

## ASSET TRANSFER REQUEST

Office Use only:

<b>Asset Ref</b>	1 Bogton Road
<b>Name CTB</b>	TTF
<b>ATR Ref</b>	115

### NOTICE OF ASSET TRANSFER REQUEST Representation Submissions / CTB Feedback

Part 5 of the Community Empowerment (Scotland) Act 2015 sets out that people are to be made aware that an asset transfer request has been submitted. Notification has been published via the [Moray Council website](#), advertised via Moray Council social media sites, notification to any tenant/owner/occupier of said asset and notification at the site of the asset. These notifications explain how representation can be submitted.

When representation is received in response to these notices, the Moray Council must send copies to the community transfer body for comment/feedback. Details of which can be found below. In order to comply with data protection requirements, any personal information will be 'blacked out' from these documents before submission to you.

<b>Date of Representation period (40 working days):</b>	27/04/22 – 22/06/22
<b>Number of Representation(s) received:</b>	42

<b>Date collated Representation sent to CTB:</b>	28/06/22
<b>Deadline for receipt of CTB comments on representations (20 working days from date representations issued)</b>	26/07/22

All comments/feedback received will be published via the Moray Council website for public information.

If the CTB feel they are unable to meet the comment/feedback deadline; they should contact the CAT team to discuss.

1	<p>I want to reiterate the comments I made in my previous submission.</p> <p>I see the asset transfer request as a route to a long term future for the land and the value that many people have found there.</p> <p>I was previously a member of the community garden and released my place when I moved to a house with it's own garden. The garden is a place that provides people opportunity to grow healthy organic food. It is a place of wellbeing and nourishment of friendships and social interaction.</p> <p>It has a positive influence on the health of many local folk.</p> <p>I am currently involved with a series of public cafes, organised by TTF on topics such as local food, home insulation, car sharing.</p> <p>There have been a number of changes in the TTF Board and I believe now that it is under stable leadership and will prove a good custodian of the land.</p> <p>I fully support the asset transfer request.</p>
2	<p>I fully support the proposed Community Asset Transfer to Transition Town Forres. As a resident of Forres for 15 years,without my own garden,it has provided an ever expanding range of services which are fully aligned with both EU,Scottish and UK government's Carbon Zero and circular economy initiatives.It also provided Moray council with £40,000 guaranteed ADVANCE rent for the first 10 years,which should surely be paid back in event of the application being refused.It received £184,000 from the Scottish Government Climate Challenge fund to create the current community gardens,fencing,building insulation,toilets etc.It has immense social benefits to local people in offering the Repair cafe,low income healthy living cookery classes,educational workshops on biodiversity,seed swaps,bee pollination,mental health and physical exercise through gardening work,yoga,relaxation,mindfulness,dance and movement,drumming,and singing.Because 6 years were taken up with accessing grant money to refurbish the environmental education and healthy living building,it is only since 2017 the centre could begin to actively generate any income.Then the 2 years of the pandemic closed it down.The Board has only had volunteers, and many low income centre users have taken it for granted.In future far more income could be actively generated by weekend hire of the main room and assets eg gazebo,chairs,tables for outdoor events.It is an invaluable community asset to the people of Forres which looks to future resilience,not the past,as do many other local Cat assets on the High St which have benefitted from existing publicity due to High St footfall.</p> <p>TTF offers far more facilities to gardeners and centre users than almost any other Scottish allotment site does.This includes 2 disability access toilets which were grant funded.It has an excellent purpose built kitchen and is properly insulated and well heated by a biomass boiler,so is not liable to unsustainable gas or electric price hikes,unlike many other current unheatable CAT facilities. In my view, it would really be a dereliction of Moray Council community education and social care to return this to a commercial let garden centre,when Christies elite rents take up all the surrounding land for dubious common good land benefit eg Forresian Firs.</p> <p>Please look to the future and support an invaluable and still developing local and regional asset!</p> <p>Re the Forres Community Council members` comments,I wonder how many of its current members have visited the site or attended a class there?</p>
3	<p>Land is Common Good and an asset for the people of Forres. Don't wish this to be transferred to Transition Town. To many Common Good lands etc have been disposed of. Once transferred it is lost income to the Common Good Fund. I believe it should be leased at the fair market rate and if Transition Town can't meet the market rate it should be leased to other parties that can.</p>

4	<p>I wholeheartedly support the asset transfer request. For the past 10 years a number of dedicated volunteers have put uncountable hours into making this project the social and environmental success it undoubtedly is. It offers support, education and inspiration to many different groups and individuals in the Forres area, and activities not available elsewhere. As such, it is a true community asset, now so well integrated into the locality that Forres would be impoverished without it. The Social Value Impact Study (HIE) sets out this value in qualitative and financial terms which cannot be ignored. It is truly regrettable that so much time and anxiety has had to be expended by a non-profit organisation on how to pay increasing levels of rent for the land which it occupies and enhances.</p>
5	<p>Transition Town Forres should NOT be allowed to purchase this land. The land belongs to Forres and its people. TTF has confirmed that the site will not fall into the hands of an outside organisation should the CAT process go through. This statement is laughable, TTF itself is an outside organisation and I am quite certain that should they "run into difficulties" the first people at their door with cheque book at the ready, will be that other outside organisation the Findhorn Foundation or an offshoot thereof. TTF knew what they were taking on at the time. They knew the rent would increase. Over the years they have received many thousands in grants and funding and if managed properly this situation would never have arisen.</p> <p>From the start, this land should have been turned into ordinary allotments, with a waiting list system, the elderly retired ladies and gentlemen local to Forres being at the top of that list. Perhaps it can still go that way. Further to my previous email, I would like to add that if TTF can afford £109.253 to buy the land, they can afford to rent it for another 8 years. Selling off the land will also set the precedent for other groups to try and purchase parcels of Forres common good land and other such sites, stripping the town of some of its valuable assets, which once sold will be lost forever. Turning this land and other potential locations into ordinary allotments (they don't need to be huge) would benefit more people, with families, children, grandchildren, aunts and uncles being able to enjoy the pleasures and benefits of growing their own fruit and vegetables, especially these days with the cost of living so high. I know that allotments in Nairn and Inverness are in great demand, with the waiting list now at 15 years, so a points based system with people born locally and length of residency in Forres contributing to points gained, would seem a fair way to allocate the allotments out. Having spoken to many Forres folk of all ages, I know that this is the general shared opinion.</p>
6	<p>I do not wish the land at 1 Bogton Road, Forres to be part of a Community Asset Transfer to Transition Town Forres.</p> <p>I believe as part of Forres Common Good assets it should remain under control of a local government body or a list of trustees. I have grave concerns about the viability of Transition Town Forres and if they were to fail, they would be in a position to dispose of the land as they saw fit, which would necessarily be to the benefit of the people of Forres.</p>
7	<p>I support TTF but feel that the principles of common good land must be protected forever and therefore I oppose this transfer. Moray Council should continue to fulfil its obligations in this respect.</p> <p>That should include negotiations on a reasonable rent/lease level.</p>

8	<p>Dear Sir/ Madam</p> <p>I would like to object to the said transfer of Common Good Land to Transition Town Forres. I could see the value to the council and rate payer of the transfer of the tollbooth and Town hall as they were a drain on council resources And they are run well to the benefit of the towns people. I would be in favour of Transition Town getting the land rent free as long it used for current purposes and if they cease to use it for that it would still belong to the towns people I note they state if Transition Town folds They would transfer it to a like minded charity ie FINDHORN FOUNDATION I strongly object to the possibility of our Common Good land being given to them free. I do not see any benefit in giving away this land as it not a drain on the public purse . Their reason for Asset Transfer request was they could not afford the rent. Rent free option should take care of that and the land would still belong and under the control where it should be Forres Common Good. The same principle should apply to skate board application in Grant Park . WE should not be loosing control of our Common good assets when a rent free option should nullify the reasons for asset transfer.</p>																				
9	<p>The Forres Common Good Fund is managed (to) -</p> <p>“have regard to the interests of the inhabitants to which the common good related”</p> <p>TTF have been unable to balance their books for the past four years - see OSCR below.</p> <table><thead><tr><th></th><th>Income</th><th>Exp.</th><th></th></tr></thead><tbody><tr><td>31 Mar 2018</td><td>£27,869</td><td>£53,060</td><td>19 Dec 2018 Yes</td></tr><tr><td>31 Mar 2019</td><td>£34,361</td><td>£55,367</td><td>09 Dec 2019 Yes</td></tr><tr><td>31 Mar 2020</td><td>£28,144</td><td>£47,685</td><td>09 Oct 2020 Yes</td></tr><tr><td>31 Mar 2021</td><td>£19,718</td><td>£26,649</td><td>21 Dec 2021 Yes</td></tr></tbody></table> <p>Ironically some of that income is from the very Common Good Fund they wish a CAT from!</p> <p>I have managed other groups in the town and would never dream of living beyond our means.</p> <p>I object to the proposed transfer - and so does my wife, that's two of us.</p>		Income	Exp.		31 Mar 2018	£27,869	£53,060	19 Dec 2018 Yes	31 Mar 2019	£34,361	£55,367	09 Dec 2019 Yes	31 Mar 2020	£28,144	£47,685	09 Oct 2020 Yes	31 Mar 2021	£19,718	£26,649	21 Dec 2021 Yes
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10	<p>An excellent idea for TTF, who have been such good stewards of this asset for many years, to take full ownership.</p> <p>The allotments provide exercise; social connections; organic food for the gardeners and families.</p> <p>The building is used by many teachers such as Qigong, yoga, making healthy meals, art.</p> <p>This is a brilliant asset to the town, long may it last</p>																				
11	<p>Regarding the Common good land at 1 Bogton Road Forres , this land belongs to the people of Forres and should stay with the people of Forres and should not be give to Findhorn Foundation or to any other group . We fought to stop a supermarket being put there some years ago</p>																				

<b>12</b>	In view of the fact that this CAT is in regard to Common Good land, it is essential that, in the event that the land is given to TTF and then of TTF folding as an organisation, that the land is returned to the Common Good rather than to some other charity with 'similar objectives' as this could well lead to the land being removed from local control and put into the hands of others with no connection at all to Forres.
<b>13</b>	In response to the Community Asset Transfer request for 1 Bogton Road Forres by Transition Town Forres I am afraid I am against the CAT in its current format. For any Common Good asset a key question should be why does the group applying need to take ownership vs taking a long term lease. Once ownership has been transferred then future use of the asset becomes uncertain and dependent on the people involved at that time. It is possible I imagine to put conditions on any transfer in terms of future sale but surely a better route in this instance is to put in place a long term lease. This group offers an important facility to people in the area so I would favour a relatively low/competitive lease (certainly below full market cost). The lease must be contingent on payment though from the payments made by users and paid ideally up front as I understand previous leases have had to be waived.
<b>14</b>	<p>I am strongly opposed to this CAT request. This is Common Good Land. It is not appropriate to sell it. If TTF wish, they may continue to lease it. This will not prevent them working towards their aims, whilst ALL the inhabitants of Forres will benefit from the rental income.</p> <p>TTF state they carried out "extensive community consultation" and that there was "strong support" for their proposal from 383 people in the IV36 postcode area. This represents 2.48% of that population. I would interested who they selected? How many lived in Forres, and not Findhorn? I know of no one among my local friends and family who were asked for their views.</p> <p>If the current market value is £275,000, why is TTF only offering £233,750? Talk of what they have done to the land is irrelevant to the market value.</p> <p>Their aims are all very laudable, but there are no practical details as to how they will achieve these. The numbers of people currently attending their sessions are extremely low, many not even in double figures. Their track record so far, therefore, is not inspiring. How will they change this to include far more of the local population?</p> <p>I would be interested too, in how many of those involved with TTF and who support this CAT have a Findhorn postcode? I know of no genuine local people who have any association with TTF, and I fear that that would continue.</p>
<b>15</b>	<p>I believe its vital to offer Transition Town Forres the asset transfer request to secure its future as a vital part of community life.</p> <p>We are facing a cost of living crisis and offering rare allotment space for food growing feels like a vital part of peoples lives. We also are coming out of covid which say dramatic social isolation. Events, cafe mornings, mend it events offer a place for community to connect, learn new skills and enjoy green space.</p> <p>From conversations with volunteers I became aware that TTF offers after school food growing, grows food for the blue bus, and helps people repair items that would otherwise go to waste. I believe offering Transition Town the land provides the stability to build on this initiative and develop a long term strategy that tackles many issues facing Forres.</p> <p>Environmental protection, Local produce, social events.</p> <p>I strongly encourage you to support the community asset transfer.</p>

16	<p>I strongly support the community asset transfer that TTF is requesting.</p> <p>This site, the centre and community gardens on Bogton Road, provides the Forres community with an affordable space to host health and well-being classes, meetings, and social events. The centre is a warm, comfortable space with a fully-stocked kitchen, two accessible bathrooms and an outdoor sitting deck.</p> <p>In the garden allotment area, a community of over 50 gardeners from Forres prepare and maintain the soil to grow their own food, socialise and learn gardening tips from each other.</p> <p>This summer, TTF has partnered Moray Food Plus to grow vegetables for the Big Blue Bus, a mobile food pantry that delivers food to rural towns and villages in Moray. Fifteen garden boxes are currently in production with plans to extend into more boxes as the demand for fresh, healthy food rises in Moray.</p> <p>Once the CAT is approved, TTF will no longer need to pay a rent on the property. Instead, significant resources will be directed toward hiring a development director and a volunteer coordinator to help move TTF into its post-pandemic, just transition transition.</p>
17	<p>(1) Transition Town Forres is without doubt serving the local community in many ways and the whole complex of buildings and gardens is able to offer a great variety of enterprises - towards a more sustainable low carbon future. There's a really vibrant atmosphere in every gathering that meets here and I'm sure with enough encouragement from you at Moray Council, this TTF community enterprise can truly flourish! (2) I am entirely in favour of Transition Town Forres receiving a Community Asset Transfer so they can continue and augment the great support they have been and are offering to all manner of folk in our community of Forres There's a wonderful Aliveness and Wellness experience that emanates from the various functions and events put on in their Hub.....and all sorts of opportunities abound for the folk of Forres to involve themselves in....no one is turned away....it's a very inclusive and valuable venue and asset</p> <p>There's a sense in which all aspects of community life is opening up and developing and it would be such a shame for TTF to fold....simply because the Moray Council have charged them such an extortionate rent (particularly ironic and cruel in the light of the Covid lockdown time)</p> <p>Please please hear this plea to take into consideration what so many of us users and beneficiaries of TTF are expressing</p> <p>We're not daft....we have a clear sense of what's really going to benefit our overall Forres community</p> <p>Thank you</p>
18	<p>(1) It's a brilliant idea. I fully support TTF in this transfer. I think the Forres Community will benefit tremendously from having TTF secured for the future through the CAT. The links TTF have established over the years with the community need to be given a secure funding and I believe this is the right way to do it. May it go well.</p> <p>(2) I fully support this application. I believe it will benefit the community and I do not agree with the idea that somehow the community will lose the land thru CAT transfer. It is, and will continue to be, run by the community for the community. I personally have greatly benefited from the community garden. I see it as a lifesaver. I have anxiety disorder and am on autistic spectrum. The gardens have become a significant help to me coping with life. I do not think that the resource at 1 Bogton rd should simply be rented to someone who can afford the increased rent because that would deprive a lot of vulnerable people of a place of sanctuary. The money saved by keeping people mentally healthy far outweighs any argument about reserving the area to the richest part of the community.</p> <p>Please keep this valuable asset under TTF management. They have worked hard consistently and been a truly great help to the community of Forres.</p>

19	<p>(1) I derive so much benefit from the Transition Town Forres project, not only as a garden member but for all the community building projects it hosts - the Repair Cafe, cooking projects, Wellbeing for the Elderly and so on. I want TTF to have a secure future and i think this use of the site yields maximum community benefit.</p> <p>(2) I fully support a transfer of the grounds at 1 Bogton road to the Transition Town Forres TTF.</p> <p>I have benefited in so many ways from TTF since its very start. I was in at the beginning when we eg dug out and fenced what was to become a flourishing community garden, providing growing spaces now for over 60 people. As I do not have access to a garden, this has been a godsend to me, not only for the produce but also for the benefits of the contact with others for social interactions and gardening tips. The garden grows people for sure and is very therapeutic.</p> <p>The TTF centre building itself was transformed by a very able team from an ugly dark and dirty shed-like building to a bright attractive venue for all sorts of groups and events.</p> <p>I am one of the many who have attended events that have taken place in the centre over the years and I have met people of all ages and backgrounds. I would say other attendees derived as much benefit as i did from attending events on offer in the centre.</p> <p>The building itself was transformed by a very able team from an ugly dark and dirty shed-like building to a bright attractive venue for all sorts of groups and events.</p> <p>I have attended all sorts of courses in the TTF centre which have been immensely educational and also supported my emotional health - from gardening groups, education about bees, about medicinal plants, meditation classes, well-being groups, cooking classes, a repair cafe, a drumming group, a choir and many more. I also have booked the centre a few times for meetings and for personal events like my birthday party. The centre is reasonably priced, well equipped and easily and ecologically heated.</p> <p>Finally I cannot think of any other use for this piece of land which can offer so much community.</p>
20	<p>We were most concerned to read of the proposed Community Asset Transfer of Common Good ground at Bogton.</p> <p>We read there has been a consultation with a tiny percentage of people in the IV36 area. This is an enormous area and we assume that all those consulted are residents of Forres?</p> <p>If this is not so then not only was the consultation invalid, but possibly also illegal.</p> <p>Since the Town Hall was transferred by CAT it has been advantageous to all the residents of Forres. Similarly the Tolbooth CAT has made this building available to the entire population of Forres.</p> <p>The same cannot be said of the proposed allotments CAT. They could be used by only an extremely limited number of people.</p> <p>This would set an alarming and dangerous precedent.</p> <p>We strongly disapprove feeling uneasy and disturbed by the proposed transfer of a valuable Common Good asset.</p>
21	<p>I support the asset transfer request. TTF is making a measurable difference to the health and wellbeing of the Forres community through both the community gardens and through the activities running at the centre. With the climate emergency that we are facing it is imperative for the good of our planet that communities work together to transition away from our current way of life. Transition towns lead the way in this and we should be grateful that we have an active group within this town. There are a number of new projects relating to climate change which will in themselves raise awareness of what needs to be done. Working with 3rd parties such as tsi Moray, plus the opportunities for expansion which the transfer will offer makes TTF a vital service for our community.</p>

<b>22</b>	I was a very early member of Transition Town Forres. Yes it has gone through doldrums on the way but now is bursting with new life..It is a valuable social asset for Forres with Community groups and classes and particularly an over subscribed Community garden, showing how many people are aware of and delight in being able to have an allotment. For me, living alone, it is a source of support and comfort.
<b>23</b>	<p>TTF has been part of our lives since moving to Forres in 2012, I had an allotment for 4 years and loved the lets eat cooking school, its been an invaluable part of our lives having a place to grow organic food and connect with the community.</p> <p>have been part of an afterschool gardening club, for primary age kids and their families, Its been especially valuable since the end of the pandemic to connect and think about the future of health and food, to have new growing projects and connecting with people from all walks of the community, I would love to see the future of TTF secure so that these projects can continue growing , it is a super important part of our community.</p>
<b>24</b>	<p>I am strongly opposed to the proposed CAT transfer of 1 Bogton Road. This is Common Good land which belongs to the people of Forres, and should not be sold. There is no reason why TTF cannot continue their activities on this land whilst leasing it, as they have been doing for a number of years. It is insulting that TTF are offering significantly less than the market value of £275000.</p> <p>The Common Good land at Bogton should be retained for the residents of Forres. To permit this sale to go ahead creates a dangerous precedent.</p>
<b>25</b>	<p>I am strongly opposed to the proposed CAT transfer of 1 Bogton Road. This is Common Good land which belongs to the people of Forres, and should not be sold. There is no reason why TTF cannot continue their activities on this land whilst leasing it, as they have been doing for a number of years. It is insulting that TTF are offering significantly less than the market value of £275000.</p> <p>The Common Good land at Bogton should be retained for the residents of Forres. To permit this sale to go ahead creates a dangerous precedent</p>
<b>26</b>	<p>I am strongly opposed to the proposed CAT of the ground at Bogton. This is Common Good land and should not be sold off. I understand TTF has been renting the land for a number of years (at a reduced rent!). They should continue to rent the land, and not purchase it.</p> <p>There is no good reason for purchase of the land. Once sold, it passes out of the control of the people of Forres. TTF could, in the future, do whatever they wish with it, despite what they say at the current time.</p> <p>TTF should follow the model of other groups, such as Forres Mechanics and Forres Golf Course, who lease Common Good Land. No exceptions should be made for groups who wish to purchase Common Good Land. Common Good Land is part of the heritage of Forres and should be retained for current and future residents of Forres.</p>
<b>27</b>	I adamantly support the continuation of the Transition Towns location and the Community Asset Transfer of PROPERTY AT 1 BOGTON ROAD, FORRES (Ref CAT/ATR/115) as I've watched continuous development happening over the years that Transition Towns have been operating. Each development has expanded further in offering services to the local community. I have participated in several educational and wellbeing programmes, I've hired the building myself to run a programme, and belong to other groups who rent the space for meetings. I see and enjoy the benefits of the community garden in giving people without gardens a place to grow healthy food, find support and information, and enjoy social connections with others who have similar interests. There are after school activities offered for children, a partnership with the local food bank, and a regular repair cafe, to reduce wastage and thoughtless consumerism. TT is one of the few organisations engaged in planning for a future that includes acknowledging climate change and the shifts in the global economy that are now very evident, making local sustainability a high priority need. Someone needs to model the possibilities for a better future and sustainable ways of working together, and inspire the children who will come after us. Transition Towns and the community gardeners are offering one of the possible models and I totally support the transfer of the property as a community asset to this worthwhile organisation I see as offering us hope for a different future, locally and globally.



<b>28</b>	I support the continuation of the Transition Towns location and the Community Asset Transfer of PROPERTY AT 1 BOGTON ROAD, FORRES (Ref CAT/ATR/115) Transition Town is an organisation engaged in planning for a future that includes acknowledging climate change and making local sustainability a high priority need. I enjoy the benefits of the community garden in giving people without gardens a place to grow healthy food, find support and information, and enjoy social connections with others who have similar interests and I support the transfer of the property as a community asset.
<b>29</b>	This feels like a very important time for the community to secure the future of TTF. . We have attended "apple day", "mending café", "Make & Mend" and the "Over 50's" programme, all have been invaluable for developing new skills for all generations on sustainable living and in making friends and building communities. All these things are so crucial for building a positive future for our communities. Thank you.
<b>30</b>	This is a fabulour facility for the community. Please do whatever you can to continue with its existence.
<b>31</b>	I support a community asset transfer to The Transition Town Forres. In these difficult times which can only be expected to get worse as the consequences of climate change really take effect our society in general isn't responding to the challenges in the fair, sensible and sustainable way that it should be doing. Transition Town Forres are leading the way locally with all sorts of sustainable initiatives such as repair cafes, organic local vegetable growing, wellbeing events, environmental events and discussions. As a non profit making community organisation they shouldn't be financially crippled by very high commercial annual rents so a Community Asset transfer is the best way forward.
<b>32</b>	I fully support the proposal to allow TTF to be awarded a community asset transfer. This would allow projects, clases, meetings, growing and biodiversity to flourish benefitting the community and environment of the town as well as well being and promote the well-being of future generations locally.
<b>33</b>	Forres Community Council voted not to support the Community Asset Transfer application of 1 Bogton Road by Transition Town Forres (TTF) on the following grounds: -  <ul style="list-style-type: none"> <li>• We don't think the business plan is sustainable. This has been evidenced to us by the very large number (50) of Director/ Officer resignations over the last ten years and the failure to ensure a surplus to cover basic operating costs in their sole enterprise without the requirement to seek alternative funding.</li> <li>• Common Good land is a potentially appreciative asset compared to buildings e.g., the Town Hall and Tolbooth which were becoming burdensome and potentially depreciative under the control of Moray Council</li> <li>• No explanation of what would happen to the land should the TTF venture fail</li> <li>• TTF have had ten years to provide an adequate income to cover the originally agreed condition of lease and failed (i.e. after ten years of subsidised rent, a commercial rent would be applied)</li> <li>• We consider that the long-term income generated whether from a nominal rent charged to TTF or another commercial rent is exercised will benefit the people living in the Royal Burgh of Forres longer.</li> <li>• The rents paid are returned to the Common Good which in turn provides small grants to support local organisations such as FACT, Forres and District Pipe Band, The Mosset Park Forres Mechanics Football Club, Forres in Bloom, The Christmas Lights etc</li> <li>• The number of people directly benefitting from Common Good disbursements far outweigh the number of people benefitting from the current TTF set up.</li> <li>• A single one-off purchase payment will not generate potential long-term income in the current market</li> </ul>
<b>34</b>	CAT means Community Asset TRANSFER so it could be done as a transfer without cash involved. This should also mean that if the facility is no longer required it can be TRANSFERRED back to the owners ie US. Forres got very little from the original rental terms so I personally think that TTF should be able to continue administering the facility for the benefit of those interested at minimal rent.

**35** I have previously submitted a comment on the first consolation, but as there is more information in the form of the SROI and would like to comment further.

The introduction to the report does not mention that an agreement was entered into that TTF would pay a commercial rent at the end of ten year lease which was given at a reduced rate to allow for the expense that would be incurred in bring the building up to a satisfactory standard.

The site is not in any way a liability to the Common Good fund and to let the site transfer to a group that may not be viable could see the site being transferred to another group out with the town of Forres.

The value of the site could change if the A96 dualling goes ahead and the access restriction from the current A96 may be changed allowing the site to be used for industrial or housing.

The survey has been carried out for the IV36 post code which takes in areas that have no legitimate input as to how the Common Good is administered .

The study objectives is building a case for TTF but there is no comparison for the benefit that a true commercial rent income would benefit the Common Good fund and in turn town of Forres as a number of the present attendees are from out side the Common Good boundary.

In the objectives it is suggested that the money saved from the rent would be relocated to a more productive use, as there is no comparable survey carried out on the Common Good money it is not acceptable to claim it will go to a more productive use.

TTF in the past had a development officer for a number of years and was well paid.

It should be borne in mind that there are other groups in the town that could offer the same level of provision as TTF. Fact have a good setup with a number of meeting areas, Nick Molnar has a large area at Chapelton which has strong support from members for plots and is engaging with the schools, Forres in Bloom have constant engagement with school children and the Men Shed has a strong following.

Leancoil Trust project is a project which is heavily aligned with health and wellbeing which will cater for the whole of Forres and surrounding area the estimated cost of the project is in the region of £3,000,000 plus which is a sizable project.

Social impact is very much taken as average percentages and then multiplied up by estimated attendees, the survey is taken over 13 gardeners and 19 in the health and well being which is not a high number surveyed considering the importance of the Common Good asset.

One point which should be kept in mind that this is not as smooth a running operation as is being portrayed, the site is split into two groups and the gardening group was not informed that the CAT application was being lodged and a number of the gardeners are not supportive of the CAT going ahead.

If there is further expansion of the number of people attending the site consideration needs to be given to the access to the site, Russell Place is a road which is narrow and the majority of the time is single lane as cars park on the road at the bottom of the road there is a sweeping bend leading to TTF which motorists tend to cut the corner, cyclists freewheel down the brae on the wrong side and pedestrians also tend to walk down the road instead using the pavement. Not a major issue but would need to be kept under review.

Just to confirm I don't not support the CAT of the Bogton Site.

<b>36</b>	<p>I fully support the Community Asset Transfer proposal for 1 Bogton Road. The activities and facilities that have been developed there over the years are varied and inclusive of a wide variety of people such as families, elderly folk with valuable experience and those with special needs.</p> <p>With the rise in the cost of living it is vital that more people are encouraged to grow their own food and learn from each other in a social setting. I know several people who have "pods" in the community garden and who benefit from healthy exercise, making new friendships and supporting each other.</p> <p>I feel the ethos of the project is very much in keeping with that of the Common Good Land.</p>
<b>37</b>	I fully support the community asset transfer of the existing site at Bogton to the Community of TTF
<b>38</b>	TTF have done a fantastic job to make gardening, healthier living and social connections accessible to so many. It is essential that they can continue their good work.
<b>39</b>	Very much in support of the assest transfer request.
<b>40</b>	<p>I passionately support this Community Asset Transfer and feel that it will greatly benefit the local community of Forres.</p> <p>It offers environmental and healthy living education</p> <p>Opportunities for children to be outside in nature and learn how to plant and grow vegetables and flowers</p> <p>A very well equipped venue for courses, classes, meetings and workshops</p> <p>The organic garden offers opportunity for growing ones own vegetables which offset transport carbon emission, are healthier on all levels as well as for mental health and wellbeing. In this time of climate change and high energy costs TTF offers Education and advice on how to transition from a high carbon lifestyle to recycling and utilising local resources.</p>
<b>41</b>	I support the CAT to enable the work of TTF and the community gardens.
<b>42</b>	This would be wonderful for the forres transition town movement and community as a whole, keeping in line with Scotlands pledge in the COP agreements earlier on in Glasgow this year.

## **TTF Responses to Objections to Community Asset Transfer**

Two objections appear to repeat and TTF responses are as follows:

### *a. Objection to the sale of Common Good Land*

As outlined previously, TTF understands the importance of community land and its cultural significance. If the transfer application is successful TTF will ensure the land is available to be used by the whole community and seeks to increase accessibility whilst also dealing with security.

If invested prudently, purchase monies will significantly increase the value of the Common Good Fund.

In consequence, TTF sees a transfer as a vehicle to ensure the land itself remains available for use by the community as well as maximising the funds available to the Common Good Fund.

In contrast, projects offering maximum commercial rent, would boost funds but are also likely to restrict community access to the site

### *b. Assumptions that, should TTF fail, land will be disposed of to the Findhorn Foundation.*

As part of the transfer process, TTF's constitution was amended to ensure compliance with the Community Empowerment Act. Should the Charity fold, assets would be distributed in terms decided by the membership. Membership is open to all in Moray Ward 8. The assumption that assets would automatically be diverted to a specific organisation has no basis or foundation and appears to lack any real understanding of the aims and objectives of the organisation. One other objector (35) has, by contrast, identified organisations in the area with similar aims and objectives; FACT, Forres Friends of Fields, and Woods and Leancoil Trust (although this is pre-launch the organisation appears to have similar aims and objectives).

Additional responses to points other than the above.

TTF did not know the rent would quadruple prior to the end of the previous lease. Grants received have been utilised to deliver the benefits outlined in the social value report. To suggest that funds should simply be used to maximise profit misunderstands the nature of the organisation and again its purpose.

The purchase can only proceed if funds are made available by the Scottish Land Fund ( a successful stage one application has been made). The same funds are not available to pay an annual rent. Any rent to be paid would have to be generated from income-producing activities. These activities divert resources from delivering value to the community as outlined in the social value report.

It's unclear if what is proposed at objection numbered 8, is possible. If this solution was possible, TTF would agree.

Concerning the objection made specifically in relation to accounts (objection 9) TTF responds:

1. The snapshot presented in the objection gives a skewed perspective. The year before the snapshot presented in the objection, (2017 )TTF's accounts were in surplus, the years in-between are in deficit, and again in 2021-2022 TTF's accounts have returned to surplus with £41,059 income and £25,020 "spending".
2. The figures for "spending" are misleading for several reasons; from 2017-2019 part of that supposed spending was £13,181 per year of depreciation marked against the book value of tangible assets (buildings and contents), which reduced to £8,696 in 2020 and £1,474 in 2021, a large part of why that supposed spending dropped so dramatically in that year.
3. Up until 2019, a £3636 annual lease payment was also marked as spending on the books, but this was paid up-front as a lump sum, appearing as a large income in a much earlier statement, and was not part of the ongoing expenses, but marked down as deduction of an asset since TTF were creditors of the Common Good Fund until then. In 2020 Moray Council estates department then proposed raising this rent to £13,200, and a pause in rent was negotiated from the CGF on account of a huge loss of income that TTF suffered in that year due to the lockdown. TTF never received any funds from the CGF, only a deduction in what was being paid to it, and last year agreed to pay £5200 in rent to the CGF while the CAT process is in motion. None of the income reported to OSCR is from the CGF.
4. Most of the "spending" is not any kind of outlay on day-to-day costs, but the spending of grant funds restricted to specific projects to deliver activities on environmental sustainability, health and wellbeing, which are the main source of TTF's £109,253 in annual social benefit to the community that was calculated this year by Social Value Lab (see the Asset Transfer Request Additional Submission previously attached for this consultation). These grants have run into tens of thousands and been spent on different projects over periods of up to a few years, and their receipt and spending is the main cause for the wide differences in income and outgoings, but they never spend beyond budget. This is in no way unusual for a charity running projects for the benefit of the community. For comparison, Moray Waste Busters appeared to spend beyond income for most of the same 4 years, but they are not in dire straits and have similarly rebounded in the last year.
5. TTF's work to develop the venue on-site as a thriving community hall has resulted in an income growing steadily for the past 5 years, with the exception of the losses caused by the closure of community halls in 2020-2021 that show up in the accounts at the end of that financial year. Despite some heavy maintenance costs in previous years, that hall finally reached greater income than outgoings last year, and could be sustainable now if it were not for the level of rent currently being charged, hence the argument for this CAT.

With regards to the objection made about the consultation carried out by TTF (objection 14) the organisation points out that recipients were not selected. Postcards inviting responses were sent to all homes in the Ward.

The discount offered in relation to market value reflects the benefits already being brought to the community in monetary terms.

If objectors don't participate in what is being offered it's hard to see how they can speak to the uptake of 'locals'. Everyone who participates is by definition a local. As an example, funding available for the wellbeing project was available to over 50's Forres residents only.

In response to Forres Community Council:

The suggestion that 50 directors have resigned in the last 10 years is incorrect.

Many of the recorded resignations are from people who have come and gone on the Board as and when they had time for volunteer work in otherwise busy lives. One person was recorded four times and at least four people are recorded twice.

The actual number is at most 43 resignations in 14 years, or about 3 per year - a reasonable turnover for an organisation that can have up to 15 directors on the board at any one time. Moreover as has been discussed previously lack of resources means that directors are required to cover operational roles and this is simply too time-consuming for many people who can begin with the best of intentions but find themselves overwhelmed.

There seems to be a suggestion that TTF should create a financial surplus above operating costs and hasn't - we repeat that this is alien to the nature of a charity. This type of organisation routinely seeks external funding support the aim being to support community benefit rather than profit. It is a little difficult to understand the suggestion rationale that TTF should at the same time "have sufficient income generation to cover a commercial rent" and deliver benefit to the community.

TTF's non-project-restricted income has grown steadily each year since the venue was set up other than during a period of heavy loss of income caused by the lockdown in 2020-2021. The 2021-2022 financial year has been the best yet and may have put us in a position to cover our running costs had it not been for quadrupled rent.

Compare another beloved local charity ReBOOT (Moray Computer Recycling), an organisation that took closer to 20 years to reach the point of covering its own costs. This record is not terrible or unusual, compared to many other charities that depend upon grant funding.

What would happen to the land, should TTF wind up at some point after a Community Asset Transfer, is clearly stated in TTF's current articles of association, also available on Companies House, in articles 178 and 179, which state that the land must be transferred to another Scottish charity, to be determined by the members of the Scottish Ministers.

Nowhere in the lease agreed was it stated what this revised rent would be, nor was there any condition of generating a surplus income. TTF has met the conditions of the lease with Moray Council.

The FCC provided no evidence to support their claim that a few thousand pounds of income generated from rent would benefit the community more, whereas TTF has provided evidence on its CAT application, in a report from Social Value Lab, indicating that TTF provides an equivalent benefit to the Forres community valued at over £100,000 per year.

Of course, a one-off purchase does not in itself generate long-term income, but the £233,750 could be invested in the Forres community for great social benefits, while the supposed potential for long-term income has not been demonstrated for commercial use of this land, especially in the current market heading into a depression.

Taking this land into community ownership it will continue to reap great social and economic benefits for the people of Forres, at a time when the barrier to entry for potential social enterprises will be greater than ever.

We feel it's note worthy that none of the individuals who have objected to the purchase of common good land have suggested an alternate use for the land which directly benefits the community. The objections appear to focus on impact to the Common Good Fund of a less than commercial rent and or purchase price versus commerical rent. We believe that the cultural significance is of use by the community.

Concerning objection 35 it has already been acknowledged that helpful references are made to local charities with similar aims and objectives. The reference to the return on investment report appear to suggest that sample size is actually participant size. That's not the case outcomes were examined in detail for a sample which is a standard methodology. To illustrate the distinction, participants for the wellbeing project exceeded 100 in number.

Some addiional matters stated as fact simply are not:

TTF has never had a paid development officer.

Allotment holders (also members of TTF) through their committee havie been actively involved in the CAT process from the outset