

**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

Carr-bridge Ahead Limited

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

Postal address:

Postcode:

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:

Postal address:

Postcode:

Email:

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.

x	Company, and its company number is	SC270555 Charity no SC035965
	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is	
	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:

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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

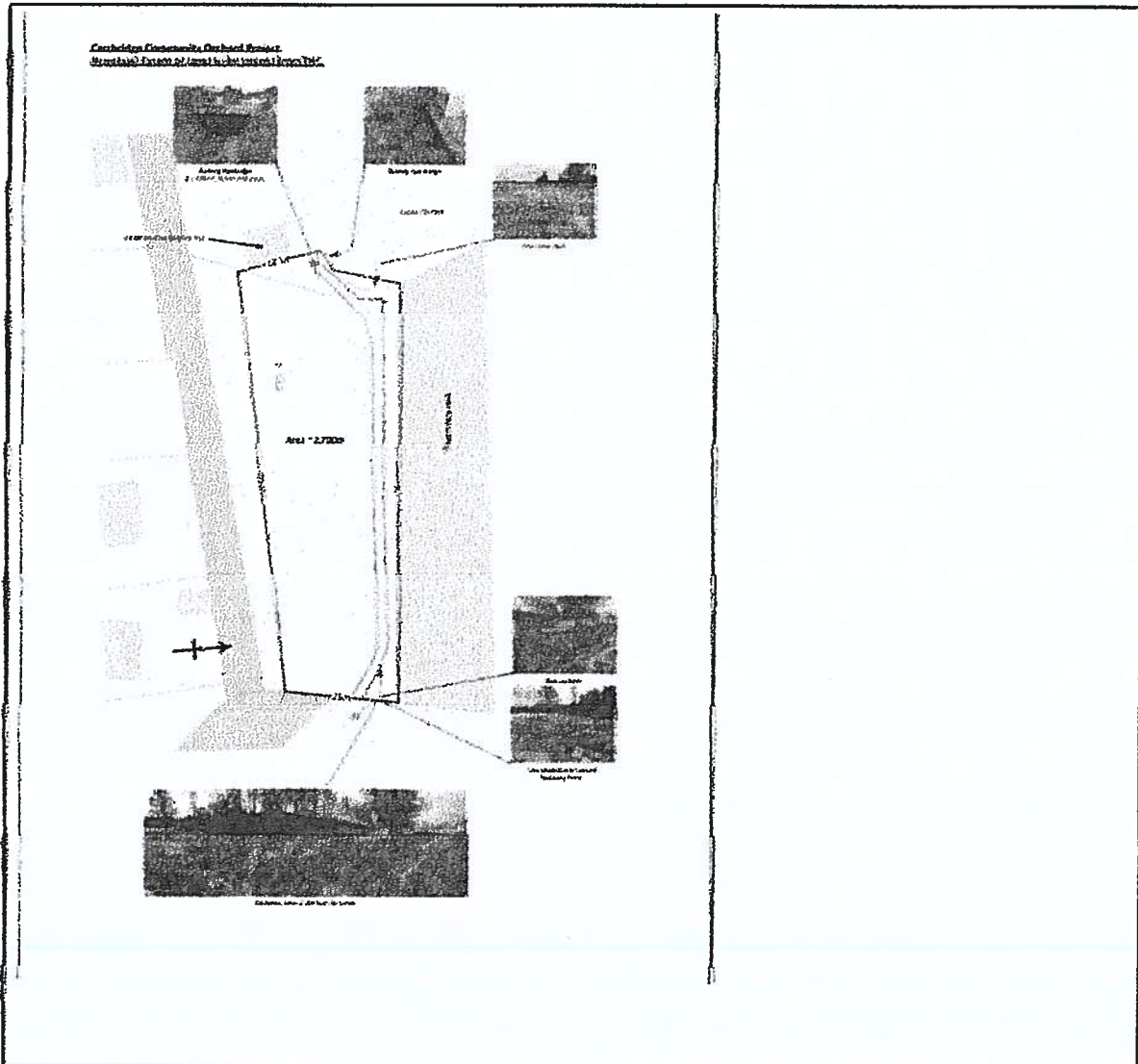
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Section 2: Information about the asset requested

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.



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: may form part of 130112537

Section 3: Type of request, payment and conditions

3.1 Please tick what type of request is being made:

<input type="checkbox"/>	for ownership (under section 79(2)(a)) - go to section 3A
<input checked="" type="checkbox"/>	x for lease (under section 79(2)(b)(i)) - go to section 3B
<input type="checkbox"/>	for other rights (section 79(2)(b)(ii)) - go to section 3C

Request for ownership

What price are you prepared to pay for the asset requested? :

Proposed price: £

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?

25 years - to allow time for developing to maturity of entire orchard

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

Proposed rent: £ 1 per year

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?

We do not believe any other rights are necessary but are awaiting guidance from Planning with regard to bridge access to site which may raise rights issues.

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

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.

Cambridge Community Action Plan (CAP) 2022-2030 consultation identified a Community Orchard as a project of interest to residents in response to Climate Change. This Project was also identified in CAPs of 2011 and 2016.

CBA is one of the coordinators of the implementation of the CAP. CBA was approached by Community Orchard Group with a request to support the acquisition of the proposed site. It is proposed that COG will operate as a sub-group within CBA, a model that has been used for other community projects.

The Community Orchard Group, who will deliver and maintain the orchard have set out their Aims and Objectives:

Aim

To create, develop and maintain a Community Orchard for the benefit of local people, visitors, and wildlife.

Objectives

1. To encourage community involvement in the development and management of the Community Orchard.
2. To create and maintain a community orchard that reflects local interest.
3. To grow and conserve a mix of local varieties of fruit that can include apples, plums, pears, cherries, and nuts.
4. To optimise the potential for wildlife.
5. To manage the Orchard as organically as practical.
6. To create and execute a management plan for the Orchard and annual work programmes, in consultation with wildlife consultants/orchard experts, where appropriate.
7. To undertake or commission wildlife and plant surveys/seek or pay for management advice as appropriate.
8. To endeavour to maintain sure, safe and easy access to the Community Orchard at all reasonable times.
9. To offer a place for recreation, quiet contemplation, where horticulture and wildlife management can be passed on/learnt and practised.
10. To grow a harvest of fruit that can be shared – as decided by the General Management Circle and local people – leaving at least 10% for wildlife.
11. To offer a host of activities from practical management and education to celebration and appreciating the harvest.
12. To raise awareness of the activities and ethos of the Community Orchard.
13. To encourage the creation of more Community growing spaces and to liaise with other Community Orchard groups.
14. To engage in such measures as from time to time as seem appropriate to achieve these objects.

In order to achieve these, the following essential development and remediation works will be required:-

A safe accessible bridge across the drainage ditch to allow the use of the orchard for all abilities and intergenerational engagement, including Cambridge Primary Pupils to use the area for their Eco Schools projects and out of school activities. Cairngorm National Park communities are part of a pilot for the Green Health Prescriptions and we hope the orchard will be recognised as a contributor for improved physical and mental health. CBA has lodged a pre-planning enquiry with the relevant department and awaits their guidance on requirements and process.

Levelling of existing spoil heaps from previous ditch clearance and excavation for the Community Fire Station and Play Park extension.

Clearing of the drainage ditch to improve drainage from the site and the creation of an improved aquatic ecosystem.

Raising the canopy of the existing large deciduous tree and removing any dead or dangerous branches.

The Land will then be developed for people and wildlife as a community Orchard with a wildflower meadow understory.

The Orchard Group have drafted a Management Plan subject to successful lease negotiation of the site identified for this Asset Transfer.

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.

There is evidence that such spaces have immediate and lasting benefit to Physical and Mental wellbeing. As our village grows, the need to deliver opportunities to socially connect new residents into the community is an important consideration.

The site will be managed to increase biodiversity with underplanting of wildflowers and include native species of fruit. Sustainability and carbon reduction is central to the development and a Zero Carbon Policy has been drafted and will underpin decision making.

As this is a central position in the village the development will provide additional recreational amenity for visitors as well as locals and possibly some economic benefit as people stay longer and use local businesses. This is most certainly a regeneration of a site that has been unused for over 50 years.

Locally grown food will make some impact on health inequalities, and it is hoped will encourage local growing and food sharing more generally as has been evidenced in other communities and is core to the Highland Council's Food Growing Strategy.

We expect our project to contribute strongly towards achieving the following objectives in the Food Growing Strategy:

- Build knowledge and understanding of CFG in Highland.*
- Communities are empowered to start growing or expand their growing.*
- Ensure communities are informed and connected, and are supported to access the resources they need.*
- Support communities to become more resilient through community food growing*

Additionally, the Organising and Delivery team of Carve Cambridge have identified a desire to offset Carbon cost associated with the event now in its 20th year. In 2018 the event contributed to the Woodland Trust however the intent is to create something of more immediate benefit to the community going forward and to achieve improved sustainability goals.

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 (SSSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.

Known restrictions are that the main sewer from the village runs through the site to the pumping station on Carr Rd.

Consultation with Scottish Water is that the recommendation is that there is no tree planting 4-5 m either side of the sewer. Therefore, this will be the line of the main path of a suitable construction, which in the event of a need for maintenance will be sacrificed. There may be in due course, some movable raised planters for soft fruit such as strawberries, herbs, edible flowers, and salad vegetables along the margins of the path.

The Drainage ditch does not appear on a 1:50000 map and correspondence with SEPA indicates that as long as there is no intention to culvert significantly long sections of the drainage ditch they have no interest. They are not averse to development of an access bridge. This is evidenced by email.

Risk of Historical Contamination- a 2011 soil sampling report has been made available from Highland Council's Environmental Health department which found no evidence of contamination relating to a historic garage site above and to the SW of the site. There are no known episodes of contamination since these tests were conducted. Evidenced by email from Environmental Health via Carole Butler Nov22.

Existing Flora and Fauna- It is intended to survey the site periodically during 2023 with a desire to start infrastructure developments as soon as is permitted to allow safe access.

Initial investigations by local experts have established that there are no Badger sets on site. Roe Deer and other small mammals have been observed. Meadowsweet is prevalent and some other species have been identified in late summer. Pupils from the Friday After School Club engaged in the RSPB birdwatch in January to establish a baseline and the site will be monitored once per month throughout the year to measure the impact of the planting scheme on that end of the food chain..

No audit has yet been done for amphibian or invertebrates on land or in the drainage ditch.

Planning Restrictions- the site sits outside of the Carr-Bridge settlement boundary. It is entirely unused at present. Save for the sewer running below the site, there are no buildings or infrastructure of any kind on the site.

There are no plans to erect any permanent structures on the site. Specifically in respect of the planned pipe-bridge for access to the site (see plan documents), a pre-planning enquiry was raised with The Highland Council in February 2023. This bridge will open onto a current pavement.

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.

Thus far no negative consequences have been identified, neither have concerns been raised.

Competing uses for the site are unlikely, particularly given the wayleave requirements that attach to the sewer running through the site. We are not aware of any other proposals having been presented for this site.

No permanent structures are anticipated. Whilst there will be some mechanical activity involved in putting in place the necessary infrastructure referred to above (bridge, site levelling, drain clearance etc), these are expected to be modest in scale, brief and duration and of limited impact.

The primary audience for the project is the local community. We would expect the majority of this group to access the site on foot. The fact that the site is very central will assist in this regard. We hope that the development of the Orchard may persuade some visitors to prioritise Cambriage as a stopping point, particularly during the day. The site is adjacent to the main car-park in the village. This will serve to increase its easy accessibility for visitors as well as ensuring that any traffic associated with visits is accommodated without wider inconvenience. It is also fortunate that the public toilet facilities are also very close by.

We plan to use this advantageous location to make a substantial part of the site accessible to visitors with mobility restrictions and will plan the access bridge design with this in mind.

The intent is to improve the habitat for plants, pollinators and ecosystems generally as well as providing low carbon sources of food for people and wildlife.

The local economy should benefit though this will be difficult to quantify. The Orchard will be an amenity that may attract visitors to stay longer and spend in the local businesses such as the Café, Spar and Pub.

Our preference is to employ local contractors through inward investment from grant funding. The geographic isolation identified by the Scottish Indices of Multiple Deprivation means that contractors from further afield are likely to cost more due to travel costs. This is also a consideration when the project aims to be Carbon positive as part of the sustainability goals and practices identified in our Zero Carbon Policy. Local providers in turn spend locally and sponsor events such as Carve Cambridge and the Golden Spurtle and generally contribute to the local economy. Wherever possible we will strive for a Circular Economy and reuse or repurpose material and grow as organically as is possible.

COG has sought to create opportunities for residents to participate in and comment on the project .

The intent to create an Orchard has been publicised widely in the village and the website/ Blog and social media will be used to keep people updated.

A QR code will be displayed on the notice board at the site.

Those interested in regular updates direct to their mailbox

will subscribe to the e-newsletter.

Members of Cambridge Ahead will be kept informed via the Biannual Newsletter and Member Update emails.

Events will encourage people to get involved and to find out more about the many aspects and benefits of a Community Orchard that is well documented in National and Local Strategy and policy documents. These are referred to in the Management Plan.

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.

CBA is a solid and well-established local community development company which meets the relevant CAT eligibility criteria. The board has ten directors at present, none of whom are related, or otherwise connected. It has operated for more than 20 years. It provides enabling infrastructure and support (banking, insurance, policies & procedures etc) for two very well-established local annual events - Carve Carrbridge and Golden Spurtle - World Porridge-Making Championships. More recently it has acted as the recipient organisation on behalf of the community taking receipt of monies disbursed by the owners of the Tom nam Clach wind farm. CBA makes grant awards to qualifying people, organisations and projects through three separate programmes - its main grant programme; small grants programme and children & young people recovery fund. The board meets every two months, minutes those meetings and continues to maintain and develop appropriate policy guidance and operational processes relevant to its range of activities.

The ten CBA directors, all of whom are local to the community, have a variety of backgrounds.

The Chair, Gavin Gerard, is an engineer working for a multinational construction company developing and delivering major infrastructure projects in the UK.

The director leading this project on behalf of CBA, John Rendall retired in 2015 following a near 30 year banking career including extensive experience in negotiating and implementing commercial transactions. At various points in his career John had responsibility for legal teams, property teams and project management. John is also Chair of another Scottish Charity St Magnus International Festival Ltd.

Other directors have backgrounds in a variety of sectors including several current or past local business owners.

CBA will appoint legal advisers in due course. While not ruling out other professional guidance, CBA does not see any specific needs at this stage.

CBA has sought to access and have benefitted already from guidance and support from a number of organisations with CAT experience. Aside from Highland Council itself, these include VABS, HIE, SLF and COSS.

CBA and COG intend to work together in a similar format to the groups that manage the Carve and Spurtle events with CBA providing transactional banking, insurance, working capital, policy framework and some IT support allowing COG to focus its time and effort on the orchard (including fund-raising activity). There will be representation from CBA on the COG committee. A draft Memorandum of Understanding is in place and a formal Terms of Reference will be agreed in due course to ensure that respective roles and responsibilities are clear.

The Orchard Group have drafted a Management Plan and undertaken a Risk Assessment for the project. There is significant Project and Event management expertise in the Orchard Group both professionally and as volunteers.

Within the Orchard Group, key volunteers have a track record in delivering regeneration projects, as well as cultural and social events. This includes in their capacity as Trustees of charities, Directors of Companies limited by Guarantee and other not for profit groups both in Cambridge and in other communities in the Strath and further afield.

Examples include - working in a voluntary capacity with partner organisations such as TCV and funding sources from Coalfields Regeneration Trust Landfill Tax credits and sportscotland Lottery Funding delivering a total project worth of c£1.8m

Organising and delivery of Carve Cambridge and the Golden Spurtle, Trustees of the Neil Gunn Trust and a number of other businesses and charities in professional and voluntary capacity.

There is also a strong background in Volunteer engagement and management in Cambridge as evidenced by Carve Cambridge (20years) and the Golden Spurtle (30 years) with over 165 Cambridge residents volunteering in 2022.

For key infrastructure projects, competent advisors with professional experience will be among the wider volunteer cohort and contractors with relevant professional indemnity and public liability will be engaged to deliver.

COG members have also been enthusiastically learning from comparable projects across the wider Highland area.

SMART milestones will underpin the work and robust monitoring and evaluation processes are currently being developed.

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.

From a standing start in late 2022, there are already 16 members of the group. Other members of the community have indicated an appetite to volunteer when boots are on the ground (but have less enthusiasm and/or time for committees and meetings).

In addition to the responses to the Community Action Plan organised by Voluntary Action Badenoch and Strathspey, (274 responses, however not disclosed by VABS how many favoured the Orchard) the Orchard group have reached out to local businesses and organisations.

Within 1 week Orchard Group had received 8 letters of support from local businesses, 6 from local organisations and a further 2 from Highland wide charitable trusts.

The group have used social media to reach out to individuals through a dedicated Facebook Page for the project and via an email subscription option for those not active on social media. The group will continue to use these channels, the website and linked blog as a means of sharing progress and stimulating interest.

Letters of support are available to be viewed by officers.

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.

It is anticipated that the rent for the asset will be a nominal sum agreed by means of a Lease and a Terms of Reference between Carr-Bridge Ahead and the Community Orchard Group.

Evidence of volunteering by the Orchard Group to date is recorded on the Blog and the attached documents. Physical work cannot be evidenced as we don't yet have access to the site.

In addition there has been volunteer input from Carr-Bridge Ahead in taking this ATR and planning permission forward.

The rent will be funded by donations in the first instance. These to come from opportunities for visitors to the site to donate via a QR code link on an information board for example to a Local Giving Account or similar.

In the event that this is insufficient, funds then a local appeal for donations will be made and or fundraising events at the site for example an annual picnic or a fundraising activity during established village events such as Carve Cambridge or Golden Spurtle.

For the development of the site the Orchard Group will apply for funding across a period of 1-5 years as the site evolves. Thereafter it is anticipated the site will be in more of a maintenance phase.

£8.5k of capital funding has been applied for by the orchard group in accordance with the eligibility criteria of the schemes. However, without tenure over the site these may need to be returned if this ATR is unsuccessful.

It is expected that a further £7.5k will be required in due course based on e

To support funding applications, volunteers have already undertaken a Funding Masterclass in February with Highland and Island Climate Action Hub and attended a volunteer event with Green Hive in Nairn which helped to find out more about sources of funding that they had been successful with, and we are reaching out to stimulates from suppliers of fruit trees, soft fruits, raised beds and a picnic bench suitable for wheelchair access other projects.

Year 1

Spring Summer

Physical (Infrastructure) projects such as an access bridge, site clearance and levelling, clearing of the burn and a drainage rill in bowl that forms the bottom 1/3rd of the site.

Without permission for development via a License to Occupy it might be that funding opportunities requiring evidence of tenure are missed. These will delay the project as safe access is essential from a Health and Safety perspective and there is nothing much to be done whilst the heaps of soil are in place

If the project is to stay on track, then it might be appropriate to apply to the ward Discretionary Fund for clearing the drainage ditch as not been cleared for 7 years and not known previous to 2016.

The other essential costly element would be the access bridge and Carr-Bridge Ahead might be the most appropriate source of funding if the external funding deadlines are missed.

Carr-Bridge Ahead also have various Grants schemes and the Group have benefited from the New Group Start up Fund of £250 to fund meetings in the village hall, visits

and incidental start-up costs. If the CAT is successful, then the group anticipate making an application for seed funding to attract funding from other sources.

It is anticipated that separate Funding applications to appropriate sources, will be made for a range of requirements as summarised below:-

Year 1 Autumn Winter Tree planting and associated protection against deer and rabbits, development of wildflower areas, and Living Boundaries will be sourced via Woodland Trust and tools and PPE will be a small grant application from appropriate

Year 2

Further applications for trees, hedging and wildflowers will be made, planters for soft fruits such as strawberries and raised beds of different heights for fruit bushes and seasonal vegetables. This to meet accessibility needs.

Year 3-5sources.

Local volunteers are also cultivating soft fruits for planting later in Year 1 once the site is prepared and the local interest group Plant Drochaid Charr have been asked to cultivate herbs and wildflowers for the site.

Other aspirations for the site include informal seating and developments based on the learning from previous years.

There has also been early interest in the potential to extend activity into other smaller parcels of land in the area via a "pocket orchards" model. Again this is out of the scope of this request but indicative of the levels of interest in the project.

More detailed project timetables and budgets have been included as appendices. It should be noted though that in the immediate future these are highly dependent on the timing of the Highland Council's response processes. It is likely to that the details will evolve further particularly as COG gains experience and insights from other sites and groups.

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 [REDACTED]
Address [REDACTED]
[REDACTED] [REDACTED]
Date 23rd March 2023
Position Chair
Signature [REDACTED]

Name [REDACTED]
Address [REDACTED]
[REDACTED] [REDACTED]
Date 23rd March 2023
Position Director
Signature [REDACTED]

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: Carr-bridge Ahead Articles of Association

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

Documents attached: Site plan with draft details of additional infrastructure

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

Documents attached: 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: Project Timeline

Section 5 – evidence of community support

Documents attached: Carrbridge Community Action Plan 2022

Section 6 – funding

Documents attached: Community Orchard Group Project Funding Schedule

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