



COMMUNITY ASSET TRANSFER

Moray Council
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Findochty Town Hall
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Contact: Andrew Gray
Direct Dial: 07929 785090
E-mail: CAT@moray.gov.uk
Website: www.moray.gov.uk

Our Ref: CAT/073/ATR

Sent via email to:
[REDACTED]
[REDACTED]

Date: 6 October 2020

Dear Findochty Town Hall Members

CAT/073/ATR DECISION NOTICE – AGREED

This Decision Notice relates to the asset transfer request made on 18 February 2020 by Findochty Town Hall SCIO in relation to the Town Hall, 22 Station Road, Findochty.

Moray Council has decided to agree to the request for the transfer of ownership of the property subject to the following terms and conditions:

- (a) Subjects – the asset comprises the Town Hall, 22 Station Road, Findochty, as shown outlined in red on the attached site plan, together with rights of access thereto;
- (b) Price – the price payable will be £nil;
- (c) Existing Lease to Findochty Town Hall SCIO – the existing lease terms will apply until the date of the transfer;
- (d) Court Consent – agreement to the transfer is conditional upon the Sheriff Court granting the Council consent to dispose of the asset.
- (e) Contamination – the property will be transferred 'with information' in terms of contaminated land legislation with the Findochty Town Hall SCIO indemnifying the Council against any future claims relating to contaminated land.
- (f) Fees/Expenses – each party will meet its own legal expenses in the processing of the transaction, including legal expenses and surveyors fees; and,
- (g) Other Terms – any other detailed terms agreed with the Council's Legal Services Manager and Estates Manager.

The reasons for the Council's decision are as follows:

- (i) The requested transfer is likely to contribute to the priorities set out in the Council's Corporate Plan and Local Outcomes Improvement Plan;

- (ii) The strength of the organisation's overall business case is considered to be moderate to strong. That is,
 - (a) The organisation's governance and financial management arrangements are considered to be sound and sustainable,
 - (b) Best Value characteristics are in evidence in the proposal, and
 - (c) The projected benefits are considered to be acceptable, could lead to value for money, and are sufficient to justify a disposal at less than market value.
- (iii) No reasonable grounds were found for refusing the request.

If you wish to proceed, you must submit an offer to Moray Council at the address above by **6 April 2021**. The offer must reflect the terms and conditions set out above, and may include such other reasonable terms and conditions as are necessary or expedient to secure the transfer of the property within a reasonable time.

If you consider that the above terms and conditions differ to a significant extent from those specified in your request, you may apply to Moray Council to have this decision reviewed. Any application for review must be made in writing to committee.services@moray.gov.uk by **3 November 2020**, being 20 working days from the date of this Notice.

If you have any questions about the asset transfer process please contact the Moray Community Asset Team via CAT@moray.gov.uk or telephone 07929 785090.

Yours sincerely



Lorraine Paisey
Chief Financial Officer