

Environment and Forestry Directorate
Land Reform Unit

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Mr M

Your ref/Ur faidhle:
Our ref /Ar faidhle: CB00220
2 November 2017

Dear Mr M

NOTICE BY THE SCOTTISH MINISTERS UNDER SECTION 37(17) OF THE LAND REFORM (SCOTLAND) ACT 2003: DECISION ON THE APPLICATION BY IN:SPIRE EAST END LIMITED TO REGISTER A COMMUNITY INTEREST IN LAND CONSISTING OF THE SITE OF THE FORMER LONDON ROAD CHURCH, 1A EASTER ROAD, EDINBURGH EH7 5PH

Case Number: CB00220

Notice under section 37(17) of the Land Reform (Scotland) Act 2003 ("the Act") is enclosed.

The Scottish Ministers have considered the application by In:Spire East End Limited (IEEL) to register an interest in land consisting of the site of the former London Road Church, 1A Easter Road, Edinburgh EH7 5PH. Scottish Ministers have decided that the interest **should not** be entered in the Register of Community Interests in Land.

The enclosed Notice sets out the reasons for the Scottish Ministers' decision.

The reasons for the interest not being registered in the Register of Community Interests in Land are that: -

- Scottish Ministers are not satisfied that IEEL took reasonable work or steps before the landowners took steps with a view to transferring land and that good reasons for failing to take these steps were not provided.
- Scottish Ministers are not satisfied that it is strongly indicative that it is in the public interest to register the interest in the Register of Community Interest in Land.

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I understand that you will be disappointed by this decision given the hard work and effort involved in pulling together your application, but I hope that you have gained some positive benefits to engaging with the community right to buy process. For example; you have set up a community company, which will stand you in good stead for taking forward other projects in the future and the way your community company is set up is, on the whole, what potential funders are looking for, though each funder have their own requirements, and; you have pulled together the community and therefore increased the social cohesion of your community. All of these steps, I hope, will show that there have been some positive benefits to engaging in the process.

There are a couple of options that you may wish to consider. You may wish to consider entering into negotiations with the any new landowner with a view to negotiating some community use of the property.

Another option to consider is to determine if there are any other suitable areas of land or buildings that could meet your needs. You may wish to consider registering a community interest in these or look to purchase on the open market.

These suggestions are for IEEL to consider and do not constitute legal advice or are to be seen as a direction of Scottish Ministers.

In accordance with section 37(17) of the Act, a copy of this letter is being sent to the landowners, the Church of Scotland General Trustees, 121 George Street, Edinburgh EH2 2YN. In terms of section 37(20) of the Act, Scottish Ministers will direct the Keeper of the Register of Community Interests in Land not to enter the interest in that Register with effect from the date of this decision.

Your attention is drawn to the notes contained in the Notice which provide information about the effect of Scottish Ministers decision and on rights of appeal against the decision.

The prohibition will be lifted and the owner will be free to dispose of the property as they see fit.

Yours sincerely

Colin Gray
On behalf of Scottish Ministers