

HELPING YOU PREPARE FOR MANAGING A COMMUNITY ASSET

Calderdale Council's Community Management of Assets scheme allows communities in Calderdale to lease, or take over and run; open spaces, community facilities or buildings from Calderdale Council that they feel are important to them and undertake their day to day management.

Asset transfer is about giving local people and community groups greater control in the future of their community, and can bring opportunities for greater independence and financial sustainability which can lead to lasting change in local neighbourhoods.

Calderdale Council has made a commitment to looking favourably on applications from community groups at below market value where it is felt there would be community benefit in the transfer of an asset.

Calderdale Council is committed to working with community groups and local people to ensure such transfers are successful and sustainable in the long-term.

This guidance document should be read in conjunction with the Community Management of Assets Procedures.

What is an asset?

It may be anything from access to a meeting place at reduced cost, to taking on the management of community buildings, sports grounds, and open spaces owned by the Council. The Council recognises the value of local community partners taking more responsibility for local assets and services, and wishes to empower those organisations that may be best-placed to achieve this.

There are certain resources that will not be available for asset transfer, either because they are still required by the Council or represent a significant capital value that the Council wishes to realise in full. Community organisations may still choose to submit a bid if and when the asset is marketed.

Please note: the right to asset transfer is not a legal obligation on the Council, and is not an automatic right under Community Right to Bid, Community Right to Challenge or any other legislation at present.

This guidance addresses the following:

- Is your group eligible to apply for a transfer?
- Do you have the right skills in your group?
- What is community benefit?
- Is the asset suited to the needs of your group and the service/activity you plan to deliver?
- What can you do to consult the community?
- Do your plans meet the community's needs?
- How can you find out if it meets the Council's priorities?
- Where can you get advice and assistance?

Is your group eligible to apply for a transfer?

In order to be eligible you must demonstrate that your organisation:

- a) Is a voluntary, community or faith group which wishes to provide a service that furthers the Council's overall aims;
- b) Is properly constituted – in order to apply for a lease or freehold, the group must be legally incorporated either as:
 - A registered charity
 - A company limited by guarantee
 - A community amateur sports club (CASC)
 - A community interest company (CIC) or Charitable Incorporated Organisation (CIO)
 - An industrial and provident society (due to be renamed community benefit companies)
 - Local town or parish council

It is expected that such community organisations will in essence be social enterprises – that is organisations with primarily social objectives whose profits and surpluses are primarily reinvested in the organisation or the community;

- c) Has a bank account in the name of the organisation;
- d) Is open and accessible to the community it serves;
- e) Has a planned approach to safeguarding issues, if you are working with children, young people and vulnerable adults;
- f) Has a clear agreed vision how acquiring this asset will benefit the community of Calderdale.

Do you have the right skills in your group?

Once you have decided to consider an asset transfer, you will need to develop a business case. As an organisation do you have the necessary skills and experience to take on and successfully run the asset you wish to manage in a way that will be sustainable?

Here are some management aspects you need to consider before making an application:

- **Experience**

Does your organisation have experience of previously running and managing similar assets and resources, or do you have a history of sustainable project management that would be transferrable?

Do you have staff and volunteers with the necessary financial, legal and fundraising experience, as they will be vital to the project's success? If not, you need to attract these sorts of people as well as those who offer practical support and experience to help to maintain the space.

Community groups need to show they have access to the specific skills necessary to manage a public space, either already within the group, through forming partnerships, or by buying in particular services.

- **Financial**

Transferring public spaces and buildings to community groups has the potential to bring in new sources of grant income unavailable to local authorities. While this might seem an attractive prospect, fundraising and income generation is time-consuming and challenging, and requires both knowledge and skills.

You may need to support and develop various options for income generating activity. You may need to conduct market research to find out if your proposed methods of income generation are realistic.

Volunteer involvement in itself is a source of income. Volunteers working for community groups contribute time and expertise to managing assets, and this may be able to be used as match funding.

The business case must set out how the management and maintenance of the transferred asset will be paid for. This must detail realistic costs and income generation and be financially sustainable. An accurate record of running costs and a prediction of future costs will be required as a baseline for business planning. Where will the money come from for improvements and ongoing maintenance; and for how long?

Any group taking on an asset must take account of its infrastructure. Knowing its value, or replacement cost, will help establish a realistic estimate of the future maintenance costs, and it may also be useful when negotiating with possible investors and partner organisations. Taking a 'whole-life costing' approach will provide information on the maintenance and replacement costs over the lifetime of the lease or ownership arrangement.

If capital investment will be required to renovate the property, or additional maintenance costs will increase the cost of running the property, community organisations need to weigh up whether or not it will be viable to repair and make fit for purpose.

Don't be too ambitious in your planned proposals. Try not to introduce things that will require expensive long term maintenance that might be difficult to fund or sustain. Better to have something simple that you can look after, rather than something complicated that falls into disrepair due to the cost of maintenance.

Investigate opportunities for alliances or partnership agreements with other organisations that may have an interest in the site, and explore all income-generation opportunities that the site can offer, making sure that any commercial activities do not affect the accessibility of the space to the wider community.

- **Building or open space management**

Groups will need appropriate management skills like community development, fundraising, communications, event management, budgetary control, personnel management, contract management and partnership working. It is particularly important that there is at least one person on the governing board with experience of open space or building management appropriate to the asset you wish to apply for.

Whilst you may be able to find a variety of funding opportunities to pay for improvements and upgrades, finding grants to cover ongoing revenue costs year on year is much harder. Your group will have to ensure that the asset is fully utilised and used by the community and that it is run in an affordable and self-sustainable manner.

Don't forget the day-to-day caretaking and maintenance. How will all the essential day-to-day running of the asset be carried out, and by whom?

- **Community engagement**

Have you consulted the local community and potential beneficiaries? You need to consider who needs to be informed and about what. What is the best way to get the message across?

Community assets should play a central role in the life of local communities, providing a hub for civic life and features that attract newcomers to an area, which can in turn help stimulate the local economy. Because of this, the people who use or value the space should be able to hold the people that run the space accountable, and get involved with what they do.

The success of an asset transfer often comes down to the quality of its communications. They govern whether relationships are positive or not; whether a representative cross-section of local people is involved; and whether fundraising activity is successful.

- **Administrative**

Your organisation needs to have strong governance (be well run) and the appropriate legal structure to take the transfer forward. Good governance is fundamental to the success of any asset transfer. The way that your organisation manages its finances, assets and resources will depend on the size and complexity of the space itself, its ownership, who uses it, who else has an interest in it, and so on. In addition, the processes you have in place to allow access and protect and look after your users will help determine how well used your asset will be used.

How you administer and look after the asset should be devised to meet the long-term needs of the project. The Council will expect full legal compliance/good practice by any organisation taking over an asset and expect you to be able to demonstrate this through the attainment of a quality assurance standard, such as **VISIBLE**, within a reasonable time. Quality assurance tools and standards help demonstrate that an organisation is fit for purpose for asset transfer and your organisation will be required to prove that it can comply with a suitable quality standard process.

- **Health and safety**

Organisations need to prove that they are capable of dealing with any existing or potential hazards and risks in the buildings and property they might acquire through this process. This means proving that as an organisation you have procedures and policies in place, and appropriate risk assessments and processes would be carried out that address the appropriate health and safety regulations and the obligations it places on community organisations in relation to your employees and others who use community spaces or buildings.

- **Safeguarding**

Safeguarding is about your organisation having an ongoing process that seeks to prevent or reduce the harm that may be caused to vulnerable people (such as children, young people and adults). As part of the asset transfer process you need to prove that your organisation is aware of local procedures and practices about safeguarding, and that you have a suitable Safeguarding of Vulnerable Groups Policy which builds on your procedures and covers the range of contact your organisation has with vulnerable people.

- **Time**

Asset transfers take time and require a great deal of work to put together a proper business plan and to consult with possible users and partners. The transfer process recognises this and provides adequate time to put your proposal together. However, even if successful that is only the start of the process and your members need to be aware that most transfers will require a great deal of time and commitment potentially over a number of years to bring their vision for the asset to fruition.

Be realistic when you apply. If you are likely to only need a meeting room once a week, don't apply for a 125 year lease of a large community centre. If you want land to grow then a community growing lease might be more appropriate than applying for a lease transfer.

A group currently on a short term lease can request a longer lease or freehold at a later stage. Requests to change arrangements are evaluated using the same process and criteria as new requests.

On the other hand remember that a community group may struggle to attract funding for a space it manages without a long-term lease over the site.

- **Resilience**

With an asset transfer, organisations must understand that they will need to be in it for the long haul. You need to be able to plan for the successful operation of the asset over the lifetime of the lease.

Those involved need to have an attitude of dogged determination. They need to carry on supporting the project in the face of possible setbacks.

Governing boards should wherever possible include 'community connectors' – people with wide and deep links with the community. If the group is membership-based it should be proactive in efforts to increase the number of members.

Community groups should consider working with a wide range of partners both to ensure full use of any asset and to help share the running costs. This will help to reduce any over-reliance on the local authority to provide funding.

Consider how the wider community could contribute to the governance of your organisation. This could be through user groups, community forums, or as potential trustees, volunteers, consultees, participants, users, 'critical friends' and communicators.

Ensure the aims behind the asset transfer request have been designed to meet the specific needs of the community it aims to serve, such as the needs of minority ethnic groups, older people or disabled people rather than just a general "community hub" and make the space more attractive to a wider range of people.

- **Access to training and support**

You may not have all the skills you need initially, especially if as an organisation you haven't managed a community space or building before. What is important is that you have identified agencies and organisations that can provide support, guidance and training and that as a group you have the capacity and enthusiasm necessary to learn new skills as needed. You need to ensure that you have identified your strengths as an organisation and have identified appropriate training and support to deal with any organisational weaknesses.

What is community benefit?

Each asset belonging to the Council has a financial value; many buildings and pieces of land are surplus to requirements. In selling off what we don't need, the money can go towards modernising buildings we still want to use and protecting important services we all value.

For the Council to transfer an asset, the group needs to show that the benefit to the community is greater than the financial value to the Council. There is not a formula for this and the onus is on you to demonstrate how your management will benefit the wider community.

- Why is the asset better off in your hands? What will you do that the Council couldn't?
- How will the transfer benefit the wider community benefit – not just your existing group and/or group members?
- Will this result in additional services in the locality?
- Will there be more opportunities to get involved in community life than there are now?
- Who will benefit and how? The dictionary definition of benefit is "to gain an advantage or profit"; how does transferring an asset to your group profit or give additional advantages to the local community? Applying to manage a building or piece of land purely to prevent its sale is not a strong enough reason to transfer an asset.
- Will there be an increase in volunteering?
- Are you offering development opportunities for local people?
- Is the asset suited to the needs of your group and the service/activity you plan to deliver?

Where can I find out what is available?

You can see a register of all land and properties owned by the Council at

http://map.calderdale.gov.uk/connect/?mapcfg=Calderdale_assets

Or you can contact your Ward Councillors or Neighbourhood Team to discuss what is available in their area.

What can you do to consult the community?

Ensure that you have a clear vision statement setting out what you want to see happen to the site in future. This will ensure that everyone understands the aims of the transfer from the start.

Engage with potential users as early and in as many ways as possible and establish what the levels of support are for transfer: setting this out will strengthen your business case. Consider and promote the different opportunities that the transfer could offer to new and marginalised groups of people to become involved.

Consider how to involve, inform and consult the people who live and work around the site on an ongoing basis, so that you stay in touch with their aspirations as the project evolves.

Regular and purposeful communication starts with putting time aside to prepare an influencing plan. This is a good way to focus and prioritise: clarify what it is you are trying to change and plan ahead and be proactive.

Different communication strategies will be needed at different stages of an asset transfer project. Initially communication is likely to be about raising awareness and getting wider support and interest in a project. Once a transfer has progressed, the focus may move to reaching out to the community to encourage volunteer support or talking to specific groups about providing activities on the site.

Do your plans meet the community's needs?

The building or land being transferred should be chosen for a specific reason: don't start with the building/land and then try and find a purpose for it. You also need to ensure that there is local support for the Community Asset Transfer.

Map out where the other organisations and facilities are in the area. Does your proposal compliment or compete with existing and proposed provision locally? How does your site relate to public transport links, available parking etc? Will it be easy to get to or not? How accessible will it be for the whole community? Have you consulted with local people and users about what they feel is missing in the area and what they would like to see brought in?

There are a number of documents and people you may wish to check with to see if your vision matches existing identified need. You may wish to consult:

- The Joint Strategic Needs Assessment
- Ward Profiles & Neighbourhood Statistics
- Ward Councillors
- Consultations about local needs

- Potential partners
- Membership of your group

Consultation should never be a one-off. You will need to show that you will maintain an open and honest dialogue with the community throughout the asset transfer process, any renovations and beyond.

How can you find out if it meets the Council's priorities?

You should initially contact your Local Neighbourhood Officer, Ward Councillors or support agency (see below) to ask for assistance to identify if your vision for the asset would meet Council priorities and there are also a number of documents that you can use to help identify local need. Documents that may be beneficial include:

- The Council's Joint Strategic Needs Assessment
- Ward Profile & Neighbourhood Statistics
- The Local Plan
- Cabinet priorities
- Ward Forum minutes - these documents can all be found online at <http://www.calderdale.gov.uk>
- It may also be helpful to talk with your Ward Councillors and Town and Parish Councils where appropriate.

Where can you get advice and support?

CMBC Neighbourhood Teams

The Council's Neighbourhood Teams can offer advice and information to organisations thinking about applying for an asset transfer. They should be your first point of contact to discuss your ideas and to find out what you need to consider before applying. You can find out which team supports your area by going to:

<http://www.calderdale.gov.uk/community/ward-forums/contact.html>

The decision to participate in asset transfer is not to be entered into lightly and for that reason the Council strongly believes that all organisations considering it should have access to independent advice.

We strongly believe that you should also access independent advice to consider whether asset transfer is right for your organisation. Therefore we have procured North Bank Forum to provide initial advice and guidance to interested groups. They have a track record of supporting voluntary and community groups and have a great deal of knowledge and experience of the issues involved in asset transfer.



North Bank Forum - Sector Support Calderdale

1st Floor, Friends Meeting House
 Clare Road
 Halifax HX1 2HX
 Tel: 01422 345174

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

These are some of the other organisations we recommend:



Locality delivers the Asset Transfer Unit and is a well established provider of advice, guidance and support concerning the transfer of buildings and land from the public sector to community ownership and management.

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

Following the initial support, if you wish to pursue asset transfer we recommend that you bid to Locality/ the Social Investment Business (<http://mycommunityrights.org.uk/community-asset-transfer/>) for their pre-feasibility grants. If successful, these grants, of up to £10k, are available to support organisations consider the implications of asset transfer.

My Community Rights

This is a source of information and support for organisations interested in asset transfer and/or Community Right to Bid, which includes information about grants available for undertaking feasibility/pre feasibility type activity.

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

The Community Sport Asset Transfer Toolkit is a bespoke, interactive web based tool that provides a step by step guide through each stage of the asset transfer process.

The Toolkit has been developed specifically for sports clubs, recognising that asset transfer can often be a daunting task for a sports club to undertake, especially those run mainly by volunteers. Developed in partnership with Locality, the toolkit aims to make the process as accessible as possible by providing step by step information, resources and case studies.

http://www.sportengland.org/support__advice/asset_transfer.aspx



The Federation of City Farms and Community Gardens provides advice and support for local food-growing initiatives.

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



Guidance on design and management is provided by Play England in its 'Design for Play' guide. Its 'Playful Communities toolkit' can help anyone wanting to get involved in creating, improving and maintaining play spaces. It is particularly aimed at community groups.

If you are planning to take on a new or existing play area, you will need a basic understanding of the regulations and legal obligations, including keeping children safe, health and safety, insurance, registration and inspection of staffed play provision. The *Managing Risk in Play Provision: Implementation* guide provides guidance on health and safety, insurance and risk.

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



They can provide downloadable toolkits and model documents including governing documents, leases and policies and procedures. These include **Your Value!** – Community Matters' new social value tool to enable community groups to demonstrate their social value and impact, and **VISIBLE** the national accredited quality standard, endorsed by the Charity Commission, for the community sector:

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



Good Governance code of practice for Voluntary and Community organisations, listing six key principles of good governance, details important legal requirements and gives suggestions on how to apply the principles in practice.

<http://www.governancecode.org>

Who else has done it?

Type of asset transfer: **Short term lease** (3 year)

Note: Initially the group was looking for a long-term lease but elected to apply for an initial short-term lease for the reasons listed below.

Asset: Stubb Field, Mytholmroyd by Stubb Fields Community Association

Pros and cons identified:

“My thoughts originally were that the (original) asset transfer process was a little cumbersome and the visible standards were a little over the top for what was just a piece of land falling into disrepair. The fact of the Community Association taking over the responsibility for the maintenance was all win for the Council and as such could perhaps have been dealt with in a simpler manner.

We acknowledge that a more robust constitution and set up will be required for a long term asset transfer, and a proper company reporting regime will have to be introduced. However we felt that a short term lease on the land would give some advantages:

- 1 To enable us to show the council that we were a serious organisation.*
- 2 To get the process moving to create some momentum in the short term (it still took a lot longer than we expected).*
- 3 To show the Council that we could do what we said we would do.*
- 4 To prove to ourselves that we could do what we said we could do as a group, before we took on a long term commitment.*
- 5 To identify and iron out some of the issues that were raised in the early days.*

We are now looking to go for a longer term lease while we tie up an agreement with a local Junior Football Club to play football in the long term at Stubb fields, improve the pitches and build a new changing facility.”

Type of asset transfer: **Long-term Lease** (125 year)

Asset: **Centre at Threeways** (formerly known as The Ridings School in Ovenden, Halifax.)

Pros and cons identified:

“The chance for communities to acquire assets represents an unprecedented opportunity for local people and groups to take a leading role in impacting and

transforming their neighbourhoods. Like any vision, the hard work is in making it happen. Like any goal worth achieving, it's one where we take the rough with the smooth. Like any noble cause, it is not for the fainthearted. In our experience we found Calderdale Council greatly supportive in helping us to move the process forward against a backdrop of continuous and rapid change and complexity which at times made things quite challenging. In many ways, although we were by no means the first of our kind in Calderdale, we were still part of the formation of an asset transfer process which offered a balance of both support and challenge. As a result both we and the local authority learned a great deal about how the experience might be strengthened and improved. Like many similar programmes, many of these boil down to having a clear process, good communication, realistic goals and an agreed partnership approach to making things happen. I know these principles are embodied within local plans to further improve the process for local groups."

These organisations have agreed to be contacted. Please get in touch with your Neighbourhood Officer for details of how to do so.

When and where do I apply?

For room hire, the community group should initially contact the Council Service responsible for the asset or building (such as the local library if you wanted to use their meeting room).

For any other form of asset transfer you should first contact your local Neighbourhood Team who will ensure you are eligible to apply and that you fulfil the necessary criteria to put in an expression of interest. They will also provide advice regarding your proposal, advise you on the process and explain how to proceed.

The Community Management of Assets Policy and Procedure can be found online at <http://www.calderdale.gov.uk>

What happens if after accepting an asset transfer we want to apply for longer terms?

A group currently on a short term lease can request a longer lease or freehold. Requests to change arrangements are evaluated using the same process and criteria as new requests.

To find out more and to express an interest in a property, contact your local Neighbourhood Team at:

Halifax Central Forum Team

Covering - Park, Skircoat, Sowerby Bridge and Town Wards

Name: Jo Richmond or Shebana Sadiq, Ward Coordinators

Email: wardforumhalifaxcentral@calderdale.gov.uk

Telephone: 01422 365948

Visit: Queens Road Neighbourhood Centre
Queens Road
Halifax HX1 4NE.

We are normally open 9am - 5pm (4.30pm on Fridays) Monday to Friday.
Evening and weekend appointments on request.

Halifax North and East Forum Team

Covering - Illingworth & Mixenden, Northowram & Shelf, Ovenden and Warley Wards.

Name: Vick McGhee, Team Manager

Email: wardforumsnorthandeast@calderdale.gov.uk

Telephone: 01422 255402

Lower Valley Forum Team

Covering - Brighouse, Elland, Greetland & Stainland, Hipperholme & Lightcliffe and Rastrick Wards.

Name: Mags Bryson (Brighouse and Rastrick) or Graham Gibbons (Elland and Greetland & Stainland. Mags and Graham (Hipperholme & Lightcliffe)

Email: mags.bryson@calderdale.gov.uk or graham.gibbons@calderdale.gov.uk

Telephone: 01422 288017

Upper Valley Forum Team

Covering - Calder, Luddendenfoot, Ryburn and Todmorden.

Name: Kirsten Fussing (Ryburn & Todmorden) and Jae Campbell (Calder & Luddendenfoot)

Email: kirsten.fussing@calderdale.gov.uk or jae.campbell@calderdale.gov.uk

Telephone: 01706 548133 or 01422 244622