

Scottish FA Club Services



COMMUNITY ASSET TRANSFERS

Your club. Your home. Your community.

YOUR CLUB YOUR HOME YOUR COMMUNITY



www.biglottery.co.uk



www.dtascommunityownership.org.uk



www.sportscotland.co.uk

WELCOME

The Scottish FA guide to Community Asset Transfers is aimed at football clubs across Scotland who are either considering or in the process of negotiating a change in the way they manage and secure facilities in their local community.

With the advent of the Community Empowerment (Scotland) Act 2015, the opportunities for clubs and community organisations to undertake long-term leases and acquire facilities through 'Community Asset Transfer' will continue to increase over the coming years.

This process will present many clubs and community based organisations with great opportunities to put down permanent roots and further develop their football plans with the comfort of security of tenure of their site.

However, the process of acquiring long-term access to sites is often complex and demanding.

The purpose of this guide is to provide advice and practical examples to clubs that are considering this approach and help you consider the 'why' and 'are we ready'?

Those clubs which are best placed to deliver a sustainable project will consider the type of asset they need, the type of tenure, and how to best to engage with their local community.

If you feel that you can complement this with good governance, a clear business and club development plan, this may be an ideal time to develop your club, your home and your community.

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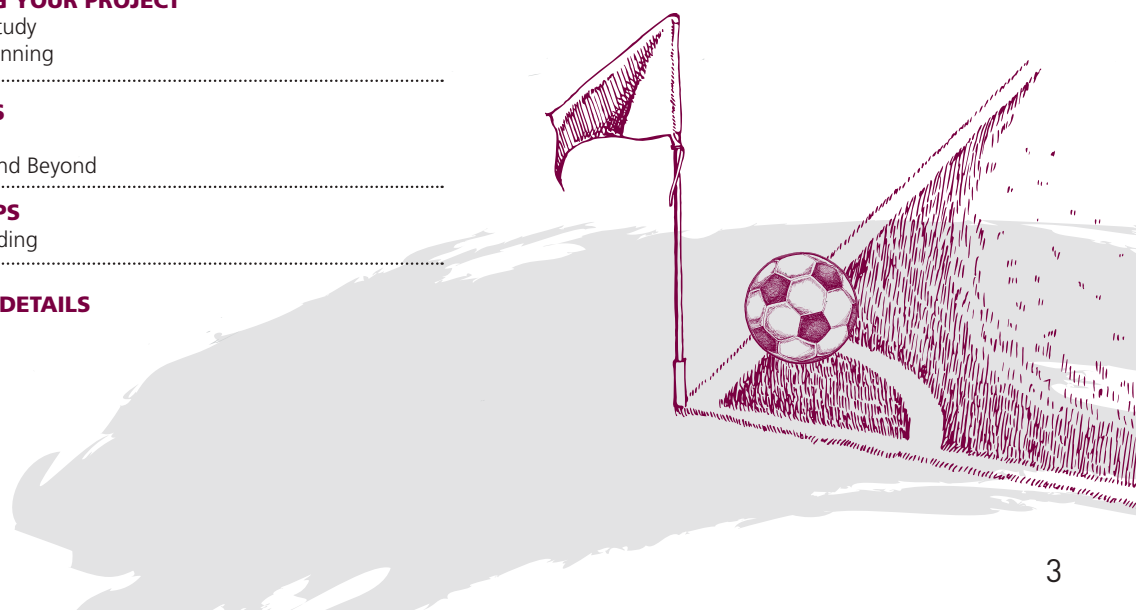
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WHAT IS A COMMUNITY ASSET TRANSFER?

Local authorities and public sector bodies are obliged to consider Community Asset Transfer requests and will agree to do so where they recognise that transferring the asset to another owner is likely to increase the investment in and ultimately the sustainability of that facility.

A Community Asset Transfer occurs when a public sector body, usually a local authority, passes on the management and/or ownership of a facility to a community group.

Over recent years the legislative and national policy in Scotland has recognised the importance of, and been developed to support, strong, independent and resilient communities.

Community ownership and management of assets has been identified as having a role to play in this through inspiring people, creating opportunities and potentially transforming communities by helping them take even greater control of the land and buildings where they live.

The Community Empowerment (Scotland) Act 2015 gives **appropriately constituted community groups** the right to request the purchase, lease or use of land and buildings that belong to local authorities or another public body such as the NHS, Police and Fire Services or Forest Enterprise. There is a presumption of agreement to requests unless there are reasonable grounds for refusal.

Where an asset transfer request is made for below market value, the community group will be required to demonstrate the social, economic or environmental benefits that community ownership or management will bring.

The relevant authorities are required to create and maintain a public register of land that they own. This enables community groups to explore the options available to them.

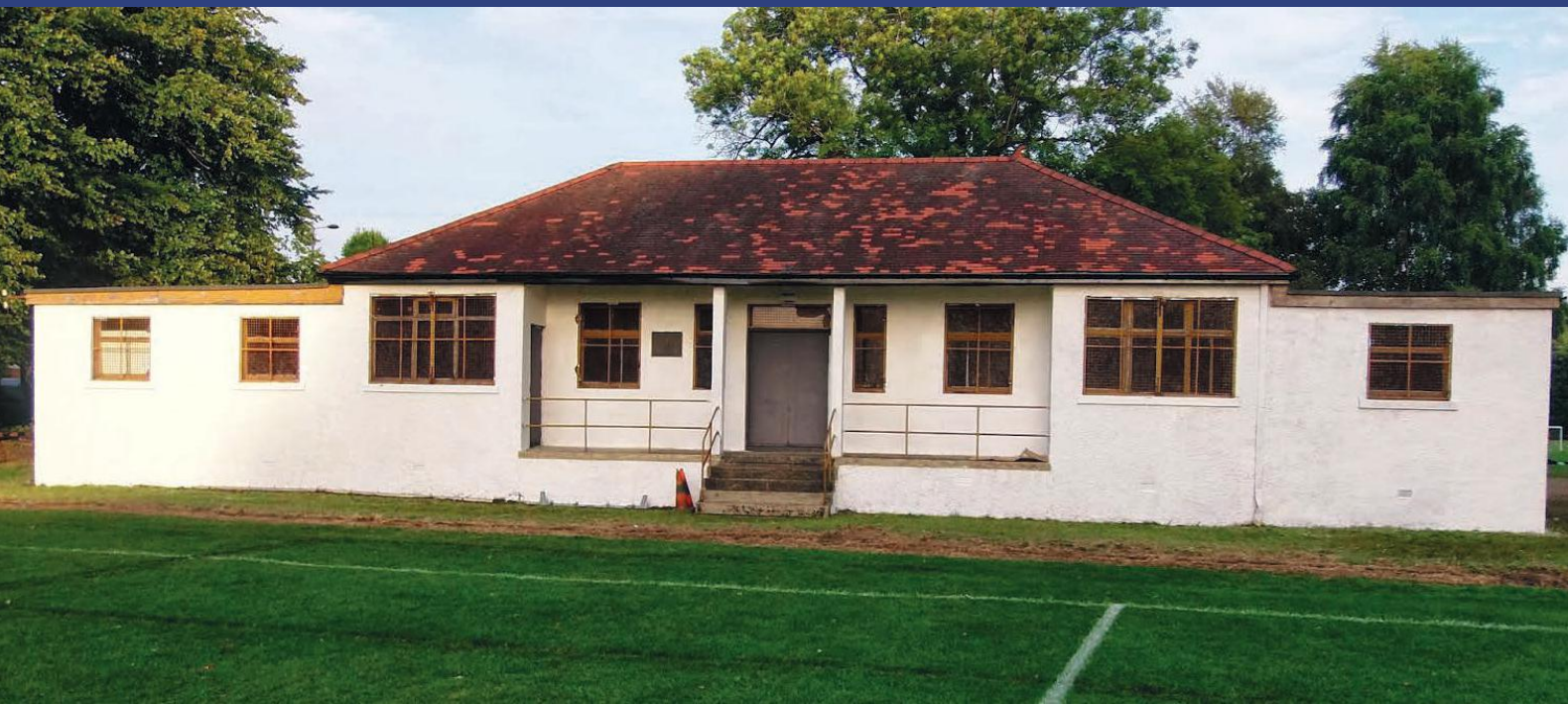
The transfer of assets to well-run community organisations can lead to a wide-range of benefits for everyone. These include:

- creating more confident and robust community organisations. Ownership of an asset can enable community organisations to develop diverse and long-term revenue streams under their own control, and thereby become more sustainable
- assisting in increasing community cohesion and capacity through the involvement of local people in shaping and regenerating their communities
- opening up access to alternative funding streams open to communities but not local authorities or the wider public sector
- creating new partnership and collaborations at a local level. Where control of an asset lies closer to the local community, their group can become strong partners in local service delivery and be more likely to initiate collaboration in the future.

Asset transfer has the potential to turn liabilities in to assets, problems into solutions and to ensure that key local services and facilities are protected and enhanced.

It should however be noted that this approach would not suit all clubs – ownership, management or maintenance responsibilities are serious undertakings and should be considered very carefully.





ASSET OR LIABILITY?

It is important to realise that not all land and buildings are assets. They will only constitute being assets if they are capable of generating net revenues within a given time frame. Answer the following questions below giving yourself 1 point for **YES** and -1 point for **NO**. This should help you ascertain whether your land or building is an asset or a liability

ASSET

Is it what the community needs?	☐	7
Is it what the club really need?	☐	6
Has it been well maintained?	☐	5
Are the time limits realistic?	☐	4
Can you make it pay for itself?	☐	3
Do you have the required skills set?	☐	2
You have no limitations of use?	☐	1
		0
		-1
		-2
		-3
		-4
		-5
		-6
		-7
TOTAL:	☐	

LIABILITY

WHY CONSIDER A COMMUNITY ASSET TRANSFER?

There are many different reasons why clubs and Local Authorities might consider a change of ownership/management for a particular site.

Local authorities must consider Community Asset Transfer requests due to the legislation introduced through the Community Empowerment Act. As with any proposed changes there are number of risks to be considered, but there are also a significant number of opportunities.

Stimulus for the local authority are:

- Response to legislation and guidance
- Focus for community-led service provision
- Opportunity for new funding and partnerships
- More efficient and effective use of assets
- Potential capital receipts
- Unlocking latent enterprise and volunteer commitment
- New approach to a long-standing problem
- Reduce liabilities
- Cost savings.

Stimulus for a football club:

- Freedom to operate and have security of site provision
- Improving the quality of the experience for all its members/users
- Opportunities to increase its membership
- Strengthen community relationships and support the development of new partnerships
- Provide a solution to a failing site or a site at risk of closure
- Strengthen the operational, legal and governance structure of the club
- Help encourage new volunteers and increase and develop skills / knowledge base of the club.

Reducing the risks involved in Community Asset Transfer

Community Asset Transfer is not new and there are many successful examples. You can reduce the risks involved in asset transfer by ensuring that the club have researched sufficiently and prepared accordingly. This can be achieved by identifying some of the key challenges often encountered in this area.

These include:

- Historic lack of investment in facilities
- Hidden structural problems
- Limited market demand for an asset due to changing tastes and needs by customers
- Poor location of an asset
- Costly environmental liabilities such as contaminated land or asbestos
- Restrictive leases for clubs
- Unrealistic expectations by all parties
- Lack of strategic alignment
- Failure to explore all current and anticipated costs (management and maintenance) on the site.

The Scottish FA recommends that when taking the initial decision to pursue a Community Asset Transfer clubs should follow the guidance contained in this booklet

Key Considerations:

- Asset Transfer requests are possible for all assets owned or leased by Scottish public authorities
- There is a presumption in favour of agreement
- Assets **may** be transferred at less than market value
- Communities can exit the negotiation at any stage
- The asset should benefit the wider community, Can you demonstrate this?
- Previous experience is not necessary, but the more you can demonstrate good practice the better it is for application
- Make sure you can evidence engagement with key partners and the wider community
- You are not alone, there is help out there!

Ten steps to a successful Community Asset Transfer

1 Is there a clear football need?

What are the needs of your football club?
How will your club meet the needs of the transferring body?

2 What options have been considered?

Is a Community Asset Transfer the most effective way of realising the sites potential whilst protecting and safeguarding football and the community interest on the site?

3 Seek legal advice (FREE where possible)

Early professional advice will help protect the club's interests.

4 Agree outline objectives between all parties

Set out in broad terms the expectations of each organisation and speak to potential funders about the suitability of the site in terms of their funding criteria.

5 Set realistic time scales

Ensure that your football club are afforded the time to work up realistic and deliverable proposals.

6 Develop a business plan and feasibility study

You need to demonstrate a sustainable solution for the club and the site.

7 Openly consult stakeholders

Jointly assess the strategic need for the facility and proposed use with relevant stakeholders (this helps to align the political, policy and community support). It may be appropriate to seek support from other clubs or the relevant league.

8 Manage the risk

Protect the Football Club by not executing the legal terms until a sustainable solution is agreed and achieved in light of independent legal and financial advice.

9 Protect the asset

The site should remain open and current levels of operation/subsidy maintained whilst negotiating an alternative solution.

10 Adopt a partnership approach

Can the local authority support you by providing access to specialist support (project managers, grant funding officers) small grants for feasibility and professional fees, high quality historical site information, maintenance contributions, low rent, procure any capital works and capital investment as a lever for external investment?

Tools:

Community Ownership Support Service

The Community Ownership Support Service (COSS) has been funded by the Scottish Government to support community based groups in Scotland take a stake in or ownership of previously publicly owned land or buildings. For further information please go to www.dtascommunityownership.org.uk

Community Ownership Support Service - Video

Here is a short video from COSS explaining Community Asset Transfer - www.vimeo.com/143137223

Sportscotland – guide to Community Asset Transfer

sportscotland is the national agency for sport and are the lead agency for the development of sport. They have a clear focus on building a world class sporting system for everyone in Scotland.

www.sportscotland.org.uk/clubs/help-for-clubs/facilities/asset-transfer

Highlands & Islands Enterprise

Scottish Government's economic and community development agency for the north and west of Scotland, which extends from Shetland to Argyll, and from the Outer Hebrides to Moray www.hie.co.uk/community-support/community-assets/ten-steps.html

HOW TO APPROACH COMMUNITY ASSET TRANSFER?

Most Community Asset Transfers take around 18 months to complete; clarity at the outset is the key

There are two main approaches to Community Asset Transfer:

The most common approach is where a community organisation, such as a football club, expresses an interest to the asset owner to manage, lease or take ownership of that asset.

Alternatively the asset owner – often the local authority – makes an offer to transfer an asset to a community group to manage, lease or take over ownership.

In the first approach, Community Asset Transfer can often depend on the leadership of a community group, e.g. your football club, realising that in order to develop or sustain the organisation it needs its own home. This could be a particular asset such as a playing field that the club already uses; it could also be a more general expression of interest in securing ownership of a site within a given area.

Once a club has decided that it would like to take on the ownership of an asset the first important step is to start discussions with the local authority. When talking to the local authority it can be useful to involve both officers and locally elected members in your discussions.

Tools:

Community Ownership Support Service

Asset Transfer Route Map - Helping you on your 'asset transfer journey' - helps to guide you through the steps along the way to achieving your goals.

www.dtascommunityownership.org.uk/resources/getting-started/asset-transfer-route-map-helping-you-your-asset-transfer-journey

Key questions

These are some of the key questions you may want to discuss at an initial meeting:

- **What is the local authority community asset transfer policy?**
- **Do they have some other policy commitment to support and help the voluntary sector?**
- **Are there any restrictions on the ability of the local authority to transfer this asset?**
- **Are you interested only in one particular asset/site or are you willing to consider a range of options?**

The answers to these questions will help you determine whether it is worth proceeding with a Community Asset Transfer

How to proceed

Community Asset Transfer is becoming increasingly common as local authorities seek to reduce their asset base in a bid to reduce costs.

It is important that any Community Asset Transfer follows a formal process.

Beware of any organisation simply offering you the keys. You do not know what risks or liabilities you could be taking on board. The disposal of an asset by a local authority should follow a transparent process where there is sufficient dialogue between the local authority and the recipient organisation in order to identify the risks and expectations on both parties (see carrying out an initial feasibility).



All local authorities will have a Community Asset Transfer Policy which will detail how they will undertake the transfer.

In some circumstances the local authority may undertake some kind of market testing through an 'expression of interest' or tendering exercise. This is not a strict requirement but is often seen as good practice for the local authorities to ensure it is receiving best consideration for the site.

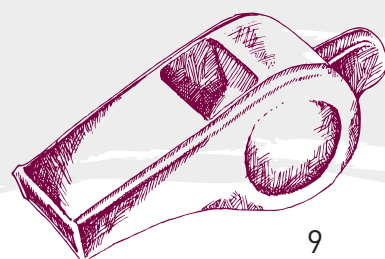
This market testing will detail the basis on which the local authority will be willing to undertake the transfer such as agreeing to an under value transfer if the community"

It may well be the case that there are a number of community run clubs interested in taking on the same facilities. If this is the case, you should explore whether there is an option to work together. This could actually result in a much stronger and more sustainable bid. If however this is not possible, the local authority will be required to consider the separate bids, either simultaneously or sequentially"

The Local Authority is not likely to undertake the transfer until it is satisfied that your organisation is fit and proper to receive custody of a public asset. The next section will help you ensure you are in good shape to meet this requirement.

Community Asset Transfers can take around 6 - 18 months to complete. Clarity at the outset is key! Too many projects flounder down the line due to a lack of understanding of each other's expectations and what constitutes success in the long term.

Public bodies must have reasonable grounds for refusal and state clearly what they are. In such circumstances you may appeal internally to the public body concerned. If you are dissatisfied with the outcome you can then appeal to Scottish Ministers.



ACCOUNTABILITY AND GOVERNANCE

Clubs will need to demonstrate that they are 'fit and proper' and as such it is recommended that clubs look at their internal structure and how they are organised.

Have you assessed your readiness for a Community Asset Transfer?

This table asks some questions you may wish to consider.

ARE YOU READY FOR A COMMUNITY ASSET TRANSFER?	YES	NO
Is the committee an elected body and accountable to its members?		
Do you have a clear and agreed mission, aims and objectives which have been defined through consultation and evidence of need?		
Does the governing structure prevent personal profit being made by members of the Board and any surpluses generated are re-invested back into the organisation?		
Do you have a business plan that describes the operational costs of running the club?		
Do you have written financial procedures for subscriptions, bookkeeping, expenses, petty cash, late payments etc. with checks and balances to avoid misuse of funds which are regularly reviewed?		
Do you have a Football Development Plan aligned to your aims and objectives that the committee actively reviews performance against?		
Have you developed a good and active relationship with your local Football Development Officer and Regional Staff?		
Have you developed links with key agencies/stakeholder organisations in the local community/neighbourhood?		
Do staff and volunteers have clearly defined roles and responsibilities and do you have a plan to replace those people as and when they leave?		
Are you aware of the range of skills your members could provide if called upon?		
Do you have experience of managing a facility and understand the requirements and legal undertaking?		
Do you have sufficient operating reserves to cover legal fees and any start up costs required for a facility?		

Governance and management structure

ARE YOU ACT COMPLIANT?

Governance and management structure must be considered from the outset of the project. How a community based organisation is set up and what legal 'vehicle' it operates through will determine its powers of governance and management in relation to its assets.

For any club that is wishing to own and/or manage its own sports facility, it is important that they have a robust governance structure in place and legal form that enables them to take on initial responsibilities and financial liabilities but also sets them up for future

For many clubs this will mean incorporating the legal form of the club of which there are a variety of options to consider:

- Charitable Status
- Scottish Charitable Incorporated Organisation (SCIO)
- Company Limited by Guarantee
- Community Benefit Society (as defined under Industrial and Provident Society legislation).

Unincorporated associations, companies limited by guarantee and community benefit societies qualify and benefits include a range of tax relief including Gift Aid and business rate relief.

Third Sector Interfaces (TSI's) can provide a single point of access for support and advice for the third sector within your local area. They provide a strong coherent and cohesive representation of the third sector with clear links to Community Planning Partnerships and Single Outcome Agreements and can be a great source of support for your organisation. Organisations such as 'Voluntary Action Scotland' have a list of TSI's throughout Scotland and they may be able to offer you some support and guidance on the next best steps for your club.

Tools:

SENSCOT

Have have been directly involved in supporting and facilitating social enterprise networks (SENs) across Scotland since 2004. They offer a wide range of services for Social Enterprises - www.se-networks.net/index.php

SENSCOT legal

Senscot legal has been established as a social enterprise to provide high quality, affordable legal advice and support to Social Enterprises; Charities; Community and Voluntary organisations; Community housing associations and everyone in between - from small community groups to organisations that operate at a national level. se-legal.net/resources/

Supporters Direct Scotland

Supporters Direct can provide advice and guidance on establishing Community Benefit Societies in sport. They have sponsored rules with the Financial Services Authority, which can be tailored to your club's requirements. www.scottishsupporters.net/about-scottish-fans/



TYPES OF TENURE

The type of tenure will determine the legal responsibilities for the site.

The main characteristics of the types of tenure used in Community Asset Transfer are set out in the table opposite, together with a summary of the advantages and disadvantages of both for local authorities and community groups.



This is one of the ways of managing the risks associated with Community Asset Transfer and the type of tenure will determine the legal responsibilities and liabilities for the site. The options can vary but for most transfers where external funding is required to develop the asset Community Asset Transfer is taken to mean full ownership while other options include short, medium to long term lease.

Asset Lock

An asset lock is a constitutional device that prevents the distribution of assets to members. The purpose of an asset lock is to ensure that the public benefit or community benefit of any retained surplus or residual value cannot be appropriated for private benefit of members.

This includes ensuring that all profits are reinvested into the organisation running the asset and in the event of any sale or dissolution any funds are given to another similar organisation.

Tools:

Community Ownership Support Service

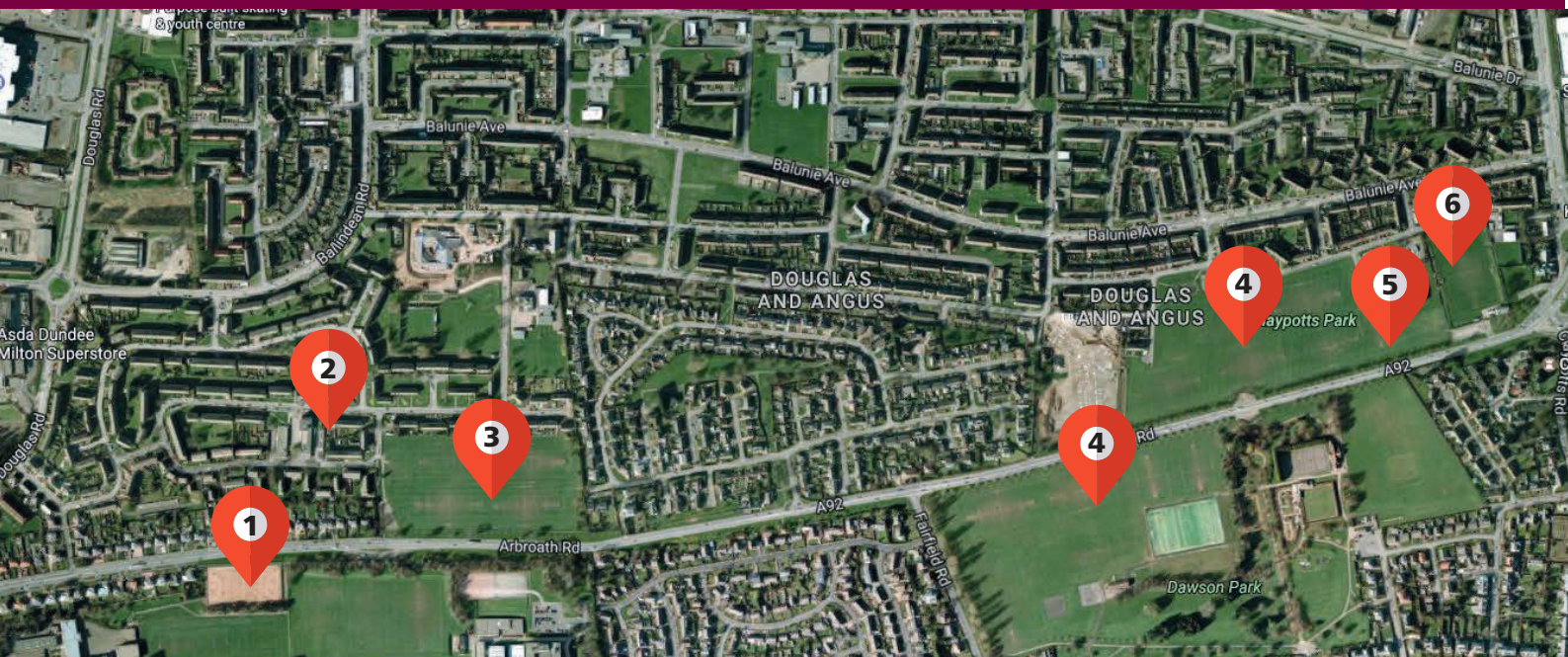
A land or building asset that is developed and improved or transferred from one owner to another can raise a large number of legal issues.

[www.dtascommunityownership.org.uk/
community/build-land-law/law](http://www.dtascommunityownership.org.uk/community/build-land-law/law)

TYPES OF TENURE	Advantages	Disadvantages
OWNERSHIP Buying the property as full owner through a legal document entitled a 'conveyance'	• Security of ownership • Independence • Can use asset to help raise debt and equity funding • Not subject to service charges • Freedom to improve or redevelop the asset and to attract grants to do so	• Expense of purchase • Cost of repairs and insurance • May not be sellable if in poor condition or deeds forbid it
LONG LEASEHOLD Buying a lease of 20 years or more and paying a 'premium' (initial capital payment) then a low annual ground rent; lessee has all the responsibilities of a freehold owner as under Scots law there must be change of title document	• Security of ownership • Independence • Can use asset to help raise debt and equity funding • Local Authority can restrict future use of the premises using covenants placed on any lease	• Expense of purchase or rent • Cost of repairs and insurance • May not be sellable if in poor condition or deeds forbid it
LEASE Taking a lease for a fixed period of years at annual rent	• Security of tenure (usually) rights under The Landlord and Tenant Act 1954 • Local Authority can restrict future use of the premises using charges placed on any lease. • In some cases rent may be low or peppercorn • In some cases maintenance costs may be shared with landlord • The local authority may be better disposed to granting discretionary rate relief	• Expense of rent and service charges (which may increase regularly) • Cost of repairs and insurance although LA can retain some responsibility • Shorter leases limit a group's ability to improve premises and to raise funds for improvement
TENANCY AGREEMENT An open ended agreement (written) with a monthly, quarterly or annual rent and which can be terminated by either side giving notice	• Easily terminated by the tenant • Rent may be cheaper • Often less responsibility for repairs and insurance • May have security of tenure • More likely to have discretionary rate relief	• Normally little security of tenure especially if verbal or for a period of less than six months • May be restrictions on use of premises • Makes fundraising more difficult
LICENCE TO OCCUPY Permission (written) to occupy for a short period (usually up to one year); can be terminated by either side giving notice.	• As with a tenancy agreement, except no security of tenure • May be exempt from business rates • May allow a new group a chance to demonstrate its capacity to operate and its case for occupying the premises on a more secure basis	• May be restrictions on use of premises • Local Authority may often need to give only a short period of notice
TENANCY AT WILL A licence to occupy at the will of the owner/landlord; tenant may be evicted at any time on as little as 24 hours notice	• As with Licence To Occupy	• As with Licence To Occupy

WHO NEEDS TO BE INVOLVED?

Identifying the right people, organisations and networks to help you with the Community Asset Transfer is crucial



Dundee's Corridor of Football - Arbroath Road.

Look at the map above, this could be a typical picture in any part of Scotland, be it in a rural or urban setting your club is surrounded by potential partners. It is worth considering your demographics, your geography, transport and accessibility and how you market and promote the club with all local partners.

Are you surrounded by other football clubs that you could work in partnership with or are you on the only football club for miles around but have a thriving sports or community club on your doorstep? Can you create new links that will help

you develop an asset and make it sustainable? Do local business know what you do and the number of players and members (the mums, dads, grans and papas who come and watch the players week in and week out) you have. Do you link with the local school or community sports HUB and do you work with the officers to promote the work you do?

Your committee may know the power and potential of the club, but does everyone else on your map?



DUSC. Craigie 11s -3G.



DUSC. Huntly Shops.



DUSC. Monymusk.



Dundee East. Dawson / Claypotts.



Dundee East. Whitton 7s 3G.



Dundee East. Whitton 11s 3G.

CLUB	LOCAL OFFICERS	FOOTBALL FAMILY	LOCAL COMMUNITY
POTENTIAL PARTNERS			
• Committee • Coaches • Volunteers • Players • Parents • Members • Sponsors	• Football Development Officers • Sports Development Team • Local Authority for CAT • Funding Officers • Sportscotland • Active Schools coordinator • Community Sports HUB Officer	• Scottish FA • Affiliated National Association • Supporters Direct Scotland • SPFL Trust • Scottish Football Partnership	• Other football or other sports clubs • Community groups, community planning partnership • Community health care partnership • Third sector interface • Higher or further education bodies

Managing a facility or a football site is a demanding responsibility that requires not only time and commitment from a team of people but also the necessary skills too.

It is vitally important that before embarking on an approach to take on a facility/site, you should assess the tasks that will need to be completed and the time and skills of people available to the project to carry out those tasks.

There are a number of key skills that the club may need to consider when embarking on a Community Asset Transfer including but not limited to:

- Negotiation skills
- Financial skills, preparation of a budget and business planning
- Project management
- Strategic planning and community consultation;
- Fundraising
- Managing human resources
- Marketing skills
- Operational management skills
- Legal
- Technical professionals, architects, surveyors, planning etc.
- Property maintenance
- Pitch maintenance.

For some tasks, a club will require independent and professional support, for example legal and technical professionals. It may help to assign role responsibilities to an appointed team member with the relevant skills.

Whilst the individual may not be the 'technical expert', they must be able to convey the options clearly and concisely in order to understand the requirements and legal undertakings for the club.

A skills audit of the volunteers and supporters available to you may help identify the right people for the right tasks. Consider the impact of members undertaking multiple roles. Are too few, doing too much?

Please remember to think outside your club's coaches and committee. Everyone who is involved with the club, be it a parent, grandparent or other family member can be asked to assist. You never know you might have extended members with vital skill sets to help the club.

Outwith your club and its members please remember that engaging with the following organisations is critical to your club's success in realising an asset and more importantly ensuring that it becomes a sustainable part of the community:

- Scottish FA Regional Staff
- Local Football Development Officer
- Local Authority
- Local Community groups
- Local elected member's
- Third Sector Interface
- Any other potential users such as other football clubs or sports organisations?

WHO NEEDS TO BE INVOLVED?

The Scottish FA, through our network of local, regional and national staff and key partners are here to help.

We understand that at times it is challenging balancing the ‘on and off field’ activities at the club and we feel very strongly that if you get the off pitch activities working well this will help everything on the pitch!

Through the Scottish FA Quality Mark accreditation scheme, we have a framework for those clubs who want to perform off the pitch.

Tools:

Scottish FA Quality Mark

If you are involved at club or team who have ambitions to be bigger, better and stronger then the Quality Mark Award Scheme is for you. It is designed to support and recognise the work of clubs and teams who have a desire to be the very best they can be.

Increasing participation in football, driving high standards and increasing the development of our players, coaches and volunteers is a priority of the Scottish FA and their partner McDonald's, but we know we can't achieve any of this without the passion and commitment of volunteers on the ground the lifeblood of grassroots football.

We are here to support each and every one of you and the Quality Mark Awards - run by the Scottish FA in partnership with McDonald's and sportscotland - is one of the ways in which we do just that.

The criteria is aimed at improving or supporting management, development structures, administration, planning and welfare and your off pitch provision. But we don't just set the criteria and leave you to get on with it. First we assign a regional Club Development Manager who will be your main support.

We also provide a large number of templates and core policies as well as sharing case studies and suggesting best practice we have learned from other successful clubs.

You will become part of a network of clubs, local councillors, McDonald's franchisees and Scottish FA staff who will do their utmost to support your needs and ambitions.

To sign up go to
www.scottishfa.co.uk/scottish_football.cfm?page=3002

Volunteer Scotland

www.volunteerscotland.net/organisations/resources/good-practice-guides/



Quality Mark

Quality Mark is designed to recognise the great work that goes on at grassroots clubs by following the step by step criteria focusing on four sections.

- The people involved, all members, be it players, coaches, leaders or parents.
- The environment your club has created for its members, for example what type of club are you and how is your club organised?
- The governance, which focuses on how your club is structured
- The facilities that your club use, can we help develop these or maximise the time you spend on them.

For each of these sections help is at hand in our easy to use club document section on the Scottish FA website.

www.scottishfa.co.uk/communityclubs

Levels of accreditation

Legacy

Legacy – 12 Teams or more, Children, Youth and Adult, Male and Female. Plus additional Community Activity.

Community

Community – 8 Teams or more, Children, Youth and Adult, Male and Female.

Development

Development – 4 Teams or more, Children, Youth or Adult, Male or Female.

Standard

Standard – 1 Teams or more, Children, Youth or Adult, Male or Female.

Entry

Entry – Clubs sign up to the scheme.



FEASIBILITY STUDY

The feasibility study will enable you to gain local knowledge of the site and to engage with the local community, This will help you gain an understanding of their needs whilst mobilising support for your club.

It is prudent that a building surveyor carries out a condition survey of any buildings that are considered to be part of the transfer.

At the outset this should include:

- Existing site details and set out aspirations for the site (title deeds from the Registers of Scotland)
- Legal tenure that Council is prepared to consider
- Planning implications (including restrictions, listed buildings, floodlighting scheme etc.);
- Any restrictive covenants, way-leaves, or rights of access for the site
- Site specific development order that will indicate the proposed/desired future development of the site
- Identify and make available site conditions and building surveys
- Assessment of current use and affiliated clubs (if any)
- Strategic priorities and policies influencing the site (eg. LA Facilities Strategies, Pitch Strategies etc.)
- Essential and desirable community facilities outcomes for the site
- Full disclosure of all financial liabilities and income streams – current and projected.

- Full details relating to current and proposed maintenance programming on the site including any liabilities arising from on-going contracts with third parties for maintenance.

The club will also need to undertake a feasibility study, consulting with key local communities. This will provide you with answers to key questions:

- Is it really needed? (See below)
- What can be accomplished?
- Is it viable and sustainable in the long term?
- What alternative options are available?

Is it really needed?

In order to be objective you need to think about some of those “what if” questions:

- What would actually happen if the site closed?
- What alternatives are there?
- Where are the nearest accessible pitches?
- How many people actually use the site?
- How many people could use the facility?

Engaging with your community

The feasibility study will enable you to gain local knowledge of the site/facility and to engage with the local community, which will help you gain an understanding of their needs whilst mobilising support for your club in the local community. This will in turn influence the local authority’s decision to transfer the site and may influence any planned development of the site that requires public support. Ensuring your club is representative, accessible and inclusive of all.

Your Club	Your Home	Your Community
Develop a plan for your club	Does it consider equality and access for all? Is it inclusive of all within your community? Are there any barriers?	What is the population demographic of the area the asset is in? Is your club representative of this?
Conduct research and make sure you consult	Have you considered what customers are going to use your asset? How can you remove and address any potential barriers?	Who else can help you give you answers? Have you spoken with relevant equality groups?
Do you have relevant policies and procedures to help guide your decisions?	What customers are going to use your asset?	Do any of your partners have policies you can use to help shape your own?
Make sure you monitor and evaluate outcomes to inform your plans going forward	How are you collecting evidence? Do you have a template for monitoring your customers?	What type of information are you and your key partners looking for?
Make sure you shout about the positives (i.e. newsletters, social media)	Learn from the not so positive	Record and report on what you have achieved!

How suitable is the facility for your club?:

- What facilities is your club going to need in the next 5, 10, 15, 20 years?
- Does the facility you are being offered meet those requirements and if so to what extent?
- If not, can it be expanded/developed to meet them?
- Do you know what condition the asset is in?
- How have you assessed this? Is there an up to date condition survey and have you assessed its implications?
- How much work needs to be done in the short, medium and long term to keep it up to standard or improve it to meet your needs?
- How much is this going to cost and where will the money come from?
- Have you consulted potential funders on the eligibility, priority and viability of your scheme? (Particularly important if you plan to secure funding from any public grant funding bodies)
- Will the local authority help you to undertake this work?

How realistic are the timescales for the transfer?

- How much time are the local authority giving you to develop your case to take on the asset?
- Is this long enough to do the work that we need to do? (This should be an absolute minimum of six to nine months, longer if needing to raise capital investment)
- Do you as an organisation have the time to dedicate to acquiring the facility as well as keeping your club running?

Is the site financially sustainable?

- Do you have access to current income and expenditure records for the site?
- How much is the facility going to cost to run?
- How much income will it generate?
- Are there any other potential income sources that are realistic to achieve?
- Are there ways you can reduce expenditure? eg. replacing paid roles with volunteers
- Can you attract in new users and do you have the proof that they will come?
- Have you spoken with a similar size club responsible for managing its site?

Are there any limitations to the use of the site?

- Are there any restrictions on how the facility can be used? Time, uses, trading etc?
- If you need to develop additional facilities, how likely are you to get planning permission? e.g. Is the site suitable to develop due to ground conditions, contamination, impact on neighbours, floodlighting, parking or traffic flow.

The more accurate information you can collate at this stage the more likely you are to formulate considered answers to these questions. This will help in assessing the risks involved with the transfer and consider the options available to the club. The feasibility study will also be a good starting point for the business plan that will scrutinise the data and assumptions in more detail to be able to assess with confidence the viability of the transfer.



BUSINESS PLANNING

The business plan should enable you to demonstrate that the asset can generate enough revenues for you to be financially sustainable. Critically your business plan must compliment your club development plan to demonstrate sustainability

It is vitally important that the club develop a robust, long term business plan at the outset, outlining how the club will utilise the facility/site in line with its stated objectives. It should clearly describe the operational costs of running the club and that the projected income and expenditure profile should be based on real data and fully explained assumptions.

The business plan should enable you to demonstrate that the asset can generate enough revenues for you to be financially sustainable. This in turn helps to satisfy stakeholders that you understand what is needed and build confidence and support for your project.

A local authority will want to be satisfied that the health and value of the asset do not decline under your tenure, whilst you and your members will want to ensure that you do not incur financial liabilities that you are unable to meet.

We recommend that you take the time to thoroughly research the information contained in your plan and consult other asset managing clubs to understand what it really takes to manage its assets. Your Scottish FA Regional team can help you and there are also a number of tools and templates online to get you started.

The Funding Journey

The Scottish FA appreciates how important it is for clubs to source funding and also how difficult it can be to access these funds. Even though there appears to be a lot of funds available, it is a very competitive environment with the eligibility criteria and levels of funding available changing.

It is therefore essential for clubs to identify their needs and focus on securing sustainable funding streams

There are a number of areas which should help you in your funding journey:

- 1 Identify your needs which will be unique to your club and ultimately the expected outcomes and impact of your project
- 2 Assess your funding needs and align appropriate costs but recognise these may change over time
- 3 Assess if your funding needs can be split up as a way to access funds from multiple funders
- 4 Understand the majority of funders do not have a vested interest in football but do care how football can achieve social, health, environmental, economic goals etc.
- 5 Look to spread the risk and search for funding from a number of sources such as public, private and voluntary sector.
- 6 Look to work in partnership with other groups as funders view this more positively and is often a requirement of many funders
- 7 Research and speak to other clubs or organisations to understand what funds they have successfully applied for and how the money was utilised
- 8 Speak to the funders before you apply to understand if your club is eligible for the funding, always ask for feedback if you are not successful
- 9 Understand why each sector (public, private, voluntary) will give you money and consider this in relation to your funding needs
- 10 Prepare a portfolio of key documents which funders are likely to want to see such as charity number, constitution, bank details, financial accounts, key club contacts, evaluations & reports, club statistics etc



CHECK AND CHALLENGE YOUR BUSINESS PLAN	YES	NO
Do you have a detailed business plan?		
Have you established a break even figure for your activities?		
Are the basis of your income & expenditure based on real life information; are they cautious rather than hopeful?		
Do you know what it costs to run the site under the current management arrangements and are there any existing tenancies/bookings that will generate revenue from day one?		
Do you have accurate capital costs identified for the site, and have you considered phasing any improvement works?		
Does the club have an agreed budget for the year, against which income and expenditure is regularly reviewed?		
Are management accounts presented regularly to Board/Committee?		
Can your club cover fluctuations in income, current liabilities and unplanned expenditure?		
Have you fully explored the opportunity to transfer the site on a low or nominal rent?		
It is possible that the local authority will be able to retain certain maintenance liabilities for the site?		
Have you explored the opportunity of a revenue/maintenance contribution from the local authority to cover the ongoing maintenance for a set period of time?		
Is there a clear link between your business plan and your club development plan?		
Does your governance structure meet the needs of the business plan?		
Have you considered achieving working capital/reserves?		

THE ASSET

There are risks with a Community Asset Transfer in respect of the type of development and suitability for the site, raising the finance and the time, skills and professional support required to deliver a successful project – make sure that you are asking the right questions at the right time

In your initial assessment of the facility, you may become aware of the need to refurbish or upgrade the facility to ensure that it is fit for purpose.

For buildings this most likely refers to the clubhouse/changing facilities for the site.

If the condition of the grass pitches is of concern then it is recommended that a suitably qualified and experienced pitch consultant is appointed to determine the condition of the pitches and identify any work that needs to happen to improve the pitches to an acceptable standard.

For some sites it may not be feasible to alter or upgrade an existing building (assuming there are any) and that a new build is necessary in order to meet your needs.

Whilst there are several distinct phases to a capital build project, some of which require professional input, there are key areas that can be discussed by the club in order to facilitate the optimal delivery of their facilities in line with your needs and budget. The successful delivery of a capital build project relies on a good project brief with clear aims and objectives from the outset.



To guide clubs through the processes and requirements for procuring quality provision for sports facilities, the Scottish FA have produced a guidance document 'Generic Process for Facility Development'. It highlights various stages of the process and the key stakeholders involved. Assistance is available from The Scottish FA throughout the development stages of your project and these are referred to within the various stages of the process.

Any capital programme will increase the risks of a Community Asset Transfer in respect of the type of development and suitability for the site, raising the finance and the time, skills and professional support required to deliver a successful project. We strongly recommend that you consult the Scottish FA at the earliest opportunity to share your aspirations and explore the realistic investment opportunities that you are eligible to apply for to support of your project.

Things to consider:

- Maintenance
- Access
- Rates
- Future proofing
- Repair & Replacement
- Land Value
- Statutory obligations
- Depreciation



Tools:

Sportscotland Facilities design guidance

www.sportscotland.org.uk/facilities/design-guidance

Sportscotland Funding Information

www.sportscotland.org.uk/facilities/funding



HANDOVER AND BEYOND

Monitoring and evaluating progress will be a key task in demonstrating your success to the transferring body, your wider community and any grant giving bodies that supported your project. All the steps you have taken to get to this point should ensure that this stage of realising an asset and the process of the handover and beyond should be as smooth as possible.

The time spent on ensuring the feasibility and business plan is as accurate as possible will help in preparing the club for what will be a very busy handover period.

The first operational year is a crucial period to set the club on a sustainable path and ultimately towards a successful transfer.

You will start to deliver your activities and It is also a time when you will iron out any unforeseen issues and put into practice a staffing structure that will cope with the change.

Remember that effective monitoring and evaluating progress will be a key task in demonstrating your success to the transferring body, your wider community and any grant giving bodies that supported your project.

Maintaining and developing existing and new relationships with partners are key to making the asset sustainable, please don't forget to proactively market your club and ensure that facility becomes an afterthought, you have worked so hard to realise it but groups who have followed a similar journey will tell you that the hard work often starts now.

Please do not forget to proactively develop and market your club and ensure that the facility becomes an afterthought, you have worked so hard to realise it.



Handover

This is a crucial time, and if the transfer involves some capital improvements there is no need to wait until practical completion of the building to start delivering.

The football development plan, sessions on the site, marketing the club, school club link initiatives, in essence the people side of the project, can start well before the physical handover of the buildings.

Key operational tasks to consider

- Monitoring any build programme – lead in time before handover, snagging
- Fully understanding any operating manuals and procedures for the site
- Identifying and recording key operational contacts, local contacts
- Implementing a maintenance schedule from annual tasks to daily routines
- Applying for licenses
- Put in place the security arrangements and emergency procedures including opening and closing
- Establishing robust health and safety policies (eg., fire prevention and risk assessments, legionnaires surveys, food handling safety, activity risk assessments etc.)
- Marketing the site including a launch / opening event and updating websites, leagues, Scottish FA and clubs contact address (particularly if new to site).

Management

Whilst there are many practical operational tasks that consume time, particularly in the early parts of a transfer, it is vital that the club doesn't lose sight of their aspirations, commitments and in turn financial sustainability of the project.

It is important that the management committee take decisions that are consistent with the agreed football development and business plans. Monitoring and evaluating progress will be a key task in demonstrating your success to the transferring body, your wider community and any grant giving bodies that supported your project.

Key management tasks to consider

- Financial procedures, cash flow, reporting and taxation
- Asset registers for stock and equipment to keep secure, maintain and plan replacement
- Rent, rates and rate relief
- Staffing policies and procedures – volunteer and paid roles
- Lease and any development agreement undertaking
- Establishing any advisory / stakeholder groups that helps to embed the club in the local community
- Monitoring visits, reporting and evaluation controls to report progress
- Does your management committee report back to the club committee?

Tools:

Big Lottery Fund

Exit Strategies and Sustainability - Your project needs to be sustainable so it can carry on after our funding ends. Exit strategies help you to plan how to continue your work. <https://www.biglotteryfund.org.uk/research/making-the-most-of-funding/exit-strategies-and-sustainability>

Big Lottery Fund – Measuring the difference projects make

Measuring outcomes and impact can help you understand the difference that projects make. It can also help you learn from and improve what you do in the future - <https://www.biglotteryfund.org.uk/research/making-the-most-of-funding/impact-and-outcomes>



FURTHER READING

- **Scottish Government**

Part 5 of the Community Empowerment Act introduces a right for community bodies to make requests to all local authorities, Scottish Ministers and a wide-ranging list of public bodies, for any land or buildings they feel they could make better use of. They can request ownership, lease or other rights, as they wish. The Act requires those public authorities to transparently assess requests against a specified list of criteria, and to agree the request unless there are reasonable grounds for refusal. The Act sets out the key rights and duties and provides a framework for the asset transfer process. Regulations and Orders set out more detailed arrangements for implementing the scheme.

Further information on asset transfer

www.gov.scot/Topics/People/engage/AssetTransfer
Community Asset Transfer guidance for community groups

www.gov.scot/Resource/0051/00513211.pdf

Governance and Legal

- **Senscot Legal**

provides affordable support in legal matters to the social enterprise community and wider third sector in Scotland. Areas of law include governance, company formation, employment law, contracts, dispute resolution and intellectual property issues- this list is by no means exhaustive.

se-legal.net/

- **OSCR**

Are the independent Regulator and Registrar for Scotland's charities, including community groups, religious charities, schools, universities, grant-giving charities, and major care providers.

www.oscr.org.uk

Asset Transfer

- **The Community Ownership Support Service (COSS)**

is a Scottish government funded project, set up to help community-based groups in Scotland to take on land or building assets for their community. They also support local authorities and other public bodies wishing to transfer a building or land asset.

www.dtascommunityownership.org.uk/

- **Highlands and Islands Enterprise (HIE)**

is an ambitious organisation with a unique remit that integrates economic and community development. They work in a diverse region which extends from Shetland to Argyll, and from the Outer Hebrides to Moray. www.hie.co.uk

Procurement and Tendering

- **Ready for Business**

delivers the Developing Markets for Third Sector Providers programme. The programme, offers a unique opportunity to develop and embed a number of leading market development solutions, including the Public Social Partnership (PSP) model, Community Benefit Clauses (CBC) and the use of Social Value throughout public sector commissioning and procurement in Scotland.

readyforbusiness.org/

- **Senscot - Partnership & Procurement Support**

provides a dedicated programme of practical support to social enterprise in identifying and responding effectively to emerging tender and other business opportunities. The role supports social enterprises to develop partnerships and consortia.

www.se-networks.net/partnership_and_procurement.php

sportscotland

- **sportscotland**

Are the national agency for sport who are a non-departmental public body, responsible through ministers to the Scottish Parliament. They are also a National Lottery Fund distributor and are governed by National Lottery distribution rules.

sportscotland has three directorates - sports development, high performance and corporate services - and have a wide range of partnerships running the length and breadth of the country.

www.se-networks.net/partnership_and_procurement.php
www.rics.org

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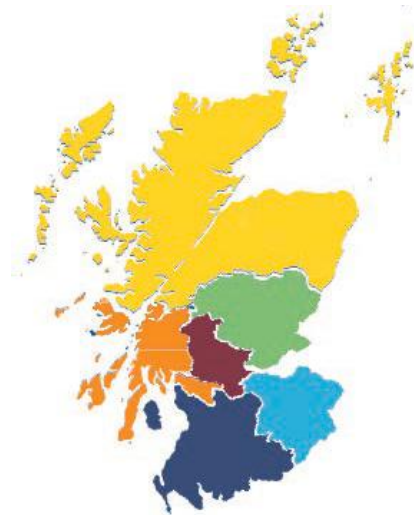
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Get in touch with us to find out more

- North Region
- East Region
- West Region
- Central Region
- South West Region
- South East Region





COMMUNITY ASSET TRANSFERS

Your club. Your home. Your community.