

Community Asset Transfers



Asset Transfer Request Form

Guidance Notes

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We need to know the status of your organisation to establish if we can accept your Asset Transfer Request form.

The Scottish Ministers can designate a body to be a Community Transfer Body. They will do this by making an order. Ministers can either designate an individual body, or could designate a class of bodies, if they decided in future that all organisations of a particular type should be able to make asset transfer requests. A designated Community Transfer Body is only entitled to make a request for ownership if the designation order states that it is allowed to do so. 1.5 and 1.6 give you a space to explain if you are this kind of organisation.

- 1.8 Please explain in summary what your organisation does. This will be used in assessing your transfer request.
- 1.9 We need to be assured you have a valid management structure and competent governance in place. This should be clear in your governing documents but a simple explanation of how your organisation is run is what we are looking for. This section also gives space to explain any reasons you may have a gap in your structures.
- 1.10 – Please explain who runs your organisation and their skill set. You must
1.14 also attach your governing documents. A request **cannot** proceed without them.

Sec 2

Information about the land and rights requested

- 2.1 – 2.2 This question asks you to identify the land to which this Asset Transfer Request relates to. Depending on what type of asset your answer could be a

Sec 3

- 3.1

- x If the community body wants **to run a service** which is tied to the particular premises, and does not want to use the premises for any other purpose, this should be addressed through a **Participation Request**. A lease or other arrangement in relation to the premises can be negotiated as part of the agreement to provide the service.
- x If the community body wants to **take control of the asset** in order to develop the service on its own terms or use the property for other purposes, this should normally be addressed through an **Asset Transfer Request**.

An Asset Transfer Request can be accompanied by negotiations for Argyll and Bute Council to contract with the Community Transfer Body to continue to provide a service, as a source of income.

Part 5 of the Community Empowerment diJ0.001 Tc 27.610(y)8(ne)3(g)6(o)12(()10(E)e).

Sec 4

Community Proposal

4.1 This question will be used in assessing your request. Please explain/
justify

4.2

4.3

4.4

4.5

Sec 5

5.1

Sec 6

6.1

It is not a requirement to use our [Transfer Request Form](#) to make your request. In this form we have laid out a way to present your request that will help us to compare the benefits of your proposal. By providing as much information as possible you will be strengthening your case. Support is available from the Argyll and Bute Council to assist applicants, where possible, to fully complete the request form.

While the statutory scheme requires a full request to be made to initiate the Asset Transfer Process, we welcome informal outline proposals as part of our [Expression Of Interest](#) pre-application stage (EOI). This helps us to give Community Transfer Bodies support and guidance from Argyll and Bute Council before undertaking the substantial work to produce a full Asset Transfer Request, or in identifying and applying for funding.

Any group would still have the right to submit an Asset Transfer Request without going through an EOI pre-application stage. Community Transfer Bodies have a right to submit an Asset Transfer Request without any previous discussion and we will process it in accordance with the requirements of the Act.

To submit an asset transfer request;

- a) You need to be a [Community Transfer Body](#) (CTB)
- b) A community controlled body does not have to be incorporated, but it must have a written constitution
- c) A community controlled body which wants to make an Asset Transfer Request for **ownership** must also be incorporated as a company, a SCIO (Scottish Charitable Incorporated Organisation) or a BenCom (Community Benefit Company), with a minimum of 20 members an