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**North
Northamptonshire
Council**

Meeting: EAP Health & Wellbeing and Vulnerable People

Date: Friday 6th May, 2022


Time: 9.30 am

Venue: Members' Room, Corby Cube, George Street, Corby, NN17 1QG

To:

Members of the EAP Health & Wellbeing and Vulnerable People

Councillors Helen Harrison (Chair), Ken Harrington, King Lawal, John McGhee, Russell Roberts, Geoff Shacklock and Christina Smith-Haynes

Agenda			
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<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer 28 April 2022</p>			

This agenda has been published by Democratic Services.

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Members' Declarations of Interest

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – monitoringofficer@northnorthants.gov.uk

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Health, Wellbeing & Vulnerable People Executive Advisory Panel 6th May 2022

Report Title	Community Asset Transfer Policy
Report Author	Jonathan Waterworth – Assistant Director of Assets & Environment Jonathan.waterworth@northnorthants.gov.uk
Executive Member	Councillor Graham Lawman – Executive Member for Highways, Travel & Assets

Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number for exemption from publication under Schedule 12A Local Government Act 1974	

List of Appendices

Appendix A – Community Asset Transfer Policy plus appendices

1. Purpose of Report

- 1.1. To introduce the Community Asset Transfer (CAT) policy and supporting processes for review and comment by the Executive Advisory Panel.

2. Executive Summary

- 2.1 The proposed policy provides a framework for assessing transfer of council land and property to community organisations, including Town & Parish Councils, in a consistent and fair way across North Northamptonshire.
- 2.2 The proposed Policy is developed in consideration of the Corporate Plan and aims to provide direction to the community on the evaluation and determination process for asset transfers.

- 2.3 The Policy is supported with annexes to give the Executive Advisory Panel further information on the way each request will be processed to ensure transparency and demonstrate that a consistent approach will be adopted.

3. Recommendations

- 3.1 It is recommended that the Executive Advisory Panel consider and provide feedback on the content of the proposed Community Asset Transfer Policy.

- 3.2 The reasons for the recommendation are:

- The policy supports good governance in relation to the councils' obligations to comply with the legislation that govern land transfers.
- The policy and process support the evaluation of community asset transfer enquires and provide a guide to community organisations.
- Adopting the policy provides for a consistent and transparent approach to be administered which reduces the risks associated with asset transfers.
- Adopting the policy supports the Councils Corporate Plan.

- 3.3 Alternative Options Considered:

- The Council could choose not to adopt the proposed policy and manage each request as it is received, however this could lead to inconsistencies in the approach to community asset transfers.
- The Council could adopt an approach to not support community asset transfers to avoid the risks detailed in the policy and retain direct control of assets, however this would limit the benefits that can be achieved from community delivery.

4. Report Background

- 4.1 The Council holds a public estate for a variety of purposes such as:

- Operational space to deliver a required service.
- Civic Meeting Rooms for the Council for fiduciary purposes where Councillors discharge their role.
- Property and land held for economic development, to assist in the regeneration of North Northamptonshire
- Commercial portfolio held to earn an income, the money used to support service delivery
- Community space, to support social wellbeing.

- 4.2 The recent and increasing government drivers to empower communities has resulted in a recognition that at times community land and property can be more effective in supporting the community if it is in the control of local organisations.

- 4.3 Community assets may become available for asset transfer in one of two ways. Either the council identifies one of its assets and then brings it forward as surplus supported with a recommendation, or the community may review the asset list and identify an asset which may be of interest to them, and they then approach

the Council with an expression of interest. Either way it is for the authority to determine whether the asset is surplus.

- 4.4 Transferring community property and land into local control carries risks. The Council needs to assure itself that the social, wellbeing and community use is in line with the Corporate Plan, and that the organisation has the capacity and financial ability to maintain and invest in the asset.
- 4.5 It is important that the Council conducts a due diligence process to understand more about the organisations aims, how the transfer will support their business plan both now and in the future. The council should also satisfy itself that the safeguarding and health and safety arrangements of the community organisation are in place and operating in line with laws and best practice surrounding these matters.
- 4.6 The proposed policy and processes are designed to guide the Council and the organisation through each area of due diligence with the aim of mitigating the risks associated with a transfer.

5. Issues and Choices

- 5.1 Supporting communities' forms part of the Corporate Plan and the Localism Act 2011 which together with subsequent Regulations have created a series of empowerment rights such as right to challenge and rights to nominate local assets of community value.
- 5.2 However, the powers granted to Councils to transfer assets to the community at less than best value are found in the Local Government Act 1972 and the General Disposal Consent 2003.
- 5.3 The General Disposal Consent 2003 in this context provides for a Council to consider a transfer at less than best value where the authority considers the transfer is likely to contribute to the promotion or improvement of social wellbeing. There is a process to determine the undervalue and the Consent confirms that provided the undervalue is less than £2,000,000 the Council may authorise the transaction following a due diligence process.
- 5.4 As the Council holds its estate for the public, a process to consider requests and assess each stage to ensure the risks are mitigated and best value is achieved from any transfer is required. The proposed policy aims to satisfy this need by providing a framework for social value to be measured against the loss of the asset and risk from any transfer.
- 5.5 In order to comply with Best Value duties, any asset transfer will be at the market value, as determined by the proposed community use. In exceptional circumstances a transfer at less than market value, either at a reduced cost or rent free might be considered. The level of subsidy provided by the council will be determined by the social, economic, or environmental benefits generated by the transfer and demonstrated in a robust business case. Further detail on how the council will consider applications is found in section 4 of the policy document.

5.6 Any proposed asset transfer will be in accordance with the Council's constitution and prevailing disposal policy, following Executive Member consultation.

6. Implications (including financial implications)

6.1 Finance and Transformation

6.1.1 Implementation of the policy has no direct financial implications, and the process will be administered within existing team resources.

6.1.2 The applications enabled as part of the policy will have financial implications either from divestment of responsibility for assets, or potential opportunity cost from rent foregone. Such risks will be managed and evaluated as part of the application.

6.2 Legal

6.2.1 There are no legal implications arising from the proposals. Any transfer would need to be formalised through appropriate contractual documentation.

6.3 Risk

6.3.1 The policy details the risk associated with community asset transfers at section 4.10. These might include a transferee's ability to manage the financial liabilities of the asset or an inadvertent impact on the community through a perception of loss of access.

6.3.2 The council should also be mindful of the risk of losing strategic oversight of services across North Northamptonshire when considering asset transfers, for example transferring open space may lead to inconsistencies in its management across the area.

6.3.3 The policy proposed provides an evaluation methodology to mitigate and consider such risks.

6.4 Consultation

6.4.1 None.

6.5 Consideration by Executive Advisory Panel

6.5.1 Comments to be included following the EAP meeting.

6.6 Consideration by Scrutiny

6.6.1 N/A

6.7 Climate Impact

6.7.1 Environment is a factor for consideration within the evaluation matrix, which might include the benefit of investment by a transferee in improving the energy efficiency of a property or improving the natural benefits of a site through rewilding or tree planting. Such benefits need to be weighed against the council

losing the ability to directly influence environmental impact on the asset if transferred.

6.8 **Community Impact**

6.8.1 Community impact is covered in detail within the report and the policy. It is noted that where carefully managed transferring assets to local stakeholders can have considerable benefits to the community.

7. **Background Papers**

7.1 None.

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Community Asset Transfer Policy

May 2022 V1

www.northnorthants.gov.uk

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Issue	Date	Comments
0.1		

NB: Draft versions 0.1 - final published versions 1.0

Consultees

Internal	External
Community, Legal, Finance	
Executive Member	

Distribution List

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners / Organisation(s)

Links to other documents

Document	Link
Ministry of Housing Communities & Local Government	https://www.gov.uk/government/publications/youve-got-the-power-a-quick-and-simple-guide-to-community-rights/youve-got-the-power-a-quick-and-simple-guide-to-community-rights#were-helping-communities-to-take-control
My Community	https://MyCommunity.org.uk

Document	Link
Locality	https://locality.org.uk
Town and Village Greens	https://www.gov.uk/guidance/town-and-village-greens-how-to-register
North Northants Property and Land register	https://www.northnorthants.gov.uk/your-council/transparency-and-open-data
The Localism Act 2011	Localism Act 2011: overview - GOV.UK (www.gov.uk)
North Northamptonshire Constitution, Financial Procedure Rules	https://northnorthants.moderngov.co.uk/documents/s5575/09.%20Part%207%20-%20Financial%20Procedure%20Rules.pdf
The Quirk Review – Making Assets Work	https://libraries.communityknowledgehub.org.uk/sites/default/files/making_assets_work_-_the_quirk_review_of_community_management_and_ownership_of_public_assets.pdf

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1.0 Introduction / foreword

- 1.1 North Northamptonshire Council holds a significant public estate used to support delivery of its strategic objectives and vision to make North Northamptonshire a place where everyone has the best opportunities and quality of life.
- 1.2 This policy sets out how the Council proposes to work with local stakeholders to enhance and protect local community assets.

2.0 Scope

- 2.1 This policy provides information on the Council's approach to community asset transfers (CAT).

- 2.2 The Policy outlines key information on CAT and is supported by annexes giving further information including a guide to the application process. These annexes will be updated as the application process is refined.
- 2.3 This Policy and associated annexes are not intended to provide advice to individual organisations about their rights or capabilities for stewardship of Council property. Each organisation should seek their own professional advice when considering whether to make an application. There are some references to further information above under *Links to other documents* section.
- 2.4 The Policy is intended to apply to property and land transfer transactions only and does not include information on community funding or the transfer of Council services. An enquiry to transfer service delivery is regulated under the Localism Act 2011 and is a separate process. However, where the transfer of an asset may include service delivery then further information will be provided about this process on a case-by-case basis.

3.0 Policy outcomes

- 3.1 The Council's Corporate Plan confirms a key commitment to delivering Connected Communities: *We will ensure our communities are connected with one another so they are able to shape their lives and the areas where they live.* The transfer of assets to local community focused organisations, including Town and Parish Councils, can support delivery of this commitment, bringing about wider benefits to the community, council and organisation taking ownership. However, there are risks associated with community asset transfers.
- 3.3 This policy sets out a framework for CAT applications to be considered in a consistent and transparent way, to balance the obligation on the Council to maximise the monetary value from disposal of assets against the added social value of transfer to a community organisation. The policy also outlines in a series of appendices the due diligence process that will be relevant to each transfer.
- 3.3 This policy principally focuses on one type of property transfer, the category of Council owned community assets. Assets not held for community purposes will only be considered under this policy if determined by the Council.
- 3.4 This policy contributes to the council's objectives by providing direction to interested organisations to support them in what is a complex subject and to signpost them to other information which may assist in their decision on whether to apply.

4.0 Community Asset Transfer Policy

- 4.1 A Community Asset Transfer is a transfer of an interest in council owned property and/or land to a community organisation, including Town & Parish Councils, in exchange for securing community benefits. The Council already has many partnerships and agreements with community organisations but will consider new applications where these will bring benefits to our communities and contribute towards the council's aims and objectives.

- 4.2 The Council holds a property portfolio for a variety of purpose including reasons such as:
- Operational Space – to deliver council services, such as care homes and schools, recycling centres, civic meeting rooms and car parks.
 - Regeneration and Economic Development – to provide buildings for job creation and economic growth.
 - Heritage and Cultural Environment – to support the environment and place shaping.
 - Commercial Investment – to provide revenue which is used to support service delivery.
 - Community Estates – to support communities and provide areas for meetings and social wellbeing.
 - Leisure Centres - to promote health and wellbeing, providing areas for sport and leisure activities.
- 4.3 The portfolio is divided into categorised, such as the above, following financial policy and the Council has fiduciary duties to ensure these are regularly reviewed and valued according to their category. Property and land therefore have a value to the Council; the value measured according to the category which will be a monetary value and/or a social value, in some instances a mixture of both these things.
- 4.4 The Council is regulated to ensure that assets remain held in their category unless, following review, these are no longer required in the category, in which case there may be an alternative use for the Council and/or they may be determined surplus. Therefore, only certain assets are held by the Council for community purposes, and typically eligible for CAT. Such assets might include Parks and Open Spaces, Community Centres, Museums, Heritage property and Monuments and Allotments.
- 4.5 Local Authorities are increasingly looking at alternative models to provide services to the community. This recognises that communities are all different and can deliver meaningful local outcomes when local organisations take ownership of their environment.
- 4.6 As part of Local Government Reform in Northamptonshire, Town and Parish Councils are increasingly interested in developing their community role, including direct involvement in owning and managing community assets.
- 4.7 Therefore, the Council will support the transfer of local assets where carefully managed transfer of assets to the local community can bring benefits not only to the Council but also to its local statutory, voluntary and community partners.
- 4.8 Such transfers provide the potential to strengthen the role and future sustainability of local community organisations. The community and voluntary sector specialise in their subject and therefore have the expertise and ability to resource and deliver social, environmental, and economic benefits from CAT, including:
- Greater understanding of the needs of the service users and communities.
 - Ability to deliver outcomes that the public sector may not be able to deliver on its own.
 - Innovation in delivering solutions.
 - Ability to focus and contribute on the social wellbeing of the community.
 - Greater financial sustainability for the organisation with strengthened ability to raise external funds.
 - Ability to alter and modify a building (with consent) to better suit its needs.

- 4.9 Along with the above community benefits, CAT can also benefit the Council through:
- Reduced building management responsibility.
 - Restoration of local buildings.
 - Provide a source of income and/or reduce operating costs.
 - Support local regeneration/community plans.
- 4.10 These benefits must be weighed against potential risks of CAT, such as:
- Potential to disadvantage individuals or impact negatively on the local community or community cohesion.
 - Uncertainty around capacity of recipient to manage the asset.
 - Potential for the asset to become a financial liability for the recipient.
 - Capacity of the recipient to deliver promised community outcomes.
 - Transfer contravenes Subsidy Control and/or procurement rules.
 - Potential for ongoing Council liability.
 - Loss of control of assets and their consistent management across North Northants.
 - Lack of value for money.
 - Conflict with other funders.
 - Potential unfair advantage for one group over another.
 - Perception of a loss of the use of a Community facility by certain sectors of the Community.
- 4.11 The Government in response to a review of community management and ownership of public assets and community empowerment (The Quirk Review – Making Assets Work) detailed the three main conclusions from community ownership:
- Any sale or transfer of public assets to community ownership and management needs to realise social or community benefits without risking wider public interest concerns and without community purposes becoming overly burdened by operational considerations.
 - the benefits of community management and ownership of public assets can outweigh the risks and opportunity costs in appropriate circumstances.
 - that there are risks, but they can be minimised and managed.
- 4.12 In order that the above risks are suitably managed, each CAT will be determined on its on facts, with reference to a business case supplied by the applicant. Any proposed transfer must support the aims and priorities of the Council.
- 4.13 Applications will be evaluated with reference to the Social, Economic, Environmental benefits of the proposal, and appropriate due diligence considering the Governance arrangements, experience, and financial standing of the applicant, as detailed in the Evaluation Form at appendix D.
- 4.14 This would include a review of the community organisation to ensure that it has the resources to take stewardship of the property and or land, and any transfer agreement would be tailored to suit each organisation, as there is not one type of transfer that suits

all situations. For a new community group it is likely a short-term licence will be considered, but for an established organisation with experience of operating estates a longer term lease arrangement may be appropriate, particularly if the organisation's business model relies on external funding. Freehold transfer will only generally be considered appropriate where the asset is being transferred to a Town or Parish Council.

- 4.15 When determining an application, the Council will consider representative views of council service areas as required by the nature of the application and include consultation with local Ward Councillor's.
- 4.16 In order for the Council to comply with its Best Value duties, any asset transfer will be at the market value, as determined by the proposed community use. In exceptional circumstances a transfer at less than market value, either at a reduced cost or rent free might be considered. The level of subsidy provided by the council will be determined by the social, economic, or environmental benefits generated by the transfer and demonstrated in a robust business case.
- 4.17 Any transfer will restrict the use of the property to the proposed community use and where appropriate be linked to a Service Level Agreement. Restrictions on future sales or sub-leases will also be included to safeguard continued community use, including suitable clauses to ensure the return of the asset to the council if the terms of the service agreement are not met, breach of the lease covenants, or in the case of dissolution, insolvency or corruption.
- 4.18 Any proposed CAT will be in accordance with the Council's constitution and prevailing disposal policy, following Executive Member consultation.
- 4.19 Community organisations that are not profit will be considered for CAT applications, including:
- Parish and Town Councils.
 - Community Interest Companies.
 - Community benefit Societies.
 - Company limited by guarantee with charitable status.
 - A Constituted Body.

The council will not transfer community assets under this policy to private businesses which distribute profit.

5.0 Community Asset Transfer Process

- 5.1 The Council may identify an asset as a community asset and/or the organisation may review the councils asset register to see whether there is a community asset that may meet their organisations objectives. The applications process provides an opportunity to express an interest in the asset.
- 5.2 Should an asset be confirmed as being available for community asset transfer, a due diligence process will ensure a transparent marketing opportunity, and the type of transfer will depend upon both the Councils and the Community outcomes.
- 5.3 The following process will be followed:

- a) Expression of Interest received as shown in appendix A, initiated by the applicant organisation or by the Council.
- b) Where the building being enquired about is declared surplus, the Council will consider both the merits of an open market sale/lease against the possible reuse of the building by a Community Organisation and may run a market disposal in parallel with determining interest from the community.
- c) Initial interest is referred to the Asset Management team to check eligibility of the property for transfer (e.g. if it is already leased or required for a separate council use).
- d) If the property is eligible for transfer, applicants are invited to complete the application form at appendix B, which sets out details of the applicant organisation, the property and plans for its use. The applicant may be provided with details of premises related costs, and any relevant title or property details to support their application.
- e) The application should be accompanied by a business case. Guidance on the content of the business case is provided in appendix C Community Asset Transfer FAQ.
- f) Once received the application will be considered against the Evaluation form at appendix D by the Asset Management team. This evaluation will include consultation with council service areas and Ward Councillors.
- g) Where the application is recommended, approval from the Executive Member will be sought.
- h) Where approved, Heads of terms will be negotiated with the transferee.
- i) Formal approval by the council sought, as determined by the councils constitution.
- j) Legal completion of the CAT including any service level agreement where applicable.

6.0 Glossary of terms

Term	Definition
Community Assets	Land and Buildings determined by the Council as being held primarily for Community Use
Community organisation/third sector organisations (TSO)	A formally constituted not for profit group
Community Asset Transfer	The transfer of an interest in property and or land from the Council to a community group to secure community benefits.
Interest in Land and or Property	A licence, lease and or freehold interest in land and or property
Transparency Report (Property and Land)	The council published list of property holdings

7.0 Appendices

Appendix A: Community Asset Transfer Expression of Interest Form.

Appendix B: Community Asset Transfer Application Form.

Appendix C: Community Asset Transfer FAQ.

Appendix D: Community Asset Transfer Evaluation Form.

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Community Asset Transfer

Expression of Interest in Community Property and/or Land

Section 1 – Your contact details

Please provide the name of your organisation below:

Please provide contact details for this application below:

Name:

Position in the organisation:

Address

Telephone:

Email:

Web site link:

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Section 2 – Brief information on your organisation

Please provide details of the type of organisation you represent, the charity and or companies house registration number, and a brief summary of the purpose of the organisation. Who does it serve and what the main activities and outputs.



Section 3 – The Council owned property and or land you are interested in

Please identify below the address of the property and or land you are interested in. If located from the council property and land transparency report please include the reference.

Please indicate what type of transfer you are interested in and where a licence or lease, can you indicate the approximate term you are looking for.



Can you provide a brief summary on why you are interested in this asset. What benefits will the transfer bring to your organisation and your customers?

Section 4 – Supporting Information

Please provide any further information below:

Undertaking

I confirm that I and the organisations group has read the Community Asset Transfer Policy and process, and understood the information contained in these documents.

I certify that the information supplied in this application form is accurate to the best of my knowledge and that I am authorised by the governing body of the organisation to submit this expression of interest on its behalf.



Signed _____

Print Name: _____

Position within the organisation _____

Date: _____

(For Council Use – Property Reference Number: _____)

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Community Asset Transfer

Application Form

Section 1 – Your contact details

Please provide the name of your organisation below:

Please provide contact details for this application below:

Name:

Position in the organisation:

Address

Telephone:

Email:

Web site link:

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Section 2 – Brief information on your organisation

Please provide details of the type of organisation you represent, the charity and or companies house registration number, and a brief summary of the purpose of the organisation. Who does it serve and what the main activities and outputs.



Section 3 – Council owned property and/or land

Please identify below the address of the property and or land you are interested in. If located from the council property and land transparency report please include the reference.

Please indicate what type of transfer you are interested in and where a licence or lease, can you indicate the approximate term you are looking for.



Section 4 – Supporting Information

Please provide with this application the following information (tick if attached)

Minute of the meeting authorising application	
A business case	
Articles of association or other relevant governance documentation	
Recent annual report	
Organisational Structure	
Three years audited accounts	
Current Insurance Policy	
Please list any other supporting information you are including with your application below:-	

For more information on what to include in the business case please see the Councils Frequently asked questions which can be found on the web site link or a copy obtained by emailing propertyservices@northnorthants.gov.uk

The Council can request further information or references to support the application.

Undertaking

I confirm that I and the organisations group has read the Community Asset Transfer Policy and guidance notes, and understood the information contained in these documents.

I certify that the information supplied in this application form and accompanying documentation is accurate to the best of my knowledge and that I am authorised by the governing body of the organisation submit this expression of interest on its behalf.

I understand it is a criminal offence to knowingly make a false statement, to give or offer any gift or consideration whatsoever as an inducement or reward to an Council Officer, Councillor, Partner or Representative, and that any such action will empower the council to cancel this application for the transfer of the asset.

Signed _____

Print Name: _____



Position within the organisation _____

Date: _____

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Community Asset Transfer

Frequently Asked Questions

1 Frequently asked questions

1.1 What Council owned property is available for community use?

Community property and land includes parks, open spaces, play areas, community halls, museums, heritage buildings, monuments and allotments. For a full list of community owned property and a guide to whether it is let please visit the property list found on the council web site link below:-

<https://northnorthants.gov.uk/your-council/transparency-and-open-data>

1.2 What advice is available to help me?

The Council cannot advise you on what is right for you, we would need to consider any application impartially as we hold community property in trust for the local area.

There are helpful web sites reference in the Council policy, the main ones listed below:-

[Understanding Community Asset Transfer guide - for community organisations - Power to Change](#)

[Community asset transfer - Locality](#)

[Understanding Community Asset Transfer - MyCommunity](#)

1.3 Can I apply to the Council to transfer other property on the property list?

Other property and land held by the Council is for various reasons such as operational sites (e.g. refuse sites, offices, civic halls, care homes and schools), regeneration (e.g. development sites) and investment purposes (e.g. shops, industrial units and business units). These are under regular review by the Council and should one become surplus and no longer required then they will follow a disposal process. Until these have determined as surplus they are unlikely to be available for community transfer.

1.4 Will we incur costs for the transfer of the asset to us?

As with all property purchases or lettings there will be a cost to the organisation for professional fees (surveyors, lawyers etc) which your organisation will have to bear as these services will be procured by you to give you advice. The Council will pay their own professional fees.

The transfer will be subject to a valuation and the organisation are expected to pay the market value for the property. However, the market value will be in part



determined by the use, and the Council would restrict the use to community use, and this will have a negative effect on the value. It is a complicated situation regulated by statute and each case will be determined independently but using regulated policy and processes, we would confirm this with you from the outset.

1.5 Will there be any limits on what we can do with the property?

Property and land are subject to planning and listed building controls and you will need to make your own enquiries to determine the Use Class and any listed building status. In terms of the operational use of the building the Council will impose a restriction that community use is retained for the main use of the property or land. Ancillary commercial use to support the main use may be considered.

1.6 I have been asked to submit a full application including a business plan. What should I include in the business plan?

It depends on how long the asset transfer is, the longer the term of a lease or if it is a freehold transfer, the more information you will need to provide. The property services team will advise you further on this. But typically a business plan will include some or all of the following:-

- A statement of the aims and objectives of the organisation and how the benefits to furthering these objectives that a Community Asset Transfer would provide.
- Social impact benefits – description of who the organisation serves, including the number of individuals/groups benefiting from the service, the degree of support and any information on number of people that use the service. Demonstrate how the organisation improves the quality of life of people living in North Northamptonshire.
- Economic impact benefits – include the management structure, number of employees, details of any expansion and jobs created as a result of the asset transfer. Give details of your volunteering policy and numbers of volunteers working for the organisation.
- Governance arrangements – confirm the legal entity that would be the transferee, provide a current written governing document (such as Memorandum and Articles of Association). Provide a governance policy and include your safeguarding policy and process.
- Equality and Diversity Policy
- Property and Land information – provide details of current ownership or leasehold interests, information on management arrangements and experience of property responsibilities. This should include the type and headline terms of the transfer requested, and why.
- Health & Safety Policy
- Insurance Policy for public liability and employer liability. We require £5,000,000 public liability insurance.
- Financial Accounts - a viable financial model showing the investment available to the organisation, evidence of the ability to attract funding, three years financial accounts and recent bank statement.



- Marketing – how you will reach out to new customers and how will the asset support this policy.
- Partnership – how will the transfer contribute to a productive partnership between the Council and the organisation
- Environmental Impacts – proposals for energy efficiency, recycling of waste and/or natural benefits such as increased biodiversity or carbon reduction.

The web sites referred to in number 1.2 above may provide further information on the business plan.

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Community Asset Transfer

Application Form Evaluation - Example

Name and Address of Organisation _____

Property and/or land address _____

Property Reference Number _____

Information supplied:-

Minute of the meeting authorising application	Yes/No
A business case	Yes/No
Articles of association or other relevant governance documentation	Yes/No
Recent annual report	Yes/No
Organisational Structure	Yes/No
Three years audited accounts	Yes/No
Current Insurance Policy	Yes/No

The following factors will be considered according to the outcome for the property for example if the main outcome is an environmental one, then this may be weighted more highly than economic or social impact.

The panel can request further information or references to support the application.

Item	Content	Comments
1.	Statement of aims and objectives of the organisation Evidence of a mission statement/vision for the organisation and a business plan	
2.	Strategic Impact Benefits Has the organisation demonstrated how their strategic benefits are being addressed by the transfer and that the use will continue to be enhanced by the transfer	
3.	Social Impact Benefits Evidence that the organisation understands their community and its current needs. Does it monitor the activities and services it delivers and can it produce this information showing an increase in use. Does it seek feedback about its services from its customers. Is there a community profile, consultation documents or other knowledge	



	<p>showing an understanding of the area that benefit from the service and the numbers that use the service? How does it improve the quality of life for people in North Northamptonshire.</p>	
4.	<p>Economic Impact Benefits</p> <p>Has the organisation demonstrated the measurement of economic impact. What additional impact will this transfer bring in terms of jobs both directly employed and indirectly. Is there an apprenticeship scheme.</p>	
5.	<p>Environmental Impact Benefits</p> <p>Environmental policy and procedures, recycling and energy conservation initiatives. EPC rating and ability to maintain and or improve the energy performance of the property. Are there natural benefits such as increased biodiversity or carbon reduction.</p>	
6.	<p>Governance Arrangements</p> <p>Is there a legal entity that will have responsibility for the property. Is there a written governing document (eg memorandum and articles of association) that is current, legal and matches the stated activities. If a charity is it registered with the Charity Commission and a search completed. If a Community Interest Company or other charitable company is it registered with companies house and a search completed. Has the organisation provided a management structure, written policy covering roles and responsibilities of Trustees/Directors Look for AGM document, completion of annual returns, annual report and accounts completed on time. Minutes of AGM. Conflict of interest and data protection policies. How long has the organisation been established.</p>	
7.	<p>Equality, Diversity, Safeguarding</p>	



	<p>Policies to demonstrate an inclusive environment, one that understands the importance of safeguarding and demonstrates active measures taken to protect its customers. Is there a code of conduct and procedure specifying standards of acceptable behaviour including proactive measure to prevent discrimination of all types.</p>	
8.	<p>Asset Management Experience</p> <p>Evidence of experience to manage the property, knowledge of property laws in terms of occupiers liability, duties owed to staff and visitors in terms of property compliance. Is there a property officer and a health and safety policy and practices relating to property. Has the organisation experience of being a tenant and or owner of property.</p>	
9.	<p>Health & Safety Policy</p> <p>Evidence of a health and safety policy and processes for staff and customers health, safety and welfare. Method statements and risk assessments.</p>	
10.	<p>Insurance Policy</p> <p>Current insurance policy for employers liability and public liability</p>	
11.	<p>Finance</p> <p>Is there a viable financial model showing the investment available to the organisation and evidence of the ability to attract funding. Are three years financial accounts and recent bank statement. Does the legal entity have the financial means to purchase and run the asset.</p>	
11.	<p>Marketing</p> <p>Is there a policy for promoting the activity, evidence of a growth strategy and sustainable strategy for increasing market share? Information on customer feedback?</p>	
12.	<p>Council Corporate Plan</p> <p>Does the information received meet the Council objectives in the Corporate Plan, if so which ones. Is this a partnership and or</p>	



	use that the Council supports because it delivers the Councils objectives.	
13.	Ward Councillor Feedback	

Decision Making Panel Names & Role in the Council

Panel Summary & Recommendation

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Date: _____

Recommendation Approved by:

[Empty box for Recommendation Approved by signature]

Date _____

Signed _____



North
Northamptonshire
Council

North Northamptonshire Council

1 MAY 2022 TO 31 AUGUST 2022

Published by: Democratic Services

Leader of North Northamptonshire Council: Councillor Jason Smithers

INTRODUCTION

This is the North Northamptonshire Council's Forward Plan. It is published pursuant to The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Its purpose is to provide the required 28 days notice of the Council's intention to take 'key decisions' and to hold meetings or parts of meetings in private. It gives advance notice of all the "key decisions" and "exempt decisions" which the Executive or another body or officer so authorised are likely to take over a four-month period. The Plan is updated on a rolling monthly basis.

The Members of the Executive are:	
Councillor Jason Smithers	Leader of North Northamptonshire Council
Councillor Helen Howell	Deputy Leader of North Northamptonshire Council Sport, Leisure, Culture and Tourism
Councillor Helen Harrison	Adults, Health and Wellbeing
Councillor Scott Edwards	Children, Families, Education and Skills
Councillor Harriet Pentland	Climate and Green Environment
Councillor Lloyd Bunday	Finance and Transformation
Councillor David Brackenbury	Growth and Regeneration
Councillor Graham Lawman	Highways, Travel and Assets
Councillor Andy Mercer	Housing and Community
Councillor David Howes	Rural Communities and Localism

The concept of a "key decision" is intended to capture the most important or significant decisions. "Key decisions" will normally be made at meetings open to the press and public. The press and public will only be excluded from such meetings as and when the Council's Monitoring Officer considers that this is necessary in order to avoid the public disclosure of confidential or exempt information.

The authority has decided that a Key Decision is one which is likely:-

- (a) to result in the authority incurring expenditure of which is, or the making of savings which are, significant; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more electoral wards in the area of the authority."

The Council has decided that significant expenditure or savings are those amounting to above £500,000.

In determining the meaning of "*significant*" for these purposes North Northamptonshire Council will also have regard to any guidance for the time being issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000.

At times it may be necessary for the North Northamptonshire Council to give consideration to items where the public may be excluded from the meeting. Members of the public are excluded from meetings whenever it is likely that, in the view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. This includes exclusion from access to any pertinent documents. Details of the exemption categories can be found in the 'Access to Information Procedure Rules' section in the Council's [Constitution](#). This plan provides advance notice of any items which may be held in private.

Paragraph 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 provides for members of the public to make representations to the Council on why an exempt item should be considered in public, rather than in private. Persons wishing to make such representations and/or obtain further details in respect of any issues referred to in the Plan should contact the undermentioned officer.

The Monitoring Officer may also include in the Forward Plan references to such other decisions, which are to be taken by the Council or any of its Committees or Sub-Committee or officers as they consider appropriate. These will be those decisions that are considered to be significant or sufficiently important and/or sensitive so that it is reasonable for a member of the public to expect it to be recorded and published.

All general questions or queries about the contents of this Forward Plan or about the arrangements for taking key decisions should be raised with David Pope, Democratic Services.

Please email: democraticservices@northnorthants.gov.uk

May 2022

Subject of the Decision:	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author	Support documents (if any)
Capital Programme Update 2021/22	Executive	Yes	No		19 May 2022	Executive Director of Finance	
Housing Development - Former Grange Methodist Church Site, Keelering	Executive	Yes	Part exempt; para 3		19 May 2022	Executive Director - Adults, Communities and Wellbeing	
Priors Hall Golf Course	Executive	Yes	No		19 May 2022	Executive Director - Adults, Communities and Wellbeing	
Towns Fund – Train Station to Town Centre Link Road & Smart and Connected Corby Combined Projects	Executive	Yes	No		19 May 2022	Executive Director – Place & Economy	
Community Asset Transfer Policy	Executive	Yes	No		19 May 2022	Executive Director – Place & Economy	

Asset of Community Value Policy	Executive	Yes	No		19 May 2022	Executive Director – Place & Economy	
Stanton Cross Development of Governance Arrangements	Executive	Yes	No		19 May 2022	Executive Director – Place & Economy	
Council Housing Policy Update Report	Executive	Yes	No		19 May 2022	Executive Director - Adults, Communities and Wellbeing	
Continuation of the Community Library Transfer Programme	Executive	Yes	No		19 May 2022	Executive Director - Adults, Communities and Wellbeing	
Enterprise Telephony	Executive	Yes	No		19 May 2022	Director of Transformation	
Loan Book Disaggregation	Executive	Yes	No		19 May 2022	Executive Director of Finance	
Suicide Prevention Strategy	Executive	Yes	No		19 May 2022	Director of Public Health	
Highways Contract	Executive	Yes	No		19 May 2022	Executive Director – Place & Economy	

June 2022

Subject of the Decision:	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author	Support documents (if any)
Capital Programme Update 2021/22	Executive	Yes	No		16 Jun 2022	Executive Director of Finance	
Budget Forecast Update 2021/22	Executive	Yes	No		16 Jun 2022	Executive Director of Finance	
Income Management Solution	Executive	Yes	Part exempt; para 3		16 Jun 2022	Director of Transformation	
Hackney Carriage Fares Tariff	Executive	Yes	No		16 Jun 2022	Executive Director – Place & Economy	
UK Shared Prosperity Fund	Executive	Yes	No		16 Jun 2022	Executive Director – Place & Economy	

UK Levelling Up Fund	Executive	Yes	No		16 Jun 2022	Executive Director – Place & Economy	
Tree Strategy and Policy	Executive	Yes	No		16 Jun 2022	Executive Director – Place & Economy	
Pollinator Strategy	Executive	Yes	No		16 Jun 2022	Executive Director – Place & Economy	
Rough Sleeping Initiative 2022-2025	Executive	Yes	No		16 Jun 2022	Executive Director - Adults, Communities and Wellbeing	

July 2022

Subject of the Decision:	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author	Support documents (if any)
Capital Programme Update 2021/22	Executive	Yes	No		14 Jul 2022	Executive Director of Finance	
Budget Forecast Update 2021/22 Page 42	Executive	Yes	No		14 Jul 2022	Executive Director of Finance	
Garden Waste: Future Service Provision	Executive	Yes	No		14 Jul 2022	Executive Director – Place & Economy	

August 2022

Subject of the Decision:	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author	Support documents (if any)
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There are currently no reports scheduled for August

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Executive Advisory Panel

Health & Wellbeing and Vulnerable People

JUNE			
Item	Objective	Lead Officer/Directorate	Partner Organisations
Rough Sleeping Initiative 2022-2025	<p>To provide feedback to the Executive on the Council's Rough Sleeping Initiative for 2022-2025.</p> <p>This has currently been rescheduled to go to Executive in June 2022.</p> <p><i>NB. There may be a need to schedule a special EAP in late May/early June to consider this item.</i></p>	Executive Director – Adults, Communities and Wellbeing	
Towns Fund – Multi-use Building	To provide feedback to the Executive on the Towns Fund – Multi-use Building report.	Executive Director – Place & Economy	

	<i>NB. This was originally scheduled for May 2022 Executive but has been put on hold. There is no new date for this report to be tabled.</i>		
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Further items with date to be confirmed –

- Children’s and Young People’s Collaborative
- Integrated Care Systems – June/July