

CABINET

Date of meeting: 10 March 2020
 Title of Report: **Community Assets Transfer and Use Policy**
 Lead Member: Councillor Chris Penberthy (Cabinet Member for Housing and Co-operative Development)
 Lead Strategic Director: Anthony Payne (Strategic Director for Place)
 Author: Anna Peachey
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 Your Reference: APy/EPR/100320
 Key Decision: No
 Confidentiality: Part I - Official

Purpose of Report

This report discusses the review and update of the 2013 Community Asset Transfer Policy. In summary, updates to the policy are:

- Inclusion of leases below 10 years, meanwhile use and hiring.
- Clarification of the process for assessment of expressions of interest and business case and a requirement to link them to the Plymouth Plan.
- Mechanisms to work with tenants to achieve, or work towards full market rent
- A requirement for an agreement, tied to the lease (proportionate to the size of any subsidy) which will be monitored by officers.
- Creation of an Eol register alongside the register of council owned assets so that officers can match assets to community uses.
- Recognition of the cross-departmental officer support to tenants

The policy governs the use of assets, owned and controlled by Plymouth City Council that could be used by the community where a subsidised or nil rent is requested. It looks at the process by which community organisations may express an interest in 'community' assets, how assets are identified for lease or meanwhile uses, how vacant buildings should be handled and ultimately what the Council expects in return for Council support and / or subsidy. This policy would not normally apply to the Council's commercial property estate where a full market rate would be expected.

In considering the community interest in assets, the report looks at the duties of local authorities under Part 5 Chapter 3 of the Localism Act 2011 (to give many more communities the opportunity to take control of assets and facilities in their neighbourhoods by levelling the playing field and by providing the time for them to prepare a proposal) and in so doing, evaluate a fair and transparent process for managing subsidised tenants that monitors the performance of organisations against our corporate priorities so that positive outcomes and value for money are safeguarded.

Recommendations and Reasons

It is recommended that Cabinet:-

1. Note the report and adopt an updated policy for Community Asset Transfer and Use
2. Agree that Economic Development lead on managing the process of registering expressions of interest from community groups and organisations, matching them to the asset database, and working with colleagues to get business support for the subsidised tenants that they work with

Reason

To ensure that the Council's tenancies with community organisations underpin delivery of employment, economic and community benefits, and the long term sustainability of the organisation

Alternative options considered and rejected

The Council could continue to rely on its existing Community Asset Transfer policy (May 2013) which only governs 10 -35 year leases but in view of the year on year budgetary pressures an updated policy is proposed that embeds a rigorous monitoring system for scrutinising the performance of subsidised tenants.

Relevance to the Corporate Plan and/or the Plymouth Plan

A Growing City – 1. Economic Growth that benefits as many people as possible; 2. Quality jobs and valuable skills; 3. A vibrant cultural offer

A Caring City – 1. Reduce health inequalities; 2. A welcoming city 3. A Co-operative Council

Plymouth plan

SO2 (PP) - Delivering a growing city

GR01 – Creating the conditions for economic growth

GR05 – Enhancing Plymouth's sporting facilities

INT8 (PP) - Celebrating diverse communities

INT1 (PP) - Implementing Britain's Ocean City

HEA7 – Optimising the health and wellbeing benefits of the natural environment

HEA5 (PP) - Delivering strong and safe communities and good quality neighbourhoods

HEA4 (PP) - Playing an active role in the community

Implications for the Medium Term Financial Plan and Resource Implications:

Increase income from land and property owned by the Council.

Increasing the resilience of communities and driving growth of community organisations thereby having an indirect positive impact on other budgetary pressures

Carbon Footprint (Environmental) Implications:

Better management of Council properties for a greener, sustainable city

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

Not applicable

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing Report							
B	Community Asset Transfer & Use Policy							
C	Equalities Impact Assessment (if applicable)							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7
Cooperative Councils Innovation Network – Beyond Asset Transfer (January 2019)							
Power to Change (Community Asset Transfer) guidance							
Community Asset Transfer policy (May 2013)							

Sign off:

Fin	pl.19. 20.23 9	Leg	1730 9/AC/ 26/2/ 20	Mon Off		HR		Asset s		Strat Proc	
Originating Senior Leadership Team member:											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 25/02/2020											
Cabinet Member approval: Councillor Penberthy, Cabinet Member for Housing and Co-operative Development approved verbally											
Date approved: 26/02/2020											