 350 staff, all of which transferred to the new organisation as part of a TUPE transfer. The contract between AL and BGCBC is 20 years (2014-2034) and a 5 year business plan (2014-19) has been developed, which will be reviewed annually and renewed every 5 years. The contract is underpinned by a management fee from BGCBC, which is on a fixed sliding scale over the 5 year business plan. Whilst the management fee is fixed, the Council can request a change in service at any time throughout the contract, which can impact on the budget allocated to the new Trust.

AL is the largest provider of leisure services in Blaenau Gwent and consists of three main services, which are traditional Leisure (Sports Centres), Culture and Learning. There are twenty one building assets which sit within these three services and operate on a peppercorn lease agreement. Services offered by AL are:

- 3 Sports Centres;
- Sports Development;
- National Exercise Referral;
- Parc Bryn Bach;
- Bedwellty House and Park Tredegar;
- Adult and Community Learning;
- Libraries;
- Heritage and Urban Conservation;
- Arts Development and Venues (Beaufort Theatre/ Abertillery Metropole Centre);
- Brynmawr Community Centre.

The Trust has entered into a number of SLA's with the Council over a 3 year period and these will be monitored monthly for compliancy and reviewed annually. The Trust will comply with TUPE law at the end of the 3 year agreement.

Benefits

Following the transfer on the 1st October 2014, there has been a great deal of energy and focus by all staff in driving the commercial aspects of the business. Considerable work has also been carried out on developing new partnerships in both the commercial and charitable sector, whilst maintaining strong links with the Council. A Retained Leisure Manager has been appointed within the Council and monthly meetings take place with the newly appointed Managing Director to monitor the contract. Trust staff have been invited to attend Council scrutiny meetings as and when required as expert witnesses, to support the presentation of Trust related reports. New contracts have been sourced during this initial trading period, which will allow the Trust to test its ability to stretch its capabilities moving forward. Like any new Trust model, a key challenge will be to identify new investment opportunities to grow the business whilst maximising existing income streams and delivering on social outcomes.

A key area for organisations seeking alternative Leisure delivery models is to ensure all governance arrangements are in place e.g. HR transactional work, payroll, financial platforms prior to the date of transfer. The success of this work will depend on whether an appropriate timescale has been considered for the transfer.

Lessons Learned

- Identify high risks of the project early e.g. pension guarantor, insurance and bank set

up;

- Early recruitment of the role of MD, and other key posts;
- Early recruitment of quality board members and effective Chair, so they are embedded prior to transfer;
- Two local Authority nominees as part of the Trust Board;
- The separation of advice, guidance and responsibilities between the Trust and the Council to ensure objectivity leading up to the transfer;
- Regular communication with all staff transferring (and those still in the Council) to ensure staff have a clear understanding of the direction of the transfer;
- Ensure open and honest dialogue between both the Council and Trust;
- Ensure there are clear lines of accountability between internal and external solicitors;
- Ensure all policies and governance arrangements, particularly organisational development are implemented prior to the Trust transfer;
- Ensure adequate time (12-18 months) is allowed for a successful transfer to take place; and
- Recognition that the Trust still has a close relationship with the Local Authority's funding arrangements and the on-going impact of austerity measures.

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Hay-on-Wye Cheese Market

Hay-on-Wye Cheese Market – a Grade II listed landmark building which required substantial investment and had been declared surplus to Powys County Council (PCC) requirements.

The Hay-on-Wye Community Enterprise CIC (HCECIC) wished to be granted a lease at a nominal rent. The granting of such a lease would allow the organisation to apply for a Community Asset Transfer grant under the Big Lottery Fund/Heritage Lottery Fund and restore the building into a community facility. They completed a PCC Business Case and Structural Survey. The property was acquired originally by the Urban District Council of Hay and is subject to a number of restrictive covenants limiting its use.

Details

The HCECIC planned to renovate the building, creating community space on the ground floor whilst renovating the first floor into a holiday let which would provide vital revenue income. The initial request for a CAT was made to PCC in 2009.

The Council, having considered the Business Case, agreed to the granting of a long lease at nominal rental, this allowed the group to formalise its grant applications.

A long lease was completed in the summer of 2013 following the confirmation of funding.



Business

In response to the public consultation carried out in 2008 there was a clear mandate by the people of Hay-on-Wye to support Powys County Council's transfer of the Cheese Market building, at a nominal amount, to Hay-on-Wye Community Enterprise CIC to ensure its continuous use for the benefit of local residents and visitors. The building will enable Hay on Wye Community Enterprise CIC to raise further inward investment that will support the local economy and job creation in the short term.

Using the Cheese Market building as a launch for the other initiatives, Hay-on-Wye Community Enterprise CIC plan will, in the medium to long term, secure further inward investment and enable a number of viable job creating enterprises to be established that, over time, will support a thriving local economy.

In addition to the economic benefits, the cheese market building will bring social benefits from the initiatives that the building will host that will benefit all the residents of Hay and visitors.

They intended to renovate the building using environmentally sustainable materials and methods and use this as an example of good practice within the constraints of renovating a Grade II listed building.

Benefits

- A landmark listed building has been sensitively preserved evidencing traditional building methods;
- The scheme involved comprehensive community engagement via numerous events;
- A landmark building has been preserved for community use and enjoyment.

Lessons Learned

With the challenges of dealing with a listed building requiring repair and one subject to legal restrictions, never under estimate the time it will take to reach key milestones. This project has taken over 4 years to complete and is now at a stage where the group can start to realise its goals.

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Gwesty Seren

This Community Asset Transfer has enabled a closed residential home for the elderly owned by Gwynedd Council; to be re-opened as a hotel aimed at providing respite adventure holidays for people with learning disabilities, their families and carers.

Gwesty Seren in Llan Ffestiniog is owned and managed by Seren Ffestiniog Cyf, a social enterprise; and is open to all members of the public, as well as providing respite adventure holidays for a specific audience.

The Community Asset Transfer was completed in 2011-12 and funded by the Big Lottery Fund; Magnox; Welsh Government (Visit Wales); Snowdonia National Park Authority; Gwynedd Social housing; and by Seren Ffestiniog's investments and borrowings. Support from the Big Lottery Fund included both capital and revenue support.



Business

Gwesty Seren is a not-for-profit project; the hotel includes facilities such as a hydrotherapy room and a sensory room; as well as other features which are not commonplace in hotels. It works with a range of local businesses to offer adventure and leisure activity throughout Snowdonia. The adaptations made to the hotel, to accommodate guests facing a range of mobility and disability related challenges; represents a significant investment from Seren Ffestiniog Cyf to enable them to market their facility with a particular social benefit.

Established in 1996, Seren Ffestiniog Cyf supports and employs people with learning disabilities. With in excess of 60 full time and part time employees, Seren Ffestiniog Cyf is the second largest employer in Blaenau Ffestiniog. They also own and operate a number of social enterprises in Gwynedd.

Details

The property was bought from Gwynedd Council at a discount to the District Valuer's and Specialist Valuer's valuation and opened in April 2014, generating a small profit in its first year. The facility has also received a capital grant from the Big Lottery Fund and a further revenue grant tapered over a 5 year period.

Benefits

It is a unique and innovative project aimed at supporting people with disabilities and challenging circumstances and visibility via the Booking.com and links to a number of tailored holiday companies has meant that the facility has been able to increase sustain a wide reach.

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NSA Afan

The success of this Community Asset Transfer has been to facilitate a target for community engagement and cohesion around a range of community development aims. The NSA Afan is a community driven regeneration charity based in Sandfields, Port Talbot. It is a lead delivery body for the Communities First programme for Sandfields and Aberafan, and receives funding from Welsh European Funding Office (WEFO) for its training work for the unemployed. For its Community Asset Transfer from the Neath Port Talbot County Borough Council of the facility at Dalton Road, it received funding from the Big Lottery Fund. The facility also hosts two anchor tenants.



Business

The charity dates back to 1996 and is the result of a merger between several community bodies – New Sandfields Aberafan and a charity focused on the Afan Valley. It has been working with Communities First since 2003. The charity delivers activities in the community around three themes:

- Prosperous Communities;
- Learning Communities;
- Healthier Communities.

Details

The Dalton Road Employment Academy hosts PC Care services; employment training; community access and conference facilities team with onsite catering. The community also utilise the facility for a range of fitness and health initiatives. Another key area of work facilitated by the Dalton Road facility is the provision of a free energy advice service for householders in Sandfields and Aberavon to encourage the community to save energy in the home by installing energy efficiency measures; promoting the Welsh Government's energy efficiency grant programmes.

The Dalton Road facility houses a 35kW photovoltaic (PV) array mounted on the roof of the building, which generates around 18,000 kW annually and provides free electricity to the building as well as generating an income from the Feed in Tariff of around £60,000 annually.

The charity's facility PC Care, supplies and supports the provision of refurbished ICT equipment and website design. The service provides a free drop-in service offering advice and training to the community on the use of ICT.

Via the Communities First programme a key focus for the charity is to increase the uptake of available training and to improve the skills attainment of the community. Their activities include training aimed at people to improve their confidence and skills ability to address barriers to employment and training; sports activities for young people; a youth club for 11-25 year olds; and advice for other community groups on accessing funding.

Benefits

The transfer has provided stability in securing a key facility for the organisation to continue to deliver existing services; as well as allowing them to host/enable other partner organisations with complimentary social and economic objectives to deliver their services to the target area.

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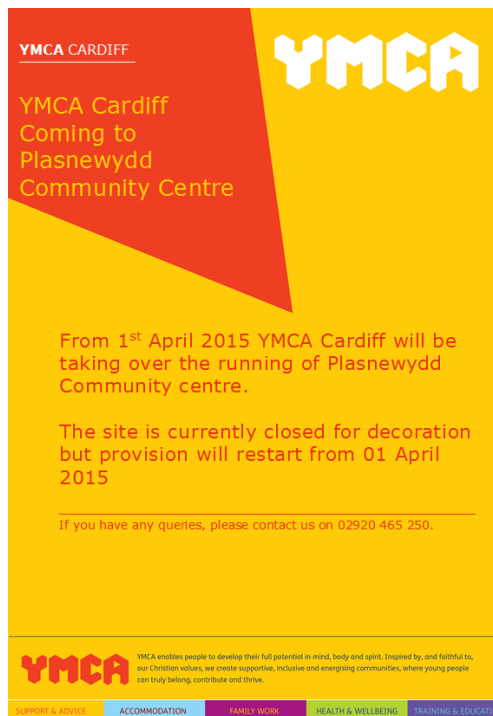
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Plasnewydd Community Centre

The CAT of the Plasnewydd Community Centre in Roath, Cardiff has enabled the YMCA to widen its work in Cardiff and to expand its service provision in the future.

The YMCA is one of the oldest youth charities in the UK. In Cardiff, the YMCA has been working with young people and the wider community throughout the city since 1852. They are therefore well established with resources and a track record of delivery.



They currently provide a range of projects supporting young people throughout Cardiff and the Vale of Glamorgan including projects supporting young carers across the two counties; and specialist sexual health advice to young people throughout the county in partnership with Public Health Wales. They also provide homeless accommodation and support to vulnerable young adults, with over 100 beds available throughout the city. Within Cardiff, the YMCA portfolio includes two gymnasiums, a theatre and community rooms, which are made available to local clubs and groups as part of their wider community engagement initiatives.

The YMCA was interested in the Community Asset Transfer of the Plasnewydd Community Centre, as it allowed the charity to widen its work in Cardiff beyond their main site in the Walk; and to strengthen the Charity's work with the community and young people throughout the city.

The Plasnewydd Community centre has been a valuable community resource in the local area for some time, with residents, groups and other families historically using the site. Therefore the CAT has provided an opportunity to capitalise on this engagement to target improvements at both existing and new potential users.

Details

In late 2013-14 as part of their Budget setting process, Cardiff Council identified that it wanted to seek expressions of interest regarding the possible Community Asset Transfer of the Plasnewydd Community Centre. Whilst they acknowledged that they did not have the resources to continue to operate the Centre and had therefore earmarked it for closure; they were clear that there was a continued demand and need for the Centre and so, proposed to find a solution via the asset transfer process. Following Cabinet approval, it took a approximately 12 months of negotiation before the transfer was concluded in April 2015.

The conditions of the Community Asset Transfer were:

1. 99 year lease as the Council were not able to release the freehold for the site;
2. Rent free for first 25 years;
3. Rent agreed to be set at ground rent level;
4. Site must remain for community use.

Lessons

Both parties have learnt a lot through the transfer process and had to compromise to make the transfer achievable. At the time of transfer, there was no established toolkit within Cardiff County Council for asset transfers. Despite this, the success of the transfer has been due to the mutual commitment to collaboration, with both parties prepared to take some degree of risk by compromising to resolve issues. Two particular areas of contention that took some time to work through were that TUPE transfer of staff and the lease agreement.

In October 2014, Cardiff County Council published their 'Stepping Up' Toolkit to support their process for applying to take over the management of a community service or asset formerly run by a public body in the Cardiff area.

Benefits

The Community Asset Transfer has facilitated the redevelopment of the site; and enabled the YMCA to create a hub building in partnership with partners that will have a focus on health and wellbeing programmes; childcare provision and access to community resources.

They have taken the view that this re-development is in the long term interests of the YMCA, the people they support and the community. The asset transfer has secured a facility at Plasnewydd that provides a target for community engagement and cohesion around a range of community development aims. It has allowed the Cardiff YMCA to progress a 5 year strategic investment programme for the site, rejuvenating their service provision across their portfolio in Cardiff.

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Carnegie House



During 2013, Bridgend Town Council began planning to relocate its Council Chamber to a former public library building in Bridgend Town Centre. Alongside this, the local arts organisation Bridgend Arts Ltd had identified that the town centre lacked an arts venue and could not offer space for local artists to meet and present their work. Members of Bridgend Arts Ltd met with Bridgend Town Council to present a vision for how the old town library might be used to respond creatively to this situation.

Through collaboration and following detailed discussions with Bridgend County Borough Council, the Town Council relocated to the former public library building in Wyndham Street, Bridgend in January 2014. The building was originally a library founded by Andrew Carnegie. With permission from the Carnegie Trust and to pay tribute to the past, the building was renamed Carnegie House/Ty Carnegie.

Business

The aim of Carnegie House is to provide a high standard of art and cultural events and activities. This includes a programme of professional events as well as community and educational activities that encourage local people to get involved in the arts in all its different aspects. Events hosted at the venue include live performance, arts classes, workshops, musical events and exhibitions.

The 1st floor of the building accommodates the Town Council Chamber, Board Room and staff office; whilst the ground floor and small gallery area on the 1st floor are designated for the Arts.

The Town Council has used its funds to undertake refurbishment of the building. This has included replacing the heating system, renovating and redecorating the ground and first floor rooms (in Edwardian colours), replacing the flooring in the entrance hall, stairs and throughout the first and the main hall.

In September 2014, the Town Council was awarded a grant from the Arts Council of Wales to develop a programme of events at the venue through 2015. Additional funding was later secured for an events programme for 2016.

In order to enhance the delivery of the new arts programme, the Arts Council of Wales awarded capital funding, match funded by the Town Council. This is proposed to be used to further improve the facilities and equipment in the building – providing a stage, lighting, PA system and display boards as well as making significant alterations to the main hall. The internal works will improve audience sight lines by reducing the size of the central pillars and improving the acoustics in the room by removing the suspended ceiling. This project is due to commence in January 2016.

A project to repair and restore the exterior stone work of the building was funded by a Heritage Lottery Grant with match funding provided by Bridgend County Borough Council and Bridgend Town Council.

Details of Services

By the end of the 2015 programme, the Hub had programmed:

- 17 events for Artists' Development;
- 18 professional arts events, including drama and theatre, literature and storytelling, spoken word and comedy, music and visual arts;
- A range of activities, including performances and workshops for 4 seasonal events;
- A range of events which engage specific audiences - children and young people, adults and older people, families, Welsh language families and children with disabilities.

Benefits

The Town Council with Carnegie House sought to engage and inspire the people, audiences and artists in Bridgend by providing opportunities for people to be creative, enjoy new cultural experiences and engage in community life.

The Community Asset Transfer from Bridgend County Borough Council has returned a civic building into public use, taking an historical building and making it relevant by providing a focal point for the arts and creative media in the area.

The library that was relocated from Carnegie House has also benefited by moving into a more purposeful space adjacent to the town centre; with appropriate amenities, alongside other leisure facilities being provided in a multi-use setting at the leisure centre. The Halo Trust manages the leisure facility and has spent a substantial sum on refurbishing the space. Footfall to the library has increased following the relocation, despite its move out of the town centre.

The building that had originally housed Bridgend Town Council and Bridgend County Borough Council on the outskirts of town has been sold to a private developer who will be redeveloping the site.

The Town Council is now positioned within a central location that has raised its profile and increased both its visibility and accessibility; and Bridgend County Borough Council has consolidated its presence alongside other Council functions.

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Muni Arts Centre



The Muni Arts Centre is a recent Community Asset Transfer from Rhondda Cynon Taff County Borough Council to a community social business enterprise. It re-opened in September 2015 after a successful campaign against its closure which included high profile supporters such as playwright Frank Vickery and comedian Max Boyce.

The asset transfer was between the Council and the Muni Working Group and was agreed in November 2014. The Muni Working Group comprises membership from Pontypridd Town Council, Cylch Cymreig, Artis Community, Coalfields Regeneration Trust and the YMCA.

Business

The new Muni provides a range of regular classes for the community and hosts musical and theatrical productions from local schools; touring contemporary dance programme; as well as rock and pop concerts. The regular classes held at the venue comprise:

- Creative dance;
- Ballet and tap dance;
- Theatre and music theatre;
- Aikido and martial arts;
- Fitness sessions.

The New Muni also offers a drop in centre and support for armed forces veterans, which is funded by an Armed Forces Covenant Grant. The support provided includes training; workshops; support groups; and arts projects, as well as work and trade opportunities.

The Bradleys@theMuni café is a social enterprise in its own right, operating a service from the facility, this is in line with the Muni's aspiration to develop and support opportunities for small social enterprises to start-up and develop as result of the Muni being in place. Recently the Muni has taken on the provision of a day centre service from the Council, providing hot meals for the 50+ forum. This has proved exceptionally popular and placed the Muni at the heart of the community, helping it to engage with a wider audience again.

Benefits

Whilst all parties would acknowledge that they were relatively new to Community Asset Transfer; early on all parties were aware of the opportunities that could be realised through collaboration. This led to a consortium of a number of community focused organisations joining together to prepare a proposal that would secure the Muni; meet the needs of the wider community; as well as preparing for potential future community based initiatives within the Pontypridd area.

A key benefit has been the joint learning that has occurred and informed the subsequent engagement between officials at RCT and the Muni Working Group.

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Galeri Caernarfon

Galeri Caernarfon Cyf is a not for private profit community enterprise operating as a development trust in the historic town of Caernarfon in Gwynedd, North Wales. It was established in 1992 (under its previous name Cwmni Tref Caernarfon) to “pursue social, economic and environmental projects for the benefit of the community in Caernarfon and its environs” by the current Chief Executive Gwyn Roberts in partnership with colleagues from a variety of private businesses and community groups, together with the Local Authority.

The centre of Caernarfon is now a World Heritage Site, but in the mid 1980s over half the properties within the walled town were derelict, vacant or for sale. Cwmni Tref Caernarfon’s first brief was to buy and then completely refurbish a selection of the most important of those buildings. They had a clear social enterprise vision from the outset and to date have renovated and refurbished over 28 neglected and vacant properties in the town, which are now occupied by tenants, including shops, offices, flats, two cafes, a music training centre and a pub.

The development of the 'Galeri Creative Enterprise Centre' has been the largest and most ambitious of the Trust’s projects to date. It is a brand new £7.5m Creative Enterprise Centre, which opened its doors in the town's Victoria Dock on 7 March 2005. The centre houses a flexible 400 seat auditorium, which also doubles up as a cinema (the first live entertainment venue in Caernarfon in over 20 years), several rehearsal and practice studios, art space, café bar, rooms for hire, conference facilities and 27 enterprise units, which currently house 15 creative companies all engaged in artistic or creative work.



Benefits

- Bringing people back into the town centre as residents, shoppers or tourists;
- Regeneration was a catalyst for the economic regeneration of Caernarfon, creating new retail and office premises and improving the built environment with high quality refurbishment and renovation of these properties;
- The community is empowered and supported in becoming key stakeholders for the project;
- As a social enterprise and development trust, Galeri is truly independent and driven by its social, cultural and economic mission. 20 properties have been restored since 1922, including commercial, residential buildings and a pub. Many were listed buildings within the walled town and the town has now achieved World Heritage Status;
- The benefits, experience and track record in Caernarfon centre were built upon and transferred to the 5 slate mining valleys surrounding Caernarfon, which were suffering significant social, physical and economic neglect;
- The success of the Caernarfon Arts Projects (SBARC) helped build the case and need for the Galeri Creative Enterprise Centre;
- Rents secured on each completed property help to pay for subsequent restorations. Financial surpluses help to fund the new Galeri Creative Enterprise Centre.

Lessons Learned

- Grand visions can be achieved –with a lot of motivation and determination but also flexibility;
- When planning your project, build in asset development and income generation from the start of the planning process;
- The increase in staff from 4 people in 2002 to 40 staff in 2006 required;
- organisational, HR and skills development. Many staff have grown and been retained within the organisation with increased roles or responsibilities;
- Ensure that your ideas are seen as carefully constructed, effective, best value and (most importantly) attractive to statutory or private sector investors;
- Work with local individuals, groups and organisations so that your local community is involved in what is happening;
- Never give up even if the key partners do not follow through with commitment to your vision.

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Digital ISBN 978 1 4734 3083 9
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WG24623