

Our Ref: TS/DH


Funding & Project Coordinator
Auchenblae Parks Committee



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

Dear 

Asset Transfer Request – Former Public Toilets, Auchenblae

This letter is to acknowledge receipt of your Asset Transfer Request in relation to the former Public Toilets in Auchenblae.

The application was considered by the Kincardine and Mearns Asset Transfer Steering Group at its meeting on 12 January 2024. In line with the Asset Transfer process under the Community Empowerment (Scotland) Act 2015, the request was considered and evaluated to have provided all the necessary information to allow us to validate the application. This was based on an amended Constitution having been received on 11 December 2023 which fulfilled the terms of the legislation and qualified your group as a Community Transfer Body.

Therefore, the validation date for this asset transfer request is 11 December 2023, the date on which the valid Constitution was received.

Notice of this asset transfer request will now be displayed at the site and in key locations around the area of Auchenblae 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 Auchenblae Parks Committee 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 10 June 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