



Community Asset Transfer Policy

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Document Distribution

This policy is to be distributed to all staff and elected members of Copeland Borough Council and placed on the Council's Intranet Site. A copy must also be provided to contractors and 3rd parties undertaking work on Copeland Borough Council premises.

Contributors

Corporate Leadership Team	Cumbria County Council Community Asset Transfer Policy
Mayor's Office	
Property Team	
Legal team	
CAT Review Project Group	

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Purpose

This document sets out the Council's policy and guidance on Community Asset Transfers (CATs) and the approach the Council will take to ensure consistent and transparent asset transfer to the voluntary and community sector. It will enable CATs to support the achievement of the Council's priorities as set out in the Corporate Strategy. It also supports the delivery of the Council's Social Inclusion Programme.

This policy and guidance sets out the context and rationale for considering CAT - referring to the national, regional and local drivers and priorities; and it describes the principles and processes the Council will use in determining whether an asset is suitable for transfer.

This means that voluntary and community groups can be confident that a fair and standardised process will be adopted for CAT but that this will be sufficiently flexible to enable adoption of an individual approach as every transaction is different.

Definitions

What is Community Asset Transfer?

CAT in Copeland relates to the freehold or long leasehold management and ownership arrangement on certain buildings or land.

Copeland Borough Council encourages CAT on certain buildings or land which have been identified as surplus and available for disposal at less than best value.

Public assets are rarely used by everyone: their 'value' being locked-in to a particular use or a particular group of people. Changing ownership or management can offer opportunities to extend the use of a building or piece of land, increasing its value in relation to the numbers of people that benefit and the range of opportunities it offers. Community-led ownership can offer additional opportunities to secure resources within a local area and to empower local citizens and communities.

Less than best value

Less than best value is permitted under the Local Government Act 1972 providing that a disposal promotes or improves economic, environmental and social wellbeing and the discounted value is less than £2m. A valuation is required in all CAT disposals.

If an asset is to be transferred at less than best value, the applicant will need to demonstrate that it will generate social, economic and environmental benefits. Examples include service continuation, employment or volunteering opportunities and providing an accessible community facility. These benefits will be recorded in a service level agreement between the Council and the organisation.

Policy Benefits

Copeland Borough Council has long recognised the benefits of CAT and this is demonstrated by a long standing policy position supporting CAT in Copeland as well as a number of actual examples across the Borough. The Council has been transferring assets to communities for many years with local elected members being at the heart of this activity.

The Council knows that the way physical assets are managed can have a positive impact on the long term strength of local communities. Through asset ownership, community organisations can grow and become more secure, gaining access to sources of additional investment that the Council itself is not able to access. Our policy enables community organisations to become more sustainable on long term basis.

Introduction

Community Asset Transfer (CAT) is not new. Up to 2010, the policy basis for CAT was underpinned by the vision for Sustainable Communities. The Quirk Review in 2007 “Making Assets Work: The Quirk Review of community management and ownership of public assets” concluded strongly in favour of local ownership and management of public assets.

While the Quirk Review remains a touchstone for CAT, a challenging financial reality means the Council will increasingly consider CAT to enable communities to meet their needs and to achieve our own aims and priorities.

Scope

When will we consider CAT?

The Council has a range of assets (buildings or land) which are used for operational or investment requirements. On occasions assets may become surplus to these requirements. In these circumstances, the Council may consider disposal of such assets under CAT, which enables the disposal of the asset to take place at less than best value.

CAT will be considered for assets owned by Copeland Borough Council which are categorised as surplus and may be transferred at less than best value. If an asset is not categorised as surplus but an organisation wishes to take it on or enquire about CAT, they should contact CBC Property and Estates Manager.

The Council will consider CAT in line with its own policies and procedures, including the Asset Register and Contract Procedure Rule 28.

Assets for **essential** operational or investment purposes will not be considered for CAT.

For any transfer, the Council would require a proposal from the group seeking the transfer outlining the community benefits, development plans and business case, covering financial

viability, proposed utilisation, benefits to the organisation and community and evidence of wider support. The application must evidence consultation with ward councillors.

On what basis would an asset transfer take place?

Asset transfers will generally be by means of a lease of up to 40 years, the terms of which will be agreed at the time of each individual transfer. In some cases the Council will consider a short term lease to an organisation with a view to moving to a position where a long term lease would be sustainable where community benefit organisations can demonstrate enhanced community benefits.

Freehold will only be considered as an exception, subject to a relevant and agreed business case.

The organisation taking occupation will be responsible for all issues associated with the use and operation of the property.

For example:

- Upkeep, repair and maintenance of the asset;
- All running costs, including insurance;
- Compliance with statutory and legislative requirements, including inspections and health and safety requirements and the Council's Safeguarding Policy.

In all cases involving transfer of ownership/occupation, appropriate mechanisms will be put in place to protect the financial and legal position of the Council, such as restrictions on use, clawback provisions and break clauses. For example, in the case of a long term lease we will write into such leases an appropriate provision (forfeiture or break clause) under which the asset would revert back to the Council, such as, but not exclusively:

1. In the case of bankruptcy/insolvency;
2. In the case of corruption;
3. In case of non-payment of rent (if applicable);
4. In the case of non-performance of other terms such as breach of repairing obligations and unauthorised change of use (if applicable);
5. If the organisation wishes to surrender the lease.

With freehold transfer of ownership the Council will (in addition to the restrictions on use and clawback provisions referred to above) impose covenants on the asset limiting whether, when, how and to whom the asset may (a) be sold on, or (b) revert back to the Council.

Alternatively in appropriate circumstances, the Council may agree to a business plan that sets out that the community group will sell the asset at some point and reinvest the proceeds in a more suitable asset. The position of the Council on such a disposal would be ensuring the benefits of the CAT would be improved by the proposed sale or transfer.

Which organisations will we consider transferring assets to?

We will consider asset transfer to any voluntary, community or third sector organisation providing it meets the criteria outlined below. The Council will ask the organisation to demonstrate it can fulfil these criteria through the provision of a business case; which will then be assessed by CBC officers from a range of disciplines.

A key consideration will be the sustainability of the organisation and its capacity to manage and develop the asset. The organisation shall:

- Be an appropriately constituted organisation which is a legal entity, or a legally constituted through a consortia agreement; (e.g. a registered charity, community interest company or charitable incorporated organisation, a not for profit company)
- Have a stable financial position and track record with a demonstrable financial plan. (The Council will wish to review copies of audited accounts and forward projections where appropriate)
- Exist for community/social/environmental/economic benefit
- Be non-profit distributing – i.e. it must reinvest any surpluses to further its social aims/community benefits
- Have stated community benefit objectives
- Demonstrate strong governance by operating through open and accountable co-operative processes, with strong monitoring evaluation, performance and financial management systems; or, where this is a newly constituted organisation, demonstrating a robust governance framework
- Demonstrate it has the skills and capacity within, or available to, its managing body to effectively deliver services and manage the asset
- Have a specific plan on health and safety issues and compliance with legislation and any statutory requirements arising from transfer of the asset
- Have a clear purpose and understanding of the activities it wishes to deliver and demonstrate how the asset transfer will enable and support these activities.

In exceptional circumstances, the Council may consider other types of organisations. Organisations which do not constitute those listed above are asked to contact the Council's Property and Estates Manager in the first instance to discuss the possibility of CAT.

Disposal at under market value to partnership organisations

In some circumstances the Council may transfer an asset to an organisation other than stated above - for example, a parish council. In most circumstances the requesting organisation will need to satisfy all the other conditions but exceptionally, such as in the case of a parcel of land to be improved and maintained for the benefit of the community, a full application will not usually be required as the financial standing and governance of the partnering organisation will be known. Any such application would be subject to assessment by relevant Council officers. CBC regulations set the values and decision levels needed.

If viability is proven, a full business case will be required to support the longer lease of freehold transfer going forward.

To enable transfers at less than best value, applicants will need to demonstrate that their acquisition of the asset will support, promote and benefit the economic, environmental or social wellbeing of the community.

Roles and Responsibilities

How will we assess CATs?

The Council will proactively seek opportunities for transferring assets that it has identified as eligible in line with its Strategic Asset Management Strategy.

The assessment will be proportionate to the organisation applying for the asset, the value of the asset and its proposed use. It will also ensure that due consideration of the aspects of CAT and what is involved in taking on an asset are covered.

The assessment will be based on the following:

- Eligibility of the asset for CAT
- Eligibility of the organisation applying for CAT
- How the transfer meets community need and what the asset is and will be used for
- Details of anticipated community benefit - What social, economic and environmental benefits will the transfer deliver (e.g. service continuation, an accessible community service), what outputs or impact can be required to ensure delivery of such benefits and sustain the intention
- Viability of CAT proposal

To assist with the assessment process, the organisation will be asked to complete an Expression of Interest form [See Appendix A]. If this is approved, they will be asked to submit a Business case Application Form. [See Appendix B]

In some circumstances, the Council will proactively seek CAT for specific assets that it is no longer able to provide or maintain. In these circumstances, the Council may directly approach a specific organisation to explore the viability of a CAT. Should a CAT not be viable for any reason, alternative forms of disposal will be considered.

Asset Transaction Terms and Restrictions

We want to support community organisations and enable them to effectively manage and develop an asset.

Having carried out an initial assessment of suitability we will, where appropriate, work with groups to effect a transaction. In doing this we will refer to the Council's relevant rules and procedures. If the Expression of Interest is approved, the organisation will be asked to

complete a Business Case Application form. Organisations are encouraged to work with a third party such as Copeland Community Fund for support with this.

If the Council is minded to approve an application, in the first instance the Council's Surveyor will be requested to undertake a photographic schedule of condition and prepare heads of terms relating to the proposed disposal in consultation with the applicant.

In some instances, the Council will need assurance about particular matters as part of the transfer process. These include the following:

- (a) If the asset comprises of public open space statutory notice will be given in a local newspaper for two consecutive weeks in accordance with section 123 of the Local Government Act 1972;
- (b) If the applicant is required to obtain any planning permission for the asset the applicant will be required to do so at this point of the process; and
- (c) If the applicant's proposal is dependent on the receipt of grant, the applicant will be required to submit such an application now and obtain a grant approval. This is to allow the Council to ensure that no claw back conditions will be attached to it if a leasehold disposal is intended and to offer an 'in principle' decision. A letter of support may be required by a funder if they do not already have a lease.

CAT terms will be as flexible as possible, each transaction will be considered on its own merits to enable the applicant to effectively manage and develop the asset.

The type of disposal will depend on many factors including type of asset, size and value of asset, status of the group, financial stability of the group, period the group has been in existence and track record for delivering services of a type which the asset relates to.

A leasehold transfer could be for any length, however in certain circumstances grant funding conditions might dictate the length of the lease.

Working together through the process will help ensure that the most appropriate arrangement is entered into.

We strongly recommend that groups considering CAT read the advice and information available to assess its advantages and potential implications. We have included some details of where to find further information and advice later in this document.

It should be noted that all negotiations are then subject to contract.

Covenants

If appropriate, on transfer, covenants regulating use will be included to ensure that the disposal continues to support relevant wellbeing powers.

Policy Details including Procedures

Underpinning Principles

In order to ensure that CATs are dealt with in a consistent, fair and transparent way, this policy and guidance set out the principles upon which CATs will be progressed. However, as every transfer and voluntary or community group involved will be different there also needs to be flexibility built into the approach.

The principles set out below will allow for consideration on a case-by-case basis; ensure that the well-being benefits to the community are assessed; give consideration to value for money; and will ensure that transfers facilitate the provision of high quality, customer focused services for communities.

The Council sees this policy and guidance documentation as the method of ensuring that all factors are taken into consideration, enabling value judgements to be made as appropriate in each individual case. It will mean that all communities, and voluntary and community organisations, will have equality of opportunity.

The principles are:

- The process for CATs will be clear and transparent with indicative timescales from start to finish
- The criteria used for determining whether an asset is suitable for community transfer will be made publically available
- Any known costs or liabilities involved e.g. ground rent, sitting tenants, maintenance, essential repairs etc. will be made available to the body the transfer will be made to
- Requests for transfers from the community will be considered using the criteria and process set out when they are received
- The Council will work with voluntary, community and third organisations to achieve asset transfers where appropriate that will enhance community empowerment and engagement and encourage development and sustainability of the sector
- All requests for transfers must be to improve community, wellbeing, support or enhance the current services provided and demonstrate a clear contribution to the Council's priorities and aspirations; as well as support the outcomes in the Sustainable Community Strategy and the Social Inclusion Policy.
- Local consultation with Copeland Borough Council Elected Members
- Each asset transfer will be considered on its own merits

The Council has operational procedures and risk assessments in place in line with this policy which are reviewed on a regular basis.

Monitoring of Policy Adherence

The policy will be reviewed at a minimum of every three years, to incorporate any changes to legislation or guidance.

The annual audit will permit the Council to evaluate and review the arrangements it has in place. Subsequently the policy may be updated to allow for changes that have occurred.

References

For further information and an informal discussion about Community Asset Transfer in the first instance, please contact:

Barbara Vernon
CBC Property and Estates Manager

Expression of Interest and Business Case Application forms for Community Asset Transfer [see Appendices A and B] can also be submitted to:

barbara.vernon@copeland.gov.uk

Or by post to:

Barbara Vernon, Property and Estates Manager, Copeland Borough Council, The Copeland Centre, Catherine Street, Whitehaven, CA28 7SJ

Other Sources of Advice and Support:

Copeland Community Fund (CCF)

The CCF Enabling Fund can provide support to strengthen a project, ensuring best fit between the project and what Copeland Community Fund and / or other funders want to invest in. CCF can fund a range of development and viability assessment activities to help strengthen the next stage of an application or support applications to other funders. **Please note** the link to the application form for this funding can be only accessed via the Copeland Community Fund Project Coordinators.

<https://copelandcommunityfund.co.uk/>

Locality is the UK's leading network for community led organisations supporting community led change. **Building Powerful Communities through Community Asset Transfer: A Guide for Councillors**

For further information go to: <https://locality.org.uk/>

Sport England's community sport asset transfer toolkit is a bespoke interactive web based tool that provides a step-by-step guide through the asset transfer process. This has been

developed specifically for sports clubs in partnership with Locality. For further information go to: <https://www.sportengland.org/facilities-planning/community-asset-transfer/>

My Community Rights is a source of information about asset transfer and the Community Right to Bid. For further information go to: <https://mycommunity.org.uk/>

LGiU provides guidance for community organisations considering CAT. For further information go to: <https://www.powertochange.org.uk/research/understanding-cat-communityorgs/>

Making Assets Work. The Quirk Review of community management and ownership of public assets:

<https://webarchive.nationalarchives.gov.uk/20120920020552/http://www.communities.gov.uk/documents/communities/pdf/321083.pdf>

Ministry of Housing, Communities and Local Government: Managing Risks in Asset transfer: A Guide:

<http://www.dtascommunityownership.org.uk/sites/default/files/managing-risks-in-asset-transfer.pdf>

The Quirk Review 2007 “Making assets Work: The Quirk review of Community Management and Ownership of Public Assets” [Quirk Review](#)

CBC Asset register and Contract procedure Rule 28

Local Government Act 1972 Section 123

<https://www.legislation.gov.uk/ukpga/1972/70/section/123>

CBC Social Inclusion Policy

Copeland Borough Council Community Asset Transfer Expression of Interest Form

Reference Number: (Office use only)

Please read through the guidance notes below before you start to fill in this form. It has been designed so you can provide the standard information we need to assess your application. Your answers should show that you are thoroughly considering the requirements of a full proposal.

Before you fill in this form please make sure that both your organisation and the plans you have for the asset once transferred meet **ALL** the criteria set out in Copeland Borough Council's Community Asset Transfers Policy and associated guidance.

It is vital that your full proposal contributes to Copeland Borough Council's priorities, as set out in the Corporate Strategy, and has the support of the community in which it is based/serves. In this Expression of Interest you are asked to describe your plans, so please consider those requirements when you fill in this form.

Sustainability for your service delivery and therefore asset use is also a key element. You need to show that you have thought about this before making an expression of interest and then demonstrate how you will do this in your full proposal.

Please provide us with as much detail as you can, the boxes on the form expand to fit the content in order for you to do this. Tell us how the transfer of the asset will bring benefits to both the wider community and the community it currently serves. Once your application has been received, a named council officer will be appointed as your contact throughout the application process.

We would prefer to receive proposals electronically, but will accept hard copies by post where necessary.

Please send the completed form to:
Barbara Vernon, Property and Estates Manager, Copeland Borough Council.
barbara.vernon@copeland.gov.uk

1. Contact Details

Describe the asset for which the transfer is requested (e.g. playing field, retail unit, community hall, residential property, office building, farm building, agricultural land, industrial unit, etc.)	
Name of organisation	
Address	
Post code	
Is this the same address as the asset you are applying for transfer? If not, please give address & postcode.	
Contact Name	
Telephone number (for contact person)	
Email address (for contact person)	

2. Your Organisation

Is your organisation a voluntary and community sector organisation which is a legal entity, or legally constituted through a consortia agreement?

What type of organisation is it? (E.g. a registered charity, community interest company or charitable incorporated organisation, a not for profit company, etc.) When was it established?

Please explain your governance arrangements

Please describe what your organisation does

3. Reasons for Transfer

Please explain why you are applying for a community asset transfer and how this will benefit the wider community.

Please explain how your proposal contributes to Copeland Borough Council's priorities as set out in the Corporate Strategy, especially those relating to social, economic or financial inclusion.

How will your organisation meet all the costs associated with taking on ownership (leasehold or freehold) of the asset?

PLEASE CONFIRM IN THE BOX BELOW THAT THIS APPLICATION HAS THE FULL SUPPORT OF YOUR ORGANISATION

Name of person completing this form

Position in the organisation

Date

Copeland Borough Council Community Asset Transfer Business Case Application Form

Reference Number: (Office use only)

Expression of Interest approved

Name of officer & date of approval

Please read through the guidance notes below before you start to fill in this form. It has been designed so you can provide the standard information we need to assess your application. Your answers should show that you have thoroughly considered every aspect of your proposal. The Council is unlikely to consider proposals that have not had Expression of Interest approval.

Before you fill in this form, please make sure that both your organisation and your proposal can meet **ALL** the criteria set out in Copeland Borough Council's Community Asset Transfers Policy and associated guidance. If your organisation or your proposal do not meet all of the general criteria it is unlikely that we will consider your application.

It is vital that your proposal contributes to Copeland Borough Council's priorities as set out in the Corporate Strategy and has the support of the community in which it is based/serves. Sustainability for your service delivery and, therefore, asset use is also a key element.

You need to show that you have thought about this before making an expression of interest and then demonstrate how you will do this in your full proposal.

Please provide us with as much detail as you can, particularly on how the transfer of the asset will bring benefits to both the wider community and the community it currently serves. The boxes on the form expand to fit the content in order for you to do this. Once your application is received, a named council officer will be appointed as your contact throughout the application process.

We would prefer to receive proposals electronically, but will accept hard copies by post where necessary.

Please send the completed form to:

Barbara Vernon, Property and Estates Manager, Copeland Borough Council.

barbara.vernon@copeland.gov.uk

Contact Details

Describe the asset for which the transfer is requested (e.g. playing field, retail unit, community hall, residential property, office building, farm building, agricultural land, industrial unit, etc.)	
Name of organisation	
Address	
Post code	
Is this the same address as the asset you are applying for transfer? If not, please give address & postcode.	
Contact Name	
Telephone number (for contact person)	
Email address (for contact person)	

Your Organisation

Is your organisation a voluntary and community sector organisation which is a legal entity, or legally constituted through a consortia agreement?

YES/NO (Delete as appropriate)

What type of organisation is it? (E.g. a registered charity, community interest company or charitable incorporated organisation, a not for profit company, etc.) When was it established?

Please enter your charity registration number

Is your organisation or branch affiliated to a national or regional organisation?

YES/NO (Delete as appropriate)

If **YES**, please give details here including contact name, address and charity registration:

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How many people are involved in running your organisation?

Board/committee members/trustees	
Paid employees: full time	
Paid employees: part time	
Volunteers	

Please list below who has responsibility in your organisation for:

Finance	
Legal Compliance	
Insurance	
Health & Safety	
Operations	
Equality & Diversity	
Business Continuity	
Human Resources	

Organisation/group aims and objectives

Describe your organisation/group's main aims, objectives and activities

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Legal Compliance

Please confirm that, to the best of your knowledge, the organisation named above is not in breach of the provisions of Regulation 23(1) of the Public Contracts Regulations 2006 as summarised below.

The organisation (or its directors or any other person who has powers of representation, decision or control of such organisation) has not been convicted of any of the following offences:-

Conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA; or	Yes/No (Delete as appropriate)
Corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906; or	Yes/No (Delete as appropriate)
The Offence of Bribery; or	Yes/No (Delete as appropriate)
<p>Fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:-</p> <ul style="list-style-type: none"> • the offence of cheating the Revenue; or • the offence of conspiracy to defraud; or • fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978; or • fraudulent trading within the meaning of section 458 of the Companies Act 1985; or • defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994; or • an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or • destroying defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968; or 	Yes/No (Delete as appropriate)
Money laundering within the meaning of the Money Laundering Regulations 2003; or	Yes/No (Delete as appropriate)
Any other offence within the meaning of Article 45(1) of the Public Sector Directive.	Yes/No (Delete as appropriate)

If you are unable to confirm any of the above, please give details below, including any action taken to resolve the situation.

Please confirm the following statements or give details if you answer no to any of the questions.

The organisation (or its directors or any other person who has powers of representation, decision or control of such organisation) confirms that:-

Being an individual he is not bankrupt or has not had a receiving order or administration order or bankruptcy restrictions order made against him or has not made any composition or arrangement with or for the benefit of his creditors or has not made any conveyance or assignment for the benefit of his creditors or does not appear able to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has not granted a trust deed for creditors or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of his estate, or is not the subject of any similar procedure under the law of any other state; or	Yes/No (Delete as appropriate)
Being a partnership constituted under Scots law it has not granted a trust deed or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of its estate; or	Yes/No (Delete as appropriate)
Being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has not passed a resolution or is not the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or has not had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is not the subject of the above procedures or is not the subject of similar procedures under the law of any other state; or	Yes/No (Delete as appropriate)
It has not been convicted of a criminal offence relating to the conduct of his business or profession; or	Yes/No (Delete as appropriate)
It has not committed an act of grave misconduct in the course of his business or profession; or	Yes/No (Delete as appropriate)
It has fulfilled obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which the organisation is established; or	Yes/No (Delete as appropriate)
It has fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established; or	Yes/No (Delete as appropriate)
It is not guilty of serious misrepresentation in providing any information required of him under this regulation; or	Yes/No (Delete as appropriate)

<p>In relation to procedures for the award of a public services contract, it is licensed in the relevant State in which he is established or is a member of an organisation in that relevant State when the law of that relevant State prohibits the provision of the services to be provided under the contract by a person who is not so licensed or who is not such a member; or</p>	<p>Yes/No (Delete as appropriate)</p>
<p>Where applicable, it is registered with the appropriate trade or professional register(s) in the EU Member State where it is established (as set out in Annex IXB of Directive 2004/18/EC) under the conditions laid down by that Member State.</p>	<p>Yes/No (Delete as appropriate)</p>

Insurance

Please provide details of your current insurance cover and confirm your intentions should the transfer application be successful

Public liability

Employer's liability

Property/contents

Financial Information

What was your turnover (income) in the last two years (if this applies)?

<p>£ for year ended __/__/____</p>	<p>£ for year ended __/__/____</p>
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Has your organisation met all its obligations to pay its creditors and employees during the past year?

YES/NO (Delete as appropriate)
 If the answer to the above question is **NO**, please explain why not:

Please give the name and branch of your bankers who could provide a reference:

<p>Name</p>	<p>_____</p>
-------------	--------------

Branch	
Contact Details	

If asked, would you be able to provide **at least one of the following?**

A copy of your most recent accounts, audited if applicable (for the last two years if this applies)

YES/NO (Delete as appropriate)

A statement of your turnover, profit & loss account and cash flow for the most recent year of trading

YES/NO (Delete as appropriate)

A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position

YES/NO (Delete as appropriate)

Health and Safety

Please sign below to confirm that you agree that all your staff and volunteers will comply with relevant health and safety legislation.

Signature	
Name	
Position in organisation	
Date	

Does your organisation have an up to date Health and Safety Policy?

<p>YES/NO (Delete as appropriate) If YES, Please attach a copy If NO, please explain why:</p>
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Equality and Diversity

Does your organisation comply with its legal obligations relating to the following?

Race	YES/NO (Delete as appropriate)
Sex or sexual orientation	YES/NO (Delete as appropriate)
Disability	YES/NO (Delete as appropriate)
Age	YES/NO (Delete as appropriate)
Religion or belief	YES/NO (Delete as appropriate)
Gender reassignment	YES/NO (Delete as appropriate)
Marriage & Civil Partnership	YES/NO (Delete as appropriate)
Human rights	YES/NO (Delete as appropriate)
Pregnancy & maternity	YES/NO (Delete as appropriate)

NOTE TO ORGANISATION:

You must keep up to date with relevant changes in legislation.

You will be required to provide an Equality Impact Assessment (EIA). If you do not have one, please ask for a copy of Copeland Borough Council's EIA checklist and use that.

Do you have policies in place to ensure that you as an employer and as a service provider comply with your statutory obligations under the equality legislation which applies to Great Britain, or equivalent legislation in the countries in which you employ staff?

YES/NO (Delete as appropriate)

If the answer is **NO**, please explain why.

In the last three years, has any contract with you or your organisation been terminated on grounds of your failure to comply with legislation prohibiting discrimination?

YES/NO (Delete as appropriate)

If the answer is **YES**, please provide full details:

Aims and objectives of your proposal

The council expects an outline of the current and proposed use of the building and how the asset transfer would enable and enhance the activities within the community.

Proposals should:

- *Demonstrate that the asset will continue to support community and voluntary activities within the area and protect the use of the facility by other voluntary organisations;*

- *Outline the future opportunities for enhancing the use of the asset as a community facility that transfer would bring;*
- *Identify opportunities for using the assets to develop and provide new and innovative services, which may be linked to current council service provision*

Need and Support

Please explain how you know there is a need for this proposal (activity) and how you can demonstrate wider community support:

What happens if the proposal is unsuccessful?

Please explain what, if anything, will happen if this proposal is unsuccessful.

Council Corporate Strategic outcomes

Please demonstrate how your proposal will contribute to the Council's Corporate Strategy ambitions and outcomes, especially those relating to social, economic or financial inclusion. The Corporate Strategy can be found on the Council's website

Sustainability

This section needs to demonstrate that once your organisation takes on the asset it will be able to keep up the running costs, maintenance requirements and any improvements needed for future use. It is necessary to show that the organisation has a sound long-term business plan in place with realistic financial projections to cover income requirements for all organisational costs. Please include a copy of the Business Plan with this submission. The council reserves the right to seek confirmation of funding streams.

Declaration of interest

The staff and/or councillors of Copeland Borough Council must declare any relationships or interests with individuals or organisations who apply for an asset transfer. This will include any elected members or members of staff who are trustees of the apply organisation. Please list below.

Name:

Nature of relationship:

Name:

Nature of relationship:

Name:

Nature of relationship:

Data Protection

The information on this form will be processed by or for Copeland Borough Council. We may hold the information you give us on computer and use it for statistical purposes. We may provide copies of the information to other individuals or organisations in helping us assess applications.

We confirm that to the best of our knowledge and belief, all of the information provided in this proposal form is true and correct, and that we will inform the council immediately of any changes to the information provided.

We also confirm that the proposal in the application falls within the objects and powers of the constitution or Memorandum and Articles of Association (where applicable)

Community Asset Transfer Policy V1.6

Name:	Name:
Position:	Position:
Signature:	Signature:
Date:	Date: