

Community Out West Trust,
25 Diabaig,
Achnasheen
IV22 2HE

The Highland Council,
Glenurquhart Road,
Inverness,
IV3 5NX

ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT ACT

DECISION NOTICE 9th OF MARCH 2020 – AGREED

Dear Mary,

This Decision Notice relates to the asset transfer request made by **Community Out West Trust** on the 22nd of October 2019, in relation to Kinlochewe Public Toilets, Car Park and Picnic Area.

The Highland Council has decided to **agree** the request.

Terms and Conditions

The request is agreed under the following terms and conditions:

- Ownership is transferred to Community Out West Trust for £1.00, if asked.
- Community Out West Trust covers all reasonably incurred property and legal costs associated with the asset transfer process – both the Council's and their own.
- Highland Council shall retain an area of land and access rights for local recycling facilities.
- Community Out West Trust shall be responsible for maintenance and upkeep of this area of land for recycling facilities, to the satisfaction of Highland Council.
- The Highland Council reserves rights to install, operate and maintain electric vehicle charging points at the site, for public use - for which access (including access for servicing and maintenance of the unit and surrounding ground) is to be provided by Community Out West Trust (The Highland Council reserves the right to include parking spaces associated with charging points for electric vehicles in its off-street parking orders, to ensure prevention of irresponsible use).
- Any transfer will be subject to existing burdens / conditions in the Council's title to the property (e.g. 3rd Party access rights, etc.). The Council may also impose further burdens / conditions if they consider this expedient (e.g. economic development burdens, etc). The Council will only transfer property for which it has title to do so.

To proceed with the process, Community Out West Trust must submit an offer to the Highland Council within **six months**. The deadline for an offer to be made is: **9th of September 2020**.

If you consider that the terms and conditions attached differ to a significant extent from those specified in your request, you may **apply to The Council to review this decision**.

Any **application for review** must be made in writing to Pablo Mascarenhas, Community and Democratic Engagement Manager, The Highland Council, Glenurquhart Road, Inverness, IV3 5NX **by 6th of April 2020**, which is twenty working days from the date of this notice.

Should you have any questions please do not hesitate to get in touch.

Kind regards,

Pablo Mascarenhas

Community and Democratic Engagement Manager