

Parks and Green Spaces: Community Asset Transfer

This guide outlines the main issues relating to the transfer of parks and green spaces to communities from public bodies, most usually local authorities.

Introduction

Well-designed, well-managed and well-used parks and green spaces can bring communities together. Many community organisations, residents' associations and friends' groups play an active role in their local park and green spaces.

However, most are owned and managed by local authorities or other public bodies. This said, that situation is changing.

With the right knowledge and resources, communities can become even more involved in parks and green spaces for the benefit of the community through asset transfer; particularly where spaces are underused or neglected. This kind of action can produce multiple long-term benefits.

This guide highlights the opportunities and challenges surrounding the transfer process for local authorities and community groups. We also provide signposts to external help.

Local authority considerations

Many local authorities are considering alternative approaches to managing and financing their parks and green spaces. Some authorities are considering alternative arrangements for all or some of the spaces in their care. Involving communities can range from full transfer of ownership to shared management, with the local authority retaining some responsibilities, e.g. litter collection or grass cutting.

Because the people who live closest to the space care most deeply about it, community-led solutions often produce better quality spaces which respond to local needs and demands. However, while community ownership or management is a credible option, local authorities should

consider the bigger picture:

- Does the local authority have a dedicated community asset transfer strategy, and if so, does it cover public open space? Ensure that existing policies and procedures align so that all expressions of interest from community groups are treated in the same manner. Involve representatives of the voluntary and community sector and a cross section of community groups in developing strategies and policies. Request support from Locality if you do not already have a strategy in place.
- Consider the feasibility of transferring sites. This includes their condition and suitability, the long-term effect of transfer on the quality of space, future maintenance and management costs, and the level of community interest.
- Make sure that options exist for different levels of community involvement. These could range from full ownership to friends' groups and/or volunteering opportunities. Ensure that there is a long-term strategy for community development and support.
- Consider the implications of transfer on all sections of the community. Think about the positive or negative effects that the transfer may have on groups of users.
- Assess how any asset transfers could affect related policies, for instance on climate change adaptation, flooding, transport, access, health, culture and education.

For more information on how community asset transfer can support council priorities download [Building Powerful Communities through Community Asset Transfer – a guide for councillors](#) on the Locality website.

Finance

Community organisations need to take care not to accept liabilities. There are specific challenges in managing parks and green spaces, in particular their funding and maintenance. While buildings can be let or hired out to generate income, it can be hard to raise enough regular income from the use of a park or green space to cover the costs of maintaining it to a decent standard.

New models of finance will need to be developed, with the right mix of funding to ensure viability. There is potential, for instance, for

community enterprises to provide new sources of income for spaces. Fees and charges levied for specific activities and the use of facilities need to be balanced against the need for the whole community to enjoy access regardless of their ability to pay.

It's vital that community organisations are clear about any expectations related to the local authority's on-going assistance – in-cash and/or in-kind. For example, a financial sum from the local authority could be assigned on the understanding that it is used to secure match funding from other funders. But, whilst it's possible to secure one-off financial contributions to bring sites up to standard and address years of insufficient maintenance, the challenge of covering ongoing running costs should not be underestimated.

The asset transfer process

The law gives local authorities and some other public bodies the power to transfer land – where it promotes social, economic and environmental well-being – for less than its market value. Permission from the Secretary of State needs to be sought if a proposed discount exceeds £2 million. For more information, please check Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003 which is available online.

The asset transfer process differs from authority to authority, but many councils structure their process in 3 linked stages:

1. Invite initial Expressions of Interest (EoI). If successful, this leads to...
2. the opportunity to submit a more detailed business plan. If successful, this leads to...
3. legal negotiations and agreement to transfer, e.g. in the form of a long lease.

A typical timescale for completion is 18 months from beginning to end. This could be shorter or much longer depending on the complexity. At the outset not all communities will have the inclination, skills and resources to take over the full ownership or management. However, over time, communities may develop capabilities as a result of the evolution of a group or changing circumstances or populations.

Local authorities can play a key role in supporting community capacity by:

- Sharing key information about the parks and green spaces prior to transfer;
- Signposting to business planning tools and assistance;
- Ensuring there are clear expectations and realistic timescales for decision-making; and
- Providing grants, particularly in the early stages.

For more information about Community Asset Transfer for community organisations download [Understanding Community Asset Transfer - a guide for community organisations](#) from the Locality website.

Guidance on all aspects of Community Asset Transfer can be found on the [Assets Hub on My Community](#).

Useful sources of help

- Canal and River Trust canalrivertrust.org.uk
- The Conservation Volunteers tcv.org.uk
- Social Farms and Gardens farmgarden.org.uk
- Fields in Trust fieldsintrust.org
- Groundwork groundwork.org.uk/groundwork-near-me
- The Historic England 'Register of Parks and Gardens of Special Historic Interest in England'
historicengland.org.uk/listing/what-is-designation/registered-parks-and-gardens
- The Land Trust thelandtrust.org.uk
- National Federation of Cemetery Friends cemeteryfriends.com
- National Trust nationaltrust.org.uk
- Natural England gov.uk/government/organisations/natural-england
- Play England playengland.org.uk
- Shared Assets sharedassets.org.uk
- Sport England sportengland.org
- Wildlife Trusts wildlifetrusts.org