

# SCOTLAND'S NATIONAL FOREST ESTATE - COMMUNITY ASSET TRANSFER SCHEME (CATS)

## Introduction

Please read the relevant parts of the [Community Asset Transfer Scheme Guidance](#) before completing this form. You may also wish to refer to the Scottish Government's [Asset Transfer Guidance for Community Bodies](#).

The Request must be submitted in writing, either as a hard copy or by email. Please answer all the questions. You can attach additional information as extra sheets or electronic documents. Please be specific. When answering the questions do not repeat any information you have already given, simply refer to an earlier answer or attached document.

Please return the completed form and supporting documentation to:

Community Asset Transfer Scheme Team  
Forest Enterprise Scotland  
231 Corstorphine Road  
Edinburgh  
EH12 7AT

E-mail: [communities@forestry.gsi.gov.uk](mailto:communities@forestry.gsi.gov.uk)

We will confirm receipt of your Request within 5 working days and you will receive a formal acknowledgement letter within 15 working days to confirm whether your Request is valid or requesting further information. We may need to ask you for more information during the assessment and evaluation process.

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**This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.**

**Information about the community transfer body making the request**

1.1 Name of the community transfer body making the asset transfer request

Minginish Community Hall Association

1.2 Community transfer body address. This should be the registered address, if you have one.

Postal address: Minginish Community Hall, Portnalong, Isle of Skye

Postcode: IV47 8SL

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: Richard Powell

Postal address:

Postcode:

Email:

Telephone:

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 Forest Enterprise Scotland 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.

1.4 Please mark an "X" in the relevant box to confirm the type of community transfer body and its official number, if it has one.

|   |          |          |
|---|----------|----------|
| Company, and its company number is .....  |          |          |
| Scottish Charitable Incorporated Organisation (SCIO), and its charity number is ..... | <b>X</b> | SC028093 |
| Community Benefit Society (BenCom), and its registered number is .....                |          |          |
| Unincorporated organisation (no number)   |          |          |

**Please attach a copy of the community transfer body’s constitution, articles of association or registered rules.**

1.5 If the organisation is **not** an eligible community transfer body under the Community Empowerment (Scotland) Act 2015:

a) 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:

or b) 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?

it is a Scottish charitable incorporated organization which has more than 20 members

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## Section 2: Information about the land and rights requested

(see CATS Guidance Section 1.2)

2.1 Please identify the land to which this asset transfer request relates.

*You should provide a grid reference and attach a map clearly showing the boundaries of the land to which this asset transfer request. You should also provide any name by which the land is known, and you may also wish to provide additional description. You can contact your local [Forest District](#) office for assistance in providing a copy of the map.*

*If you request it for a building, you should provide a street address and the Unique Property Reference Number if known. If you have identified the land on Forest Enterprise Scotland's [Register of Land](#), please enter the details listed there.*

Grid reference: NG 42392 25840

Name and description of the land: Fairy Pools Parking. The land includes the existing parking area the surrounding forest and land identified on the land survey carried out by Forest Enterprise Scotland in total 12.3 hectares. Plan attached separately.

UPRN (if known):

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### Section 3: Type of request, payment and conditions

(see CATS Guidance Section 1.4)

3.1 Please tick what type of request is being made:

- 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 requested (see CATS Guidance Section 2.2)?

Proposed price: £2500

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?

How much rent are you prepared to pay (see CATS Guidance Section 2.2)? Please make clear whether this is per year or per month.

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.

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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.*

The reason for the request is the current car parking area is no longer sufficient for the needs of visitors. The Fairy Pools have grown massively in popularity over the last few years and it is estimated that in 2016 well over 100,000 people will have visited the site. Due to the lack of public transport almost 100% of those visitors will have used either cars, motorhomes or arrived on a tour bus. It is likely that over 40,000 vehicles will have tried to park in the area. The Forest Enterprise car park is only big enough for around 35 vehicles, meaning at times 100 or more cars and motorhomes have been seen parked either on the verges or in the passing places of this narrow single track road. This is causing significant problems for residents in Glenbrittle, they are having to allow at least 1 hour for journeys which should only take 10 or 15 minutes. At times the road is blocked by peoples poor parking or by the sheer volume of traffic trying to get to and from the site.

This is adversely affecting the lives of the residents at Glenbrittle, the only access to and from their homes is often nearly impassable, meaning they are unable to get out for Doctors appointments or to go shopping, deliveries often can't get to them and there is the potential for emergency vehicles to be delayed.

In addition, the situation clearly has the potential to adversely affect tourists experience when visiting if parking is difficult. The area relies on tourism for a large part of its income and if tourists decide it is not worth visiting this will have huge repercussions for the region.

MCHA intend to seek funding to allow us to expand the carpark to accommodate at least 100 vehicles, with sufficient space to expand beyond this if required. In addition, we aim to install zero discharge toilets to tackle the problem of a shortage of toilet facilities in the area. To make the project sustainable the intention is to start making a small charge for the use of the carpark which will allow us to maintain the facility and hopefully also feed any extra funds raised into other community projects.

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## 4.2 Benefits of the proposal

Please set out the benefits that you consider will arise if the request is agreed to (see CATS Guidance Section 3.2)

*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 community at Glenbrittle will benefit from the removal of traffic parked on verges and in passing places enabling them to get to and from their homes without difficulty.

The wider community will benefit from the gaining of an asset which will allow us to invest money in other community projects.

Tourists will benefit from a better experience having a safe place to park, which in turn will reduce the amount of environmental damage caused by vehicles stopping on verges.

In addition, the installation of toilets will remove the environmental damage caused by people using the area as a toilet.

The only way to make the project sustainable is for us to charge people to park, this will allow us to generate an income to feed into continued maintenance and also to put any extra funds into other community projects. The aim is for the project to generate around 5 full time jobs, 2 full time parking attendants, 2 part time cleaners (equivalent to 1 full time position) and potentially 2 full time from the provision of a concession stand.



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#### 4.3 Restrictions on use of the land

If there are any restrictions on the use or development of the land, please explain how your project will comply with these. The local [Forest District](#) office can provide assistance in identifying any restrictions and how to comply with them.

*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

#### 4.4 Negative consequences

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.*

The is a chance that a car park will encourage more visitors to the site causing more problems with traffic, it is clear, however, that doing nothing is not an option. The current situation is not sustainable, the residents of Glenbrittle are desperate for a solution that will deal with this for the long term. There is a potential of a negative visual impact from expanded parking but we are working with the Highland Council and Scottish Natural Heritage to avoid this.

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#### 4.5 Capacity to deliver

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.*

Minginish Community Hall Association Directors are all local volunteers who worked together to get the funding for a new modern community hall for the area. The hall has been built and is well supported and provides an outstanding resource for the local area. The committee are now using that experience to tackle the biggest problem facing the area, the lack of decent tourist facilities.

The committee have appointed a Project Officer to oversee the running of the project and raising funds to allow the carpark to be built. Richard Powell, the Project Officer, has spent over twenty years working in the construction industry and as a Project Manager. In addition, he has spent a number of years volunteering as a Director on a Community Trust that worked on similar projects.

The Community Hall Directors have a huge range of experience in many areas including- Business management, business analysis, project delivery, health and safety, accountancy, IT, quality management and fundraising.

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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 (see CATS Guidance Section 3.2)

*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.*

We have widespread support within the community for the problem at the Fairy Pools to be tackled, we are currently carrying out a consultation so that the level of support is accurately documented. The residents at Glenbrittle, representatives of Minginish Community Hall Association, The Highland Council and Forest Enterprise Scotland have all been involved with a steering group tasked with tackling the problem. In addition, the MacLeod estate, who own the land the pools are on, and the local Police Inspector have written letters of support for the project. We have also had offers of support from a number of the tour companies that visit the Fairy Pools as they recognise that they are responsible for a proportion of the problem and they want to help with the solution.

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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 land, and your proposed use of the land (see CATS Guidance Section 1.5)

*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.*

We have already received a stage 1 Scottish Land Fund Grant to get us to this stage and we have a stage 2 application ready to fund the purchase. We aim to fund the redevelopment through a combination of grant funding from The Highland Council, LEADER, other smaller grant funders and donations from the public and Tourist companies that visit the area.

It is clear that the majority of funders would need us to own the site, or at least have a clear indication that this was very likely, before they will commit to funding the project.

I have attached an approximate costing for the work with an identification of where the money will be obtained. The ongoing maintenance will be funded from income from parking charges, the level of these will be dependent on what we charge per vehicle.

**Signature**

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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.

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

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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: MCHA Constitution v3

### 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: N/A

### 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:

### Section 5 – evidence of community support

Documents attached: Community Consultation

### Section 6 – funding

Documents attached: