**COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015**

**MIDLOTHIAN COUNCIL ASSET TRANSFER REQUEST FORM**

**IMPORTANT NOTES:**

**This form should be used for asset transfer requests for any land or buildings in Midlothian.**

**You do not need to use this form to make an asset transfer request, but using a form will help you to make sure you include all the required information.**

**You should read the asset transfer guidance provided by the Scottish Government before making a request.**

**You are strongly advised to contact the Communities Lifelong Learning Employability Team and discuss your proposals with them before making an asset transfer request.**

**When completed, please send:**

**Via email to:**

[CLL@midlothian.gov.uk](mailto:CLL@midlothian.gov.uk)



**This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.**

1. **Information about the community transfer body (CTB) making the request**
   1. Name of the CTB making the asset transfer request
   2. CTB address. This should be the registered address, if you have one.

Postal address:

Postcode:

* 1. 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)*

* 1. 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 …………. |  |
|  | 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. 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. 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?

1. **Information about the land and rights requested**
   1. Please identify the land to which this asset transfer request relates.

* *You should provide a street address and any name by which the land or building is known.*
* *If you have identified the land on the Midlothian Council community asset map please note the property id number:* [*https://midlothian.maps.arcgis.com/apps/webappviewer/index.html?id=0c1272e9ec1c413aaed177dd3d787395*](https://midlothian.maps.arcgis.com/apps/webappviewer/index.html?id=0c1272e9ec1c413aaed177dd3d787395)
* *Please include a site plan showing the area to be acquired, adjoining properties. This should be to scale 1:500/ 1;1250 and show the direction North, and the boundary of the land required must be clearly marked*
* *If you are requesting part of a piece of land, you must give a 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.*
  1. Please provide the Property ID (Prop\_ID), if known.

Prop\_ID:

1. **Type of request, payment and conditions**
   1. Please tick what type of request is being made:

for ownership (under section 79(2)(a)) - go to section 3A

*(If you are requesting ownership the governing documents require the body to have at least 20 members)*

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 land 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?

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.

1. **Community Proposal** 
   1. Please set out the reasons for making the request and how the land or building will be used. For example:

* *explain the objectives of your project*
* *how this links into the Single Midlothian Plan*
* *why there is a need for it*
* *any development or changes you plan to make to the land or building*
* *any activities that will take place there.*

**Benefits of the proposal**

* 1. Please set out the benefits that you consider will arise if the request is agreed to. For example:
* *explain how the project will benefit your community, and others*
* *nature of benefits to be delivered*

*Please refer to the guidance on how Midlothian Council will consider the benefits of a request.*

**Restrictions on use of the land**

* 1. If there are any restrictions on the use or development of the land, please explain how your project will comply with these. For example:
* *environmental designations such as a Site of Special Scientific Interest (SSI)*
* *is the land part of the Fields in Trust agreement?*
* *heritage designations such as listed building status*
* *any planning restrictions – if there is a proposed change of use check with duty planning officer*

***\* The applicant is expected to cover any legal costs, survey costs etc in respect of their application \****

**Negative consequences**

* 1. What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these?
* *consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.*

**Capacity to deliver**

* 1. Please show how your organisation will be able to manage the project and achieve your objectives.
* *include details of the structure of your organisation*
* *include the skills and experience of members of the organisation*
* *any track record of previous projects*
* *copies of annual reports*
* *whether you intend to use professional advisers, etc.*

1. **Level and nature of support**
   1. Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

* *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*
* *include copies of surveys and engagement plan*
* *show how you have engaged with any other communities that may be affected by your proposals.*

1. **Funding**
   1. Please outline how you propose to fund the price or rent you are prepared to pay for the land, and your proposed use of the land.

* *show your calculations of the costs associated with the transfer 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.*
* *include latest copy of accounts*
* *detail information on track record of funding*

**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

Address

Date

Position

Signature

Name

Address

Date

Position

Signature

**Checklist of accompanying documents**

To check that nothing is missed, please use the checklist below for all attachments:

|  |  |
| --- | --- |
| **Section 1 – you must attach your organisation’s constitution, articles of association or registered rules** |  |
| **Section 2 – you must attach any maps, drawings or description of the land requested** |  |
| **Section 3 – note of any terms and conditions that are to apply to the request** |  |
| **Section 4 – about your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation’s capacity to deliver.** |  |
| **Section 5 – you must provide evidence of community support including copies of surveys** |  |
| **Section 6 – you must attach your latest annual report, accounts and any current funding bids in support of the project** |  |