**THURSO REPRESENTATIONS AND RESPONSES**

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| **REPRESENTATIONS RECEIVED** | **RESPONSES** |
| **The Esplanade**  Should the Esplanade, land adjacent to it and area of land at the breakwater be included? | **The Esplanade**  Expert title searchers investigated the area on and around the Esplanade. Some areas of land towards the east end of the Esplanade are included in titles the Council acquired for housing purposes. As these are statutory purposes, those areas of land cannot be Common Good.  As far as the Esplanade and beach is concerned, there is no title confirming it to be owned by the Council. In the absence of such a title, it is likely that the land remains a remnant of the Estate of Ulbster or, in the case of the beach/foreshore, Crown land. |
| **Lady Thurso Gardens**  Should this be included? It is believed to have been gifted to the town as a Bleaching Green in 1872 by Sir Tollemache Sinclair but taken back in as the Council did not minute their thanks. It is believed to have been re-gifted and thanks recorded in 1874. Council considered erecting a public toilet there in 1922. | **Lady Thurso Gardens**  (AKA Rose Street Gardens/Lady Margaret Gardens)  These have been extensively investigated by Council and archive officers with no title in favour of the Council being found. In 1949 the Council wished to lay out gardens on the bleaching green. The title superior (Estate) agreed in principle but wished sight of the deed of gift and any title conditions before making a definite decision.  In 1950 the factors for Sir Archibald Sinclair confirmed no such Deed of Gift had been granted to the Council for the bleaching green. Their suggestion was the Council should advertise their intention to lay out the area as gardens in case there were any objections. The Council continued to lay out the gardens and have maintained them but do not appear to have acquired formal ownership.  In the absence of a formal title deed, our view is that these gardens are not owned by the Council and are not Common Good.  The toilets were erected in or about 1935, again on land not owned by the Council. Notwithstanding the fact the Council may have paid for the construction, the title to the toilets will follow that of the land.  Agreement to maintain the land or the buildings thereon does not confer ownership. |
| **Land at Riverside Road, adjacent to Harbour Court**  Fishermen leave their boats there during winter. There have been mixed claims that it may be Council owned or may be privately owned. Council cut the grass until stopping prior to 2010. It was previously the site of a pavement works. | **Land at Riverside Road, adjacent to Harbour Court**  In 2012 the Council instructed a specific search of this area of land from Registers of Scotland. Registers confirmed that the land has not been registered however, after searching nearby areas within the Land Register and the older Sasine Register, they concluded that it is most likely to form part of the Lands and Estate of Ulbster as owned by the Sinclair Family Trust. |
| **The Mall and Mall Shelter**  The Common Good fund should be used for the Mall including shelter. | **The Mall and Mall Shelter**  Thurso will be a newly reactivated Common Good fund and, as such, it does not have an account containing income funds. Moving forward strategies will be developed to generate income which, in due course, will be available to be used for community benefit.  The Mall including shelter is one of the property assets that will form part of the Thurso Common Good portfolio. |