

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

Portree & Braes Community Trust

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

Postal address: Office 5, Jans

6 Broom Place

Portree

Isle of Skye

Postcode: IV51 9HL

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: Alec McLeod

Postal address: Portree & Braes Community Trust

Office 5, Jans,

6 Broom Place

Portree, Isle of Skye

Postcode: IV51 9HL

Email: alec@portreeandbraes.org

Telephone: 07414491943

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	SC046593
	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?

Community Controlled Body

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.

Site of the Old Swimming Pool in Camanachd Square, Park Road, Portree.

57°24'52.6"N 6°11'50.6"W

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: 130111080

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: £0

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?

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.

The community purchase of the site of the old Swimming Pool in Portree will allow the Community Trust to deliver its community-led 5-10 year Plan, '[Re-imagining Camanachd Square](#)' which hopes to re-develop the area to better benefit the local community. The area that is being considered for development includes King George V playing fields, The Community Centre and its car park, The Portree Nursery, a multi-use games pitch (known as the Red Pitch) and a small children's play area, as well as the footprint of the Swimming Pool building which was demolished in 2012. Despite being an important location for the community, the site has fallen into disrepair through lack of investment.

The Trust already has an agreement in place to purchase the surrounding King George V Playing Field with its current owners, Fearann Eilean Iarmain, with both sides having engaged legal advice to complete the sale. It would be advantageous for the Trust if the asset transfer of the Old Swimming Pool could take place concurrently with the purchase of the King George V Playing Fields. This purchase is due to be finalised before the end of March 2025.

The proposal for the old pool site is to make it an adventure playground. Its location next to Portree Nursery means it is ideally suited for this. The current nearest playpark is seen by the community as being not ideal, due to its distance from the nursery and Community Centre, and the fact that it is tired and the range of equipment does not suit all age groups. A Highland Council annual inspection of the current King George V playpark in April 2021 rated the playpark as high risk with the majority of equipment having a lifespan of less than 10 years and some having a lifespan of 3-5 years.

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.

The asset transfer of the pool site to the community will allow for its incorporation into the surrounding King George V Playing Field. This will enable the Community Trust to implement the wishes of the community by developing the area according to our plan, "Re-imagining Camanachd Square". The West Highland and Island Local Development Plan or WestPlan, identifies the King George V playing field as "cherished green space". The Playing Field and Camanachd Square have the potential to be a new community square for the town, a public space where the people of Portree can gather.

Having the whole of the King George V Playing Field in community ownership means that we can then begin to co-ordinate the improvement of the field to assure it can be used all year round, e.g. by improving drainage and introducing floodlighting. The study we have commissioned shows that Portree's population is getting younger, as more young families move into new housing in the Home Farm area. The continuing rise in tourism, and the effect that has on Portree in terms of shaping the retail, hospitality and housing space, means that it is important that the local population has a genuine community space that works for them. As more local businesses cater to the lucrative tourism market, some people can be priced out of their own community. Making sure there is well-maintained community land means that the whole community can feel a shared ownership of a space that they can be proud of. One that allows all ages and backgrounds somewhere on their doorstep to meet and play safely.

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.

There are no restrictions on the land beyond its location and condition. Being surrounded by the King George Playing Field restricts its use to amenity 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.

The land is currently an empty hardstanding and is not in regular use, with no competing plans for it to be used in the future, so there will be nothing to gain from this asset transfer not proceeding, and there is nothing to lose by not going ahead with our community plan for its development. Occasionally the land is used as an overflow carpark for events however due to the restriction on the land as amenity land it would not be suitable to designate the site for parking long term.

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.

Portree & Braes Community Trust have shown that they are able to deliver projects for the community in collaboration with local businesses and members of the community, in particular those involving asset transfers. Comprised of a board of trustees made up from members of the community, as well as employees in the roles of Development Officer, Project Officer and Finance Officer, the Trust is capable of planning and delivering community-led projects. These are delivered through our local knowledge and connections, being able to call on the services of the appropriately-skilled professionals wherever necessary to get the job done.

In 2020, the Trust purchased the site of derelict squash courts to develop the land with the Highland Council as a community owned car park. This is the first step in the longer term regeneration of the Portree waterfront area. More recently, the Trust has been able to transfer former farmland into community ownership, working with a committee to develop it into community allotments. The Trust have already raised enough to purchase the King George V Playing Field using their links to the community as well as fundraising at local events.

The Trust not only has experience in land transfers, but has shown it is capable of maintaining projects for the long-term benefit of Portree & Braes. Portree's Helipad, public toilets, Matheson Place Playpark, as well as public advertising spaces are all maintained by the Trust. The Trust's volunteer events management group Light Up Portree also work alongside the Portree Community Centre Association to provide annual events to the community such as the Christmas events and the revamped Skye Gala.

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.

In 2016 Architects Rural Design completed the “Portree Development Ideas” study that considered development opportunities in the entire town. Camanachd Square was identified as an area for redevelopment and improvement for community use. Key suggestions were to create a useful public space within the site and to strengthen the connection between a remade Community Centre and the King George V Playing Field.

Also in 2016, Skye and Lochalsh Council for Voluntary Organisations undertook a community led research project entitled the “Portree and Braes Community Conversations Project” which consulted widely on the existing community facilities within Portree. Both the Community Centre and the King George V Playing Field were identified as assets that needed investment and considerable improvement in order to be more useful to the wider community. Rural Design also created a report entitled ‘Reimagining Camanachd Square – stage 2’ which summarises proposals and consultation methods. Consultation methods are detailed in pages 11 and 20. 35 local community groups and businesses were approached for their feedback, including events organisers, schools, youth and sports clubs, and third sector organisations. Detailed interviews were undertaken. The feedback included that the “area as a whole is poorly maintained”, and a “widespread desire for Camanachd Square not simply to be more car parking - it’s seen as a focus for community activity, indoor and outdoor”.

There was also an evening webinar held by Rural Design attended by approximately 15 people where proposals were described, and feedback recorded. An online survey hosted on the PBCT website for approximately a month in August 2022 provided an opportunity to leave online feedback via a short survey. The information was also available on presentation boards for a similar time period in the Community Centre foyer, with a QR code encouraging the public to leave feedback online. The outcomes of Rural Design’s “Reimagining Camanachd Square” report were presented to the public for review at the 2022 Skye Agricultural Show, an event that draws people from across the island and beyond, on King George V Playing Field itself.

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.

The asset has been valued internally by the Council at £2000, based on the valuation of the surrounding King George V land. However, the benefit to the Council in keeping this land once the surrounding area is community-owned is negative. Once responsibility for maintaining the King George V land is in the hands of the community, through Portree & Braes Community Trust, with a plan in place for developing and maintaining the land, the Trust will be in a better position to take care of the pool site for the benefit of the community. As a community body able to apply for funding, the Trust is essentially the only body that could take on the land and maintain it. This is even more true now that the Trust are in the process of purchasing the surrounding land. The Trust has been made to purchase the King George Playing Field from FEI for an amount far above market value (£34,000 after a valuation of £11,000), which the Trust alone was nevertheless able to achieve through fundraising and financial support from the Scottish Land Fund. For this reason, we suggest that the community is best served by the site being transferred to the community without payment.

The Trust would also like to highlight that the development of the original swimming pool was initiated through funds raised by the community. As a statement from the Highland Council at the time of the pool's demolition makes clear, "The Council acknowledges that the campaign to build a swimming pool in Portree began in 1972 and was led by a very active committee chaired by MRS A Weir, who started the fundraising campaign with a personal donation. Between 1972 and 1976 a sum in the order of £20,000 had been raised. Even if the maximum grants that may have been available for a project of this nature at that time were forthcoming, there would still have been a considerable shortfall in the capital costs and an uncertain situation regarding the running costs."

Within the context of the community's original funding of the pool, it would seem most appropriate for the old pool site to be returned to the community without charge so we can proceed with its re-development and re-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 MALCOLM WILKINSON

Address

Date 24/9/24

Position Chairman

Signature

Name DUNCAN BROWN

Address

Date 24/9/24

Position Treasurer

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: PBCT Constitution SCIO Aug 2017.pdf

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

Documents attached: Mick McWilliams Camanachd Square Ownership Map 01.05.23.pdf, Feu Charter, Iain Noble in favour of Highland Council (old swimming pool) 1978.pdf

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

Documents attached:

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: PBCT KGV Business Plan 2023 updated 01.02.24.pdf, Stage 1 Reimagining Camanachd Square Masterplan Report Rural Design April 2022.pdf, Stage 2 Reimagining Camanachd Square Masterplan Report Rural Design April 2022.pdf

Section 5 – evidence of community support

Documents attached: Stage 1 Reimagining Camanachd Square Masterplan Report Rural Design April 2022.pdf (pp.44-47), Stage 2 Reimagining Camanachd Square Masterplan Report Rural Design April 2022.pdf

Section 6 – funding

Documents attached: Stage 2 KGV Grant award letter 08.12.23 e-signed.pdf

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