

K8



SCOTTISH EXECUTIVE

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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

1 See Appendix L

County

FIFE

Postcode details

KY3 9YG

OS grid
reference numbers
covering land to
be registered

NT 25 86 NT 25 87

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

The subject land, a spear-shape pointing west with a fine view northwards over Kinghorn Loch, forms part of a much larger field reaching up to a crest and downwards on the southern side. To the east of the subject land, a dyke runs uphill, separating this property from an adjacent field [K7]. The line chosen as the preferred southern boundary is the higher (i.e. the northernmost) of two ridges, with a gully between them, that run east-west. This serves as the natural horizon line, viewed from the Loch. The ridge curves down to meet the northern boundary, a post-and-wire-strung fence, which runs eastwards to the dyke and bounds the field to the north [K9]. The field is currently laid to grass.

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

MRS

Name

JACQUELINE FRANCIS HAZLE

Address

GRANGEHILL FARM

KINGHORN

FIFE

Postcode

KY3 9YF

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

MR

Name of Chairperson

CHRIS MITCHELL

Signature



Title of Secretary
(or other rep)

MR

Name of Secretary
(or other rep)

RICHARD BREWSTER

Signature



Date

06 07 2006

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 ie 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

Chairperson's forename

Chairperson's surname

Address

Post town

Postcode

Secretary's title

Secretary's forename

Secretary's surname

Address

Post town

Postcode

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 at the Land Registry by Hugh McNeil on 16th March 2006 and by Hugh McNeil and Rosalind Ramage on 21st 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?

NO

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

NO

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

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? 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.

The subject land will be managed primarily as woodland habitat for wildlife. Indigenous species of trees and shrubs will be planted on the subject land with the aim of attracting badgers into the area. It is known that badgers live on the outskirts of neighbouring villages and the intention is to attempt to attract them onto the land around the loch. As the subject land is already sloped, once trees are planted and have grown, the area will offer a potential site for badger setts. The subject land is away from the busier areas around the loch and therefore offers a more secluded site. Access will not be discouraged but will be carefully monitored, in order to maintain the subject land as a quieter location.

This proposal is compatible with furthering the achievements of sustainable development of the land, as it will provide environmental benefits for wildlife by offering a peaceful area in which they can live. It will also improve the biodiversity of the land around the loch.

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.

The proposal is compatible with furthering the achievement of sustainable development as it will provide social benefits to the community including educational opportunities to learn more about badgers through activities that will be offered including badgerwatch sessions. People from outwith the village who are interested in learning more about badgers or wish to view them will bring economic benefits to the area, through the use of the facilities that the burgh provides such as cafes, shops and public houses. As "lots of people like to feed and watch badgers – especially families with children" (Scotsman Magazine, January 28 2006).

The subject land offers valuable training and volunteering opportunities to learn about conservation, biodiversity and wildlife management. The subject land will be developed and maintained through work experience schemes.

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 habitats for badgers.

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.

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

Granting this application would be in the public interest, as it will provide an added attraction to the land around the loch and to the burgh of Kinghorn due to badgers being resident. It will support achievement of Fife Council's Indicative Forestry Strategy with a sustainable woodland initiative for the purpose of amenity, landscape improvement, recreation and nature conservation, particularly to encourage biodiversity (Proposal 12 Kirkcaldy Area Local Plan 2003). In addition, it will provide educational opportunities for everyone.

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