

## MINUTES OF TWEEDSMUIR COMMUNITY COMPANY MEETING 30/09/07

Lesley Mason welcomed everyone and asked for names to be entered on the list circulating as attending this meeting. LM welcomed and introduced Richard Frew of Scottish Government. RF offered to provide maps showing separate post code areas for our application. The area of land was discussed and it was suggested by RF that the application be forwarded as one rather than the separated areas.

RF explained the legal requirements of the community right to buy (CR2B)

First form a community body (CB) and form a limited company – selected by postcodes, the community body is then free to apply – forward an application – checked by Scottish government (SG) – completed – passed to landowner who has chance to respond within 21 days. There is no legal requirement by SG to let CB respond as the property is still effectively on the market.

SG will look at application and all other comments, local plans, ownership and any other relevant information.

SG will reach a decision within 30 days as the property is on the market (normally 63 days).

If CB want to proceed with the CR2B – SG automatically appoint a valuer within 7 days. If CR2B is not accepted by SG – SG will let them know. The landowner is not allowed to dispose of land when SG are involved until CR2B is concluded – approx 7 months. CB must confirm CR2B and the valuer gets 6 weeks to value the property. Any 3<sup>rd</sup> party will be taken into account when valuing. There will be 28 days to ballot at proceeding as said price – a chance to call a halt or proceed – RF can give advice on this process. Either party, or anyone with a legal interest, can appeal. Compensation can be paid out on remaining land if it has lost value or suffers any financial loss as a result of the act.

RF then answered questions from the attending public.

Part 2 of the act requires a willing seller and buyer. The CB need a good reason why the application is late – it is not a good reason waiting for the land to come onto the market. It was discussed that CB had waited as we expected the property to be sold and be run as a hotel – the property had been marketed as a request from the planning department. RF advised to avoid issues relating to planning unless related to public interest. The CR2B shouldn't be used against planning. Advantages to the CB pursuing the CR2B should have more advantages than disadvantages – it should be doing positive things for the community and bring benefits.

It was suggested from the hall that the letter from the planning department to the owner should be included in our application. It was suggested we submit shortly or wait until planning is rejected or consented. RF suggested we could submit now and then at a later date. RF said we will need to state why the application is late, state support for the application and whether it is in the public interest. The CB would have to state we appreciate land on the market, cover issue of not reacting to sale and then deliver why beneficial to the community. We should look at the average time to sell similar properties in the area. Once the CR2B is registered the landowner is not allowed to transfer unless CB refuses – First option to buy is to CB .

6 months are allowed to access funding and then the landowner can put back on the market – unless the landowner agrees to an extension. It was suggested that our CB business plan for the property be forwarded to planning, Members of Parliament and members of the Scottish Parliament. AM thanked RF for his time and advice and then updated the group on The Tweedsmuir Community Company.

Registration has been sent but no reply as yet. Charitable status has been sent to OSCR and has been returned asking for more details on the business plan - this is being attended to.

AM explained membership – common member ( eligible within the selected postcodes areas) - £1. Associate members (outwith the CB) and juniors (12 – 17) can come to meetings but would be unable to vote. AM proposed election of directors at a separate meeting – arranged for 14<sup>th</sup> October at 6pm in Tweedsmuir Village Hall. Anyone interested in becoming a director should send a letter to AM stating why they would like to be a director and details would be used for voting purposes. Christine Parker volunteered to be treasurer meanwhile and this was accepted by the group. Memberships were collected from the attending group.