

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.

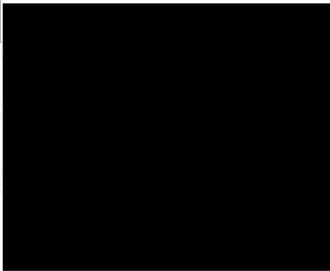
Section 1: Information about the community transfer body (CTB) making the request

1.1 Name of the CTB making the asset transfer request

Melvich Community SCIO

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

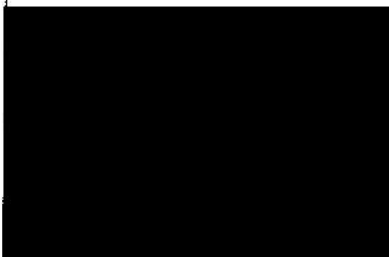
Postal address:



Postcode: KW14

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: Robert Kerr



Postcode: KW14

Email: chair@melvichcommunityscio.org

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.

	Company, and its company number is	
X	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is	SC050942
	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.

The asset to which this asset transfer request relates is for the Melvich Public Toilets, in Melvich, at post code KW14 7YJ. The asset transfer request is for the building plus the foot print of the land surrounding it as per UPRN 130112982.

- 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: 130112982

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

(The users of the facility do not feel that the facility is fit for purpose or suitable for all potential users. We will be investing in a replacement facility to supersede this building and incur the associated demolition costs).

Other terms and conditions: Melvich Community SCIO wish there to be public toilet provision made available in Melvich until the new Melvich Community Hub is ready to start being used by members of the public as toilet facilities. **Melvich Community SCIO would like the land title and ownership of Melvich Public Toilets to be transferred over as soon as reasonably practicable (to assist with grant funding applications to demonstrate that we hold ownership) however we would like Highland Council to provide a commitment to maintain/operate/clean the existing Melvich public toilets until the Community hub public toilets are available for use.** We would also like Highland Council to transfer any relevant documents in relation to the existing Melvich public toilets building to Melvich Community SCIO so that we can prepare a suitable health and safety file for our demolition contractor prior to demolition of the facility after the new public toilets are available for use.

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?

N/A

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

Proposed rent: £ N/A 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?

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: £ N/A 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 Highland Council public toilets in Melvich are very basic and are not suitable for use by all of the locals and NC500 tourists who may need to use these toilets. The capacity of these toilets is one male toilet and one female toilet (both of which have basic disabled toilet capacity). The NC500 goes straight past these public toilets and there is insufficient capacity to accommodate all the tourists who need to use them at peak times (e.g. when a bus full of tourists parks opposite the toilets). We have performed a consultation and the majority of respondents feel that the toilets are not fit for purpose for users of all abilities.

Most local people try to avoid using these toilets as they are cold and there are no toilet seats on the toilets. In the gents toilets, there is no urinal and as a result males often urinate onto the wooden blocks on the rim of the toilet which someone then defecating would need to sit on the potentially urine soaked wooden block. This is an unsavoury situation and needs rectified.

The current public toilets have no baby change facilities.

It should be noted that there are no changing places facilities on the NC500 between Ullapool and Thurso. As such, the needs of many potential users are not able to be met satisfactorily.

In our public consultation, various other comments were raised in relation to the condition of this facility and Melvich Community SCIO wish to address these concerns.

Melvich Community SCIO have a strategic vision to design and construct a fit for purpose multi-functional multi-generational inclusive sustainable community hub on the land to the west of the former Melvich Village Hall and to the west of the Melvich public toilets. Melvich Community SCIO have started this process and the old village hall has been demolished. We have started the process of designing and specifying the requirements for our new community facility (currently in RIBA stage 1).

As part of our design we intend to include high quality modern inclusive public convenience facilities that will be accessible to local residents, members of the public and visitors. These will also include (as appropriate) male/female toilets, disabled toilets, some gender neutral toilets, baby change facilities and a changing places

facility. The construction of our new community hub with public access to modern fit for purpose inclusive conveniences will render the extant public toilets redundant.

In the past, when events have been held at Melvich Village Hall (before it was demolished), there used to be significant car parking issues at times of popular events. Part of the rationale for moving the new community hub away from the main road (NC500) is to provide additional car parking provision and increase pedestrian/traffic separation to improve safety.

Melvich Community SCIO would like to acquire the Melvich public toilets within their owned land footprint such that in the long term the extant public toilets can be demolished once they are no longer required (due to alternative modern standard facilities being available very close by) and the land would be incorporated into the footprint available to Melvich Community SCIO for car parking, landscaping and walkways.

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.

Economic benefits

Many locals and visitors feel that Melvich Public Toilets are not fit for purpose. This means that some people that might make Melvich a destination for their activities may not stop due to lack of suitable public toilets. We want to try to make Melvich a destination for people to come to and enjoy. This will have knock on economic benefits for local businesses – in particular the Coastline Takeaway Café located next to the Melvich Public Toilets is likely to benefit from increased trade.

Regeneration benefits

Melvich Community SCIO's strategic vision for a new community hub (incorporating public toilets) is a significant step in the regeneration of the Melvich/Portskerra community which is a deprived area.

Health benefits

The provision of suitable toilet facilities helps address a basic human need. Some people do not venture far from locations (e.g. their home) if they do not have access to suitable toilet facilities that meet their needs. Our plan to provide fully inclusive accessible toilet facilities will help individuals to make Melvich a destination that they

are comfortable to come to. This will help with their mental health and reduce social isolation.

The provision of suitable toilet facilities will help people with particular needs – for example shy bladder syndrome, adult incontinence, significant mobility issues, etc.

Social wellbeing benefits

Melvich Community SCIO believe that disability is often created by the environment in which people are in. All people have abilities and we have a responsibility to make sure that the built environment removes barriers to enable people to live their lives to the full extent of their abilities. By us providing new fully inclusive accessible toilet facilities to supersede the existing Melvich Public toilets we will help to enable people of all abilities to integrate within the community which will improve the overall social wellbeing of our community.

Environmental benefits

It should be noted that the new Melvich Community Hub is being designed and will be built/certified to the PassivHaus design standard. Our new public toilet provision would be within this PassivHaus facility. The current Melvich public toilets do not meet PassivHaus standards and as part of Highland Council moving towards a Net Zero operating environment the Melvich Public Toilets would need to be addressed at some point – our proposal removes a liability/obligation from Highland Council and helps Scotland move towards Net Zero.

Tackling inequality

The current Melvich public toilets are binary – male or female. This means that people that do not identify as male or female may feel that there is gender inequality arising with the current toilet provision. Melvich Community SCIO's new community hub with its public toilet provision will aim to tackle this potential gender inequality by providing gender neutral public toilets.

It is essential that people of all abilities and ages are able to use public toilets that meet their requirements. The new Melvich Community Hub aims to be a fully inclusive facility such that inequalities are removed. For example, some disabilities are hidden and some are more visible – by including a Changing Places facility in our new community hub then this will make the public toilet provision in Melvich more suitable.

Promotion of equality

Melvich Community SCIO promote equality and diversity by treating all locals, visitors and suppliers fairly in an inclusive manner. In relation to public toilet provision, Melvich Community SCIO are trying to ensure that there is equal access to appropriate toilet facilities to meet the needs of all individuals so that they can participate in their chosen activities within our community to the best of their abilities and not be disabled by the built environment.

Any other benefits

The positioning of the current Melvich Public Toilets in relation to road layout in the area creates a significant blind spot for drivers. There have been several near miss accidents around the public toilets. Our proposal would improve visibility at the junction from a private house and hence improve safety with hopefully a resultant reduction in vehicle incidents and vehicle/pedestrian interactions.

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.

No known restrictions on use of the land.

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.

There is currently a person employed to clean the existing Melvich Public Toilets – our proposal would remove their employment associated with cleaning a Highland Council owned asset. Melvich Community SCIO's new community hub facility will have more extensive public toilet provision and as such more cleaning will be required. As a result overall there will be more cleaning employment opportunities potentially available to this (or similar) individuals.

By Melvich Community SCIO taking on the role of providing public toilet provision in Melvich this could have a detrimental impact on the finances of Melvich Community SCIO as we will need to pay for cleaning to be performed and pay for maintenance of our new public toilets. We would aim to consider offsetting this by generation of income from the provision of facilities (e.g. voluntary donations for facility use) or by seeking appropriate grant funding to provide this service.

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.

Experience of organisation

Melvich Community SCIO is a relatively new organisation (OSCR consented formation on 29th April 2021) however the organisation has evolved from a previous charity (Melvich Village Hall Association) which had run the Melvich Village Hall for generations. The requirements for cleanliness of toilets is comparable for a village hall to that required in a public toilet. Melvich Community SCIO is established as a legal entity so can place and enter into contracts as appropriate – Melvich Community SCIO have experience of placing and delivering contracts. For example, we safely had the demolition of the Melvich Village Hall performed after we had performed a multi-attribute decision analysis on what to do to address the strategy needs of our community. As a legal entity, Melvich Community SCIO is able to employ people as/if required and individuals within the charity's trustees have experience of employing people and complying with employment law.

Access to appropriate advice and support

Melvich Community SCIO have a wealth of experience within its trustees however there are times where we require additional advice and support. The trustees ensure that appropriate advice and support is available when required. When required, a specialist contract may be tendered/placed or a specialised advisor consulted.

Melvich Community SCIO use D&H Law as our solicitors. Lauren Cook at D&H Law will take the lead on the conveyancing for the completion of this community asset transfer for Melvich Community SCIO.

Have sought advice and support during application phase

Melvich Community SCIO have discussed the proposal of performing this community asset transfer with Highland Council previously prior to submitting the expression of interest under the name of Melvich Village Hall Association (with a note that we would be transitioning to Melvich Community SCIO)).

Melvich Community SCIO recognise that there are likely to be some legal fees associated with delivering this community asset transfer. As such, financial support has been sought from SSE Strathy North windfarm community benefit fund and we having funding in place to cover the anticipated legal costs.

Appropriate skills within the organisation

Melvich Community SCIO's board of trustees have a wide range of skills and experience which collectively are appropriate to running a charity. Some of the trustees run their own businesses and employ staff. If there is any specific information that you require on the skills within our organisation then please feel free to get in touch. Our track record of delivery can be seen on our website at www.melvichcommunityscio.org.

Access and level of volunteer support

Melvich Community SCIO is a relatively new organisation and has a dedicated trustee board of 5 individuals and there are 33 members currently. We are seeking to further grow our membership when we have further developed what the benefits of membership are for members of our community. Our community are supportive of us performing this community asset transfer and most of the work performed by Melvich Community SCIO to date has been performed using volunteer effort. For the cleaning of public toilets in our new community hub facility we would not look to lean on volunteer support (except in exceptional circumstances) and would look to employ an individual(s) to perform this task.

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.

Melvich Community SCIO have conducted a public consultation to assess the level and nature of support for this community asset request. This consultation has not been restricted to only our immediate community but we have tried to reach out to all individuals with an interest in this facility.

A physical printed copy of our public consultation questionnaire was delivered to every household within our charitable area by 26th March 2022.

Melvich Community SCIO duplicated the content of the survey form online at the website www.smartsurvey.co.uk and set up a paid account for one year so that the results could be readily downloaded and analysed.

On 22nd March 2022, Melvich Community SCIO informed our subscribers of the link for this questionnaire using our email distribution list, our website blog, our Facebook page, our Twitter account and our Instagram account. This was to encourage as many people as possible to complete the questionnaire.

A poster was put up in both the gents and ladies toilets at Melvich Public Toilets on 25th March 2022. This poster had a QR code on it and it was hoped that as many toilet users as possible would consider completing the survey. A copy of this poster was also placed on the Melvich Community SCIO noticeboard on 25th March 2022.

The Northern Times newspaper ran an article on the consultation on 30th March 2022 with a link to the online survey.

The North Coast 500 were contacted and they agreed to share a link with their subscribers. This link went out in their mailshot released on 7th April 2022 (<https://mailchi.mp/northcoast500.com/nc500easteradventure>).

Various other organisations were also emailed directly to request that their personnel complete the questionnaire and/or for them to help promote it. These included Caithness Disabled Access Panel, Thurso Community Development Trust and the Farr North Community Development Trust.

A closing date of 18th April 2022 had been set on the questionnaire. The online version of the questionnaire was kept open longer so that additional responses could be gathered.

The responses received back on printed copies of the questionnaire were inputted to the online version of the form to collate the results.

A report on the results of the publication consultation conducted between 22nd March 2022 and 10th May 2022 has been produced.

By the end of 10th May 2022 a total of 73 responses had been received. 41 of these responses (56.2%) were from individuals who live in the Melvich Community Council area.

Overall the majority of the respondents (81.9%) felt that the Melvich Public Toilets were not fit for purpose and suitable for use by persons of all abilities.

The majority of respondents (85.9%) also supported the proposal outlined for Melvich Community SCIO to begin a community asset transfer of the toilets from the Highland Council.

82.5% of the Melvich Community Council area residents who completed the questionnaire were supportive of the proposal outlined for Melvich Community SCIO to begin a community asset transfer of the toilets from the Highland Council.

There were a lot of detailed comments provided by the responders (shown in our output report). These will be given due consideration by Melvich Community SCIO should we be successful in completing a community asset transfer of the Melvich Public Toilets.

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.

Melvich Community SCIO propose to fund the proposed price for the asset from our unrestricted reserves.

It is anticipated that there will be legal fees for conveyancing associated with this community asset transfer. In advance of making the application, Melvich Community SCIO received an estimated cost for the legal fees from our solicitors and have secured funding from SSE Strathy North Windfarm Community Benefit Fund for the anticipated cost.

There will be no future use of the existing Melvich public toilet building that is subject to this community asset transfer after the new community hub has been constructed. There will be demolition costs for the existing Melvich public toilets and costs associated with landscaping/repurposing the land footprint – the costs associated with these aspects will be calculated and covered as part of the holistic development around the Melvich Community Hub (which will be predominately grant funded). It should be noted that Melvich already has access to the SSE Strathy North Windfarm Community Benefit Fund, the Caithness and North Sutherland Fund and the SSE Sustainable Development Fund. Additional windfarms have been consented in our area (Strathy South windfarm and Strathy Wood windfarm) which have their own associated community benefit funds. There is also the potential that further windfarms (e.g. Akron, Melvich Energy Hub, Drum Holliston, Kirkton, Armadale, Pentland and West of Orkney) may be consented in the future in our area which will also have an associated community benefit fund which we will be eligible to access so we are confident that we will be able to attract adequate funding to see our community hub project through to completion in a timely manner and we use community benefit fund money to attract in additional funding as required from other funds as appropriate (e.g. Coastal Communities Fund, Robertson Trust, Anne Duchess of Westminster Fund, etc). Melvich Community SCIO have brought in funding from various sources already to help with the staged development of our community hub facility and believe that we will continue to be eligible for similar funds.

In the interim period between the new community hub public toilets being available and Melvich Community SCIO taking legal title for the existing Melvich public toilets (and its associated footprint) there would be a requirement for maintenance / operation / cleaning of the existing public toilets. We have stated in our terms and conditions for sale that we wish Highland Council to continue covering these costs until the new Community Hub is available for use.

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 Robert Kerr

Address

Date 16/05/2022

Position Melvich Community SCIO Chairperson / Trustee

Signature

Name David Hodge

Address

Date 16/05/2022

Position Melvich Community SCIO Vice-chairperson / Trustee

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: Melvich Community SCIO constitution

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

Documents attached: No attachments for this section.

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

Documents attached: See text in Section 3A of this document.

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: No attachments for this section.

Section 5 – evidence of community support

Documents attached: "Outcome of consultation conducted in relation to a potential community asset transfer of Melvich Public Toilets (Issue 1 – 11th May 2022)"

Section 6 – funding

Documents attached: No attachments for this section.

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