



Scottish Natural Heritage
Dualchas Nàdair na h-Alba
nature.scot

Dunnet Forestry Trust



Date: 16th March 2020
Our ref: SIT/NNR/DL/D/DFTATR

Dear ,

**ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT ACT
DECISION NOTICE - AGREED**

This Decision Notice relates to the asset transfer request made by Dunnet Forestry Trust on 12th December 2019 in relation to c. 105 hectares at Dunnet Forest.

We are pleased to agree to the asset transfer request. Our reasons for this decision are as follows:

- Dunnet Forestry Trust has been successfully managing the land under a Lease with SNH for the past 18 years;
- The public will continue to enjoy access to the community woodland, providing a focus for activities such as woodland management, timber harvesting and community events focussed on connecting people with nature;
- The sale of the property at less than its current market value is justified because there will be additional benefits that allow the local community to deliver local and national public priorities;
- Dunnet Forestry Trust has committed to investing to improve the recreation facilities on the site, to support the long term running costs and to build community involvement through employment and participation.

Terms and Conditions

The terms and conditions subject to which we would be prepared to transfer ownership of the land to you are provided below.

Scottish Natural Heritage, Silvan House, 3rd Floor East, 231 Corstorphine Road, Edinburgh EH12 7AT
Tel: 0131 316 2600 www.nature.scot

Dualchas Nàdair na h-Alba, Taigh Silvan, 3mh Làr an Ear, 231 Rathad Chros Thoirphin, Dùn Èideann
EH12 7AT
Fòn: 0131 316 2600 www.nature.scot

If you wish to proceed, you must submit an offer to us by **15th September 2020**. The offer must reflect these terms and conditions and may include such other reasonable terms and conditions as are necessary or expedient to secure the transfer within a reasonable time.

The terms and conditions subject to which we would be prepared to transfer ownership of the c. 105 hectares at Dunnet Forest are:

1. The final agreed sale price is £48,000.00, net of £12,000.00 discount and exclusive of any fees and/or taxes. The agreed sale price is based on the joint District Valuer's report of November 2019.
2. Dunnet Forestry Trust will be required to ensure that the draft Long Term Forest Plan is concluded and their commitment to this will be confirmed in writing.
3. A clawback agreement will be put in place in case of any uplift in land value due to planning permission granted for any commercial or residential use not identified in the documents supporting the asset transfer request. This will be on the terms of 50% of any uplift in value and will subsist for a period of 15 years following the date of transfer.
4. Should the public benefits not be substantially delivered in accordance with the asset transfer request documents presented or the land is subsequently sold at a price higher than the current market value of £60,000.00, then SNH will have the right to reclaim some or all of the discount on the land price offered as part of the transfer, plus an uplift of 20% applied only to the amount of any subsequent sale price over and above £60,000.00. This right will continue for 15 years following date of transfer.

Right to appeal

If you consider that the terms and conditions 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 to the Scottish Ministers by **Monday 13th April 2020**, which is 20 working days from the date of this notice. The address you should write to is:

Area 3F (North)
Community Empowerment Team
Public Service Reform and Public Bodies Unit
The Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Email: Malcolm.Cowie@gov.scot (Policy Manager, Community Empowerment Team)

Guidance on making an appeal is available at:

<https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-community-9781786527509/pages/20/>

Yours faithfully,



Sally Thomas
Director of People and Nature