

## COMMUNITY ASSET TRANSFER

### What does Community Asset Transfer mean for Community and Voluntary Organisations?

Part 5 of Community Empowerment Act allows Community and Voluntary Organisations (referred to in the act as Community Controlled Bodies) to make a *Community Asset Transfer Request* to buy, lease or manage a publically owned building or piece of land. For example an Organisation could make a request to take over the ownership of a local community hall which is currently owned by a Local Authority to be utilised for the local community. Equally the Organisation could make a request to take over the management or the lease for the building without having to purchase.

Community and Voluntary Organisations are able to make a request on any asset or piece of land that they have identified would meet the needs of their organisation and its local community and is currently owed by a public body.

### What is the process for making an Asset Transfer Request?

First it must be ensured that the organisation has suitable governance to proceed with an asset transfer request. Organisations **must** be incorporated and **must** have membership of at least 20 members made up of organisations or individuals from the local community. This means that a SCIO would require to be a **two tier** SCIO or be an **Incorporated Company with a membership** (this should be detailed in the articles of association).

Once an organisations governance is in place to proceed, the next move would be to contact the Community Asset Transfer rep in the Local Authority for more detailed information about the property they are interested in.

A dialogue will then be opened to go through the process of a decision being made by the local authority of the suitability of the request (what the community impact will be, are the organisation in a good position to take it on etc.). It should be noted that the Local authority can choose to decline the request if there are reasonable grounds.

### Who can provide support in Asset Transfer?

- The Local Authority contact for Community Asset Transfer is John McCafferty
- As the South Lanarkshire TSI VASLAN can support organisations through the process, particularly around ensuring that an organisations governance and legal structure is suitable.
- The [Community Ownership Support](#) service as an organisation funded by the Scottish Government who provide support to organisation in all aspects of a Community Asset Transfer