

Please ask for:

Erin Coltman

Reference:

CAT2425/01

E-Mail:

communityengagement@scotborders.gov.uk

Date:

15 January 2026

Dear [REDACTED]

ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 DECISION NOTICE – REFUSED

This Decision Notice relates to the Community Asset Transfer (CAT) request made by Peebles Community Trust (PCT) on 27 January 2025 in relation to the School Brae Toilets, School Brae, Peebles EH45 8AT (UPRN PB034/06).

Scottish Borders Council has decided to refuse the request.

The reasons for this decision are as follows:

1. The request, as consulted upon, is no longer applicable to PCT's current operational plans

The public consultation related to using the School Brae Toilets as a storage/operational facility for the Reuse Hub, but PCT has since acquired the former Bank of Scotland building with the stated intent to locate its Reuse Hub operations there. As a result, the CAT request no longer reflects the proposal on which the Council consulted and cannot be approved in its present form.

2. Absence of an updated proposal and business plan specific to the School Brae Toilets

After requesting that the CAT be placed on hold, PCT did not provide an updated business plan or alternative proposal for the toilet block. Without current, proposal-specific information, the Council cannot reasonably assess the statutory benefits (economic development, regeneration, public health, social and environmental wellbeing, reduction of inequalities) or any potential disbenefits, as required by the Act. This constitutes reasonable grounds for refusal at this time.

3. Statutory consultation constraints

The Council cannot determine a materially different project (i.e., any new or revised use now envisaged by PCT) without further consultation, because the consultation undertaken related solely to the Reuse Hub storage proposal. Approving a different project would be procedurally unfair and contrary to the requirement to follow the statutory process.

The Council recognises PCT's strong delivery track record, however, given the material change in circumstances, the absence of an updated business plan for the School Brae Toilets and the need for fresh consultation for any new proposal, there are reasonable grounds to refuse the current request.

If PCT develops a revised, proposal-specific CAT for the School Brae Toilets, supported by an updated business plan, the Council would welcome a new submission. Any resubmission would be considered afresh under the Community Empowerment (Scotland) Act 2015 and would involve statutory consultation on the revised proposal.

In parallel, and in line with standard estate management practice, the Council will keep the property under review and may consider future options for its management or disposal (including marketing) in accordance with Council procedures.

Right to Review

You have a right to apply to the Council to review this decision. Any application for review must be made in writing to:

Communities and Partnerships Team
Community Asset Transfer
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

The application for review must be made by Thursday, 12 February 2026, which is 20 working days from the date of this notice.

Guidance on making an application for review is available at:

<https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-community-9781786527509/pages/18/>

Yours sincerely,



JOHN CURRY
DIRECTOR – INFRASTRUCTURE & ENVIRONMENT