3rd July 2026

Mr David Haas
The Highland Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX

APPLICATION FOR REVIEW - ASSET TRANSFER REQUEST UNDER PART 5 OF THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015
Former Torvean Quarry, Inverness, IV3 8JN - Decision Notice dated 24 June 2026

UPDATED 07/08/2026

Dear Mr Haas,

Highlands and Islands Skills CIC ("HI-Skills") hereby applies for a review of the Council's decision, notified to us on the 2nd July 2026, to refuse our asset transfer request in respect of the Former Torvean Quarry.

We respectfully submit that the decision should be overturned. The reasons for refusal do not withstand scrutiny against the statutory framework of the Community Empowerment Act 2015, contain material procedural deficiencies, and in significant respects are inconsistent with the Council's own strategy and the position of its own departments.

This letter outlines our requests for the review procedure and the points we'll be raising challenge to. We'd like to draw the Council's attention to some preliminary matters which we ask the review to also address.

First, prior to HI-Skills making its formal application, the Council advised HI-Skills that the Former Torvean Quarry was an operational site and therefore ineligible for asset transfer under the Community Empowerment (Scotland) Act 2015. That advice was incorrect and was regarded by HI-Skills at the time as an attempt to prevent a legitimate application from proceeding. The site has been visibly and demonstrably derelict for thirty-five years, a fact confirmed by the Council's own public land register, and evidenced beyond any reasonable dispute by the physical condition of the site, decades of press coverage and by residents' own testimony gathered during our community consultations. Had HI-Skills accepted that "advice" without the benefit of its own direct and detailed knowledge of the site, an application under the Act would never have been made. The review should note that the process began with the Council providing materially incorrect information that, if accepted, would have prevented a valid application from proceeding and should consider that context and why it did that when assessing the conduct of the determination that followed.

Second, following a constructive meeting in January 2026 with the Assistant Chief Executive for Place, Malcolm Macleod, at which the Council confirmed its willingness to work with HI-Skills to realise this opportunity, one of the Council's Chief Officers, Alison Clark, acting under the instruction of Malcolm Macleod, provided HI-Skills with a written summary of the areas in which the proposal was considered weak or requiring further evidence. That correspondence was provided and received in good faith. HI-Skills addressed every concern raised, in full, within its final submission.

It therefore comes as a considerable surprise that the Decision Notice refuses the application on grounds that are materially different from, and in several respects entirely absent from, the concerns raised in that pre-submission correspondence. HI-Skills was given no prior indication that the grounds ultimately cited in the Decision Notice would form the basis of refusal and had no opportunity to address them before determination because they were not raised. This represents a significant procedural unfairness. An applicant who is told at Executive level that the Council is willing to work with it to realise the opportunity, is advised what it must demonstrate, demonstrates it comprehensively, and is then refused on different grounds it was never asked to address, has not been given a fair determination. That alone is a basis on which this review should be held.

Third, the Decision Notice states the asset transfer request was made on 24 June 2026, the same date as the decision was made itself. This is factually incorrect and we ask that the record be amended to reflect the actual date of the validated request, given the statutory timescales that apply to determination under the Act.

Fourth, the determination was not made within the statutory period required under the Community Empowerment (Scotland) Act 2015. The original deadline for a decision was 9 March 2026. A two-month extension was agreed with the Asst Chief Executive, Malcolm Macleod, extending that deadline to 9 May 2026. The Decision Notice was not received by HI-Skills until 2 July 2026 - some 54 days beyond the extended deadline. The Council therefore failed to determine the request within the statutory timeframe even as extended. We raise this not to be combative but because it is a material matter of procedural record, and because the delay has itself caused programme disruption to a project whose timeline is sensitive to the region maximising the greatest economic and social benefit from the once in a generation regional transformational opportunity ahead.

> **The statutory test the Council was required to apply:**
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> Section 82(3) of the Community Empowerment (Scotland) Act 2015 requires the Council, in reaching its decision, to consider the extent to which the proposal would promote or improve economic development, regeneration, public health, social wellbeing and environmental wellbeing, and whether it would reduce socio-economic inequalities. Section 82(5) creates a presumption in favour of agreement: the authority must agree to the request unless there are reasonable grounds for refusal. The Act, and the accompanying Scottish Government guidance, make explicit that asset transfers may proceed at less than market value where community benefit justifies it, and that "best value" in this context is not a narrow financial test.
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> The Decision Notice does not engage with this framework. It does not assess the proposal's benefits under section 82(3), does not identify the benchmark against which "best value" was measured, and does not explain why the statutory presumption in favour of transfer was displaced. We ask the review to address this directly.

Fifth, and most seriously, twelve pieces of supporting evidence submitted by HI-Skills to the Community Asset Transfer team on the 6th May 2026 and 7th May 2026 have not been uploaded to the Council's public CAT register at www.highland.gov.uk/cat, where all documents relating to the request are required to be made available for public inspection.

This is by no means a minor administrative oversight. The Council's own CAT process requires that all evidence submitted by an applicant is published and made available for inspection. The absence of twelve submitted documents from the public record raises two distinct and serious concerns which the review must address directly.

The first concern is procedural. If the reviewing panel responsible for the determination did not have access to all twelve documents at the point of decision, then the determination was made on an incomplete evidential record. A refusal on grounds of insufficient evidence, made without reference to evidence that had been submitted and was available, cannot constitute a fair or lawful determination. HI-Skills formally requests that the review also confirms, on the record, which documents were before the decision-maker at the point of determination and which were not.

The second concern goes further. The Council refused this application, in part, on the grounds that there was insufficient evidence to support the proposal, insufficient evidence of financial capability, of partnership commitment, of delivery capacity, and of community benefit. Twelve documents submitted by HI-Skills in support of those precise grounds were not published and, on the available record, have clearly not been considered. It is difficult to characterise in neutral terms a situation in which an applicant submits evidence directly addressing the grounds on which they are subsequently refused, that evidence does not appear on the statutory public register, and the refusal cites insufficient evidence as its basis. The review must account for this sequence of events fully and transparently, and must determine what effect the absence of those documents had on the integrity of the determination.

HI-Skills notes that this submission will itself be published on the Council's CAT register as part of the review record. We formally request, as part of the review process, that all twelve previously submitted documents are published on the register without further delay, that the review confirms the evidential basis on which the original determination was made, and that the review addresses whether the determination can stand if it was made without full regard to the evidence submitted.

The list of the twelve documents not published by Highland Council, and presumably not considered are as follows:

- Full Business Plan V6.0.3 THC CAT 1
- Engagement log
- Evidence of community consultations along with survey results demonstrating strong local community support at 94% in favour and 95% believe the project is important for the growth of the Highlands.
- Community Consultation Boards for Torvean Quarry
- Two additional letters of support from our community
- Memorandum of Understanding between HI-Skills and the Construction Industry Training Board demonstrating the capacity to deliver in partnership with the UK's leading sector skills provider and standard setting body. *"The purpose of this MoU is to define the roles, responsibilities, and shared objectives of CITB and Hi-Skills working together to establish an Infrastructure Skills Centre of Excellence."*
- Letter of Interest from United Infrastructure, a main contractor for SSEN Transmissions ASTI projects – *"the proposed National Infrastructure Skills Centre at Torvean is an opportunity to secure strategic, long-term investment in regional and national training capacity, and co-locating at such a facility at Torvean will support sustained workforce growth by reducing reliance on remote/distant learning provision and will help enable continuous skills development within the region"*
- Copy of correspondence from Andy Hamilton, Employability officer at the Highland Council who believes our centre as proposed would be *"vitally important within our region"*
- Letters of support from Councillors Chris Balance and David Fraser
- Police Scotland Freedom of Information Request for the below
- Police Scotland Case Study on County Lines showing Torvean Quarry as being used for drug distribution

"Concerns around CIC eligibility, governance arrangements and ability to demonstrate sufficient community benefit":

HI-Skills is a community-controlled body, constituted as a community interest company limited by guarantee, registered in Scotland (SC853712), subject to the statutory asset lock and community interest test administered by the CIC Regulator. Our articles of association are publicly available on the Companies House register and were updated in September 2025 following aa robust review by our legal advisors, Thorntons LLP. Those articles, together with our governance arrangements and decision-making framework, are set out in full in the business plan submitted with the request. The CIC structure is not a novel or untested form, it is a statutory vehicle created precisely to hold assets and deliver community benefit with legally enforceable protections, including the asset lock which prevents any distribution of assets other than for community benefit purposes. HI-Skills' eligibility under that structure is a matter of public record.

If the Highland Council holds specific governance concerns beyond those which are already a matter of statutory public record, they have not been particularised in the Decision Notice. A concern that is not specified cannot reasonably be answered, nor can it constitute reasonable grounds for refusal. We would welcome the opportunity to address any particularised concern directly.

On community benefit, the evidence submitted is substantial, we would consider the employment of a dozen people immediately and up-to 50 by year three as a substantial community benefit. We would consider the £17,000,000 in annual GVA to be a tremendous community benefit but we would first draw the review's attention to an important point of law that does not appear to have been considered in the Decision Notice. A community interest company is not required to define its community in purely geographic terms. Under the CIC Regulations, a CIC may define the community it serves by reference to a particular group, sector or interest, in HI-Skills' case this is expressly provided for as above in our articles;

> *The company's activities will provide benefit to Individuals and Businesses in communities in the Highlands and Islands (defined as the following post code areas: HS, IV, KW, PA20-80, PH19-50 & ZE) working in or seeking to work in civil engineering, construction, renewables, engineering construction sectors, particularly those in rural, remote, and economically disadvantaged areas, who face barriers to accessing quality sector related training and employment opportunities.*
>
> *This includes:*
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> - *Young people (including school leavers and NEETs) seeking vocational pathways*
> - *Jobseekers and career changers looking to retrain or upskill.*
> - *Employers in civil engineering, construction, renewables, construction engineering sectors facing skills shortages.*
> - *Apprentices and trainees needing access to local, high-quality training facilities*
> - *Underrepresented groups, including women and ex-offenders.*
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> *By developing and managing a purpose-built skills centre, the company will support community regeneration, inclusive economic growth, and the development of a future-ready workforce leaving a skills legacy in the Highlands and Islands. This company will also present the opportunity for the community to co-invest in skills together whilst also becoming a vessel for making appropriate use of community benefit funds.*

What makes HI-Skills' position particularly strong is that we satisfy all definitions of community simultaneously. We have engaged and secured the support of our defined community - employees, employers, contractors, developers and industry bodies across the infrastructure and renewables pipeline - and we have also conducted a full geographic community consultation with the residents, neighbours and civic representatives of Inverness and the wider Highlands. We did not choose between these communities; we served both. To question our community benefit credentials in the face of that dual engagement feels like Highland Council has applied a test that the Community Empowerment Act does not impose and which our evidence surpasses in either case.

On the geographic consultation specifically, we consider the evidence submitted is substantial. Our local consultation, conducted over four weeks in March-April 2026, received 145 responses, with 94% supporting or strongly supporting the asset transfer. Critically, 96 of 145 respondents were from the IV2 and IV3 postcode areas, the site's immediate community, and 90 of those 96 were in support. The consultation was promoted through public drop-in events attended by over 80 people, direct invitation to all local councillors, existing MSP, MSP candidate and MP, local press with a reach of 13,000, and social media with a reach of over 23,000. This is a depth and quality of community evidence that few asset transfer requests achieve.

Should any Member hold a view of this asset transfer, or the National Infrastructure Skills Centre, or of the level of local support for it, that differs from the evidence set out above, HI-Skills would welcome the opportunity to understand the basis for that view so that it may be addressed directly. Any decision on this review should properly be made on the evidence before the Panel, rather than on impressions formed outside the consultation and engagement process that HI-Skills has consistently made available to elected members throughout but very few have taken the opportunity to take up.

"Project has not secured Capital Funding and is fully dependent on this":

We must respectfully highlight significant inconsistency in the Council's position.

First, HI-Skills is engaged in ongoing and constructive discussions regarding substantial project funding with Highlands and Islands Enterprise and with The Highland Council's own Economic Development service, with whom we met most recently on 20 April 2026. It cannot be reasonable for one service of the Council to refuse an asset transfer on grounds of unsecured funding while another service of the same Council is actively engaged in discussions to fund the project.

Second, and more specifically, the Council is the designated lead partner and Accountable Body of the Workforce North Co-investment Fund a formal, publicly committed funding mechanism anchored by £2 million of seed investment from Skills Development Scotland, to which the Council has itself contributed £1.6 million, comprising £1.2 million in match funding and £402,000 to resource programme delivery. That fund was established with the explicit purpose of co-investing in the skills and workforce infrastructure required to meet the Highlands and Islands' £100 billion infrastructure and renewables pipeline. The fund's own Stream 3 Workforce Accelerator is designed specifically to support "sector-based academies aligned to priority industries or major projects." The National Infrastructure Skills Centre is precisely such an academy. The Council is administering a publicly committed fund designed to finance exactly this type of facility while simultaneously refusing the asset transfer that would provide it.

Third, the Council's own committee report approving the Co-investment Fund, dated 26 March 2026 and authored by the Council's Economic Development and Regeneration Service, explicitly identifies as a key programme risk that "capacity constraints across training providers and employers could hinder delivery at the required scale." The National Infrastructure Skills Centre exists to resolve that exact risk. The Council has identified the problem in its own committee papers, established a fund to address it, and then refused an asset transfer that would provide the physical facility without which neither the fund nor the workforce programme can achieve its objectives at the scale required.

Fourth, the same committee report states that the Council's plan requires it to "enable infrastructure investment to build capacity." HI-Skills' asset transfer request is an application to do precisely that. The Council refused it…

Fifth, and most fundamentally, the sequencing implied by this ground of refusal is contrary to how capital projects of this size and nature are financed. Public and institutional funders require evidence of a secured asset before committing capital; site control is the gateway to funding, not the product of it. This is well understood in Scottish Government asset transfer guidance, which recognises that funding is frequently conditional on the outcome of the transfer itself. Refusing transfer for want of funding that is itself contingent on transfer creates a circularity that no applicant could ever satisfy, and cannot constitute reasonable grounds under section 82(5) of the Act.

Sixth, the Council's position is difficult to sustain when set against the regions own record on comparable capital projects. Inverness College UHI's Beechwood campus proceeded on the strength of up to £51 million committed by the Scottish Funding Council, a commitment that followed, rather than preceded, Highland Council's own approval of the site masterplan and design guidelines, with Highlands and Islands Enterprise leading delivery. That is the same sequencing HI-Skills describes above: site certainty enabled national capital investment, not the reverse. The Council cannot reasonably apply a standard to HI-Skills' request that its own record, on a comparable project, does not sustain.

"No evidence to show the ability to pay for the site. Overall, it doesn't demonstrate a robust financial model without funding" and absence of a disclosed valuation:

This understates HI-Skills' position. Inverness College UHI's Beechwood campus was delivered on the strength of public capital alone. HI-Skills' model is structured differently and, from the Council's and the public purse's perspective, more favourably as it blends public investment with committed and prospective private capital, including conditional industry sponsorship and United Infrastructure's commitment to fund and construct specialist training infrastructure entirely at its own cost. It's a co-investment model that reduces reliance on public capital, not increases it, and that cannot reasonably be treated as a weaker basis for approval than a local and wholly publicly-funded comparator that the Council has itself supported.

The finding that HI-Skills has failed to demonstrate an "ability to pay for the site" cannot be sustained on the facts. HI-Skills' request proposed a transfer at a consideration of £1, reflecting the discounted-transfer mechanism expressly provided for under the Act where community benefit justifies it. HI-Skills' ability to pay the consideration actually proposed is not, we would suggest, seriously in doubt.

If the Council's position is instead that £1 is an insufficient consideration, then the deficiency lies in the Council's process, not in our request. The Scottish Government's guidance for relevant authorities on asset transfer under the Community Empowerment (Scotland) Act 2015 is explicit on this point. At Stage 1 - initial enquiry, the guidance states that when a community transfer body requests information about a property, "if an approximate indication of the value is known to the relevant authority this should be made available to the community body." At Stage 2, once the community transfer body has confirmed its interest, "the formal assessment of market value should be instructed," noting that "if the valuation takes place after the request is received, the community transfer body may wish to revise their offered price on that basis, or a revised price may be included in the decision notice."

The Council has been asked, over a period of over twelve months, to provide a valuation or asking price for the site. At no stage, neither at initial enquiry nor after submission of the asset transfer request has any indication of value been provided. This is directly contrary to the Scottish Government's guidance on how a relevant authority should conduct the process. The Act contemplates transfer at a discount from market value, but a discount can only be assessed against a disclosed value. The Council cannot decline to fulfil its own obligations in respect of valuation disclosure and simultaneously refuse the request on the basis that the applicant has not demonstrated ability to pay. That is a test with no stated pass mark, set by a process the Council itself failed to follow.

We therefore formally request, as part of this review, that the Council disclose its valuation of the site and the basis of its best value assessment in accordance with its obligations under the statutory guidance. HI-Skills is willing to revisit the quantum of its offer upon disclosure of that valuation.

In the meantime, and in further demonstration of our financial commitment and seriousness of intent, HI-Skills will instruct an independent up-to-date valuation of the site at our own cost and will submit this as evidence. We would expect the Council to have regard to that valuation, alongside its own, in any revised assessment of best value.

"Delivery relies on partnerships and external stakeholders... very little agreed at this point":

HI-Skills has a signed Memorandum of Understanding with the Construction Industry Training Board and National Construction College, executed on 28 April 2026, establishing a formal collaboration framework for the research, planning and delivery of the National Infrastructure Skills Centre, with designated leads, quarterly governance reviews and defined obligations on both parties. This is a formal, documented commitment from an arms length body of the UK Government. - not an informal discussion.

Another significant and documented industry partnership bears direct and specific scrutiny in the context of the Council's refusal. HI-Skills has developed a partnership with United Infrastructure, a company delivering the SSEN Accelerated Strategic Transmission Investment framework, which at the time of the CAT request was evidenced by their formal letter of interest which we issued to you and included within the submission. That letter confirmed United Infrastructure's intention to collaborate with HI-Skills on the establishment of a permanent overhead line training facility within the National Infrastructure Skills Centre at Torvean Quarry, and its view of the opportunity as an enabler for strategic, long-term investment in regional and national training capacity.

Since that submission, the partnership has advanced materially. HI-Skills and United Infrastructure have jointly identified the area within the site required for the OHL training facility, produced a number of engineered designs for their sponsored training zone, and reached agreements in principle for United Infrastructure to fund and construct that specialist training infrastructure entirely at their own cost. United Infrastructure has further welcomed the opportunity to provide annual sponsorship to HI-Skills to support the delivery of its wider mission, with the training infrastructure transferring to HI-Skills as a legacy benefit of the project. This represents a private sector partner committing capital investment and sustained annual revenue support to a community-owned and industry led training facility - precisely the model of public-private co-investment the Council's own strategy demands and its own Workforce North Co-investment Fund was designed to catalyse.

United Infrastructure has made clear to HI-Skills that it cannot commit further resources or progress to heads of terms until site control has been secured by HI-Skills. This is unambiguous: a private sector partner is ready to invest capital, construct specialist infrastructure at its own cost, and enter a formal long-term partnership and is prevented from doing so only by the absence of the asset transfer the Council has refused. The Council has therefore refused the transfer on the grounds that partnerships are insufficiently formalised, while itself being the sole reason those partnerships cannot be formalised.

The Council's assertion that "very little is agreed" with external partners is therefore factually incorrect in respect of this partnership specifically, and the Council cannot credibly maintain that position. HI-Skills is aware that this partnership and its development are known to the Council across multiple departments, including the Chief Executive's office, Economic Development, Social Value and Employability. Any suggestion that the Council was unaware of the depth of this commitment at the point of determination is one the review should examine carefully.

Beyond this, our engagement log, submitted with the request, records over 150 structured engagements since January 2025 with employers, developers, trade bodies, public agencies and elected members, including Skills Development Scotland, Highlands and Islands Enterprise, the Inverness & Cromarty Firth Green Freeport, the University of the Highlands and Islands, and major infrastructure contractors and energy developers. The breadth and consistency of this engagement is precisely what would be expected of a project of this scale at this stage. Formal delivery agreements follow site certainty; they do not precede it.

We would also observe that a partnership-based delivery model is quite oddly treated in the Decision Notice as a weakness when it is actually directly aligned with the Council's own published strategy. In December 2025 the Council launched its Investment Prospectus, a stated aim of which is to "*champion public-private partnerships, aligning local ambitions with national priorities and global opportunities,"* supported by £11.1 billion of long-term public commitments intended to create the conditions for private co-investment. The Council leader has described this work as essential to unlocking the region's economic potential and creating opportunities for young people to remain in the Highlands. The Council likewise chairs the Highlands and Islands Regional Economic Partnership, whose Regional Economic Strategy 2025–2035 is founded on public, private and academic collaboration to capture what it describes as once-in-a-generation opportunities, a pipeline valued at over £100 billion.

HI-Skills' senior engagement with the Council throughout the development of this proposal, including with the Chief Executive's office, has been consistent with that strategic direction. The National Infrastructure Skills Centre is precisely the model of partnership the Council's own strategy calls for: industry-led, community-owned, and dependent on collaboration between private employers, public agencies and the Council itself. It cannot be a reasonable ground of refusal that a proposal delivers the very approach the Council has committed £11.1 billion to fostering.

The contradiction is further compounded by the Council's own participation in Workforce North, a formal regional partnership, backed (siloed) by Skills Development Scotland, Highlands and Islands Enterprise, the Inverness and Cromarty Firth Green Freeport, the University of the Highlands and Islands, the Department for Work and Pensions, and the Council itself, established specifically to build the skilled workforce required to deliver the Highlands and Islands' renewable energy, construction and infrastructure pipeline. The Workforce North Operational Roadmap launched in December 2025 cites the same £100 billion regional investment pipeline as the basis for urgent, coordinated workforce action. The National Infrastructure Skills Centre is the physical infrastructure that would make Workforce North's ambitions deliverable the training facility without which the workforce targets the Council has publicly committed to cannot be met.

The review must also address a specific and troubling double standard in the Council's reasoning. The Decision Notice treats HI-Skills' reliance on industry and public sector partnerships as a ground for refusal, as evidence of insufficient internal capability and insufficient certainty of delivery. Yet Workforce North, which the Council is a partner of, is itself built entirely on the same model: a multi-agency public-private partnership, dependent on collaboration between public bodies, private employers, developers and training providers, with no single organisation delivering alone. If partnership-based delivery is inadequate when proposed by HI-Skills, it cannot simultaneously be the Council's own chosen model for addressing the identical challenge.

The Council cannot hold HI-Skills to a standard of standalone internal delivery capacity that it has explicitly and publicly rejected for itself, endorsed against through its own Chief Executive, and committed £1.6 million of public money to contradicting. It cannot in the same breath participate in a national initiative entirely on the partnership model it has cited as a ground for refusal, administer a co-investment fund designed to finance exactly this type of facility, and refuse the asset transfer that would provide it. These positions are not only inconsistent, they are irreconcilable, and they go directly to whether the grounds for refusal are genuinely reasonable within the meaning of section 82(5) of the Act.

"Not enough evidence to suggest the group could deliver the scale of this project":

The founding directors bring direct industry experience in operations and workforce development, including representation on national industry skills bodies. The delivery model is deliberately collaborative and partnership-based, drawing on established training providers and industry partners including Scotlands biggest single provider of construction apprenticeships, the National Construction College, rather than requiring HI-Skills alone to build delivery capability from a standing start which is an approach consistent with successful industry-led training models both nationally and internationally, several of which were evidenced material submitted with the request.

We would also ask the review to consider what evidence of delivery capability could reasonably be expected of an applicant at this stage. HI-Skills cannot responsibly recruit a large project delivery workforce, appoint training staff, or enter binding contracts for a facility on a site it does have. No prudent organisation, public or private, builds out its delivery capacity in advance of having a home to put it, and no responsible funder would support it doing so. The proper measure of capability at pre-transfer stage is the strength of the leadership team, the credibility of the delivery model, and the depth of committed partnerships, on each of which substantial evidence was submitted. Judging a HI-Skills against the standing capacity of an already operational training provider is to apply a test that no community asset transfer applicant could ever meet, and cannot constitute reasonable grounds for refusal under section 82(5).

If the Council has specific capability concerns, we would again ask that they be particularised so they can be addressed.

"The request doesn't represent best value to the council or community":

The Decision Notice does not state what the request was measured against, and that omission is itself a ground for review. Section 82(3) of the Act required the Council to assess the proposal against specific statutory criteria: economic development, regeneration, public health, social wellbeing, environmental wellbeing, and the reduction of socio-economic inequalities. The Decision Notice contains no such assessment. It does not identify the benchmark against which best value was measured, does not engage with the statutory criteria, and does not explain why the presumption in favour of transfer was displaced. A finding of "not best value" made without reference to the statutory test the Council was required to apply cannot constitute reasonable grounds for refusal.

On the substance, the only real and relevant comparator is the site's current and foreseeable use. Torvean Quarry has lain derelict since 1991, thirty-five years. Our consultation evidence records, in residents' own words, that the site currently attracts antisocial behaviour, illegal raves, drug use, fly-tipping and illegal off-road vehicle use. The Council's own costs of managing the consequences of that dereliction are not to be overlooked. The Council is currently spending public money managing the failure of an asset it has declined to use or transfer for thirty-five years. That is the baseline against which this proposal must be assessed.

Against that baseline, the National Infrastructure Skills Centre would deliver quantified, evidenced benefit across every statutory criterion the Council was required to apply, all of which are set out in the business plan the Council held at the point of determination.

On economic development: the Centre would generate £17 million in Gross Value Added per annum from Phase 1 alone. It would deliver £6.24 million in direct employment value annually through 150 new foundation apprenticeship starts and 300 additional modern apprentice starts per year. It generates a further £8.75 million in added value annually through the upskilling of 2,500 candidates. Core staffing and operations generate £1,828,622 in salary-based GVA in the first four years. Even learners residing in the region for the duration of their training, typically three to eight years, embed their economic contribution locally, generating sustained consumer spend within the Highland economy.

On regeneration: it transforms a thirty-five year derelict site into a nationally significant, world-class training facility, permanently ending the Council's ongoing failure to regenerate the site and replacing a tax payers liability with a productive regional and national asset.

On social wellbeing and public health: the Centre operates beyond core training as a community resource, able to partner with schools across the Highlands and Islands, veterans' groups, and local organisations including Highlife Highland to widen access and provide structured social and physical activity for resident learners. A structured mentoring programme will link learners with experienced industry professionals, strengthening long-term employability outcomes.

On the reduction of socio-economic inequalities: the Centre removes longstanding barriers to apprenticeship entry, creates direct routes into high-value employment for people currently excluded from them including rural learners, young people, women, older adults and displaced oil and gas workers transitioning into green energy and infrastructure roles and embeds procurement within the local third sector and social enterprise economy. That ties into Workforce North specifically as the Centre is not only consistent with Workforce North's objectives, it is a physical delivery mechanism the programme itself identifies as necessary. HI-Skills is willing to formalise this relationship through a delivery agreement and outcome reporting directly against Workforce North's own targets however it’s apparent that council officers are making Workforce North engagement particularly difficult.

The Council's employability service has already indicated its interest in this proposal. HI-Skills proposes to formalise a direct referral pathway from that service into NISC's training programmes, with guaranteed places, wraparound support, and employer connections on completion, converting the Council's own employability targets into a concrete delivery outcome, rather than an aspiration dependent on capacity the Council does not currently have.

The benefits extend right to the Council's own operations. Highland Council, in common with the wider sector, faces recruitment and retention pressure across its infrastructure and property services, and HI-Skills National Infrastructure Skills Centre can propose a reserved annual cohort of apprenticeship starts in in roadbuilding for example, structured specifically to feed into Council employment where it is much needed.

On environmental wellbeing: the development repurposes underutilised Council-owned land subject to constant fly tipping into a low-carbon, future-facing facility, eliminates thirty-five years of unmanaged dereliction and its associated public costs, and positions the Highlands as a leader in sustainable vocational training.

On strategic value: the business plan submitted with the request identifies that without significant workforce development intervention like this, the region risks seeing as few as 50% of its 250-plus planned infrastructure projects valued at over £100 billion, completed, due to labour shortages and skills gaps. The cost of refusing this transfer is not the loss of a nominal asset discount. It is the risk of losing half the regional infrastructure pipeline the Council's own strategy is built upon.

Every infrastructure contract the Council procures carries social value requirements, local employment targets, apprenticeship commitments, and community benefit obligations which the Council has limited internal capacity to convert into delivered outcomes. HI-Skills is able and willing to act as a delivery partner for those existing obligations, translating commitments already written into the Council's own contracts into training places, employment outcomes, and skills development that would otherwise go unrealised.

This proposal does not merely represent better value than the current use of the site. It is the only proposal that has been made like this in Scotland and the only credible proposal for this site in thirty-five years, supported by 94% community consultation, a signed partnership with the UK’s authority on construction training the CITB, a significant private sector partner ready to invest capital at its own cost, a co-investment fund administered by the Council itself designed to finance exactly this type of innovation, and quantified economic, social and environmental returns set out in full in the business plan the Council held and did not engage with in its determination.

If the Council holds an alternative proposal for the site against which our request was assessed and found wanting, we formally request that it be identified transparently. If no such alternative exists, the finding of "not best value" has no evidential foundation and cannot stand.

HI Skills presumes that the alternative cannot possibly be the BESS project that the council had unsuccessfully tendered last Summer, especially as that project has proceeded without public consultation, community engagement, or public promotion for the planned change of use of this publicly owned site as the Council's own motion of 30 September 2024 - endorsed by Full Council and authored by the Assistant Chief Executive for Place, recognises community engagement as desirable for major energy developments of this kind.

Inverness West Community Council has itself raised concerns about the BESS plans at Torvean, citing the risks associated with lithium-based battery fires and the potential impact on nearby residential communities in Kinmylies, Ballifeary and Dalneigh, and on the adjacent Caledonian Canal and River Ness. In the same statement, Inverness West Community Council confirmed its support for HI-Skills' proposal for the site. As the Council requires HI-Skills to evidence extensive public consultation, transparent evidence, and demonstrable best value for its proposal, we do not believe that the BESS scheme could be the comparator as that would be the council itself pursuing an alternative use of the identical site with materially less public transparency, public support or public value.

"Loss of a strategic site with opportunities for wider community benefit outcomes":

We note that the Decision Notice does not identify any alternative use, alternative proposal, or alternative community benefit outcome for the site. It does not assert that a better offer exists or that a competing proposal is under consideration. It refers only to unspecified future "opportunities" an aspiration without any evidential foundation, identified without reference to any proposal, assessment or timeline. The Council is therefore not choosing between this proposal and something better. It is choosing between this proposal and nothing - as it has for thirty-five years.

The site's strategic potential is precisely why this proposal exists. However, the Council's own conduct over the preceding twelve months undermines this ground entirely. Approximately twelve months ago, the Chief Executive's office advised HI-Skills that it would collate and present alternative options for the siting of our project. To date, no such alternatives have been provided. The Council has therefore had twelve months to identify alternative proposals, uses or community benefit outcomes for Torvean Quarry, made a specific commitment to do so, and produced nothing - yet now cites the potential for unspecified future opportunities as a reason to refuse the only substantive proposal the site has attracted in thirty-five years.

No viable alternative use has been identified in the thirty-five years since quarrying ceased. None is identified in the Decision Notice. None has been produced in response to the Chief Executive's own undertaking. The asset transfer regime exists for exactly this circumstance: a strategic public asset delivering no public benefit, and a community body with a credible, evidenced and supported proposal to change that.

HI-Skills also notes that its own Site Options Appraisal, submitted with the request, assessed every comparable site in the Highlands and Islands against the requirements of a national infrastructure training facility. Torvean Quarry is the only site that meets those requirements. The alternatives the Council has declined to identify for twelve months do not exist.

Refusing transfer to preserve opportunities the Council has neither identified or evidenced over a period spanning thirty-five years and the last twelve-months - at the cost of a specific, fully evidenced, community-supported proposal, is not a reasonable ground under the Act and will not survive scrutiny on review.

Conclusion and request:

For the reasons set out above, we ask that the Council review and overturn the decision of 24 June 2026 (issued on the 2nd July 2026) and agree to the asset transfer request in full.

In support of that outcome, we ask that the Council:

(a) disclose its valuation of the site and the basis of its best value assessment in accordance with its obligations under the statutory guidance, and afford HI-Skills the opportunity to revise its offer accordingly;
(b) particularise the concerns referred to in the Decision Notice so that they may be substantively and specifically addressed; and
(c) arrange a meeting within the next 20 days between HI-Skills and the Assistant Chief Executive for Place, Malcolm Macleod as the executive officer responsible overall for the authority's asset transfers along with the relevant parties in each organisation to agree a clear and constructive route to transfer and partnership working that reflects the shared ambitions of both organisations.
(d) HI-Skills formally requests that the Council convenes a hearing session for this review and requests the specified matters for the hearing session include the matters listed in this letter regarding the refusal of the transfer. HI-Skills further requests, that this be combined with an opportunity for written submissions on.
(e) HI-Skills requests that the Review Panel undertake a site visit with HI-Skills to the Former Torvean Quarry as the Council's own review process expressly recognises a site visit as an available procedure. Given that the physical condition of the site and the thirty-five years of dereliction that is central to HI-Skills' case, is best assessed first-hand, HI-Skills considers a site visit would materially assist the Panel, particularly as the nine Members of the Review Panel will not have been involved in the original decision and may not otherwise have visited the site.
(f) HI-Skills confirms it wishes to submit further supporting evidence in relation to the Review, to be provided in accordance with the timetable specified by the Council.

HI-Skills notes for the record that in the event the Council's review does not result in the transfer being agreed, the Community Empowerment (Scotland) Act 2015 provides a further route of review to Scottish Ministers under Section 87 of the Act. HI-Skills hopes and expects that route will not be necessary because any delay is to the detriment of real people needing urgent pathways into great paying careers.

This submission is made in the genuine belief that the grounds for refusal, when properly examined against the statutory framework and the evidence presented, do not withstand scrutiny and that the Council, on review, will reach a different conclusion.

We make request (c) in a specific spirit. HI-Skills is not an external body seeking to extract value from a Council asset. We are a community-owned organisation, founded and led by people from this region, whose sole purpose is to ensure that the people of the Highlands and Islands have access to the skills, training and employment opportunities that the next two decades of infrastructure investment will demand. That purpose is shared with the Council's own ambitions - it is the same purpose, pursued through the same partnerships, in the same communities, for the same people. The Council's own Workforce North programme, its Investment Prospectus, its participation in HIREP, and the commitment of its own officers to this agenda all reflect that shared intent.

The HI-Skills National Infrastructure Skills Centre will exist to serve the people of this region. So does The Highland Council. These positions are not in conflict and should not be treated as such. HI-Skills remains fully committed to this project, to this site, and to working alongside the Council as a long-term partner in delivering on the promise this region holds for its people. We ask the Council to reflect on that shared purpose in its review and to take the opportunity this submission provides to reach a different and better outcome.

On behalf of our community and the next generation of people living and working in the Highlands & Islands needing trained for their future and in their careers, we look forward to your response.

Yours sincerely

Callum Mackintosh, Jack Howell & Dylan Spink
Directors