

## Highland Council Asset Transfer Request Approach Asset Transfer Request Form

**This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.**

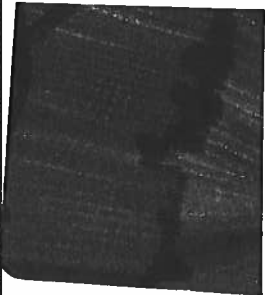
### **Section 1: Information about the community transfer body (CTB) making the request**

**1.1 Name of the CTB making the asset transfer request**

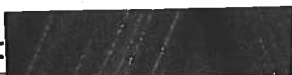
Seaboard Community Polytunnel Group

**1.2 CTB address. This should be the registered address, if you have one.**

Postal address:



Postcode:



**1.3 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.**

Contact name: Ross B Balfour





We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. *(Please tick to indicate agreement)*

*You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.*

1.4 Please mark an "X" in the relevant box to confirm the type of CTB and its official number, if it has one.

	Company, and its company number is .....	
	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is .....	
	Community Benefit Society (BenCom), and its registered number is .....	
	Unincorporated organisation (no number)	x

**Please attach a copy of the CTB's constitution, articles of association or registered rules.**

1.5 Has the organisation been individually designated as a community transfer body by the Scottish Ministers?

No

Yes

Please give the title and date of the designation order:

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1.6 Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?

No

Yes

If yes what class of bodies does it fall within?

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## Section 2: Information about the asset requested

2.1 Please identify the asset - land or building(s) - which this asset transfer request relates.

*You should provide a street address or grid reference and any name by which the land or building is known. If you have identified the land on the relevant authority's register of land, please enter the details listed there.*

*It may be helpful to provide one or more maps or drawings to show the boundaries of the land requested. If you are requesting part of a piece of land, you must attach a map and full description of the boundaries of the area to which your request relates. If you are requesting part of a building, please make clear what area you require. a drawing may be helpful.*

The area of land as outlined in Planning Application 17 05310 1354089

Copy of map showing boundaries of land requested.

2.2 Please provide the UPRN (Unique Property Reference Number), if known.

*This should be given in the relevant authority's register of land*

UPRN:



### Section 3: Type of request, payment and conditions

3.1 Please tick what type of request is being made:

for ownership (under section 79(2)(a)) - go to section 3A

for lease (under section 79(2)(b)(i)) – go to section 3B

for other rights (section 79(2)(b)(ii)) - go to section 3C

#### 3A – Request for ownership

What price are you prepared to pay for the asset requested? :

Proposed price: £

Please attach a note setting out any other terms and conditions you wish to apply to the request.

#### 3B – Request for lease

What is the length of lease you are requesting?

30 years

How much rent are you prepared to pay? Please make clear whether this is per year or per month.

Proposed rent: £ 1.00 per annum

Please attach a note setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.





### **3C – Request for other rights**

What are the rights you are requesting?

Unrestricted right to use land for purpose of erecting a commercial polytunnel with full access.

Do you propose to make any payment for these rights?

Yes

No

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment: £                      per

Please attach a note setting out any other terms and conditions you wish to apply to the request.



## Section 4: Community Proposal

- 4.1 Please set out the reasons for making the request and how the land or building will be used.

*This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the land or building, and any activities that will take place there.*

The land is owned by the Highland Council. (see attached Title Deed). The land will be used to erect a community polytunnel as per plans submitted and approved.

There is a strong desire in the Seaboard community to have this development. The Seaboard area has been designated the 15<sup>th</sup> most deprived area in Scotland. There is also a recognition that social isolation is a problem and this is being addressed by the NHS [redacted] and Highland Council [redacted] (Housing Officer East Ross) through the Easter Ross Partnership.



## **Benefits of the proposal**

- 4.2 Please set out the benefits to the community that you consider will arise if the request is agreed to. This should include:- economic, regeneration, health, social wellbeing, environmental benefits; or how this will tackle inequalities.

*This section should explain how the project will benefit your community, and others. Please refer to the guidance on how the relevant authority will consider the benefits of a request.*

The proposal will address the problem of social inclusion, will provide the opportunity for Seaboard residents to *get involved*, and provide fresh vegetables, fruit, flowers and shrubs for use in the community. It has been proved that being active has positive health benefits, increased social well being and will have a positive influence in many aspects of daily living.



### **Restrictions on use of the land**

- 4.3 If there are any restrictions on the use or development of the land, please explain how your project will comply with these.

*Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.*

There are no restrictions on the use or development of the land to our knowledge.

### **Negative consequences**

- 4.4 What negative consequences (if any) may occur if your request is agreed to?  
How would you propose to minimise these?

*You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.*

None known.





## **Capacity to deliver**

**4.5** Please show how your organisation will be able to manage the project and achieve your objectives.

*This could include the skills and experience of members of the organisation, any track record of previous projects, whether you intend to use professional advisers, etc.*

*There has been keen interest in the project and our committee are very confident on sustainability of the polytunnel. The project will be managed by a steering committee supported by members of the community who have a good knowledge of the techniques needed to make the make a success of the project.*



## **Section 5: Level and nature of support**

- 5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

*This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation and what their response has been. You should also show how you have engaged with any other communities that may be affected by your proposals.*

A public meeting was called in the Seaboard Memorial Hall to outline the proposal and to gauge public support. This meeting was well attended and 100% support for the project gave encouragement to take the plans to the next level. A news item was included in the monthly Seaboard Newsletter with a response slip asking for community comments. Various replies all in support were received.



## Section 6: Funding

- 6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the asset, and your proposed use of the asset.

*You should show your calculations of the costs associated with the transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.*

To be funded from current assets.



## Signature

Two office-bearers (board members, charity trustees or committee members) of the community transfer body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

This form and supporting documents will be made available online for any interested person to read and comment on. Personal information will be redacted before the form is made available.

**We, the undersigned on behalf of the community transfer body as noted at section 1, make an asset transfer request as specified in this form.**

**We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.**

Name Ross B Balfour

Address 

Date 22 August 2018

Position Chairman

Signature 

Name SANDRA SKINNER

Address 

Date

22/08/2018

Position

SECRETARY.

Signature 





## Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this form.

### Section 1 – you **must** attach your organisation’s constitution, articles of association or registered rules

Title of document attached:

### Section 2 – any maps, drawings or description of the land requested

Documents attached:

### Section 3 – note of any terms and conditions that are to apply to the request

Documents attached:

### Section 4 – about your proposals, their benefits, any restrictions on the asset or potential negative consequences, and your organisation’s capacity to deliver.

Documents attached:

### Section 5 – evidence of community support

Documents attached:

### Section 6 – funding

Documents attached:

*Search “Privacy Notices” on the Highland Council website to read our Privacy Statement in regards to Asset Transfer Request forms.*



# **CONSTITUTION OF:**

**Seaboard Community Polytunnel Group (SCPG)**



# **CONSTITUTION OF: Seaboard Community Polytunnel Group (SCPG)**

**ADOPTED ON: Friday 1 September 2017**

## **1 Name**

The name of the Group is the Seaboard Community Poly tunnel Group

## **2 Aims**

The aims of the Group are to:

- 1. Address social isolation and loneliness, by providing a place for individuals to socialise and take part in activities and feel connected in the community.**
- 2. Encourage intergenerational activities between local residents to fully utilise and share local knowledge, skills and experience and help to decrease anti-social behaviour.**
- 3. Provide a sustainable source of fruit and vegetables for vulnerable community members who have mobility and transport issues.**
- 4. To provide education to people in the community on how to grow fruit and vegetables and use seasonal produce, and encourage a 'grow local, eat local' culture.**
- 5. Encourage community composting and recycling of household organic waste for a greener community.**
- 6. To provide flowers and shrubs for planters to improve the aesthetic of the area, promote community pride and encourage tourist visitors.**

## **3 Powers**

**In order to achieve its aims the Group may:**

- (a) Raise money**
- (b) Open bank accounts**
- (c) Take out insurance**
- (d) Acquire, erect and manage a commercial polytunnel and auxiliary structures**
- (e) Organise courses and events**
- (f) Work with other groups and exchange information**
- (g) Do anything that is lawful which will help it to fulfil its aims**



## **4 Membership**

*(a) Membership of the Group shall be open to any person over 18 or any organisation living or located within the Seaboard area who is interested in helping the Group to achieve its aims, willing to abide by the rules of the Group and willing to pay any subscription agreed by the Management Committee.*

*(b) Membership shall be available to anyone without regard to gender, race, nationality, disability, sexual preference, religion or belief.*

*(c) Every individual member and each organisation shall have one vote at General Meetings.*

*(d) The membership of any member may be terminated for good reason by the Management Committee but the member has a right to be heard by the Management Committee before a final decision is made.*

*(e) Each member organisation shall appoint a representative to attend meetings of the Group and notify the Group's Secretary of that person's name.*

## **5 Management**

*(a) The Group shall be administered by a Management Committee of the Officers and not more than FOUR (4) other members elected at the Group's Annual General Meeting (AGM).*

*(b) The Officers of the Management Committee shall be: the Chairperson, the Treasurer and the Secretary.*

*(c) The Management Committee shall meet at least FOUR (4) times a year.*

*(d) The Chairperson shall Chair all meetings of the Group.*

*(e) The quorum for Management Committee meetings shall be THREE (3) members.*

*(f) Voting at Management Committee meetings shall be by show of hands. If there is a tied vote then the Chairperson shall have a second vote.*

*(g) The Management Committee may by a two-thirds majority vote and for a good and proper reason remove any Committee member, provided that person has the right to be heard before a final decision is made.*

*(h) The Management Committee may appoint another member of the Group as a Committee member to fill a vacancy provided the maximum number is not exceeded.*





## **6 Duties of the Officers**

**(a) The duties of the Chairperson are to:**

- *chair meetings of the Committee and the Group*
- *represent the Group at functions/meetings that the Group has been invited to*
- *act as spokesperson for the Group when necessary*

**(b) The duties of the Secretary are to:**

- *take and keep minutes of meetings*
- *prepare the agenda for meetings of the Committee and the Group in consultation with the Chairperson*
- *maintain the membership list*
- *deal with correspondence*
- *collect and circulate any relevant information within the Group*

**(c) The duties of the Treasurer are to:**

- *supervise the financial affairs of the Group*
- *keep proper accounts that show all monies collected and paid out by the Group*

## **7 Finance**

*(a) Any money obtained by the Group shall be used only for the Group.*

*(b) Any bank accounts opened for the Group shall be in the name of the Group.*

*(c) Any cheques issued shall be signed by the Treasurer and one other nominated official.*

## **8 Annual General Meeting**

*(a) The Group shall hold an Annual General Meeting (A.G.M.) in the month of OCTOBER.*

*(b) All members shall be given at least fourteen days' notice of the A.G.M. and shall be entitled to attend and vote. The quorum for an AGM shall be THREE (3) members.*

*(c) The business of the A.G.M. shall include:*

*(i) receiving a report from the Chairperson on the Group's activities over the year*

*(ii) receiving a report from the Treasurer on the finances of the Group*

*(iii) electing a new Management Committee and*

*(iv) considering any other matter as may be decided.*



## 9 Special General Meeting

A Special General Meeting may be called by the Management Committee or by any THREE (3) members to discuss an urgent matter. The Secretary shall give all members fourteen days' notice of any Special General Meeting together with notice of the business to be discussed. All members shall be entitled to attend and vote.

## 10 Alterations to the Constitution

Any changes to this Constitution must be agreed by at least two-thirds of those members present and voting at any General Meeting.

## 11 Dissolution

The Group may be wound up at any time if agreed by two-thirds of those members present and voting at any General Meeting. In the event of winding up, any assets remaining after all debts have been paid shall be given to another Group with similar aims.

**This constitution was adopted at a general meeting of the Group on 1<sup>st</sup> SEPTEMBER 2017**

**Signed by:**

**Chairperson:**  
(Ross Butchart Balfour)



**Secretary:**  
(Sandra Skinner)



**Treasurer:**  
(Ross Butchart Balfour)



**Other Committee members:**

Norma Christine Balfour



George Skinner

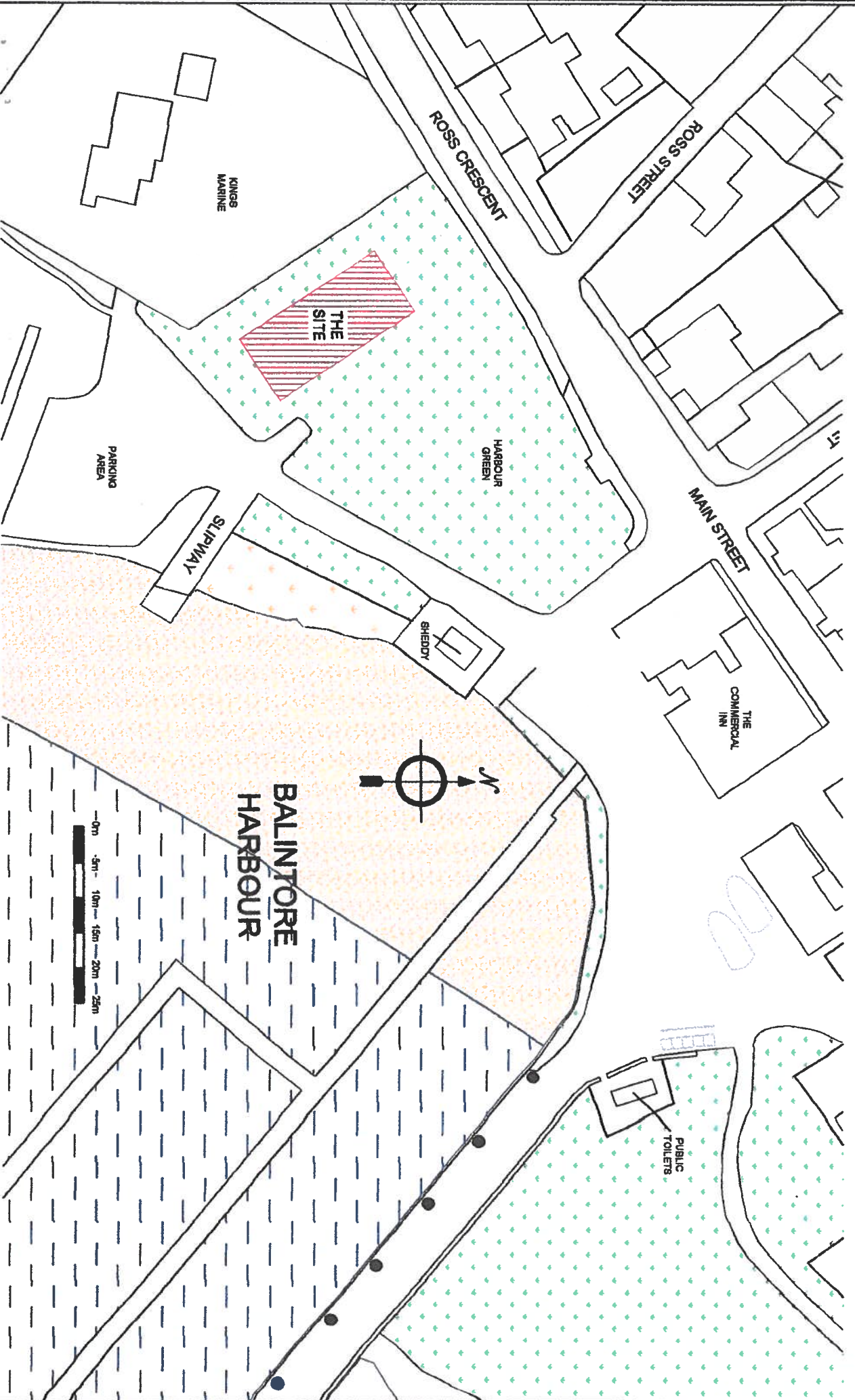




Seaboard Polytunnel - As Proposed  
Harbour Green, Balintore, N20 1TZ

Site Location  
286282 Easting, 875510 Northing

Drawing No: SeaPoly - 001  
Location Plan



Drawn by: D J Oliver

Scale : Refer to Scale Bar



I, CHARLES ROBERTSON PATTERSON, Salmon Fishings Proprietor, residing at Cromie,  
Hilcom, Fearn, Ross-shire IN CONSIDERATION of the sum of SEVEN THOUSAND POUNDS  
(£7,000) STERLING paid to me pursuant to the Local Government (Scotland) Act 1973  
by the Highland Regional Council, incorporated under the said Act do hereby

sell, alienate, dispose, convey, assign and make over from me and my heirs and  
successors and assigns to the said Highland Regional Council and their  
successors and assigns, for ever, according to the true intent and meaning of  
the said Act ALL and WHOLE that plot or area of ground at Balintore and  
adjoining Balintore Harbour there in the Parish of Fearn and District (formerly  
County) of Ross and Cromarty and extending to five hundred and sixty seven  
decimal or one thousandth parts of an acre or thereby as shown delineated in

black and coloured pink on the plan annexed and signed as relative hereto;  
which plot or area of ground comprises ALL and WHOLE that plot or area of ground  
extending to five hundred and sixty seven decimal or one thousandth parts of an  
acre Imperial Measure part of the Lands and Estates of Balintore lying within the  
Villages of Balintore in the Parish of Fearn and County of Ross and Cromarty  
described in and disposed by feu Disposition by John Findlay Morton Ross in  
favour of John Paterson and sons, Salmon Fishing Proprietors and Lessees Hilcom,  
Fearn, Ross-shire dated Twelfth and recorded in the Division of the General

Register /

REGISTERS OF SCOTLAND  
GENERAL REGISTER OF SALES  
COUNTY OF ROSS & CROMARTY  
50  
Folio.....  
Presented and Recorded on 22 FEB 1990

RC 9 0058







Register of Sales applicable to the County of Ross and Cromarty on Twenty seventh day of September Nineteen hundred and sixty seven; which plot or area of ground was last vested in John Williamson Paterson residing at Cromarty, Fearna aforesaid by virtue of Disposition by himself and others as partners of the firm of John Paterson and Sons, Salmon Fishing proprietors and Lessee, Cromarty, aforesaid in his favour dated Twenty fourth November and subsequent dates in the year Nineteen hundred and Eighty three and recorded in the said Division of the General Register of Sales on Seventh January Nineteen hundred and Eighty six to which I acquired right by Will and Codicil of the said John Williamson Paterson the said Will dated Twenty second January Nineteen hundred and Eighty two and the said Codicil dated Twenty fifth March Nineteen hundred and Eighty three and both registered in the Books of Council and Session on Seventh November Nineteen hundred and Eighty four; Together with all rights and pertinents thereto belonging and all such right, title and interest in and to the same as I and my forefathers are or shall become possessed of or are by the said Act empowered to convey; and I certify that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value /





- Page third -

value of the consideration exceeds THIRTY THOUSAND POUNDS (£30,000); IN WITNESS  
HEREOF these presents typewritten on this and the two preceding pages are  
together with the said plan annexed signed by me at Tain on the Ninth day of  
February Nineteen hundred and Ninety before these witnesses, William Hamilton  
Cormack, Solicitor and Mrs. Elizabeth Janet Grant Hunter, Secretary both of  
Messrs Mackenzie & Cormack, Solicitors there.

*John Brown & Co. Solicitors*  
*Charles R. Palmer*  
*Engagement by Hunter & Hunter*

REGISTER on behalf of the within-named HIGHLAND REGIONAL COUNCIL in the REGISTER  
of the COUNTY of ROSS AND CROMARTY.

Solicitor  
Agent.  
Inverness.



Dear Mr. [Name],

I have received your letter of the 15th and am glad to hear from you. The information you provided is being reviewed and I will get back to you as soon as possible.

Sincerely,  
[Name]

Very truly yours,  
[Name]

[Name]

