

Community Asset Transfer FAQs

What is Community Asset Transfer?

Transfer of ownership or stewardship of a Council owned asset to communities. The transfer of responsibility for an asset from the Council to any suitable community, voluntary or social enterprise group / community-controlled body.

Guidance and Policy

Visit: <https://www.north-ayrshire.gov.uk/your-community/community-asset-transfer.aspx>

What is the reason for Community Asset Transfer?

Transfer the ownership or stewardship of an asset to communities.

Process

Visit: <https://www.north-ayrshire.gov.uk/your-community/community-asset-transfer.aspx>

- 1/ Initial Enquiry form (IE-1)
- 2/ Stage 1: Full Asset Transfer Request (RF-S1)
- 3/ Acknowledgement
- 4/ Decision Making Process
- 5/ Cabinet Decision
- 6/ Implementation and Handover

Sources of Support - including key documents

Visit: <https://www.north-ayrshire.gov.uk/Documents/EducationalServices/cat-guide.pdf>

For independent advice and support please contact Community Ownership Service Scotland (COSS) – <https://dtascommunityownership.org.uk>

What is an asset?

This could be any land or building the public feel they could make better use of. Assets may include public halls, bowling greens, play areas etc.

How do I find out who owns an asset?

The Council can only advise on assets that they own. You can check if the Council owns the asset by way of the following methods:

E-mail: communityassetteam@north-ayrshire.gov.uk

Online: <https://www.north-ayrshire.gov.uk/Documents/EconomyCommunities/asset-register.pdf>

Who can apply?

Applications will be welcomed from community, voluntary and social enterprise groups / community-controlled body. For full ownership of an Asset, the group has to be a SCIO, Company Ltd by Guarantee or a Community Benefit Society and **must have at least 20 members**. More info on this in the CAT guidance pack.

How do I apply for an asset?

Complete form Initial Enquiry (IE-1). For form refer to 'Guidance pack and additional material' at <https://www.north-ayrshire.gov.uk/your-community/community-asset-transfer.aspx>

How much will it cost?

You may want to have a survey done of the asset and the group would need to fund this (although grants may be available). You may have to pay a contribution of the value of the Asset - this will be part of the negotiation. A solicitor will likely be required by the organisation to conclude the sale of the asset. Any other costs would be provided as part of the CAT process.

Do I need to get planning permission?

Planning Permission may be needed. For more information visit <https://www.north-ayrshire.gov.uk/planning-and-building-standards/do-i-need-planning-permission.aspx>

What happens once I have made an initial enquiry?

The Council will share all available information on the asset, including details of its condition, running and maintenance costs, and title deed restrictions, to help community bodies to decide whether to submit a full asset transfer request.

What do I do if I want to proceed from Initial Enquiry?

Complete form Stage 1: Full Asset Transfer Request (RF-S1)
For form refer to 'Guidance pack and additional material' at <https://www.north-ayrshire.gov.uk/your-community/community-asset-transfer.aspx>

Do I get help with completing the form?

You will be allocated a Single Point of Contact (SPOC) who will act as a key contact throughout the process.

What happens once I have submitted the Stage 1 form?

Once the Council is satisfied that all the required information has been provided, it will send you an acknowledgement in writing.

What happens once the Council are satisfied with all the documentation submitted with Stage 1 – Full Asset Transfer Request?

Next stage is decision making process: The request will then be evaluated by the Community Asset Transfer team, using a scoring/evaluation system (see Sections 6-10 on the Council Request Form RF-S1).

What happens once the Community Asset Transfer team are satisfied using the scoring/evaluation system?

Moves to Stage 2: Cabinet Decision. A report will be presented to Elected members who are part of the Council Cabinet - they will make the decision on whether to approve the CAT.

The timescale for stage 1 and 2 is 6 months, although this can be extended by mutual agreement and is subject to Cabinet Committee Cycle of meetings.

What happens if Cabinet Decision is agreed?

If the request is agreed, the decision notice will specify the terms and conditions for transfer. The group need to appoint a Solicitor at this stage to act on their behalf.

If the community transfer body wishes to proceed, it must submit an offer to North Ayrshire Council. This offer must reflect the terms and conditions in the decision notice. You must do this by the date stated in the decision notice, which has to be at least 6 months from the date of the decision notice.

Next stage is Implementation and Handover.

What Happens if request is refused?

A community transfer body can see a review or appeal. For information visit:
<https://www.north-ayrshire.gov.uk/your-community/community-asset-transfer.aspx>