



COMMUNITY ASSET TRANSFER

Moray Council
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Fishermen's Hall Trust

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Sent via email to:

Our Ref: CAT/ATR/068/COMM-114-10825

Date: 30 November 2021

Dear Trust Members

CAT/ATR/068 DECISION NOTICE – AGREED

This Decision Notice relates to the asset transfer request made on 15 July 2021 by the Fishermen's Hall Trust in relation to the Fishermen's Hall, 16 North Pringle Street, Buckie.

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 Fishermen's Hall, 16 North Pringle Street, Buckie, as shown outlined in red on the attached site plan;
- (b) Price – the price payable will be £nil;
- (c) Existing Lease to Fishermen's Hall Trust – 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 Fishermen's Hall Trust 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 strong, that is,

- (a) The organisation's governance and financial management arrangements are considered to be strong and sustainable,
 - (b) Best Value characteristics were found to be in evidence in the proposal, and
 - (c) The projected benefits were demonstrated well, represent value for money, and are considered 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 **30 May 2022**. 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 **5 January 2022**, being no less than 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