

ADVANCING COMMUNITY ASSETS (ACA) FUND

GUIDANCE FOR APPLICANTS

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For assistance regarding a Community Asset Transfer and the Advancing Community Assets Fund, please contact:

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GENERAL CRITERIA FOR FINANCIAL ASSISTANCE THROUGH THE ADVANCING COMMUNITY ASSETS FUND

South Ayrshire Council will consider applications from eligible organisations which are consistent with the information given below. Applicants should note that no guarantee of funding should be assumed by any organisation.

Financial support may be available to support community-controlled bodies that aspire to take on a Council-owned asset (land and property) through ownership, lease or other rights such as rights to manage, occupy or use the asset for a specified purpose, with the aim of promoting or improving economic development, regeneration, public health, social wellbeing, environmental wellbeing or reducing socio-economic inequalities for people living in South Ayrshire.

1. WHO IS ELIGIBLE TO APPLY?

Financial support may be available to community-controlled bodies operating at a South Ayrshire wide level. To qualify as a community-controlled body, the body's constitution, Articles of Association or registered rules must include the following:

- a) A definition of the community to which the body relates. The group may represent the community in a particular area or people who have a common interest or characteristic. The definition should be clear enough to show whether a person is a member of the community or not.
- b) Provision that membership of the body is open to any member of that community. Membership of the body must be open to anyone who is a member of the defined community. There must not be any additional requirements.
- c) Provision that the majority of the members of the body are to consist of members of that community. If the asset transfer request is for ownership, the governing documents must require the body to have at least 20 members.
- d) Provision that the members of the body who consist of members of that community have control of the body. Having control of the body means that the members of the community are in charge of the decisions made by the body.
- e) Statement of the body's aims and purposes, including the promotion of a benefit for that community.
- f) Provision that any surplus funds or assets of the body are to be applied for the benefit of that community.

2. WHAT COSTS CAN ORGANISATIONS APPLY FOR?

The Advancing Community Assets Fund has two categories:

The first category of grant is the **Development grant**, which may be available to eligible bodies interested in making a community asset transfer request but who are at the early stages of the process (known as a Community Asset Transfer ('CAT') Stage 1-Expression of Interest).

Sums of **up to maximum of £12,000** for costs associated with all types of property surveys and investigation relating to the land and property asset may be available for the development of an asset transfer proposal and to help towards preparing a Stage 2 CAT application.

This grant request will be determined at Community Asset Transfer Stage 1 Expression of Interest where it is identified that a community transfer body should be encouraged and supported to move forward to a Stage 2 application.

Applications for development grants will be approved through the Scheme of Delegation by the Director-Place.

The award of a Development grant from the Advancing Community Assets Fund would not commit the Council to a particular outcome nor guarantee approval of any future asset transfer request that is developed and submitted for consideration. Any future asset transfer request would be determined in accordance with the Council's approved community asset transfer process.

The second category of grant, the **Capital grant**, may be available to bodies at the later stages of the process, which are in a position to make an application for a community asset transfer request (known as a Stage 2 CAT application).

Costs may be available **for capital works, relevant to the condition of the asset being requested**. The Council expects that requests for capital costs **would not exceed £100,000**; however the Leadership Panel will consider grant requests **in excess of £100,000 on a case by case basis**.

Capital grant funding may only be requested through the Stage 2 CAT application form.

The Leadership Panel will consider the Stage 2 CAT application in terms of the approved asset transfer process and will determine any Advancing Community Assets capital grant requests in conjunction with the overall CAT application.

An asset may be requested without a request for a capital grant however a capital grant through the Advancing Community Assets Fund will not be considered by the Council without submission of a formal Community Asset Transfer request for lease or ownership.

An award of a capital grant would be released at the point of the legal transfer of the asset and must be used within 12 months of the date of legal transfer and used for the purpose that the grant was awarded.

3. THE ADVANCING COMMUNITY ASSETS FUND WILL NOT SUPPORT THE FOLLOWING:

- Activity of a political or inappropriate nature designed to promote party political or religious causes (although applications from Faith groups involved in local community work will be welcomed)
- Groups advocating particular outcomes from the statutory planning process. In this regard the funds will not be granted based on a perception of a predetermination of a planning application
- Routine property maintenance/repairs or for ongoing running costs
- Servicing of debt or monies already spent (retrospective funding)
- Contributions towards a large fund raising activity (e.g. minibuses, new buildings) are not eligible
- Private sector bodies or individuals
- Anything of an illegal nature or which ordinarily would be considered inappropriate to receive public sector funding
- Applicants who do not qualify as community-controlled bodies

4. HOW TO APPLY

Stage 1 and 2 forms should be completed and returned to the address printed at the end of the application form. All relevant sections of the application must be completed and all additional information – for example, constitution, financial details included.

Development grants will be determined at Community Asset Transfer Stage 1 Expression of Interest where it is identified that a community transfer body should be encouraged and supported to move forward to a Stage 2 application. Applications for development grants will be considered by delegated authority of the Director - Place.

Capital grant funding may only be requested as part of a formal asset transfer application to the Council and the Leadership Panel will consider the Stage 2 CAT request application as per the approved asset transfer process and will determine any Advancing Community Assets capital grant requested in conjunction with the overall application.

5. WHAT ARE THE CONDITIONS OF THE FUND?

GENERAL CONDITIONS

1. Community-controlled bodies applying for Council support should be able to clearly demonstrate their contribution towards The Council Plan 2018-22 which set the high-level objectives and outcomes we want to achieve for our people and places.
2. The grant is allocated for the approved activities only and no guarantee can be given that further funds will be available. No changes may be made to the approved activities without the prior written permission of the Council.
3. The grant must be used only for the approved activities.
4. The organisation must keep proper up-to-date accounts and records. The organisation must, at any time, if requested provide progress reports and financial or other information or copies of financial records as may be required by an authorised officer of the Council and make items purchased or projects developed available for inspection.
5. Monies must be spent and the approved activities completed within 12 months of receiving the grant award and the organisation will submit evidence to the reasonable satisfaction of the Council that the purpose for which the grant was awarded was achieved. No extension to the said 12 month period will be permitted unless with prior agreement with the Director –Place.
6. The Council shall be entitled to withdraw an offer of funding if applicants are unable to demonstrate within 6 months of receiving notification of an award of funding, that the approved activities supported by the funding will not be completed in accordance with the timescale stated in the application.
7. The grant must not be used to pay for any spending commitments the organisation has made before the date of approval of the grant award.
8. If the organisation spends less than the amount specified in the grant application the organisation must repay the unspent amount to the Council immediately.
9. The Council is a local authority currently subject to European Union procurement regulations and accordingly, all goods and services purchased with a Council grant must be procured in a competitive and transparent way.
10. All approved activities will be carried out under the complete control of the organisation awarded grant funding.
11. The organisation will keep records and receipts of how the grant was spent and produce these figures in a project/activity final report.

12. The accounting arrangements/transactions will be subject to audit scrutiny by South Ayrshire Council.
13. Any organisation receiving grant aid must acknowledge the support of South Ayrshire Council in all publicity material. A copy of publicity material must be forwarded to the Council.
14. The organisation will ensure that policies and practices minimise any detrimental effects to the environment and complement the Council's commitment to protecting and improving the environment of South Ayrshire.
15. No aspect of the approved activities shall be party political in intention, use or presentation.
16. The approved activities must be carried out in line with current best practice and the organisation must comply with all applicable laws and regulations when carrying out the approved activities. The organisation must ensure that it holds all necessary consents, licences, permits, insurances and authorisations required for proper completion of the approved activities.
17. The organisation is responsible for considering whether it requires to obtain management, business, financial, accounting, tax, legal, insurance or any other types of professional advice, and for obtaining such advice.
18. The Council will only pay the grant to the organisation which has applied for it. The organisation must inform the Council in writing about anything that affects this before any changes are made. An organisation must inform the Council, in writing, of any change in its name or constitutional status immediately. The grant cannot be transferred to another organisation.
19. Organisations holding public events must have appropriate insurance cover.
20. Section 2 of the Local Government Act 1986 prohibits the Council from publishing any material which appears to be designed to affect public support for a political party. The same section also prohibits the Council from funding organisations to do this. The organisation shall comply with this requirement.
21. Any organisation receiving funding from the Council which is used for working with children and young people must satisfy itself that all staff and volunteers meet appropriate Disclosure Scotland – PVG scheme or the equivalent monitoring bodies.
22. The organisation will avoid discrimination in recruitment and conditions of employment and make efforts to be an equal opportunities employer. In both service provision and employment matters the policies and practices of your

organisation should at all times conform to the following Acts and any amendments to them:

- Equality Act 2010; and
 - Health and Safety at Work etc. Act 1974
23. Community-controlled bodies should seek to provide an activity that is based upon best practice and which makes the most effective and efficient use of available resources.
 24. Community-controlled bodies funded by the Council are expected to demonstrate that they will incorporate equal opportunities principles and legislation into their policy and practices.
 25. Community-controlled bodies are required to meet all reporting requirements required by the Council.
 26. The Council will state clearly its criteria for making the award or resource available and its financial relationship with that organisation.
 27. The Council reserves the right to include any relevant additional conditions to any award of financial support. Any such conditions will be included in any offer of grant.
 28. The organisation must repay the grant in full to the Council if:
 - the organisation does not use the funding for the approved activities or changes the approved activities without the prior written permission of the Council;
 - the organisation fails to comply with any of the conditions of grant;
 - the organisation changes its status, closes down or goes into receivership or administration;
 - the organisation has provided fraudulent, inaccurate or misleading information;
 - the organisation or any of its members or representatives has acted negligently or fraudulently in relation to the approved activities;
 - the organisation or any of its members or representatives is under investigation by the Council or another body and the Council considers public funds are at risk.

Development grants: Up to maximum of £12,000 for costs associated with all types of surveys and investigations relating to the land and property asset may be available for the development of a Stage 2 asset transfer proposal.

- Grants must be used within 12 months of the date of award and be used for the purpose for which the grant was awarded.

- Grants cannot be awarded retrospectively.
- All organisations applying for grants must provide a copy of most recent bank statements and most recent annual accounts.
- Organisations which receive funding must adhere to the General Conditions of Grant issued by the Council.
- On completion, a monitoring form must be completed and returned to the Council confirming the grant has been used for the purpose originally identified and attaching evidence of spend.

Capital grants: Costs may be available for capital works, relevant to the condition of the asset being requested. The Council expects that requests for capital costs would not exceed £100,000; however the Leadership Panel will consider grant requests in excess of £100,000 on a case by case basis.

- An asset may be requested without a request for a capital grant however a capital grant through the Advancing Community Assets Fund may not be requested to the Council without submission of a formal Community Asset Transfer request for lease or ownership.
- An award of a capital grant would be released at the point of the legal transfer.
- Grants must be used within 12 months of the date of legal transfer and be used for the purpose that the grant was awarded.
- Grants cannot be awarded retrospectively.
- All organisations applying for grants must provide a copy of latest bank statement and latest annual accounts.
- Organisations which receive funding must adhere to the General Conditions of Grant issued by the Council.
- On completion, a monitoring form must be completed and returned to the Council confirming the grant has been used for the purpose originally identified and attaching evidence of spend.