



**Corporate Policy and
Resources Committee**

Thursday, 16 April 2026

Subject: Community Asset Transfer Policy

Report by:	Director of Finance and Assets (S151 Officer)
Contact Officer:	Peter Davy Director of Finance and Assets (S151 Officer) peter.davy@west-lindsey.gov.uk
Purpose / Summary:	To present a new Community Asset Transfer Policy for Approval

RECOMMENDATION(S):

Corporate Policy and Resources Committee review and approve the new Community Asset Transfer Policy

IMPLICATIONS

Legal:

The General Disposal Consent (England) 2003 removes the requirement for local authorities to seek specific consents to dispose of land and it provides criteria under which authorities can do at an undervalue.

Section 123 and 127 Local Government Act 1972 provide land disposal powers for local authorities.

Legal advice and any relevant professional advice should always be sought as appropriate for individual transactions.

Financial : FIN/169/26/CPR/SL

There are no financial implications arising from this report.

Staffing :

Whilst the Policy can be administered by existing internal resources, appropriate external professional and legal advice will be required on specific disposals of property.

Equality and Diversity including Human Rights :

None arising from this report

Data Protection Implications :

None arising from this report

Climate Related Risks and Opportunities:

None arising from this report

Section 17 Crime and Disorder Considerations:

None arising from this report

Health Implications:

None arising from this report

Title and Location of any Background Papers used in the preparation of this report :

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Introduction

- 1.1 Community Asset Transfer is the permanent or temporary transfer of land or buildings from the Council into the stewardship and/or ownership of a voluntary or community organisation or Town or Parish Council.
- 1.2 The Council does not have a formal community asset transfer policy. This report seeks approval of a new policy as set out at Appendix 1.

2 Main Report

- 2.1 The Council is approached on occasion by community bodies, town and parish Councils and volunteer groups requesting that assets be transferred to them. Currently the Council does not have a formal policy to assess any expressions of interest such as these or a framework to assess whether the transfer of assets would be in the best interests of the Council.
- 2.2 The draft policy at appendix 1 looks to put in place a framework and an objective way of assessing if and when a transfer is appropriate and whether it meets certain criteria.
- 2.3 When looking at asset transfer requests the Council must fully consider the risks and benefits of any transfer whilst ensuring community assets are protected.
- 2.4 The General Disposals Consent (England) 2003 allows the Council to transfer the ownership and management of land and buildings they own to local communities at less than best consideration (less than the full market value) where it can demonstrate the promotion of social, economic and environmental wellbeing. Any decision to dispose at less

than market value would need to be a transparent and evidenced decision.

2.5 The type of assets which could be transferred could include different types of land and buildings in the following circumstances:-

- The Council must be the freehold owner of the asset.
- The asset currently supports council community objectives or was formerly delivering such objectives where the asset is now surplus to requirements.
- The asset has been reviewed and the asset has been identified for possible transfer. Ward councillors must be engaged in such considerations.
- The relevant Director supports the transfer.
- The asset generates social, economic or environmental benefits.
- Where the asset is being transferred to a Town or Parish Council, it would be required in order to deliver key services of that Council.
- The financial implications need to be fully considered for any transfer, including an up to date valuation of the asset, to ensure that it offers value for money.

2.6 The Council will not consider applications for Community Asset Transfers where: -

- The asset has been identified as being required for strategic, planning or redevelopment/regeneration.
- The proposed use of the asset does not meet its current use in planning terms.
- The transfer of the asset would be to an individual(s) or businesses to be used purely as a vehicle for commercial ventures. This does not include, for example, charitable organisations with trading arms, where profits are given back to communities.
- A transfer would contravene Trade and Cooperation Agreement Principles.
- The asset would be used solely for religious purposes/activities.
- The asset would be used for any political purposes/activities.
- The result would be detrimental to any individual, geographical community or community of interest, resulting in unlawful

discrimination, harassment or a failure to promote good relations.

- 2.6 The application process would start with an expression of interest, a review, detailed analysis and then completion.
- 2.7 Once complete the Council will then review the outcomes of the transfer periodically to ensure that the transfer has been successful.
- 2.8 In all circumstances concerning land disposal the appropriate legal and professional advice will be sought and applied.

3 Conclusion

- 3.1 The transfer of assets to town and parish councils and community groups can have many positive effects for residents. This can include assets being repurposed and being used in a more effective way than under Council control.
- 3.2 If done correctly the benefits are clear but the process must be done clearly and transparently to ensure assets are safeguarded and are only transferred where certain criteria are met.
- 3.3 Once the policy is approved this will be then be publicised to community groups and parish and town councils around the district. A full list of the assets the Council owns is available on the Council's website.

4 Recommendation

- 4.1 Corporate Policy and Resources Committee review and approve the new Community Asset Transfer Policy