

E: [crtb@gov.scot](mailto:crtb@gov.scot)

**Optimus Fiduciaries Limited  
As Trustee of FT REPSF  
St Mary's  
The Parade  
Castletown  
Isle of Man  
IM9 1LG**

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Our ref: SD00002

9 February 2023

Dear Sir / Madam,

**Land Reform (Scotland) Act 2016 (the Act) – Part 5 Right to Buy Land to Further Sustainable Development  
Request for owner's views on the application.  
Prohibited dealings during restriction period.**

The Scottish Ministers have received an application from Poets' Neuk in respect of land known as Garden ground opposite 1 Greyfriars' Garden. In terms of the application process they are required to send a copy of that application to you as owner. You should now be in receipt of that application. If not, please contact us as soon as possible at the email above.

You are now invited to send to the Scottish Ministers, so as to be received not later than 60 days after the sending of this invitation, views in writing on the application.

Please note this letter relates to a new application. It is not the first application which we wrote to you about on 8 December 2022, reference SD00001, which has now been declined.

You are also invited to supply information on:

- (a) Your views on the likely impact on the owner or tenant of the proposals for the land or tenant's interest, including on the current use of the land or tenant's interest (and any intended use),
- (b) Whether you consider that the proposals for the land or tenant's interest satisfy the sustainable development conditions set out in section 56(2) and, if not, your reasons,
- (c) Any rights or interests in the land of which you are aware that are not mentioned in the application, and
- (d) Any other matter that you consider relevant to the application.
- (e) Finally, you may wish to supply information on any engagement you have had with the community, in particular in terms of the 'Guidance on engaging communities in decisions relating to land' (to read this guidance go to [www.gov.scot](http://www.gov.scot) and search 'guidance on engaging communities'). As set out in section 56(4) of the Act, Scottish Ministers may take this into account when considering the application.

A copy of this invitation will be sent to Poets' Neuk, in terms of section 55(1)(c) of the Act.

Please note that under section 61 of the Act, from the date the application appears on the Register of Applications by Community Bodies to Buy Land, the following dealings are prohibited during the restriction period where an application under section 54 of the Act is seeking consent to exercise a right to buy land –

- (a) any transfer of the ownership of the land that is subject to an application under section 54 of the Act or land that includes land that is subject to an application under section 54 of the Act,
- (b) any action taken with a view to a transfer of land prohibited by sub-paragraph (a).

Any views supplied to Scottish Ministers will be forwarded to Poets' Neuk for their response.

Yours faithfully,

Richard Davies  
On behalf of Scottish Ministers