



Community Asset Transfer Scheme (CATS) for our national forests and land

ASSET TRANSFER REQUEST FORM

Introduction

Please read the relevant parts of the [Community Asset Transfer Scheme](#) (CATS) Guidance before completing this form. You may also wish to refer to the Scottish Government's [Asset Transfer Guidance for Community Bodies](#).

The Request must be submitted in writing, either as a hard copy or by email. Please answer all the questions. You can attach additional information as extra sheets or electronic documents. Please be specific. When answering the questions you do not need to repeat any information you have already given, but simply refer to an earlier answer or attached document.

Please return the completed form and supporting documentation to:

Community Asset Transfer Scheme Team
Forestry and Land Scotland
231 Corstorphine Road
Edinburgh
EH12 7AT

E-mail: fls.communities@forestryandland.gov.scot

We will confirm receipt of your Request within 5 working days and you will receive a formal acknowledgement letter within 15 working days to confirm whether your Request is valid or requesting further information. We may also ask you for more information during the assessment and evaluation process.

CATS: 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 making the request

1.1 Name of the community transfer body making the asset transfer request

Insh Community Holdings

SCIO (SCO49955)

1.2 Community transfer body address

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

Postal address:

Insh Community Holdings

Schoolhouse

Insh

Kingussie

Postcode: PH21 1NT

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:

Schoolhouse

Insh

Kingussie

Postcode: PH21 1NT

Email:

Telephone:

☒ x 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 Forestry and Land Scotland to stop sending correspondence by email, or change the email address, by telling us at any time, as long as 5 working days' notice is given.

1.4 Type of eligible community transfer body

Please select **one** option and mark with an “X” in the relevant box to confirm the type of community transfer body and its official number, if it has one:

a Company	<input type="checkbox"/>	and its company number is	<input type="text"/>
or			
a Scottish Charitable Incorporated Organisation (SCIO)	<input checked="" type="checkbox"/>	and its charity number is	SCIO (SC049955)
or			
a Community Benefit Society (BenCom),	<input type="checkbox"/>	and its registered number is	<input type="text"/>
or			
Unincorporated organisation (no number)	<input type="checkbox"/>		

Please attach a copy of the community transfer body’s constitution, articles of association or registered rules.

- If the organisation is an eligible community transfer body under the Community Empowerment (Scotland) Act 2015 go to **Section 2**.

1.5 If the organisation is **not** an eligible community transfer body under the Community Empowerment (Scotland) Act 2015:

a) 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:

or b) 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?

Section 2: Information about the land and rights requested

(see CATS Guidance Section 1.2)

2.1 Please identify the land to which this asset transfer request relates.

You should provide a **grid reference** and attach a **map** clearly showing the boundaries of the land to which this asset transfer request. You should also provide any name by which the land is known, and you may also wish to provide additional description. You can contact your Forestry and Land Scotland [Region](#) office for assistance in providing a copy of the map. *If you have identified the land on Forest Enterprise Scotland's [Register of Land](#), please enter the details listed there.*

Grid reference: National Grid Reference NH 81150137

Name and description of the land:

The 6.3ha site lies just to the south of Insh village. The woodland and grazing layout is integral to the history of Insh village.

Grazings are let to local residents with allocations, mentioned in the original lease, for up to 30 sheep or their equivalent. At different times in recent years sections have been planted with bird food crop and topped to prevent seed formation by local volunteers using equipment borrowed from a neighbouring landowner. The fields are divided to enable rotational grazing and livestock receive supplementary feeding -silage etc. The lower, wetter sections of the grazing just above the 8970 supports a plum tree orchard planted for the community around 2005.

The woodland is formed into a shelter belt (1.53ha) stocked with Scots Pine, Lodgepole Pine and Sitka Spruce, Silver and Downy Birch. Dams have been formed on the burn to slow the flow and various wildlife boxes have been installed on some trees. Most of the woodland is probably 'Plantation on Ancient Woodland Site' (PAWS). This means that prior to the current planted woodland the site hosted a native woodland which had been growing continuously since at least 1750. A popular community path (core path) runs through the woodland to connect to the Badenoch Way.

The strip of heather moorland (2.67ha) includes the Badenoch Way (Speyside Way) and has expanding Juniper scrub, willow, and self-seeding pines. It is not formally grazed. It contains the Aviemore -Kingussie T2 33kV circuit comprising two buried 33kV electric cable circuits which replaced the previous tower line on the same route. The cables are installed directly in the ground at a depth of between 0.9 m and 1.5 m and a 5m separation is required between installed cables. The 11kv Insh spur that serves the village has overhead lines and 5/6 poles located on the site.

If your request is for a building, you should provide a street address and the Unique Property Reference Number ([UPRN](#)) if known.

Address:

UPRN (**if known**):

Section 3: Type of request, payment and conditions

(see CATS Guidance Section 1.4)

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 land requested (see CATS Guidance Section 2.2)?

Proposed price: £16,500

Please attach a note setting out any other terms and conditions you wish to apply to the request.

3B – Request for lease

a) What is the length of lease you are requesting?

b) How much rent are you prepared to pay? (see CATS Guidance Section 2.2)
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

a) 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

You may wish to refer to relevant sections in supporting documents.

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.

ICH site objectives are

- A healthy site for wildlife and people (physical and mental well-being)
- A site treasured as a multi-purpose resource that helps sustains the community through improved quality of life, and opportunities for involvement and enjoyment
- A site accessible, well promoted, welcoming and open for all
- A site cared for by local people working with nature and respecting landscapes, natural and cultural heritage and using local materials and traditional skills
- A site that is good value through exemplary, effective, and efficient delivery of public benefits

Need

The site has been leased by ICH from F&LS since 1999 on a succession of short term tenancies which have restricted the incentive for ICH to invest in the site. ICH now wish to take ownership to provide for a more secure long-term future. Insh is developing as a community in the CNPA but has few community facilities and spaces. The B970 through the village is becoming increasingly busy. There is a need for safe community space and body like ICH to assist with community cohesion and resilience.

Development and changes

Development will be guided by woodland and grazings management plans. No major site structural change is planned apart from an upgrade of the Badenoch Way to full LOR status at the Speyside Way. Proposals are outlined in Section 6 of the Feasibility Study and Business Plan.

Activities

Proposed site activities are described in Section 6 of the Feasibility Study and Business Plan and include entry point signage, shelter/composting toilet, management activities, events and activities, orchard, allotments and volunteering.

4.2 Benefits of the proposal

Please set out the benefits that you consider will arise if the request is agreed to (see CATS Guidance Section 3.2). 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.

Benefits will occur under three main themes -people, place, planet.

People

Insh residents and young (and old) people, in particular, are amongst those who may not have access to a vehicle and are less able to access community facilities in settlements such as Kingussie or Aviemore. Community purchase will help overcome disadvantage and promote mental and physical wellbeing by providing safe offroad space for a range of informal outdoor recreational, educational and life skills activities. The benefits to target groups are explained in Section 6.25 of the Feasibility Study and Business Plan and fit with Scottish Government's five strategic objectives and 16 National Outcomes are explained in Section 9.

Place

ICH consider ownership will enable the community to apply long term thinking to the site based around building the resilience of the community, the local culture and heritage, the immediate environment, and the economy where appropriate. Secure community ownership of a tangible asset and ICH charitable status open a much wider range of funding opportunities and sources than is possible under leased status.

Ownership will help maintain the Insh settlement pattern, that has existed for over 200 years, and enhance social cohesion through group ownership of a local community asset. Any uncertainty associated with possible future disposal will also be avoided. Community land in Insh will become a designed part of community planning, development, and regeneration.

Planet

The site has an intrinsic value for wildlife, but it is also a 'corridor linking Inshriach Forest (part of the Cairngorms Connect area) and the Insh Marshes and bring wildlife into the heart of the community. At a localised scale community ownership of the site could help ecosystems services such as biodiversity, carbon sequestration by removing CO2 from the atmosphere, soils retaining water and nutrients.

4.3 Restrictions on use of the land

If there are any restrictions on the use or development of the land, please explain how your project will comply with these. Your Forestry and Land Scotland [Region](#) office can provide assistance in identifying any restrictions and how to comply with them.

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.

The site is with the CNP but is not covered by major designations, although there are international level designations applied to adjacent land holdings. It is likely that protected species, such as capercaillie may use the site from time to time. The Badenoch Way runs through the site and is a designate LOR and will be subject to further upgrade.

The Feasibility Study and Business Plan covers these issues in more detail and addresses planning policy and implications of criteria such as PAWS status.

ICH considers most of these issues not as restrictions but as indicators of the special nature of their local community site and factors they would support and seek to enhance.

4.4 Negative consequences

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.

It is not envisaged that there will be any negative consequences arising from community ownership.

However, as with ownership of any asset there will be varying elements of risk. ICH has reviewed foreseeable risk elements and proposed mitigation measure. There are set out in Section 7 .16 of the Feasibility Study and Business Plan.



4.5 Capacity to deliver

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.

In Section 3 of the Feasibility Study and Business Plan ICH have set out their purpose, people, skills and capacity.

ICH can draw on a great range of experience within the Insh community which include Solicitors, Teachers, Fire Fighters, Engineers Farmers, Conservationists, health workers, etc. ICH operates with the support of several project subgroups.

Trustee biographies are included in Appendix 1 of the Feasibility Study and Business Plan.

ICH have over 20 years' experience of site management and have invested thousands of hours of volunteer 'sweat equity' during that time.

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 (see CATS Guidance Section 3.2)

You should describe the community your body represents and 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.

The Insh community profile is described in the attached Feasibility Study and Business Plan - Section 4. The area of benefit ICH represents is covered by postcodes PH211NT and PH211NU. (Section 3 of the Feasibility Study and Business Plan)

COVID -19 lockdown measure precluded conventional consultations and discussion with most activity taking place online.

The proportion of the community involved in the request is described in Section 5 of the Feasibility Study and Business Plan. They were invited to submit their views via an email questionnaire to 68 households - individuals in households were encouraged to submit their own responses. Response rate was to 40%. Section 5 and Appendix 5 contain the full analysis of resident's responses.

Headlines include

Frequency of visits by respondents to the site are: 36% daily, 28.5% weekly, 28.5% occasionally and 7% less frequently (visiting or on holiday). The most popular activities were walk/run, nature watching and cycling.

57% of respondents are willing to volunteer, 36% said they would volunteer occasionally if asked, with 7% declining to volunteer. Volunteer skill sets offered were predominantly labour, followed by time, refreshments, and donations.

Respondents were asked "How important is it that communities have a stronger role in, and control over, their own development?" The average score was 8.9 (on a scale 1 unimportant-10 very important) and this question was answered by 93% of respondents.

Wider representation was sought from a range of other stakeholders including elected representatives (Community Council, Ward Councillors and MSP), public bodies, NGOs and wider community organisations. Expressions of support are listed in Section S and Appendix 4 of the Feasibility Study and Business Plan.

Section 6: Funding

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

(see CATS Guidance Section 1.5)

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.

ICH and F&LS jointly instructed DVS to provide a market valuation for the site. This was set at £22,000. This is subject to a 15-year 50% claw back condition in favour of F&LS should any private value uplift occur.

ICH is requesting a discount of 25% - to £16,500. The rationale for this discount is set out in the Feasibility Study and Business Plan Section 7 and in summary is based on four elements.

1 Significant volunteer investment in the site over the past 20 years which if valued on today's hourly rates could be in the order of £200,000 worth of 'sweat equity'.

2 Prior investment of public funds on the site -not arising from F&LS -instead from LEADER, CNPA and Highland Council

3 Policy grounds (new CNP 2020 LDP) restricting development to that which is demonstrably in the public interest -recreation, biodiversity etc

4 Title constraint associated with the power cable wayleaves, claw back condition and ICH support for Speyside Way upgrade and possible path agreement with CNPA.

ICH will be submitting an SLF Stage 2 Funding application for purchase capital and short-term revenue funding to bring site infrastructure up to an acceptable standard. Matching funding will be raised locally in the first instance with direct application to other funding sources should these be required. Discussions with CNPA staff have indicated possible funding opportunities.

The Feasibility Study and Business Plan -Section 7 -sets out the detail around an indicative 10-year financial projections and assumptions. They show modest income and expenditure associated with the site, with a break-even objective.

Site ownership allows ICH as a SCIO to access a much wider range of sources to fund individual projects on the site.

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.

1. Name KAREN BIRKBY.

Address

Date 25/8/2020

Position TRUSTEE

Signature

2. Name WILLIE ANDERSON

Address

Date 25/8/20

Position TRUSTEE

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:

ICH Signed constitution

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

Documents attached:

Site map provided by F&LS

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

Documents attached:

See Feasibility Study and Business Plan

Section 4 – about your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation’s capacity to deliver.

Documents attached:

See Feasibility Study and Business Plan

Section 5 – evidence of community support

Documents attached:

See Feasibility Study and Business Plan

Section 6 – funding

Documents attached:

SLF Stag Funding Application submitted