



## **Decision Framework for the Consideration of Community Asset Transfers & New Asset Opportunities**

*“For existing Council assets returning from third party occupation or management, the legal position and handover requirements must first be established. The relevant appraisal, engagement, business case and decision stages will then be applied proportionately; acquisition and transfer stages will be adapted or omitted where they do not apply.”*

### **Stage 1 – Opportunity Identified**

#### **Initial Information Received**

- Asset identified by another authority, organisation or developer.
- Establish the nature of the opportunity.
- Does it benefit the residents of Witney?
- Identify any deadlines or expressions of interest required.
- Confirm whether there is sufficient information to undertake an initial assessment.

#### **Outcome**

- Proceed to initial appraisal or decline opportunity.

### **Stage 2 – Initial Strategic Appraisal**

#### **Consider:**

- Does the opportunity support the Council's Strategic Plan?
- Does it benefit the residents of Witney?
- Does it align with the Council's powers and objectives?
- Are there obvious financial or operational constraints?
- Are there any immediate legal concerns?

#### **Outcome**

- Report to Members recommending whether to explore the opportunity further.

### **Stage 3 – Outline Feasibility**

If Members agree in principle:

Undertake proportionate investigations, which may include:

- Asset condition
- Existing liabilities
- Revenue implications
- Staffing implications
- Maintenance requirements
- Legal considerations
- Health & Safety
- Environmental obligations
- Funding opportunities
- Assessment of whether the asset is best retained within the Council or delivered through an alternative governance model.
- Income generation potential
- Risks
- Opportunities

Professional advice commissioned where appropriate.

### **Stage 4 – Stakeholder & Community Engagement**

Where appropriate and proportionate, consider engagement with:

- Existing users
- Local residents
- Community groups
- Sports clubs
- Partner organisations
- Ward Members
- Other stakeholders

Engagement methods may include:

- Public meetings
- Surveys
- Workshops
- Focus groups
- Online consultation
- Targeted stakeholder meetings

*The scale and method of engagement will depend upon the nature, complexity and significance of the proposed asset transfer.*

## **Stage 5 – Business Case**

Prepare a report for Members setting out:

- Strategic benefits
- Community benefits
- Financial implications
- Capital costs
- Ongoing revenue costs
- Staffing implications
- Governance implications
- Risks and mitigations
- Consultation outcomes
- Recommended governance and delivery model
- Options appraisal

### **Governance & Delivery Model Assessment**

As part of the business case, consideration should be given to the most appropriate long-term governance and management arrangements for the asset. Depending on the nature of the opportunity, options may include:

- Direct management by Witney Town Council.
- Management by an existing community organisation or charity.
- Management by a sports club or user group.
- Lease or Service Level Agreement with a third party.
- Establishment of a Community Trust, Charitable Incorporated Organisation (CIO), Community Interest Company (CIC) or another appropriate vehicle.
- Partnership management with another public body or organisation.
- A phased approach, whereby the Town Council initially manages the asset before transferring operational responsibility to another body.

For each option, consideration should be given to:

- Governance arrangements.
- Financial sustainability.
- Community capacity and capability.
- Skills and experience.
- Legal implications.
- Risk allocation.
- Accountability.
- Long-term resilience.
- Community benefit.

## Stage 6 – Council Decision

Council considers:

- Business case
- Community feedback
- Financial affordability
- Risk profile
- Long-term sustainability
- Recommended governance and delivery model

### Decision

- Approve
- Do Not Approve
- Request further work is undertaken

## Stage 7 – Due Diligence & Legal Process

If approved:

- Legal investigations
- Surveys
- Funding agreements
- Contract negotiations
- Insurance
- Asset management planning
- Operational planning
- Staffing arrangements (if applicable)

*“Where disposal or the grant of a lease is proposed, confirm the applicable statutory disposal requirements, obtain appropriate valuation and legal advice, establish whether general or specific Secretary of State consent is required, and complete any necessary public notice procedures before the transaction is completed. Where public notice and consideration of objections are required before the final disposal decision, those steps will be undertaken ahead of Stage 6.”*

## **Stage 8 – Asset Transfer**

- Completion of legal documentation
- Handover arrangements
- Communications plan
- Operational mobilisation
- Budget implementation
- Governance arrangements

## **Stage 9 – Review**

Following acquisition:

- Post-implementation review
- Financial monitoring
- Performance monitoring
- Community impact
- Lessons learned

**Decision-Making Principles - Throughout every stage the Council should have regard to:**

- Community benefit, in particular to residents of Witney
- Value for money
- Long-term financial sustainability
- Strategic fit
- Transparency
- Appropriate community engagement
- Proportionate decision making
- Legal compliance
- Environmental sustainability
- Risk management

### **Important Note - Applying this Framework**

This framework is intended to provide guidance rather than prescribe a fixed process. Every opportunity to acquire or manage a community asset will present different circumstances, opportunities, risks and timescales. The Town Council will apply this framework proportionately, taking account of the nature and complexity of each proposal, and may adapt the sequence or extent of individual stages where appropriate.

In determining whether to acquire and how best to manage a community asset, the Council will seek to identify the governance and delivery model that best secures long-term community benefit, financial sustainability and effective stewardship of public assets. Direct management by the Town Council will not automatically be presumed to be the preferred option. Alternative delivery models, including management by existing community organisations, charitable trusts, community interest companies, sports clubs, partnership arrangements or other appropriate bodies, will be considered where they better achieve these objectives and align with the Council's Strategic Plan.