

# Frequently Asked Questions

## **What Council owned property is available for community use?**

Community property and land includes parks and open spaces, play areas, community halls, museums, heritage sites, monuments and allotments. For more information please see our published asset list:-

[Our asset list – Braintree District Council](#)

The whole list can be downloaded from the site and filtered either by location or by use category.

## **Can I apply to the Council to transfer other property types on the asset list?**

Other property and land held by the Council is for various reasons such as operational sites (e.g. refuse sites, offices, civic halls, care homes and schools), regeneration (e.g. development sites) and investment purposes (e.g. shops, industrial units and business units). These are under regular review by the Council and should one become surplus and no longer required then they will follow a disposal process. Until these have determined as surplus they are unlikely to be available for community transfer.

## **What advice is available to help me?**

The Council cannot advise you on what is right for you, we would need to consider any application impartially as we hold community property in trust for the local area.

There are helpful web sites referenced in the Council policy, the main ones are Mycommunity.org and Locality.org.uk

## **Will we incur costs for the transfer of the asset to us?**

As with all property purchases or lettings there will be a cost to the organisation for professional fees (surveyors, lawyers etc) which your organisation will have to bear as these services will be procured by you to give you advice.

The transfer will be subject to a valuation on behalf of the Council. The valuation will consider the restricted use of the property as community use, this is a complex process which considers many factors including the term of the transfer. Each case is different, and we would confirm the process as part of the evaluation process.

You will be asked to meet the Council's valuation and legal costs.

## **Will there be any limits on what we can do with the property?**

The Council will impose a restriction that community use is retained for the main use of the property or land and require proposed community benefits to be considered. Ancillary commercial use to support the main use may be considered. Break clauses,

claw-back and pre-emption provisions will be considered so that the property or value can be recovered if the community use ceases.

**I have been asked to submit a full application including a business plan. What should I include in the business plan?**

It depends on how long the asset transfer is, the longer the term of a lease or if it is a freehold transfer, the more information you will need to provide. The property team will advise you further on this. But typically a business plan will include some or all of the following:-

- A statement of the aims and objectives of the organisation and how the benefits to furthering these objectives that a Community Asset Transfer would provide.
- Social impact benefits – description of who the organisation serves, including the number of individuals/groups benefiting from the service, the degree of support and any information on number of people that use the service. Demonstrate how the organisation improves the quality of life of people living in Braintree District
- Economic impact benefits – include the management structure, number of employees, details of any expansion and jobs created as a result of the asset transfer. Give details of your volunteering policy and numbers of volunteers working for the organisation.
- Governance arrangements – confirm the legal entity that would be the transferee, provide a current written governing document (such as Memorandum and Articles of Association). Provide a governance policy and include your safeguarding policy and process.
- Equality and Diversity Policy
- Property and Land information – provide details of current ownership or leasehold interests, information on management arrangements and experience of property responsibilities. This should include the type and headline terms of the transfer requested, and why.
- Health & Safety Policy
- Insurance Policy for public liability and employer liability. We require £5,000,000 public liability insurance.
- Audited Financial Accounts representing the three most recent years reported, and recent bank statement
- A viable financial model showing the investment funds available to the organisation for any investment, evidence of the ability to attract funding
- Evidence of the ability of the organisation to generate ongoing funding or income to sustain the property and the proposed community benefits into the future.
- A robust assessment of the condition of the property and any works proposed.
- Evidence that planning or any other permissions likely to be required are likely to be obtainable.
- Marketing – how you will reach out to new customers and how will the asset support this policy.
- Partnership – how will the transfer contribute to a productive partnership between the Council and the organisation
- Environmental Impacts – proposals for energy efficiency, recycling of waste and/or natural benefits such as increased biodiversity or carbon reduction.