



Draft Community Asset Acquisition and Management Policy

Policy Statement

Witney Town Council recognises that community assets play an important role in supporting the social, economic, environmental and cultural wellbeing of the town. The Council will consider opportunities to acquire, manage or facilitate the management of community assets where doing so delivers long-term public benefit, represents value for money and supports the Council's Strategic Plan.

1. Purpose

The purpose of this Policy is to establish the principles that will guide Witney Town Council when considering opportunities to acquire, own, lease, manage or facilitate the management of community assets.

The Policy recognises that opportunities may arise through:

- Local Government Reorganisation;
- Asset transfers from principal authorities;
- Developer contributions;
- Community initiatives;
- Charitable organisations;
- Public bodies; or
- Other opportunities that support the Council's Strategic Plan.

This Policy provides the overarching principles to support transparent, robust and proportionate decision making.

2. Policy Objectives

The Council aims to:

- safeguard community assets for public benefit;
- support thriving and resilient communities;
- secure value for money;
- ensure long-term financial sustainability;
- encourage community involvement;
- consider innovative governance arrangements;
- manage risk effectively;
- protect public funds.

3. Scope

This Policy applies whenever the Council is invited to consider:

- accepting ownership;
- accepting a lease;
- accepting management responsibility;
- acquiring land or buildings;
- establishing a new community facility;
- taking on additional public services linked to an asset;
- *reviewing the future use or management of an existing Council asset following its return from a third party lease or management arrangement.*

The Council will ensure that any proposed acquisition is supported by an appropriate statutory power and complies with all relevant legislation.

Nothing within this Policy places the Council under any obligation to accept the transfer, ownership or management of any community asset. Each opportunity will be considered on its own merits, having regard to the Council's statutory powers, financial position, strategic priorities, available resources and the long-term interests of the community.

For the purposes of this Policy, a *community asset* may include (but is not limited to):

- parks and open spaces;
- sports facilities;
- community centres;
- civic buildings;
- public conveniences;
- car parks;
- allotments;
- heritage assets;
- play areas;
- recreational facilities;
- commercial premises held for community benefit;
- other land or buildings that contribute to the wellbeing of the community.

4. Guiding Principles

Throughout every stage the Council should have regard to:

- Community benefit
- Value for money
- Long-term financial sustainability
- Strategic fit
- Transparency
- Appropriate community engagement
- Proportionate decision making

- Legal compliance
- Environmental sustainability and climate resilience
- Risk management
- Equality, diversity, accessibility and inclusion

5. Decision Making

The Council has adopted a **Decision Framework for the Consideration of Community Asset Transfers & New Asset Opportunities**, attached at **Appendix A**, which will normally be followed when considering significant community asset acquisitions *and significant changes to the use or management of existing Council assets*. Where it is considered appropriate to depart from the Framework, the reasons will be clearly documented within the report to Members.

6. Community Engagement

The Council recognises that meaningful engagement is fundamental to successful community asset ownership.

The scale of engagement will be proportionate to:

- the value of the asset;
- the significance to the community;
- the potential financial implications;
- the number of stakeholders affected.

Engagement may include:

- public consultation;
- stakeholder workshops;
- surveys;
- user group meetings;
- statutory consultation where required.

7. Governance & Delivery Models

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 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 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.

Governance Model	Typical Circumstances
Direct Council Management	Civic buildings, parks, open spaces
Lease to Community Organisation	Sports clubs, community centres
Community Trust	Multi-use community facilities
Community Interest Company	Commercial/community mixed use
Charitable Incorporated Organisation	Charitable facilities
Partnership Agreement	Joint public services
Service Level Agreement	Specialist operational services
Charitable Trust administered by the Town Council	Heritage, civic or endowed charitable assets

8. Financial Considerations

Cover:

- Whole life costs including ongoing maintenance
- Capital investment
- Revenue implications
- Reserves
- External funding
- Income generation
- Borrowing
- Staffing
- Asset management plans
- Exit strategy where appropriate

9. Risk Management

Requires consideration of:

- Legal risk
- Financial risk
- Reputational risk
- Operational risk
- Environmental risk
- Community expectations
- Future liabilities
- Health & Safety risk

10. Council Assets Returned From Third Party Management

10.1 This section applies where an existing Council-owned asset returns to the Council's possession or operational management following the lawful expiry, termination, surrender or non-renewal of a lease or other management agreement. In these circumstances, ownership remains with the Council, but it will need to review the asset's future use and management arrangements.

10.2 The ending of any lease or management agreement will be governed by its terms and the applicable legal framework, including any statutory rights of the tenant or occupier. Appropriate legal advice will be obtained before the Council takes steps to terminate an arrangement, oppose renewal or recover possession. Nothing in this Policy overrides those requirements or authorises termination.

10.3 Where a return is anticipated, the Town Clerk/CEO will coordinate proportionate planning for the handover and interim management of the asset. This will include, as appropriate:

- establishing the legal position, relevant deadlines and responsibilities of each party;
- inspecting and recording the asset's condition and identifying outstanding repairs, reinstatement obligations or potential dilapidations claims;
- addressing outstanding rent, charges and other contractual liabilities;
- confirming ownership of fixtures, equipment and any items remaining on site;
- arranging the handover of keys, records and relevant compliance information; and
- ensuring appropriate security, insurance, maintenance, utilities and health and safety arrangements are in place when the Council resumes possession or management.

10.4 Officers will assess the financial and operational implications of the asset's return, including any immediate works, ongoing holding costs, loss of rental income and implications for existing users. Necessary interim measures will be taken within approved budgets and delegated authority, with further approval sought where required.

10.5 The Council will review the asset's future use and management through a proportionate application of the supporting Decision Framework. Options may include direct Council management, a new lease or management agreement with a suitable organisation, partnership arrangements, an alternative community use or, where appropriate, consideration of disposal through the relevant statutory and Council procedures. Direct Council management will not automatically be presumed to be the preferred long-term option.

10.6 Proposals for significant changes to use or management will be reported to the appropriate Committee and/or Full Council in accordance with the Council's governance arrangements. Reports will address community benefit, stakeholder engagement, legal restrictions, asset condition, affordability, staffing, risks and the recommended delivery model. Any interim arrangements will be monitored pending a decision on the asset's long-term future.

10.7 Any proposed disposal of Council land or buildings, including the grant of a lease, will be subject to the applicable statutory requirements, including section 127 of the Local Government Act 1972. Where a disposal at less than the best consideration reasonably obtainable is proposed, the Council will obtain appropriate valuation and legal advice to establish whether the General Disposal Consent (England) 2003 applies or specific Secretary of State consent is required. Any applicable public notice requirements, charitable trusts, title restrictions and other statutory consents will also be addressed at the appropriate stage. Where required, public notices will be published and any objections considered before a final decision to dispose is made.

11. Monitoring

The implementation of this Policy will be monitored through individual project reviews and, where appropriate, periodic reports to Members. Lessons learned from completed projects will be used to inform future asset acquisition decisions.

12. Review

This policy will be reviewed every four years or following significant legislative or organisational change.

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Policy Owner	Town Clerk & CEO
Responsible Committee	Policy, Governance & Finance Committee