

Appendix 3

Amended Transfer of Assets to Town and Parish Councils principles:

- (i) All assets required for the delivery of Council services and those capable of generating income are transferred to the new unitary Dorset Council, **but the unique circumstances of Weymouth Town Council and Portland Town Council will be considered separately.**
- (ii) **Any resolution prior to 26 May 2018 by sovereign councils to dispose of an asset but not yet legally completed may continue unless it contradicts these principles.**
- (iii) Property held as public open space, community buildings, free car parks and public toilets can be considered for transfer to the appropriate town or parish council.
- (iv) Any transfer of assets will usually be by transfer of the freehold to a public or charitable body or via a long lease (25 years minimum). Transfer will also be dependent on an assessment of the capacity of the receiving authority/organisation to take on the asset.
- (v) Councils can consider asset transfer to community groups other than parish and town councils where appropriate and subject to the same assessment of the capacity of such groups but such transfers are considered to be lower priority because of timescales and capacity.
- (vi) Any transfer (other than by a lease) of open spaces will contain overage clauses that will retain the land for public use or, if the land is sold the new Dorset Council will receive a proportion of the proceeds from the sale.
- (vii) Where a Council has negotiated the devolution of a service to a town or parish council and asset is transferred to support the delivery of that service, there will be no financial loss to the new Dorset Council i.e. the transfer is cost neutral.
- (viii) No financial agreement will be made with a town or parish council, or other receiving body to support the maintenance and running of a transferred asset after 1 April 2019.
- (ix) Any asset transfer that could have a financial impact upon the new Dorset Council will be initially assessed by the interim Section 151 Officer and, if it has a significant financial impact, **or potential significant impact**, seek approval by the Shadow Executive. De minimis levels of £100,000 are proposed in order to avoid the process becoming unmanageable.