

SCHEDULE 2

Regulations 3, 5, 6 and 7

FORM OF WRITTEN REQUEST TO OWNER OF THE LAND OR  
TENANT WITH TENANT'S INTEREST AND RESPONSE FROM OWNER



Land Reform (Scotland) Act 2016: Part 5 Right to Buy Land to  
Further Sustainable Development  
Section 56(9)(a) and (b) of the Land Reform (Scotland) Act 2016  
Form of Written Request to Owner of the Land or Tenant with  
Tenant's Interest and Response from Owner

Notes:

1. **Part A** of this form is to be used by a Part 5 community body writing to:
  - an owner of land requesting the transfer of ownership of that land to the Part 5 community body or, as the case may be, to a third party purchaser or,
  - a tenant requesting the assignation of the tenant's interest to the Part 5 community body or, as the case may be, to a third party purchaser,under Part 5 of the Land Reform (Scotland) Act 2016 ("the Act"). Please note that separate forms are required to be used if requesting a transfer of land and any associated tenant's interest.
2. **Part B** of this form is to be used by a land owner if they choose to respond to the Part 5 community body's request under Part A. Please note that a community body will be able to proceed with an application under Part 5 of the Act if:
  - a land owner does not respond using the form in Part B of this schedule within 6 months of the date of receipt,
  - a land owner responds using the form in Part B of this schedule but does not agree to the request, or
  - a land owner agrees to the request using the form in Part B of this schedule but within the period of 6 months of having received the form in Part A of this schedule they have not concluded missives with the community body or, as the case may be, third party purchaser.
3. Community bodies and land owners may choose to correspond outwith this form, however such correspondence will not be considered by the Scottish Ministers to be either a request or a response for the purposes of the right to buy under Part 5 of the Act.
4. You may print this form and complete it manually or you may download it and complete it electronically.

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5. If you complete the form manually, you must do so using black or blue ink and capital letters.
6. Whether you complete the form manually or electronically, you may continue any answer on a separate sheet of paper. If you do this, please –
  - indicate on the form where any answer is given or continued on a separate sheet,
  - indicate on each separate sheet the question number(s) to which the sheet relates.
7. For more information and guidance on the right to buy for sustainable development please visit [www.gov.scot](http://www.gov.scot) and search for “right to buy”.

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**PART A – REQUEST TO OWNER OR TENANT UNDER PART 5 OF THE LAND REFORM (SCOTLAND) ACT 2016**

**Part A of this form contains a request by a Part 5 community body (“community body”) to a land owner or tenant requesting that the land owner or tenant transfer their ownership or assign their tenancy to the community body.**

1. Name, registered or principal address and contact details for the community body:

Name:
Postal address:
Town:
County:
Country:
Postcode:

2. The name, registered or principal address and contact details for a proposed third party purchaser, if applicable:

Name:
Postal address:
Town:
County:
Country:
Postcode:
Email address:

3.  Tick this box to confirm that the community body has received written confirmation from Scottish Ministers under section 49(7) of the Act.

4. Address and description of –

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- the land the community body wishes to acquire, or
- the land relevant to the tenant's interest that the community body wishes to acquire.

Address:
Description:

**5.** Please include one or more maps or drawings which:

- (a) is/are prepared to the specifications referred to in regulation 3 of the Right to Buy Land to Further Sustainable Development (Applications, Written Requests, Ballots and Compensation) Regulations 2020,
- (b) describe(s) the land which the community body wishes to acquire or the land to which the tenant's interest relates which the community body wishes to acquire.

Please confirm the total number of such maps, plans or other drawings which accompany this request.

**6.** Description of what the community body plan to do with the land or, with the land to which the tenant's interest relates, if acquired.

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7. Proposed terms of transfer or assignment to the community body (for example, in the case of a proposed purchase, the proposed purchase price).

**8. Request**

The community body, \_\_\_\_\_, are requesting the transfer of the land or assignment of the tenant's interest detailed at point 4 above to the [community body/third party purchaser]\* \_\_\_\_\_, on such terms as may be agreed between the owner or tenant, as the case may be, and the community body.

\* Please select either community body or third party purchaser above to confirm who you are requesting that the land be transferred to or the tenant's interest assigned to, as the case may be.

Signed on behalf of the community body by

  

Name        | |  
Address     | |  
Date        | |  
Position    .....  
Signature   .....  
  
Name        | |  
Address     | |  
Date        | |  
Position    .....  
Signature   .....  
  
**Please note that this form should be signed by two office holders or authorised signatories**

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**PART B – RESPONSE FROM OWNER TO COMMUNITY BODY TO UNDER PART 5 OF THE LAND REFORM (SCOTLAND) ACT 2016**

If you are the land owner identified under the community body's request in Part A of this form and you wish to respond to the community body's request please complete this form and return it to the community body at the address identified in Part A of this form.

If you do not respond to the request using Part B of this form within six months of receipt of Part A of this form, for the purposes of section 56(3)(a) of the Act, you will be regarded as having not responded to the community body. Where an owner has not responded to the community body, the community body may proceed to submit an application to the Scottish Ministers to acquire the land referred to in Part A of this form.

**Please note that a response using Part B of this form will not create a contractual obligation between the owner and the community body. Any response indicating a willingness to enter into further discussions and/or negotiations does not create an obligation on the owner in any way.**

Please select only one option:

**Option 1 -** I/We, the land owner identified in Part A of this form, am/are willing to discuss the potential transfer of the land to the community body on the terms specified in Part A of this form and consider entering into negotiations to that end. Please contact me/us to discuss the potential transfer further.

**Option 2 -** I/We, the land owner identified in Part A of this form, do not agree to the request made by the community body to transfer the land to them on the terms so specified but am/are willing to discuss the community body's proposal with them further.

**Please note** that if you tick the box at **Option 2**, for the purposes of section 56(3)(a) of the Act you will be regarded as having not agreed to the community body's request, however this does give you an opportunity to discuss options with the community body that do not rely on the Part 5 right to buy process.

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**Option 3 - I/We**, the land owner identified in Part A of this form do not agree to the request made by the community body to transfer the land to them.

Signed on behalf of the land owner identified in Part A of this form by

Name [ ]

Address [ ]

Date [ ]

Position .....

Signature .....

  

Name [ ]

Address [ ]

Date [ ]

Position .....

Signature .....