

ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT ACT

DECISION NOTICE - AGREED

To: Heart of Newhaven,
% 132 Trinity Road,
Edinburgh.
EH5 3LA

27 August 2020

This Decision Notice relates to the asset transfer request made by Heart of Newhaven on **16 March 2020** in relation to **Victoria Primary School, Newhaven Main St, Newhaven, Edinburgh EH6 4HY**

The City of Edinburgh Council has decided to **agree to** the request.

The reasons for this decision are as follows:

- The community benefit is substantial compared to the value of the asset.
- The disposal will remove the property from Council responsibility and the associated liability of holding costs and repairs & maintenance costs.
- The request will make a significant positive contribution to The City of Edinburgh Councils aspirations and values.
- A capital receipt will be obtained for a property that will become surplus to Council's requirements

The attached document specifies the terms and conditions subject to which we would be prepared to **transfer ownership** of the asset to you. If you wish to proceed, you must submit an offer to us at the address below by **26 February 2021**. The offer must reflect the terms and conditions attached and may include such other reasonable terms and conditions as are necessary or expedient to secure the transfer within a reasonable time.

Brian Paton, Senior Surveyor

Property & Facilities Management, Resources, Waverley Court Level 1.5, 4 East Market Street, Edinburgh EH8 8BG
Tel 0131 469 5228 Fax 0131 529 6209 brian.paton@edinburgh.gov.uk

Right to appeal

If you consider that the terms and conditions attached differ to a significant extent from those specified in your request, you may appeal **to the Scottish Ministers**.

Any appeal must be made in writing by **24 September 2020**, which is 20 working days from the date of this notice, to:

Community Land Team

D Spur

Saughton House,

Broomhouse Drive,

Edinburgh,

EH11 3XD

Email: CRTB@gov.scot

Guidance on making an **appeal** is available at

[:http://www.gov.scot/Topics/People/engage/AssetTransfer](http://www.gov.scot/Topics/People/engage/AssetTransfer)

TERMS AND CONDITIONS

The terms and conditions subject to which we would be prepared to transfer ownership of Victoria Primary School to Heart of Newhaven are:

1. Purchase price is to be £700,000, exclusive of any fees or taxes.
2. The purchaser is to meet the City of Edinburgh Council's (CEC) reasonable legal fees and costs incurred in concluding the sale.
3. The applicant is to enter into a Lease Agreement with the Council prior to completion of the community asset transfer, allowing use of the school at a peppercorn rent until the new building at Western Harbour is ready for occupation.
4. The purchaser will meet the City of Edinburgh Council's Property and Facilities Management administration fee of £500

Making a Legal Offer Under the Community Asset Transfer Scheme

If you wish to proceed, you must submit an offer via Registered Post to us by 26 February 2021.

Under Scots law the offer must be prepared by a firm of solicitors and the offer should be addressed to:

Brian Paton, Senior Surveyor, The City of Edinburgh Council, Estates Services, Waverley Court, Level 1:5, 4 East Market Street, Edinburgh, EH8 8BG

The offer must contain the following:

1. The name of the subjects on which the offer is made
2. The name of the Community Transfer Body
3. The date of the Decision Notice
4. Confirmation that available funding will be in place at point of transfer
5. Confirmation of permissions (planning, environmental etc) in place and any that remain outstanding at the time of offer
6. Confirmation that the specific terms and conditions under which the Decision Notice was issued are acceptable.

An appeal process to the Scottish Ministers is available for any request to extend the deadline for an offer to be received or completion dates and further details on this may be found

Guidance on making an appeal is available at

www.gov.scot/Topics/People/engage/AssetTransfer.

Any appeal must be made in writing by 21 September 2020 to the address given in the Decision Notice above.

Following receipt of the formal offer it is expected that the asset transfer will be concluded within 6 months. If Heart of Newhaven cannot conclude the transfer within 6 months then a request for an extension should be made as soon as possible.