

K 6A



SCOTTISH EXECUTIVE

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Received Date	30/10/06
Maps included	
Expiry	

LAND REFORM (SCOTLAND) ACT 2003: Part 2
 APPLICATION FORM TO REGISTER
 A COMMUNITY INTEREST IN LAND

PLEASE USE BLACK INK AND CAPITAL LETTERS, USE TAB KEY TO MOVE BETWEEN BOXES

PART A

1 Name of Community Body (CB)

K I N G H O R N C O M M U N I T Y L A N D
 A S S O C I A T I O N 2 0 0 5

Contact title M R

Contact forename R I C H A R D

Contact surname B R E W S T E R

House name

House number 3 4

Street name P E T T Y C U R R O A D
 K I N G H O R N

Post town B U R N T I S L A N D

Postcode K Y 3 9 R L

Telephone number 0 1 5 9 2 8 9 2 3 0 6

Fax number

Email address (if available)
 r j m b @ e c o s s e . n e t

2 Company details

A Community Body must be a Company Limited by Guarantee, registered in Scotland. A copy of the Memorandum and the Articles of Association of the Community Body should be enclosed.

Company registration number

2 8 1 9 1 4

Name of registered office

K I N G H O R N C O M M U N I T Y L A N D

A S S O C I A T I O N 2 0 0 5

Address of registered office

3 4 P E T T Y C U R R O A D

K I N G H O R N F I F E

Postcode

K Y 3

9 R L

3 Location of community, as defined by the Community Body

Postcode unit(s) covering community area

See Appendix B

Name, location and boundaries of the community. (Complete on a separate sheet if necessary.) Please also show the community in relation to the land to be registered on one map, if possible.

The community is the burgh of Kinghorn. It is located on the East coast of the Kingdom of Fife, south of Kirkcaldy, across the Firth of Forth from Edinburgh.

The sea marks the community boundaries on the east and the south. The boundary to the north runs from the railway line on the east coast to Seafeld House, along the access track to the Grange, via the Grange cottages across to the Red Path Brae road. The boundary then follows the Red Path Brae road north west until the access road to Craigencait Cottages, at which it follows the access road south west. At the sharp bend in the access road the boundary continues across to the westerly approach road to Craigencait that comes off from the B923. It follows this road then crosses it at the B923. The boundary continues south west until it reaches the Burntisland Golf Course where it turns south east, skirting the Kingswood grounds to cross the A921 and railway to complete the boundary at the sea shore.

Appendix C illustrates the community in relation to the subject land.

4 Details of land in which interest is being registered

Number of maps/
drawings enclosed

SEE APPENDIX JA

County

F.I.F.E.

Postcode details

~~K73 976~~
 K43 9XH K43 9DZ

OS grid
reference numbers
covering land to
be registered

NT 26 87

Written description of land in which interest is to be registered (complete on a separate sheet if necessary).

The subject land (K6a) forms the bottom one-third of a steep, south-facing slope forming an upside-down triangle. The unmarked northern boundary aligns with the southern extent of the garden of 11 Kilcruik Road. The eastern boundary is the wall/fence of the adjacent housing. The unmarked north-western boundary runs alongside open ground (K5) above a public pathway (K7) till it meets the unmarked northern boundary.

The subject land is open ground with stands of hawthorn trees and bushes, low-growing plants and wild flowers. Besides the principal path, numerous other pathways zig-zag across the area. It is much used by local youngsters and walkers (with or without dogs), as it forms a vital link between all three areas beyond the tips of the triangle – namely, Kinghorn Loch (north-west), housing (north-east) and Kinghorn centre (south/south-east).

NOTE

Any map or plan supplied must conform to the requirements in the Community Right to Buy (Specification of Maps) (Scotland) Regulations 2004.

5 Details about the landowner

If the landowner is unknown, enter 'Unknown' in 'Name' field below and see Q10 to PART B of this form.

Title

Name


Address

Postcode

6 We apply for registration of our interest in the land specified in this application under the Land Reform (Scotland) Act 2003. We certify that the information supplied in this application is correct to the best of our knowledge and belief.


Title of Chairperson

Name of Chairperson

Signature 

Title of Secretary (or other rep)

Name of Secretary (or other rep)

Signature 

Date

PART B

Delete YES or NO as appropriate.

N.B. If more space is required for any question on this part of this form, please indicate at the bottom of each question that you have continued on additional pages. These additional pages should be attached to the end of this form.

Q1. As far as you are aware, has your application to register an interest in land been submitted timeously before any of the actions specified in section 40(1) of the Act have been taken, such as advertising the land for sale or taking other steps to transfer the land for value? YES
If NO, you should complete Q8.

Q2. Please provide the names and addresses of the Chairperson and Secretary of the CB.

Chairperson's title	M R
Chairperson's forename	C H R I S
Chairperson's surname	M I T C H E L L
Address	7 4 P E T T Y C U R R O A D
Post town	K I N G H O R N B U R N T I S L A N D
Postcode	K Y 3 9 R W
Secretary's title	M R
Secretary's forename	R I C H A R D
Secretary's surname	B R E W S T E R
Address	3 4 P E T T Y C U R R O A D
	K I N G H O R N
Post town	B U R N T I S L A N D
Postcode	K Y 3 9 R L

Q3. Please state the names and addresses of all members of the CB and those who are members of the community as defined under Section 34(5) of the Act.

See Appendix X.

Q4. Do you have at least 10% support from the community? YES

If YES, please provide details.

If NO, please indicate what percentage of support you consider that you have. Also please provide reasons why the support is less than 10% and why you think the application should be approved.

A petition was signed to demonstrate community support, see Appendix Y for details.

Q5. Does your application include salmon fishings which are owned separately from the land in respect of which they are exigible? **NO**

If YES, please provide details.

Q6. Does your application include mineral rights? **NO**

If YES, please provide details of rights and any separate ownership involved.

Q7. Do a significant number of members of the community have a substantial connection with the land to be registered? **YES**

Alternatively, is the land to be registred sufficiently near to land with which those members of that community have a substantial connection, and its acquisition by the community body would be compatible with furthering the achievement of sustainable development? **YES/NO**

If NO in either case, please provide details.

The land lies within the boundary of the community.

Q8. If you have answered '**NO**' to **Q1** of **PART B** to this form, please provide reasons why your application is not timeous and why the 'Late Application' procedure in Section 39 of the Act should apply. Please also provide the additional information required therein.

Q9. Please provide details of the checks made, and by whom, to establish the ownership details provided in Section 5 of **PART A** to this form, and heritable creditor details in **Q11** below.

Checks were made with Fife Council, Estates by Mr Chris Mitchell on 26th June 2006.

Q10. If at Section 5 of **PART A** to this form you have entered 'Unknown', please provide details of tasks undertaken to identify the owner (see requirements in Section 37(4) of the Act).

Q11. Please list the names and addresses of all persons who are known to you to have legally enforceable rights and interest in the subjects of the application, including all persons with leases or other legally enforceable rights or interests in all or part of the land and any heritable creditors. Please also provide details of any such rights.

None

Q12. Does the land, or any part thereof, in which you are applying to register an interest:

(a) have planning permission?

~~YES~~ NO

(b) have an outstanding planning application relating to it?

YES NO

Is the land, or part thereof, included for development in the Local Authority Local Plan?

~~YES~~ NO

If YES to any question, please provide details.

Q13. Is any part of the land in your application known to be the subject of a compulsory purchase order? **YES/NO**

If YES, please provide details.

Q14. Please provide an explanation as to how the proposals of the community body are compatible with furthering the achievement of the sustainable development of the land and any salmon fishings and mineral rights included in this application.

This area will be vastly improved and enhanced, creating a well maintained high quality access route for all plus a wildlife corridor. These will both connect the Kinghorn loch area with the village. The pathway is currently overgrown and not very easy to use. Plants are scrubby and do not enhance the area. Engaging the local disaffected youth in clearing overgrown shrubs will provide a much improved area and invaluable work experience for the teenagers. Involving both the local people and other users in maintaining the footpaths will encourage a sense of ownership and responsibility for their upkeep. This will ensure a more proactive approach to the maintenance of the route.

As many people visit the Loch area and Craigenalt Ecology Centre it is important that they have a safe route to use. This will provide environmental benefits for both people and local biodiversity since vehicles will not be needed to visit the Kinghorn Loch area.

Q15. Please provide an explanation as to how your development proposals are compatible with furthering the achievement of sustainable development of the community to which this application relates and how they will offer increasing social and economic advantage to that community.

As the subject land is part of a safe traffic free route to the Kinghorn Loch area for many burghers it is important that it is maintained for easy access by people of all abilities. Many vulnerable people, volunteers and unemployed people use the educational services of the Ecology Centre. The training and volunteering opportunities provide education for all ages, therefore offering opportunities for everyone. The subject land is part of the path used by vulnerable people and those without vehicles. Such volunteers and trainees gain a variety of economic and social benefits from accessing the Centre. It is therefore important that they have easy access to the area.

A Path Group associated with Kinghorn Community Council is currently in the process of developing a path network in and around the burgh. The path will form part of this network and would be managed to encourage further local access. KCLA 2005 is keen to work in partnership with the Path Group.

Q16. Is the amount of land being acquired sufficient to support any salmon fishings and mineral rights included, and sufficient to further the achievement of the sustainable development of the community?

YES

If YES, please supply details of how that support is to be achieved.

If NO, please indicate why this interest should be registered.

The land is sufficient to provide access for everyone.

Q17. Please provide an assessment of any expected impact on any neighbouring communities and on the wider community and, if appropriate, any expected impact on the remainder of the estate of which the land in this application forms a part.

We believe that our registration of interest in the subject land and its subsequent acquisition would have no adverse impact on neighbouring communities or on the wider community. We earnestly believe that community ownership would bring benefits to both for the reasons already given. New housing that will be built on the footprint of the former tannery buildings and surrounds will adjoin the subject land. The new owners of these properties will be encouraged to use the enhanced path network.

Q18. Please provide an explanation as to why you consider that granting your application would be in the public interest.

This land will provide access to a community asset for Kinghorn residents. We firmly believe that community ownership of this site would be in the public interest, as it would encourage a sense of ownership and responsibility for the upkeep of the subject land by local people and other users. This will ensure a more proactive approach to the maintenance of the route and therefore increased sustainability.

Completed forms should be returned to:

Land Reform (Scotland) Act 2003: Community Right to Buy
Area 1-D
Pentland House
47 Robb's Loan
Edinburgh
EH14 1TY