



**APPENDIX 1**

# Co-operative Use of Council Assets- Policy & Procedure

## **Purpose of the policy**

- 1.1 The purpose of the Co-operative Use of Assets Policy is to support voluntary and community groups in being able to make use of Council assets in order to benefit the residents of the Borough. It provides a process through which the Council will assess applications from voluntary and community groups to use or acquire a Council owned asset.
- 1.2 The key aims of the Policy are:
- *To enable voluntary and community organisations to fully contribute to our aims as a Co-operative Council, and the achievement of outcomes for neighbourhoods and the Borough.*
  - *To provide a fair and transparent framework through which voluntary and community organisations can apply to use or acquire Council owned assets. Decisions will be based upon the Council's assessment of the balance of the costs and benefits of the proposal. This will include consideration of the contribution to Council objectives, taking account of the Council's Social Value Framework.*
  - *To provide other forms of support which facilitate the use or acquisition of Council assets by voluntary and community groups;*
  - *To operate a process through which effectively involves elected members in decisions about applications from voluntary or community groups to use or acquire Council assets.*
- 1.3 This policy will replace the Council's current Community Asset Transfer Strategy.

## **Principles underpinning the Policy**

- 2.1 Though each application will be assessed on its merits, the Council begins from recognition of the positive value of enabling use of assets by voluntary and community groups. Our approach seeks to facilitate and support communities to access to our assets, without compromising the authority's financial integrity or fiduciary duty. This approach will also ensure that the Council's wider accountabilities, such as Health & Safety responsibilities, are adequately and appropriately discharged.
- 2.2 The Policy is based upon the following principles:
- A fair and consistent approach;
  - Clear and transparent decision making processes;

- A flexible approach offering a range of options to suit the needs and circumstances of different groups, which takes account of their support and development needs ;
- Accountability for decision making, with decisions involving elected members;
- Timely processes in which the requirements are proportionate to the level of risk involved;
- Systematic evaluation of the costs and benefits of community use of assets including both finance and social value;
- Management of risks including those relating to health and safety, finance and reputation;
- Clarity about responsibilities in relation to property management, including issues such as repair and maintenance, service charges and insurance;
- Compliance with the Council’s statutory duties and responsibilities.

## **Definitions**

- 2.3 This policy applies to land and property assets owned by the Council.
- 2.4 Assets which may be considered as being suitable for community asset transfer can be defined as land or buildings in the ownership of the Council which have been identified as surplus to requirements through the Councils’ Asset Management Strategy.
- 2.5 This Policy applies to voluntary or community bodies as defined in the Localism Act 2012. These are referred to as “**Community Groups**” in the following sections below. The definition is as follows;
1. A body designated as a neighbourhood forum pursuant to Sec 61(f) of the Town & Country Planning Act 1990;
  2. A Parish Council;
  3. An unincorporated body:
    - a. Whose members include at least 21 individuals; and
    - b. Which does not distribute any surplus it makes to its members
  4. A charity
  5. A company limited by guarantee which does not distribute any surplus it makes to its members
  6. An industrial and provident society which does not distribute any surplus it makes to its members
  7. A community interest company

## **Potential options for community use of assets**

- 3.1 The matrix at Appendix 4 identifies a spectrum of alternative options which may be considered when assessing potential community use/ transfer of assets, ranging from simple ad-hoc room hire to unrestricted freehold sale. This is not an exclusive list. In each case, the advantages and disadvantages for both the Council and community groups are identified. Groups could progress along the spectrum over time, taking on greater levels of responsibility and risk as they develop the organisation's skills and capacity.
- 3.2 With regard to potential transfer of assets, leasing options are considered most appropriate, as this provides maximum flexibility, providing community groups with the ability to access external funding and secure a significant degree of 'autonomy', whilst allowing the Council to retain as much control as considered appropriate to individual circumstances.
- 3.3 With regard to community groups usage of Council assets this could arise in different ways:
- community groups accessing assets principally used for Council service delivery by e.g. out of office hours;
  - assets used solely by communities, such as community centres; and
  - assets used by communities to deliver services traditionally delivered by the Council.

There is therefore a great degree of flexibility within the Council's corporate estate to accommodate a variety of usage and service delivery arrangements.

### **Principles for Lettings of Council owned assets**

- 4.1 **The Council has adopted key management objectives and principles with regard to its land and property portfolio which are incorporated in the Land and Property Protocols, forming part of the Council's Constitution.**
- 4.2 **All dealings with Council owned land and property must be undertaken in accordance with the Land & Property Protocols.**
- 4.2 With regard to terms for future lettings of Council-owned assets to Community Groups, the recently reviewed Land and Property Protocols reflect the following;
- a) Operational Assets:

- Community sector tenant – range from at-cost to free (dependent on the structure of organisation, and with reference to the Council’s Social Value Framework)
- b) Community Assets (as defined in the District Asset review):
- Usage costs range from at-cost to free (dependent on the structure of the organisation, and with reference to the Council’s Social Value Framework )

### **Principles for Community Asset Transfer**

- 5.1 The Local Government Act 1972 Section 123 provides that the Council may dispose of land in any manner it sees fit, except that in the case of leases for more than seven years a disposal must be for the best consideration reasonably obtainable.
- 5.2 However, the General Disposal Consent (England) 2003 provides a general consent for local authorities to dispose of land and property at less than best consideration (i.e. the highest financial value possible) within certain circumstances, including those where the Council considers that the disposal is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the whole or any part of the area (i.e. the general wellbeing power).
- 5.3 When considering a transfer (i.e. a lease of 7 years or more) it is proposed that the asset is leased to the community group in question, who will then be responsible for all costs associated with its occupation of the property, including repairs and maintenance, rates, insurance, heating, lighting etc.
- 5.4 Under the Policy, the community group must be able to demonstrate objectively how the transfer will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the whole or any part of the area.
- 5.5 The contribution a community asset transfer can make to the economic, social or environmental wellbeing of an area can be demonstrated as follows:
- the occupation and maintenance of a property by a community / voluntary organisation will benefit the Council over time as the value of the asset is protected in the longer term.
  - the community/voluntary organisation will serve the wider community and meet Council objectives as identified in the Corporate Plan and / or the Council’s Social Value framework.

### **Other ways in which the Council may support the co-operative use of assets**

6.1 There are a number of other ways in which the Council may facilitate use of Council assets by community groups:

- Ability to book rooms at the Civic Centre or other Council buildings.
- Community groups may be offered support through the time of Council officers in order to develop their skills and capacity, and so be in a position to e.g. take on the management of a Council owned asset. Whilst increasing pressure on Council's budgets will inevitably create challenges in this regard, there may be opportunities for Council officers to offer support to groups seeking to take responsibility for assets under the Employee Volunteering Scheme.
- The Oldham District Partnership is exploring, on a pilot basis, the potential for a social enterprise to take on the management of buildings leased to community groups. Whilst this may have advantages, it does need to be balanced against the Council's commitment to driving efficiencies from the corporate estate via introduction of the Corporate Landlord model.
- Working with Voluntary Action Oldham, develop a support offer for groups wanting to take on greater responsibility for assets, including full asset transfer. This will include signposting to toolkits which are already available, sources of funding and national organisations which can support groups wanting to manage assets (such as Locality / Community Matters). In the first instance it is proposed that the existing toolkits are reviewed in co-operation with VAO to ensure they are as comprehensive as possible.

6.2 These other aspects of the co-operative approach to the use of assets require further development.

### **Criteria for assessing applications from community groups for the use or transfer of Council assets**

7.1 Any application would be assessed on the basis of the same three criteria of:

- Benefits to residents and the Council
- Costs, and
- Risks

7.2 The same criteria would be applied to every for any application, but the assessment would be proportionate to the levels of risk involved:

<b>Strategic fit for the Council</b>
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<ul style="list-style-type: none"> <li>– Corporate <ul style="list-style-type: none"> <li>○ Corporate Plan</li> <li>○ Asset Management Strategy</li> </ul> </li> <li>– Neighbourhood <ul style="list-style-type: none"> <li>○ District Asset Review</li> <li>○ Delivery of neighbourhood objectives</li> </ul> </li> </ul>
<p><b>Community benefit</b></p> <ul style="list-style-type: none"> <li>– What benefits will be provided for the local community, and different groups within it?</li> <li>– How will the proposal contribute to the Council’s Social Value framework?</li> </ul>
<p><b>Financial considerations</b></p> <ul style="list-style-type: none"> <li>– What is the potential income to the Council?</li> <li>– How much would be foregone in capital receipts/rental income?</li> <li>– What is the impact on the Council’s ongoing revenue costs?</li> </ul>
<p><b>Effective arrangements for management of the asset</b></p> <ul style="list-style-type: none"> <li>– Will the community group be able to meet ongoing running and maintenance costs?</li> <li>– Does the group have the ability to secure investment in the property?</li> </ul>
<p><b>Capacity of the organisation to take on responsibility for use of the asset</b></p> <ul style="list-style-type: none"> <li>– What is the group’s track record?</li> <li>– Do individuals in the group have the required skills and experience?</li> <li>– Is development support available if required?</li> <li>– Ensuring the group has governance arrangements which will allow it to take on responsibility for an asset.</li> </ul>
<p><b>Local support for the proposals</b></p> <ul style="list-style-type: none"> <li>– Is there evidence that the proposal has wider support e.g. from residents, ward councillors and relevant partners</li> </ul>
<p><b>Other risks</b></p> <ul style="list-style-type: none"> <li>- Are there other significant risks which need to be managed e.g. in relation to the Council’s reputation or Health &amp; Safety considerations?</li> </ul>

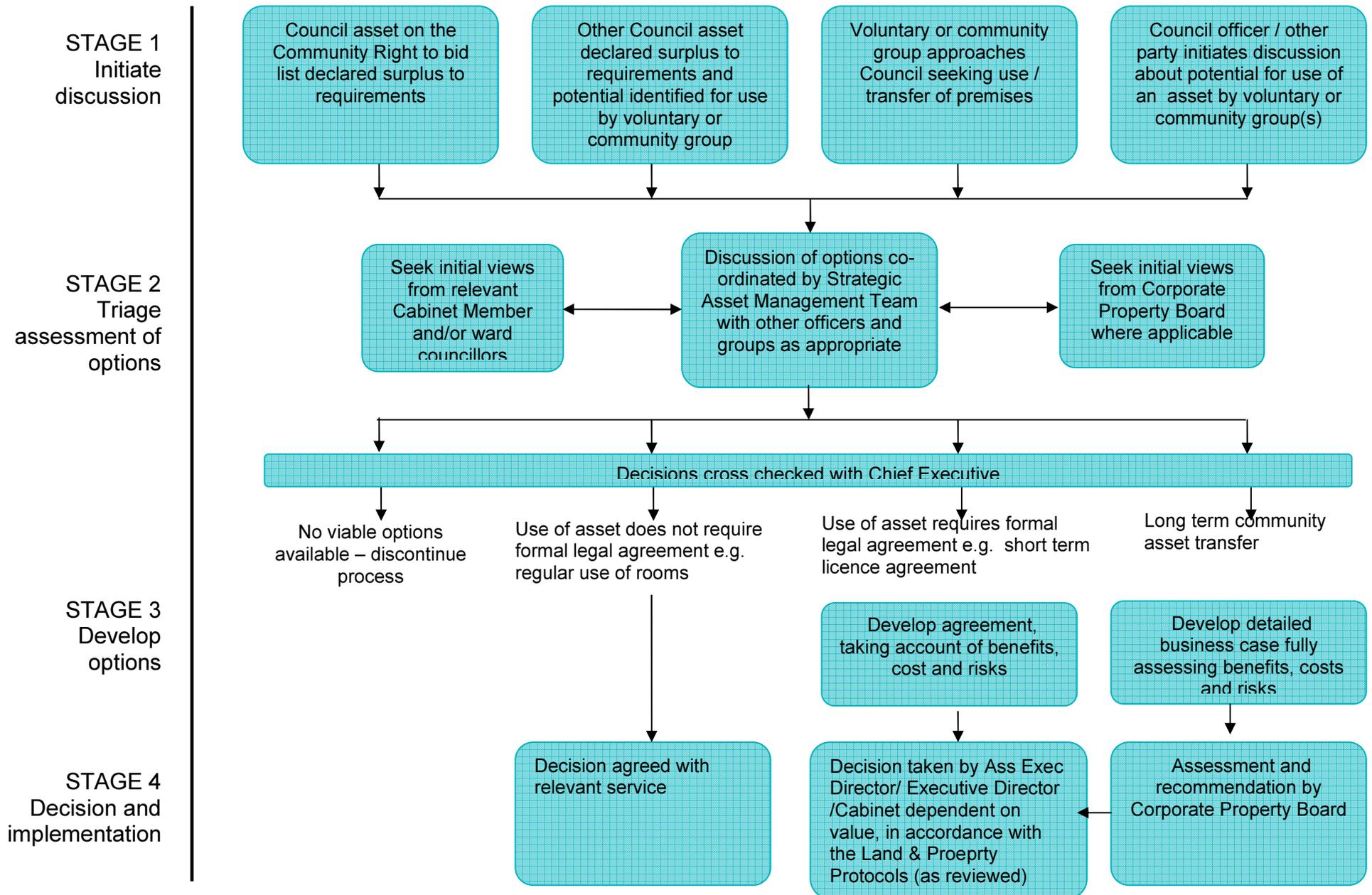
7.3 Managing an asset is a major undertaking for any community group and the Council recognises that organisations may need support to achieve the required level of expertise and experience.

7.4 A set of minimum standards will be defined to ensure that organisations have the capacity to manage an asset. These standards will be proportionate in that they will give due regard to the level of risk and responsibility being taken on by the community group.

**Process for making decisions on the use of assets by community groups**

- 8.1 The flow chart below sets out the process for consideration of applications from community groups to use or occupy Council assets (other than ad hoc requests to book rooms).
- 8.2 In relation to assets considered for transfer, this would be subject to assets:
- becoming vacant,
  - being identified as surplus to the Council's operational and strategic requirements, and
  - being identified as potentially suitable for community use / asset transfer by the Corporate Property Board
- 8.3 The community use of assets, including potential transfer process will be managed by the Corporate Property team/function with support and assistance from the Neighbourhoods/Policy teams. With regard to potential transfer, progress of recommendations made will be subject to approval by the CPB and thereafter the EDRS process.
- 8.4 If a community group is encouraged to proceed to an asset transfer the lease will be tailored to the individual circumstances of the transfer taking account of the identified benefits, costs and risks.
- 8.5 There will be no separate appeals process. If organisations were not satisfied with the outcome of an application to use or manage Council asset these would be subject to challenge on the same basis as other Council decisions.

## Oldham's Co-operative Approach to Assets



## APPENDIX 1: BENEFITS AND RISKS OF ENABLING VOLUNTARY AND COMMUNITY GROUPS TO USE COUNCIL ASSETS

Potential benefits to voluntary and community organisations	Potential benefits to the Council	Potential benefits to residents of the Borough
<ul style="list-style-type: none"> <li>• develop the organisation's confidence, capacity and professionalism;</li> <li>• opportunity to create or strengthen working relationship with the Council, other statutory agencies and other voluntary and community groups;</li> <li>• can strengthen the organisation's community ties;</li> <li>• increase the organisation's ability to secure resources to achieve its objectives. Community organisations may be able to access funding which Councils cannot access e.g. to refurbish the building or to support development work;</li> <li>• increased independence can encourage enhanced entrepreneurialism;</li> <li>• greater financial sustainability gained through asset transfer can help the organisation to escape short term grant dependency</li> <li>• subject to funding and to the Council's consent as landlord, organisations can modify a building to better suit them or their communities' needs;</li> <li>• asset transfer enables organisations to plan for the long term.</li> </ul>	<ul style="list-style-type: none"> <li>• benefit from the "community reach" of voluntary and community groups to provide a more accessible and responsive base from which to deliver services – potentially meeting the needs of more people and delivering a wider range of services;</li> <li>• strengthen and sustain key voluntary and community groups;</li> <li>• support delivery of desired social, economic and environmental benefits;</li> <li>• act as a catalyst for inward investment and secure additional benefits of local purchasing and employment opportunities;</li> <li>• potential source of rental income or at least removal of ongoing revenue costs of premises from the Council;</li> <li>• building management problems could be solved or improved</li> <li>• support delivery of neighbourhood priorities;</li> <li>• development of a valuable local partner organisation offering a range of potential new opportunities for collaborative work.</li> </ul>	<ul style="list-style-type: none"> <li>• provide a locally based, community building / physical asset providing support and services tailored to the needs of the local community;</li> <li>• potential for volunteering opportunities and the development of skills which could assist people in securing work;</li> <li>• may widen use of the asset to a greater range of residents, rather than restricting it to particular groups;</li> <li>• different groups within the community may be able to come together more often thus promoting community cohesion;</li> <li>• should any external funding or surpluses be generated by community organisations they are more likely to stay in the community, supporting local businesses and local jobs.</li> </ul>

## APPENDIX 2 POTENTIAL RISKS OF COMMUNITY ASSET TRANSFER

Risk Description	Impacts	Risk owner	Mitigating actions
<b>Physical Risks</b>			
Building or asset is not considered to be in adequate state to transfer	Asset cannot be transferred	Council	Assessment of asset by property services prior to start of asset transfer process.
Group does not have the funds to purchase and or/refurbish the asset	Time, effort and money is wasted Group or project may fail	Group / Council	<p>Council to carry out a conditions survey at the outset to establish the full cost of the asset.</p> <p>The Council could retain certain maintenance liabilities.</p> <p>Group could take on management of the asset without taking on full tenure.</p> <p>Extension of transfer on a long lease basis would allow the group to raise grants and investment funding to support improvements.</p> <p>Capacity building support for the group could be put in place to support group in accessing external funding.</p> <p>Community group could build links with Locality (formerly the Development Trust Association) who can signpost to possible sources of funding.</p>
Group cannot afford to maintain the asset on an ongoing basis	<p>Group may incur financial liabilities that it cannot meet</p> <p>Asset may not be structurally sound</p>	Council / Group	<p>Assessment of asset by property services prior to start of asset transfer process.</p> <p>Employing and retaining a project manager and/or surveyor to ensure</p>
Group carry out work that beyond what they should carry out	<p>Asset may become structurally sound</p> <p>Unauthorised building work is carried out, rendering the building</p>	Group	<p>Clear guidelines in the heads of terms, stating what can and cannot be done structurally</p> <p>Annual check to ensure that the asset has not been changed beyond the originally agreed</p>

<b>Risk Description</b>	<b>Impacts</b>	<b>Risk owner</b>	<b>Mitigating actions</b>
	unsafe or 'illegal'.		
<b>Business Risks</b>			
Group taking on the asset does not have the relevant policies and procedures in place to take on an asset	Asset cannot be transferred until the correct policies are in place Delays in transferring asset Asset cannot be transferred Time spent by the community and Council is wasted.	Group/ Council	Pre qualification questionnaire will highlight where the gaps are and allow for groups to fill the gaps.
Group lacks the skills and capacity to manage the asset	Time and energy spent by the group/community and Council is wasted. Asset is not transferred.	Group	Carry out skills audit at the outset. Agree on package of support at the point of transfer. Agree on an organisational development plan to include skills training in building management. Carry out the transfer on a phased basis. Offer support to the group in succession planning
Group decides asset transfer is not something they wish to pursue.	Time spent by the community and Council is wasted.	Group	Ensure that the relevant group of individuals meet to discuss the implications of asset transfer and establish early in the process whether this is possible.
Confusion of roles between the community group and the Council	Unexpected costs occurring. e.g. maintenance liabilities The relationship between the Council and the community group breaks down.	Council/ Group	Clear statement of the Council's offer in the Asset Transfer Strategy Establish, as part of the final agreement, what individual roles should be.
Asset and the use of it cannot be developed as fully as anticipated	The group owning the asset cannot generate enough revenue for the asset to be sustainable, resulting in a financial shortfall.	Group	Access to specialist support Where possible ensure commissioning process takes into account the nature of community delivery agents.

Risk Description	Impacts	Risk owner	Mitigating actions
	The Council's community commissioning scheme may be insufficiently aligned to benefit the group.	Group/ Council	Ensure all commissioning members of the Oldham Partnership enable community commissioning.
Group misuses the asset	<p>Building falls into disrepair</p> <p>Health &amp; Safety risks are not managed by the tenant</p> <p>The group managing the asset gets into financial difficulties</p> <p>Group is accused of mismanagement of financial and physical assets.</p> <p>Asset is under utilised</p> <p>Competition for control of asset amongst community groups</p> <p>Risk of funds being misappropriated</p>	Group/ Council	<p>Agreement in heads of terms establishing what the asset may be used for and for how long (e.g. hours per week)</p> <p>Clear guidance of what will be expected from both the Council and the Community Group.</p> <p>Annual monitoring checks undertaken</p> <p>Strong business plan is developed by the group</p> <p>Clear break clauses in the lease</p>
Aims or objectives of the group are weak or are not aligned to those of the local authority.	Lack of buy in from either side because no common vision can be found.	Group/ Council	<ul style="list-style-type: none"> <li>• Group could consider undertaking a community needs survey to establish the needs of the community.</li> <li>• Work with the group to urge them to consider how they can further its objectives for the use of the asset.</li> </ul>
Elements of the lease or license cannot be agreed upon. e.g. Length of lease or rate of rent.	<p>The group pulls out of the transfer process</p> <p>The group feels forced to agree on</p>		Quirk panel act as impartial brokers to negotiate terms and conditions.

Risk Description	Impacts	Risk owner	Mitigating actions
	a lease that is not long enough for them to establish the business, rendering the lease unsustainable.		
Group ceases to operate	Asset is under utilised Asset falls into disrepair	Council/ Group	Heads of terms of lease should contain break clause allowing group to give asset back to the Council or council to take the asset back. This would allow for transfer of the asset to another group or revert back to full Council ownership.
The receiving group relies on a small number of volunteers to operate	Individual(s) may become overburdened and unable to maintain time and effort on the project, threatening their health and that of the project.  No succession plan in place means that loss of key volunteers leaves the group without individuals to fulfil the business plan  Use of the asset could be limited due to it not being possible to keep it open.	Group	Rotation of committee members ensure that the committee is not left too weak to operate.  Use of role descriptions to assist with succession planning.  Build up a network of trustees covering the Authority to help in the recruitment of new board members.  Use of shadowing as a way of supporting committee members into new roles  Capacity building support could be offered to the group  The group could build links with VAO and other support organisations.
There are insufficient resources within the Council to adequately manage the letting and comply with the landlord's covenants.	Community group have difficulties which are not picked up early. This leads to the asset transfer getting into difficulties and possibly failing.	Council / Group	Ensure reviews are carried out as a partnership between departments allowing more resources to be diverted to this task

Risk Description	Impacts	Risk owner	Mitigating actions
If the community group does not perform there may be political risks		Council/ group	<p>Ensure annual reviews are carried out and difficulties identified early.</p> <p>Ensure heads of terms identify mechanisms for dealing with this possibility</p> <p>Ensure CAT Panel is kept up to date with progress</p>
<b>Reputational Risk</b> resulting from any of the above physical or business risks occurring	Potential highly negative affect on reputation, both Council and Group, with particular regard to the Council's Co-operative aspirations	Council/Group	Ensure that the mitigating actions identified above are implemented as appropriate and the overall process is robustly managed.

### APPENDIX 3. OUR SOCIAL VALUE PROCUREMENT FRAMEWORK

Theme	Outcomes: What are we trying to achieve?	What could this mean in practice for suppliers? What could they deliver? (NB. These are <u>examples</u> only – not an exhaustive list)
<b>a) Jobs, growth, and productivity</b>	<b>Outcome 1:</b> More local people in work	Create x number of new jobs in the local economy (i.e. within the borough of Oldham)
		Create x number of traineeships (including apprenticeships) for Oldham borough residents
		Provide x number of days of meaningful work experience for Oldham borough residents
		Support x number of people back to work by providing career mentoring for job clubs, including mock interviews, CV advice, and careers guidance
		Supporting young people into work by delivering employability support (e.g. CV advice, mock interviews, careers guidance) to x number of school and college students
		Employ x number of ex-offenders (or other group of people who typically face additional challenges in competing in the labour market)
	<b>Outcome 2:</b> A local workforce which is fairly paid and positively supported by employers	Pay staff the Living Wage
		Increase rates of pay for lowest-paid staff by x%
		Improve the skills levels of existing staff by training x% of the workforce to Level 2/3/4 (for example)
		Reduce average sickness absence by x% through an improved health, wellbeing and support package for staff
		Identify all staff who are carers and ensure flexible working practices are implemented to support these responsibilities within x weeks of contract start date

Theme	Outcomes: What are we trying to achieve?	What could this mean in practice for suppliers? What could they deliver? (NB. These are <u>examples</u> only – not an exhaustive list)
	<b>Outcome 3:</b> Thriving local businesses	Support x number of new business start-ups by running practical workshops with enterprise clubs
		Support the local economy by spending x% of total expenditure in the local supply chain (i.e. within the borough of Oldham) - this could be measured with tools such as LM3
		Support the local supply chain by spending x% of total expenditure in a 10-mile radius / within the borough of Oldham
	<b>Outcome 4:</b> Responsible businesses that do their bit for Oldham	Attract £x worth of inward investment into the borough
		Secure positive profile for Oldham through x number of positive stories in the national media
		Support Oldham's Fairtrade Town status by ensuring that x% of food products in the supply-chain is Fairtrade
		Secure £x-worth of investment in, or in-kind contributions to, fuel poverty initiatives in Oldham
		Support staff, service users and residents to fundraise £x for the Co-operative Oldham Fund (and/or match-fund x% of the total funds raised).
<b>b) Resilient communities and a strong voluntary sector</b>	<b>Outcome 5:</b> An effective and resilient third sector	Contribute x number of hours of business planning support / financial advice / legal advice / HR advice to community and voluntary organisations through an Employer-Supported Volunteering scheme
		Provide facilities for use by community and voluntary organisations for x number of hours per year
		Work with community and voluntary organisations to

Theme	Outcomes: What are we trying to achieve?	What could this mean in practice for suppliers? What could they deliver? (NB. These are <u>examples</u> only – not an exhaustive list)
		create x number of new volunteering opportunities in the borough
		Support local third sector organisations through the supply chain by spending x% of total expenditure with community and voluntary sector providers based in the Oldham borough
	<b>Outcome 6:</b> Individuals and communities enabled and supported to help themselves and each other	x% of service users supported to self-help
		Coordinate and run a befriending scheme to reduce social isolation (and thus prevent the consequences of social isolation) for x number of older people
		x% of customers directed towards lower-cost forms of contact (eg. phone or web rather than face-to-face), including training service users to use IT as necessary
		Support x number of service users to engage in volunteering
		Support x number of service users into work experience / paid work / training
		Work with x number of service users to design / deliver the service
		Deliver the service on a localised basis so that the average distance to travel to access the service is reduced by x miles
		x% of residential social care users supported to live independently
<b>c) Prevention and demand</b>	<b>Outcome 7:</b> Acute problems are avoided	x% overall spend disinvested from acute interventions and reinvested in prevention Support more people to manage their finances

Theme	Outcomes: What are we trying to achieve?	What could this mean in practice for suppliers? What could they deliver? (NB. These are <u>examples</u> only – not an exhaustive list)
<b>management</b>	and costs are reduced by investing in prevention	<p>effectively by increasing the number of residents who save with Oldham Credit Union by x</p> <p>Support prevention by running education and publicity campaigns with specific targets (e.g. support x number of staff / residents / service users to stop smoking / increase their physical activity / access money advice)</p>
<b>d) A clean and protected physical environment</b>	<b>Outcome 8:</b> We are protecting our physical environment and contributing to climate change reduction	<p>Reduce the amount of waste generated by x% compared to previous contract</p> <p>Reduce the amount of waste sent to landfill by x% compared to previous contract</p> <p>Reduce carbon emissions by x% per year</p> <p>Reduce overall energy consumption / water consumption by x% per year</p> <p>Increase the use of renewable energy / community-generated renewable energy as a proportion of total energy consumption by x% over the lifetime of the contract (without increasing overall energy consumption)</p> <p>Support x number of households to better manage their energy demands through improvements in the fabric of their homes, bringing them out of fuel poverty and contributing to climate change goals</p>

#### APPENDIX 4: SPECTRUM OF OPPORTUNITIES

Nature/type of use/disposal	Council		Community group	
	Benefits	Risks / concerns	Benefits	Risks / concerns
Unrestricted Freehold sale at full market value***	Maximum capital receipt realised; loss of maintenance liability	Loss of control over asset & potential loss of community use	Unrestricted control over asset	Need to secure funding
Freehold transfer at less than Best Consideration***	Loss of maintenance liability	Potential loss of control over asset & potential loss of community use Whilst restrictive covenants would be incorporated into the transfer, lack of resource may prohibit adequate monitoring/enforcement  Potential capital receipt not realised	Unrestricted control over asset	Need to secure funding to operate  Health & Safety implications
Long lease (125 years) contracted out  Full repairing and insuring terms	Loss of maintenance liability  Control over use ensuring asset remains in community use	Asset is not adequately maintained  Council has insufficient resource/capacity to adequately manage to ensure covenants are	Potential to access external funding  Control over operation of building	Need to identify funding to cover all costs associated with occupation including H&S issues  Requirement to provide

Nature/type of use/disposal	Council		Community group	
	Benefits	Risks / concerns	Benefits	Risks / concerns
	Asset returns to Council in reasonable condition	enforced		an agreed 'service' from the property.
Long lease (25 years) contracted out Full repairing and insuring terms Including step-in rights in favour of Council	Loss of maintenance liability Control over use ensuring asset remains in community use Asset returns to Council in reasonable condition	Asset is not adequately maintained Council has insufficient resource/capacity to adequately manage to ensure covenants are enforced.	Potential to access external funding Control over operation of building	Need to identify funding to cover all costs associated with occupation including Health & Safety issues, Requirement to provide an agreed 'service' from the property
Short lease (circa 5 years) contracted out Tenant responsible for internal repair & costs of occupation	Potential net saving on maintenance/rates/security costs Potential to generate rental income, depending upon the circumstances	Potential net increase in costs, depending on circumstances Inadequate resource to manage	Use of property to provide a community service, with limited financial commitment	Restricted ability to access external funding
Short lease (less than 5 years) contracted out Tenant responsible for internal repair & costs of occupation OR inclusive	Potential net saving on maintenance/rates/security costs Potential to generate rental income	Potential non-recovery of all costs associated with occupation and consequently increase in costs	Use of property to provide a community facility/service with limited financial commitment	Limited funding opportunities, lack of certainty in longer term business planning

Nature/type of use/disposal	Council		Community group	
	Benefits	Risks / concerns	Benefits	Risks / concerns
'occupation charge/fee' depending on length of term and sole/shared occupation	depending upon the circumstances  Potential to maximise usage of assets (i.e. by sharing accommodation with Community Groups)	Potentially cumbersome to manage, particularly in order to ensure transparency and probity in the process	Total visibility of accommodation costs thus reducing risk	
Licence on easy in/out terms  Tenant responsible for inclusive 'occupation charge/fee'	Potential to generate rental income depending upon the circumstances  Potential to maximise usage of assets	Potential non- recovery of all costs associated with occupation and consequently increase in costs  Potentially cumbersome to manage	Use of property to provide community service/facility with limited up-front and future financial commitment  Total visibility of accommodation costs thus reducing risk  Very limited commitment	Limited funding opportunities, lack of certainty in longer term business planning
Room Hire- Regular/intermittent use  Free/at cost/cost+	Potential to generate net income from underutilised accommodation	Opportunity cost if space used free  If no charge then the	Use of accommodation at low/nil cost, enabling provision of facility/service with very	Lack of control and therefore certainty regarding future usage, and therefore business

Nature/type of use/disposal	Council		Community group	
	Benefits	Risks / concerns	Benefits	Risks / concerns
	<p>Improve usage of assets</p> <p>Provide support to Community Groups by providing a range of accommodation and therefore choice and opportunity</p>	<p>Council may incur a net cost</p>	<p>limited financial outlay.</p> <p>Very low financial risk if limited support from Community</p>	<p>planning and growth</p> <p>Limited funding opportunities</p>
<p>Service Level Agreement (SLA) with Community Group to 'manage' a community asset</p>	<p>Reduction in costs of management whilst ensuring facility is widely available for use</p> <p>Potential to generate income (limited) to offset costs</p>	<p>Risk in longer term sustainability and potential 'variable quality' of management</p> <p>Risk in strength/'enforceability' of contract/arrangement</p> <p>Ultimate costs of maintenance retained, including H&amp;S</p>	<p>Use and control over community facility enabling continued use by the community</p> <p>Minimal cost</p>	<p>Restricted future investment/growth opportunities</p>

\*\*\* N.B. Any freehold transfer is subject to Chief Executive sign off