

Muir of Ord Development Trust,  
The Hub,  
Great North Road,  
Muir of Ord,  
IV6 7SU

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

**ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT ACT**  
**DECISION NOTICE 15<sup>th</sup> OF DECEMBER 2022 – AGREED**

This Decision Notice relates to the asset transfer request made by **Muir of Ord Development Trust** on the 23<sup>rd</sup> of August 2022, in relation to **Land at Ord Industrial Estate, Muir of Ord**.

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

**Terms and Conditions**

The request is agreed under the following terms and conditions:

- 20-year lease of land at Muir of Ord Industrial Estate to Muir of Ord Development Trust for £1 p/a, if asked.
- The lease will be restricted to community use.
- Evidence of Planning approval for the proposed development.
- Muir of Ord Trust covers all reasonably incurred property and legal costs associated with the asset transfer process – both the Council's and its own.
- The lease will be on a Full Repairing and Insuring basis (the tenant will be responsible for maintenance and insurance).
- The tenant is responsible for full reinstatement of the site upon termination of the lease.
- In respect of existing burdens on the legal title for the property:
  - British Railways Board and its successors reserve rights of access for drainage as well as maintenance of the boundary wall pertaining to the overbridge.
  - Before engaging in works, the tenant must consult British Railway Board or its successors regarding potential impact on drainage and water supply and take any reasonable suggestion to avoid detriment to their property regarding the same.
  - The tenant will have responsibility for maintenance and upkeep of fencing around the property (to the satisfaction of Highland Council as landlord).

- Any other terms to be agreed by the Executive Chief Officer Communities and Place in consultation with the Chair of Dingwall and Seaforth Committee.

To proceed with the process, **Muir of Ord Development Trust** must submit an offer to the Highland Council within **six months**. The deadline for an offer to be made is: **15<sup>th</sup> of June 2023**.

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 Community Support & Engagement - CAT, Highland Council, Glenurquhart Road, Inverness, IV3 5NX **by 18<sup>th</sup> of January 2022**, 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,

**Ewen McIntosh,**  
Localism & Engagement Coordinator,  
Community Support,  
Highland Council