

**ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT (SCOTLAND)
ACT 2015**

DECISION NOTICE

To: [REDACTED], Trustee, Stonehaven Tolbooth Association
Address: [REDACTED]

30 August 2024

This Decision Notice relates to the Asset Transfer Request made by Stonehaven Tolbooth Association on 18 August 2023 in relation to the Tolbooth building, Stonehaven.

Aberdeenshire Council (“the Council”) has decided to agree to the transfer only of the ground floor of the Tolbooth building and the courtyard area for £1 but not to the transfer of the upper floor of the building

The reasons for this decision are as follows:

- The request for an Asset Transfer of the entire building does not comply with the Council’s Surplus Property Policy, which presumes against the disposal of income generating assets;
- The business plan presented by Stonehaven Tolbooth Association has demonstrated its viability in taking on the financial costs associated with running the museum without the requirement for the additional rental income from the restaurant on the upper floor.

The attached document specifies the terms and conditions subject to which we would be prepared to transfer ownership of the Tolbooth building ground floor and courtyard area. If you wish to proceed, you must submit an offer to us at the address above **by 31 January 2025**. The offer must reflect the terms and conditions attached and may include such other reasonable terms and conditions as are necessary or expedient to secure the transfer within a reasonable time.

Right to Review and Appeal

If you consider that the terms and conditions attached differ to a significant extent from those specified in your request, you may apply to Aberdeenshire Council to review this decision in which event the Council are obliged to carry out a review of the case.

Any application for review must be made in writing to Aberdeenshire Council at Kincardine & Mearns Area Office, Viewmount, Arduathie Road, Stonehaven, AB39 2DQ **by 28 September 2024**, which is 28 days from the date of this notice. In the event of the Decision Notice which is issued following your making an application to the Council to review this decision is to your dissatisfaction you are entitled to appeal

to the Scottish Ministers. Guidance on making an application for review and appeal is available at www.gov.scot/policies/community-empowerment/asset-transfer.

Tim Stephen
Area Manager Kincardine & Mearns