

Fast Track CAT Process – Open Spaces/Play Areas

<p>1. Initial Delegated Decision</p> <p>Approve process /policy</p>
<p>2. Accept EOI's</p> <p>Clarify offer</p>
<p>3. Internal assessment by Officers</p> <p>Priority rated – scheduled according to amount of savings achieved/interest shown</p>
<p>4. Report</p> <p>Scheduled asset to Strategic Property & Facilities Management Board for approval</p>
<p>5. Delegated Decision</p> <p>Delegated decision approval needed for an asset to be put forward for consideration and entered into the programme.</p>
<p>6. Engagement, communication and information</p> <p>Assets will be priority rated and scheduled which will include where possible information about the asset and the offer</p> <p>Information will be made available on-line</p>
<p>7. Application</p> <p>The Fast Track application form is to be available on line via the web-site</p>
<p>8. Application Assessment carried out</p> <p>Upon receipt of the application, the Community Solutions Manager will review and assess (against the criteria) the application along with any additional documentation received. This requires the development of a fully detailed proposal for consideration</p>

by the Board (accompanied by a viable business plan).

The report to the assessment panel should also summarise the information gathered to date, identify any potential benefits, needs or concerns, and identify the specific support needs of the applicant going forward if the application is to progress positively.

The assessment panel shall then do one of the following:

- Refer the application to the Community Solutions Manager, with an instruction that they arrange further investigation / clarification if necessary.
- Refer the application to the Community Solutions Board and make a recommendation that;
 - a) the application should be referred to the Cabinet Member for a decision as to whether the Asset should be transferred
 - b) recommend that no further progress be made in respect of the application

Upon completion of further investigation, the assessment panel shall consider whether it accepts the Community Solutions Project Manager's findings and refer the application to the Community Solutions Board as at 2 above.

Following the submission of the application the Council must allow any staffing implications to be fully considered. During this time the Council and the community partner(s) will also be making in-principle agreements around terms of transfer, service level agreement.

9. Delegated Decision – to Cabinet Member

Final report recommending transfer and outlining terms and conditions.

A call-in procedure for this decision is in place.

10. Transfer

If 'yes', then negotiate final terms.

3- 6 months to accommodate the timescales of the variety of interested parties to finalise the transfer of assets.

Assessment Panel – process and guidance

To ensure an open and fair process towards each application the CAT assessment panel will need to include representatives from the voluntary sector, ward and parish councillors (where no conflict of interest arises, and nominated via the Parishes Forum), and senior Council officers. The assessment panel would consist of the following representatives:

Council's Property Services Officer

Council's Senior Legal Services Officer

Business Support Officer HR

Council's Equalities Officer

Voluntary Representative

Ward Councillor

Parish Councillor (Unless they are applicant)

(As appropriate to the locality of the asset being transferred)

Council's Community Solutions Manager

Council's Service Manager

(As appropriate to the type of asset being transferred)

The applicant will be invited to attend the panel.

The panel will be advised by the Community Solutions Manager (CSM) who will provide a report on the application to the panel, and will be chaired by the Community Solutions Manager.

Assessment Panel Purpose

This will be to receive and consider applications for Community Asset Transfer and make recommendations to the Community Solutions Board, based on local experience as to the extent to which the applicants meet the criteria set out in the application. Further to this the assessment panel plays an important role in quality checking the applications and ensuring that full information is supplied by the applicant in order that the panel may make a recommendation, and to allow the Community Solutions Board to make a decision as to whether the application should be allowed to progress.

Assessment Panel Membership Terms of Reference

(a) The assessment panel is established to receive applications and the covering report from the Community Asset Transfer programme and each meeting must be chaired by the Community Solutions Manager.

(b) Upon receipt of each application and any accompanying report by the Community Solutions Manager which includes an initial assessment of the application against the criteria set out in the application, the assessment panel shall then do one of the following:

- Refer the application to the Community Solutions Manager, with an instruction that they arrange further investigation / clarification if necessary.
- Refer the application to the Community Solutions Board and make a recommendation that;
 - a) The application should be referred to the Cabinet Member for a decision as to whether the Asset should be transferred or
 - b) No further progress should be made in respect of the application;

Declarations of interest

Members of Milton Keynes Council and Parish Councils are reminded that they are bound by their Codes of Conduct when undertaking any business of their authority, including the provisions for declarations of interest.

Members of the Voluntary and Community Sector sitting on the panel are asked to consider, prior to taking part in the decision, whether they believe a conflict of interest exists. If a conflict does exist members are asked to consider whether it is appropriate for them to remain on the panel, and if appropriate are asked to identify a substitute in line with the provisions below.

No person shall be appointed to a panel who has a close family, personal or business relationship with the applicant, or with any other person involved in the assessment or who are themselves a potential stakeholder relating to the matter.

Substitution

The Council's normal scheme allowing substitute members to be appointed (which applies only to councillors and only within the same political groups) shall not apply to appointments to assessment panels. However it is possible that significant personal interests in a particular matter may become apparent only after appointment to a panel considering that matter. It is also possible that a member appointed to a panel may become unable to sit for some other reason at short notice e.g. by reason of illness.

In order to minimise the risk of cancellation of panel meetings, replacement members should be permitted on the following terms:

1. Any appointed member who finds themselves unable to sit must notify the Community Solutions Programme Manager as soon as reasonably practicable
2. A replacement member will be identified by the Community Solutions Programme Manager
3. The replacement member must be identified and provided with all relevant papers in reasonable time to enable him/her to prepare for the meeting of the panel.

Dispute resolution

Any disputes on the progress of an application should be highlighted to the Community Solutions Board to consider when making their decision

An Appeals panel has been developed in the likelihood of this happening and the terms of reference are highlighted below:

Appeals Panel Membership

All

- Milton Keynes Council Members
- Community and Voluntary Sector Representatives

Shall be considered valid potential members of an Appeals Panel and for each meeting of the Panel one person shall be drawn from each of the 3 categories of membership.

The Appeals Panel would consist of the following representatives:

Voluntary Representative

Existing Management representative of the asset (i.e. Management Committee Member / Trustee as applicable)

Ward Councillor

THE NAMED ORGANISATION leading the panel's process - Independent Charitable / Incorporated group

The Appeals Panel will be chaired by the NAMED ORGANISATION leading the panel's process.

Appeals Panel Purpose

The panel will exist in order to:

- receive and consider appeals for Community Asset Transfer

- analyse the extent to which the potential new applicants meet the criteria now set out in the application

- make recommendations to the Community Solutions Project Board based on the further evidence received

Further to this the Appeals Panel plays an important role in providing an independent quality-check against any new applicant who might feel aggrieved by a previous decision and ensuring that full information on the application is made available, both to allow the Appeals Panel to make a recommendation, and to allow the Community Solutions Project Board to make a thoroughly informed decision as to whether the application should be allowed to continue / run alongside as a competitive submission.

(a) The Appeals Panel was established to receive applications along with a covering report detailing the challenge, and each meeting must be chaired by the NAMED ORGANISATION.

(b) Upon receipt of each appeal and accompanying report by the Community Solutions Project Board, which will include the criteria set out in the new application, the Appeals Panel shall then do one of the following:

11. Refer the new application to the Community Solutions Manager, with an instruction that he/she arrange further investigation/clarification if necessary.
12. Refer the new application to the Community Solutions Project Board and make a recommendation that either:
 - a) The application should proceed alongside existing CAT applicant;
 - b) No further progress should be made in respect of the application.
13. Upon completion of further investigation by or on behalf of the Project Officer, the Appeals Panel shall consider whether or not it accepts the Community Solutions Project Officer's findings and refer the application to the Community Solutions Project Board as at 2 above.
14. The Appeals Panel will give reasons for its recommendations
15. In respect of a new Application, the Appeals Panel will refer the application to the Community Solutions Board and either:
 - a) Recommend that the current application should be referred to the Cabinet Member for a decision as to whether the Asset should be transferred, or

- b) Recommend that no further progress should be made in respect of the current application.

Declarations of interest

Members of Milton Keynes Council are reminded that they are bound by their respective Codes of Conduct when undertaking any business of their authority, including the provisions for declarations of interest.

Members of the Voluntary and Community Sector sitting on the Panel are asked to consider, prior to taking part in the decision, whether or not they believe a conflict of interest exists. If a conflict does exist members are asked to consider whether it is appropriate for them to remain on the panel, and if appropriate are asked to identify a substitute in line with the provisions below.

No person shall be appointed to a Panel who has a close family, personal or business relationship with the applicant, or with any other person involved in the assessment or who is himself/herself a potential stakeholder relating to the matter.

