



**COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015**

**SCOTTISH BORDERS COUNCIL**

**ASSET TRANSFER REQUEST FORM**

**IMPORTANT NOTES:**

**This is the asset transfer request form for Scottish Borders Council.**

**You do not need to use this form to make an asset transfer request, but using it 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 and when completing this form. This form includes page numbers of parts of the guidance that will help you to complete the asset transfer request form. This does not replace reading the full guidance as some areas appear in more than one section of the guidance.**

**We strongly recommend that you contact Scottish Borders Council and discuss your proposals with us before making an asset transfer request.**

**You can phone us on 01835 826626, or email us at [communityengagement@scotborders.gov.uk](mailto:communityengagement@scotborders.gov.uk)**

**When completed, this form should be sent to:**

**Asset Transfer Requests  
Communities & Partnerships Team  
Scottish Borders Council  
Newtown St Boswells  
MELROSE TD6 0SA**

**[communityengagement@scotborders.gov.uk](mailto:communityengagement@scotborders.gov.uk)**




**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 (pages 11-15)**







1.1 Name of the CTB making the asset transfer request

KELSO HERITAGE SOCIETY
------------------------

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

Postal address:	
	
Postcode:	

1.3 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.

Contact name:	
Postal address:	
	
Postcode:	
Email:	
Telephone:	

We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. *(Please tick to show agreement)*

*You can ask Scottish Borders Council to stop sending correspondence by email, or change the email address, by letting us know at any time, as long as 5 working days' notice is given. (see page 29)*

1.4 Please mark an “X” in the relevant box to confirm the type of CTB and its official number, if it has one. (see pages 11-15)

X	Type of Community Transfer Body	Official/Charity or Registered number
	Company	
X	Scottish Charitable Incorporated Organisation (SCIO)	SC047690
	Community Benefit Society (BenCom)	
	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? (see pages 14-15)

**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? (see pages 14-15)

**No**

**Yes** ✓

If yes what class of bodies does it fall within?

SCIO - open membership of at least 20 people - community of interest (heritage)

## **Section 2: Information about the land/building and rights requested**

2.1 Please identify the land/building to 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 Council's register of land, please enter the details listed there. (see pages 20-21)*

*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. (see pages 29-30)*

Site 2 Mayfield Gardens, Kelso. TD5 7BL

2.2 Please provide the UPRN (Unique Property Reference Number), if known.

*This is listed in Scottish Borders Council's register of land/buildings*

UPRN: KL041/02

### Section 3: Type of request, payment and conditions

3.1 Please tick what type of request is being made (see pages 30-31):

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/building requested? (see pages 47-54)

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? (see pages 30-31)

25 years +

How much rent are you prepared to pay? Please make clear whether this is per year or per month (see pages 47-54):

Proposed rent: £ 1.00 per annum

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? (see page 31)

none

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 (page 31)

*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 activities of Kelso Heritage Society are aimed at promoting and preserving the heritage of Kelso for the benefit of the community and are open to all.

We want to lease this piece of land to create a community heritage orchard on ground which formed part of the old Kelso Abbey Orchard. We will be working with partners to develop this area and plant heritage varieties of fruit trees that would have been planted by the order of monks who founded the Abbey. We have maps of the area from 1823, which show the orchard still existed at that time, although the Abbey itself was by then in ruins. All this historic detail will be produced and displayed on information boards on the site.

Our proposed orchard project will be of great benefit to the community, people will learn about the heritage of Kelso Abbey Orchard and we will maintain open access for recreation purposes.

As a result of the community consultation we carried out, we have offers from a number of volunteers to help plan, plant and maintain the orchard, including pruning the trees, and will link to other community orchards and heritage gardens across the Borders.

We will organise family days, fruit picking and pressing days, all fruit picked will be sold to raise funds for the maintenance of the area. Grass cutting will be bought in from eg Borders Green Team Enterprises a local charity/social enterprise.

## **Benefits of the proposal**

4.2 Please set out the benefits that you consider will arise if the request is agreed to (pages 31-33, 42-44)

*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 benefits will be:

- continued access by the public
- increased knowledge of local heritage
- increased volunteering opportunities
- greater civic responsibility looking after a heritage site
- open days for community to use fruit from the orchard, promoting local produce and healthy eating



### **Restrictions on use of the land or building**

4.3 If there are any restrictions on the use or development of the land or building, please explain how your project will comply with these (page 33)

*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.*

The site is within the Kelso Abbey scheduled monument designated area.

We will comply with all requirements for such a site and protect it for future generations.

### **Negative consequences**

4.4 What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these? (page 33)

*You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.*

None.

## Capacity to deliver

4.5 Please show how your organisation will be able to manage the project and achieve your objectives (pages 33-34)

*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.*

Kelso Heritage Society is a SCIO and the successor organisation to the Friends of Kelso Museum, which has been operating as an unincorporated association for the past 20 years. Our aims continue to be:

- to promote awareness of local heritage;
- to seek ways to re-establish a museum or heritage facility in Kelso;
- to forge links with the local schools, community groups and youth organisations to promote education of local heritage;
- to liaise and co-operate with local, regional or national agencies to promote local heritage appreciation in Kelso.

We have a highly skilled Board of Charity Trustees, backed up by an enthusiastic and committed membership. Skills and experience of Board members include:

- organisational management
- financial management
- project management especially re land and water conservation
- production of promotional/educational literature and information boards
- rooted in the local Kelso community
- strong links to other related voluntary organisations
- in depth knowledge of the heritage of Kelso and commitment to preserve it.

Examples of our work over the past few years:

2017: Kelso Information Leaflet designed, written and published, with grant support from Charity Begins At Home.

2015 to date: Managed a Website funded as a legacy of the THI project

2016: Organised a number of events over 6 months to celebrate the 200th anniversary of Kelso Town Hall; this included a street fair (working with Kelso Farmers Market); three concerts (working with Well Road Productions, Yetholm Sinfonia and Mosaic); a weekend exhibition in the Town Hall; a series of evening lectures; a book was published to mark the occasion.

Foundation Stone ceremony and reception; arranged a tree-planting ceremony in Bridgend Park to commemorate 100th anniversary of the Battle of the Somme;

2015: a week-long exhibition commemorating men from Kelso and District who fought and died at Gallipoli and WW1 at the Front and At Home in Kelso.

2010-15: worked with the Kelso THI project (over full 5 years of the project) with talks exhibitions etc.

2015 Hosted the end of project exhibition in the Town Hall on Doors Open Day.

2014: a week-long exhibition in the Town Hall to celebrate 900th anniversary of the

## **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 (page 34-35).

*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.*

The membership of Friends of Kelso Museum as well as the general public in Kelso were consulted about the heritage orchard project. This was done through direct contact with the membership and other local community organisations including the Kelso Community Council. We had a number of articles in the local Kelso Life magazine, and we received overwhelming support from all for our proposals.

The change of legal structure to a SCIO, and the change of name to Kelso Heritage Society have all been put in place to enable this project to proceed and to raise awareness of the importance of our heritage.

## Section 6: Funding

6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the land or building, and your proposed use of the land or building (page 34).

*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.*

We intend to raise funds for the legal fees associated with the transfer through grant applications and other local fundraising.

The fruit trees are being funded through a Borders Tree Planting grant and will be planted by volunteers.

The cost of public liability insurance as well as the cost of our regular activities will be covered by fundraising; maintenance of the site will be managed by volunteers and contracted as required.

Professional advice has been offered free of charge.

START UP COSTS: Total £3000

Estimated legal fees: £500.00 (this may be carried out for us pro bono by local solicitor).

Archaeological survey: £1500

Cost of trees - 100% covered by Borders Tree Planting Grant

Laying paths - cost of materials £500, volunteer labour.

Seats and picnic benches - donated (estimated cost £400)

Information boards x 2 : £500 graphics, production, installation. Text produced by Kelso Heritage Society.

ONGOING COSTS: £650 per annum

Public liability insurance - annual cost £150

Grass cutting: annual cost £500

Tree pruning: donated by volunteers

## 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 (page 36)

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 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:

SCIO Constitution

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

Documents attached:

Map of the site and aerial photograph

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

Documents attached:

Email from Historic Environment Scotland re archaeological survey

### **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:

1823 map of site as an orchard. Leaflets/publications produced

### **Section 5 – evidence of community support**

Documents attached:

Record of consultation undertaken, response from the public

### **Section 6 – funding**

Documents attached:

Information on funds in Friends of Kelso Museum account, which will transfer to SCIO.