

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.

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

1. Name of the CTB making the asset transfer request

Balvonie Park Association

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

Postal address:

19 Balvonie Street

Inverness

Postcode: IV2 6GF

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: Kim Thain

Postal address:

[REDACTED]

Inverness

Postcode: IV2 6GF

[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.

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	SC044235
	Community Benefit Society (BenCom), and its registered number is	
	Unincorporated organisation (no number)	

5.

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

6. 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:

7. 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?

Scottish Charitable Incorporated Organisations (SCIO)

2. Information about the asset requested

8. 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.

Land adjacent to Braes of Balvonie, Milton of Leys, Inverness.

The land, consisting of two fields, sits between Balvonie Street and the A9 extending south.

Co-ordinates - 57.453409, -4.1654117 and 57.458095, -4.1677728

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

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

UPRN: unknown

3. Type of request, payment and conditions

10. 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 as previously agreed between landowners Highland Housing Alliance (HHA) and The Highland Council.

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?

N/A

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

4. Community Proposal

11. 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 at Braes of Balvonie is currently zoned within the Inner Moray Firth Local Area Plan as being kept for community use. This proposal seeks to secure the land for the long-term benefit of the community, to provide opportunity for recreation and to enhance the biodiversity of the area.

As such Balvonie Park Association (BPA) propose to acquire the land on behalf of the community of Milton of Leys, to provide a community benefit.

To support this, regular open meetings have been held and a community survey was undertaken in February 2022. Both the meetings and the results of the survey overwhelmingly support low impact development of the land, with environmental benefits and in particular the planting of a community woodland.

The BPA proposed to plant most of the land with mixture of native woodland, fruit trees/community orchard and wildflower meadow along with a network of accessible paths. The land would be managed to enhance biodiversity and offer opportunities for exercise and wellbeing.

The BPA is in advanced discussions with SSEN Transmission who have given provisional funding approval to the project, including planting and 20 years maintenance, ensuring the longevity of the woodland project.

A portion of the land will be kept for future community use. Potential uses include allotments and recreational facilities.

Benefits of the proposal

12. 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.

There are numerous benefits to the establishment of a community woodland at the site at Braes of Balvonie.

The site has been under debate within the community for a number of years, with a number of people using the land for walking, especially during the COVID lockdowns where it was of significant value to the local community, providing a safe and local opportunity for exercise.

This is the first time there has been a clear consensus locally as to a use for the land, with overwhelming support for the creation of a community woodland

Other notable benefits of the creation of a woodland include:

Recreation – There is a decreasing amount of green space in Milton of Leys, and concern that what is there is not protected. Residents clearly state that they value these green and wild spaces. They provide wide-ranging opportunities for outdoor recreation, from an accessible paths network for families, dogwalkers etc., to bike trails and opportunities for holding informal courses, such as orienteering and mountain bike skills. All of which are proven to improve mental wellbeing and community cohesion.

Biodiversity & Conservation - restoring and expanding native woodlands, and carrying out habitat improvements within other forest types, is key to conserve and enhance Scotland's biodiversity and contribute to climate change mitigation. This project will ensure only native species are planted and will have biodiversity at its heart.

Economic development – there is the potential to provide training in forestry and ecological management through this project.

Social inclusion – we are seeking to involve all sections of the community in planning and decision-making, and by including the voices of different groups and that the network we create is accessible, we aim to ensure that the benefits of this community woodland and the wider projects in future are available to all.

Community – We want to ensure that this is a project for the community, by the community. We will be seeking volunteers to assist with the development of the land, and working alongside the local primary school and planned care home to see what opportunities there are for their involvement.

Restrictions on use of the land

13. 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 has been identified in the updated inner moray firth development plan as land for community use, the results of the Feb 22 survey overwhelmingly confirm the community benefit of the woodland proposal

There are no statutory designations:

Several annex one species have been observed utilising the land for foraging and nesting in the existing mature trees.

Negative consequences

14. 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.

No negative consequences have been identified and the proposal is widely supported by the community. Membership of the BPA and attendance at meetings is open to the community so that they can help shape the plans for the land and get involved where they can.

Capacity to deliver

15. 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 BPA is made up of over 20 members with a variety of backgrounds, including economic development, energy, social enterprises and forestry contracting/management.

Support and advice have been offered to the BPA (and received) by members of other organisations, such as Inshes Park committee, Inshes and Milton of Leys Community Council. Blackthorn and Hawthorn Allotments Associations, Highlands and Islands Third Sector Interface, and the Community Ownership Support Service.

The BPA has been in discussion with Scottish Hydro Electric Transmission (SSEN Transmission) who have agreed in principle to fund the creation of the woodland and support its management for the next 20 years.

SSEN Transmission will financially support the development and implementation of planting schemes which meet the requirements of the relevant regulators. Annual maintenance payments for period of up to approximately 20 years after initial planting will be covered. There will be an emphasis on schemes planting native broadleaved species whilst demonstrating additional social benefits and a 20-year lease will be required on any planted areas to ensure the longevity of the woodland.

They have recently undertaken a similar project in Argyll with ACT - Argyll and the Isles Coast and Countryside Trust.

SSEN Transmission have agreed to move from an agreement in principle to a formal agreement on transfer of the land to BPA.

5. Level and nature of support

16. 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.

In Feb 2022 a community survey of the residents of Milton of Leys received almost 200 responses.

The responses are discussed in the attached "Review of Community Feedback and Options" report, which incorporates both the responses to the questionnaire and feedback received at community meetings and in person.

There have also been regular open public meetings, held via Zoom due to the ongoing pandemic, which have been promoted via social media, the Inshes and Milton of Leys Community Council, the Milton of Leys Primary School PTA, and personal networks.

6. Funding

17. 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.

Balvonie Field planting 7 hectare of planting @ 2500 plants per hectare

<i>Fencing</i>	<i>£39,000.00</i>
<i>Drainage</i>	<i>£2,000.00</i>
<i>Ground works</i>	<i>£6,000.00</i>
<i>Cost of plants – 17,500 native trees</i>	<i>£13,000.00</i>
<i>Cost of plants – fruit trees</i>	<i>£2,500.00</i>
<i>Planting – native trees</i>	<i>£3,150.00</i>
<i>Planting fruit trees and shelters</i>	<i>£500.00</i>
<i>Tube Stakes</i>	<i>£600.00</i>
<i>Vole Guards</i>	<i>£2,400.00</i>
<i>Application of vole guards</i>	<i>£2,625.00</i>
<i>Lazer spray – including labour</i>	<i>£1,620.00</i>
<i>Spraying</i>	<i>£2,500.00</i>

<i>Hand Weeding</i>	<i>£4,000.00</i>
<i>Cutting Grass</i>	<i>£1,000.00</i>
<i>Removal of gorse and dead trees</i>	<i>£14,000.00</i>
<i>Paths (£30 per metre)</i>	<i>£1,500.00 (approx.)</i>
<i>Agricultural shed</i>	<i>£61,000.00</i>
<i>Mapping</i>	<i>£1,000.00</i>
Total	£102,395.00

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Annual Costs	
<i>Beat up year 1-4</i>	<i>£7,490.00</i>
<i>Weeding labour</i>	<i>£1,260.00 per year</i>
<i>Chemical year 1-6</i>	<i>£700.00</i>
<i>Dye year 1-6</i>	<i>£250.00 per year</i>
<i>Fence repairs</i>	<i>£800.00 per year</i>
<i>Tidy Up</i>	<i>£800.00 per year</i>
<i>Path Maintenance</i>	<i>£1,800.00 per year</i>
<i>Shooting</i>	<i>£800.00 per year</i>
<i>Weevil spray year 1-3 – includes chemical dye</i>	<i>£1,600.00 per year</i>

<i>Hand weeding year 1-4 (might not be needed)</i>	<i>£7,000.00 per year</i>
<i>Total</i>	<i>£22,500</i>

These costs were calculated on the 7 June 2022. In the current market with rising material costs, prices are subject to change

Please see previous discussion on support from SSEN Transmission.

Signature

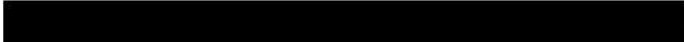
Two office-bearers (board members, charity trustees or committee members) of the community transfer body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

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 Kim Thain

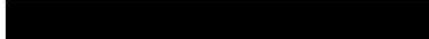
Address  IV2 6GF

Date 14 August 2022

Position Chair, Balvonie Park Association

Signature 

Name John McNally

Address  V2 6GF

Date 14 August 2022

Position Secretary, Balvonie Park Association

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:

Balvonie Park Association – Constitution – April 2022 FINAL APPROVED

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

Documents attached:

BPA – Bottom (north) field plan

BPA – Top (South) field plan with access

BPA – Plan of fields at Braes of Balvonie

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

N/A

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:

BPA – Review of Community Feedback and Options Report July 2022

Section 5 – evidence of community support

Documents attached:

BPA – Review of Community Feedback and Options Report July 2022

Section 6 – funding

Documents attached:

BPA – Review of Community Feedback and Options Report July 2022

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