

North Lanarkshire Council Report

Finance and Resources Committee

approval noting

Ref LMcM/LP/CAT

Date 29/05/20

Community Asset Transfer Request – Coatbridge Indoor Bowling Club (Cliftonville and Coatdyke Community Group)

From Lizanne McMurrich, Head of Communities

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Executive Summary

The purpose of this report is to seek approval for an application made under the terms of Part 5 of Community Empowerment (Scotland) Act 2015 to transfer ownership of the Coatbridge Indoor Bowling Club from North Lanarkshire Council to Cliftonville and Coatdyke Community Group.

Recommendations

It is recommended that the Finance and Resources Committee:-

- (1) note the detailed assessment of the application against approved criteria as set out in Appendix 1 of this report and the recommendation of in principle transfer by the CAT Leadership Group;
- (2) approve the transfer on the basis of the decision of the CAT Leadership group to approve the transfer in principle and the assessment of the application as summarised in paragraph 2.2.2 and Appendix 2 of this report.

The Plan for North Lanarkshire

Priority Improve the health and wellbeing of our communities

Ambition statement (15) Encourage the health and wellbeing of people through a range of social, cultural, and leisure activities

1. Background

- 1.1 Part 5 of The Community Empowerment (Scotland) Act 2015 provides a framework and guidance for Public Sector agencies to support community and voluntary groups to organise and take control of assets for community benefit. Qualifying groups can apply to a relevant authority, which includes local authorities, to lease or purchase an asset where they can demonstrate that it will be used to benefit the community.
- 1.2 Following receipt of a formal application, under the Community Empowerment (Scotland) Act 2015, the relevant authority is bound to carry out an assessment of the request, establish whether the applicant is a qualifying body and assess both the sustainability and likely benefit of the asset transfer. Benefits can include social wellbeing, economic benefit and provision of services and activities that would not otherwise be provided. A qualifying group can submit an application for any asset held by a relevant authority. The asset does not have to be surplus to the relevant authority's operational requirements. Where practical, where timescales permit, the council will seek to run the adopted surplus process in conjunction with an asset transfer application. Where it is determined that the asset is not surplus, it is only when the operational benefit of retaining the asset is greater than the benefit of the proposed transfer, that the council can reject the application on such grounds. The application can also be rejected on a number of other grounds such as; sustainability of the business model or ability to demonstrate community benefit and support.
- 1.3 As part of the application process the group require to make an offer for the property which they feel fairly represents the value of the asset taking into account the community benefit that will be achieved as a result of the transfer. The Council must consider this offer alongside a number of other factors in agreeing the terms of an approved transfer. In this instance the group (Cliftonville and Coatdyke Community Group) has made an offer of £150k for the property (Coatbridge Indoor Bowling Club).
- 1.4 Following review against best practice and national guidance the Council's updated Community Asset Transfer (CAT) Policy (see Appendix 1), process and assessment criteria was approved by the Community Empowerment Committee in April 2020.
- 1.5 In line with the requirements of the Community Empowerment (Scotland) Act 2015 the Cliftonville and Coatdyke Group submitted a formal CAT request which included all required supporting information. The approved criteria was used to assess the application made by the Cliftonville and Coatdyke Community Group and subsequently considered by the CAT Leadership Group (the Executive Director of Enterprise and Communities, Head of Communities, and Head of Asset and Procurement). The proposal was approved in principle subject to Committee approval.

2. Report

- 2.1 The Cliftonville and Coatdyke Group are a not for profit voluntary group formed by local people for the benefit of the local community. In their previous legal form they have been tenants of the building they wish to purchase for 48 years as an Indoor Bowling Club and have a track record of managing the facility.

The Group aims to use the asset to support the following:-

- a community hub with affordable community activities and services;
- provision of a café providing healthy eating options at affordable prices;
- engage a wide range of local people in physical activities, including bowling at all ages levels and abilities, line dancing, chair aerobics, yoga, ramblers association;
- enhance local education opportunities;

- enhance social opportunities by holding events (including quiz nights, bingo, dances and cabarets);
- provide affordable (sometimes free) meeting spaces to local groups;
- provide local access to political representations by hosting local elected member's surgeries.

2.2.1 The group has offered a price of £150,000. It is considered that the offer from the group represents a fair and reasonable price in the context the community benefit that is likely to be achieved as a direct result of the asset transfer. The asset transfer will also enable the group to seek funding to gradually upgrade the building. Without this investment the asset is in danger of becoming obsolete.

2.1.2 The application scored strongly across the assessment criteria as follows:-

- Details of the Asset – Moderate
- Organisational information – Strong
- Type of request – Strong
- Links to the Plan for North Lanarkshire (TPFNL) – Strong
- Community proposal – Strong
- Community Support – Strong
- Financial Information – Strong
- Risk/social impact – Strong

An outline of the detailed assessment is attached in Appendix 1.

2.2 The transactional terms are contained in a separate report also presented to this committee titled "Proposed Community Asset Transfer" with reference CAT/CLIFTONVILLE/DT.

3. Equality and Diversity

3.1 Fairer Scotland Duty

The Community Asset Transfer and Participation process assists the Council to deliver on both the Fairer Scotland and key equality duties. In particular, the policy will further the public sector equality duties to advance equality of opportunity and foster good relations. An integrated Fairer Scotland/Equality Impact Assessment has been undertaken in respect of the CAT policy. No concerns have been highlighted as a result of the assessment.

3.2 Equality Impact Assessment

The Community Asset Transfer and Participation process assists the Council to deliver on both the Fairer Scotland and key equalities duties. In particular, the policy will further the public sector equality duties to advance equality of opportunity and foster good relations. An integrated Fairer Scotland/Equality Impact Assessment has been undertaken in respect of the CAT policy. No concerns have been highlighted as a result of the assessment.

4. Implications

4.1 Financial Impact

Successful CAT requests may impact on the council's revenue income and or expected capital receipts. The implications of this could be both negative and positive. As detailed above the proposed price is regarded as fair in light of the proposed community benefit.

In this case there is a direct revenue loss of £30,000 per annum to the Asset and Procurement Solutions Service but with the resulting capital receipt contributing to the Council's Change Management Fund. For 2020/21, the loss of income will be managed through the Change Management Fund and the impact will be incorporated into the Council's financial plan for 2021/22.

4.2 HR/Policy/Legislative Impact

The Community Asset Transfer and Participation requests process has implemented and reviewed, in accordance with the Council's statutory duties as outlined in the Community Empowerment (Scotland) Act 2015 and the Asset Transfer under the Community Empowerment (Scotland) Act 2015 Guidance for Relevant Authorities.

4.3 Environmental Impact

There are no specific impacts.

4.4 Risk Impact

Ongoing consideration as part of the corporate risk management approach linked to the implementation of the Community Empowerment (Scotland) Act 2015.

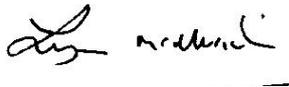
5. Measures of success

5.1 Performance measures in respect of Community Asset Transfer and Participation Requests have now been included in the Plan for North Lanarkshire – Strategic Performance Framework. The performance measures cover the following:-

- numbers of successful Participation and CAT requests;
 - number of community groups engaged in Participation and CAT requests;
 - support provided to community groups and organisations as a result of initial CAT or PR enquiries; and
 - positive outcomes or referrals as a result of initial CAT or PR enquiries.
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6. Supporting documents

- 6.1 Appendix 1 – North Lanarkshire Council Community Asset Transfer Policy and Process
- 6.2 Appendix 2 – Cliftonville and Coatdyke Community Group CAT Transfer Request – Assessment
- 6.3 Equality Impact Assessment
<https://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=24121&p=0>



Lizanne McMurrich
Head of Communities

NORTH LANARKSHIRE COUNCIL

**COMMUNITY ASSET TRANSFER POLICY
(Under Part 5 of the Community Empowerment Act)**

1. Vision

North Lanarkshire Council (NLC) has a long history of supporting and working with local communities and recognises the important contribution that this makes to improving outcomes for local residents particularly those experiencing the highest levels of inequality.

NLC welcomes the focus placed on empowering and supporting local people to play a more active role in improving their communities as outlined in the Community Empowerment (Scotland) Act 2015. Community Asset Transfer (CAT) can have a significant impact on realising opportunities for community empowerment, enterprise and community led regeneration in North Lanarkshire. NLC is committed to working with communities to support CAT requests as a potential mechanism for encouraging community ownership and involvement in local service delivery.

NLC is fully committed to maximising its assets, building on existing partnership working with communities against an agreed set of criteria in order to support and deliver the ambitious vision set out in The Plan for North Lanarkshire (TPFNL). The Council will work with community planning partners where appropriate to implement joint approaches to support communities to actively participate in the development and delivery of shared priorities. This policy will support CAT as a mechanism by which NLC will demonstrate its continued commitment to engagement and partnership working with the community and voluntary sector to deliver effective local services.

NLC fully supports the underpinning principles of CAT and endeavours to positively support communities throughout the CAT process. However, there may be times that in order to protect the interests of the wider community, assets may need to remain in Council ownership to support the delivery of essential services or support economic activity in the area. Each case will be fully considered on its merits in line with the CAT guidance associated with part 5 of the Community Empowerment (Scotland) Act 2015 and the Councils CAT policy and process.

2. Community Empowerment (Scotland) Act 2015

This policy responds to the framework for CAT requests set out in the Community Empowerment (Scotland) Act 2015 and provides the basis upon which the Council will manage requests for the transfer of assets (buildings or land owned by the Council) made under the Part 5 of the Act. The aim of the policy is to set out a consistent approach and clear guidance for consideration of transfer of assets (including land and buildings) by the Council to relevant community groups and organisations (herein referred to as the Community Controlled Body or CCB) in the spirit of community empowerment and ownership

CAT involves the right for a CCB to request to manage, lease or own an asset that is currently owned (or in some circumstances leased) by North Lanarkshire Council. The Council has developed a transparent process for CAT that takes into consideration community benefit, potential impact on council services and long term sustainability at all stages from pre request discussion to decision and where relevant, appeal.

The policy will be implemented in-line with the Council's statutory obligations for CAT outlined in part 5 of the Community Empowerment (Scotland) Act 2015

3. Scope of North Lanarkshire Council Community Asset Transfer Policy

This policy applies to all Council staff receiving CAT requests and/or managing an opportunity for CAT. The policy also provides guidance to communities wishing to submit an Asset Transfer Request (ATR).

Community Asset Transfer refers to the policies and associated procedures that relevant authorities (including local authorities) may use to transfer the ownership, lease or management of an asset to a community controlled body under part 5 of the Community Empowerment (Scotland) Act 2015. Community Asset Transfer can occur in a range of ways including:-

- new management agreements for an existing facility or land;
- leases (including maintenance of the property/land in accordance with lease terms and conditions); and
- transfer of ownership.

4. Community Benefit and Eligibility

The Council has identified a 'First Point of Contact' officer for CAT enquiries in order to provide guidance to community group's to assess their eligibility to become a Community Controlled Body, to signpost for additional support as required and to ensure that the agreed process is understood and adhered to. This will involve checking with the organisation that they meet the criteria to become a Community Controlled Body (CCB) and are able to enter into a lease or contract with the Council under the terms of the Act. For example in order to be considered as a CCB the operation, governance and practice of the group must reflect:-

- That the group is controlled and managed by community members and ensure that membership is open to any adult who wishes to join;
- An asset clause stating that any profits can only be used to benefit that community and in accordance with the aims and objectives of the organisation (as set out in their constitution or incorporation documents);
- If the request is for transfer of title (i.e. ownership) the CCB needs to be a not for profit organisations; and
- a clear Dissolution clause that states that the assets of the company can only go to another CCB or charity.

Certain bodies are not automatically eligible for CAT unless designated by Scottish Ministers for example Community Interest Companies (CICS), Community Trusts, Foundations or enterprising Voluntary and Community organisations. Where relevant the rules of these types of organisations would need to be examined to make sure they were eligible.

Companies or other organisations established for profit, for the benefit of private shareholders or to generate equity through 'for profit' objectives, are not eligible to apply for asset transfer under Part 5 of the Community Empowerment Act whether in part or as a whole but may engage with the Council as part of a wider asset management process to negotiate a mutually agreeable outcome.

Additionally, any potential CCB will be encouraged prior to submitting an official request to consider how they will evidence that the purposes for which they intend to use the asset they are requesting is for community benefit through:-

- contribution to a developing a sustainable community;
- empowering local communities;
- ensuring equality of access and benefit;
- improved quality and efficiency of service;
- demonstrating and enhancing social value;
- partnership working with other community and voluntary sector organisations; and
- assisting local communities to achieve their aspirations.

5. Underpinning Principles of Community Asset Transfer

The following principles govern the Council's approach to Community Asset Transfer:-

- the Council welcomes community interest and requests to improve use and potential for building and land assets;
- applications to transfer assets for community benefit/interest will be considered by the Council in line with the CAT process
- Requests relating to a Council asset will be considered on an individual basis and may therefore result in terms of agreement reflecting the circumstances of the individual case and asset;
- the consideration of expressions of interest and fully developed requests for transfer of an asset should be managed in a manner that promotes positive partnership working throughout the CAT process and beyond any potential handover;
- CAT requests should demonstrate that they meet the eligibility and criteria and provide all information outlined in section 6 of this document.

6. Implementation of CAT process

Any CCB considering CAT as an option should, in the first instance, speak to the Council's First Point of Contact who will provide information regarding the process and basic requirements and direct the group to self-assess their eligibility and readiness through the Council's online CAT portal. At this point, where it is evident that the group does not meet basic eligibility criteria, and as appropriate the group may be signposted for additional support or information to assist them to meet their aspirations in the future. The Council will accept a CAT request which can demonstrate clear benefits to communities and the capacity of the group to deliver/manage services/assets should the application be successful. The application will be considered where eligibility seems apparent and the group will be advised of the CAT process including timescales.

CAT Process

The community transfer body will be supported to submit their formal request in writing stating that the application is being made under Part 5 of the Community Empowerment (Scotland) Act 2015. The request must detail:-

- the land or building being requested;
- if purchase or rental is being requested and the cost that the community transfer body is prepared to pay along with any other relevant terms and conditions;
- the intended use of the land or building;
- how the CCB will fund and manage its plan for the CAT;
- how the CAT will help the community and that there is support for the proposal from the wider community;
- the community transfer body's rules, or a note that the group has been designated by the Scottish Ministers; and
- details of project beneficiaries and how the proposed activity will address current gaps or complement / add value to existing service provision.

On receipt of the completed request the validation date is set and the Council must acknowledge the request and communicate a decision within 6 months of this date unless an alternative timescale has been formally agreed between the two parties. The Council will inform those who may own, rent or use the land or building about the request, as well as publicising the request online for a 4 week consultation period. The Council will publish online information relating to live CAT requests ensuring that GDPR guidance is adhered to.

The Council will not dispose of, or sell land, to anyone except for the CCB submitting the request until the request has been concluded. Where the asset has already been advertised for sale or lease before the request was made the Council is unable to accept or progress with the CAT. Acknowledgement of the request will clearly state the Council's position in relation to whether a ban on sale or lease to other people applies or if any other asset transfer requests had been received for this asset.

The CCB will be advised in writing of the outcome of the application and where the application is refused provided with information and signposting to assist them to develop or if appropriate to meet their aspirations in relation to CAT. Depending upon the reasons for refusal the group may be referred for direct support or assistance. The group has a right to an internal review (setting out their reasons why) and if they so wish, a further appeal to Scottish Ministers. A CCB cannot make another CAT request for the same asset within 12 months with the same terms.

7. Decision Making

7.1 Assessment Decision

A CAT Steering Group made up of key officers from across Council services including the holding service for the relevant asset and representatives of key areas of business such as property, legal, finance and communities will assess the CAT request and present evidence based on the assessment criteria (appendix 1) to the CAT Leadership Group. The CAT Leadership Group is made up of:-

- Executive Director of Enterprise and Communities;
- Head of Communities; and
- Head of Asset and Procurement Solutions

The CAT Leadership Group will make recommendations regarding the request to the committee relating to the holding service for the asset for endorsement. The CCB is then informed of the decision within timescales agreed earlier in the process. An annual report relating to all CAT requests and their outcome will be reported to Policy and Strategy Committee annually.

The Council may call upon specialist advisors to provide advice and inform the decision making process. Once the validation notice is issued a decision will be taken and communicated within 6 months. Should an extension be required this can be proposed in writing to the CCB and mutually agreed.

7.2 Successful Outcome

In line with statutory guidance, the outcome of any CAT request will be communicated to the CCB within 6 months of the validation notice date. Where a decision is in favour of the community group, discussion will take place as to the terms of the CAT and the relationship between the Council and CCB in meeting these terms including financial agreements for sale or rental of the property or land. The CCB must then make the Council an offer and the expectation outlined in the statutory guidance is that a contract would be agreed within 6 months of the offer being received. It is acknowledged that this timescale may not always be achievable due to matters out with the control of both parties and therefore agreement may be reached with the Council or imposed by Scottish ministers to allow for more time to conclude the process.

7.3 Unsuccessful Outcome – Review and Appeal Process

Where a CAT request is unsuccessful the CCB may request that the Council review their decision and this review must be undertaken by Elected Members. The Community Empowerment Review Sub Committee comprises eight elected members. It should be noted that members from the local area where the appeal has been received from will not be part of this appeal committee. If the CCB is not satisfied after the review, they can appeal to the Scottish Ministers. A CCB can ask for a review or appeal if the Council:-

- does not agree to their asset transfer request;
- does not make a decision by the time it should have; and
- the CCB does not agree with the terms and conditions in the decision notice.

Following review or appeal the Council will send a new decision notice to the CCB stating the new decision and reasons for this. The following points apply to CAT reviews and appeals:

- a community transfer body has 20 working days after the decision notice to ask for a review or appeal;
- other people who commented on the asset transfer request must be asked what they think about the review or appeal;
- all the papers about the review or appeal must be publically available online; and
- the Council or the Scottish Ministers can ask anyone for more information to help them make a decision. They can ask for the information in writing or hold a meeting so people can tell them their views. They can also do other things, such as visiting the land or building the request is about.

8. The Asset

The guidance on CAT within the Community Empowerment (Scotland) Act 2015 will ensure that where CAT is being considered, the Council will always take into consideration community benefit. The CCB can indicate the price that they are willing to pay for the asset and the council must consider the feasibility of agreeing a cost that reflects community benefit and also Council operational requirements. Market value will be taken into consideration alongside community benefit. This will inform the assessment and decision making process, including securing the best price as can reasonably be obtained to support Council operations and priorities.

The Council's assessment of a CAT request and any subsequent decision to proceed will take into account the condition, usage, value of the asset, the availability of other suitable premises from which the proposed activity could take place and value for money offered by the proposal. The price agreed will be informed by the social, economic and environmental benefits generated by the CAT including for example

- Economic development or regeneration
- Health
- Social Wellbeing

North Lanarkshire Council will provide information which it holds on the asset to the applicant CCB. The Council will consider requests for information on the asset submitted in writing, where this information is readily available and deemed to be useful to the progression of the CAT process. CCB's should seek (and fund) any required independent legal and technical advice relating to property condition and value

9. Reporting

The council is required to report annually on:-

- the number of requests received;
- the outcome of requests; and
- any support put in place to support requests.

The CAT steering group, on behalf of the Corporate Community Empowerment working group, will provide reports to the Corporate Management Team and relevant committees regarding any requests received and produce and make available annual reports to Scottish Government, committee and the public

10. Approaches to Managing Risk

North Lanarkshire Council recognises that there are inherent risks in Community Asset Transfer both for the CCB and for the Council, and has in place mechanisms to ensure a consistent approach to managing these. Each request will be considered on a case by case basis against robust criteria. The assessment and decision making criteria will help to manage and minimise risk and support the CAT process.

The Council will as appropriate sign-post the CCB to the relevant local and national agencies for advice/ resources in managing the risks involved and to support and facilitate successful asset transfer.

11. Remit of CAT Panel and Community Empowerment Review and Appeal Sub Committee

CAT Panel

The CAT Panel is responsible for overseeing the development and strategic direction of the CAT policy and implementing the operational process for CAT requests. This group will be made up of officers from across the Council with practical experience and understanding of working with communities, management and transfer of community assets. There is the option to co-opt partners who have particular knowledge and expertise and include representation from the voluntary sector.

The CAT Panel will assess applications against the criteria set out in the community asset transfer process. The Panel will consider policy, legal and financial risk to the Council and provide information to The CAT Leadership Group to inform recommendations to the relevant service committee for decision.

11.2 Community Empowerment Review and Appeal Sub Committee

The Community Empowerment Review and Appeal Sub Committee will be made up of 8 Elected Members. Post review, decisions will be the responsibility of the Elected Members who make up the Community Empowerment Review and Appeal Sub Committee. Council officers can act in an advisory capacity to the review panel. Where a CCB disagrees with a proposed decision they can appeal to Scottish Ministers for final determination.

12. Policy Review

NLC will continue to review the North Lanarkshire Council Community Asset Transfer Policy following an initial twelve month period and in line with any amended guidance from the Scottish Government on Community Asset Transfer.

13. Scottish Government – Asset Transfer Under the Community Empowerment (Scotland) Act 2015 – Guidance for Relevant Authorities

NLC will implement this Policy in accordance with the above guidance. All CAT requests will be considered in line with this.

Appendix 2

Assessment framework - Community Asset Transfer Request

Name of Organisation/Applicant	Cliftonville & Coatdyke Community Group
Details of the Asset	Coatbridge Indoor bowling club
Area	Coatbridge
Date submitted	17 th December 2019
Date of Assessment	19 th February 2020
Decision required by (within 6 months of receiving request)	17 th June 2020
Assessing Panel	Leanne Pollock (Communities), Matt Costello (Communities), Douglas Tate (Estates), David Baird (NL Properties), David Metcalfe (NL Properties), Ellen Archibald (Business Support), Veronica Robert (Corporate Finance – written assessment provided in advance), Valerie Cairns (legal and Democratic withdrew from assessment due to potential conflict of interest)

Recommendation Approve/Reject/ Defer (delete as appropriate)	Approve subject to corporate consideration of key points throughout assessment
Summary comments	<p>This submission scored strongly across most of the assessment categories. The organisation has provided substantial supporting documentation to evidence their ability to plan ahead with strong evidence of community support outlined in the CAT submission, Business plan and Feasibility Study (Provided separately). The group has offered a price of £150k which the CAT Panel did not consider unreasonable when community benefit is assessed alongside property value. There are however additional corporate considerations in terms of the potential loss of revenue to the Estates Team. To enable future planning around implementing CAT and ensure consistency across the organisation a corporate position needs to be reached to inform decision making linked to financial impact on services</p> <p>Matters for consideration in advance of final approval</p> <p>A full title check and conveyancing may present risk of other title claims being highlighted and identification of title issues or other as yet unidentified risks identified throughout and in advance of conclusion of the process.</p> <p>In approving this CAT a loss in revenue to Estates is likely to occur.</p>

Final Decision	The Panel recommend that the Community Asset Transfer of the Coatbridge Indoor Bowling Club building to the Cliftonville and Coatdyke Community Group at the proposed price of £150K is approved. This is subject to identification of title issues or other as yet unidentified risks identified throughout and in advance of conclusion of the process
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Summary Grading	Very Strong	Strong	Moderate	Weak	Very Weak
1.Details of the asset			x		
2.Organisation information		x			
3.Type of Request		x			
4.Links to TPFNL		x			
5.Community Proposal		x			
6.Community Support		x			
7.Financial Information		x			
8.Risk/Social Impact		x			

1	Details of the Asset – Includes asset status and proposed use <i>This section asks the council to ensure they are in a position to transfer the asset</i>
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- Very Strong:** The proposal has a cost saving, does not impact on council direct delivery or service and there are no restrictions on the asset transfer
- Strong:** The proposal is cost neutral to the council, it does not impact on council direct delivery of services and there are no restrictions on the asset transfer.
- Moderate:** the proposals presents difficulties on the council in terms of one or two of the following – direct cost, council direct delivery of services and or restrictions on the assets transfer.
- Weak:** the proposals presents difficulties to the council in terms of cost, council direct delivery of services and restrictions on the asset transfer.
- Very Weak:** unlikely to proceed because of ownership restrictions on the asset this would prevent a transfer of responsibility or ownership to another organisation.

Comments:

Moderate: A revenue loss to the council of around £30k has been identified if the building is no longer in Council ownership. The building requires significant investment and if it became vacant it is unlikely that the Council would continue to maintain. The Group has advised that they intend to continue to honour the existing arrangement for the use of the carpark as set out in their lease. The Council may need to consider including in the final CAT agreement a clause to confirm and protect access to the car park area for use by other organisations around the property

2	Organisational Information – Includes governance and capacity to deliver
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- Very Strong:** Applicant has clearly evidenced that they are a robust and viable organisation with effective governance arrangements in place.

- Strong:** Applicant has provided adequate evidence that they are a robust and viable organisation with satisfactory governance arrangements.
- Moderate:** Applicant has evidenced some signs of being robust and viable and partial information provided on governance arrangements.
- Weak:** Applicant has shown no evidence of being robust and viable and no/little information being provided on governance arrangements.
- Very Weak:** Applicant has provided no evidence of being robust or viable. Governance arrangement does not meet the criteria for asset transfer.

Comments

Strong:

Supporting documents provide evidence of satisfactory governance arrangements and the group provided a CAT application that clearly evidenced their capacity to own and manage a facility. The group has a track record of running the facility through a lease arrangement.

3 **Type of request, payment and conditions**

This section confirms the type of request and seeks and whether or not the price reflects a fair price for the asset

- Very Strong:** Applicant has proposed acceptable terms, with prices reflecting Market/Fair Value. (score would reflect acceptable terms; for example – the right timescale for being able to complete the sale or lease and funds are already in place)
- Strong:** Applicant has proposed terms, with prices reflecting Market/Fair Value.
- Moderate:** Applicant has proposed terms, with prices well below Market/Fair Value.
- Weak:** Applicant has failed to propose terms or prices.
- Very Weak:** Applicant unsure of securing funding to afford costs.

Comments

Moderate/ Strong: Taking into consideration the level of service provided to the community and community benefit the price being offered is not unreasonable. The group have offered a price that is approximately £50k below the estimated value. Additionally the shift from a leasing arrangement to a property sale would represent a £30k Revenue loss to the Estates Team and this needs to be considered in terms of how the Council manages this deficit from a financial management perspective. While the discount and potential loss can be balanced against community benefit and the potential impact of loss of vital community based services should the CAT be refused, the impact of the loss of financial resource to the Council needs to be considered?

4 **Link to Strategy– How the project links into the Plan for North Lanarkshire (TPFNL)**

- Very Strong:** Applicant has clearly evidenced that their project links in to the key themes of TPFNL
- Strong:** Satisfactory evidence that the applicant understands the importance of linking to the outcomes of the TPFNL
- Moderate:** Limited evidence that the applicant understands the need to ensure the projects

reflect one or more of the strands of the TPFNL.

- Weak:** Little or no evidence that the applicant has made a clear connection to the TPFNL
- Very Weak:** Applicant has no understanding of the TPFNL

Comments

Strong: The Community Group has provided supporting documentations including a Business plan and Feasibility Study and has demonstrated how they have diversified services to accommodate the need of the local community and strategic priorities. The group can show how they support and link to the TPFNL. The groups refer to the 'One Place One Plan' in their CAT applications and specifically around sections;

(4) Market and promote North Lanarkshire as the place to live, learn, work, invest and visit
(15) Encourage the health and well-being of people through a range of social, cultural and leisure activities
(19) Improve engagement with communities and develop their capacity to help themselves
(20) Improve the involvement of communities in the decisions and development of services and supports that affect them

5 | Community Proposal – Includes project aims, community engagement and community benefit/need

- Very Strong:** Full consideration has been given to the aims, objectives and vision with clear thought to the future direction of the proposal. The proposal provides, for example, a social/economic/environmental impact. Comprehensive evidence of need/demand provided including consultations, research and surveys.
- x **Strong:** Adequate description of aims, objectives and vision for the proposal. A good understanding of the community benefits including adequate evidence. Need/demand evidence include some consultation and research.
- Moderate:** Limited description of the aims, objectives and vision for the proposal. Some understanding of the community benefit but not underpinned by substantive evidence. Some evidence of need/demand provided including limited consultations, research and surveys.
- Weak:** Inadequate or no description of aims, objectives and vision for the proposal. Limited reference to community benefit and associated opportunities. No evidence of need/demand provided.
- Very Weak:** No description of aims, objectives and vision for the proposal. No reference to community benefit. No evidence of need or demand provided.

Comments:

Strong: Attached business plan and feasibility study demonstrate that the group has clearly stated aims and objectives and clearly evidences community engagement to identify community need and support. The business plan evidences that the group has undertaken considerable engagement with the community to ensure that there is support for their proposal and that local people can contribute to the development of plans to meet local need. The group has undertaken demographic analysis, stakeholder interviews, public meetings, surveys and focus groups.

The organisations aims to achieve the following

- Cliftonville and Coatdyke will benefit from a safe high-quality community space, led, designed and managed by local people, celebrating people's lives

- A renovated and extended space to provide valuable services to the residents of Cliftonville & Coatdyke, tackling disadvantage
- New and existing services will not only enhance the lives of individuals but will bring generations together
- Young people will feel valued and will improve their quality of life through access to training, bespoke space, services and information
- The new Centre will provide valuable opportunities to reduce social isolation – especially for older people

6 Support – Includes stakeholder engagement and partnership working
This section looks at Including evidence community and stakeholders have been engaged

- Very Strong:** Applicant has clearly demonstrated links with relevant stakeholders and groups as well as strong local partnership and community engagement. Evidence of joint responsibility for delivery of other projects/service.
- x **Strong:** applicant has evidenced some partnership working arrangements. Relevant links with groups also evidenced along with strong community engagement activity.
- Moderate:** Applicant has demonstrated limited links with groups and community engagement activity. Some evidence of partnership working provided.
- Weak:** No/poor evidence of community involvement. No/poor evidence of partnership Working.
- Very Weak:** No evidence of community involvement. No evidence of partnership working.

Comments:

Strong: The group has undertaken extensive community and stakeholder engagement as evidenced in their submission. They have undertaken discussion with key partner agencies and detailed stakeholder interviews

The Group has engaged with around 750 people in the local community using various methods including:

- Demographic and Policy analysis across 30 databases
- 2 community surveys through social media and a number of household survey's responses included 348 people, 69 children and young people under 18
- Stake holder interviews including current users, 24 stakeholder groups were engaged
- 2 Public meetings 32 people attended
- 7 Focus Groups attended by 159 people

7 Financial Information – Includes fundraising, financial planning and management
We will seek clarification of funding being in place or any potential delay in funding being in place in time for the final transfer deadline.

- Very Strong:** Clear Evidence that sufficient financial resources are/will be in place by the time of transfer and good resource planning for short/ medium/long term sustainability demonstrated. Detailed, realistic and achievable income and expenditure, cash flow forecast provided along with a comprehensive contingency plan.
- x **Strong:** Evidence indicates that sufficient financial resources are/will be in place by the time of transfer and some resource planning has been demonstrated. Satisfactory income and

expenditure and cash flow forecast. Some consideration has been given to contingency planning.

- Moderate:** Applicant has demonstrated there are some financial resources in place but all finances may not be available within the timeframe. There is limited evidence of resource planning. Basic income and expenditure and cash flow forecast induced with limited consideration given to contingency planning.
- Weak:** Insufficient financial resources currently in place and unlikely to be ready within the Time frame. No evidence to demonstrate resource planning. No income and expenditure and cash flow forecast provided and no contingency plan outlined.
- Very Weak:** No evidence of financial resources in place. No evidence of resources or financial forecast to predict cash flow.

Comments

Strong: Information provided shows that here is scope for the group to build up reserves based on maintain and increasing its current level of trading income. Funding is being considered with key funders for capital works and pending approval for the CAT the group are awaiting approval for funding from Scottish Land Fund and Lottery. The group can evidence through their business planning and feasibility work that income and expenditure has been given significant consideration

8 Risk/Social Impact – *Includes potential impact and barriers/challenges and understanding of managing the asset.*

- Very Strong:** Full evidence that applicant has in place the necessary capabilities to manage the asset. Considerable awareness of the potential impact of the transfer on others, and barriers/challenges clearly identified. Comprehensive information provide on the anticipated social benefit/impact of the transfer and how this will be measured.
- x **Strong:** Satisfactory evidence that applicant has the necessary capabilities to manage the asset. Sufficient awareness of the potential impact of the transfer on others with consideration given to potential barriers/challenges. Adequate information provided on the anticipated social benefit/transfer.
- Moderate:** Limited evidence to demonstrate capabilities to manage the asset. Some awareness of the potential impact of transfer on others and consideration given to potential barriers/challenges. Minimal information provided on the anticipated social benefit/impact of the transfer.
- Weak:** Inadequate or no evidence of capabilities in place to manage the asset. Little or no awareness of the potential impact of the transfer on others or possible barriers/challenges identified. No social benefit/impact monitoring outlined.
- Very Weak:** applicant has provided no evidence of capabilities to manage the asset. No awareness of the potential impact of the transfer on others. No social benefit or impact monitoring in place.

Comments

Strong: Evidence provided shows the group has successfully managed the asset over the last 48 years through a lease arrangement. They understand the implications, challenges and risks associated with full ownership. They have provided adequate information which clearly shows they have considered and understand the benefit and risks associated with title transfer

Other comments:

The Estates Team have advised that title issues may come to the fore with regards to other title claims. A full title check and conveyancing may bring up a risk or other title claims.

- There may be other risks with subsidence. Following a full assessment
- The Council's Estates Service has placed a capital value (market value) on the Asset of £200,000 in line with the valuation prepared on behalf of the group based on current condition and there remains an argument that should the council decided to pursue matters in terms of repair and maintenance then the capital value could increase following completion of works.
- The value offered by the group is £150,000 falls below the estimated market value.

In arriving at the final recommendations in terms of price it is understood that community benefit should be recognised and measured. From the above figures there is currently a £50,000 gap in relation to estimated market value and there is an annual revenue loss of £30,000 per annum in the event of a transfer. This needs to be considered from a corporate finance position to agree how decisions will be made if this type of challenges is presented with future properties