



From mountain to sea

Asset Transfer Request

This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015. **Please read the applicant notes before completing this form.**

Section 1: Information about the community transfer body (CTB) making the request

- 1.1 Name and address of the CTB making the request. This should be the registered address, if you have one.

Name: **Lumsden Community Association**
Postal address: **C/O Cairngauld, Lumsden, Huntly**
Postcode: **AB54 4JU**

- 1.2 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]**
Position in CTB: **Trustee**
Postal address: **Cairngauld, Lumsden, Huntly**
Postcode: **AB54 4JU**
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 indicate agreement) You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.*



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- 1.3 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 SC028733	x
	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.

- 1.4 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:

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- 1.5 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?

A Scottish Charitable Incorporated Organisation (SCIO) our constitution will be updated to include the provision that the organisation will have not less than 20 members at the next AGM in April 2019
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Section 2: Information about the asset requested

2.1 Please identify the asset - land or building(s) - 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 relevant authority's register of land, please enter the details listed there.

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.

Name of Asset: **Lumsden Toilets**
Address of Asset: **The Square, Lumsden**

Postcode of Asset: **AB54 4GQ**



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

This should be given in the relevant authority's register of land

UPRN: **151086373**





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Section 3: Type of request, payment and conditions

3.1 Please mark what type of request is being made (mark one only):

☒ 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 asset requested?

Proposed price: £ **0**

Please give information setting out any other terms and conditions you wish to apply to the request. (continue on a separate sheet if necessary)

Legal costs met by Aberdeenshire Council.



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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 give information 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.



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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.



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Section 4: Community Proposal

- 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.

As part of the community funded upgrading of Lumsden Square the Lumsden Community Association (LCA) will refurbish and reopen public toilets formerly managed by the LCA and closed by Aberdeenshire Council as a result of a change to service relating to Public Conveniences.

The LCA will provide publicly available toilets open 7 days a week, 365 days per year, current access will be maintained and improvements to access will be considered as opportunities arise and capacity allows.

As the project to upgrade the Lumsden Square progresses the toilets may be considered in the future for alteration to a publicly available toilets plus a changing room for the football pitch. The building is likely to be of a suitable size to be able to meet both needs and draft plans for renovation have been completed and priced in preparation for future funding applications.



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Benefits of the proposal

- 4.2 Please set out the benefits to the community that you consider will arise if the request is agreed to. This should include: - economic, regeneration, public health, social wellbeing, environmental benefits; or how this will reduce inequalities.

This section should explain how the project will benefit your community, and others. Please refer to the applicant notes on how the relevant authority will consider the benefits of a request.

The LCA are currently working on a major project to regenerate the Lumsden Square and its facilities. Substantial funding has already been brought in to create a new play-park which will be in place by the end of the financial year. Future works will include improving the look of the square from the A97 as you pass through the village and upgrading the sports/recreation facility. The refurbishing and reopening of the Lumsden Toilets which are located in the Market Square next to the play-park and football field will be a major part of this regeneration of the village square. If the community is not able to take over the building and it is left closed and not maintained it will have a negative impact on the work the community is taking forward to improve this key part of the village - there will be no public toilet for visitors of the facility to use.

The new playpark will be a much improved facility and as such is likely to draw in young people and families from the outlying areas who will have no access to toilet facilities nearby. The reopened toilets are a vital provision to accompany the new play park and they will enable local children and families to make full use of the new facilities. They will be beneficial to the public health and social wellbeing of the users of both facilities, the play-park and the football field.

The toilets will also provide a facility for passing tourists and travelers and as such will add to the local tourism infrastructure.



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Restrictions on use of the land

- 4.3 If there are any restrictions on the use or development of the land, please explain how your project will comply with these.

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.

N/A

Risk Analysis

- 4.4 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.

There are no negative consequences to the LCA if this request is agreed to.



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Capacity to deliver

- 4.5 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.

The LCA have managed the Lumsden Hall since it was built in the 1960's, since then they have completed a major lottery refurbishment and extension of the building.

The community have taken forward a major regeneration of the playpark and funding of over £80,000 is in place to deliver this project.

The LCA managed the Lumsden Toilets for many years on behalf of Aberdeenshire Council.



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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.

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, their response and how the community have contributed to the design of the project. You should also show how you have engaged with any other communities that may be affected by your proposals.

This issue of the closed toilets and the lack of community consultation on the part of Aberdeenshire Council request has been consistently discussed business at the Donside Community Council by Lumsden Councillors. The issue has also been brought forward at Lumsden Community Association meetings and community consultations.

Since the closure of the Public Toilets there has been numerous instances of children forced to relieve themselves in the public space - an offence which is punishable with a fine as well as being indecent and degrading.

The support from the community has been unanimous.



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Section 6: Funding

- 6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the asset, and your proposed use of the asset.

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.

N/A



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Section 7: Business Plan including a 3-year financial forecast

7.1 Please give details of your Business Plan

You should include a statement of your goals, reasons they are attainable, plans for reaching them and a forecast of future revenues and expenses.

Lumsden Public Conveniences have been closed by the Council and are not going to be re-opened. Lumsden Community and Lumsden Community Groups, passing motorists and tourists all need access to basic welfare facilities – there are no other options in the village. LCA propose this CAT transfer as a solution to the problem. The PC would be owned, maintained, run and managed by the community, for the community. It will be open 7 days a week, 365 days per year. No staff are required to run the toilets. The ownership and management of the asset will fall under the responsibility of the existing LCA. The cleaning, opening, closing and general maintenance of the toilets will be carried out by the existing hall cleaner, the additional cost of which will be added to annual fundraising targets. LCA will manage the project finances alongside the other assets they manage on behalf of the community.

The community ran the toilets for many years on behalf of Aberdeenshire Council so are fully aware of what is required to make this work.

3 year running Costs are estimated as follows:

2019

Total running cost = £1,750

(Salary costs £1000 Maintenance £250 Electricity £300 Water £0 (charity exempt)

Insurance £200 (estimated) Council Tax £0

Total annual income from fundraising = £1,750

2020

Total running cost = £1,750

Total annual income from fundraising = £1,750

2021

Total running cost = £1,750

Total annual income from fundraising = £1,750



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Signatures

Two authorised signatories (e.g. manager, 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

[Redacted]

Address

[Redacted]

Date

11/3/19

Position

TRUSTEE, LCA

Signature

[Redacted]

Name

[Redacted]

Address

[Redacted]

Date

14/3/19

Position

SECRETARY, LCA

Signature

[Redacted]



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Section 6 – funding

Documents attached:

Section 7 – business plan including a 3-year financial forecast

Documents attached:

Lumsden Community Public Conveniences Business Case August 2018

Completed applications should be sent to your **local Area Manager** and marked '**Asset Transfer**'. **Contact addresses are listed below:**

<p>BANFF & BUCHAN</p> <p>Area Manager Town House 34 Low Street Banff AB45 1AY</p> <p>Tel. no: 01467 537131 Email: banffandbuchanamo@aberdeenshire.gov.uk</p>	<p>BUCHAN</p> <p>Chris White Area Manager Buchan House St Peter Street Peterhead AB42 1QF</p> <p>Tel. no: 01467 537634 Email: buchanareaoffice@aberdeenshire.gov.uk</p>
<p>FORMARTINE</p> <p>Elaine Brown Area Manger Formartine Area Office 29 Bridge Street Ellon AB41 9AA</p> <p>Tel. no: 01467 538439 Email: formartineareaoffice@aberdeenshire.gov.uk</p>	<p>GARIOCH</p> <p>Margaret-Jane Cardno Area Manager Gordon House Blackhall Road Inverurie AB51 3WA</p> <p>Tel. no: 01467 539371 Email: garioch@aberdeenshire.gov.uk</p>
<p>KINCARDINE & MEARNS</p> <p>William Munro Area Manager Viewmount Arduthie Road Stonehaven AB39 2DQ</p> <p>Tel. no: 01467 534684 Email: kincardineandmearns@aberdeenshire.gov.uk</p>	<p>MARR</p> <p>Janelle Clark Area Manager Alford Area Office School Road Alford AB33 8TY</p> <p>Tel. no: 01467 536421 Email: marrareaoffice@aberdeenshire.gov.uk</p>



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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:

CONSTITUTION OF LUMSDEN COMMUNITY 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:

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

Documents attached:

Section 5 – evidence of community support

Documents attached: