

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

Stratherrick & Foyers Community Trust Ltd

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

Postal address:

Stratherrick Public Hall
Gorthleck
Inverness

Postcode: IV2 6YP

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: Peter Faye (Chair)

Postal address:

Stratherrick & Foyers Community Trust
Stratherrick Public Hall
Gorthleck
Inverness

Postcode: IV2 6YP

Email: peter-dir@sfctrust.org.uk

Telephone:

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.

X	Company, and its company number is	SC0270423
	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is	
	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?

Community Controlled Company

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.

A portion of the public car park at the Falls of Foyers, Foyers, Inverness, IV2 6XU.

The area to which the request relates is detailed on the attached plan

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: Unknown

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?

99 years

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

Proposed rent: £ 0.01 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?

The right of access across adjoining property to the demised land, along with the right to lay, repair, renew, replace, install, access and connect to services across all adjacent property

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.

There is an existing public toilet facility within the car park at the Falls of Foyers, which has been stewarded by the community council since 2017 and is not really fit for purpose: cold, degrading, damp and dilapidated, the interiors are not pleasant and with the introduction of the North Coast 500 and recent car park upgrading, visitor numbers have increased substantially. The Highland Council upgraded the carpark in 2015, but did not upgrade the facilities. This has put additional strain on the toilet infrastructure.

Visitor numbers to the area continue to increase due to a number of reasons;

- The South Loch Ness Trail has now been completed and the Loch Ness 360 due to be launched soon – the toilets are located on the routes;
- the success of the Outlander program, with one of its main characters – Jamie Fraser of Foyers – leading to an increase in showbiz tourism;
- The route of the Loch Ness Marathon and Etape Loch Ness results in increased pressure at events times and also at others times when competitors train or relive the route.
- There has been an increase in minibus tours of the Highlands visiting Foyers.
- An Enduring international interest in the Loch Ness Monster, Boleskine House and wildlife based tourism also;
- Overall national increase in campervan use;
- Increased 'staycation' and home country holidays as a result of Brexit and financial exchange rates.

There are currently no disabled toilets and constant issues occur with water supplies and drainage. Facilities are currently considered insufficient and open only 'part year' so the actions of tourers & holidaymakers are witnessed elsewhere in the area: toilet 'deposits' and tissues littering stopping places, woodlands and even gardens! Tourism is now all year, so toilets with a sign 'Closed until Easter' is no longer tenable.

A new building with contemporary facilities will provide much needed amenities for the increasing number of visitors to the area, and will go a long way to ensuring those utilising the facilities receive an enhanced visitor experience.

The site of the current facility within the car park does not allow for a larger footprint for the proposed new facility, therefore this request for a lease of slightly larger area of the car park is vital to ensure that the proposed new facility can be constructed. The area requested is not currently marked with car parking spaces due to it's triangular shape. The existing building would be demolished as part of the project.

The involvement of renewable energies within the new building to help with power and lighting will ensure that the facility has less of an impact on the environment and will ultimately be more cost effective to operate. The addition of a 'donations' box will also help towards future running costs.

The inclusion of a waste tank disposal facility for camper vans and caravans will be included within the new facility. The increase in campervans and caravans to the area with no public

disposal points, leads to tourers frequently emptying their waste tanks at public beauty spots, passing places, woodlands and picnic sites.

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 current Toilet facilities for visitors to the notable “Falls of Foyers” waterfall are dilapidated and degrading. Their provision of 2 toilets in a standard 1960 white box design, using cheap construction methods, with poor services, set in a prominent location are off-putting.

The proposed new Public Conveniences will address all these aspects – providing more toilets, including an accessible bathroom & baby changing facilities, using more sustainable construction, with more efficient services and materials, reducing maintenance in a new more recessive location – allowing the main attraction (The Falls) to be the prominent memory of any visit.

365/366 day a year opening will also mean the toilets are accessible to all at any time of day or year.

The new toilets should not have any detrimental impact on any Visitor experience (unlike the current) and will hopefully be acknowledged as thoughtful, practical, effective additions to the area that allow tourists to simply enjoy the current beautiful location.

Times change along with visitor expectations and an outdated, cold, dark & poor facility is no longer acceptable to visitors, who now require an experience and lasting memory of every aspect of their tourist visit.

The New Toilets will relieve pressure from visitors using the nearby woods as toilets, and the Chemical Disposal unit again add to Foyers as a favourable + straightforward location with facilities : Tourers hopefully returning to the convenient area to use the café, post office, see the falls and empty waste tanks all in one location.

The entire community would also benefit from the project;

- Local community satisfaction – the prospect of new toilets has been talked about within the community for over 10 years. Locals will be very satisfied to finally have toilet facilities that the community can be proud of, and reflect positively on our community image;
- Creation of a local job to stock and clean the new facilities;
- On going maintenance contract to hopefully be awarded to a local trades person, keeping work and money within the community;
- Positive PR for the community, especially as the Loch Ness 360 starts to be promoted more in late 2019 & early 2020, as the facility is directly on the route. Many locals earn their living by working at or running local businesses, and more visitors to the area would increase the use of local businesses, keeping locals in their jobs and potentially creating new jobs

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.

The land is currently designated as a car park, so planning consent will be required for development and a change of use. An appropriate application would be made in due course.

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.

It is not envisaged that there will be any negative consequences for the local economy, environment of any group of people should this request be agreed to.

If the request is agreed to, and subsequently a new public toilet facility is constructed, then the local community may be inconvenienced by the construction work, but this will be carefully and sympathetically managed by the appointment of an appropriate Project Manager who will liaise with any likely affected local business, groups or individuals.

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 project will be undertaken by the Stratherrick & Foyers Community Council, who have applied to the Rural Tourism Infrastructure Fund for 70% of the project funding and Stratherrick & Foyers Community Trust for match funding.

The SFCC have included, within their funding applications, for the appointment of all required professional advisors for every stage of the project.

The Construction phase of the project will be managed by a Project Manager appointed by the SFCC, who will have proven experience of physically and financially managing similar projects.

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 survey was carried out via the community facebook group which showed overwhelming support for the Community Council's plans;

- 49% voted the current facilities 'Very Poor' and 26% voted them 'Poor'
- 77% of voters were in total support of the proposals, with a further 14% also being in support, but wanting to see further information
- 96% of voters were in support of the new facility being open 365 days per year
- 78% of voters thought there should be a charge of some sort for the waste disposal and the toilets

The full survey including all comments made by voters is attached

Consultation has also been carried out with the Highland Council, who are in full support of the SFCC's plans to build a new toilet & waste disposal facility at the given location.

Visit Inverness Loch Ness have also been consulted and are in full support of the project.

The project will be run by the Stratherrick & Foyers Community Council, but as CC's can't own assets, the new facility will be owned by the Stratherrick & Foyers Community Trust, and leased back to the SFCC to operate.

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 SFCT has proposed a nominal rental fee for the portion of land being requested, as the Highland Council would not be losing any funds or profit by agreeing to this request.

It is likely that by agreeing to this request, and allowing the new toilet facility project to go ahead, will actually benefit the Highland Council, who will no longer need to think about the cost of demolishing the old toilet block, as the SFCC will do this as part of the project.

The project will be undertaken by the Stratherrick & Foyers Community Council, who have applied to the Rural Tourism Infrastructure Fund for 70% of the project funding and Stratherrick & Foyers Community Trust for match funding.

The Highland Council have confirmed that they will continue to pay Comfort Scheme payments for any new facility, and the addition of a donations box for the toilets and small charge for the chemical waste disposal point will provide funds that will be used to cover future running costs.

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 Peter John Faye

Address 


Date 19.03.2019

Position: Chair, Stratherrick and Foyers Community Trust Ltd

Signature 

Name Zoe Verena Elizabeth Iliffe

Address 


Date 19.03.2019

Position Director, Stratherrick and Foyers Community Trust Ltd

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:

SFCT Articles of Association as at 29 November 2017 as amended

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

Documents attached:

Falls of Foyers Public Toilets and Car Park Plan

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:

Community Consultation Response

Email support from VILN

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.