Hart District Council

Community Asset Transfer Policy

2026

Hart
DISTRICT COUNCIL

1. Purpose of the policy

This Community Asset Transfer policy sets out the Council's approach to transferring council-owned land and buildings to voluntary, community or social enterprise organisations for community benefit. Community Asset Transfer enables such organisations to take on the ownership or management of local assets to deliver services, strengthen community resilience, and support local priorities.

The policy aims to:

- Maximise the social, economic, and environmental value of Council assets
- Empower communities to lead on local solutions
- Support sustainable community organisations capable of managing property
- Ensure transparency, consistency, and fairness in decision making.

2. Scope of the policy

This policy applies to:

- Council-owned land or buildings that may be suitable for community use.
- Transfers of ownership and/or management, normally at less than market value where a demonstrable community benefit is evidenced
- approved transfers will generally be on a leasehold basis
- freeholder transfers will be considered on an exceptional basis where there are objective reasons why a lease is not the most appropriate form of transfer
- community asset transfer is not an automatic right, and all applications will be assessed on a case-by-case basis

This policy does **not** apply to:

- Statutory disposals required under specific legislation.
- Assets generating significant net income for the Council
- Commercial disposals seeking full market value.
- Operational assets that are essential to Council service delivery.
- the asset has been identified as being required for strategic, planning or redevelopment/regeneration purposes
- the proposed use would be primarily for businesses or commercial purposes
- the proposed use would be primarily for political purposes/activities
- The site has the potential to provide Biodiversity Net Gain or carbon offsetting provision.

3. Definitions

- Community Asset Transfer: Transfer of an asset from the Council to an eligible organization.
- Eligible Organisations:
  - Registered charities
  - Charitable incorporated organisations
  - Companies limited by guarantee (not for profit)
  - Community interest companies

    - Community benefit societies
    - Town and parish councils within the Hart District Council area
- Not eligible: Private individuals, profit-distributing companies, political bodies, organisations registered outside of the Hart District Council area.

4. Principles guiding asset transfer

The Council commits to the following principles:

Community Benefit

Applications must demonstrate alignment with Council's Corporate Plan priorities and have clear and achievable benefits such as improved wellbeing, increased participation, local economic impact, service improvements, or environmental enhancements.

Financial Sustainability

Applicant organisations must show they can manage the asset long-term, with realistic financial plans and risk assessments. A business plan and details of sustainable management and governance arrangements will be required.

Equality, Diversity and Inclusion

Projects must be inclusive, accessible, and designed to benefit diverse communities.

Best Value

Community Asset Transfer must demonstrate debt value but may involve disposal at below market value where community benefit outweighs other factors.

Transparency and Accountability

Decision making will be open, evidence-based, and subject to appropriate governance.

5. Community Asset Transfer options

The Council may consider:

License to occupy

Short-term, low-risk arrangements to test feasibility.

Leasehold transfer

Usually 25–99 years, dependent on the building type, investment needs, and business plan.

Freehold transfer

Considered only where long-term community benefit is clear, and risks are manageable.

6. Eligibility criteria

Organisations must demonstrate:

- Strong governance and legal structure suitable for holding property
- A track record or credible plan of delivering community benefit
- Evidence of community demand and support
- Policies covering safeguarding, equalities, health & safety, and data protection
- Ability to insure and maintain the asset.

7. Assessment Process

Stage 1: Initial Expression of Interest form to be provided

Includes:

- Summary of organisation
- Details of asset proposed for transfer
- Proposed use
- Expected community benefits
- Initial consideration of financial viability

Stage 2: Full application form to be provided

Applicants must provide:

- Business plan (template to be provided)
- Five-year financial forecast
- Risk management plan
- Evidence of community engagement
- Governance documents
- Maintenance and capital investment plans

Stage 3: Assessment

The Council will evaluate applications against:

- Community impact
- Alignment with Council priorities
- Financial sustainability
- Organisational capacity
- Legal and property considerations
- Value for money

Stage 4: Decision

Decisions will be made by Cabinet. Applicants will receive written feedback.

8. Terms of Transfer

Typical conditions include:

- Use restrictions ensuring the asset remains for community benefit
- Requirements for maintenance and statutory compliance

- Prohibitions on subletting without consent
- Claw back provisions (e.g., if the organisation sells the asset or changes use) or ceases to exist
- Annual reporting to demonstrate community outcomes
- Any other conditions appropriate to the specific asset/organisation, decided on a case-by-case basis.

9. Monitoring and review

The Council will:

- Monitor performance annually through submitted outcome reports
- Conduct periodic site visits
- Review the Policy every three years or earlier if required.

Failure to meet obligations may result in:

- Improvement notices
- Renegotiation of terms
- Termination of the agreement and reversion of the asset to the Council.

10. Support for organisations

The Council may provide:

- Guidance on the Community Asset Transfer process
- Access to property information
- Signposting to external support
- Opportunities to engage with service officers.

However, the Council cannot write business plans or secure funding on behalf of organisations.