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Please ask for: Clare Malster
Our Ref: JC/CM
Your Ref:
E-Mail: communityengagement@scotborders.gov.uk
Date: 15 March 2022

Dear [REDACTED]

ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

This letter is to acknowledge receipt of your asset transfer request in relation to former Borthaugh Road Allotments.

I confirm that the request is made in accordance with the legislation and all required information has been provided. The validation date for this asset transfer request is 23 February 2022.

I confirm that no other asset transfer request has been received in relation to the land/building to which your request relates and the land/building has not been advertised for sale, nor has the Council entered negotiations or initiated proceedings with a view to transferring or leasing that land/building. We therefore consider that the Council is prohibited by section 84(2) of the Act from selling, leasing or otherwise disposing of the land/building described above other than to A Greener Hawick until your request is concluded.

Notice of this asset transfer request will be published online at www.scotborders.gov.uk/assettransfer and sent to any tenants or occupiers of the land or building. Any representations made to the Council about this request will be copied to you at the contact address provided in your request and you will have at least 20 working days to comment on them.

The request will be considered by the Asset Transfer Officer Group which comprises the Director – Infrastructure & Environment (Chair), Director – Resilient Communities, the Director – Finance & Corporate Governance, the Chief Legal Officer and any other relevant Director. If accepted and the Asset Transfer Officer Group are minded to transfer land at a value less than market value, the matter will be referred to the Asset Transfer Appeal Committee for ratification. The only part of the decision which is subject to ratification is the value at which the transfer is being offered. We will give you notice of our decision whether to agree to or refuse your request, and our reasons for that decision, by 29 August 2022.

If you do not receive a decision by that date, you may apply for a review of the case. You may also apply for a review if your request is refused, or if the request is agreed but the decision notice specifies material terms or conditions which differ to a significant extent from those specified in the request. If you wish to apply for a review of the decision your request must be received within 20 working days of the decision notice being issued or the date of expiry of the period allowed for determination of the request.

Guidance on applying for a review is available by contacting the Council at communityengagement@scotborders.gov.uk or on 01835 826626. An application for review should be sent to communityengagement@scotborders.gov.uk

If you have any questions about the asset transfer process please contact Clare Malster at communityengagement@scotborders.gov.uk or on 01835 82662.

Yours sincerely



JOHN CURRY
DIRECTOR – INFRASTRUCTURE & ENVIRONMENT