Aberdeenshire COUNCIL

From mountain to sea

Asset Transfer Request

This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015. **Please read the applicant notes before completing this form.**

Section 1: Information about the community transfer body (CTB) making the request

1.1 Name and address of the CTB making the request. This should be the registered address, if you have one.

Name	Woodhead & Windyhills Community Trust Ltd
Postal Address	[redacted]
Postcode	

1.2 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.

Contact Name	[redacted]
Position in CTB	[redacted]
Postal Address	[redacted]
Postcode	[redacted]
Email	[redacted]
Telephone	[redacted]

☑ We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. ***(Please tick to indicate agreement)*** ***You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.***

1.3 Please mark an "X" in the relevant box to confirm the type of CTB and its official number, if it has one.

✘	Company, and its company number is	COMPANY SC223120 CHARITY SC032520
	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is	
	Community Benefit Society (BenCom), and its registered number is	
	Unincorporated organisation (no number)	

Please attach

- **a copy of the CTB's constitution, Articles of Association or registered rules**
- A statement of accounts for the most recent 3-year period examined by an Independent Examiner. (see footnote) [1]

1.4 Has the organisation been individually designated as a community transfer body by the Scottish Ministers?

No ☑

Yes ☐

Please give the title and date of the designation order:

[1] This is only applicable to organisations with a gross income in a financial year of less than £250,000 or companies limited by guarantee with a turnover of less than £500,000. Organisations with a turnover exceeding these figures must submit statements of audited accounts for the most recent 3-year period. For organisations which have not been established for a 3-year period, a one-year financial statement may be considered.

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1.5 Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?

No ☑

Yes ☐

If yes, what class of bodies does it fall within?

Section 2: Information about the asset requested

2.1 Please identify the asset - land or building(s) - which this asset transfer request relates.

You should provide a street address or grid reference and any name by which the land or building is known. If you have identified the land on the relevant authority's register of land, please enter the details listed there.

It may be helpful to provide one or more maps or drawings to show the boundaries of the land requested. If you are requesting part of a piece of land, you must attach a map and full description of the boundaries of the area to which your request relates. If you are requesting part of a building, please make clear what area you require. a drawing may be helpful.

Name of Asset	Part of the Woodhead Community Centre car park.
Address of Asset	Car Park at Woodhead Community Centre, Woodhead, Fyvie, Turriff
Postcode of Asset	AB53 8LT

2.2 Please provide the UPRN (Unique Property Reference Number), if known.

This should be given in the relevant authority's register of land

UPRN: 151107995.

Section 3: Type of request, payment and conditions

3.1 Please mark what type of request is being made (mark one only):

☐ for ownership (under section 79(2)(a)) - go to section 3A

☑ for lease (under section 79(2)(b)(i)) – go to section 3B

☐ for other rights (section 79(2)(b)(ii)) - go to section 3C

3A – Request for ownership

What price are you prepared to pay for the asset requested?

Proposed price: £

Please give information setting out any other terms and conditions you wish to apply to the request.

3B – Request for lease

What is the length of lease you are requesting?

25 YEARS

How much rent are you prepared to pay? Please make clear whether this is per year or per month.

Proposed rent: £ 1 per YEAR

Please give information setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.

Any purchaser of the Community Centre should have direct access to the remaining area of the car park without the need to gain access through the area to be leased by the Trust.

3C – Request for other rights

What are the rights you are requesting?

Do you propose to make any payment for these rights?

Yes ☐

No ☐

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment: £ per

Please attach a note setting out any other terms and conditions you wish to apply to the request.

Section 4: Community Proposal

4.1 Please set out the reasons for making the request and how the land or building will be used.

This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the land or building, and any activities that will take place there.

The Trust has a long term agreement with the owners of School Croft to the north of the Woodhead Community Centre for the public to have access to the Trust's SSSI site on a path through their land from the Community Centre car park to the southern edge of the Woodhead Woods. The pathway was installed by the Trust and is maintained by the Trust.

Prior to COVID the Trust used the Community Centre for meetings, for fund raising events and community engagement activities such as Easter Egg trails and healthy group walks. In addition the Trust arranged access to the Community Centre toilets for community organised visits to the SSSI site including visits by Aberdeen University.

The Community Centre car park is the primary parking facility for the Woodlands, which is the main off-road walking area in Woodhead, with few realistic alternatives. The car park allows users of the woodlands, play park and recycling facilities to park safely, avoiding the need to park on the 30mph B9005 main road which carries significant heavy vehicle traffic. The car park avoids the need for additional on-street parking in front of the residential properties.

The Trust needs sufficient car park space to allow visitors to the SSSI site to park their vehicles and for the public to access the adjoining playpark. There will be considerable community benefit from an asset transfer lease of part of the car park to the Trust, not only the public continuing to have access to a community owned woodland/SSSI site which is of national importance, but also the community recycling facilities and the community playpark.

There is wide community support for the project as evidenced by the attached documents where attendees at the Trust's annual Plant Sale & Coffee Morning registered their support for the project.

The Trust has also obtained letters of community and public support for the project from groups who have either worked with the Trust or see the benefits from this Asset Transfer Request. These include local walking groups and organisations such as Aberdeen University and Fyvie Rothienorman Monquitter Community Council. The letters of support are attached.

At this stage the Trust has no plans to develop or change the use of the car park area.

Benefits of the proposal

4.2 Please set out the benefits to the community that you consider will arise if the request is agreed to. Where applicable, benefits should include: - A sustainable economy, connected communities, living well locally and climate change.

This section should explain how the project will benefit your community, and others. You should also give an indication of the population number that will be directly affected by the transfer i.e., your target group. If your project is primarily aimed at a particular demographic, it is this number that should be used rather than the population of the area. Please refer to the applicant notes on how the relevant authority will consider the benefits of a request.

Woodhead and Windyhills Community Trust is a voluntary body representing the interests of the local community. Founded in 2001, the Trust owns and preserves 100 acres of woodland to explore and respect. The Woodlands contain a Site of Special Scientific Interest (SSSI).
The Trust's goal is to promote opportunities to engage with and experience the natural setting and the area which is designated as a Site of Special Scientific Interest due to the underlying quartzite gravels from an ancient river-bed.

Recently, the Trust and the Natural History Museum in London obtained consent from NatureScot for a quantity of the quartzite gravels to be removed from the site and be installed in a geological timeline at the Natural History Museum. This confirms the importance of the Windyhills deposits and the need for the public to be able to access the community owned site.

The Trust needs sufficient car park space to allow visitors to the SSSI site to park their vehicles and for the public to access the adjoining playpark. The woods and the play park are used by a wide range of people; families with young children, dog walkers, runners, horse riders, scout groups and others. the car park is an important enabler of safe, convenient access for all of them. It also serves as something of a community meeting point for parents while children use the play park.

There are a number of educational boards within the woods and car park, and having accessible parking encourages more people to engage with these, supporting environmental education in the community.

The car park makes it more practical to host educational and community events at the site — guided walks, university or expert-led groups and nature events. It is difficult to accurately determine the population number that will be directly affected by the transfer but during the term of the lease we estimate there will be at least 250,000 leisure/recreational visitors and about 10,000 geological/educational visitors.

Having the car park available gives the Trust options to run more community events going forward, such as the Easter trails and guided walks we've previously hosted. More broadly, convenient parking encourages people to visit and use the woods, which directly supports healthy living — for example, making it easy for people to park up and enjoy a walk through the 100-acre woodland.

Restrictions on use of the land

4.3 If there are any restrictions on the use or development of the land, please explain how your project will comply with these.

Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.

The Trust is not aware of any restrictions.

Risk Analysis

4.4 What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these?

You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.

The Trust is not aware of any negative consequences.

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Capacity to deliver

4.5 Please show how your organisation will be able to manage the project and achieve your objectives.

This could include the skills and experience of members of the organisation, any track record of previous projects, whether you intend to use professional advisers, etc.

The Woodhead and Windyhills Community Trust is a community owned charitable trust which was established over 25 years ago to purchase the woodlands from Tarmac. The 104 acres includes the Windyhills SSSI geological deposits which are of national importance. With the skills and experience of the members and, where appropriate, professional advisers, the Trust was able to successfully apply to the Scottish Land Fund to purchase the land from Tarmac.

The Trust as owners and occupiers of land within an SSSI must apply to NatureScot for consent to carry out certain operations. NatureScot sets out in an Operations Requiring Consent list which operations require consent and the Trust has demonstrated over the years its ability to meet these statutory obligations.

Over the years membership and composition of the Trust has varied and changed as people have left and joined the local area and community but throughout this time the Trust has demonstrated its ability to manage the woodlands and the SSSI site. The Trust continues to have a membership with the necessary skills and experience to manage this community owned asset. The majority of trustees are local residents who personally make use of the woods, play park, and recycling facilities. This means they are well placed to monitor how these assets are being used, identify any issues with the condition of the car park, and respond quickly where needed.

Previously the Trust has successfully gained external funding for and managed major projects such as the Leader programme in 2009/10 and the reopening of sections of the woodlands in 2022 and 2024. Following significant storm damage from windblown trees in 2021 the site had to be completely closed to the public until safe access could be provided.

The Trust uses professional advisors where it is necessary to do so. Particularly in areas of specialist expertise such as accountancy, environmental, safety and legal matters.

Section 5: Level and nature of support

5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation, their response and how the community have contributed to the design of the project. You should also show how you have engaged with any other communities that may be affected by your proposals.

There is wide community support for the project as evidenced by the attached documents where attendees at the Trust's annual Plant Sale & Coffee Morning registered their support for the project.

The Trust has also obtained letters of community and public support for the project from groups who have either worked with the Trust or see the benefits from this Asset Transfer Request. These include local walking groups and organisations such as Aberdeen University and Fyvie Rothienorman Monquitter Community Council. The letters of support are attached.

Section 6: Funding

6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the asset, and your proposed use of the asset.

You should show your calculations of the costs associated with the transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.

The Trust is able through fund raising activities and charitable giving to cover its annual running costs which primarily cover; liability insurance, accountancy and independent examination fees and the costs associated with fund raising activities.

For many years the Trust has been able to more than cover its running costs by organising an annual plant sale and coffee morning. Pre-covid these were held in Woodhead Community Centre but during covid the Centre was closed and since then it has not reopened. The Trust has had to move the event to the British Legion in Fyvie. It continues to be very successful and well supported by the community. In recent years the Trust has been able to raise more than £1,000 from the event which adequately covers the Trust's annual running costs.

In addition the Trust promotes, through its website, a link to Just Giving where charitable donations can be made and any Gift Aid is claimed from HMRC.

Larger projects are typically funded through grants. The Trust has a reserve policy in place which is reviewed annually at trustee meetings, and the current cash balances are sufficient to cover approximately [10–15] years of operating expenses.

The Trust has no plans to develop or improve the car park and will maintain it in its current condition.

Section 7: Business Plan including a 3-year financial forecast

7.1 Please give details of your Business Plan

You should include a statement of your goals, reasons they are attainable, plans for reaching them and a forecast of future revenues and expenses.

Please see the attached Business Plan and 3 year financial forecast.

Signatures

Two authorised signatories (e.g. manager, board members, charity trustees or committee members) of the community transfer body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

This form and supporting documents will be made available online for any interested person to read and comment on. Personal information will be redacted before the form is made available.

We, the undersigned on behalf of the community transfer body as noted at section 1, make an asset transfer request as specified in this form.

We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.

Name	[redacted]
Address	
Date	
Position	
Signature	
Name	
Address	
Date	
Position	
Signature	

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Name	[redacted]
Address	
Date	
Position	
Signature	
Name	
Address	
Date	
Position	
Signature	

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Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this form.

Section 1 – you must attach your organisation's constitution, Articles of Association or registered rules and a statement of accounts

Title of document attached: Articles of Association 3 years accounts

Section 2 – any maps, drawings or description of the land requested

Documents attached: SITE PLAN

Section 3 – note of any terms and conditions that are to apply to the request

Documents attached:

Section 4 – about your proposals, their benefits, any restrictions on the asset or potential negative consequences, and your organisation's capacity to deliver.

Documents attached:

Section 5 – evidence of community support

Documents attached: Aberdeen University, FRMCC, TUYWG.

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Section 6 – funding

Documents attached:

Section 7 – business plan including a 3-year financial forecast

Documents attached: 3 year business plan

Completed applications should be sent to your **local Area Manager** and marked '**Asset Transfer'**. **Contact addresses are listed below**:

BANFF & BUCHAN Area Manager Town House 34 Low Street Banff AB45 1AY Email: banffandbuchanamo@aberdeenshire.gov.uk	**BUCHAN** Area Manager Buchan House St Peter Street Peterhead AB42 1QF Email: buchan@aberdeenshire.gov.uk
FORMARTINE Area Manager Formartine House, Union Street, Ellon, AB41 9BA Email: formartineareaoffice@aberdeenshire.gov.uk	**GARIOCH** Area Manager Unit 7, Harlaw Industrial Estate Harlaw Way Inverurie AB51 4SG Email: garioch@aberdeenshire.gov.uk
KINCARDINE & MEARNS Area Manager Viewmount Arduthie Road Stonehaven AB39 2DQ Email: kincardineandmearns@aberdeenshire.gov.uk	**MARR** Area Manager Alford Area Office School Road Alford AB33 8TY Email: marr@aberdeenshire.gov.uk