

COMMUNITY ASSET TRANSFER TOOLKIT

Section 1 – Your Organisation and its Governance

Your committee/management board

Taking your group through CAT can be a long, tough process. Is your committee up for the challenge?

- Is everyone committed to working through the process?
- Do you have the skills necessary to undertake CAT and manage any building/land if your application is successful?
- Can you allocate tasks to people and know they will be completed by the deadline?
- Are you incorporated? This will be a pre-requisite of entering into a lease agreement with the Council.
- Does your governing document allow you to legally hold property? If not, how will you change your governance arrangements?
- Are you prepared to meet on regular basis as a group to move the process forward and ensure everyone is involved?
- Would you consider joining forces with another group to help take on an asset? If so contact the Asset and Estate Management Service Property@bedford.gov.uk
- How are local people represented?
- Is your committee/board open to and able to demonstrate an inclusive approach to the members of the wider community?
- Are you up to date with any 'returns' as required by your governing body/bodies?

Governance and policies

Is your organisation incorporated?

- Incorporation is a process through which an organisation goes from being a collection of individuals, (in the eyes of the law), to a single entity which is legally separate from the individuals involved.
- An **incorporated** organisation has "legal personality" which means it can enter into contracts, buy or lease property, and employ people in its own right. Any debts or obligations belong to the organisation, rather than to the individuals running it. This gives the trustees, directors or committee members some protection, although they still have liability for debts caused by negligence or poor financial management.

Do you have the following and do they need updating to reflect managing an asset?

- Governing document
- Equal Opportunities policy/statement
- Safeguarding vulnerable people (children & adults) policies
- Health and safety policies

Do you need to have working procedures?

- These explain how individuals would use the policies in practice e.g. if a young person disclosed abuse would your volunteers/staff know what to do? These procedures would make that clear.

Do you want to develop a trading arm?

- If your organisation is non-profit making and exists for community/social/environmental/economic benefit you may develop a business element such as a community café. However, to be considered for CAT, this type of business and financial gain cannot be the main driver, any financial surplus should be applied to serving your core community aims and objectives, it cannot be distributed to any owners or members. Check your governance document enables you to do this. Find out what steps you can take to adjust your governance, if required.

Section 2 – Asset Management

The asset

If you are interested in a building:

- Is the building in council ownership? If you don't know, you can check via the following link: <https://www.bedford.gov.uk/council-and-democracy/about-the-council/transparency/local-authority-land/>. The council cannot undertake a CAT on land it does not own.
- Does it need any work to bring it up to standard? If so how will you fund this?
- You will need to create a summary of your ideas of what you will use the building for to submit to the council
- If you want to extend, you may need planning permission, what impact could it have on neighbours and existing users?

If you are interested in a piece of land

- Is the land in council ownership? If you don't know, you can check via the following link: <https://www.bedford.gov.uk/council-and-democracy/about-the-council/transparency/local-authority-land/>. The council cannot undertake a CAT on land it does not own
- What do you want to do with it, will you need planning permission? What impact could it have on neighbours and existing users?
- You will need to create a summary of your ideas of what you will use the land for to submit to the council

What information do you need to know about this asset?

- The council will provide an information pack; is there any further information they can give you?
- Who in your organisation is going to review this information?
- It is important that you consider whether you are able to meet some of the costs that may be associated with a transfer. These may include:
 - Surveyors fees
 - Feasibility study fees
 - Architects fees
 - Legal fees
 - Consultancy fees
 - Planning fees
 - What is your ideal type of transfer, freehold or leasehold?

Why are you interested in the asset and what are your plans?

Consider the reasons you are interested in this land/building as you need to explain to the council and demonstrate in your application how you will achieve the following outcomes:

- Community empowerment and benefits to the local or wider community
- Capacity building through the use of local skills, experience, knowledge and time
- Retaining and improving local provision

- Delivering local services that meet local needs through community led and community controlled assets
- Extending the use of a building or land to do things in a different way, being as creative and innovative as you can
- Delivering value for money including the ability to draw attract other sources of funding not available to the council
- Social enterprise and social well-being, including community cohesion
- Financial viability, long term sustainability and external investment
- Working with partners to deliver the above

Your capacity to run the asset

Has your organisation got the capacity to run the asset? Some of the things you need to think about are:

- Health and safety, including risk assessments, repairs and maintenance
- Maintaining and developing use
- Insurances
- Lettings/ bookings procedures
- Recruiting and managing staff and volunteers
- Complaints procedures
- User involvement

Repairs and Health and Safety

There are statutory health and safety tests that will be required in the building your trustees/ directors will be responsible for making sure these tests are done, they are a legal requirement. These tests need to be carried out by a qualified person and will cost your organisation money, so you will need to plan for this in your budget.

You will need to nominate someone to undertake, and keep records of, various general health and safety assessments e.g. fire alarm testing and checking fire extinguishers. These tests are not a legal requirement but are classed as best practice.

You will need to carry out a Fire Risk Assessment on the building and review it every year.

How are you going plan and undertake repairs and maintenance? Consider trying to get a contract in place for the year with a local company to do all your repairs including a 'call out' option in case of emergencies. Also have you considered making contact with groups in other buildings to approach trades collectively to save money?

Ensure reference is made to Health & Safety in your hiring agreement so hirers know their responsibilities when using the building.

Insurance and licences

You will need to have insurance. The Council will arrange buildings insurance and will recharge the cost of this to you, so will need to include this in your budget projections. You will be responsible for arranging all other insurance cover, which will vary depending on your organisation but could include:

- Public Liability Insurance
- Lift insurance
- Employers liability, only if you employ people
- Trustees liability
- Contents insurance
- Vehicle insurance
- Any other insurance for specific activities for example if you hold a special event

Does your organisation play or intend to play live or recorded music? Do you sell or want to sell alcohol? Play bingo? Or put on theatrical plays? If 'Yes', then you are likely to need relevant licences.

Section 3 – Community Engagement

What are your plans for the use of the asset?

- Do they meet the needs of the local community?
- Do they meet the needs of a particular group, for example, unemployed people, young people?

Can you justify your plans?

- By consultation
- With feedback from users

If you are invited to submit a CAT application you will have to provide evidence that you know what the local community wants.

Sustaining current use

Tell us about how you are going to sustain current use, for example if there are existing tenants, community organisations or statutory services for example Pre-school or Sure Start that use the building.

If you are taking on a new asset, how are you going to give local people a voice? It's important that your group involves local people in the management of the asset and future plans and activities.

Innovation and increasing use

- What can you do differently to make better use of the asset?
- How can you add value either financially or by extending its use and reaching out into the community? This is where you need to be as imaginative as you can.
- How will you promote your activities?

Section 4 – Inclusion and Diversity

How will your organisation, in planning and managing this asset, actively eliminate discrimination, advance equality of opportunity and foster good relations within the community? You will need to evidence this in your CAT application and include an action plan to deal with any issues or gaps you identify.

Each application for CAT will undergo an Equality Impact Assessment. This will be undertaken by the Council but your organisation needs to be aware of the criteria we will assess against. In particular, you need to consider:

- How could you help new groups to form to meet community needs?
- How will the asset, and how it is managed, be accessible to all sections of the community?
- How will you encourage the community to be more cohesive and the asset to be a focus to enable this to happen? How can you contribute to making the community feel safe and promote understanding of different issues for example young people needing places to meet and play rather than being perceived as a nuisance by others?

The Council's Equalities Impact Protocol can be viewed via the following link:

<https://www.bedford.gov.uk/council-and-democracy/about-the-council/equality-and-diversity-info/equality-analysis/>.

Section 5 – Finance

In completing the Finance Section and Template, you will need to consider the following.

Where you are now?

- Do you have someone appointed to look after your finances?
- Does your group have a bank account with appropriate signatories?
- Do you have a reserves policy, are you complying with it and what does it cover?
- Do you have someone with the ability to apply for grant funding (if necessary)?
- Have you got money that is 'ring fenced' by grant conditions? In other words, can it only be used for a specific purpose, from a grant provider?
- Do you need to review your financial procedures? Or if your organisation is new how will you set these up?
- How will the committee/board be regularly informed of the financial situation of the organisation and are there controls in place to monitor income and expenditure?

- Would your procedures allow you to take on a large scale project, for example, building an extension and keeping within budget?

Planning finances for the future

As part of your CAT application you will need to do a financial projection for the next five years; three years in detail, two years outline.

Have you considered what the financial needs of this project are? These can include:

- Information about the running costs
- Your plans to cover administration costs
- An affordable pricing structure for hirers
- On-going maintenance or replacement plan, for example, redecoration of building, replacement of kitchen, replacement roof, electrical wiring, boiler maintenance or replacement
- How will you build up sufficient reserves to sustain the asset?
- Are you planning applications to other bodies for capital to extend or improve the asset?
- Have you got experts to help you get accurate costing, so you can start to predict future expenditure/commitments?
- Have you built in contingencies in your financial plans to deal with emergencies?
- The CAT application includes a finance template that you will need to complete

Section 6 – Managing People

Do you employ staff? Will you need to in the future to help manage the asset?

Do you involve volunteers or hope to?

How will you make sure staff or volunteers understand your proposals for the asset and include them in the success of the project?

As part of your CAT application you will need to explain your policies and procedures for managing both volunteers and any paid staff.

For example have you got:

- Clear structures including decision making and reporting lines?
- An effective and fair way of recruiting staff and volunteers?
- Role descriptions for volunteers?
- Job descriptions and person specifications for paid staff?
- Induction, support and supervision in place?
- Written contracts of employment for staff which meet legal requirements?
- Clear written disciplinary and grievance procedures?
- A whistle-blowing policy so staff/volunteers are encouraged to report problems?
- Adequate training in place for the duties staff/ volunteers have to perform?

Section 7 – Sustainability and Planning for the Future

The sections above include information regarding what you will need to consider in relation to long-term planning for the land or building and your finances. In addition, you should also consider the following:

How are you going to promote environmental, social and economic sustainability and wellbeing?

How will you stimulate different age groups to be involved with the asset? Could you encourage social wellbeing? For example, organise intergenerational projects?

How will your project be a focus or offer opportunities for the community to improve the environment? For example, having a community allotment. Other aspects to consider are:

- How energy and carbon efficient is the asset? Could this be improved? For example, installing solar panels and other eco-friendly initiatives?
- Could bills be reduced by purchasing energy in a different way, for example, forming a scheme with other organisations who manage assets?
- Could users be made more aware of their energy or water use?
- Could you promote use of more sustainable transport by staff or volunteers? For example car share, public transport, safe walking routes, cycle schemes
- Could recycling be promoted?
- Do you purchase equipment and resources as a group, for example, with other organisations to reduce costs?
- Do you purchase recycled or recyclable goods?

How could you assist the community to tackle economic issues? For example, a drop-in job search club, clothes recycling or hosting a Credit Union.

How could volunteers/staff assist with these types of ideas?

Section 8 – Business Planning

This page will help you prepare for your Community Asset Transfer (CAT) application, by looking at business planning and managing risks. Business planning is about how to plan for your project.

If you are invited to submit a CAT application, a business plan template will be provided.

- Can you show that you have a good business plan?
- Financial strength, can you show that the project is sustainable?
- Community support, is your organisation able to demonstrate local need and community support?

Things to think about

- What is the demand for using the asset, in the local neighbourhood or as a citywide resource?
- How will you find this out?
- How will you market your project? You'll need to develop clear marketing plans on how you plan to market your project and attract the community and other users
- How will you sustain existing use?
- How will you assess what is affordable?
- Costs to hire the asset - will you introduce different hiring rates? For example, lower rate for local community groups
- How could you support new groups to help them develop?
- How could you harness more volunteers and expertise from the local community or businesses?
- Are there other funds and new initiatives you could tap into?
- How can you generate additional funding, for example, targeted fund raising?
- Is there an opportunity to develop a trading arm, for example. a community café, becoming a local training provider, providing office space and support for small businesses?
- How will you encourage innovation in the running of the asset or within the community?
- How will you assess risks throughout the project? How you will you work out solutions to manage these risks?

Monitoring and evaluation

- Have you got clear aims and objectives for this project?
- Are all the key people signed up to these?
- Have you allowed for flexibility and dealing with the unexpected?
- How will you know you have achieved the aims and objectives for using this asset? What will success look like?
- What steps and checks will you put in to ensure your plans are reviewed and evaluated on a regular basis?
- How will you include users and/or local people in monitoring progress and informing them of progress?
- What will you do if things are not going to plan?