



Community Asset Transfer in Northern Ireland

*Enabling and Supporting Community Ownership
and Management of Public Assets*



MINISTERIAL FOREWORD

My Department has a Programme for Government commitment to support social enterprise growth across the broader voluntary and community sector. One of the key elements of that commitment is to develop and implement a new policy framework to support Community Asset Transfer and I am pleased that we have now published proposals for wider consultation.

I believe that Community Asset Transfer can be a real catalyst to stimulate regeneration and greater community cohesion across Northern Ireland. The proposed policy framework is much wider than social enterprise growth; it is about how Government can support community ownership and management of public sector assets and empower local communities to make positive changes to improve the lives of our citizens.

Evidence from other parts of the UK has demonstrated that successful asset transfer can bring real social, environmental and economic benefits to communities. It can also lead to wider regeneration and bring associated benefits in health, education and community well-being. This is fully in line with current Executive priorities to create a vibrant economy which can transform our society while dealing with the deprivation and poverty which has affected some of our communities for generations.

The voluntary and community sector is an important delivery partner for Government in taking forward this important work. The Concordat between Government and the Sector sets out the vision of how effective partnership working can contribute to a more cohesive civil society. I firmly believe that Community Asset Transfer can promote effective local partnership working arrangements where public, private and voluntary sector interests can work together with a common goal to transform our communities. This has the potential to build relationships, improve services and inspire trust even within our most divided communities.

This draft policy framework aims to create an enabling environment for Community Asset Transfer. It lays out the conditions which will govern individual transfers and seeks to address the barriers which public sector bodies and voluntary and community sector organisations might face within this process. The framework presents real opportunities for us all to take advantage of a changing policy environment to maximise a range of positive outcomes for our communities. I welcome your views on the proposals which I hope will be ready for implementation in the Autumn.

Nelson McCausland MLA

Minister for Social Development

About this Consultation

The purpose of this consultation document is to seek your views on the Department's proposals to support Community Asset Transfer across government.

This document will introduce the idea of Community Asset Transfer, describe the benefits associated with it and establish the rationale for government support of the practice.

The consultation proposes a number of 'ground rules' to govern Community Asset Transfer and sets out a range of actions needed to support the practice and create a more enabling policy environment.

The creation of a more enabling environment for Community Asset Transfer will provide a means of investing in regeneration and positive social, economic and environmental outcomes which can be used to support Executive priorities.

We are keen to hear from all interested stakeholders. Details of how to respond to this consultation, including contact details and a number of consultation questions to assist respondents are contained in [Section 13](#) below.

The closing date for this consultation is 23 August 2013.

Community Asset Transfer in Northern Ireland - Enabling and supporting Community Ownership and Management of Public Assets

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1. Introduction

The development of policy to support Community Asset Transfer fulfils a number of government commitments. It supports the Executive's commitment in the Programme for Government 2011-2015 to "invest in social enterprise growth to increase sustainability in the broad community sector". DSD has also committed to support and facilitate implementation of Community Asset Transfer policy across government and provide infrastructure support to develop awareness and skills within the Voluntary and Community Sector. This work also supports the 2011 Concordat between the Voluntary and Community Sector and the Government which contained a commitment to investigate the potential for community asset management and ownership in Northern Ireland.

What is Community Asset Transfer?

Community Asset Transfer is a change in management and / or ownership of land or buildings, from public bodies to communities. "Community" ownership and management of public assets encompasses a range of third sector organisations e.g. voluntary and community sector groups, faith-based organisations, community enterprises and social enterprises. Throughout this document the term 'third sector organisation' is used in this broad sense.

Community Asset Transfer should be understood as a spectrum which ranges from management agreements and leases of varying duration through to full ownership. Not all third sector organisations will aspire to full ownership of assets although for many this will be the preferred option. Shorter leases, including 'meanwhile' leases can be useful for managing risk and building capacity and may be a stepping stone to longer term arrangements.

Community Asset Transfer should be recognised as a flexible tool with a broad range of applications, depending on the imagination and ambition of those involved. It represents a means of investing in regeneration and positive social, economic and environmental outcomes which can be used to support Executive priorities.

A number of public sector organisations in Northern Ireland already have some experience of transferring assets to community partners. Up until now however there has been no coherent policy context to support the process and inform decision making. This policy framework will address this gap and will create a more enabling environment for Community Asset Transfer in Northern Ireland.

2. The Benefits of Community Asset Transfer

There is evidence to show that, in the right circumstances, community ownership and control of assets produces a range of benefits. Community Asset Transfer can bring benefits to both parties involved in the transfer and should also bring benefit to the wider community which an asset can be used to serve. Research shows that the benefits include:

Benefits to the Community

- It can improve neighbourhood-based service provision, increasing accessibility for local people, which is particularly important in rural areas;
- It can bring a sense of community identity and pride and the potential for increased community cohesion;
- It can lead to additional jobs, training and business opportunities;
- It can contribute to physical regeneration;
- It can bring increased confidence, skills and aspirations locally;

Benefits to the public sector

- It can lead to more efficient use of public sector assets – community organisations often make extensive use of volunteers and their local knowledge and hands-on management of the asset can result in lower overheads and better value-for-money, as well as a more intensive use of the asset.
- It can enable community organisations to support public service provision in ways that are more responsive and better related to local need;
- It can enable effective partnerships between the public sector and the third sector to enhance local services.

Benefits to the Third Sector

- It can lead to increased sustainability for organisations and improved leverage with external agencies - an asset can provide a community organisation with greater financial viability and reduce its dependency on grants.
- It can enable a community organisation to apply for external funding that is not available to a public authority, or even to secure loan finance on the value of the asset
- It can facilitate collaboration and resource sharing amongst organisations

3. Strategic context – opportunities to support Community Asset Transfer

UK Policy Context

Community Asset Transfer is well supported by policy, legislation and funding elsewhere in the UK. The idea is central to the Scottish Government's Community Empowerment agenda and to the Coalition Government's Localism Agenda and the concept of the 'Big Society'. It is also being actively promoted by the Welsh Assembly Government as a means of enhancing community capacity and supporting social enterprise.

In developing proposals for Northern Ireland we have taken account of policy and practice elsewhere and the increasing body of research and guidance available to support Community Asset Transfer (see [Annex B](#)). There is an opportunity to learn from the experience of others and to draw on case study examples and the skills and professional networks which have been built up.

Public Sector Asset Management in Northern Ireland

The Executive have established a small Asset Management Unit who are working with every department and reporting to the budget review group. They are tasked with developing and delivering:

- a region-wide Asset Management Strategy
- departmental Asset Management Plans
- ePIMS as a central asset database

There is an opportunity to work with the Asset Management Unit and ensure that policy on Community Asset Transfer is reflected in the regional asset management strategy and in departmental asset management plans. The creation of a central asset database represents an opportunity to facilitate the implementation of Community Asset Transfer. In addition to the work of the Asset Management Unit on behalf of the Executive, there is a keen focus on asset management within local

government in advance of the implementation of local government reform and the creation of new councils in 2015.

Social Enterprise agenda

The Northern Ireland Economic Strategy acknowledges the contribution that social enterprise can make to achieving business growth, supporting economic development and tackling disadvantage. The Strategy contains a commitment to support 160 new social economy start-ups and invest in social enterprise growth.

Social Enterprise NI is a newly established consortium of social enterprises and social entrepreneurs which aims to provide a “central meeting place where the sector can collaborate, share knowledge, information and best practice to create real social change”. The consortium is funded by DETI and is engaged in a three year work programme which will complement the aims of Community Asset Transfer.

Work of other Third Sector partners

DSD has engaged Development Trusts Northern Ireland (DTNI) as a delivery partner to support the implementation of Community Asset Transfer. DTNI will build capacity and expertise within the third sector to enable community organisations to take advantage of future opportunities.

The Building Change Trust has a strategic objective to build, strengthen and utilise community capacity and assets. It has been working with DSD and other public sector bodies to support investment readiness and skills development within the third sector

4. Current Barriers to implementation of Community Asset Transfer

A cross-departmental Steering Group on Community Asset Transfer identified a number of barriers which will need to be addressed to enable the practice to be used more extensively and more creatively. The Steering Group was supported in its analysis by research evidence and by early engagement with key stakeholders through a number of policy development workshops. Barriers exist both within and between the public sector and the third sector and are described below. A series of practical measures to address these barriers is set out in Sections 7-10 (pages 16-21).

Information and awareness

- There is currently a lack of awareness (both within the public sector and the third sector) of the potential beneficial outcomes associated with Community Asset Transfer and of how it can be applied;
- There is a poor understanding within the public and third sectors of the risks associated with Community Asset Transfer and how to manage them;
- There is currently inadequate information available to the public about the availability of assets and whether or how they can be acquired;
- There is often uncertainty within public sector organisations about the discretion they have to transfer assets into community ownership or management;

Regulation and guidance

- Individual government departments may be constrained by legislation when considering the purpose for which they can transfer an asset via a capital grant;
- There is uncertainty about how to construct leases which balance tenants' rights against the need to manage risk in the transfer process;
- Local government currently has no delegated authority to allow for the disposal of assets at less than market value;

Skills

- Public sector organisations often lack the skills to assess the benefits associated with the proposed use of an asset, or to judge the feasibility of a proposed use;
- Many third sector organisations are not “investment ready” and may lack the skills and capacity to successfully manage and develop assets;

Funding

- There is a lack financial support available to invest in early pre-feasibility work to explore potential use of assets, build business cases etc;
- Assets may need additional investment to make them “fit for purpose” and to repair, refurbish or convert them for an alternative use;

5. Creating an enabling environment for Community Asset Transfer

Introduction

This policy framework aims to create an enabling environment for Community Asset Transfer in two main ways. Firstly, it will establish some conditions or ‘ground rules’ to govern individual transfers and help both parties to a transfer to understand the circumstances in which the transfer of an asset may be appropriate. Secondly it will seek to address the barriers which exist in terms of regulation and guidance, finance, skills and awareness, through a series of pragmatic proposals for action.

The conditions are set out (in section 6) grouped under a number of headings to explain the underlying rationale.

Next, a series of proposals is presented (in sections 7-10), organised under the headings of public sector asset management; skills, funding and information/awareness. The collective impact of these proposals should be to:

- Raise the profile and understanding of Community Asset Transfer as a tool for investment and regeneration
- ‘Mainstream’ Community Asset Transfer as an option for public sector asset management and address current operational barriers
- Create and maintain the necessary skills within public sector and third sector organisations to support implementation of Community Asset Transfer and the long term sustainable management and development of assets.
- Provide investment to support the implementation of Community Asset Transfer

In creating a more enabling environment for Community Asset Transfer this policy framework will provide a means of investing in regeneration and positive social, economic and environmental outcomes which can be used to support Executive priorities.

6. Conditions (Ground Rules)

Outcomes

Any proposed asset transfer must support the priorities of the Executive and aim to create the widest public value by for example:

- Delivering community benefits;
- Supporting development of social enterprise;
- Contributing to social, environmental or economic regeneration;
- Improving, safeguarding, creating local services/amenities;
- Supporting the sustainability of a community organisation;

Assets may be transferred at less than market value or 'best consideration'. The level of discount against market value will be set on a case by case basis, and must be commensurate with the level of anticipated non-monetary benefits; this will be judged on the basis of the nature of the property, an assessment of the third sector organisation's business plan and the extent of the public value associated with a transfer;

Sustainability

Third sector organisations must develop a business plan which demonstrates the viability of the proposed use of an asset. The business plan must take account of all the costs associated with developing and managing the asset (including repairs, refurbishment, running costs etc)

Third sector organisations will need to demonstrate the capacity to manage the asset appropriately. In considering this a public sector organisation can take account of the commitment demonstrated by a community organisation, the resources and support available and the potential to improve capacity.

The spectrum of transfer options can vary widely, including a freehold, long lease, shorter lease or a licence to occupy;

Legal arrangements (contracts, leases etc) will ensure that community organisations are enabled to manage and develop the property as an asset in the long term, while providing necessary safeguards, proportionate to the risk. Safeguards may include imposing certain restrictions on the use of an asset.

For transfers where grants or loans are required to develop the asset, the length of tenure will need to be long enough to secure external investment. In these cases community asset transfer would be expected to mean a long lease, of at least 25 years, or a freehold.

Accountability

Third sector organisations will need to be incorporated, constituted for social benefit and to demonstrate an 'asset lock' provision to ensure that the asset is retained for community benefit;

Third sector organisations will be expected to maximise opportunities for community cohesion; they will need to demonstrate community support for their proposals and a commitment to accountability, open access and maximising the use of an asset by and for the community;

Decision making

Assets will include both land and property;

Asset transfer may be used as a strategic method of achieving wider regeneration objectives or community ownership of new services or hubs; transferred assets will often, although not necessarily, have been declared surplus to requirements.

The decision to transfer an asset will not be considered as setting a precedent. Each asset transfer will be judged on its own merits and the detail of the transfer arrangements will be arrived at through individual negotiation.

Where there is competition for assets third sector organisations will be encouraged to collaborate. Where this is not possible an open and transparent competitive process will be used.

The decision to transfer an asset will in all cases be supported by an economic appraisal.

The decision to transfer an asset will take account of any potential EU State Aid issues.

7. Information/awareness

<p>Proposals</p> <p>During public consultation on proposals to support Community Asset Transfer we will target consultation events to ensure effective dissemination and exchange of information</p> <p>Development Trusts Northern Ireland (DTNI) will run a programme of information and awareness raising to target audiences from the public sector, third sector and political representatives</p> <p>We will create guidance and toolkits and make them available to view and download online</p> <p>We will promote existing guidance and signpost to relevant UK resources</p> <p>We will ensure effective communication of any substantive changes to the guidance governing Community Asset Transfer</p>	<p>Impact</p> <p><i>These proposals should raise the profile and understanding of Community Asset Transfer as a tool for investment and regeneration</i></p> <p>Implementation</p> <p>These proposals will be supported by the Department for Finance and Personnel and the Strategic Investment Board's Asset Management Unit</p> <p>DSD is currently resourcing the Development Trusts NI to effectively fulfil its role in supporting these proposals</p>
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8. Public Sector Asset Management

<p>Proposals</p> <p>Consideration of Community Asset Transfer will be embedded into strategic asset management:</p> <ul style="list-style-type: none"> - Community Asset Transfer will become integrated into Departmental practice, as one of the options for dealing with under-utilised or surplus property assets; - Departments will regularly review the transfer potential of its assets <p>Current operational barriers to Community Asset Transfer will be addressed:</p> <ul style="list-style-type: none"> - We will create a single point of contact for information on public sector assets; - We will ensure timely access for the public to relevant information on available assets; - We will explore the possibility of creating a comprehensive public sector asset database, to include local government assets; <p>Where necessary we will amend guidance to better facilitate the transfer of assets and clarify the mechanisms available to support Community Asset Transfer</p> <ul style="list-style-type: none"> - Changes will focus on the Land and Property Service Central Advice Unit Disposal Guidelines and Managing Public Money NI guidance <p>Where necessary we will regulate to allow greater local government discretion in the disposal of assets at less than market value</p> <p>Through the Northern Ireland Guide to Expenditure</p>	<p>Impact</p> <p><i>These proposals should 'mainstream' Community Asset Transfer as an option for public sector asset management and address current operational barriers</i></p> <p>Implementation</p> <p>These proposals will be supported by the Department of Finance and Personnel, the Strategic Investment Board's Asset Management Unit and the Department of the Environment.</p>
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Appraisal and Evaluation and civil service training courses, we will promote good practice guidelines on quantifying non-monetary costs and benefits and valuing non market impacts

We will work with others to improve our understanding of impact measurement and develop more robust methodologies to support decision making, monitoring and evaluation

9. Skills Development

Proposals	Impact
<p>We will develop good practice guidance and toolkits to support both public sector and third sector organisations</p> <ul style="list-style-type: none"> - We will maximise learning from the wider UK and EU experience while ensuring that guidance is tailored to Northern Ireland circumstances. - We will address public sector skills gaps <p>We will support a Community Asset Transfer demonstration programme to increase understanding of skills requirements and gaps within the public sector and third sector</p> <p>We will ensure effective partnerships and ‘synergies’ with other complementary initiatives e.g. Social Enterprise NI, Building Change Trust - Investment Readiness and ‘Inspiring Impact’, the NICVA-led consortium on skills development, Belfast Buildings Trust etc</p> <ul style="list-style-type: none"> - recognise overlap with existing initiatives - want to avoid duplication and maximise collaboration <p>We support the principle of an independent centre of expertise on Community Asset Transfer to act as advisor, broker and repository of best practice, evaluation, monitoring etc.</p> <ul style="list-style-type: none"> - ensure a distinct offering - Work in partnership with others (as above) 	<p><i>These proposals should create and maintain the necessary skills within public sector and third sector organisations to support implementation of Community Asset Transfer and the long term sustainable management and development of assets.</i></p> <p>Implementation</p> <p>These proposals will be supported by the Department of Enterprise, Trade and Investment</p> <p>DSD is currently resourcing the Development Trusts NI to effectively fulfil its role and will work with other third sector partners</p>

10. Funding

Proposals	Impact
<p>The transfer of assets into community ownership and management is recognised as a means of investing in regeneration and positive social, economic and environmental change which can be used to support Executive priorities</p> <p>Development Trusts Northern Ireland (DTNI) will lead a Community Asset Transfer demonstration programme involving assets from a range of public sector organisations</p> <p>We will work with others to develop more social finance instruments and promote existing and emerging opportunities</p> <ul style="list-style-type: none"> - the transfer of an asset can be used to e.g. encourage innovation, lever additional finance and reduce grant dependence - There is a particular need for grants to support pre-feasibility studies and business planning; - There is scope for initiatives such as Community Shares to complement the aims of Community Asset Transfer <p>We will seek opportunities from within existing grant programmes to support Community Asset Transfer e.g. Social Investment Fund, Neighbourhood Renewal, Rural Development Fund</p> <p>We will explore opportunities from within European</p>	<p><i>These proposals should provide investment to support the implementation of Community Asset Transfer</i></p> <p>Implementation</p> <p>These proposals will be supported by Department for Social Development and Department of Enterprise, Trade and Investment and a range of government funders</p>

Union funds to support Community Asset Transfer
(under the social investment umbrella)

We will evaluate the DTNI demonstration programme
and consider the lessons learned in terms of the range
of resources needed to support Community Asset
Transfer

11. Community Right to Bid/Right to Buy

Community Rights form part of the policy context for Asset Transfer in Scotland and England. The Right to Buy was first introduced in Scotland for rural areas in 2004 and the Scottish Government is proposing to expand the power through the Community Empowerment Bill to cover urban areas.

Community Right to Buy in Scotland

The Community Right to Buy allows communities with a population of less than 10,000 in Scotland to apply to register an interest in land and the opportunity to buy that land when it comes up for sale.

To take advantage of the Community Right to Buy process, communities must submit an application form to register an interest. All applications to register an interest in land are recorded in the [Register of Community Interests](#) in Land (RCIL) held by the Registers of Scotland. PDF versions of the documentation held are available for public viewing through the RCIL.

After an application has been submitted and passed initial checks, it is forwarded to the landowner and if applicable any heritable creditor, for their comments. At this stage a temporary Prohibition is placed on the landowner/heritable creditor preventing them from transferring or marketing the land. Any comments submitted by the landowner/heritable creditor will be fully considered by Ministers when making their decision to approve or reject the application.

The "Right to Buy" can only be activated when the landowner has indicated that the registered land is to be sold or where the provisions of the Act have been breached.

Once a community body which holds a registered interest in the land for sale, confirms that it wishes to proceed with its "Right to Buy", it has six months to conclude the transfer of land or longer if agreed with the landowner.

In England the Localism Act introduced a range of community rights in 2012 including the right to bid (for assets), the right to build and the right to challenge (to deliver services).

The Community Right to Bid in England

The Community Right to Bid allows communities and parish councils to nominate buildings or land for listing by the local authority as an asset of community value. An asset can be listed if its principal use furthers (or has recently furthered) their community's social well-being or social interests (which include cultural, sporting or recreational interests) and is likely to do so in the future. When a listed asset comes to be sold, a moratorium on the sale (of up to six months) may be invoked, providing local community groups with a better chance to raise finance, develop a business and to make a bid to buy the asset on the open market.

Further information can be found at <http://mycommunityrights.org.uk/>

The recent Joseph Rowntree Foundation report on Community Asset Transfer in Northern Ireland recommended the introduction of equivalent community right to bid or buy legislation in Northern Ireland.

There is a shortage of case study evidence from England and Scotland on the practical outworking of these rights; they have only recently been introduced in England and have not been extensively applied in Scotland either.

The Department considers that community rights forms part of a wider agenda that may need to be explored more fully at a later date and therefore wishes to use this consultation as a vehicle to explore the community right to bid/right to buy in Northern Ireland and test opinion on the issues.

The consultation questionnaire at Annex C seeks views on the community right to bid/right to buy in Northern Ireland.

12. Impact Assessments

Human Rights

The Department believes that the proposals are compatible with the Human Rights Act 1998.

Equality

Under the terms of section 75 of the Northern Ireland Act 1998, the Department carried out screening for equality impact and is satisfied that the proposals will not lead to discriminatory or negative differential impact on any of the section 75 groups. A copy of the screening form can be viewed on the Department's website.

www.dsdni.gov.uk/index/consultations

13. How to respond

We welcome your views on the proposals contained in this consultation and the various consultation questions summarised below:

- Do you consider that the proposed ground rules will effectively govern the transfer process?
- Do you consider that the proposals under information/awareness, public sector asset management, skills and funding will be effective achieving the desired impact?
- Would you like to comment on “community rights” in Northern Ireland?

A full consultation questionnaire is contained in [Annex C](#).

The consultation period will run from 30 May until 23 August 2013.

Further copies of the consultation document are available on the Department's website www.dsdni.gov.uk/consultations or can be requested by contacting us at the address below.

If this document is not in a format that suits your needs, please contact us and we can discuss alternative arrangements.

Unless respondents indicate otherwise, all responses to this consultation may be published in full or summary form. You should also note that the Department is subject to the Freedom of Information Act 2000. This means that we have to consider any request made to us under the Act for information relating to responses made to this consultation.

Please send your responses to us by 23 August 2013.

You can send us your response by completing the survey online at:
<https://www.surveymonkey.com/s/CATPolicyFramework>.

If you prefer you can complete the questionnaire at Annex C online, print it and post your response to:

Department for Social Development
Urban and Community Policy Directorate
The Lighthouse Building
1 Cromac Place
Gasworks Business Park
Ormeau Road
Belfast BT7 2JB

E-mail: CAT-Consult@dsdni.gov.uk

Telephone: (028) 90829375

Text phone (028) 90829500

14. Next Steps

Responses to the consultation will be analysed and reflective in the final recommendations which DSD will take forward to the Executive in 2013. Executive Ministers will be asked to adopt a number of policy principles and a cross departmental action plan to take forward agreed proposals.

Annex A: Development Trusts Northern Ireland (DTNI)



Development Trusts NI (DTNI) was established in 2010 and is a Northern Ireland registered Charity¹.

DTNI is grant funded by the Department for Social Development (DSD) to provide expertise and experience to achieve the establishment of new development trusts in Northern Ireland, to promote awareness of asset transfer, and to identify and nominate from within its membership a selection of organisations whose work and interest in community development, urban regeneration and asset acquisition will form part of a demonstration asset transfer programme.

These demonstration initiatives will draw extensive support from DTNI. DTNI's aim in this work is to "encourage, support and empower local communities to develop new and inspiring projects, thus enabling them to become independent and sustainable".

DTNI will actively work with the Department for Social Development during this consultation period. As an advocate for the Voluntary and Community Sector, DTNI will ensure that those issues of importance to the sector are highlighted.

DTNI is holding a conference on 26th/27th June 2013 on the theme of **Assets and Ambition: Communities Leading Social Change**. Further information can found on their website <http://dtni.org.uk/>

DTNI Contact details

3rd Floor, Cathedral Quarter Managed Workspace
109-113 Royal Avenue
Belfast BT1 1FF

Mobile: 07595 979642

Email: info@dtni.org.uk

DTNI is a member-led organisation with a board of directors drawn from its membership and from the private sector. They are specialists in community asset ownership, enterprise, collaboration, social action, local regeneration, commissioning, community voice and advocacy.

DTNI is part of a wider movement which includes Development Trusts Association Scotland, Development Trusts Association Wales and Locality in England. Together there is now a UK wide network with over 850 members. Members of Development Trusts NI automatically receive membership of the UK-wide Association.

¹ Charity Number XT27682.

Annex B: References

Making Assets Work – The Quirk Review

Published in 2007 the five key recommendations from this report by Barry Quirk, CEO, Lewisham Council was the catalyst for the reform of government policy to reflect community ownership and enable the possibility of transfer of government owned land and property to the community sector

<http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/publications/communities/makingassetswork>

Opening the transfer window. The Governments Response to the Quirk Review

The Government accepted the five key recommendations of the Quirk Review and in this paper set out the building blocks to set Community Asset Transfer in motion.

<http://libraries.communityknowledgehub.org.uk/resource/opening-transfer-window>

Managing risks in asset transfer – Communities and Local Government

Drawing from experience this useful paper provides [English] local authorities and community-based organisations manage and minimise the possible risks to be encountered in the transfer of land and property assets from the public to the community sector.

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

Community Empowerment Action Plan (Scotland)

Announced in March 2009 this action plan provides clarity on what community empowerment is, why it is important and how communities can get involved. The action plan provides a range of best practice examples from across Scotland.

<http://www.scotland.gov.uk/Topics/People/engage/empowerment>

DTA Scotland – Promoting Asset Transfer Final Report Nov 2011.

Published by the Development Trusts (Scotland) in 2011 this report supported the need for sustained programmes of support and funding at national and local levels.

<http://www.dtascommunityownership.org.uk/sites/default/files/PAT%20Final%20Report%20Dec%202011.pdf>

Scottish Government’s Community Empowerment Bill

On 6th June 2012 the Scottish Government launched a 12 week exploratory consultation on a range of ideas for the proposed Community Empowerment and Renewal Bill. Proposals included the

extension of a community right to buy to urban Scotland and giving local authorities greater powers to deal with empty homes and buildings. Consultation on a draft Bill is planned for Summer 2013.

<http://www.scotland.gov.uk/Topics/People/engage>

Final Evaluation of the Asset Transfer Unit April 2011

An independent evaluation of the performance of the Asset Transfer Unit over its first two years in operation. The evaluation conducted by SQW and initiated by Locality found that the profile and reach of the Unit was impressive and that although it is too early to properly assess the impact of the Unit in asset owner capacity to promote asset transfer, where the Unit has been involved capacity has increased. Departments and Agencies considered that a core dedicated Unit such as the Asset Transfer Unit is required to continue the momentum of improvement in asset management and promotion of transfers

http://www.sqw.co.uk/file_download/357

Joseph Rowntree Foundation: Community assets: emerging learning, challenges and questions – Julian Dobson, 2011

This paper explores the opportunities, challenges and questions arising for community organisations, funders, policy-makers and government based on learning from recent events on community assets and research papers and briefing documents published in 2010 and 2011.

<http://www.jrf.org.uk/publications/community-assets-learning-challenges-questions>

Joseph Rowntree Foundation: Community organisations controlling assets: a better understanding – Mike Aiken et al, 2011

This study examines the benefits that come from community organisations owning or managing assets, what makes for success and what are the challenges. It also provides key messages for practitioners and policy-makers in taking forward the community assets agenda.

<http://www.jrf.org.uk/publications/community-organisations-controlling-assets>

Joseph Rowntree Foundation: Community asset transfer in Northern Ireland

This report demonstrates asset transfer has had positive effects on community relations, segregation and social inclusion. Innovation in the statutory sector has had a significant impact on area-based regeneration, public health, community development, education and training and childcare provision. The report also proposes the need to consider new legislation similar to the Right to Challenge and Right to Buy elsewhere in the UK and that new forms of finance, skills and support for practitioners are needed.

<http://www.jrf.org.uk/publications/community-asset-transfer-northern-ireland>

Building Change Trust Observatory – Development Trusts.

This paper provides an overview development trusts, it explores their contributions as community enterprises to combating poverty, and considers the transfer of public assets to communities as a way of establishing and growing development trusts. It describes the innovative 'meanwhile use' of temporarily vacated commercial spaces as a complementary strategy to development trusts' long term approach. It also highlights the work of the recently formed Development Trusts NI, and the Building Change Trust.

<http://www.buildingchangetrust.org/download/files/CFNIObs%20PB%20DevelopmentTrusts%209-2011.pdf>

Building relationships in communities BRIC - Queens University

BRIC is a four year programme designed to encourage greater levels of social integration within Northern Ireland's housing sector. It is run with assistance from the EU's PEACE III Programme. The project is delivered by the Rural Development Council, the Northern Ireland Housing Executive and the training consultancy TIDES. The idea is to help Housing Executive staff promote sharing

within the currently highly segregated social housing market. The project focuses on peace and reconciliation and helps promote the idea of a shared society.

www.nihe.gov.uk/index/community/community_cohesion/bric.htm

Social Finance in Northern Ireland: Innovative Thinking and Action

This study aims to produce a blueprint report that will guide the development of new social finance products in Northern Ireland. To develop the blueprint the study will review social finance supply and demand in Northern Ireland; explore new developments in the UK, Ireland, elsewhere in Europe and the US; identify gaps in the market, explore potential funding and delivery mechanisms and provide an estimate of future demand.

<http://www.charitybank.org/sites/default/files/pdf/Social%20Finance%20in%20Northern%20Ireland.pdf>

Social Economy Evaluation assignment July 2011. (KPMG Report to DETI)

KPMG was commissioned by a DETI-led Steering Group to undertake an evaluation of the Social Economy in Northern Ireland (NI). The study was charged to examine the role of the Social Economy sector and its unique value in terms of the economic, social and environmental impact in the NI context; evaluate the Social Economy Enterprise Strategy 2010/11 with an explicit focus on future direction and priorities and evaluate the Social Economy Network's performance.

www.detini.gov.uk/social_economy_evaluation_report_final.pdf

Focus on Social Economy Enterprise

This is a simple but very useful factsheet produced by the Rural Network NI in 2009. In simple terms it explains the Social Economy Enterprise business model. It was used as simple reference tool at a time when DETI were inviting views on the Social Economy Enterprise Strategy 2009-2011

<http://www.ruralnetworkni.org.uk/download/files/Social%20Enterprise.pdf>

Programme for Government 2011-2015 (NI)

On 12th March 2012, the First Minister and deputy First Minister published the Programme for Government 2011-2015. The Programme for Government identifies the actions the Executive will take to deliver its number one priority – "a vibrant economy which can transform our society while dealing with the deprivation and poverty which has affected some of our communities for generations." The Executive is committed to formulate community asset transfer policy across government; publish a list of existing government assets and identify potential for asset transfers. It commits to disseminate policy and outline best practice for Departments and to baseline research of VCS/SE continuum and to identify opportunities for growth of social economy model within the Voluntary and Community Sector.

<http://www.northernireland.gov.uk/index/work-of-the-executive/pfg.htm>

Concordat between the Voluntary and Community Sector and the Government

The Concordat is an agreement between Government and the Voluntary and Community Sector which outlines key values and principles and establishes a set of shared commitments on how Government and the Voluntary and Community Sector can work together to better serve the people of NI. The Concordat establishes new and refreshed structures of engagement between Government and the Voluntary and Community Sector to help shape the effective use of

resources, including the development of good professional practice and the provision of appropriate accountability.
<http://www.dsdni.gov.uk/consultation-concordat-for-relationships-between-govt-vc-sector.pdf>

Managing Public Money NI

Produced by DFP this manual provides guidance on the proper handling and reporting of public money. It sets out the main principles for dealing with resources used by public sector organisations in Northern Ireland (NI).
<http://www.dfpni.gov.uk/index/finance/afmd/afmd-key-guidance/afmd-mpmni.htm>

Disposal of Surplus Public Sector Property In Northern Ireland

This guidance is published by the Land and Property Service Central Advisory Unit (DFP). It provides property disposal guidelines for public bodies and best practice for public sector bodies.

www.deni.gov.uk/disposal_of_public_sector_property.pdf

FUNDING

Big Lottery - Asset transfer and capital programmes

<http://www.biglotteryfund.org.uk/research/stronger-communities/asset-transfer-and-capital-programmes>

Charity Bank

<http://www.charitybank.org/>

Community Development Finance Institution

<http://www.cdfa.org.uk/>

Community Shares

<http://www.communityshares.org.uk/>

Government Funding Database

<http://govfundingpublic.nics.gov.uk/Home.aspx>

New Philanthropy Capital

<http://www.thinknpc.org/>

LEGISLATION AND ASSOCIATED GUIDANCE

Stormont Regulation and Government Property Act (NI) 1933

<http://www.legislation.gov.uk/apni/1933/6/contents>

The Local Government Act 1972 (NI)

<http://www.legislation.gov.uk/apni/1972/9/contents>

Disposal of Surplus Public Sector Property In Northern Ireland

www.deni.gov.uk/disposal_of_public_sector_property.pdf

The Local Government Act 1972: General Disposal Consent (England) 2003 (Wales) 2003
<http://www.legislation.gov.uk/ukpga/1972/70>

Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7690/462483.pdf

NAFWC 41/2003 : Local Government Act 1972 general disposal consent (Wales) 2003
<http://wales.gov.uk/pubs/circulars/2003/english/NAFWC41-03-e.pdf;jsessionid=53AD9975E3FDFBCC707D5C8C4993D47C?lang=en>

Disposal of land by local authorities (Scotland) regulations 2010
<http://www.legislation.gov.uk/ssi/2010/160/contents/made>

Disposal of Land by Local Authorities (Scotland) Regulations General Guidance
<http://www.scotland.gov.uk/Resource/Doc/319642/0102183.pdf>

The Land Reform (Scotland) Act 2003
<http://www.legislation.gov.uk/asp/2003/2/contents>

Scottish Public Finance Manual
<http://www.scotland.gov.uk/Topics/Government/Finance/spfm/Intro>

The Localism Act 2011
<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

Localism Agenda and the concept of the 'Big Society'
<http://www.localism-agenda.com/background/>

USEFUL LINKS

Asset Transfer Unit (England)
<http://locality.org.uk/asset-transfer-unit/>

Building Change Trust
<http://www.buildingchangetrust.org/>

Development Trust association Scotland
<http://www.dtascot.org.uk/>

Development Trust NI
<http://www.dtni.org.uk/>

Land and Property Service
<http://www.dfpni.gov.uk/lps/index.htm>

Locality
<http://locality.org.uk/>

Investment Readiness in the UK
www.biglotteryfund.org.uk/er_invest_ready.pdf

The Place Station
<http://www.theplacestation.org.uk/>

Social Enterprise Northern Ireland SENI
<http://www.socialenterpriseni.org/>

Social Enterprise UK
<http://www.socialenterprise.org.uk/about/about-social-enterprise>

Annex C – Consultation questionnaire

Online Questionnaire

The link to the online questionnaire is:

<https://www.surveymonkey.com/s/CATPolicyFramework>

If you prefer you can complete the questionnaire at Annex C online, print it and post your response to:

Department for Social Development
Urban and Community Policy Directorate
The Lighthouse Building
1 Cromac Place
Gasworks Business Park
Ormeau Road
Belfast BT7 2JB

E-mail: CAT-Consult@dsdni.gov.uk

Telephone: (028) 90829375

Text phone (028) 90829500

Community Asset Transfer (CAT) Policy Framework

Introduction

The purpose of this consultation is to seek your views on the Department's proposals to support Community Asset Transfer.

The consultation proposes a number of 'ground rules' to govern Community Asset Transfer and sets out a range of actions needed to support the practice and create a more enabling policy environment.

The creation of a more enabling environment for Community Asset Transfer will provide a means of investing in regeneration and positive social, economic and environmental outcomes which can be used to support Executive priorities.

We would appreciate your responses to the questions on the following pages.

The closing date for this consultation is Friday 23rd August 2013.

Your Details

1. Are you responding on behalf of:

- Individual
- Organisation - Please Specify

2. Email Address

Equality Monitoring - Individual

The following questions are for equality monitoring purposes. The responses which you give to these questions are completely confidential.

You are not required to answer these questions if you choose not to. However, any information, which you do provide would be much appreciated.

3. What is your gender?

- Female
- Male

4. Which of the following age bands do you fall into?

- 16 - 24
- 25 - 34
- 35 - 44
- 45 - 54
- 55 - 64
- 65+

5. Which community background do you consider yourself?

- Protestant
- Catholic
- Other

Equality Monitoring - Organisation

The following questions are for equality monitoring purposes. The responses which you give to these questions are completely confidential.

You are not required to answer these questions if you choose not to. However, any information, which you do provide would be much appreciated.

6. Which community does your organisation primarily serve?

- Cross Community
- Other
- Protestant
- Catholic
- Not Applicable

7. Which gender does your organisation primarily serve?

- Male
- Female
- Both
- Not Applicable

8. Which of the following age bands does your organisation primarily serve

- 16 - 24
- 25 - 44
- 45 - 64
- 65+
- All of the above
- Not Applicable

Confidentiality

9. No individual will be identified from the analysis of responses, however under the the Freedom Of Information Act 2000 individual responses may be disclosed.

- Please tick here if you wish your response to be held confidential.

Ground Rules

The following questions relate to Section 6 of the consultation document. Please refer to this section for further information.

10. Do you consider that the proposed ground rules are an effective means of achieving a focus on outcomes?

- Yes
- Don't Know
- No. Please suggest amendments or alternatives:

11. Do you consider that the proposed ground rules are an effective means of ensuring sustainability?

- Yes
- Don't Know
- No. Please suggest amendments or alternatives:

Community Asset Transfer (CAT) Policy Framework

12. Do you consider that the proposed ground rules are an effective means of ensuring accountability?

- Yes
- Don't Know
- No. Please suggest amendments or alternatives:

13. Do you consider that the proposed ground rules are an effective means of governing decision making?

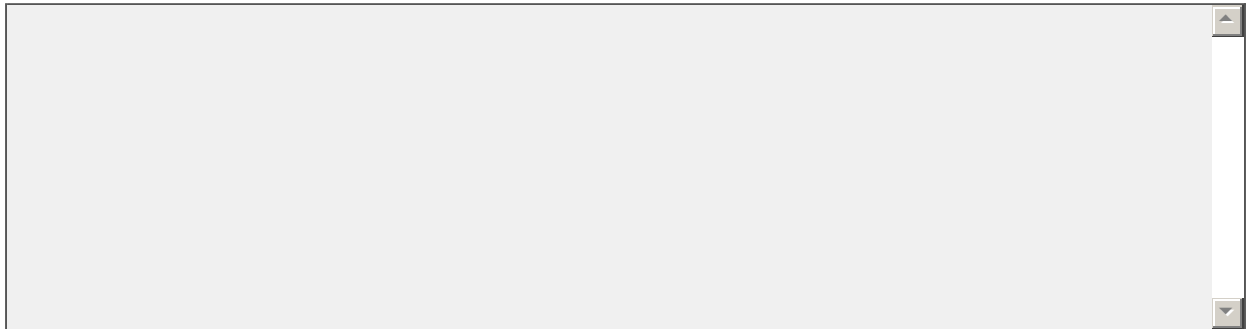
- Yes
- Don't Know
- No. Please suggest amendments or alternatives:

Information Awareness

The question below relates to Section 7 of the consultation document. Please refer to this section for further information.

14. Do you consider that these proposals will be effective in raising the profile and understanding of Community Asset Transfer as a tool for investment and regeneration?

- Yes
- Don't Know
- No. Please suggest amendments or alternatives:



Public Sector Asset Management

The question below relates to Section 8 of the consultation document. Please refer to this section for further information.

15. Do you consider that these proposals will be effective in ‘Mainstreaming’ Community Asset Transfer as an option for public sector asset management and addressing current operational barriers?

- Yes
- Don't Know
- No. Please suggest amendments or alternatives:

Skills

The question below relates to Section 9 of the consultation document. Please refer to this section for further information.

16. Do you consider that these proposals will be effective in creating and maintaining the necessary skills within public sector and third sector organisations to support implementation of Community Asset Transfer and the long term sustainable management and development of assets?

- Yes
- Don't Know
- No. Please suggest amendments or alternatives:

Funding

The question below relates to Section 10 of the consultation document. Please refer to this section for further information.

17. Do you consider that these proposals will be effective in providing investment to support the implementation of Community Asset Transfer?

- Yes
- Don't Know
- No. Please suggest amendments or alternatives:

Community Right to Buy / Right to Bid

The question below relates to Section 11 of the consultation document. Please refer to this section for further information.

18. The Community Right to Buy or Right to Bid exists elsewhere in the UK as part of the enabling environment for Community Asset Transfer.

We are interested in exploring opinion on whether an equivalent community right could support asset transfer in Northern Ireland.

If you would like to comment on this please do so below:

Any Other Comments

19. Any other comments?

Completed

The survey is now complete.

Thank you for you participation.