



COMMUNITY RIGHT TO BUY ABANDONED, NEGLECTED OR DETRIMENTAL LAND



Application for Consent to Exercise Right to Buy
Section 97G of the Land Reform (Scotland) Act 2003

For official use only

Code: APP

Rcv'd date

01/06/2020

You are advised to keep a copy of this form for your records

Notes:

1. This form is to be used by a Part 3A community body applying for consent to exercise the right to buy land under Part 3A of the Land Reform (Scotland) Act 2003 ("the Act").
2. Only a Part 3A community body within the meaning of section 97D of the Act is entitled to make this application. Note that section 97D (6) of the Act requires that Ministers have given confirmation to the Part 3A community body, in writing, that they are satisfied that the body's main purpose is consistent with furthering the achievement of sustainable development.
3. Before making this application, a Part 3A community body must have conducted a ballot in accordance with section 97J of the Act. The ballot must have been conducted during the period of 6 months which immediately preceded the date on which this application is made.
4. You may download this form and complete it manually or electronically.
5. If you complete the form manually, please do so using black or blue ink and capital letters.
6. Whether you complete the form manually or electronically, you may continue any answer on a separate sheet of paper. If you do this, please –
 - indicate on the form where any answer is given or continued on a separate sheet,
 - indicate on each separate sheet the question number(s) to which it relates.
7. You may submit the completed form and attached documents –
 - electronically to crtb@gov.scot, or
 - by post to Community Land Team, Q Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD.
8. For more information and guidance on the community right to buy abandoned, neglected or detrimental land (including how to submit this form), please visit www.gov.scot and search for "community right to buy".

SECTION 1 – WHO IS APPLYING

- 1.1 Please provide the name of the Part 3A community body (“CB”) applying for consent to exercise the right to buy abandoned, neglected, or detrimental land.

SECTION 2 – DETAILS OF WHO IS APPLYING

- 2.1 Please supply the registered or principal office of the CB.

Postal Address:

Town:

County:

Postcode:

Country:

- 2.2 Please supply the address the CB wishes correspondence in relation to the community right to buy process to be issued to.

Contact name:

Postal Address:

Town:

County:

Postcode:

Country:

Telephone:

Email:

2.3 Please mark an “X” in the relevant box to confirm the type of CB and its official number.

Company Limited by Guarantee (CLBG)
and its company number is:

Scottish Charitable Incorporated Organisation (SCIO)
and its charity number is:

Community Benefit Society (BenCom)
and its registration number is:

This application must be accompanied by a copy of the CB’s governing documents (i.e. memorandum, articles of association, constitution or registered rules) and evidence of its company, charity or registration number. Please mark an “X” confirming that such a copy and evidence accompanies this application.

2.4 Please provide the definition of the community as set out in the CB’s governing document in accordance with section 97D(2)(a), 97D(3)(a) or 97D(4)(a) of the Act.

2.5 This application must be accompanied by one or more maps or drawings, which:

- (a) is/are prepared to the specifications referred to in regulation 3 of the Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Applications, Ballots and Miscellaneous Provisions) (Scotland) Regulations 2018, and
- (b) describe(s) the area of the community to which the CB relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

2.6 Please provide:

(A) The total number of members in the CB.

(B) A breakdown of the total number of each type(s) of membership as stated in the CB's governing document (i.e. memorandum, articles of association, constitution or registered rules).

(C) The membership details (i.e. name, address and membership type of the CB's members).

SECTION 3 — THE LAND IN RESPECT OF WHICH THE RIGHT TO BUY IS SOUGHT TO BE EXERCISED

3.1 Please mark an “X” in the relevant box(es) to indicate the type(s) of land to which this application relates.

Buildings

Recreation land

Woodland

Brown field site

Water

Farm/grazing land

Industrial site

If other type of land, please state below.

3.2 What is the estimated total area of the land

3.3 What county is the land located in?



- 3.4** Please provide a written description of the land to which this application relates (e.g. the location of such land; postcodes covering the land; the condition of the land; its northern, southern, eastern and western boundaries and measurements if applicable).

- 3.5** This application must be accompanied by one or more maps or drawings, which:

- (a) is/are prepared to the specifications referred to in regulation 3 to the Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Applications, Ballots and Miscellaneous Provisions) (Scotland) Regulations 2018, and
- (b) describe(s) the land to which this application relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

3.6 Please mark an “X” in one box which you consider best describes the community’s connection to the land in relation to which this application is made.

- A significant number of the members of the community have a connection with the land.
- The land is sufficiently near to land with which those members of the community have a connection.
- The land is in, or sufficiently near to the area of the community (the community being the community as defined in response to question 2.4).

Please provide details to explain why the relevant box has been marked with an “X” above.

SECTION 4 – OWNERSHIP & INTERESTS

4.1 Please provide the contact details of the owner of the land to which this application relates.

Contact Name:

Postal Address:

Town:

County:

Postcode:

Country:

Company No. (if applicable):

4.2 If the owner has an agent or representative, please provide their contact details.

Contact Name:

Postal Address:

Town:

County:

Postcode:

Country:

Company No. (if applicable):

- 4.3** If there is more than one owner (e.g. the land is in joint or common ownership between a number of owners), then please provide the contact details for the other owner(s) using a separate sheet if necessary.

[Large empty rectangular box for contact details]

- 4.4** Please confirm the checks carried out (including by whom and when) to establish who owns the land to which this application relates and whether there are any creditors in a standard security with a right to sell the land.

[Large empty rectangular box for responses]

- 4.5** Please indicate by ticking “Yes” or “No”, whether you are aware of the existence of either of the matters listed. You may disregard any obligation that would be suspended, once the application is made, by regulation 15 of the Community Right to Buy (Abandoned, Neglected or Detrimental Land (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018.

An enforceable personal obligation on the owner of the land to sell to it to someone else:

YES NO

Is there anything else preventing the owner of the land from selling it:

YES NO

If you ticked “Yes” for either matter listed at 4.5, please provide details for each matter, using a separate sheet if necessary. You should attach evidence to support any matters you raise where possible.

[Large empty rectangular box for additional details]

- 4.6** Please indicate by ticking “Yes” or “No”, whether there are any tenancies of the land or any part of it.

YES NO [Redacted box]

If you ticked “Yes” at 4.6, please provide details for each tenancy, using a separate sheet if necessary.

Name of Tenants (if different):

Postal Address:

Town:

County:

Postcode:

Country:

Email:

Term:

Nature of Tenancy:

4.7 Please indicate by ticking “Yes” or “No”, whether there are any standard securities in relation to the land or any part of it.

YES

NO

If you ticked “Yes” at 4.7, please provide details for each standard security in relation to the land, using a separate sheet if necessary

Name of Creditor holding security:

Contact Name (if different):

Postal Address:

Town:

County:

Postcode:

Country:

Email:

Details of standard security:

4.8 Please indicate by ticking “Yes” or “No”, for each of the planning rights or interests known to the CB, whether that right or interest applies to the land or any part of it.

Planning permission applied for (by any person) but not yet granted YES NO

Planning permission granted but not yet fully utilised YES NO

Suitable for development under the local development plan YES NO

Subject to a compulsory purchase order YES NO

Any other restriction on the use of the land YES NO

4.9 If you ticked “Yes” for any of the rights or interests listed at 4.8 please give details.

4.10 Please indicate by ticking “Yes” or “No”, whether you know of any other existing rights or interests in the land or any part of it.

YES NO

4.11 If you ticked “Yes” at 4.10, please provide details of the holder of each right or interest, using a separate sheet if necessary

Name of Person holding Interest:

Contact Name (if different):

Postal Address:

Town:

County:

Postcode:

Country:

Email:

Nature of Right or Interest:

4.12 Unless it is impracticable to do so, please attach at least one map or drawing that shows the location of the rights and interests identified under this section (4.1-4.11) in relation to the land.

Maps and drawings must comply with regulation 3 to the Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Applications, Ballots and Miscellaneous Provisions) (Scotland) Regulations 2018.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

SECTION 5 – ELIGIBILITY OF LAND

5.1 Please provide the basis on which the land is considered to be eligible land under Part 3A of the Land Reform (Scotland) Act 2003.

Please indicate, by ticking “Yes” or “No”, the basis on which you consider that the land is eligible land.

You must select “Yes” for at least one option.

5.1.1 The land is wholly or mainly abandoned or neglected.

YES NO

5.1.2 The use or management of the land is such that it results in or causes harm, directly or indirectly, to the environmental wellbeing of a relevant community .

YES NO

5.2 Please give reasons for the selection(s) you made at 5.1. You must attach evidence for the reasons you give .

5.3 Complete this question if you claim at 5.1 that that the use or management of the land results in or causes harm, directly or indirectly, to the environmental wellbeing of a relevant community.

5.3.1 Please indicate, by ticking “Yes” or “No”, whether you consider there to be any relevant regulators.

YES NO

A regulator is a person or body described in regulation 10 of the Community Right to Buy (Abandoned , Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018.

Whether a regulator is relevant to this application will depend on the nature of the harm to the environmental wellbeing of the community. You should consider whether the regulator could take action, or might reasonably be expected to take action, to remedy or mitigate the harm.

If you ticked “No”, please explain why you consider there to be no relevant regulators

5.3.2 If you ticked “Yes” at 5.3.1, please identify each regulator whom you consider to be relevant, including contact details, and explain why the regulator is relevant, using a separate sheet if necessary.

5.3.3 Please provide information about each request you made to a relevant regulator to remedy or mitigate the harm and each action taken in response by the regulator, using a separate sheet if necessary .

5.3.4 Please explain why you consider that the harm is unlikely to be removed, or substantially removed, by the owner of the land continuing to be its owner, using a separate sheet if necessary.

5.3.5 Please explain why the community body's purchase of the land is compatible with removing or substantially removing the harm, using a separate sheet if necessary.

SECTION 6 – STEPS TAKEN TO BUY THE LAND

6.1 Please describe the steps taken by the CB in relation to buying the land.

Please include the date when the CB decided to try to buy the land.

Please provide details of each offer to buy the land or any part of it and whether the offer was made to the owner of the land or to a creditor holding a standard security in relation to the land or any part of it.

Offer Date:

Terms(including amount offered and conditions)

Response to offer:

SECTION 7 – COMMUNITY SUPPORT

- 7.1 Please indicate, by ticking the appropriate box how the ballot result is being/has been notified to Scottish Ministers. You must select one option.

Ballot results attached to application

Ballot results already notified to Ministers

Please note that the ballot result must be/have been notified to Ministers in the form specified in schedule 4 of the Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Applications, Ballots and Miscellaneous Provisions) (Scotland) Regulations 2018.

If you indicated at 7.1 that the ballot result has already been notified to Scottish Ministers, please give the date of notification.

SECTION 8 – PROPOSALS FOR THE LAND

- 8.1 Please explain how the CB proposes to use, develop and manage the land to which this application relates.

8.2 Please explain how the acquisition by the CB of the land to which this application relates is compatible with furthering the achievement of sustainable development in relation to the land to which this application relates.

8.3 Please explain how the achievement of sustainable development in relation to the land to which this application relates, would be unlikely to be furthered by the owner of the land continuing to be its owner.

SECTION 9 – PUBLIC INTEREST

9.1 Please explain why the exercise by the CB of the right to buy under Part 3A is in the public interest.

SECTION 10 – DECLARATION

- We the undersigned have been authorised by the CB to provide the information in this form, the proposals detailed within it and any supporting documents.
- The CB understands that, if it makes any inaccurate statements or provides inaccurate information (deliberate or accidental) at any stage during the right to buy process, or if it knowingly withholds any information, this could result in Scottish Ministers deciding not to consent to the exercise of the right to buy.
- The CB has not altered or deleted the original wording of this form.
- The CB understands that this form requires each signatory (2 board members, charity trustees or committee members) to this form to provide his/her full names and home address for the purposes of prevention and detection of fraud.
- The CB confirms that it is still a CB within the requirements of subsection (2), (3) or (4) of section 97D of the Act.
- The CB understands that this form and supporting documents may appear in the Register of Applications by Community Bodies to Buy Land.
- We understand that all or part of the information contained in this form and all information related to this application, may be publicly available via the Register of Applications by Community Bodies to Buy Land.
- We the undersigned have read and understand the terms of this declaration.

We, the undersigned on behalf of the CB as noted at section 1, apply to consent to exercise the right to buy land under Part 3A of the Act.

Name: Alistair Bews

Address: 10 Woolcombe Square
Scone
Perth
PH2 6PN

Date: 28th May 2020

Position: Chairman

Signature: [Redacted]

Name:

Maxwell Moir

Address:

1 Woolcombe Square
Scone
Perth
PH2 6PN

Date:

28th May, 2020

Position:

Secretary

Signature:



For more information and guidance on the community right to buy and on this form (including where to post this form) please visit www.gov.scot and search for "community right to buy".

You can also email the completed form and associated documents to crtb@gov.scot