

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

Strathpeffer Pavilion Community Trust

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

Postal address:

Secretary, [REDACTED] Ross-shire

Postcode: [REDACTED]

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: Archie Macnab

Postal address:

Secretary, Strathpeffer Community Trust, [REDACTED]

Postcode: [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

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	In process of registration as a SCIO with OSCR
	Community Benefit Society (BenCom), and its registered number is	
	Unincorporated organisation (no number)	

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:

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?

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.

Strathpeffer Community gardens and Pump House, plan attached

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: £ 1.00 : with all legal fees and transfer cost covered by the Strathpeffer Pavilion Community Trust

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?

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

Proposed rent: £ per

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?

None

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 Strathpeffer Pavilion was put on the market by SHBT and the Strathpeffer community was given three years to raise funds to purchase the building. The building and 1 metre of land surrounding the building is owned by SHBT, with a servitude right of access over the adjoining land to access the Pavilion that is owned by the Highland Council.

The land adjacent to the Pavilion includes the remainder of Strathpeffer Spa Garden, the Pump House, the public tennis courts, a bandstand and an area used for car-parking. Strathpeffer Spa Gardens comprise an unusual example of pleasure grounds laid out as part of a 19th century health resort and illustrate a contemporary acknowledgement of the important curative role of landscape and gentle recreation

Proposals are for the Community to purchase the Pavilion building and Garden ground to operate a flexible, multi-functioning social and entertainment centre delivering a range of cultural, learning, social community events, and opportunities to include commercial activities and to restore the Victorian Spa Gardens to complement the operation of the Pavilion, for the enjoyment of locals and to attract visitors

A leaflet of c 1925 describes the area as: 'spacious pleasure gardens, charmingly laid out with lawns, pergolas of roses, parterres of flowers, noble trees and dainty summer houses, while a picturesque note is supplied by a little burn which wimples over falls or broadens into little lakes...' (Landscape Conservation Studio, 1996).

In 1949 the gardens were sold to the owner of the Ben Wyvis Hotel. Subsequently, the Spa manager's house was demolished, the fountain pool infilled and the tennis court area redeveloped for curling. Management of the gardens was abandoned due to costs, in 1970. The Pavilion and gardens deteriorated until in 2001 SHBT, when and with community fund raising refurbished the Pavilion, the gardens were thereafter maintained by a group of local enthusiasts and the Highland Council keeping them tidy, cutting grass and paring trees and hedges

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.

Bringing together the management of the Pavilion and the gardens will complement each other and provide greatest community benefit. The gardens can be used for outdoor space that support those taking place in the Pavilion. E.g. wedding photos

The restored gardens will contribute to Strathpeffer becoming a focus of culture and heritage within Ross-shire and beyond. Providing outdoor facilities in the centre of the village that offers health benefits and contribute to the overall wellbeing for locals and visitors.

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.

Historic Environment Scotland has listed the Strathpeffer Spa Gardens on Scotland's Inventory of Gardens and Designated Landscape, which identifies grounds intentionally laid out for artistic effect which are of National importance.

This does not prevent the owners from carrying out day to day maintenance, planting, removing plants or redesign or landscaping that does not need planning permission. Being on the Inventory does have an effect where a planned development requires planning permission. Then the group will consult the local Planning Authority for guidance as set out in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

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 noted

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.

The transfer of ownership of the gardens is widely supported by the community as recent surveys and engagement events have proved and indeed the SPA Garden Group is already expressing a desire to reinstate its role on a voluntary basis, led by a professional gardener, to take on, restore and maintain the gardens to their former glory and provide the Community with some attractive amenity ground which could also become a source for outdoor events. The Garden Group will have circa 10-15 volunteers guided by a professional Gardener who will also be volunteering his time,

SPCT will be responsible for all fundraising to finance the restoration of the garden taking in expert advice as required. They will redesign and improve the carpark to serve not only the Pavilion but the village centre thereby reducing the pressure on parking in the village square.

SPCT will continue the let of the Pump House on a commercial basis or on a Service Level Agreement with Highland Council to retain the Spa museum and local information centre.

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.

This project is widely supported by the community as recent surveys and engagement events have proved and indeed the SPA Garden Group is already expressing a desire to reinstate its role on a voluntary basis, led by a professional gardener, to take on, restore and maintain the gardens to their former glory and provide the Community with some attractive amenity ground which could also become a source for outdoor events

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.

The SPCT has made an application to the Scottish Land Fund for the funds to purchase the Pavilion owned by SHBT and the gardens and pump room owned by the Council. Any shortfall will be provided by community through fund raising and applications to the Windfarm Community Trusts Funds neighbouring Strathpeffer (Fairburn, Lochluichart and Corriemollie windfarms) and the Strathpeffer New York Community Fund

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 Archie Macnab

Address: [REDACTED]

Date: 24 January 2019

Position: Secretary

Signature: [REDACTED]

Name: Fraser MacKenzie

Address: Strathpeffer

Date 24 January 2019

Position: Chairman

Signature: [REDACTED]

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: SPCT draft Constitution

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

Documents attached: Maps 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.