



**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

Etrick and Yarrow Community Development Company

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

Postal address: EYCDC, c/o Waterwheel Cafe, Philiphaugh, Selkirk,  
  
  
  
Postcode: TD7 5LU

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: [REDACTED]  
Postal address: [REDACTED]  
  
  
Postcode: [REDACTED]  
Email: [REDACTED]  
Telephone: [REDACTED]

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
x	Company	SC 452785
	Scottish Charitable Incorporated Organisation (SCIO)	
	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?

Community controlled body with a written constitution

## 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)*

Etrick Primary School, garden and carpark, Etrick Valley, Selkirk, TD7 5JA

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: ET001/01

**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: £ 1.00

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)

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: £ 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? (see page 31)

--

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 Ettrick and Yarrow Community Development Company is in the process of buying the Ettrick Marshes and part of Gamescleuch Forest which is within one mile of Ettrick School. We propose to use the school as our office base for 3 part-time members of staff and our volunteers. One classroom currently hosts the permanent James Hogg Exhibition which opens from June to September and attracts around 300 visitors every summer, many of them from overseas. This is currently maintained by a small volunteer group who would be helped by another community group using the building. The second classroom would be brought back into use for office space, training, and additional local heritage projects and displays. We successfully ran a 6 week James Hogg Creative Residency several years ago and we intend to run more residencies and creative workshops using the school. We also intend to hire electric bikes and promote cycling routes in the surrounding area from a base at the school.

The kitchen area needs a lot of attention but could potentially provide an outlet for teas and coffees for visitors as well as use by staff. The car park is used for events in the village hall as well as the school and we would like to secure its continued use for both facilities. Ettrick School is 20 miles from Selkirk and we have not identified any other office space for purchase or rent within this 20 mile radius and we need to have a base close to the forest. The car park and gardens flood several times per year and we would want to investigate actions to prevent this frequency. The building is damp and the electric heating system is very outdated and we would want to address this at a future point. We will also have to install satellite broadband to create a usable office base.

We would make our office facilities available to other members of the community as required and see the reopening of Ettrick school as returning a community hub to the village.

## 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 upper Etrick valley has suffered from changing demographics as hill farms have been sold to forestry and house prices have outstripped local incomes. The closure of the school was a blow to the community as it removed several local jobs and makes the upper valley less attractive for families in future. The community benefits of this asset transfer would be to keep the school building and grounds available for community use. It will enable 3 part time jobs to be based in the community as well as helping to facilitate a number of other income generating projects which are linked to the proposed forest purchase. It will enable several initiatives which are aimed at attracting more visitors to the area and thereby help to sustain existing businesses important to the community like the village shop and the local inn.

The Etrick and Yarrow Community Development Company now has over 200 members within the valleys and we run a range of projects aimed at improving the quality of life for all residents and helping to sustain businesses. Our overall aim is to provide opportunities to support people continuing to live and work in the Etrick and Yarrow valleys. The asset transfer of Etrick school will give us a base from which to continue our projects and is integral to our plans for managing the forest for the benefit of the community.

We have documented the ways in which this overall project contributes to the 16 National Outcomes and we can provide this on request.

Asset transfer will also allow the James Hogg Exhibition to continue in situ thereby protecting an important and valued heritage resource for the area.



### **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.*

We are not aware of any restrictions beyond the location on a flood plain which makes the site vulnerable to river flooding as well as ingress from the hill burn which runs behind the property. We assume that this would make residential planning consent unlikely within the school grounds but would not prevent the continued daytime use of the building as an office, exhibition space and for community purposes.

### **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.*

The EYCDC has a strong and experienced board of local residents with a range of professional expertise as well as being able to draw on a large membership. This is detailed in our business plan. We do not intend to carry out any major changes to the structure of the building but hope to work with SBC prior to any transfer on a number of necessary repairs.

We will use the income generated from our forest management to cover core costs of operating from the school building, staff and operational expenses. This is all included in our ten year cash flow.

## 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 EYCDC has 200 members with the Ettrick and Yarrow valleys, the majority of these residents have joined within the last year as a result of discussions around our project to buy the Ettrick Marshes and surrounding forest and create a base in Ettrick school. We have run a number of public meetings and engagement events to publicise our plans and to gather feedback over the last year.

To quantify support for the project we gathered signatures within the upper Ettrick area during July this year. There are 140 people registered to vote in the Boston Hall which is opposite Ettrick primary school. A small group of volunteers visited every household within a 6 mile radius to make sure everyone was fully aware of the proposal. 112 people signed to show their support which is an 80% vote in favour. Some people were working away from home or not available so we know that the number of people in support is actually higher. This petition is available to view on request.

We also have letters of support for the wider forest purchase and associated plans from both the Ettrick and Yarrow Community Council and the Ettrick and Yarrow Tourism Association. We also received a letter of support from the Convenor on behalf of SBC for the wider project of buying the Ettrick Marshes and part of Gamescleuch Forest.

## 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.*

Purchase Price - EYCDC own funds

Core costs of running base from Ettrick School - £4000 per annum budgeted, based on costs available to the James Hogg Exhibition group who have been leasing the building for the last 5 years. These core costs will be covered by income generated from annual timber sales as detailed in our business plan.

Donations from visitors to the James Hogg exhibition will continue to contribute to the running costs of publicising and maintaining the exhibition.

## 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:

Articles of Association

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

Documents attached:

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

Documents attached:

To follow. We expect some discussion about making good repairs before transfer.

### **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:

Business Plan, 16 National Outcomes, Cashflow

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

Documents attached:

Analysis of Petition in favour, letters of support from community council and tourism as

### **Section 6 – funding**

Documents attached: