

Our Ref: TS/DH

[REDACTED]
Secretary
Mill of Benholm Enterprise
[REDACTED]

Tim Stephen

Area Manager Kincardine and Mearns

Viewmount

Arduthie Road

Stonehaven

Aberdeenshire

AB39 2DQ

Tel 01467 536187

www.aberdeenshire.gov.uk

tim.stephen@aberdeenshire.gov.uk

Please ask for Tim Stephen
Direct Dial: 01467 536187
Email: tim.stephen@aberdeenshire.gov.uk

7 September 2023

If you have difficulty reading this document please contact the Kincardine and Mearns Area Office on 01467 534684

Dear [REDACTED]

Asset Transfer Request – Mill of Benholm, Johnshaven, DD10 0HT

This letter is to acknowledge receipt of your Asset Transfer Request in relation to the Mill of Benholm.

The application was considered by the Kincardine and Mearns Asset Transfer Steering Group at its meeting on 1 September 2023. In line with the Asset Transfer process under the Community Empowerment (Scotland) Act 2015 it was evaluated to have provided sufficient information for us to validate the application. The validation date for this asset transfer request is 28 August 2023, the date on which it was received.

Notice of this asset transfer request will be displayed at the site and in key locations around the area of Johnshaven as well as being published online at <https://www.aberdeenshire.gov.uk/communities-and-events/asset-transfer/>. This will allow the public 20 working days in which to make representation. Any representations made to the Council about this request will be copied to you at the contact address provided in your request, and you will have at least 20 working days to comment on them.

I confirm that no other asset transfer request has been received in relation to the property to which your request relates and the property has not been advertised for sale, nor has the Council entered negotiations or initiated proceedings with a view to transferring or leasing the property. We therefore consider that the Council is prohibited by section 84(2) of the Act from selling, leasing or otherwise disposing of the property described above other than to Mill of Benholm Enterprise until your request is concluded.

The request will be considered by the Kincardine & Mearns Area Committee in due course and you will be notified of the Committee date when your application will be considered. We will give you written notice of our decision whether to agree to or refuse your request, and our reasons for that decision by 29 February 2024.

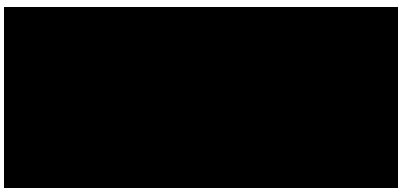
If you do not receive a decision by that date, you may apply for a review of the case. You may also apply for a review if your request is refused, or if the request is agreed but the decision notice specifies material terms or conditions which differ to a significant extent from those specified in the request. Guidance on applying for a review is available at www.aberdeenshire.gov.uk/media/20632/aberdeenshire-council-community-asset-transfer-policy.pdf . An application for review should be sent to the Chief Executive of Aberdeenshire Council within 28 days of a decision.

The Community Empowerment Appeal Committee will review the decision and convene an Appeals Hearing within 6 weeks of receiving a valid letter of appeal. The Committee's decision will be verbally communicated to the Community Transfer Body or Community Organisation at the end of the hearing and will be followed up in writing within 10 working days.

It is recognised that upon implementation of the Community Empowerment (Scotland) Act 2015, Community Transfer Bodies and Community Organisations will have the right of appeal to Scottish Ministers.

If you have any questions about the Asset Transfer process please do not hesitate to get in touch with myself or Diane Henderson the Area Project Officer.

Yours sincerely



Tim Stephen
Area Manager Kincardine & Mearns