



Northern Ireland  
Assembly

## Research and Information Service Briefing Note

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# Community Asset Transfer – provisions and support within the UK and Ireland

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A brief overview of Community Asset Transfer (CAT) provisions and support in the UK and Ireland.

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

## Introduction

This briefing note provides an overview of legislative provisions and associated support across the UK and Ireland with regard to community asset transfer.

Community Asset Transfer (CAT) is a process that allows a community organisation to take over publicly-owned land or buildings in a way that recognises the public benefits that the transfer will bring<sup>1</sup>.

Given the interest of the AERA Committee the briefing note includes specific consideration on the operation of CAT within rural communities.

The briefing note has been written in response to a committee request following a presentation by Development Trusts Northern Ireland (DTNI), on rural assets.

DTNI is currently lobbying the NI Executive for the development of a new £70 million NI Community Ownership Fund broken down as follows<sup>2</sup>:

- £57m for Capital Funding – Investing in community-owned buildings and land assets;
- £10m for Revenue Funding – Supporting the sustainability of community projects; and
- £3m for Development Funding – Providing resources for early-stage initiatives.

Additionally, DTNI are asking the Executive to bring forward a Community Rights and Empowerment Bill that they argue would give communities across Northern Ireland the following rights<sup>3</sup>:

- Buy – Secure ownership of local assets;
- Own – Manage and develop community resources for local benefit;
- Participate – Engage meaningfully in decision-making processes;
- Challenge – Question and influence policies affecting their communities.

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<sup>1</sup> [Community Asset Transfer webpage, Development Trusts Association Scotland, 21 March 2025](#)

<sup>2</sup> [DTNI Calls for a £70m NI Community Ownership Fund and Legislative Action on Community Rights, press release, DTNI, 12 February 2025](#)

<sup>3</sup> *ibid*

# 1 Legislation, provisions and funding relating to Community Asset Transfer (CAT) – UK and Ireland

	England	Northern Ireland	Scotland	Wales	Ireland
<b>Legislation</b>	<p>No specific Community Asset Transfer legislation</p> <p>Local Government Act 1972<sup>4</sup></p> <p>General Disposal Consent (England) 2003<sup>5</sup></p>	<p>No specific Community Asset Transfer legislation</p> <p>Stormont Regulation and Government Property Act (Northern Ireland) 1933<sup>7</sup></p>	<p>Land Reform (Scotland) Act 2003</p> <p>Community Empowerment (Scotland) Act 2015<sup>9</sup></p>	<p>No specific Community Asset Transfer legislation</p> <p>Local Government Act 1972<sup>10</sup></p>	<p>No specific Community Asset Transfer (CAT) legislation</p> <p>State Property Act 1954<sup>12</sup></p> <p>Local Government Reform Act 2014<sup>13</sup> –</p>

<sup>4</sup> [Local Government Act 1972](#)

<sup>5</sup> [Circular 06/03: Local Government Act 1972, Department for Communities and Local Government, 2003](#)

<sup>7</sup> [Stormont Regulation and Government Property Act \(Northern Ireland\) 1933](#)

<sup>9</sup> [Community Empowerment \(Scotland\) Act 2015](#)

<sup>10</sup> [Local Government Act 1972](#)

<sup>12</sup> [State Property Act, 1954](#)

<sup>13</sup> [Local Government Reform Act 2014](#)

	England	Northern Ireland	Scotland	Wales	Ireland
	Localism Act 2011 <sup>6</sup>	1972 Local Government Act (Northern Ireland) <sup>8</sup> - Local Government Act (Northern Ireland) Part vii Sections 95 and 96 do have some provisions.  Section 79 of Local Government Act (Northern Ireland) 2014	Land Reform (Scotland) Act 2016	General Disposal Consent (Wales) 2003) <sup>11</sup>	some provisions for local government
<b>Main provisions of legislation as they relate to Community Asset Transfer</b>	Local Government Act 1972 - sections 123-127 Local authorities' discretionary	1933 Act: Section 5 allows for the sale of assets by NI central government departments, at less than best	Insertion of Part 3A into Land Reform (Scotland) Act 2003: community right to buy abandoned,	Local Government Act 1972 - sections 123-127 Local authorities' discretionary	Section 10 of the 1954 Act - Sale, exchange, gratuitous grant and leasing of State land, other than that mentioned

<sup>6</sup> [Localism Act 2011](#)

<sup>8</sup> [Local Government Act \(Northern Ireland\) 1972](#)

<sup>11</sup> [Local Government Act 1972: General Disposal Consent \(Wales\) 2003.](#)

	<b>England</b>	<b>Northern Ireland</b>	<b>Scotland</b>	<b>Wales</b>	<b>Ireland</b>
	<p>powers to dispose of land</p> <p>General Disposal Consent 2023 - removed the requirement for authorities to seek specific consent from the Deputy Prime Minister and First Secretary of State ("the Secretary of State") for any disposal of land where the difference between the unrestricted value of the interest to be disposed of and the consideration accepted ("the undervalue") is £2,000,000 (two</p>	<p>consideration, to a body that does not trade for profit, subject to the consent of the Department of Finance NI</p> <p>1972 Act:</p> <p>Allows councils in Northern Ireland to acquire and dispose of land for the purposes of carrying out their statutory functions. The power of disposals of land at less than best consideration but requires ministerial consent.</p>	<p>neglected or detrimental land</p> <p>Part 4 amends Part 2 of the Land Reform (Scotland) Act 2003, extending the community right to buy to all of Scotland</p> <p>Part 5 provides community bodies a right to request to purchase, lease, manage or use land and buildings belonging to local authorities, certain Scottish public bodies or the Scottish Ministers.</p>	<p>powers to dispose of land</p> <p>General Disposal Consent 2023 - removed the requirement for authorities to seek specific consent from the Deputy Prime Minister and First Secretary of State ("the Secretary of State") for any disposal of land where the difference between the unrestricted value of the interest to be disposed of and the consideration accepted ("the undervalue") is</p>	<p>in the First Schedule – any sales or shall be made for such consideration in money or money's worth as the State authority selling it shall determine.</p> <p>Section 43 of Local Government Reform Act 2014 amends Section 66 of Local Government Act 2001 - promotion of interests of local communities</p>

	England	Northern Ireland	Scotland	Wales	Ireland
	<p>million pounds) or less</p> <p>2011 Localism Act:</p> <p><b>Community right to bid</b> – pre-emptive legal right and applies to some public and some private assets – doesn't secure below market value capture of an asset however.</p> <p>Right for community groups to nominate buildings or land to their local authority as an asset of community value.</p>			£2,000,000 (two million pounds) or less	

	England	Northern Ireland	Scotland	Wales	Ireland
<b>Non legislative provisions/guidance</b>	<p>Local Government Association - Empowering communities: making the most of local assets. An officer companion guide<sup>14</sup></p> <p>Understanding Community Asset Transfer – a guide for community</p>	<p>Community Asset Transfer Framework - Department for Social Development 2014<sup>17</sup></p> <p>Land &amp; Property Services (LPS) Central Advisory Unit (CAU) maintain a register of properties which Northern Ireland government</p>	<p>Scottish Land Fund – guidance notes<sup>21</sup> – Scottish Govt/National Lottery Community Fund</p> <p>Community Empowerment (Scotland) Act 2015: asset transfer guidance for authorities<sup>22</sup></p>	<p>Best practice guide for community asset transfer: Ystadau guide<sup>26</sup></p> <p>All Wales Public Sector Property Database (e-PIMS)</p> <p>Estate Co-location &amp; Land</p>	<p>Office of Public works – state property register<sup>29</sup></p> <p>Circular 11/15: Protocols for the Transfer and Sharing of State Property Assets 2015<sup>30</sup></p>

<sup>14</sup> [Empowering communities: making the most of local assets. An officer companion guide, Local Government Association, October 2012](#)

<sup>17</sup> [Community Asset Transfer in Northern Ireland, Enabling and Supporting Community Ownership and Management of Public Assets, Department for Social Development, May 2014](#)

<sup>21</sup> [Scottish Land Fund, Guidance notes, Scottish Government](#)

<sup>22</sup> [Community Empowerment \(Scotland\) Act 2015: asset transfer guidance for authorities, Scottish Government](#)

<sup>26</sup> [Community Asset Transfer guidance, Ystadau Cymru, 2019](#)

<sup>29</sup> [Property Mapping Register Viewer, Office of Public Works](#)

<sup>30</sup> [Circular 11/15: Protocols for the Transfer and Sharing of State Property Assets, Department of Public Expenditure and Reform, 25 September 2015](#)

	<b>England</b>	<b>Northern Ireland</b>	<b>Scotland</b>	<b>Wales</b>	<b>Ireland</b>
	<p>organisations<sup>15</sup> - Locality</p> <p>Government Property Unit: Electronic Property Information Mapping Service - central database of Government Central Civil Estate properties and land<sup>16</sup></p>	<p>bodies have declared surplus<sup>18</sup>.</p> <p>Disposal of Surplus Public Sector Property in Northern Ireland<sup>19</sup> (2018) – Dept of Finance and Land and Property Services</p> <p>Guidance for District Councils on Local Government Disposal</p>	<p>Community Rights to Buy: overview – guidance 2024 – Scottish Govt.<sup>23</sup></p> <p>The Register of Persons Holding a Controlled Interest in Land (RCI)<sup>24</sup></p> <p>Community Assets Knowledge Exchange</p>	<p>Transfer Protocol 2020<sup>27</sup></p> <p>Identification and Disposal of Welsh Government Non-Core Surplus Land and Buildings – Government Guidance 2020<sup>28</sup></p>	

<sup>15</sup> [Understanding Community Asset Transfer, A guide for Community Organisations, Locality, March 2018](#)

<sup>16</sup> [Government Property Unit: Electronic Property Information Mapping Service, Guidance, Cabinet Office, 5 January 2009](#)

<sup>18</sup> [Disposal of surplus land and property - publications webpage, Department of Finance website, 25 March 2025](#)

<sup>19</sup> [Disposal of Surplus Public Sector Property in Northern Ireland, Land and Property Services, October 2018](#)

<sup>23</sup> [Community Rights to Buy: overview webpage, Scottish Government website, 25 March 2025](#)

<sup>24</sup> [Register of Persons Holding a Controlled Interest in Land, Registers of Scotland website, 25 March 2025](#)

<sup>27</sup> [Estate Co-location & Land Transfer Protocol, Ystadau Cymru, July 2020](#)

<sup>28</sup> [Identification and Disposal of Welsh Government Non-Core Surplus Land and Buildings, Welsh Government, July 2020](#)



	England	Northern Ireland	Scotland	Wales	Ireland
		of land at less than best value (2021) <sup>20</sup>	programme <sup>25</sup> – Highlands and Islands Enterprise		
<b>Financial support</b>	Community Ownership Fund <sup>31</sup> – now closed – up to £126.3 million in England  National Lottery Community Fund <sup>32</sup>	Community Ownership Fund – now closed – targeted minimum of £4.3 million in Northern Ireland  National Lottery Community Fund <sup>33</sup>	Community Ownership Fund – now closed – targeted minimum of £12.3 million in Scotland  Scottish Land Fund <sup>34</sup>	Community Ownership Fund – now closed – targeted minimum of £7.1 million in Wales  National Lottery Community Fund <sup>36</sup>	2022 Building Acquisition Measure within Town and Village Renewal Scheme – part of Our Rural Future Policy 2021-25 - 29 projects to be funded under the €6 million scheme <sup>37</sup>

<sup>20</sup> [Local Government Disposal of Land at Less Than Best Price, Guidance for District Councils, Department for Communities, January 2021](#)

<sup>25</sup> [Community Assets Knowledge Exchange Programme webpage, Highlands and Islands Enterprise website, 25 March 2025](#)

<sup>31</sup> [Community Ownership Fund: prospectus, Ministry of Housing, Communities and Local Government, 2021](#)

<sup>32</sup> [The National Lottery Community Fund website, 25 March 2025](#)

<sup>33</sup> *ibid*

<sup>34</sup> [Scottish Land Fund webpage, National Lottery Community Fund website, 25 January 2025](#)

<sup>36</sup> [The National Lottery Community Fund website, 25 March 2025](#)

<sup>37</sup> [Our Rural Future: Minister Humphreys announces over €27 million to combat dereliction and breathe new life into rural towns and villages, Press release, Department of Rural and Community Development, 14 December 2022.](#)

	England	Northern Ireland	Scotland	Wales	Ireland
	Rural England Prosperity Fund (REPF) – currently being reviewed		National Lottery Community Fund <sup>35</sup>		<p>Community Recognition Fund<sup>38</sup> – includes provision for purchase and refurbishment of vacant or derelict buildings</p> <p>Rural Regeneration and Development Fund<sup>39</sup></p> <p>LEADER - €250 million available for rural communities and businesses</p>

<sup>35</sup> [The National Lottery Community Fund website, 25 March 2025](#)

<sup>38</sup> [Community Recognition Fund webpage, Department of Rural and Community Development website, 25 March 2025](#)

<sup>39</sup> [Rural Regeneration and Development Fund webpage, Department of Rural and Community Development website, 25 March 2025](#)

	England	Northern Ireland	Scotland	Wales	Ireland
<b>Practical support</b>	Locality – Development Trusts Association (DTA) equivalent	Development Trusts Association NI <sup>40</sup>	Development Trusts Association Scotland (DTAS) <sup>41</sup>  Community Land Scotland <sup>42</sup>	Development Trusts Association (DTA) Wales <sup>43</sup>  The Asset Transfer Unit (ATU) promotes and supports Community Asset Transfer	Does not appear to be a national development trusts association but local ones exist such as Tramore <sup>44</sup>
<b>Rural specific supports</b>	Lack of clarity on rural community development policy, support and funding at present makes an assessment of potential support	Current lack of a rural policy framework – makes an assessment of potential support and funding impossible.	Community Led Local Development (CLLD) has invested over £29 million into rural communities since 2021 –	Lack of clarity on rural community development policy, support and funding at present makes an assessment of potential support	Our Rural Future – rural policy 2021-25 includes chapter 5: Revitalising Rural Towns and

<sup>40</sup> [DTNOI website, 25 March 2025](#)

<sup>41</sup> [Development Trusts Association Scotland website, 25 March 2025](#)

<sup>42</sup> [Community Land Scotland website, 25 March 2025](#)

<sup>43</sup> [DTA Wales website, 25 March 2025](#)

<sup>44</sup> [Tramore Development Trust website, 25 March 2025](#)

	England	Northern Ireland	Scotland	Wales	Ireland
	<p>and funding impossible.</p> <p>Rural England Prosperity Fund (REPF) running until March 2025<sup>45</sup> – could be utilised for developing community infrastructure that could theoretically include CAT - currently being reviewed.</p>	<p>Previous NI Rural Development Programme 2014-2020 did include measures under Priority 6 (LEADER) that could have been used to develop/fund CAT proposals as follows<sup>46</sup>:</p> <ul style="list-style-type: none"> <li>• Rural Basic Services Scheme</li> <li>• Village Renewal Scheme - scheme sheet</li> </ul>	<p>range of supports - further £9m for CLLD was announced in the indicative 2025-26 budget<sup>47</sup></p>	<p>and funding impossible.</p>	<p>Villages<sup>48</sup>: 2 specific measures:</p> <ul style="list-style-type: none"> <li>• 62 Identify potential State-owned properties in rural towns and villages which can be used for community purposes.</li> <li>• 63 Examine the establishment of a Community Ownership Fund to help community</li> </ul>

<sup>45</sup> [Rural England Prosperity Fund: interventions, objectives, outputs and outcomes](#)

<sup>46</sup> [About LEADER webpage, DAERA website, 25 March 2025](#)

<sup>47</sup> [Question reference: S6W-33660, Scottish Parliament](#)

<sup>48</sup> [Our Rural Future: Rural Development Policy 2021-25, Government of Ireland](#)

	England	Northern Ireland	Scotland	Wales	Ireland
					<p>groups and social enterprises buy or take over local community assets at risk of being lost, to run as community-owned businesses.</p> <p>Ireland has also retained Local Action Groups<sup>49</sup> as part of the EU funded LEADER<sup>50</sup></p>

<sup>49</sup> [LEADER Local Action Groups - Contact Details webpage, Department of Rural and Community Development website, 25 March 2025.](#)

<sup>50</sup> [LEADER webpage, Irish Government website, 25 March 2025](#)

	England	Northern Ireland	Scotland	Wales	Ireland
					Rural Regeneration and Development Fund <sup>51</sup>

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<sup>51</sup> [Rural Regeneration and Development Fund webpage, Department of Rural and Community Development website, 25 March 2025](#)

## 2 Observations

- Whilst Northern Ireland has no specific dedicated community asset transfer legislation the process appears to be theoretically and practically possible under existing legislation. Examples such as the development of the Cushendall Innovation Centre<sup>52</sup> highlight this possibility.
- Northern Ireland's position in not having dedicated community asset transfer legislation is not unique, as neither Ireland or Wales have specific legislation. Whilst the 2011 Localism Act does exist in England its powers are more limited than those in Scotland. The CAT process appears to be possible in all five jurisdictions and appears to be utilised as such to varying degrees.
- The features which appear unique to Scotland are the powers available under Part 5 the Community Empowerment (Scotland) Act 2015 which provides community bodies with a right to request to purchase, lease, manage or use land and buildings belonging to local authorities, certain Scottish public bodies or the Scottish Ministers. The relevant authority is effectively prohibited from selling the asset until it considers the community body request.
- The practical support and guidance provided across the four UK jurisdictions appears to be broadly comparable with a range of guidance and public asset lists being promoted within Government and through the auspices of Development Trusts that are designed to inform and assist Government Departments, Local Government and local communities through the CAT process.
- Practical support and guidance is available in Ireland but could be broadly characterised as less co-ordinated and detailed than equivalent activity across the UK. This may well be a consequence of the Community Asset Transfer terminology appearing to not be as widely utilised within the jurisdiction.

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<sup>52</sup> [Cushendall Innovation Centre website, 21 March 2025](#)

- Funding provisions within the UK for Community Asset Transfer appear to be more challenging following the demise of the Community Ownership Fund but there are other available options including the National Lottery Community Fund. Scotland is however unique in having a dedicated land fund.
- Rural specific dimensions to the Community Asset Transfer process are harder to determine but there are suggestions that the process may have been utilised in rural community development activity across the UK and Ireland on an individual project basis. A key question remains around whether/how future rural community development policies across the UK and Ireland will support and fund CAT in rural communities? The current Town and Village Renewal Scheme operating in Ireland and the dedicated Scottish Land Fund are interesting supports in this context.
- The most recent Assembly question<sup>53</sup> on CAT reveals that the Communities Minister, Gordon Lyons MLA, has committed to undertake an *‘...evaluation of the impact of Community Asset Transfer in Northern Ireland will be commissioned by my Department during 2025/26. The evaluation will examine the impact and effectiveness of the Community Asset Transfer process and make recommendations to inform the future delivery of this Executive policy.’* A key question relating to CAT within Northern Ireland appears to be around which Department will lead on the process? Is this solely a Department for Communities responsibility? What role can DAERA play?

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<sup>53</sup> [AQW 22233/22-27](#)